The House met at 12 o'clock noon.

Mr. KUCHEL. Mr. President, if there is no further business to come before the Senate I move that the Senate stand in adjournment until 10 o'clock on Monday, August 27, 1962.

The motion was agreed to; and (at 7 o'clock and 43 minutes p.m.) the Senate adjourned, under the previous order, until Monday, August 27, 1962, at 10 o'clock a.m.

CONFIRMATIONS
Executive nominations confirmed by the Senate August 25, 1962:

U.S. District Judge E. Avery Coezy, of California, to be U.S. district judge for the southern district of California.

Jesse W. Curtis, Jr., of California, to be U.S. district judge for the southern district of California.

HOUSE OF REPRESENTATIVES
MONDAY, AUGUST 27, 1962

The Speaker announced the following:

Almighty God, who hast given us this good land for our heritages, be besought Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land and save us from violence, discord, and confusion; from pride and arrogance; and from every evil way. Endue with the spirit of wisdom those to whom, in Thy name, we entrust the authority of Government that there may be justice and peace, and that through obedience to Thy law we may show forth Thy praise among the nations of the earth; for we ask it through Jesus Christ our Lord, Amen.

THE JOURNAL

The Speaker. The Clerk will read the Journal of the last day's proceedings.

The Clerk reads as follows:

Journal of the proceedings of Thursday, August 23, 1962.

Mr. WILLIAMS (interrupting the reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The Speaker. Will the gentleman withhold the point of order to permit the Chair to receive a message?

Mr. WILLIAMS. I withhold the point of order.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed the following bills and amendment bills of the House of the following titles:

H.R. 2446. An act to provide that hydraulic brake fluid sold or shipped in commerce for use in motor vehicles shall meet certain specifications prescribed by the Secretary of Commerce;

H.R. 9093. An act to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint plans and recommendations and surveys for submission to the Congress, and for other purposes;

H.R. 5965. An act to amend the acts of May 21, 1926, and January 25, 1927, relating to the construction of certain bridges across the Delaware River, so as to authorize the use of certain funds acquired by the owners of such bridges for purposes not directly related to the maintenance and operation of such bridges and their approaches;

H.R. 11281. An act to authorize the Secretary of the Army to relinquish to the State of New Jersey jurisdiction over any lands within the Fort Hancock Military Reservation in New Jersey.

H.R. 11781. An act to authorize the payment of the balances of awards for war damage compensation made by the Philippine War Damage Commission under the Philippine Reclamation Act of April 30, 1946, and to authorize the appropriation of $870,000 for that purpose;

H.R. 12081. An act to authorize the Secretary of the Army to convey certain land and easement interests at Hunter-Liggett Military Reservation in the United States over lands within the Fort McKinley District retaliating on such as to land within the Fort McKinley Military Reservation in California;

H.R. 13785. An act for the relief of Anna Lazan 15ai, of Missouri;

H.R. 1421. An act to provide medical care for certain employees of the United States Treasury Department; to authorize the appointment of certain ship's officers and crew members and their dependents, and for other purposes;

H.R. 1521. An act to extend to certain employees on the islands of the Pacific Islands the benefits of the Federal Employees' Compensation Act;

H.R. 1629. An act for the relief of Nafis E. Klalih;

H.R. 1621. An act to authorize the Secretary of Commerce to establish and carry out a program to promote the flow of domestically produced lumber in commerce;

H.R. 1669. An act to amend title 10, United States Code, to authorize the appointment of citizens or nationals of the United States from American Samoa, Guam, or the Virgin Islands to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy;

H.R. 1619. An act to amend title 16, United States Code, to provide increased rates of disability compensation, and for other purposes;

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11257. An act to amend section 815 (a) of the Federal Trade Commission Act, relating to nonjudicial punishment and for other purposes;

H.R. Res. 971. Joint resolution relating to the admission of California to the Union.

The message also announced that the Senate has passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11048. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

The message also announced that the Senate has passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11073. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.
House to bills of the following titles:

S. 388. An act to amend section 206 of the Federal Property and Administrative Services Act of 1949 to empower certain officers and employees of the General Services Administration to administer oaths to witnesses.

S. 981. An act to extend certain authority of the Secretary of the Interior exercised through the Geological Survey of the Department of the Interior, to areas outside the national domain;

S. 1298. An act to amend Public Law 85-506, 86th Congress (74 Stat. 199), approved June 11, 1966;

S. 996. An act to amend the act of September 16, 1959 (73 Stat. 551, 43 U.S.C. 515a.), relating to the construction, operation, and maintenance of the Spokane Valley project;

S. 2399. An act to provide for the establishment of the Frederick Douglass home as a part of the park system of the National Capital, and for other purposes;

S. 2973. An act to change the names of the Edison Ronne National Historic Site and Edison Laboratory National Monument, to authorize the acceptance of donations, and for other purposes;

S. 3112. An act to add certain lands to the Pike National Forest in Colorado and the Carson National Forest in New Mexico, and for other purposes;

S. 3115. An act to provide for the division of the tribal assets of the Ponca Tribe of Native Americans of Nebraska among the members of the tribe, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 7913) entitled "An act to amend title 10, United States Code, to bring the number of cadets at the U.S. Military Academy and the U.S. Air Force Academy up to full strength," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses, and appoints Mr. Russell, Mr. Cannon, and Mr. Saltonstall to be the conferees on the part of the Senate.

CALL OF THE HOUSE

The SPEAKER. The gentleman from Mississippi makes the point of order that a quorum is not present.

Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following members failed to answer to their names:

[Roll No. 198]

YEAS—298

Abbot  Aderhenn  Alexander  Alger  Andrews  Ashmore  Beckworth  Brown  Cooley  Davis  Davis, John W.  Dowdy  Downing  Elliott  Everett  Flynn  Forrester  Frazier  Gary

Abbig  Abernethy  Alexander  Alger  Andrews  Ashmore  Beckworth  Brown  Cooley  Davis  Davis, John W.  Dowdy  Downing  Elliott  Everett  Flynn  Forrester  Frazier  Gary


O'Hara, Mich.

Thoms, Miss. Thompson, La. Weaver
Tuck Wilson Calif.

[The SPEAKER. On this roll call, 356 Members have answered to their names, a quorum.

Mr. WILLIAMS. Mr. Speaker, I object to dismissing further proceedings under the call of the House.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call of the House be dispensed with.

The SPEAKER. The question is on the motion.

Mr. WILLIAMS. Mr. Speaker, I move to lay that motion on the table.

Mr. ALBERT. Mr. Speaker, I make the point of order that the motion to lay on the table is not in order.

The SPEAKER. The motion to dismiss further proceedings under the call is not debatable and not subject to amendment and, therefore, the motion to lay on the table is not in order.

The question is on the motion to dismiss further proceedings under the call.

The question was taken.

Mr. WILLIAMS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

(After counting.) Two hundred and twenty-six Members are present, a quorum.

Mr. WILLIAMS. Mr. Speaker, I demand a division.

The House divided and there were 146, noes 22.

Mr. WILLIAMS. I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair just counted 226, but the Chair will count again. (After counting.) Two hundred and eighteen Members are present, a quorum.

Mr. WILLIAMS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were agreed to. So the motion was agreed to.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following day the President approved and signed bills and a joint resolution of the House of the following titles:

[On August 20, 1962]

H.R. 275. An act to amend the act of August 7, 1946, relating to the District of Columbia hospital center, to extend the time during which appropriations may be made for the purposes of that act.

H.R. 219. An act for the relief of Surga Din.

H.R. 3176. An act for the relief of Salvatore Mortelliti.


H.R. 3568. An act to amend the Tariff Act of 1930, as amended;

H.R. 4466. An act to amend paragraph 774 of the Tariff Act of 1930, as amended, to the importation of certain articles for religious purposes;

H.R. 3189. An act for the relief of Helena M. Grover;

H.R. 5216. An act to permit the vessel "Baker" to be used in the coastwise trade;

H.R. 6546. An act to permit the tugs John Roen, Jr., and Steve W. to be documented for use in the coastwise trade;


H.R. 7741. An act to permit the vessel "Lucky Linda" to be documented for limited use in the coastwise trade;

H.R. 8100. An act to amend section 109 of the Federal Property and Administrative Services Act of 1949, as amended, relative to the general use of property;

H.R. 8165. An act to admit the oil screw tugs Barbara, Ivel, and Alice and the barges Florida, DB-8, No. 210, and No. 235 to American registry and to permit their use in the coastwise trade while they are owned by Standard Dredging Corp., a New Jersey corporation.

H.R. 10276. An act to change the name of the Petersburg National Military Park, to provide for acquisition of a portion of the Five Forks Battlefield, and for other purposes;

H.R. 10308. An act for the relief of Elizabeth A. Johnson;

H.R. 10859. An act for the coastwise trade;

H.R. 11400. An act for the maintenance and repair of Government improvements under the Coast Guard contracts entered into pursuant to the act of August 25, 1916 (39 Stat. 535), as amended, and for other purposes;

H.R. 11643. An act to amend sections 210(c) and 306(b) of the Interstate Commerce Act relating to the establishment of through routes and joint rates;

H.R. 12585. An act to amend the law relating to payment of the final disposition of the Choctaw Tribe; and


The SPEAKER. The Chair will proceed with the reading of the Journal.

The Clerk continued the reading of the Journal.

CALL OF THE HOUSE

Mr. RIVERS of South Carolina (interrupting Harkness, making the call). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

(After counting.) One hundred and eighty-four Members are present, not a quorum.
Clerk announced the following call of the House.

17654 names:
Ashley Bolling, Coad Celler Cannon Diggs Dominick under the call will be dispensed with. That further proceedings under the call appeared to have it to the vote on the ground that a quorum is not present and make the point of order.

Mr. DOWDY. Mr. Speaker, I object.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. DOWDY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order.

Mr. Speaker announced that the ayes appeared to have it.

The Speaker. The Chair will count.

The result of the vote was announced as above recorded.

The doors were opened.

The Speaker. The Chair will proceed with the reading of the Journal.

The Speaker concluded the reading of the Journal.

Mr. WILLIAMS. Mr. Speaker, I object.

The Speaker. Mr. Speaker, I move that the Journal as read stand approved.

The Speaker. The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS. Mr. Speaker, I object.

The Speaker. The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS. Mr. Speaker, I object.

The Speaker. The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

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The Speaker. The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS. Mr. Speaker, I object.

The Speaker. The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS. Mr. Speaker, I object.

The Speaker. The question is on the motion of the gentleman from Oklahoma.
Joint Resolution 29, proposing an amendment to the Constitution of the United States relating to the qualifications of electors. 

Mr. ABERNETHY. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ABERNETHY. Mr. Speaker, I move a point of order that this is District of Columbia Day, that there are District bills on the calendar, and as a member of the Committee on the District of Columbia I respectfully demand recognition so that these bills may be considered.

Mr. ALBERT. Mr. Speaker, may I be heard on the point of order?

The SPEAKER. The Chair is prepared to rule, but the gentleman may be heard.

Mr. ALBERT. Mr. Speaker, by unanimous consent, suspensions were transferred to this day, and under the rules the Speaker has power of recognition at his discretion.

Mr. ABERNETHY. Mr. Speaker, I respectfully call the attention of the chairman to clause 8, rule XXIV, page 432 of the House Manual, which reads as follows: and respectfully submit it is a mandatory rule:

The second and fourth Mondays in each month, after the disposition of motions to discharge committees and after the disposal of such business on the Speaker's table as requires reference only, shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

Mr. Speaker, I submit that rule is clear that when the time is claimed and the opportunity is claimed the Chair shall permit those bills to be considered.

Therefore, Mr. Speaker, I respectfully submit my point of order is well taken, as follows; and I am quite sure that a great number of them had no notice that it was going to be made, and certainly I did not—now the majority leader undertakes to say that having obtained unanimous consent to consider this motion on this day to suspend the rules, therefore, it gives the Speaker carte blanche authority to do away with the rules which gives first consideration to District of Columbia matters.

Mr. Speaker, there was no waiver of the matters of the District of Columbia. That consent did not dispose or dispense with the business on the District of Columbia day. The rule is completely mandatory. The rule says that on the second and fourth Mondays, if the District of Columbia claims the time, that the Speaker shall recognize them for such dispositions as they desire to call.

The SPEAKER. The Chair is prepared to rule.

Several days ago on August 14 unanimous consent was obtained to transfer consideration of business under suspension of the rules on Monday last until today. That does not prohibit the consideration of a privileged motion and a motion to suspend the rules today is a privileged motion. The matter is within the discretion of the Chair as to the matter of recognition.

The Chair rules over the point of order. The Clerk read the resolution (H.J. Res. 352).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE—

"SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for candidates for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"Sect. 2. The Congress shall have power to enforce this article by appropriate legislation."

The SPEAKER. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

Mr. SMITH of Virginia. Mr. Speaker, I would like to know if the gentleman qualifies. I believe that the opposition has the right to demand a second.

The SPEAKER. Is the gentleman from Ohio [Mr. McCulloch] opposed to the resolution?

Mr. McCULLOCH. Mr. Speaker, I am not opposed to the resolution. The SPEAKER. The gentleman does not qualify.

Mr. RAY. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. RAY. Mr. Speaker, I am.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from New York [Mr. Celler] is recognized for 20 minutes.

Mr. Celler. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, our late lamented Speaker, Sam Rayburn, President Kennedy, Vice President Lyndon Johnson, our present Speaker, John McCormack, all at some time or another lobbied against the poll tax. Both party platforms have repeatedly pledged abolition of the poll tax. For example in the party platforms, the Republicans had the plank in 1944, 1948, and 1952, as follows:

In 1944: The payment of any poll tax shall not be a condition of voting in Federal elections, and we favor immediate submission of a constitutional amendment for its abolition.

In 1948: We favor the abolition of the poll tax as a requisite to voting.

In 1952: We will prove our good faith by * * * Federal action toward the elimination of the poll tax as a prerequisite for voting.

In 1960: (1) To continue the vigorous enforcement of civil rights laws to give the right to vote to all citizens in all areas of the country (from party pledge).

Democrat—no specific reference to the poll tax by name in platforms of 1948 and 1952, but it is obviously referred to in the Democratic platform of 1948 in the following manner:

In 1948: We call upon the Congress to support our President in guaranteeing the basic and fundamental American principles: (1) the right of full and equal political participation.

In 1952: We find an approval of the removal of the poll tax:

We favor Federal legislation effectively to secure these rights to everyone: (1) the right to full and equal participation in the Nation's political life, free from arbitrary restraints.

In 1960: We will support whatever action is necessary to determine the payment of poll taxes as requirements for voting.

I regret that this constitutional amendment is brought up under suspension of the rules with only 40 minutes of debate. I applied for a rule. A rule was not forthcoming. A discharge petition was filed but not processed. Such
petition is rarely used and has its attendant difficulties if not embarrassments. Hence this suspension of the rules.

In suspending this amendment I regret that I must differ with my esteemed colleagues of the Judiciary Committee, Representatives Willis, Ashmore, Forrester, Dowdy, and Tooke. Their opposition is sincere, as it is sincere in this we are as different as Hamlet is from Heracles, as a pig's tail is from the tail of a comet. But remember, democracy's strength lies in differences of opinion and the right to utter them.

The House has passed an antipoll tax bill five times, the Senate twice, including the resolution before you.

Antipoll tax legislation, since 1942, passed by the House in 77th, 78th, 79th, 80th, 81st Congresses. Debated in the Senate during each of these Congresses but passed by the Senate only during 86th and 87th.

No bills passed by either House or Senate—52d through the 85th.

In each instance the bill which passed the House was defeated in the Senate. The desire of those in the Senate to prevent a poll tax prerequisite to voting in Federal elections. No such bill was passed by the Senate and at least once—H.R. 7, 78th Congress—was prevented from coming to a vote through filibuster.

Only time it passed the Senate was during the 86th Congress, and that took the form of constitutional amendment.

Seventy-seventh Congress, H.R. 1024; Passed the House on October 13, 1942, 254 to 84. Reported in Senate and debated in Senate.

Seventy-eighth Congress, H.R. 7: Passed House May 25, 1943, 265 to 110. Senate filibustered and cloture vote defeated 36 to 44.

Seventy-ninth Congress, H.R. 7: Motion to discharge the Committee on Rules from further consideration was adopted by 224 to 95; H.R. 7 passed the House June 12, 1945, 251 to 195. Debated in Senate and defeated during each of these Congresses but passed by the Senate only during 86th and 87th Congresses.

Hence this constitutional amendment. This amendment has passed the Senate of each Congress during 86th and 87th.

And it is interesting to note that these five States which still require the payment of a poll tax were among the seven States that cast the deciding vote in the 1960 presidential election. The fear that a constitutional amendment would take too long is illusory. The first 10 amendments, constituting the Bill of Rights, were ratified in approximately 9 months. The 17th, 18th, 19th, and 20th amendments each required only approximately 1 year, while the 21st and 22d amendments took less than a year. And remember, 45 States do not have a poll tax.

Reasonable minds differ as to the method to be adopted to abolish the poll tax. Some would travel the statutory route, others the constitutional route. As the Attorney General stated, "a constitutional amendment is a realistic and commendable approach.

In testifying before the Senate Constitution Amendments Sub委员会 on June 28, 1961, Assistant Attorney General Nicholas deB. Katzenbach said:

"While we think from the recent trend in decisions that the Court will ultimately uphold such a statute, the matter is not free from doubt. In any event, as a practical matter, the only way of the widespread support offered by the many sponsors of Senate Joint Resolution 88, the poll tax may possibly be prohibited forever. This is no amendment but a constitutional amendment than by attempt to enact and litigate the validity of a statute. All of us know that long delays are inherent in litigation generally, and this is particularly true when important constitutional issues are at stake. Accordingly, the Justice Department supports the proposed amendment as a realistic technique which seeks the early demise of the poll tax.

Later, during that hearing, Mr. Katzenbach said:

I am authorized on this to speak for the administration and for the President.

If the statutory method were pursued there would ensue a long period of litigation to test the statute's constitutionality.

Furthermore, a statute would be difficult to enact in both Houses—as difficult as trying to grasp a shadow.

This amendment has passed the Senate, I repeat. I am a pragmatist. I want results, not debate. I want a law, not a filibuster. I crave an end to the poll tax, not unlimited, crippling amendments.

I say to you gentlemen and ladies, "Stretch your feet according to your blanket."

It is wiser to recognize the exigencies under which we operate. I do not wish to try for too much and fail. I do not want to keep rolling a boulder up a high hill like Sisyphus, only to have it fall down constantly upon me. We would have inordinate trouble trying to get a mere statute passed. Hence this constitutional amendment.

I am aware that this resolution only affects voting in Federal elections. States could inflict the tax on State or local elections. This might mean double or bobbled ballots. That would be unfortunate.

It is hoped that this constitutional amendment, when ratified, will liberate the minds of the members of the State legislatures of the five poll tax States and cause these men to realize that the fungus growth on their own local body politic could very well strangling progress in many directions.

Excuse is offered that the poll tax remains in some States. This is a specious argument. Poll tax proceeds might be used for many good causes—for bird sanctuaries, homes for inebriates, baseball parks, or what have you. But since the poll tax is inherently obnoxious, the good does not justify the evil. It is like the fruit of a poisoned tree or water from a tainted well.

The constitutional amendment is in exactly the form that it passed the Senate. I fought down all amendments before the Judiciary Committee so that we could pass upon the resolution as it had passed the Senate. This will avoid any conference and thus prevent delay. Delay has dangerous ends.

There has been sufficient delay in removing this unfair burden on the right to vote, a burden on the white man's ballot as well as on the colored man's ballot.

Recent studies of the U.S. Commission on Civil Rights revealed on the whole that the imposition of the poll tax has not been administered in a discriminatory manner, but to do so is resident therein. Past history is replete with discrimination. Present history still records some unjust brakes on the right to vote.

For too long a time have the rights of minorities been trampled upon; 100 years have elapsed since the Emancipation Proclamation. That is a long time. Emancipation has still not been fully achieved. Change that, change should be no longer any procrastination in consigning the poll tax to limbo.

Cervantes said:

"All the street or by and by one arrives at the House of Never.

Let us not tarry longer with this obstruction to voting. Let us get rid of it now.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. DELL. I yield to the gentleman from Florida.

Mr. FASCELL. I want to congratulate the gentleman as chairman of the
Judiciary Committee for his perseverance and his leadership in this matter. I would like the Record to show also that the distinguished senior Senator from the State of Florida, the Honorable Senator Holland, in the other body, has for a long time been the sponsor of this resolution. I am very happy to join the gentleman from New York and my senior Senator from Florida in support of the resolution.

We, in the U.S. Congress have witnessed a long and oftentimes bitter struggle to abolish the poll tax as a prerequisite for voting, so that no American must pay for the privilege of exercising his constitutional privilege—the right to vote.

One of the outstanding leaders in the fight for the abolition of this horrid and intolerable deterrent to democracy is the distinguished and able senior Senator from my State of Florida, the Honorable Senator Holland.

As far back as 1937 Senator Holland called the poll tax an "impediment to voting" and participated, as a Florida State senator, in the successful fight to remove the poll tax as a voting requirement in the State of Florida.

Through his outstanding efforts in this matter, we, in the State of Florida, have realized a great increase in the exercise of voting responsibilities and the advent of clean politics. It was common knowledge throughout the State of Florida that some persons were controlling certain county elections through manipulation of the poll tax. As Senator Holland phrased it, "This means of undemocratic and corrupt control was terminated by the poll tax repeal."

Now we are discussing the abolition by constitutional amendment of the poll tax in the only five States in this free Nation which require the payment of money as condition of the exercise of a right guaranteed by the Constitution of the United States.

Mr. Speaker, the payment of money, whether directly or indirectly, whether in a small amount or in a large amount, should never be permitted to reign as a barrier to voting. It must, therefore, be defended, secured, and observed.

This right to vote freer from discrimination is a prerequisite for the exercise of every right as a citizen of this Nation. It is the cornerstone of our democracy. It is the foundation of our form of government. It is the one right, in fact, upon which all other constitutional guarantees depend for their effective protection. It must, therefore, be defended, secured, and observed.

This right to vote free from discrimination based on race or color, however, the promise guaranteed by the 15th amendment to our Constitution—continues to suffer abridgement. The excellent studies conducted by the Commission on Civil Rights reveal that many minority groups, and Negroes in particular, are anxious to exercise their full political rights as free Americans, and that progress has been made in this regard. Unfortunately, these same studies also reveal that many Negro American citizens not only find it extremely difficult, but often impossible to vote; that devices such as the poll tax remain as still effective tools of discrimination.

Mr. Speaker, I agree with those who argue that every State has a constitutional right to impose voting tests. These tests must, however, be reasonable and consistently applied. They must serve as qualifications for voting, not as barriers, and as the poll tax is currently being used it is neither reasonable nor a valid qualification. It is being used solely and exclusively to withhold the vote from certain groups and it must, therefore, violate the guarantee of an equally important section of our Constitution—the 15th amendment.

Mr. Speaker, the Declaration of Independence states boldly that all men are created equal. I reject the concept that this means only some men and I urge that we in this Congress, by approving this legislation, join still further in the cause for racial justice and human equality.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. Ray].

Mr. Ray. Mr. Speaker, I yield myself 1 minute, and rise in opposition to the resolution.

Mr. Speaker, if I were a resident of one of the five States affected by this legislation, undoubtedly I would vote to change the law of that State, but I would be equally and more violently opposed to any attempt to have the long arm of the Federal Government reach in and compel me to make that change.

Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. McCulloch].

Mr. McCulloch. Mr. Speaker, Joint Resolution 29 is a proposal to amend the Constitution of the United States to eliminate the poll tax, as a condition of voting in federal elections.

It is a mild proposal, indeed, in view of the limited use of poll tax laws as a deterrent to voting in the United States today.

Only in Alabama, Arkansas, Mississippi, Texas, and Virginia is the payment of a poll tax a prerequisite for voting. More important, the Civil Rights Commission in its 1961 report stated:

With the possible exception of the deterrent effect of the poll tax—which does not appear generally to be discriminatory upon the basis of race or color—there appears to encounter no significant racially motivated impediments to voting in the Southern States.

Thus, the Civil Rights Commission itself is unable to attribute more than a nod to the notion that poll taxes are used today to racially discriminate in voting.

Even if we were to assume, however, that evidence did exist that the poll tax was being so used, it would be necessary to exclude the States of Arkansas, Texas, and Virginia, since the Civil Rights Commission specifically found that voter discrimination for such means does not exist in those States. This leaves only the States of Alabama and Mississippi where the poll tax may be a racial deterrent to voting. Let us turn, then, to the voter situation in those two States to see how materially the final adoption of Joint Resolution 29 will contribute to the cause of civil rights, in the area of voter enfranchisement.

In doing so, I wish to stress that I am not necessarily concluding that the poll tax is being used discriminatorily in these two States. However, in order to determine the maximum effective limits of this proposal, I secured voter registration statistics for 1960 in those counties of Alabama and Mississippi which have less than 10 percent registration among the nonwhite voting-age population. It is a fair indication of the climate since the Civil Rights Commission only labels a county for suspicion if it has less than 3 percent nonwhie registration.

Analyzing the figures, I discovered that Alabama has approximately 160,000 nonwhite citizens of voting age within such counties who have not registered. Tuan in the State of Mississippi, there are approximately 250,000 nonwhite citizens of voting age within counties of 10 percent or less nonwhite registration, who have not registered. This means that the final proposed constitutional amendment, we could only assist, at the most, 410,000 citizens.
Resolved, That all eligible citizens of the State of Texas, and of the United States, shall be and remain, at all times, free men, and that the right of all persons to vote at all times shall be protected by law from infringement, and shall be secured by the appropriate enforcement of the laws of the United States.

Mr. ROGERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. McCulloch. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. McCulloch. I yield to the gentleman from Texas.

The first constitutional provision is this. With great humility and out of consideration for all the people, the Founding Fathers put a provision in the Constitution which says that the qualifications of Members of Congress and national offices shall be the same as those who vote for members of the State legislature and local offices. That constitutional provision before this panel would reverse this principle. It would make a special provision applicable to Members of Congress and national offices only. It would provide that when a special provision is passed by the House of Representatives for a Member of Congress or national office, he could not be required to pay a poll tax, but when voting for a local officer on the same ballot he could be forced to pay a poll tax. Strangely enough, the proponents of this measure use this very argument to get votes for the pending proposal. On reflection I say to you that this is the greatest argument against a vote for it.

Why make a special provision for Members of Congress and national offices while the people of the States are not treated the same? Those of you who vote for this resolution must face the fact that you will not be able to tell the folks back home, "Look what I did for you." You will have to tell the mayor of your city, the sheriff, your justice of the peace, and on up to your Governor, "Look what I did for me."

Oh, I know, you might be able to whisper to these local officials that you could not make such a provision for them and so for the time being you made the provision only for yourself. But they might well say to you, "Did you try? Did you make a fight for us? Did you offer an amendment to include us?"

And then, too, you might be able to tell your political friends that to match the tactics of those of the opposite party you had to do something special for a special minority group—a minority group traditionally favored with the greatest compassion and a majority of whom I think vote for me. But the truth of the matter is that this great country of ours is made up of conglomerate groups, but the Catholics as such are not in a majority and in that sense are a minority group. No one sect of the Protestants constitute a majority and in that sense, they, too, are minority groups. Suppose some of these days any one of these groups tells you, "Out of political consideration you always do something special for one minority group; when are you going to start doing something for us? What are you going to say? What will you do?" I venture to tell you, your turn will come next."

With this in mind, I offer a constitutional amendment which, in plain language, states that the time, place and manner of conducting elections shall be left up to the States. The constitutional amendment before us today, if passed, would be an entering wedge. It would be one more foot in the door which, through pressure groups, however sincere, would inevitably lead to other amendments concentrating the entire...
The proposal before us today is reminiscent of one made by former President Eisenhower. You will remember, I am sure, that he offered an amendment to the Constitution which would give the right to vote to all people 13 years of age. The argument was that if a person was older than 13 it was old enough to vote, and it had great temporary emotional appeal. But then the people were heard from with a great voice saying, “The proposal has great merit, but on reflection we should heed the admonition of the Founding Fathers to the effect that the qualification of voters and the time, place, and manner of conducting elections should be left up to the States.” And the proposal was abandoned.

Passage of the proposed amendment to the Constitution restricted to so-called Federal matters would result in a breakdown of the division of power between the Federal Government and the States.

For example, we provide money to build so-called Federal highway systems. Should we use this as an excuse for Congress to enact speed laws and to create traffic courts? We provide funds for land-grant colleges, which is a function primarily of the State university. Should we use this as an excuse to pass legislation regulating our State public educational system? I am very much afraid that the proposal of the amendment would result in passing Federal legislation in order to get votes today will be used as an excuse to further amend the Constitution in the field of State and local elections and will inevitably result in the concentration of more and greater power in the Federal Government at the expense of the States and the people, and I urge its defeat.

Mr. TUCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. Tuck].

Mr. TUCK. Mr. Speaker, I thank the distinguished gentleman from New York [Mr. Cellier] for putting me this brief time in which to discuss such an important question.

Mr. Speaker, I rise in opposition to Senate Joint Resolution 29, proposing an amendment to the Constitution of the United States relating to the qualifications of electors, with specific reference to the payment of a poll tax as a prerequisite for voting in Federal elections. I respectfully submit that the House could be utilizing its time more profitably and devoting its attention to far more important matters.

This resolution is a political gesture addressed to powerful minority groups who neither live nor vote in the five poll tax States.

One of the Congress to pass a resolution of this nature is not questioned: however, to do so will be to subvert hallowed constitutional principles. The principle involved here is the right of the States to control their own election machinery and to set forth qualifications of voters. That right is upheld in the decision of Butler v. Thompson, 341 U.S. 397, wherein the Supreme Court held that “the decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges and immunities of the citizens of this United States which are protected by the 14th amendment. The privilege of voting is derived from the State, and not from the National Government.”

The Supreme Court in Minor v. Happersett, 21 Wall. 162, held that “the Constitution of the United States does not confer the right of suffrage on anyone”. Suffrage is a privilege of the States and becomes a right only if denied under the guarantees of the 15th and 19th amendments. A person may vote only if he meets the qualifications prescribed by his State.

The operation of the poll tax does not create a problem which requires solution by a constitutional amendment. The question is not whether the poll tax against constitutional attack should not be ignored by this House. This body will not be justified in the passage of the proposed resolution.

The United States Constitution in its 1961 report did not make a single reference to an instance in which the poll tax requirement had been administered in such a manner as to discriminate against any voter or class of voters.

In my own State, the effect of the amendment’s provisions upon State election machinery would be disastrous. Whereas now only one list of voters must be kept, under the proposed amendment each State must have to set up a list, maintained inasmuch as the constitution of Virginia requires the payment of a poll tax. One set would list those who had paid the poll tax and could, therefore, vote in State elections; the other set would list those persons who, though they had not complied with the law in State elections could vote in elections for Federal officers. This would be wholly unworkable. Our system has worked well. We are not discriminating against anyone, and the record so bears this out.

In closing, I would like to reemphasize the following general objections to the proposed amendment:

First. The proposed amendment is not consistent with the guarantees of a Federal system of government as outlined in the Constitution.

Second. The existence of a poll tax does not create a problem which demands solution by constitutional amendment.

Third. The proposed amendment, if adopted, would deprive five States of a source of substantial revenue.

Fourth. If adopted, the proposed amendment would abolish a tested and proven method of maintaining proper voters rolls.

Fifth. Adoption of the proposed amendment would establish a precedent for future amendments, which properly may be referred to as “national referendums,” on any item in a State’s laws that fail to meet the approval of the other States.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. Lindsay].

Mr. LINDSAY. Mr. Speaker, I am very much opposed to poll taxes, and that is why I voted for this bill, but I do so with a heavy heart.

This is probably the greatest piece of legislative gamemanship that has come before this body in the history of Congress. This is a great day also for the anticivil rights proponents. It may sound strange to some of you, but I am going to agree extremely much with my good friend, the gentleman from Louisiana [Mr. Willis]. First of all, this is a fantastic procedure under which to amend the Constitution—an up or down vote, no amendments possible. I want to commit possible, a total of 40 minutes of debate. Secondly, the result sought to be achieved can and should be achieved by a simple spot vote.

Leaders of the majority side, who are running this show, Mr. Speaker, ought to be proud of themselves for handling us all this dish of tea. Under this amendment, we would be forced to kill a gnat. Every one of these measures is cynically tinker with the U.S. Constitution, for political reasons, to get off the hook on civil rights. They would amend the Constitution to abolish the poll tax in Federal elections only. Why only Federal elections? That was the point made by my friend from Louisiana [Mr. Willis]—in Federal elections only. The impact is on two States. Only five States still have a poll tax of any kind and only two of these continue to use the poll tax in order to disfranchise voters. The Civil Rights Commission, in its 1961 report, said as follows:

The absence of complaints to the Commission, actions by the Department of Justice, private litigation, or other indications of disfranchisement of voters has led the Commission to conclude that, with the possible exception of a deterrent effect of the poll tax—which does exist in the Southern U.S.—the law does not appear generally to be discriminatory upon the basis of race or color. In the absence of complaints to the Commission, actions by the Department of Justice, private litigation, or other indications of disfranchisement of voters has led the Commission to conclude that, with the possible exception of a deterrent effect of the poll tax—which does exist in the Southern U.S.—the law does not appear generally to be discriminatory upon the basis of race or color. In the absence of complaints to the Commission, actions by the Department of Justice, private litigation, or other indications of disfranchisement of voters has led the Commission to conclude that, with the possible exception of a deterrent effect of the poll tax—which does exist in the Southern U.S.—the law does not appear generally to be discriminatory upon the basis of race or color.

Mr. Speaker, it is dangerous to alter the U.S. Constitution when the same result can be reached by statute. Some of the Members on the majority side who think of themselves as great liberals ought to say, when we worry about a little bit. There are any number of proposals, for example, to amend the U.S. Constitution on the school prayer issue, and if you can do it as easily as we do here today, to correct a relatively minor matter that can be corrected by simple statute, just think of what can occur in the future. But I think that in this extreme right should be in the ascendency. This is using a sledge hammer, a giant cannon, in order to kill a gnat.

Of course, Mr. Speaker, what we really have before us is the last scene of this bad charade that we have been forced to watch for almost 2 years in which the administration and the majority side of the aisle step by step have
delivered on the deal not to give the country significant or meaningful civil rights legislation. I think it is a pretty sorry show. This is known as an "off the hook" bill—a show device that will get the administration off the hook for breaking its pledges with the American people on civil rights.

The present Attorney General of the United States came to the Judiciary Committee and made the requirement in Federal elections can and should be eliminated by simple statute. I think it is a pretty people on civil rights. breaking its pledges with the American requirement in Federal elections can and Committee and testified that the poll-tax should be eliminated by simple statute. United States to be meaningful. local level, in school boards and in those ment of all citizens of this country and abolish impediments to voting in local other areas where the anti-civil-liber­ tarian forces go to work to the process.

Mr. ALGER. Mr. Speaker, I have only 1 minute but I want to tell my colleagues I have always been against the poll tax as a voting qualification in the State of Texas, but the end does not justify the means. If we want to change this State prerogative in Texas, Texans will do it in good time at Austin, Tex. This resolution today is the wrong way to do it. We do not have discrimination in Texas because of the poll tax, but whether we do or not, it is not the busi­ ness of the other States to tell us our voting qualifications. I wish my colle­ ughes who take the lead on other issues on grounds of States rights. I am trying to be consistent. I am trying against the poll tax. But this is the wrong way to do it, and you will live to rue the day you do it.

I want to commend the gentlemen who wrote the minority views. I would like to read the court decision of Butler versus Thompson, time prevents, so I com­ mend it to your consideration. This resolution is wrong, and I hope it is voted down.

Mr. SMITH of Virginia. Mr. Speaker, 4 minutes. I have been here a long time. I hope that the walls of this Hall will never ring again with the kind of a fight that has been put on here to­ night. The reason why the United States to be amended, when no one can offer an objection or an amendment to it, when no one can raise his voice in extended debate, but 20 minutes for and 20 minutes for the other. It is unprecedented in the annals of this Gov­ ernment for an amendment to the Con­ stitution, no matter how insignificant it may be, to be considered here under this procedure.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I decline to yield. I have only 4 minutes, and I re­ gret very much, much more than the gentleman does, I am sure, that we do not have additional time.

I heard one of the speakers—and by the way, the best arguments I have heard for the defeat of this resolution have come from the Republican side. This should not be done in this way. It shows the way in which the Constitution of the United States has fallen. Think on this. The great Alexander Hamilton, one of the great Republicans of this country, and it was displaced so that they might get onto the floor this disgraceful exhibition of disrespect and disrepute of the great Constitution of the United States.

Gentlemen, how many of you are go­ ing to be proud of the vote you are about to take? How can you look into the faces of both parties, because the Republican leadership is just as much responsible for this as the Democrats. They do not put bills on this controversy on the Sus­ pense Calendar pending legislation? They have the consent and approval of the majority leadership. So do not lay it on the Demo­ cratic side, and I am not excusing the Republican leadership, because I would have brought this up in the regular way.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I decline to yield. If you had cooperated with us in fixing this thing so that we would have had some time to debate a proposed amend­ ment to the Constitution we would have been glad to discuss it and discuss it fully and on its merits. But this resolution could have been brought up here in the regular way. Some of you will remem­ ber the just 18 months ago the lead­ ership of this House packed the Commit­ tee on Rules so that they would have a majority vote on it. They could have gotten it out of the Committee on Rules with a major­ ity vote that they wanted to do it in the democratic way and per­ mit the House to vote on it. Yet, this House is going to vote for this in this extraordinary situation, and they are go­ ing to do it under political pressure to please a minority group. We all know that, everybody knows that, the country knows that. What is this country going to come to when we, supposedly responsible and dignified Members of the Congress, "crook the pregnant hinges of the knee" at every call and at every de­ mand of any minority group in this country in order that some votes may be controlled? Is that the kind of government that we are going to run from now on? Think it over. Vote for it, as you say. Vote for it, as you say. I am not for it, and knowing so, vote for it under pressure— under political pressure from a minority group—and then regret it as long as you live.

The SPEAKER. The time of the gen­ tleman has expired.

Mr. RAY. Mr. Speaker, I yield one­ half minute to the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Speaker, Georgia levies no poll tax. Only 5 of our 50 States do. Nevertheless, the levy­ ing of poll taxes has always been a mat­ ter for decision by the respective States, and I hope it will continue to be. The 5 States still collecting a poll tax have as good morals, as much respect for law, as efficient government as the other 45 States. This statement cannot be challenged. To say that a $1 or $2 poll tax prevents anyone from exercising the great right to vote is laughable. The poll tax serves no good purpose but, con­ versely, it serves no evil purpose. It is a right that the States have exercised from the beginning and a right that can be exercised. If the joint resolution prohibiting such tax.

The committee is to be congratulated on recognizing the fact that only a con-
stitutional amendment can deprive the States of the power to levy such tax, and proceeding by way of constitutional amendment rather than by statute which would undoubtedly have been illegal. I cannot believe any good will be accomplished by striking down the rights of the States to levy a poll tax for the purpose of curing an imaginary ill nurtured by minority groups.

Appealing of minority groups' unreasonable demands is making us ridiculous in the eyes of the people of the world.

Mr. SPARKS. I am unanimous that all Members may have 5 legislative days to extend their remarks on the pending resolution before the vote thereon.

The SPEAKER. Without objection, it is so ordered.

Mr. RAY. Mr. Speaker, I yield the balance of the time remaining to the gentleman from New York [Mr. HAPPER].

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HAPPER. I yield to the gentleman.

Mr. HALLECK. Mr. Speaker, I do not want to get into any controversy with any of my colleagues, but just want to state to the record and understand that today is the regular day for considering legislation under suspension of the rules under the arrangement made by Members and so far as the suspensions are concerned, it was within the province of the Speaker and the majority leadership to schedule them, and that is what has been done.

Mr. HAPPER. Mr. Speaker, I am in favor of any step taken in the direction of outlawing this undemocratic, feudal practice of placing a price tag on the right to vote.

Mr. SPEAKER. Mr. Speaker, I would much prefer that the poll tax be outlawed by statute rather than by an amendment to the Constitution, as this House has authorized five times previously. There is a big question as to the effects of going the amendment route—obtaining approval of three-fourths of the State legislatures is a long, difficult, and tedious process, to say the least.

We are now, however, faced with no other alternative under the rule and the circumstances here today but to support this constitutional amendment. Despite the question of the effectiveness of this method, I definitely shall support this Senate joint resolution.

It is vital that the Congress go on record as to the people that the poll tax be repealed. Mr. Speaker, I urge a massive vote for passage.

Mr. CELLER. Mr. Speaker, I yield the 1 minute remaining on this side to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, I regret that the gentleman from Virginia should say that we were placed under a gag rule that we could not present the matter to the House so that this constitutional proposal could be amended. I want to direct attention to and read a letter from the gentleman from Virginia, addressed to the chairman of our committee, which reads as follows:

House of Representatives, U.S.
Hon. Emanuel Celler, Chairman, Committee on the Judiciary, House Office Building, Washington, D.C.

Dear Mr. Chairman: This will acknowledge your letter of June 14 requesting that the Chairman's Rules schedule a hearing on Senate Joint Resolution 29, proposing an amendment to the Constitution of the United States relating to the qualifications of electors.

I shall endeavor to schedule a hearing on this measure at the earliest possible time and shall be glad to advise you when a date has been set.

Sincerely,
Howard W. Smith, Chairman.

If the gentleman from Virginia and others are interested and do not want the Constitution amended, or us to have an opportunity to say how it should be amended, why did he not, upon the request of the gentleman of this committee, grant a rule so that we could come in here and discuss it in every particular?

Mr. DEVINE. Mr. Speaker, when we are faced with one of the most serious and most urgent matters of the operation of our Government: when we are revising the very document that is the foundation of the great Republic: when the Constitution of the United States is to be altered in any manner whatsoever, it well behooves this Congress to follow orderly, calm, and comprehensive procedures to assure full and complete debate and discussion apparent this bill will pass, and the easy and politically expedient vote would be "aye." However, it is a travesty to manhandle the Constitution by this deplorable procedure, and I will not be a party to such practice.

My district has nearly 16 percent nonresidents. This is quite apparent this bill will pass, and the easy and politically expedient vote would be "aye." However, it is a travesty to manhandle the Constitution by this deplorable procedure, and I will not be a party to such practice.

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Mr. POFF. Mr. Speaker, in my first campaign for Congress 10 years ago, I registered my opposition to the poll tax as a price tag on the voting privilege. I prefer to see the States repeal the poll tax.

I am opposed to a Federal statute on the subject.
the Federal level, on the sovereignty and dignity of each of the great States of our Union.

While there may be differences of opinion as to the appropriateness of a poll tax as a condition to voting, the courts have on several occasions sanctioned the constitutionality of such and held that the imposition of the tax was a matter of decision and determination for each State.

This resolution is another move toward conformity, to make all States and all citizens, of groups of citizens, of our great cities, and our States. But apparently the minority groups are not satisfied with this.

So, through organization and organized political pressures they are forcing House Members today to take another step toward conformity.

Finally and simply, Mr. Speaker, is it not absurd to suggest in this day when per capita income is high that a $2 per year poll tax restricts the right of any individual to vote? Even the Civil Rights Commission, whose interest, affection and belief, I might say, bias toward the people of minority groups is well known, has dared not make such a contention. In fact, it has intimated and almost firmly stated quite the contrary.

And I know you would rather this issue not be here. Pause a moment, if you please. If your conscience tells you to go slow, then do it.

Mr. BENNETT of Florida. Mr. Speaker, there are sound reasons to abolish the poll tax requirement for voting in Federal elections. One is that it is a step backward in democracy. There is another which I would particularly call attention to. Experience has shown that the existence of such a tax is a temptation toward its payment by others than the person designed to be taxed. This in turn has been a temptation toward the payment of money in an effort to control the vote of the person whose tax is paid by another. This is reason enough for me to support this measure.

In conclusion, I would like to pay particular tribute to the primary exponent of this measure, the senior Senator from Florida, to whom we are indebted for leadership in this is the chief factor in its passage.

Mr. ROOSEVELT. Mr. Speaker, every step forward, even a small one, is important toward full voting rights for citizens of the United States. The vote of this House takes nothing away from the States for the States must vote by a majority rule. But the strength of this constitutional amendment effective. The strength, and not the weakness, of our form of government comes from our ability to make adjustment. Better late than never, but this is a vote which every American can be proud.

Mr. JOELESON. Mr. Speaker, I want to express my complete support of this measure designed to eliminate the poll tax.

It is my opinion that the poll tax system is detrimental to the basic elements of democracy.

It is unthinkable that in the United States, there are still areas in which we are willing to pay for the right to vote. Such a system tends to discourage our poorer citizens from the exercise of their precious right of choosing their officials.

There are sound reasons to abolish the poll tax requirement for voting in Federal elections.

Mr. Speaker, the poll tax is undemocratic and un-American. It is a blight that must be eliminated from our Nation.

Mr. WINSTEAD. Mr. Speaker, I rise in opposition to the adoption of Senate Joint Resolution 29, which seeks to prohibit the payment of a poll tax as a qualification for voting.

It is indeed unfortunate that the tax is known to exist, for a great percentage of the public at large is under the impression that this is a tax on the polls or places where voters come on election day to cast their votes and this tax, therefore, regarded by them as a fee to be paid for the privilege of voting.

It is plain to see that this point of view would incense those who hold it.

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In my State a head tax of $2 is levied annually on each person with certain exemptions, and the revenue thus produced is used to support our schools. Every person must pay this tax, regardless of sex, race, color, and whether or not he is a voter. There is no discrimination. All are treated alike. All must pay it except those who come within the exemptions, and only those come within the exemptions who we think cannot afford to pay it, namely, the deaf, the dumb, the blind, the maimed, and the aged. A person who chooses not to vote still owes the tax, and although in my State no criminal proceedings are allowed to enforce its collection, such tax is made a lien upon taxable property.

What is its connection with voting? We think that a person who fails to pay their poll tax is prompted to question the reason why there are sound reasons to abolish the poll tax by statute. The qualifications of the electors are to be determined by the States. The qualifications for voting are left to be determined by the States. The qualifications for voting are left to be determined by the States.

In the 5 other sovereign States, has ever disqualified or disfranchised any person from voting, one is prompted to question the reason why the qualifications are left to be determined by the States. The qualifications for voting are left to be determined by the States.

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Government has succeeded in making uniform one qualification for voting, otherwise it will follow. Do we think it strange that fact that this is done by constitutional amendment. Do not overlook the fact that if 45 States can unite to repeal the poll tax laws of 5 States, 41 States can unite to preserve the poll tax laws of the 9 States which disqualify paupers from voting, 47 States can unite and render null and void the laws of 3 States which disqualify inmates of charitable institutions from voting, and States may compel the other 4 States to raise their minimum age for voting to 21 to conform to their own minimum. I could go on. The reason why I have aroused your interest sufficiently so that you will note the dangers existing to your own State. Once we embark upon such a path, there will be no authority left in the States over their own voters and the inevitable result will be the Federal pre-emption of the entire field of voting.

This question of the poll tax has come up in every session of the Congress since 1920 and every action has failed. One petition after another has come to the House, and a joint resolution was adopted by the Senate in the 86th Congress. Yet nothing resulted. After the issue was decided and the debate was over, they took a second, sober look at the proposition and acted no further. A constitutional amendment should be resorted to in matters of national importance and it should be used as a means of forcing the will of the majority upon a small minority regardless of the worthiness of the purpose, or the need for such action.

I say need, because there is really no need for any action in this field on the national level. In 1920, 12 States had a poll-tax requirement as a prerequisite for voting. Today only five States still have such laws. North Carolina repealed her law in 1920, Pennsylvania in 1933, Louisiana in 1934, Florida in 1937, Georgia in 1945, South Carolina in 1951, and Alabama in 1953. Each of the 12 States repealed the requirement when her people felt that there was no longer any need for it. Since Congress did not find it necessary to amend the Constitution to do this, why is there a need for such action now when only 5 States still have such laws? Let us refrain from taking any action on this resolution, as did our colleagues in the past, and let us leave it to the five States themselves to take the necessary action sought by Senate Joint Resolution 29. I strongly urge this, lest the tide of federalism, once lost, become so great that we can no longer stem it. Then will our State sovereignty, which we have so zealously strived to preserve, no longer exist.

Mr. MOOREHEAD of Pennsylvania. Mr. Speaker, I favor the elimination of the poll-tax requirement as a prerequisite for voting.

A government, it is said, is a democracy and the right to vote is one of the privileges of living in a democracy and is guaranteed to every qualified citizen of the United States. Surely it was not contemplated by the framers of the Constitution that only those who vote could and would pay a poll tax. The claim that a poll-tax payment requires only a very small amount is an evasion of the real issue for the principle of taxation should be whether the amount should be small or large; besides, what is a triffe for some may be a formidable sum for others. I am proud to know that as a Representative from the State of Pennsylvania I represent all the people of my district and not only those who can pay a small sum in order to partake in the political af-fairs of their State.

This is so in every State in these United States. America now stands as a tower of strength and a shining example of democracy, and the Administration must share responsibly for the inevitable result will be the Federal pre-emption of the entire field of voting.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

The amendment does not make any exceptions for Federal or local elections.

The Congress shall have power to enforce this article by appropriate legislation.
Although the State may establish qualifications for voting, article 1, section 2, of the Constitution is subject to limitations. For instance, article 1, section 4, of the Constitution provides:

The United States shall guarantee to every State in this Union a Republican Form of Government.

The basic principle which article 1, section 4, of the Constitution guarantees is that State governments must govern "with the consent of the governed." Article 1, section 8, of the Constitution gives the power to Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

There is no reason why this legislation should not be applied to State and local elections as well as Federal elections. The poll tax prevents Negroes from participating in the elections of Governors, mayors, State legislators, aldermen, sheriffs, and city, county, and State judges in all Federal, state, and local elections. It is clear that the poll tax is a weapon of discrimination.

Dozens and dozens of bills and joint resolutions have been introduced in both Houses of Congress to abolish the poll tax, some by an act of Congress and some by constitutional amendment, but all to no avail. In the 86th Congress one House adopted a joint resolution proposing an anti-poll-tax amendment, but this provision was not even reported out in the other House.

Senate Joint Resolution 29 is by no means unique. Since 1941 we have been presented with support of this amendment, whatever its form, I would favor a really effective constitutional amendment. I am not concerned with strategy or technicalities in this vote. If we were presented today with an effective proposal, whatever its form, I would vote for it.

But today we are presented with a travesty, a political maneuver which sickens me. This constitutional amendment really does not even rise to the level of anything. It is a hollow shell. It will apparently have no significant effect upon Negro rights anywhere except in Alabama and Mississippi and its effect on the two States for which it is limited in its purview to Federal elections. It does not begin to face the real issue of depravation of voting rights at the local and State level. Mr. Speaker, this is a badly needed constitutional amendment. I hope they are able to rise above the enveloping ashes of governmental decay and reclaim the mantle of individual responsibility which this House proposes to bury.

Mr. GOODELL. Mr. Speaker, this is perhaps the saddest amendment in recent years in the progress of America. It is a travesty, a political maneuver which is sadder than any other proposal in the history of this House. If the amendment requires the approval of both Houses of Congress and the consent of the Governors of the States, it is an eunuch of Americans. We are not perfectionists and the legislative process is far from perfect. In the last analysis we must often vote for what we believe to be the lesser of two evils or the better of two courses which are both profoundly deficient.

And so, Mr. Speaker, today I find myself favoring some action to eradicate poll taxes. Everyone admits that Senate Joint Resolution 29 is profoundly defective, but he is told that it is the best we can have. Mr. LINSAY from New York (Mr. LINSAY) so aptly put it, and I commend you to the full reading of his statement today. We are trying to kill a gnat with a sledge hammer.
tent is revealed. It sets a precedent for whimsical, frivolous and almost meaningless amendment to the basic document of our Republic. This Congress should never engage in such delusive action. I am ashamed that we are called upon today to do so in the name of protecting minority rights. I defy any of my colleagues to defend the Constitution as the civil rights the gentleman from New York who now addresses you. I tell you with all my heart, however, that I cannot be for something that is wrong. I believe because it has a right purpose and a right label. It is never easy to explain or justify a vote against wrong when that wrong is wrapped in the bright tinsel of right. Yet I have a deep conviction, Mr. Speaker, that history will judge us not on the tinsel but on the substance of our legislative endeavors.

In that conviction, I vote a tortured 'no' to this constitutional amendment, knowing full well that today friends of human dignity will condemn me, but confident that history will eventually cast its vote in the negative on any question which the Constitution should be brought up under the regular order of the House and sufficient time be given for debate and amendment, to fully protect the rights of all voters. It is our responsibility whatever such process is stopped by the power of one man and a small minority to take this "action to protect the rights of all qualified to vote, even though under present laws only a few may be denied this right because of a poll tax. In this day of so much apathy and so many who have the right to vote not using this great privilege, I believe it is our responsibility to at least give to all those qualified to vote the right to do so without having to pay for that right and to continue to work for the moral rights of all." Mr. DINGELL. Mr. Speaker, I am delighted that the House of Representatives is finally considering an amendment to the Constitution of the United States outlawing poll tax as a requirement for voting.

I was the first sponsor of such legislation in this Congress and feel that it is an important step toward adequate protection of the rights of all the people of this great land of ours. This legislation will work together with the voting statutes of the Civil Rights Acts of 1957 and 1959 to encourage wide voting participation of all races and classes of people within this country and should do much to raise the level of voter participation in States where poll tax is now used.

States using poll tax had the lowest level of voting in the 1960 presidential elections and indeed rank among the lowest in voter participation of all the States, as shown below:

<table>
<thead>
<tr>
<th>State</th>
<th>Total vote</th>
<th>Percent voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>296,171</td>
<td>26.6</td>
</tr>
<tr>
<td>Alabama</td>
<td>564,582</td>
<td>25.6</td>
</tr>
<tr>
<td>Virginia</td>
<td>773,449</td>
<td>25.3</td>
</tr>
<tr>
<td>Arkansas</td>
<td>599,569</td>
<td>25.6</td>
</tr>
<tr>
<td>Texas</td>
<td>2,311,670</td>
<td>43.3</td>
</tr>
</tbody>
</table>

Voting levels in these States show clearly that the poll-tax question has been unfairly minimized and I said earlier on the floor of Congress in connection with this legislation a constitutional amendment outlawing the poll tax should be enacted for a number of reasons:

First. It affects persons of all races, places, job conditions, and economic levels.

Second. It strikes at this evil in all elections, primary and general.

Third. It prohibits enactment of substitute legislation by Federal and State Governments. Fourth. It prohibits other taxes being used as a device to evade the legislative purpose of the amendment.

Fifth. It prevents the Federal Government and the States from setting up property qualifications as a prerequisite for voting in elections for Federal officials.

This measure alone will not solve the problems of full voting equality and real citizenship for our people. It is equally true that a number of other measures must be promptly taken to permit our citizens full exercise of only the right to vote but in all the benefits of citizenship in our beloved land.

It is indeed regrettable that this is perhaps the best effort of this Congress in the coming days to nullify the full benefits of the Civil Rights Act of 1964, but it is a long stride forward, and if followed by other strides in each coming Congress can make full realization of the belief we Americans express in the basic dignity of man and in the words of the Founding Fathers "that all men are created equal" and the biblical admonition that we are indeed "our brother's keeper."

POLL TAX IS ANTIVOTING REQUIREMENT AND SHOULD BE ABOLISHED

Mr. BOLAND. Mr. Speaker, I rise in favor of Senate Joint Resolution 29 and hope that it is approved today by an overwhelming vote. The Senate has adopted this proposed constitutional amendment to prevent the United States or any State from denying or abridging the right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress because of an individual's failure to pay any poll tax or other tax.

The proposed constitutional amendment further confers upon the Congress of the United States the power to enforce this proposed article of the Constitution by appropriate legislation.

Federal legislation to eliminate poll taxes, either by constitutional amendment or statute, has been introduced in every Congress since 1939. Bills to ban the poll tax by statute, rather than by constitutional amendment, had been approved five times between 1942 and 1949 by the House, but died each time in the Senate. This is the 18th adopted constitutional amendments on two occasions, in the last Congress and the present bill.

President Kennedy said in his state of the Union message on January 1, 1963:

The right to vote should no longer be arbitrarily denied through such iniquitous local devices as literacy tests and poll taxes.

Mr. Speaker, the fact of the matter is that poll tax is a poll tax is a poll tax as previously designated as a major obstacle to voting participation of minority and low income groups. The poll tax as a prerequisite for voting is now limited to five States: Alabama, Arkansas, Mississippi, Texas, and Virginia. However, it has the concrete result of making those States among the seven with the very lowest voter participation in the South.

POLL TAX DISCOURAGES ELECTIONAL PROCESS PARTICIPATION BY MINORITIES

The poll tax is an arbitrary and restrictive requirement, contrary to our democratic principle of civil rights, and specifically designed to deny minorities...
of their rights and privileges of citizenship. It should be abolished. While the amount of the poll tax now required is small, it is a right and any such tax should be eliminated. It is a right for every American citizen, regardless of race, creed, or color. The American democracy envisaged by our Constitution cannot exist so long as each and every citizen is compelled to express his choice of those who are to govern the affairs of the Nation.

The imposition of the poll tax is a barrier to the right to vote. It ought to be eliminated. I personally favor the form of legislation that was passed in earlier Congresses so that relires can be afforded through statute law. This would be a much quicker procedure than the method of using a constitutional amendment.

Too long have citizens in this country been deprived of their right to vote. Access to a polling booth has slammed shut in the face of many citizens merely because of their race. Various methods have been used to effect a disenfranchisement of Negroes and imposition of the poll tax, a practice which must be ended.

But the poll tax does not limit Negro suffrage only. It limits white suffrage, as well. Placing the payment of a fee between a person and the exercise of his right to vote is distinctly not in keeping with the ideals of our democracy. Equal justice under law is the cardinal American tenet, and equal justice applies to all Americans.

Mr. Speaker, every American should have an opportunity to try for office if he wishes, and to influence the conduct of Government on an equal plane with other Americans. The poll tax prevents this and it should be eliminated. I am happy to support this legislation.

Mr. VANIK. Mr. Speaker, although a case might be made for the elimination of the poll tax by the enactment of appropriate statutes, it is quite apparent in this situation that the ratification of this amendment to the Constitution will bring speedier and more certain elimination of the poll tax.

The proposed amendment would outlaw the poll tax in Federal elections only. Its implementation would not be controlled by the choice of either foregoing considerable revenue and abandoning a convenient method for collecting fees or by the registration and voting procedures, one for Federal and one for State elections. Worse than this, the adoption of the amendment would provide a dangerous precedent for future proposals to eliminate and restrict the States with respect to voter qualifications, such as age, education, and residence. It would mark further erosion of the constitutional loosening of its restrictions on the individual sovereign States of the right to conduct their internal affairs without interference by Congress.

To sum up, as we shall show, the resolution should be rejected because it is incon­istent with the Constitution; it is a right whose legitimate need can be served by its adoption, because it marks a flagrant intrusion upon the right of States to legislate as they see fit; and because its adoption would open the door to further regimentation in matters traditionally reserved to State and local superintendence.

CONSTITUTIONALITY OF POLL TAXES

The Founding Fathers long and vigorously debated the question of qualification for electors in Federal elections and resolved that these qualifications should be identical with those used by the respective States for the election of the most numerous branch of the State legislatures. It may also be recalled that poll taxes, as originally adopted by States as a qualification for voting, had the purpose of disenfranchising the poor, because of their race and not because of their wealth. Predominantly, the requirement of the payment of a poll tax as a qualification for voting has provided an alternative to a requirement of property ownership which would have disfranchised the poor.

Over the decades a long line of judicial decisions has established that the suffrage is not a privilege; that this privilege was conferred not by the Federal Constitution but by the States and that it be­comes a right only insofar as it may be protected against violation by a Federal amendment, by discrimination on account of race or sex. The right of the States to control their own election machinery and to prescribe their own reasonable qualifications for voting was clearly affirmed, for example, in the 1961 decision of Partee v. Thompson, 341 U.S. 937, where the High Court said: "The decisions generally hold that a State statute which imposes a reasonable poll tax as a qualification of the right to vote cannot abridge the privileges of immunities of the citizens of the United States which are pro­vided by the 15th or the 19th amendment, by discrimination on account of race or sex. The right of the States to control their own election machinery and to prescribe their own qualifications for electors for the election of the most numerous branch of the State legislature." Earlier, in 1937, in the leading case of Breedlove v. Suttles, 302 U.S. 277, the Supreme Court summed up the state of the law with respect to qualifications for eligibility of poll taxes in the following passage: "To make payment of poll taxes a prerequisite to voting is to take away a privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the States, and therefore by the 14th and 19th amendments and other provisions of the Federal Constitution, the States are free to require qualifications of voters deemed appropriate." (Citing Minor v. Happersett, 21 Wall 162; Ex Parte Yarbrough, 110 U.S. 100; Smith v. Allwright, 321 U.S. 646; and Guinn v. United States, 238 U.S. 347.)

Manifestly, the use of poll taxes is a constitutional sanction denied to voting.

Mr. Speaker, the tragedy is that it will not end in dealing only with Federal elections but will be another step toward the elimination of all States rights. Next
we will see the Federal Government attempting to set up and control residential requirements, age requirements and various other things now clearly within the power of the State—as is set out in this document report. With that will we see more and more pressure of politics, more and more appeal to elections by public clamor and more and more deviation from the domestic and international situation of our Nation.

Mr. Speaker, as one who believes the Founding Fathers were right in their allowances for differences in the various States and in recognizing that each State was the best judge of how to have responsible management, right in recognizing that the States were the best judges of how to qualify a responsible electorate, I deplore the action of the Congress in taking the step which they do here today. I can only make my protest and point out, as I have on so many other occasions that the December vote in many Southern States has long endured because the elected officials would concentrate their vocal energies on the five States in order to keep being elected. Certainly, Mr. Speaker, any step toward adding disinterested and irresponsible voters to the electorate, any step which removes anything from the power of the voter that he has an interest in government affairs, even so little interest as to refrain from contributing $2 annually to public schools as they do in my State, certainly will make it even more difficult to hold public affairs in the hands of responsible people.

Poll tax legislation is a State matter and one in which the Federal Government should not interfere. It is a further step in the wrong direction.

Mr. GALLAGHER. Mr. Speaker, I rise in support of this proposed amendment to the Constitution, which would abolish the poll tax as a requirement for voting in Federal elections.

It is high time that this antiquated device for raising and concentrating money, which is paid the poll tax is presently a requirement for voting are among the lowest seven States in the nation in voter turnout. It is not coincidental that five of these States are among those States with the highest concentration of Negro citizens.

Those who oppose equal rights for Negro citizens always argue that the Southern States should be permitted to solve their own problems. But Negro citizens have been denied the right to vote in many Southern States. This proposal is certainly from attaining their rights of the polls.

I am hopeful that, once the burden of the poll tax is removed, more and more citizens will exercise their privileges and points of power to vote. If the Negro citizens of the South can successfully exercise their right to vote, it is likely that many of the civil rights problems currently existing will be able to vote. Opponents of the poll tax amendment argue that poll taxes are such a small amount of money that nobody is disqualified by it, but a dollar or a half or two dollars is a lot of money to man who only makes two or three hundred a year. Any charge for voting unjustly discriminates against people of limited means. And whatever the amount of money, a citizen of the United States should not have to pay for his constitutional right to vote.

I urge the colleagues of the House of Representatives to vote for this proposed amendment.

Mr. SELDEN. Mr. Speaker, the American people have decided that their House of Representatives sets aside but 40 minutes time to deliberate whether or not to amend the Constitution of the United States.

I am hopeful that this proposal to abolish the poll tax amendment would seem to support those who argue that the Constitution has come to be regarded lightly in the Nation's Capital. Yet there are those of us who will not be stamped into drastically altering, in less time than it takes to answer the morning mail, a document which has served the Republic for 170 years.

Senate Joint Resolution 29, the so-called Qualification of Electors Amendment, or as I might call it, the poll tax amendment, should be terminated. It can hardly be suggested that an amendment which the Constitution was based. It would be far better if they had concentrated their vocal energies on the ballot boxes of certain States and cities closer to their own homes.

The fact is that Alabama has long since disposed with the long-term cumulative poll tax. It can hardly be suggested that the present Alabama law, requiring payment of $1.50 per annum, either discourages or prevents the exercise of the franchise. It is certain that the steady increase in both the number of qualified voters and the number of voters casting ballots in recent Alabama elections would be substantiated. It might also be pointed out that the poll tax in Alabama for the fiscal year 1961 to 1962 amounted to $405,000. This money is applied by law to the Alabama State, the five Southern States, and the Federal Government.

My opposition to the proposed amendment, therefore, is based on two grounds: first, it represents perhaps one of the most serious usurpations of State authority by the Federal Government ever submitted to this Congress; secondly, such a drastic change in our system of government is neither justified nor warranted as to voting privilege and procedures in the several States.

Mr. ELLIOTT. Mr. Speaker, I think this amendment would do us all public a great disservice when we spend even 40 minutes of a busy legislative day to consider a measure as inconsequential to the national interest as is Senate Joint Resolution 29, the so-called anti-poll tax measure.

I think no one would disagree that the genius of our Constitution, which is the most significant document of government ever devised by mankind, is its ability to provide for a changing society, decade after decade, century after century. I think no one would disagree that the Southern States which are constitutionally guaranteed the right to be independent in their own unique internal affairs. This means that, just as the individual citizen is guaranteed by the Constitution certain rights and freedoms, so too are the States guaranteed a freedom which I would call "freedom from conformity."

Nothing in the Constitution dictates that one State must do something just because her sister States do it. The fact that most States raise local revenues by income taxes or property taxes is no reason to enforce that idea by placing these powers in the Federal Government. The proposed amendment does violence to the very principles upon which the Constitution was based. I wonder whether any of the zealous proponents of this amendment realize what centralized authority over voting privileges and procedures can come to mean. They speak at great length about alleged evils brought about by State and local regulation of voting. Yet the inequity and corruption which could arise from centralized authority over the franchise defies the imagination.

The framers of the Constitution understood this danger. By providing for State and local regulation of voting, they sought to insure against the rise of totalitarian authority and they sought to protect the rights of all Americans.

In discussing the alleged evils of State regulation, the proponents of this amendment have had a great deal to say concerning my native State of Alabama. It would be far better if they had concentrated their efforts and energies on the well-established evils surrounding the franchise in the States and cities closer to their own homes.

The fact is that Alabama has long since disposed of the long-term cumulative poll tax. It can hardly be suggested that the present Alabama law, requiring payment of $1.50 per annum, either discourages or prevents the exercise of the franchise. It is certain that the steady increase in both the number of qualified voters and the number of voters casting ballots in recent Alabama elections would be substantiated.

It might also be pointed out that the poll tax in Alabama for the fiscal year 1961 to 1962 amounted to $405,000. This money is applied by law to the Alabama State, the five Southern States, and the Federal Government.
the electors for the election of U.S. Representatives "in each State shall have the qualifications requisite for electors in the most numerous branch of the State legislature."

This principle was reaffirmed with the passage, in 1912, of the 17th Amendment to the Constitution, which provided for the direct election of U.S. Senators rather than election by State legislatures, as was formerly the procedure.

In short, one of the cornerstones of our constitutional government is that, in adopting our Federal system, the Founding Fathers preserved for the States the right to determine the eligibility and qualifications of their respective voters. Under this time-honored principle, each of the 50 States has set various qualifications for voting. Some States require prospective voters to demonstrate that they have a fundamental ability to read so as to assure a meaningful vote. In the past, voters have had to be landowners, or taxpayers, or property holders. All States have set their own age requirements, ranging from 18 to 21. No knowledge, has ever tried to justify infringing upon this sovereign right of the States by compelling all to agree upon one single age requirement. Such a suggestion would be viewed, even by today's proponents, as ludicrous.

The 16th amendment to the Constitution did affect the qualifications of voters by prohibiting discrimination against women. Here is an example of a great national issue which affected the rights of more than one-half of our country's total population. But where is the great issue in today's proposal?

There are some who would seek to gain political advantage by characterizing this amendment as civil rights legislation. But anyone who knows anything about the poll tax knows that civil rights plays no part whatever in the question. Even the U.S. Commission on Civil Rights has stated that the poll tax has not affected the voting patterns of men or women. Here is an example of a great national issue which affected the rights of more than one-half of our country's total population. But where is the great issue in today's proposal?

The majority report also says that this "antiquated" tax serves no other purpose than to be "an obstacle to the proper exercise of a citizen's franchise." This has never been demonstrated to be true. Citiz1en after citizen has stated that this represents a tragic lack of interest in our greatest political safeguard. But the reason for their failure to vote is not because of the poll tax. In 1960, for instance, it was estimated that approximately half a million registered voters who had paid their poll taxes refrained from voting in Virginia. I am sure such is the case in all of the States.

The poll taxes in these States are too small to prevent people from voting. They range from $1 to $4 per person. There was a time in Alabama, it is true, when those persons who had not paid their poll taxes for many years were required to pay the cumulative total for all of those years before they could vote. Perhaps such a rule deterred a few voters from voting. Several years ago, however, Alabama corrected this hardship, without the need for any amendment, and placed a maximum charge of $3 regardless of the number of years the person was in arrears.

There are some who consider this tax a penalty. This could not be further from the fact. Every dollar which Alabama collects from the poll tax, an amount exceeding $400,000 goes toward the welfare of our citizens. In many ways, I believe it is quite fitting that each voter should pay $1.50 to help educate the next generation of voters to concern themselves with how the people of 5 States raise school revenues. I believe it is a disgrace that such an obviously political maneuver should be permitted to masquerade as an issue involving the rights of man. I urge the Members of this body to pay heed to the simplest of constitutional principles and reject the poll tax issue immediately so that we can turn to matters of greater national interest.

Mr. CURTIS of Missouri. Mr. Speaker, I shall vote against suspending the rules and passing this measure for a number of reasons, not the least of which is the highly questionable procedures followed in bringing this matter to the floor of the House.

I believe it is important that the Constitution of the United States should be amended only after a strong case has been made for both its need and the legal necessity for it.

No one can say that the name has been made for either the need or the necessity. The need does not exist as pointed out by the U.S. Commission on Civil Rights quoted by both the majority and the minority of the committee in the report accompanying the measure.

The legal necessity does not exist. As pointed out again by both the majority and the minority of the committee ordinary legislation as opposed to a constitutional amendment would adequately take care of whatever need might exist.

Everyone in the House knows exactly why this measure is before us. In my judgment it is a shabby attempt to avoid the real problems of civil rights which exist in our country today. We have some real problems of extending the right of franchise to all our citizens. The poll tax as a part of the right of franchise, is still being denied many of our citizens through a variety of subterfuges, but the poll tax is no longer one of these subterfuges. The quality of a citizen is to cast a free ballot and have that ballot counted fairly along with all the other ballots cast is the most neglected aspect of the right of franchise today.

Because of the action of the House leadership last year on the Cramer amendment, the Civil Rights Commission does not have jurisdiction over this aspect of the right of franchise. Today, those who also have the responsibility of coping with some very real problems of civil rights.

A second area in which basic civil rights are involved and are being neglected is in the various housing programs. There are many other areas. The point is this: The House and this Congress are not facing up to real issues of civil rights, but by bringing up this unneeded measure, in hopes to throw powder in the eyes of those who look upon civil rights in an emotional way.

Emotionally the poll tax is detested, not because of its present remaining use in five States but because of the past abuse. The promoters of this bill today hope to catch hold of this remaining emotionalism to hide their inaction on important civil rights matters.

Perhaps also they hoped that there would be enough Congressmen like myself who would decline to go along with this subterfuge so that they could make political capital against us, or against our party.

Certainly it would be easy for me to vote for this measure. It means nothing. I have not had to explain anything to my constituents. Voting against it requires an explanation that may never get through to my people. From past experience I can predict that my reasons will not get through to my people in time for the November elections because the reporting media will give me little or no assistance in broadcasting these views.

However, it is important that some people vote against this measure because of what it is and what it is not; that is someone other than southern Democrats who likewise make political hay, but out of the converse emotion. Members remember the poll tax of the past and think a vote to retain it will preserve their political control.

Yes, I have listened to my southern friends express concern with constitution and for States rights, and I agree with them on this matter in this instance because I have this concern. However, I do not agree over a vote to reject a proposal that it is primarily on civil rights issues, almost alone, that they express this concern. When the issue of constitutionality and States rights comes up on many of the measures which extend the
broad powers of the Federal Government into the States, local communities, the families and into private lives I find that the pursuit of these goals calls for a change in voting for these measures extending Federal powers.

Finally, I would say to the chairman of the committee handling this bill, the gentleman from Ohio, that if this bill could have had a rule if your committee sought it with vigor. Furthermore, this bill could have been brought before the Senate of the United States, in this bill or in any other, promptly. I point out that Calendar Wednesday is remarkably free from other pending legislation. Under Calendar Wednesday the bill would be handled as most of our bills are handled under the 5-minute rule, open to amendment at any point—an open rule as opposed to the gag rule under which we consider suspensions. Calendar Wednesday is not subject to delaying tactics any more than any other rule under which bills are debated, amended, and passed in the House. It is impossible to filibuster in this form of rule in opposition to the filibuster. At any time the majority by motion can shut off debate or any other delaying tactics as was proven here when a brief and rather inane filibuster was attempted a few hours ago.

Furthermore, Calendar Wednesday is a legislative day, and like any legislative day can last as long as no motion to adjourn is made. In other words it can last a week or more if necessary. I am merely rebutting the false arguments that have been advanced from time to time by opponents of the amendments. They say they cannot work their will by the utilization of Calendar Wednesday. Calendar Wednesday is not used by the self-styled liberals either because they lack a majority vote on the issue, or they seek to prevent debate and amendment for other ulterior purposes. In this instance before us today the purposes are quite ulterior as to why they choose to prohibit all amendments. Congress may therefore abolish it by statute under the power granted to Congress by the 14th amendment which provides that no State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States. We also have ample proof that the average per capita income of nonwhite citizens in the Nation is extremely low as compared with the average income of a white person. It is quite simple to deduce from this that the poll tax requirement serves as a discrimination against nonwhite citizens of this country because it is a direct invasion of the Constitution for it does not affect the capacity or the fitness of a citizen to vote. The poll tax requirement is and must be deemed as an interference with the manner of holding elections and is a tax upon the right or privilege of voting for said national officers. As such, these poll tax laws may be altered by Congress under the power given to Congress by section 4 of article 1 of the Constitution to make laws or alter the manner of Federal elections.

Further, the imposition of a tax on the right of voting is clearly an abridgement of the right of the citizens of the United States to vote. Congress may therefore abolish it by statute under the power granted to Congress by the 14th amendment which provides that no State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States. We also have ample proof that the average per capita income of nonwhite citizens in the Nation is extremely low as compared with the average income of a white person. It is quite simple to deduce from this that the poll tax requirement serves as a discrimination against nonwhite citizens of this country because it is a direct invasion of the Constitution for it does not affect the capacity or the fitness of a citizen to vote. The poll tax requirement is and must be deemed as an interference with the manner of holding elections and is a tax upon the right or privilege of voting for said national officers. As such, these poll tax laws may be altered by Congress under the power given to Congress by section 4 of article 1 of the Constitution to make laws or alter the manner of Federal elections.

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would have far-reaching effects, setting a dangerous precedent. It is a step toward complete Federal control of elections on the State and local levels. This is just another among the long list of incidents of the continuing centralization of the Federal Government at the expense of the State and local governments and ultimately the citizen.

This amendment would be another weight upon one side of the already unequal balance which controls the constitutional division of power. This easy amendment of our Constitution would lead to further encroachment of this one division, the Federal Government, upon the rights included in the realm of the States, the State governments. The final burden of these limitations will be borne by the people.

The powerful pressure groups and minorities forcing this unnecessary amendment through the Congress will, with its adoption, grow more bold, arrogant, and demanding. They cannot and will not cease their agitation until they establish a dictatorship over the nation, or until the fundamental government is destroyed and elections become a Federal fraud.

The States and the people at the local level have been doing a magnificent job in this field—they need to be complimented and encouraged. This amendment is not needed. It is a reflection on the fine job done by the people.

Mr. Abernethy. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The Clerk announced the following:

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<th>YEAS-294</th>
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The question is, Will the House suspend the rules and pass the resolution, Senate Joint Resolution 29?

Mr. ABERNETHY. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 294, nays 86, answered "present", 1, not voting 84, as follows:

[Names and roll numbers of those voting yeas and nays]

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Baring and Mr. MacDonald for, with Mr. H escort against.

Mr. McDowell and Mr. Fletcher for, with Mr. McM illan against.

Mr. Baring and Mr. Hall for, with Mr. James C. Davis against.

Mr. Powell and Mr. Kilburn for, with Mr. Thompson of Louisville against.

Mr. Dawson and Mr. O'Brien of Illinois for, with Mrs. Bitch against.

Mr. Bolton and Mr. Craner for, with Mrs. Reece against.

Until further notice:

Mr. Evans with Mr. Wilson of California.

Mr. Kitchin with Mr. Arends.

Mr. Morrison with Mr. Collier.

Mr. Cannon with Mr. Uts.

Mr. Saud with Mr. Findley.

Mr. Morris with Mr. Cunningham.

Mr. Donohue with Mr. Dooley.

Mr. V. with Mr. Moonhead of Ohio.

Mr. Peterson with Mr. Ellsworth.

Mr. Smith of Mississippi with Mr. Adair.

Mr. Stratton with Mr. Anderson of Minnesota.

Mrs. Granahan with Mr. Scherer.

Mrs. Welles with Mrs. Brown.

Mr. Coad with Mr. Dominick.

Mrs. Reece. Mr. Speaker, I have a live pair with the gentleman from Florida [Mr. Cramer] and the gentlewoman from Ohio [Mrs. Bolton]. If they were present, they would have voted "aye." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STRATTON. Mr. Speaker, while the rollcall vote was being taken a moment ago on the so-called poll-tax amendment, Senate Joint Resolution 29, I was called momentarily outside the Chamber on urgent business affecting the people of my district. Although I was well aware that the amendment, which I have long supported, would carry by a sizable margin, I nevertheless desired that my position in favor of it should be formally recorded. Had I been present, I would have voted an emphatic "aye."
COMMUNICATIONS SATELLITE ACT
OF 1962

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and agree to House Resolution 769.

The Clerk read the resolution as follows:

Resolved, That immediately upon the adoption of this resolution the bill H.R. 11040 should be printed in the form in which it passed the House.

The resolution was agreed to.

The Speaker. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

Mr. RYAN of New York. Mr. Speaker, I demand a second.

The Speaker. The gentleman from Illinois has demanded a second.

Mr. RYAN of New York. Mr. Speaker, is the gentleman from Illinois opposed to the bill?

The Speaker. Is the gentleman from Illinois [Mr. SPRINGER] opposed to the bill?

Mr. SPRINGER. Mr. Speaker, I am not opposed to the bill.

The Speaker. Is the gentleman from New York [Mr. RYAN] opposed to the bill?

Mr. RYAN of New York. Mr. Speaker, I am opposed to the bill and I demand a second.

The Speaker. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, I yield myself 8 minutes.

The bill now before us has been hammered out through extensive legislative and executive action. It bears the imprint of the President of the United States. It has been strongly endorsed by three members of the Cabinet—the Secretary of State, the Attorney General, and the Secretary of Defense, as well as by the two agencies of the Federal Government most closely connected with space communications—NASA and the FCC. It is based on a staff report and endor- sed by four committees of the Congress. It passed this House on May 3 by a vote of 354 to 9, and on August 17 the Senate confirmed the judgment of this body by an almost equally overwhelming vote, 66 to 11. Few bills come before this body with such endorsements.

Mr. Speaker, on May 2 of this year I stood in the well of this House and urged the Members to approve the communications satellite bill which our Committee on Interstate and Foreign Commerce had reported. It was a good bill. It was carefully developed by the committee after full and complete hearings and some days of executive sessions. On the following day, 354 Members of this House voted in the affirmative and only 9 voted in the negative.

Today, almost 3 months later, I am standing before you again, and this time asking you to support the Senate amendment to the communications satellite bill, H.R. 11040, and thus send it to the President for his signature.

The major reason why I am asking you today to agree to the Senate amendment is that the bill in its form as passed by the House is not persuasive—our Nation needs this legislation now without any further delay.

When we came before you 3 months ago I said that I thought we were very fortunate in that our bill was designed to depend on the Government to do it all. I told you that this bill provides for a new type of organization which was specifically designed to meet specific needs. I told you that our committee felt—and the President so recommended—that a private, profitmaking corporation with Government cooperation and subject to Government regulation to the extent necessary was the most appropriate way in which this most important program could be gotten underway expeditiously.

This House supported our committee's judgment overwhelmingly and the other body did likewise. President Kennedy has advised me that the Senate amendment to H.R. 11040 is completely satisfactory to him.

Mr. Speaker, deeds, however, always speak louder than words. Since the House voted overwhelmingly to support the legislation that provides for a new type of organization—private, profitmaking communications satellite corporation, another private, profitmaking communications corporation—the American Telephone & Telegraph Co.—with the cooperation of NASA, launched Telstar. Experimental Telstar is living proof that in this Nation we are fortunate in that important and perhaps improve on it. As a matter of fact, there are several provisions which the other body modified which I personally thought were far superior in the form in which they passed the House. However, such improvements as could be made would go to details of the bill and not to the basic pattern on which this legislation is designed. That pattern is, and I repeat, that we do not want to centralize the planning, the implementation of programs in an all-powerful Federal Government, but that we have faith in private enterprise and who carry on important programs with the cooperation of our Government and, where necessary, subject to Government supervision.

Time is running out and in my judgment further delay will hurt the program. The enactment of this legislation is only a first step and, as actual experience is accumulated, changes can be made by subsequent Congresses. Therefore, I am asking the Members of the House today, not to delay this legislation any further and to vote for the amendment to H.R. 11040.

Mr. Speaker, I ask unanimous consent that the amendment be included in the Record of the principal differences between H.R. 11040 as passed by the House and as passed by the Senate.

The Clerk read the summary attached thereto for the information of the Members of the House and for the benefit of industry and for all concerned throughout this Nation.

Mr. SPRINGER. Mr. Speaker, in further support of my amendment I wish to read the objection to the request of the gentleman from Arkansas.

There was no objection.
PRINCIPAL DIFFERENCES BETWEEN H.R. 11040 AS PASSED BY THE HOUSE AND THE SENATE

(A more detailed summary is attached hereto)

1. Senate bill contains more specific language than House bill relating to domestic communications.

2. House bill requires FCC to insure effective competition in procurement of equipment by corporation; Senate bill requires FCC to insure effective competition in procurement of equipment for satellite system and terminal stations by corporation, communications common carriers. Also, Senate bill requires Commission to consult with Small Business Administration in making decisions in which small business concerns are given an equitable opportunity to share in procurement program.

3. House bill grants to FCC power to require establishment of commercial communication by satellite to foreign countries.

4. House bill requires FCC to insure compatibility and interconnections between satellite system and terminal stations. Senate bill omits requirement as to compatibility with respect to interconnections among terminal stations.

5. Senate bill makes the right of stockholders to inspect par value of voting stock in the satellite corporation subject to ownership by carriers of voting stock of corporation. (Thus common carriers may prescribe · without preference the use of the communications satellite system and terminal stations; and the Commission shall coordinate its research and development program of the satellite corporation's capital structure to assure most efficient and economical operation of corporation. House bill does not contain comparable provision.

SUMMARY OF DIFFERENCES BETWEEN H.R. 11040 AS PASSED BY THE HOUSE AND THE SENATE

Declaration of Policy

Section 102(b): This subsection as passed by the Senate states that expanded telecommunications services are to be made available as promptly as possible. As passed by the House, the subsection is limited to international communication services. In other words, the Senate language includes domestic internal-line, non-linear communication services. (See also sec. 102(d)).

Section 102(c): This subsection provides that the satellite corporation shall be subject to and comply with provisions of this act and regulations promulgated thereunder. House bill does not contain comparable provision.

Section 102(d): As passed by the House, this subsection provides that the Congress reserves to itself the right to provide for additional communications satellite systems if required to meet unique governmental needs or required in the national interest. The Senate added a provision that it is not the intent of Congress by this act to preclude the use of the communications satellite system for domestic communications services where consistent with the provisions of this act.

Conforming changes were made by the Senate in several parts of the bill.

Definitions

Section 103(b): As passed by the Senate, this paragraph defines the term "satellite common carrier" as a common carrier activity fully subject to the Communications Act of 1934 as amended. As passed by the House, this paragraph provides that "communications common carrier under provisions of Communications Act. Senate bill in addition provides that such facility referred to in subparagraph "(c) of this paragraph relates to FCC proceedings for the purpose of requiring the establishment in the national communications satellite system, by means of the communication satellite sys-
Section 301(c) (6): This is a new paragraph added by the Senate. This paragraph requires Commission authorization for the corporation to issue any shares of capital stock (except the initial issue of voting stock) to borrow money or for any obligation in respect of the securities of any other person. Such authorization is to be given upon a finding that such authorization will serve the public interest and is necessary or appropriate for, or consistent with, carrying out the purposes and objectives of the act by the corporation.

Section 301(c) (10): This is a new paragraph added by the Senate. This paragraph empowers the Commission in accordance with section 214 of the Communications Act of 1934, to require that additions be made by the corporation or by carriers with respect to facilities of the system or satellite terminal stations where it finds that such additions will serve the public interest.

Section 301(c) (11): This is a new paragraph added by the Senate. This paragraph gives the Commission authority to make rules and regulations to carry out this act.

SATELITE CORPORATION—ORGANIZATION

Section 302: The House passed bill provides that the President shall designate in corporate form, as the National Communications Corporation, the communications satellite system and all facilities, operations, and properties now owned or operated by the Federal Communications Commission. The bill also provides that the President shall appoint incorporators, and by and with the advice and consent of the Senate, by and with the advice and consent of the House. The Senate removed the provision contained in the House bill which provided that no incorporator shall be elected to the board of directors of any corporation first created and that such corporation be organized as a corporation by the board of directors of the corporation.

SATELITE CORPORATION—DIRECTORS AND OFFICERS

Section 303(a): As passed by the House this section provides that three members of the board shall be appointed by the President by and with the advice and consent of the Senate for terms of 3 years. The Senate modified this provision by adding after the words "three years" the following new language: "the terms of members shall be staggered so that one member shall be appointed every year."

Section 304(c): As passed by the House this subsection provides that the corporation shall have a board of directors consisting of not less than five nor more than seven members. The Senate amended this section by reducing the membership of the board to not less than five nor more than seven members. The Senate also added a provision that the members of the board shall devote their full time to the business of the corporation.

Section 304(d): As passed by the House this section provides that the corporation shall have a chief executive officer who shall be appointed by the President by and with the advice and consent of the Senate. The Senate amended this section by providing that the chief executive officer shall be appointed by the President by and with the advice and consent of the Senate for a term of 3 years. The Senate also added a provision that the chief executive officer shall be appointed by the President by and with the advice and consent of the Senate for a term of 3 years.
with a view to recommending such additional legislation which the Commission may consider desirable to make such a corporation (i) the most efficient and profitable and (ii) an evaluation of the capital structure of the corporation so as to assure the Congress that the interests of the people will be most efficiently served and that the corporation will be operated in the most efficient and economical operation of the corporation."

Mr. RYAN of New York. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, to admit error is neither easy nor pleasant. I voted for H.R. 11040 when it passed the House, but I would like to point out that we are not today debating H.R. 11040. We are in essence debating the Senate bill.

I sat here, as many of you did, through the previous debate on an amendment to the Constitution. We heard a great deal about bypassing the Rules Committee, about the necessity for bringing up bills under suspension.

Mr. Speaker, here, in connection with one of the important questions that will affect our country we are again limited to 40 minutes, and we are prohibited from offering any kind of amendments.

On top of that, the normal procedure in a bill of this magnitude, where the House has passed one version and the Senate another, is to go to conference where at least the differences between the two Houses can be brought to the attention of the conference committee. If not, we will not have debated by either House. Here, on one of the most important measures of this or any session, we bypass this procedure. Why? Because we do not want to go home and are afraid there may be a filibuster in the other body.

So we hurry to do this thing. If this were a question of something going through the country into an economic depression or whether some horrible thing would happen if we did not get it out of this Congress, perhaps that would be justified.

I would like to point out to the fact that distinguished gentleman from NASA, Dr. Hugh L. Dryden, has testified that it will be 3 to 5 years before most of the provisions of this bill can go into practice. Why do we suddenly get this tremendous urgency that we must do this under an extraordinary procedure? I do not understand it, Mr. Speaker.

Therefore, I would like to point out a few of the differences between the two Houses. For instance, in the bill of the other body, they have eliminated the provision prorating the number of directors that may be elected by communication common carriers depending upon the percentage of voting stock of the corporation formed by the communication common carrier. What this means is that the common carrier may elect six directors, regardless of the percentage of voting stock owned by them. I am sure that this is an advantage to the gentleman from Arkansas, chairman of the committee, thought highly of that provision when he put it in the House bill. It was the best way to eliminate that now, it having been eliminated by the other body. Why? This is one of the most important fundamental things which has to do with protecting the interests of the people of the United States. Yet in the House we are asked to give that up and pass it by.

For instance, one of them in our bill which passed the House of Representatives originally provided for reimbursement by the company in full for all costs incurred by the State Department in assisting the corporation in international negotiations. But the other body took it out. All of a sudden, the State Department is required to pay for the work that it does for this private corporation. I do not understand that. I do not believe that those of you who are so interested in fiscal responsibility can understand it. It should be a matter which should have come before a conference committee.

Mr. Speaker, the debate in the other body and the detailed criticisms of the bill by such people and organizations as former President Harry Truman, many individual unions, and the APL-CIO, of course, and the Consumer's Union, and Cohen and others, all these have brought to light much of what was not available to the Members of this House at the time we passed the bill 3 months ago.

Therefore, I would like to point out while it is hard to admit it, I must admit that I believe I was in error in originally voting for this bill. But I would not compound it now by voting for a procedure which violates every proper ethic, violates the tradition of going to conference, and sets up something, such as this, because somewhere there is a hidden presupposition that we get this thing done at this time.

Further, Mr. Speaker, there are some matters of fundamental importance to consider. In the first place, no global satellite system will be possible without numerous and complex international negotiations which will seriously affect our foreign policy. Such negotiations should be handled by the one interested, the American government, including the overall national good—the President and his arm, the State Department. Instead, S. 402, the bill before us draws an artificial and impractical distinction between business and other negotiations, and relegates the State Department to the role of a mere assistant where so-called business negotiations are concerned. It does not even give the State Department the deciding vote in determining what is business. Thus, for the first time in our history a private group is given a statutory right to conduct negotiations involving foreign policy considerations with foreign entities.

Secondly, as former President Truman has said, the bill is a gigantic giveaway of vast amounts of taxpayer-financed research to a private monopoly. The taxpayer gets nothing for the Government in return. It adds only one more point. This bill, as proposed, as proposed, would violate sections 1 and 2 of the Sherman Act and section 7 of the Clayton Act. The object of the bill is to lessen and restrain competition in the communications industry as well as in the equipment supply industry; it will create a monopoly, it will further dangerous ver­ tebral activities. Small businessmen who cannot afford substantial stockholdings will almost certainly be frozen out.

There are numerous other ways in which this bill is fatally defective. I will add only one more point. This bill, as all recognize, will set up a corporation dominated by A.T. & T. That company is promoting the low-orbit system. Once the corporation becomes committed to this low system, it will be reluctant to swap it for the superior high system. The Corporation will, without question, will most certainly move right to the high system, and once again, we will have the second best.

And even with respect to maximum development of the low system, it will be kept in mind that A.T. & T. and the other carriers have a multibillion dollar investment in existing facilities which will probably be rendered obsolete by the development of the satellite system. It will, therefore, not be in the carriers' interest to promote even the low system as rapidly as possible.

The purpose of objections to this bill could be extended almost indefinitely. Any of the points I have listed would be sufficient by itself, to condemn this bill. Jointly, they make passage of this bill almost unthinkable.

Many industry and other expert witnesses have shown that we have nothing to lose and much to gain from deferring final decision on this question until a later date. This bill which is under consideration now is almost completely dependent on foreign financing. If the American group is set up at this time, it will have almost nothing to do.

For these reasons, I believe we should reject this motion and I will vote against it.

Mr. RYAN of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, first, I want to extend to the entire membership of the House an invitation to attend the meeting of the American Group of Inter-Parliamentary Union to be held tomorrow morning, Tuesday, August 28, at 8:30 a.m. in room G-221 of the New Senate Office Building.

Mr. Speaker, I want all Members of the House to know that they are welcome to attend. They will have to buy their own breakfast as will everyone else, but we hope that many of those who have criticized the Inter-Parliamentary Union will be present and participate. Therefore, I extend the invitation to everyone.

Now, Mr. Speaker, as to this bill, I happen to be of the nine who originate...
Frankly, I doubt that you can long retain monopolistic control of so vital a new industry, and I fear that the arrangement to bring all satellite communications under the control of a Bell Co. dominated corporation contains the seeds of its own destruction.

The SPEAKER. The time of the gentleman from Texas (Mr. Fosco) has expired.

Mr. RYAN of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. Fosco), and not the Bell Co.—I know of no reason why the Government should give up ownership.

On the other hand, I know of no reason why the Government should not continue to own the instrumentality which it places aloft—and it is always going to be the Government which acquires the satellites, whether they be by six or seven or eight Members of that body, which lasted 3 weeks. But they justified in going back to the House without having the communication business. Why are we taking this bill up today, if we pass this bill or whether we are going to watch the President down on passing this satellite bill? There are 35 or 40 countries immediately interested in what is happening along this line. This is the Senate version of the bill, and those who vote for it will certainly be justified in going back to their constituents and saying, “This is a good bill, and I voted for it.”

Mr. RYAN of New York. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Speaker, I rise in opposition to this legislation.

In my opinion, Congress should enact legislation which would retain ownership of the satellite system by the American people, but which would provide for operation by the private communications companies through competitive leasing arrangements. This would be similar to the system by which the Federal Communications Commission grants channels to radio and television stations.

Under this arrangement, the American people continue to own the airwaves, but private enterprise is granted their use. It is a system which has worked well.
Furthermore, we would be following the precedents of the past. For example, the Interstate and Foreign Commerce Committee wisely inserted a provision prohibiting the number of directors on the board of the corporation from being chased by the companies. This, I believe, was a wise precaution. But the Senate struck that provision. Instead, they inserted in their bill a provision which requires the proposed corporation, less than the 50 percent of the stock allotted and yet still elect the full number of directors.

Mr. Speaker, the ranking members of the House Commerce Committee were so concerned about this and other provisions, that it was reported they would insist on a conference. But because of the great expense, they were persuade to accept the objectionable amendments. Here we have a situation in which the Senate is asking the House to support a conference on a bill and accept their bill. They are asking us to accept amendments which we do not think are wise without even going to conference where our conferences could agree the merits of the House version.

The excuse for all this haste has been that we will fall behind in our communications satellite program if we do not pass the bill this year. But I have yet to hear any convincing argument that this would happen. We have made great progress under a system in which the Government worked in close and fruitful cooperation with the various Federal agencies involved. Telstar was launched and the first live commercial transatlantic TV program was carried in the earliest possible date.

Mr. Speaker, it may not be immediately evident to all that the policy incorporated in this bill is a mistake. It may take a period of years, but I feel we will all come to regret this policy. Yet, if the Members of this body do decide to turn the communications satellite system over to private ownership, let us at least pass the best legislation possible. The bill we are asked to approve today does not measure up to this requirement. Mr. Speaker, I hope the House in its wisdom will reject this bill as passed by the other body.

Mr. Ryan of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again the House of Representatives is faced with the question of the communications space satellite bill. Now we are being asked to pass the version which passed the Senate. I think it is important that this bill go to conference where the differences can be ironed out. I was opposed to the bill originally, and I am still opposed to it. However, I believe that there are significant NASA matters embodied in this bill which violate the principles of free competitive enterprise which have been the foundation of our Nation's economic and political strength.

The time which has passed since we were charged the mandate to turn the communications system into orbit as passed by the other body. Moreover, the bill appears to require the Government to use only this system. (Section 201(a) (6)).

Second, NASA is required under the bill to help the private corporation, but the private corporation is not required to help NASA.

Third, the State Department under the bill is required to help the private corporation, but the private corporation is not required to help the State Department.

When the benefits of Government-financed research and development have been turned over to private enterprise in such areas as the research on atomic energy, jet aircraft, and on agriculture, the advantages to the Government which have been made available to competing firms and in a manner to encourage competition.

The bill before us, on the other hand, provides the unequaled opportunity for a single private monopoly which would
be the sole beneficiary of this huge taxpayer investment. Indeed, only this corporation is statutorily entitled as a matter of right to the NASA services set out in section 201(b) of the bill.

**FOREIGN POLICY**

The satellite system will be inextricably involved in numerous complex international negotiations and relationships. As pointed out by numerous students of international affairs like Ambassador Ernest A. Gross and Benjamin Cohen, the bill would turn over the conduct of our foreign negotiations in this matter to a private company. The President and State Department originally insisted on the need to retain all international negotiations in the hands of the President and the State Department. The carriers reacted with vigorous protest. To appease them an artificial and impossible distinction between "business" and "government" was injected into the bill and the State Department relegated to the role of mere assistant to the corporation where so-called business negotiations are concerned. The bill does not even provide that the President or the State Department have the power to define what is "business" or "governmental."

Such a statutory abdication of governmental responsibility is unprecedented. It is most unwise in an area where our foreign policy interests are so vitally concerned.

**ANTI-TRUST EXEMPTION**

The private monopoly which this bill would establish is unique in our history. This bill proposes to allow existing and future communications common carriers to join together and participate in the ownership of a private satellite communications corporation. The original legislative immunity provided by this bill, such action by the communications carriers would be in clear violation of the antitrust laws. In fact, without the originally granted the communications carriers to get together and suggest a plan for the ownership and operation of our satellite communications system, the Justice Department advised that the representatives of these carriers could not even come together to discuss the matter without violating the antitrust laws.

This exemption is one of the primary purposes of this bill, and the need for such an exemption shows how inconsistent with our free enterprise traditions this corporation will be.

**SEPARATION OF COMPETING FORMS**

This bill also constitutes a departure from our wise and time-tested policy of not allowing common carriers in the fields of transportation or communications to own competing carriers. For example, railroads may not own airlines or control the telephone or teletype companies or airlines. Airlines may not control the railroads. This bill apparently does not provide for the private company to own or control the railroads, nor have the railroads or airlines been allowed to control barge lines. We have also found it desirable to keep separate the ownership and control of telephone and telegraph communications.

This philosophy of separate ownership of competing forms of transportation and communications is founded on the belief that the economy and the public will benefit from a maximum degree of competition and competition will be preserved. We expect competition in this development to provide rapid development and early introduction of the newest developments in all fields.

**PUBLIC POLICY OF INTEREST**

The bill before us represents a complete reversal of this use policy, for it would turn over our satellite communications system to the very companies which now operate our existing communications systems. The new facilities will be competitive with the older communications facilities. In many instances a satellite communications system will make existing facilities obsolete. We cannot afford to turn over control of this wonderful new development to companies with huge investments in such existing facilities since the spur of competition will be absent. Such companies will be inclined to lag in the speedy development of the new and revolutionary technology until they have recovered their full profits from the existing facilities.

The problem goes deeper because virtually all of the communications carriers of any size have their own manufacturing subsidiaries or divisions. There would be a natural tendency for the carriers to use their representation in the satellite corporation to influence its procurement policy. They would, of course, favor those suppliers who thereby restrict competition in the supplying of goods and services for the satellite system. Small companies, who cannot get much of a voice in management, will be frozen out.

**NO REQUIREMENT TO GOVERNMENT**

The private monopoly created by this bill will receive free of charge the benefits of millions of taxpayer dollars and the spur of competition will be absent. Such companies will be inclined to lag in the speedy development of the new and revolutionary technology until they have recovered their full profits from the existing facilities.

This bill will receive free of charge the benefits of millions of taxpayer dollars and the spur of competition will be absent. Such companies will be inclined to lag in the speedy development of the new and revolutionary technology until they have recovered their full profits from the existing facilities.

The only requirement is that the corporation repay NASA for the out-of-pocket costs of launching the corporation's satellites and to do so in a manner in comparison with the true costs to the taxpayer.

**NEED FOR PREFERENTIAL RATES**

This bill does not even provide that the Government and its agencies are to receive preferential rates for the use of the satellite system. There is adequate precedent in the field of communications for granting the Government preferential rates. Certainly the Government and the taxpayers are entitled to some special consideration from this proposed private corporation. In return for the huge subsidy the corporation will receive, both now and in the future. Here the Government will have to pay the same rates as any commercial user.

**PROBLEM FOR USA**

The Department of State, U.S. Information Agency, Edward R. Murrow, has recently stated that he doubts the Voice of America will be able to afford to use the facilities of the private corporation at commercial rates. As it is when it is important to carry the message of the United States all over the world, this is dramatic evidence of the problem involved. Look at the situation we will create by passing this bill.

**OWNERSHIP**

On the question of ownership of the proposed private corporation, there are some points which need to be clarified. The proponents of this bill and the press have frequently stated that the bill provides for 50-percent ownership by the public and 50-percent ownership by the communications carriers. Such statements are highly misleading.

This bill provides that the carriers shall be limited to 50 percent of the voting stock of the corporation. There is no ownership limitation on the nonvoting securities, bonds, debentures, or other securities of the corporation. Moreover, nothing in the bill requires that all or even much of the financing is to be through the use of voting stock.

**A.T. & T. DOMINANCE**

It is entirely possible that the corporation could become wholly through nonvoting securities, bonds, or debentures. If this procedure were followed, and there are good reasons to suspect that it will be, the carriers could easily end up with 50 percent of the corporation's securities. As a matter of fact, the way the bill is worded, it would be entirely possible to finance the corporation in such a way that A.T. & T. alone could own 50 percent of the total of all securities issued by the corporation.

The proponents of this bill have suggested that the public interest is to be protected through the medium of stock ownership by the public at large. The bill simply does not contain any provision to ensure that this result will follow. If public participation is important, the bill should be drafted in such a way as to ensure that protection.

**FURTHER INADEQUACIES**

The shocking inadequacy of this bill and the absence of real protection of the public interest is an every important issue. The administration has stated that the American taxpayers who have made the system possible should have an opportunity to buy stock in the corporation for their own benefit. Compare this statement with the language of the bill. The bill provides only that the shares of voting stock initially offered shall be sold at no more than $100 and in such a way as to encourage the widest distribution to the American public. Neither of these requirements is imposed on subsequent offerings of voting stock nor the issuance of any other form of securities.

It would be perfectly lawful under this bill to have a small initial offer of voting stock in which the public could share, then use subsequent offerings for the major funding. The subsequent offerings could go directly to large corporations, banks, insurance companies, and the like, and the general public could be excluded completely.

**REAL CAREFUL THINKING**

The fact is that the corporation will probably be financed to a significant extent through the use of securities other than voting stock.
In the first place, the carriers do not have to buy any minimum amount of voting stock in order to have their right to elect directors. There are inherent, nonvoting securities, bonds, debentures, and so forth, which a communications carrier may buy are eligible for inclusion in the carrier's rate base.

A DOUBLE RETURN

By purchasing securities other than voting stock, the carriers lose nothing in regard to their rights to elect directors and at the same time can earn a double return on their investment. On the other hand, any nonvoting securities, bonds or debentures, and so forth, which a communications carrier may buy are eligible for inclusion in the carrier's rate base.

I submit we should not pass this bill. I urge defeat of the bill. I believe it is in the national interest not to pass this bill now.

There are many unknown factors. There is no need to rush into this kind of proposal. Our space program will go forward, and it will benefit the Nation. It is not to take hold of what is in the Raccoon at this point giving a complete explanation setting forth how for the argument or this argument without a fair and complete giveaway and the great claims about this program.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, when we were preoccupied by this bill last May, it was opposed by a few of our colleagues on the ground that it was a giveaway in the sense that the proposed corporation would be able to take advantage of research and development in space communications which has been conducted at Government expense. Various figures were used to support this contention. In fact, we were confronted literally by a number of same.

The assertions, it seemed to me, were self-defeating for if the Government had expended hundreds of millions or billions of dollars to develop a communications facility, as with space, where was the evidence? The Government should haveand then and has no active communications satellite or ground station in operation. The simple fact is that the telephone communications, satellite, and ground stations in operation today were conceived, designed, and constructed by private industry.

Deputy Attorney General Kagen, on the basis of estimates prepared for him by NASA, has stated on several occasions that a proper allocation of Government expenditures in space communications would be in the neighborhood of $80 million through the fiscal year 1963. This is a far cry from the hundreds of millions or billions claimed by the few opponents of this bill. It is also true that between $500 million and $2 billion is expended by the military on Project Advent but unfortunately this program has recently undergone a redirection or a reorientation while the efforts of private enterprise with Telstar have met with unqualified success. Our experience with Advent scarcely affords the Government any vested right to own and operate the proposed satellite system.

The fact that the Government has sponsored research and development in satellite communications hardly constitutes a giveaway. This argument could be expanded to the argument of our medical industry. Our commercial jet aircraft, are based on designs made possible by Government-financed military aviation and the fruits of this research have been made available to our aircraft manufacturers. The same is true, although perhaps to lesser degree with respect to drugs, hospital equipment, and techniques of medical treatment which were the outgrowth of knowledge financed by the Government. The Government has
also paid for the bulk of the organized agricultural research in this country for more than a century, yet few seriously argue that the Government should own and administer this research. Throughout the entire breadth of our economy one finds that the fruits of Government research and development are predominantly and profitably transferred to private industry when they are commercially feasible and serve to promote our national objectives.

The Government's research and development in the space effort is going on in all sorts of fields, in rocketry, metallurgy, communications, biology, systems controls, and so forth. Now, I would suppose that the benefits of research in these fields will be spinning off into our society in all sorts of ways, increasing our productivity, yielding taxes, going a long way to recover in the general health of our society the costs incurred by the Government which went into this effort. But it is by no means a one-way street.

The reverse is also true. There has been a continued input from the private field of research and development from Government research into the private field. This is one of the great partnerships which has helped this country develop.

Space communications is an excellent illustration of the beneficial effect of the continuing partnership between Government and industry. The case of Karl Jansky is a good example of this. Mr. Jansky worked for one of our private communications companies, Mr. Jansky's assignment was to discover what was making the noise that was disrupting transatlantic telephone service. In his research Mr. Jansky detected a steady hissing whenever his antenna was pointed at one particular section of the sky. He soon discovered that the noise was coming from outer space and with this discovery opened the door to radio astronomy, without which our knowledge of the universe would be limited and our space programs would be impeded.

The invention of the transistor is also a case in point. It was the product of a fundamental research and development program conducted by one of our private communications companies. The record indicates that this one company alone has spent $1 billion since World War II on research to improve communications service but which is closely pertinent to today's satellite communications development. The discovery of the transistor which led to the Nobel Prize in physics, has made possible the miniaturization necessary for our space effort which the transistor which led to the Nobel Prize in physics has made possible the miniaturization necessary for our space effort and would not have been possible without the Government's research and development in this field. This is one of the great illustrations of the beneficial effect of Government research and development in the space effort being years behind.

I think anybody who makes an objective study of this bill, this legislation, could not possibly reach that conclusion.

This bill represents a very useful marriage of private industry and Government. The policy considerations have been carefully considered and fully debated.

There is no reason to suppose — as Secretary Rusk has stated — that they would be more wisely decided if this process were to be extended another year.

On the other hand there is every reason to suppose that the impetus from the passage of this legislation and the organization of the satellite corporation will bring us measurably closer to the time when a global communications satellite system is in operation. The time to act is now.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record at this point on this bill.

The SPEAKER: The clerk is authorized to send the request of the gentleman from Arkansas?

There was no objection.

Mr. MACK. Mr. Speaker, the changes made by the Senate do not substantially affect the objectives of the communications satellite bill originally passed by the House. Take this fact that we accept the Senate amendments, thus completing legislative action on this important measure.

There will provide for a privately owned, profitmaking corporation subject to Government supervision to operate the communications satellite system. I support this principle and believe that it is the only way to assure the increased prestige of the United States in the eyes of the free countries of the world. I supported private ownership when we were originally considering this bill in the Interstate and Foreign Commerce Committee and I continue to support this approach.

Mr. Speaker, I hope that we settle this problem once and for all because I feel very strongly that we should proceed with our communications satellite program.

Mr. GONZALEZ. Mr. Speaker, I am immediately disturbed by the unseemly haste this Congress has shown in the matter of determining important future public policies for a system of communications satellites.

There was scant discussion on this when the matter was previously before the House. And in the Senate many questions were raised which received only in the form of answers from the proponents of this measure.

I wonder about this haste. And I wonder about this absence of answers. Either there is much that is not yet known about the consequences of the policies proposed in this bill or there is much that is not being told.

One thing that is known and can be told is that this proposition on its very face is a perfect illustration of an old Texas story about two neighbors who joined together to share ownership of a cow. To insure a true joint ownership it was agreed that the cow would be tethered across their property line with the understanding that each neighbor would administer to his half of the cow. This arrangement seemed fair enough. But the same cow used to feed the dim-witted one of the neighbors realized that from this bargain he ended up feeding the cow at one end while his sharp-trading friend acquired the right to milk the cow at the other end.

Mr. Speaker, this is what I see in this communication satellite bill. The sovereign Government of the United States and its citizens is the dim-witted neighbor, and the dim-witted one of the neighbors realizes that from this bargain he ended up feeding the cow from which it will not even have the right to receive milk.

Nowhere was fact made clearer than in the testimony of Mr. Edward R. Murrow, Director of the U.S. Information Agency, before the Committee on Foreign Relations of the U.S. Senate. Mr. Murrow now addend to the Senate committee saying that his important Agency would not be able to afford to use the satellite system. He said it would cost them $1 billion a year to simply use the satellites for an hour and a half program a day beamed into the undeveloped areas of the world.
Then we were treated to the unhappy scene of the head of this Government Agency musing about whether it might be possible for this Government to do for the Government to enjoy something less than the going commercial rates. Mr. Murrow said:

National investment in the system has been great. Having contributed to develop this enterprise, the President must aid in developing it further. The Secretary of State could move in to require commercial communications to a particular foreign point.

After detailing all the functions of the President and adding that Presidentially appointed members of the board of directors, one would think the bill had done enough to get us an operational communication satellite system.

And, actually it has. But it is at this point that the bill says, “now let’s do all this in the name of good old private enterprise.”

Private enterprise indeed. With all the governmental involvement required in this system, why do we delude ourselves by thinking there is any enterprise left for private persons? The bill erects a new structure, responsibility and accountability, and then calls in private enterprise. For what purpose?

The only purpose I can see is to permit private persons to profit from something Government has spent billions of dollars on. Mr. HARRIS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. Fulton].

Mr. FULTON. Mr. Speaker, I want to say something about the House Interstate and Foreign Commerce Committee, the gentleman from Arkansas [Mr. Harris], for his extension of the invitation to me to sit at the committee hearings on the communications satellite bill.

I would like to say to the House as one of the senior members on the Science and Astronautics Committee, having previously served on the Select Committee on Space, that we need this legislation passed, and we need it passed today. Time is of the essence, first in the space communications field.

We should unite on a bipartisan basis for a good U.S. space program in order to obtain effective, economical, and meaningful progress in communications satellites. The U.S. space program where feasible, should be placed on a private enterprise basis. While there has been a compromise in some respects, I strongly advocate the passage of this legislation at this time.

I favor basic policy in the space field that where private enterprise can do the job, private enterprise do it. This policy I think is clearly indicated to be correct both in space as well as on the ground.

A point we must remember is that the U.S. space program was at the cost to, and under contract with, private enterprise. Telstar was paid for, the booster as well as the pad and ground facilities were all paid for by private enterprise under contract. I favor the position that as much as possible our U.S. policy keep private enterprise in the space development, business, and operations. I hope we pass this bill today to indicate these policies, by an overwhelming majority.

Mr. HARRIS. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana [Mr. Waggoner].

Mr. WAGGONNER. Mr. Speaker, a few days ago we sat here in this Chamber and disposed of some of the property which we had confiscated or taken control of as a result of World War II for the express purpose of getting rid of properties we could not through Government agencies operate as efficiently, or as profitably.

This is a similar proposition: the U.S. Government cannot operate this communications satellite program as economically, as efficiently, as can private enterprise. I advocate private ownership of this communications satellite program. I approve this bill and I hope we will pass it.

Mr. HARRIS. Mr. Speaker, I yield the balance of my time to our distinguished majority leader, the gentleman from Oklahoma [Mr. Albert].

Mr. ALBERT. Mr. Speaker, the legislation which the House is taking today on the measure now under consideration is one of historic significance. The communications satellites will rank among the most important accomplishments of this decade. The distinguished gentleman from Arkansas [Mr. Hasas] and his great committee are to be congratulated on this. Space and the country for the magnificent contributions they have made in finalizing this legislation in the form in which it is brought to the House today.

This legislation opens new frontiers in the science of outer space. It has far-reaching implications, national and international. The potential benefits which may accrue from a telecommunications system are incalculable.

We can visualize greater understanding between nations as the world shrinks further beneath an expanded capacity for rapid communication. The transmission of ideas and events around the world will be reduced to a matter of minutes. The entire world will become a stage to be viewed by all mankind. People all over the world will be able to see and hear things as they happen. We visualize a worldwide telecommunications system over which the truth can be transmitted to all mankind without delay or distortion. The potential of such a system as a weapon in the battle for world peace and understanding stagger the imagination.

The legislation before us gives a new dimension to our leadership in space communications. We are first; we intend to retain that primacy. The urgency in adopting this legislation arises from two very strong advantages. We cannot afford the luxury of inaction which might permit hostile powers to overtake the lead we now hold in space communications research.

Mr. Speaker, the Congress released the full force and power of the Government into space research 4 years ago in the National Aeronautics and Space Act of 1958. In which we declared that—
It is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

We are beginning now to see the results and the wisdom of that action. Four of our astronauts have been to space and returned, two have orbited the earth. A Tiros weather satellite, as I speak today, in maintaining constant surveillance for hurricanes. Countless lives have been saved, and millions of dollars in property preserved by that application of space science.

We have the opportunity to open a whole new area of applied space science. We have the opportunity and, with it, we have the responsibility. We must meet and accept both.

Mr. SPRINGER. Mr. Speaker, on that request of the gentleman from North Carolina, the House approved the amendment, and agree to the conference report.

Mr. James AVERY. Mr. Speaker, I object.

So two-thirds having voted in favor thereof the rules were suspended and the resolution was passed.

The Clerk announced the following passage:

Mr. Powell with Mr. Adair.

Mr. Faust with Mr. Kilburn.

Mr. James C. Davis with Mr. Cramer.

Mr. Monson with Mr. Arends.

Mr. Kitchin with Mr. Collier.

Mr. O'Brien of Illinois with Mr. Ellsworth.

Mr. Hoher with Mr. Wilson of California.

Mr. Kins with Mr. Hall.

Mr. Hébert with Mr. Anderson of Minnesota.

Mr. Saund with Mr. Cunningham.

Mr. Morris of New Mexico with Mr. Wilson of Indiana.

Mr. Boling of Missouri with Mr. Findley.

Mr. Slak with Mr. Utz.

Mr. Peterson with Mr. Dooley.

Mr. Baring with Mr. Seely-Brown.

Mr. Thompson of Louisiana with Mr. Morrow.

Mr. McMillan with Mr. Bass of New Hampshire.

Mr. Blatnik with Mr. McVey.

Mr. Kowalski with Mr. Curts of Massachusetts.

Mr. Cannon with Mr. Mason.

Mr. Mc{C}Donald with Mr. Dominick.

Mr. Granahan with Mr. Garland.

Mr. McDonald with Mr. Hoffman of Michigan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.
Sec. 2. The Congress finds that there is a large and growing need for suitable housing for older people both in urban and rural areas. The problem is made more urgent by the fact that many older people are facing difficulties in obtaining liberal long-term home mortgage credit, and their need for housing planned and designed to include features necessary to the safety and health of the individuals involved in a suitable neighborhood environment. The Congress further finds that the present programs of the Housing and Home Finance Agency have proven the value of Federal credit assistance in this field and at the same time demonstrated the urgent need for an expanded and more comprehensive effort to meet our responsibilities to our senior citizens.

Sec. 3. (a) Section 202(a)(4) of the Housing Act of 1959 is amended by striking out "$225,000,000" and inserting in lieu thereof "$225,000,000,000".

(b) Effective with respect to applications for loans under section 502 of the Housing Act of 1959 made after the date of the enactment of this Act—

(1) section 202(d)(1) of such Act is amended by striking out "and inserting in lieu thereof", "(A) and (B)", and all that follows and inserting in lieu thereof a period;

(2) section 502(d)(8) of such Act is amended by striking out "(A) and (B)" and all that follows and inserting in lieu thereof "new structures and";

(3) section 502(d)(8) of such Act is amended by striking out "(A) and (B)", and all that follows and inserting in lieu thereof a period.

Sec. 4. (a) (1) Section 501 of the Housing Act of 1949 is amended—

(A) striking out the period at the end of subsection (a) and inserting in lieu thereof the following: "and (3) to elderly persons who are or will be the owners of land in rural areas for the construction, improvement, alteration, or repair of dwellings and related facilities, the purchase of previously occupied dwellings and related facilities and the purchase of land constituting a minimum adequate site, in order to provide them with adequate dwellings and related facilities for their own use;";

(B) by inserting at the end of subsection (b) thereof the following:

"(3) For the purposes of this title, the term 'elderly persons' means persons who are 62 years of age or over; and"

(C) by inserting immediately before the semicolon at the end of clause (1) of subsection (c) the following: "(d) For the purpose of this Act;"

(b) Title II of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"(d) Amounts made available pursuant to section 513 of this Act shall be available for administrative expenses incurred under this section."

(c) (1) Section 511 of the Housing Act of 1949 is amended—

(A) by striking out "section 504(b)" and inserting in lieu thereof "section 504(b) or 515(a)"; and

(B) by striking out "$500,000,000" and inserting in lieu thereof "$700,000,000, of which $500,000,000 shall be available exclusively for assistance to elderly persons as provided in clause (3) of section 501(a)."

(2) Section 506(a) of such Act is amended by substituting in lieu thereof "section 514 and 515.

(3) Section 506(a) of such Act is amended by striking out "(1) in the form of a loan, or combined loan and grant, in excess of $1,000,000, or (3) in the form of a grant (whether or not combined with a loan) in excess of $500,000 and inserting in lieu thereof "in the form of a loan, grant, or combined loan and grant, for the purpose of providing suitable homes for elderly persons and families of low or moderate income in rural areas for the construction, improvement, alteration, or repair of dwellings and related facilities and the purchase of previously occupied dwellings and related facilities and the purchase of land constituting a minimum adequate site, in order to provide them with adequate dwellings and related facilities for their own use and for the personal liability of any person with the head of which (or his spouse) is 62 years of age or over; and"

looking to the future, the number of our older citizens will continue to rise more rapidly than the population as a whole and we must not delay in providing the programs and assistance they need and deserve.

Health problems and living patterns are the second reason for providing programs specially tailored to the needs of the aged. The miracles of modern medicine have extended life expectancy but we must recognize the fact that age imposes certain physical limitations even on people who have not been affected by the dangers of illness and accident a more serious matter. Because of this, homes
which just a few years ago were entirely satisfactory may no longer be entirely suited to the elderly. Design features designed to facilitate financing for the income levels and social security of an older person. There have been a number of careful studies of the special design features such as single-floor plans, ramps instead of steps, wide doorways, as well as special measures in the bathroom and kitchen. Actually, many of these features are desirable even for the younger families, but the fact is that most homes built for the general market do not include them and private lenders tend to shy away from such housing on the grounds that it is "special purpose" housing which limits its market. The fact of the matter is that there is a tremendous market for such housing and I am sure that as experience shows the success of these programs, private lenders will be encouraged to put more of their funds to work in meeting this problem. An important consideration in planning housing for the elderly is the striking difference in living patterns compared to younger people. A large majority are retired or unable to work. Because of this, good housing properly designed assumes a very special importance since it becomes, in many cases, a focal point of their lives.

Sharply reduced incomes are a third and pressing reason why we need special legislation to help the elderly. Many families are able to prepare for their later years through savings and investment in home ownership and many are able to plan an adequate retirement income, the plain truth is that most senior citizens are forced to live on very modest incomes. Often the financial planning of earlier years will no longer provide for a comfortable retirement, and in some cases our older citizens were unable to maintain an income level high enough to provide for their later years. Typically, a family after retirement receives an income drop of about one-half.

There has been a growing recognition of the fact that our housing problems in rural areas are every bit as serious as they are in the cities. In some ways, these problems are magnified in farm areas and small towns by the relatively lower income levels and shortage of private mortgage financing. This is particularly true for the 7 million rural people who are 60 or older. There is an obvious need to amend and supplement our housing programs to reach this important segment of our population and this bill is designed to do just that.

Mr. Speaker, the legislation before us has been carefully considered by our Subcommittee on Housing which held 3 days of hearings and received testimonies in support of the bill from administration witnesses representing both the Housing and Home Finance Agency and the Farmers Home Administration, as well as representatives of farm and cooperative organizations, labor unions, groups representing senior citizens and other organizations interested in providing better housing for the elderly. All of the witnesses strongly endorsed the Housing Act of 1949, under which the HHFA can make loans for rental and cooperative housing for all ages. This program has already made loans of $80 million and has been very successful in meeting the needs of older people. The interest rate proposed in this bill is 3 1/2 percent and the loans can have maturities up to 50 years.

These provisions build on the successful programs of the HHFA and the FHA, and I will not go into great detail.

The first provision would authorize the appropriation of additional funds for the existing program of direct loans for housing for the elderly in urban areas. This is the program created in the Housing Act of 1949, under which the HHFA can make loans for rental and cooperative housing for the elderly at rents as much as $15 or $20 a month below what would have to be charged under regular FHA or conventional financing. At present $45 million is authorized for these loans, of which $80 million has already been appropriated. The balance of $45 million plus an additional $50 million has been requested by the administration for appropriation this year. This is the amount they expect to use during the current year. H.R. 12628 would authorize $100 million for appropriation. This would be enough to carry the program until about October of next year. In my judgment this program is one of the most successful that the Congress has ever authorized and it has found widespread acceptance. Already the Housing Agency has received applications for more than $160 million in these loans. This is more than the total amount of FHA funding for housing for elderly people and thus this additional legislation is urgently needed.

The other major provisions of the bill are designed to extend to our older citizens in rural areas benefits similar to those which now exist under the Housing and Home Finance Agency for people in urban areas.

The Housing Act of 1949 established a program of direct Federal loans to build or improve housing in rural areas where private financing is not available on reasonable terms. At present an applicant for one of these loans must already own the land and the loans cannot be used to purchase existing homes. These limitations present special problems to older people who wish to move closer to town but are unable to buy the building site entirely out of their own resources. They need to be able to buy the land along with the home and thus the committee feels that a separate program of direct Federal loans for rural elderly ownerships of homes. In addition, existing housing often represents the best investment for older people because it can be purchased at a lower price without delay and in the area where they want to live. This bill would remove these limitations on rural elderly families. At the same time it would permit the Farmers Home Administration to accept cosigners if the elderly applicant does not have sufficient income to safely assure repayment of the loan. These amendments would make this program extremely helpful to those older people who want to have a home of their own. A large number of them in rural areas would establish a program of direct loans for rental and cooperative housing sponsored by nonprofit and cooperative organizations. This program, which would be administered by the Farmers Home Administration, would be very similar to the HHFA program created in 1949 which has proved so successful in urban areas. The interest rate on these loans would be the same as that established for the urban program, currently 3 1/2 percent, and the loan maturity would extend for 50 years. I believe that this bill would fill an important gap in our housing legislation by providing good housing at reasonable rents for rural families who are no longer willing or able to take on all the responsibilities of maintaining homes of their own.

This bill would also set up a program of mortgage insurance for rental housing for the elderly in rural areas, generally similar to that now administered by the Federal Housing Administration, with adjustments for the special mortgage insurance problems of rural areas. Under this program, the FHA has established a maximum maturity of 40 years and an interest rate of 6 1/2 percent. An insurance premium would be collected to build up reserves and enable the program to pay its own way. This provision will enable private lenders to finance rental housing for rural elderly families of some means.

Finally, the bill will liberalize the program of grants to improve rural housing which was established in 1949 by raising the grant ceiling from $500 to $1,000. This bill increases this authorization by $500 and thus this additional legislation is urgently needed.

The other major provisions of the bill are designed to extend to our older citizens in rural areas benefits similar to those which now exist under the Housing and Home Finance Agency for people in urban areas.

Mr. Speaker, in a word, this bill is designed to expand our programs of assistance to meet the urgent housing needs of our elderly, building on the firm foundation of existing programs which have proven so highly successful. In addition, it is designed to give our millions of older citizens in rural areas parity with the aids now available to those who live in the city. I urge all of my colleagues to lend their support to this vitally needed legislation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?
Mr. RAINS. I yield to the gentleman from Iowa.

Mr. GROSS. I find no departmental report in the report accompanying this bill. Is there some particular reason for that?

Mr. RAINS. We have all of the departmental reports. We had all of the heads of the agencies involved at our hearings who testified in favor of the bill.

Mr. GROSS. But there is none contained in the report?

Mr. RAINS. The report could of course have been included in the report but we printed them instead in the record of our hearings.

Mr. GROSS. The Department of Agriculture appropriation hearings for 1963 show that this fund for rural housing grants and loans will have an estimated unobligated balance of $277,611,000 at the end of this fiscal year.

Mr. RAINS. I do not understand what the gentleman means. That may be the authorized amount. The Farmers Home Administration is now spending whatever the dollar amount for money which with which to make the loans.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. WHITTEN. Mr. RAINS, I yield myself an additional 3 minutes.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. May I say to the gentleman from Iowa that the funds to which the gentleman from Iowa has pointed were carried in the original act. It is a continuing fund and the funds are available to the Farmers Home Administration in that amount. However, since the Farmers Home Administration went into the rural housing program, as against requiring that it be strictly farm housing, the demand has been so great that at the present time there has been a freeze ordered by the Bureau on the use of those funds, accounting for all of the pressure that Members have been receiving from applicants and people back home, including the State Farmers Home Officers. The freeze is a freeze order on allocating those funds. But they are in existence, and it will take only a release by the Bureau of the Budget to make them available.

Mr. GROSS. If the gentleman will yield further, then you are asking for an additional $50 million on top of the $277 million unobligated, or will be unobligated as of the end of this fiscal year?

Mr. RAINS. No; the gentleman is mistaken about that. We are not asking for additional funds in the very same program that the gentleman from Mississippi [Mr. WHITTEN] has discussed. We are asking now for the additional funds in the housing for the elderly program.

I would say this to the gentleman from Iowa: I am greatly concerned—and I am glad the gentleman from Mississippi brought it up—and I have urged the Department of Housing and Home Finance to do something about the release of the funds to the Farmers Home Administration for that particular housing program, because many Members and many people have written to me about it. But that is a different situation from what we are discussing today.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I shall be glad to yield to the gentleman. Mr. PELLY, I yield myself 5 minutes.

Mr. PELLY. Is this $50 million to be strung or is it under construction or are they now in existence, and the officer of the Federal Housing Administration is making plans?

Mr. RAINS. The way the bill is worded it will be $50 million for the construction of housing. Applications for rental units were filed almost as soon as plans were announced and long before construction began. It is obvious now that approximately $20 million will be reflected in the rental cost of units constructed under the direct loan program. The total cost of this program will be a great deal greater. I urge our colleagues to support it.

Mr. RAINS. The design of the housing units must conform to the special requirements of older people. The loan program is specifically designed for the elderly and has had a most salutary effect on stimulating the construction of the kind of overall environment most suitable for persons in their older years.

This legislation, Mr. Speaker, meets all of the tests of a constructive bill. The need for this program has been found to be a very real one. This need cannot be met in any other way. Early experience under the program proves that it is a practicable and effective way of meeting the need. The cost of the program is the key to the success of the program. The Farmers Home Administration has changed the direct loan basis on which the program operates assures eventual repayment of the Federal investment.

In every respect, this is a good bill, and I urge my colleagues to support it.

Mr. McDONOUGH. Mr. Speaker, I yield myself 5 minutes.

Mr. McDONOUGH. Mr. Speaker and Members of the House, I doubt that there is anyone who would begrudge the senior citizens of this Nation better housing and more adequate housing, under favorable terms, at a reasonable rent. As a matter of fact, that is the manner in which this bill came out of the committee. Extensive hearings were held by the committee and all of the departments involved in this type housing were heard, reports were heard, and the House committee session passed this bill out for consideration on the floor of the House by 18 votes to 7, I present, and no motion of opposition was made.

Mr. Speaker, as the chairman of the Subcommittee on Housing, the gentleman from Alabama [Mr. RAINDS] has informed me, and he has described this extension of an act of Congress to authorize direct loans for housing of our elderly citizens at 3½ percent interest over a period of 50 years.
We have also established a program of FHA insurance for rental housing for senior citizens. Already, we have one million FHA projects completed in my own Philadelphia—the York House with over 200 units—and I am sure that in the very near future we will see many more.

We have made special provision to make low-rent public housing available for senior citizens. These are people in the very lowest income range who are in desperate need of housing aid. The law provides that low-rent housing units can be specifically designed to meet the needs of the elderly, and in last year's housing act we authorized an additional Federal payment of up to $120 a year for apartments occupied by the elderly if needed to meet the operating costs of the project. Over 169,000 units nationally, or more than one-fifth of all public housing dwellings, are occupied by older families. Right now over 1,400 low-rent units—1 out of every 8—occupy projects designed especially for them in Philadelphia. Moreover, we have more than 500 units built or planned which are specially designed for the elderly and undoubtedly the number will increase as a result of the tax act.

Another program which is proving to be great value in meeting the housing needs of the elderly is the program of direct loans from the Government at a low rate of interest to nonprofit corporations to build housing for senior citizens of modest income. Under the direct loan program the interest rate is 3%, the loan maturity can extend to 50 years. These terms make it possible to reduce rents to senior citizens by $15 to $20 a month as compared with rental projects financed at market interest rates.

Unfortunately, the previous administration dragged its heels in administering the program and at first progress was slow. However, the Kennedy administration fully recognizes the needs of our senior citizens and the value of this program. As a result, activity has risen sharply and I am confident that it will increase further. In providing good housing at modest rents for our growing number of older citizens the bill now before the House—the Senior Citizens Housing Act—would authorize an additional $100 million for these loans so that this vital program can continue to operate in high gear.

Mr. Speaker, when our Housing Subcommittee held hearings on this important legislation, it had the unanimous support of the witnesses who testified. It well deserves that support and I strongly urge all Members of Congress, including Members of the House to join me in supporting it here today.

Mr. LANE. Mr. Speaker, I yield such time as he may require to the gentleman from Massachusetts, Mr. [Mr. BARRETT].

NEW AND BETTER HOUSING FOR SENIOR CITIZENS

Mr. LANE, New Jersey, and the U.S. Government has accomplished much in providing public housing for low-income families. But there is a potential for greater progress in meeting the special housing problems of the aged.

Public housing projects for the aged, however, aimed to help those most in need of safe, pleasant, and healthy accommodations, have income ceilings for eligible occupants that exclude all but those who depend upon social security or other forms of meager pensions.

Not enough has been provided for the construction of housing for the next group: elderly families whose incomes are just below $3,000, or about $240 per month. A recent Cornell University study shows how 400,000 units are required for this income group.

Our responsibility is to encourage and help in the construction of suitable housing for older persons whose incomes are too high for public housing, but not sufficient to meet the cost of good housing provided with private financing at conventional interest rates.

Twenty-one million Americans are now 62 years of age and over. By 1980, we will be 30 million in this age group. The over-65 population is increasing by 400,000 each year. A fact which has escaped public notice is that 11.3 per cent of persons reaching the age of 60 have a parent or close relative over 80 to consider. Our society must face the increasing challenge of the housing needs of not one, but two generations of senior citizens at the same time.

The average income of the aged is about 50 percent less than those under 65. Housing needs of these citizens must take into account their income levels and the relative inflexibility of their income potentials.

About two-thirds of the aged now live in their own homes. They face problems of rising maintenance costs and property taxes. As a result, much of their housing is too large for their needs, too costly for upkeep, and ill adapted to meet the special needs of the aged.
 Eligible properties include rental housing structures and such related facilities as dining halls, community rooms, infirmaries, and other essential service facilities.

By administrative action, the Housing and Home Finance Agency has been following the policy of confining its loans to new construction, although the present law permits loans to rehabilitate, convert, or improve existing structures. The Committee on Banking and Currency wisely decided to change the law, in line with its philosophy of preference, to guarantee brand new construction that will fully meet the needs of elderly persons.

The housing provided under the direct loan program, designed for the safety, comfort, and convenience of older people, will benefit them in more than material ways.

Special housing for this group is helpful to personal and social relationships. The aged feel more at home with those who share their outlook and their interests.

The Senior Citizens Housing Act of 1962 marks further progress in our continuing efforts to protect the senior citizens of the Nation.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. JOELSON].

Mr. JOELSON. Mr. Speaker, I am pleased to support the Senior Citizens Housing Act. It provides a comprehensive program of low and moderate cost housing for the elderly.

Twenty-one million Americans are now 62 years of age or over, and it is expected that this figure will rise to 50 million within the next two decades. Since these people generally must live on very limited incomes, it is our obligation to make suitable provision for them.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. RYAN].

Mr. RYAN of New York. Mr. Speaker, I rise in support of this legislation. Housing is a community welfare problem. As a result of advances in medical care and higher standards of living, more people are living longer. This trend can be expected to continue in the coming decades.

Some 21 million people in the United States are now 62 years of age and over. By 1980, we expect at least 30 million in the over 62 age group. The urgency of positive solutions to the problem of housing for older people can also be illustrated in terms of the growth rate of this segment of our population. The over 62 age group has increased 18 percent between 1950 and 1959 and those over 85 years of age increased more than 60 percent, while the population as a whole increased only 19 percent. The group over 62 years of age rose 35 percent between 1950 and 1960 and those over 85 years of age increased more than 60 percent, while the population as a whole increased only 19 percent. The group over 62 years of age was growing at a rate of 400,000 persons each year.

Provision for the basic needs of our senior citizens is a problem which soon will affect three generations of Americans. Already one out of three persons reaching the age of 60 has at least one parent or close relative over 60. In just 40 years this ratio is expected to rise to two out of three.

When one realizes that 50 to 60 percent of today's persons aged 65 and older have less than $1,000 total cash income annually, the problem of caring for more than one generation of older people becomes serious indeed. The aged are not a homogeneous group in income levels and monetary assets. Although some have adequate means, most do not. The group as a whole tends to be in the lower income groups. Moreover, median money incomes 50 percent less than those under 65 years of age.

Housing for the aged should take into account their prevailing income levels and the relative inelasticity of these incomes. Most older people cannot expect any significant increases in their income in future years although the cost of living tends to increase. Bureau of the Census studies indicate that among the 6.2 million families with heads 65 and over, half had family income levels of less than $2,830 and one-fourth had less than $1,000. These family incomes supported an average of 2.6 persons per family or a total of approximately 9.3 million aged and about 6.1 million younger persons. Single elderly people are even less fortunate. Half of the 3.6 million aged persons in this category had incomes of less than $1,010, while four-fifths had less than $2,000.

Even though older persons are more likely than younger persons to have some savings, in general those with the smaller incomes are the least likely to have other monetary assets to fall back on. In addition, most of the savings of the aged are tied up in their homes or in life insurance rather than in a form readily convertible to cash for emergencies.

With such limited financial means, most older people have been unable to afford decent housing. Mr. Speaker, the proposal before us today will do much to help older people. Until recent years the vast majority of housing laws have primarily helped younger families, those just getting started. Some progress was made in the long ignored and neglected field of citizen housing in the 1956 and 1959 Housing Acts, but more is desperately needed if we are going to meet our moral obligation to the older and retired members of our population. The most prosperous Nation in the world should not fail to meet one of its most basic needs—decent and reasonably priced housing in suitable neighborhoods with adequate community facilities. It is time we really tackled the problem of housing for the aged.

H.R. 12628 provides important financial assistance to help fill the urgent housing needs of the increasingly large group of aged and retired families and single persons in the United States. It extends additional Federal aid to low and moderate income families, both urban and rural, for the elderly.

The section 202 program of low-interest direct loans for rental housing in the 1956 Housing Act has made substantial progress. Congress in 1959 has been one of the most successful Federal programs designed to meet the housing needs of limited income elderly people. Many older people have relatively fixed incomes which are too high for low rent public housing but are insufficient for most decent private housing. Moreover, it is particularly difficult for them to obtain liberal mortgage financing.

The low interest rates made available on loans to private nonprofit corporations under the section 202 program makes it possible for these groups to provide rental housing for limited income older and retired applicants who are $20 lower than would be feasible with the usual financing charges available in the private market. Thus, these Federal loans make a real difference in rents and the type of housing for older people in this income bracket can afford.

However, all of the funds authorized to date have already been appropriated or are included in current budget requests. There is a sizable unmet demand for this assistance by church groups, cooperatives, labor unions, and other private philanthropic organizations. These private corporations are needed, particularly in the case of older people, because of the arrangements made to provide economical and specially designed rental housing for older people in the lower middle income brackets. H.R. 12628 will help meet this demand by making an additional $100 million available for new construction under the section 202 program.

There are serious housing obstacles also facing the elderly in rural areas where mortgage credit is difficult to obtain. Although title V programs of housing assistance in rural areas have made significant contributions to better housing for older persons, incremental grants to owner-occupants and the relative inflexibility of these income and the rural, for the elderly.

Additional rental housing at private market rates for older persons with limited incomes will be encouraged by a new Farmers Home Administration insurance program similar to the existing Federal Housing Administration program. Also, senior citizens 63 years of age or older will be given three special advantages under the existing Farmers Home Administration housing loan program. They will be allowed to buy existing housing as well as build or improve their homes. The Department of Agriculture will finance the land as well as the dwelling and a cosigner will be permitted for elderly applicants who are deficient in repayment ability.

Lastly, H.R. 12628 will aid older homeowners in rural areas by raising the current ceiling on rural grants to owner-occupants whose incomes are too small to qualify for Federal assistance in necessary housing improvements. Increasing the maximum grant from $500 to $1,000 will make it easier for more older applicants to make needed improvements at today's higher prices.

Mr. Speaker, the basic objective of all assistance to the elderly should be to
foster the maintenance of their independence in their own homes and communities. Today most older people want and can live independently in their own homes. More standard suitable housing for the elderly in a variety of price ranges and types—including homes for sale and rent and high-rise apartments—cooperatives and rental—and adequate community facilities are needed to meet this need. Federal assistance to promote the provision of this housing will go far toward making this goal possible. Mr. YATES. Mr. Speaker, will the gentleman from Alabama yield for a question?

Mr. RAINS. I yield for a question.

Mr. YATES. Is there an extension of the direct loan program in this bill for housing for the elderly?

Mr. RAINS. Yes; it is the first section of the bill.

Mr. YATES. And it has worked well under the present law?

Mr. RAINS. Indeed.

Mr. YATES. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MCDONOUGH. Mr. Speaker, I yield such time as he may require to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I rise in support of this bill. I would like to call the attention of the House to the fact that in July I introduced a bill for $125 million additional authorization for this program, feeling that it had filled a great need in our country and deserved further attention. At that time I also requested in the bill that the new program be confined to new construction. Within the committee that amendment was dropped, but this bill as now presented to the House is amended so that in the future it will be confined to new construction. This means you can build in accordance with the real needs of our population which determines housing is required. Also it will mean that you will not have the problem of displacement of citizens, which has taken place in the past.

Mr. Speaker, I urge the adoption of the bill. I feel it is in the best interest of our elderly citizens.

Mr. MCDONOUGH. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, I rise in support of this legislation.

It is a long step forward in providing housing for the elderly—a most vital need that affects the 21 million people over 62 and over. I have long advocated such programs and have been repeatedly urging the Housing Administration to spur cooperative programs in this field between the Federal Government and the private sector. This bill meets that objective and I support it wholeheartedly.

As a member of the Banking and Currency Committee I wish to commend the distinguished chairman of the Housing Subcommittee and its membership on this bill. I am well aware of the hard work and dedicated efforts by the committee chairman which resulted in this workable and meaningful program.

The program will provide housing for the elderly in urban areas as well as rural areas and will set up a new program of direct loans to private corporations and consumer co-ops for moderate cost, rental housing for the elderly. Additional insurance is provided for rental housing for the elderly.

Mr. Speaker, we in New York are particularly pleased that under the direct loan program, long-term low-interest rate loans will be continued on a more adequate scale. Last year I was one of those who fought for the amendment—which was adopted—to make consumer cooperatives eligible for these benefits for elderly housing. This bill will provide additional incentives for both cooperatives, public bodies, and private corporations to build projects that are especially planned for use by elderly families.

Mr. Speaker, again I urge an overwhelming vote for passage of this most desirable bill. We can do no less for the senior citizens.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I thank the distinguished gentleman from Alabama and congratulate him on a very wonderful, wonderful bill.

Mr. Speaker, the great gentleman from Alabama has with his usual skill brought as a bill a benefit to those who need it urgently. It is a pleasure to congratulate him and his committee members.

Too often we pass over the needs of our senior citizens who have little or no lobby here in Washington. This is a bill that truly adds to the achievements of the 87th Congress.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I ask unanimous consent to extend my remarks at a later time.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, I am very happy to support this bill which would expand and better the Federal programs of housing for the elderly, not only in urban but also in rural areas. In rural areas, as everywhere, every study that has been made of the problems of the aging has indicated that their needs are many and that one of the most important is the need for housing at prices they can afford to pay. Those age 65 and over are part of the fastest growing segment of our population; and unfortunately, most of them do not have the wherewithal to provide adequate, decent housing for themselves.

The report on the bill shows the extent of the enormous need for new housing and housing rehabilitation for the elderly. Unfortunately, too many of them are compelled to live in slums. In rural areas, their houses are old and are in great need of repair.

This bill gives an opportunity to them to live their later years in good, fairly modern surroundings. It is an excellent bill. I favor the passage most strongly.

Mr. Speaker, as a member of the Banking and Currency Committee, I urge the enactment of the Senior Citizens Housing Act.

In my community and throughout the Nation we have the first benefits of this splendid program. It would be tragic if this program were to "bog down" because of lack of funds at this critical moment it was beginning to produce results.

In my community, the great majority of our senior citizens live in the central city—a surprising number in their own modest homes. Grave problems occur wherein either "old age" households, such as the death of one family member, the destruction of the home, by street improvements, and by the pressures of rising housing costs. Senior citizens in most cases fail to qualify for home purchase credit because of reduced income and the likelihood of costly hospital and medical expense overhead. This housing bill helps meet these needs is absolutely essential in the large population centers.

This legislation provides a minimum support to a very worthwhile cause.

Mr. WICKERSHAM. Mr. Speaker, this bill is important. I urge its passage. One of the first loans approved in this country was one at Cordell, Okla. It was a dedicated a few months ago. It has proven a good deal.

With the passage of this bill, it will be possible for favorable action to be given on several applications for housing for senior citizens in Oklahoma, including Leedey and Thomas, Okla.

Mr. FOGARTY. Mr. Speaker, I wish to urge that the House act favorably on H.R. 12623, the Senior Citizens Housing Act of 1962.

This bill is one of the most constructive legislative recommendations to come before this Congress and comes very close to fulfilling one of the major recommendations of the White House Conference on Aging held in January 1961.

As you know, I have been quite critical of the failure to implement the recommendations made by the 2,500 delegates to that Conference. In the final report of that forum a basic principle was pronounced that—

All aging people—regardless of race, creed or national origin—should be adequately housed in a suitable neighborhood of their choice, and supplied with community facilities and services at rents they can afford.

Further, the report stated that "Government agencies will broaden and expand present laws, or where pertinent, interpret existing regulations so as to expedite the building and financing of needed low-rent housing for the aged."

The Senior Citizens Housing Act of 1962 with its authorization of an additional $100 million for direct loans to provide housing for the elderly, will make it possible for the elderly to obtain rental housing at rents $15 to $20 a month below conventionally financed projects or those with FHA insurance.
The bill also recognizes and provides for comparable housing for the elderly living in rural areas.

The greatest weakness in this bill is the amount of money authorized under H.R. 12628 would be available to meet the basic needs of our senior citizens. While it has been said that the $100 million authorized under H.R. 12628 would be available to meet the basic needs of our senior citizens, the amount of money authorized to meet the basic needs of our senior citizens is one of the most successful housing programs we have and it is vital that we pass this bill today to assure that the program will have the funds to permit it to operate through the next fiscal year. Failure to pass this bill would be a terrible blow to our senior citizens who need and deserve worthy action to meet these problems. Our committee has heard impressive and expert testimony on the dimension of this problem. For example, almost one-fifth of the 16 million housing units in which elderly persons live are substandard, according to recent tabulations of the Census Bureau.

At the time of the 1960 census, 23,700,000 persons over 65 and older lived in our country. The median income in 1959 of older persons who headed households was $1,900. The median income of households with older persons was $3,500 as compared with $5,000 for all households. Many older persons were found to be living with their children in housing too small for the families. These are cold figures but it takes very little imagination to picture the misery and unhappiness of these senior citizens living in unsatisfactory and inadequate housing. Others are depriving themselves of things they need in order to pay the rentals necessary to live in housing that is perhaps little better than substandard. A country which boasts the highest living standards in the world can hardly consider the housing situation of its elderly mothers and fathers and grandparents.

I cannot see how anyone who understands the economic problems of the elderly can vote against this bill. The need is great. I repeat there are close to 25 million elderly with median incomes of $1,900 to $3,300—almost $2,000 per year less than other households and one-fifth of these live in substandard homes. Mr. Speaker, I urge that this bill be promptly passed by the House so that this deserving program which is compelling than that of providing safe, secure, and adequate housing for the elderly has been approved for South and plans for construction are now underway.

These are the kind of programs, Mr. Speaker, that will bring employment as well as a little sunshine into the lives of many elderly citizens in the distressed coal region areas where modern public housing is sorely needed.

This legislation is urgent and I trust it will be enacted before this Congress adjourns.

Mr. COHELAN. Mr. Speaker, I rise in support of this measure to provide additional funds for low and moderate cost housing for our Nation's senior citizens.

The problems which these citizens face, Mr. Speaker, are many and difficult. They are not limited, furthermore, to the 17 million persons in our country 65 and over—a group which represents the fastest growing segment of our entire adult population. These problems are also of serious concern to the many young people who have aged parents to support; to the middle aged who find employment opportunities closing to them; and to those who are about to step over the threshold into the unsure and uncertain world of retirement.

These problems range the entire spectrum of our daily existence. They enter into such significant facets of our daily life as education, employment, pensions, and the productive use of retirement income. These problems are formidable in scope, they are complex in their ramifications, and they are compelling in their quality. Nowhere are these problems more formidable, more complex, or more compelling than that of providing safe, sanitary housing at prices which our senior citizens can afford.

To meet this need will require a substantial effort. It will require such an effort for a sizable portion of our elderly live in standard housing; their average incomes are far below that of other groups; and their housing requirements are often special in nature.

This bill, Mr. Speaker, provides such an effort. It is far sighted and constructive. It is a measure which commends itself on the basis of both need and merit and I urge that it be approved without further delay.

The SPEAKER. The question is, will the House suspend the rules and pass the bill H.R. 12628, with an amendment?

The question was taken; and the Speaker announced that in his opinion two-thirds had voted in favor thereof.
The yeas and nays were ordered.

Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11069) to amend the Public Health Service Act to provide for the establishment of an Institute of Child Health and Human Development and, for other purposes, with an amendment.

The Clerk reads as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Public Health Service Act (42 U.S.C., ch. 6A, subch. III) is amended by adding at the end thereof the following new part:

"Part E—Establishment of Institute of Child Health and Human Development"

"Sec. 441. The Surgeon General is authorized, with the approval of the Secretary, to establish in the Public Health Service an institute for the conduct and support of research and training in the general health, child health, and human development, including research and training in the special health problems and requirements of mothers and children, and in the basic sciences relating to the processes of human growth and development, including prenatal development.

"Establishment of Institute of General Medical Sciences"

"Sec. 442. The Surgeon General is authorized, with the approval of the Secretary, to establish in the Public Health Service an institute for the conduct and support of research and training in the general or basic medical sciences and related natural or behavioral sciences which have significance for two or more other institutes, or are outside the general area of responsibility of any other institute, established under or by this Act.

"Establishment of Advisory Councils"

"Sec. 443. (a) The Surgeon General is authorized, with the approval of the Secretary, to establish an advisory council to advise, consult with, and make recommendations to the Surgeon General on matters relating to the activities of the institute established under section 441. In the event that the council, with such approval, establish such a council with respect to the activities of the institute established under section 441.

"(b) The recommendations relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 442 (a) shall be applicable

Mr. Ray and Mr. JOHANSEN changed their votes from "yea" to "nay." The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTIONS TO SUSPEND RULES

Mr. ALBERT, Mr. Speaker, I ask unanimous consent that motions to suspend the rules under rule XXXVII, in order on Monday, September 3, be transferred to Thursday, August 30, 1962.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. WILLIAMS. Mr. Speaker, I object.
to any council established under this section, except that no individual shall be selected in such sections that six of the members be outstanding in the study, diagnosis, or treatment of such cases as the Secretary may prescribe, from time to time appoint such advisory committees or subcommittees of such councils as it may deem necessary in the light of the purposes of such council with respect to which the council is being established, and except that the Surgeon General, with the approval of the Secretary, may institute any such council established under this section such additional ex officio members as he deems necessary in the light of the purposes of such council with respect to which it is established.

(c) Upon appointment of any such council, it shall be the duty of the Surgeon General to establish, and the Surgeon General may, with the approval of the Secretary, specify (with such approval) of the duties, functions, and powers of any other advisory committee or subcommittee authorized under this Act relating to such projects.

"Functions"

"SEC. 444. The Surgeon General shall, through an Institute established under this part, carry out the purposes of section 301, with respect to the conduct and support of research which is a function of such institute, except that the Surgeon General shall, with the approval of the Secretary, determine the areas in which and the extent to which he shall carry out such purposes of section 301 through such institute or an institute established by or under other provisions of this Act, and where both such institutes have functions with respect to the same subject matter, The Surgeon General is also authorized to provide training and instruction and establish and maintain traineeships and fellowships, in the institute established under this part, or elsewhere relating to the research or training projects with which such council established under this part is concerned and such projects, including travel and subsistence expenses for travel in the United States or to foreign countries, and United States or foreign uniforms.

"Preservation of existing authority"

"SEC. 445. Nothing in this part shall be construed as affecting the authority of the Secretary under section 3 of the Act of April 9, 1912 42 U.S.C. 192), or title V of the Social Security Act 42 U.S.C. ch. 7, subch. V), or as affecting the authority of the Surgeon General to utilize institutes established under other provisions of this Act for research or training activities relating to maternal health, child health, and human development, with such stipends and allowances (including travel and subsistence expenses) for trained personnel, and, in addition, provide for such training, instruction, and traineeships and for such fellowships or appointments to public or other nonprofit institutions.

"Advisory committees"

"SEC. 223. (a) The Surgeon General may, without regard to the civil service laws, and subject to the Secretary of Defense, appoint such members as the Secretary may prescribe, from time to time appoint such advisory committees or subcommittees of such councils as it may deem necessary in the light of the purposes of such council with respect to which the council is being established under other provisions of law), for such periods of time, as he deems desirable for the purpose of advising him in connection with any of his functions.

"(b) Members of any advisory committee appointed under this section who are not regular members of the United States shall, while attending meetings or conferences of such committee or otherwise serving on such committee, receive compensation and allowances as provided in section 208(c) for members of national advisory councils established under this Act.

"(c) Upon appointment of any such committee, the Surgeon General, with the approval of the Secretary, may transfer such of the functions of the National Advisory Council for Medical Research, as the Surgeon General shall prescribe, under this Act.

The Speaker. Is a second demanded?

Mr. SCHENCK. Mr. Speaker, I demand a second.

The Speaker. Without objection, a second will be considered as ordered.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The Speaker. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I am asking the House to support the bill H.R. 11099, which was reported unanimously by our committee.

The purpose of the legislation is to establish two new institutes at the National Institutes of Health. The first of these two would be the Institute of Child Research and Human Development. The second would be the Institute of General Medical Sciences. As the Members of the House can readily see from the names of these two proposed new institutes, neither of them is related or limited to any particular disease or disease category. At present, there are seven institutes at the National Institutes of Health. Each of these institutes deals with a different scientific or disease category. These are the National Cancer Institute, the National Heart Institute, the National Institute of Mental Health, the National Institute of Dental Research, and so forth.

Now, under the provisions of the Public Health Service Act, the Surgeon General is authorized to establish by administrative action additional institutes for other diseases and groups of diseases. He is not authorized, however, to establish any institute which cuts across individual disease categories. Therefore, it is necessary to resort to legislation if these two new institutes are to be established.

Some of the Members of the House might ask, "Why is it necessary to establish these new institutes?" Some Members may say that the existing institutes are already spending enough money, and that the creation of two additional institutes would be wasteful of funds. Let me tell you, then, why our committee feels that it is highly desirable to establish these two new institutes.

Our committee has received testimony from physicians, expert in these two areas, that there is an urgent need for better administrative coordination of research activities carried on and supported by the National Institutes of Health where these research activities are not directly related and limited to individual diseases. These witnesses testified that research in these areas in which the new institutes would function is essential to any broad advances in the health sciences.

The proposed new Institute of Child Health Research and Human Development is designed to coordinate programs in the fields of child health and human development and to stimulate new interest and effort in these important research areas.

The new Institute will give major attention to the study of the continuing process of growth and development that characterizes all biological life—from reproduction and prenatal development through infancy and childhood and on to the stages of maturation. The programs of research and training in the following broad areas:

First. The biological and physiological aspects of human reproduction, growth, and development. The study in the prenatal and perinatal period in human development, from conception until shortly after birth.

Second. Obstetrical and pediatric problems not directly related to the specific disease interests of the other institutes. Studies of the process of maturation.

Third. Problems in special problem areas such as mental retardation.

Some research activity is now being conducted in these fields. As compared with research in the fields covered by the disease-oriented institutes, however, it is relatively limited and inadequate.

The existing categorical institutes would continue their primary responsibility to research in their particular disease categories with respect to children as well as other segments of the population. For example, the study of leukemia in children would remain in the National Cancer Institute, and the National Institute of Mental Health would continue to be responsible for research into schizophrenia in children.

The proposed new Institute of General Medical Sciences will continue to carry out without any essential change the research and research training activities of the present Division of General Medical Sciences. It will support research and research training in those scientific areas which provide a common basis for understanding a wide range of disease and health problems. Specific areas of research will include:

First. The basic medical, biological, preclinical, and the related natural and behavioral sciences, such as anatomy, histology, biophysics, molecular biology, cellular biology, anthropology, enzymology, and pharmacology.

Second. Certain clinical sciences, such as general surgery, orthopedic surgery, dermatology, pathology, and anesthesiology.

Third. Public health, medical care, and nursing.

Fourth. Methods of science, such as electronmicroscopy and biostatistics.
Studies in these fields are usually not related to any particular disease, but they provide the fundamental structure, organization, and functions of living cells and organisms upon which all disease-directed research is based.

Because of the size and scope of its grant programs, the present Division of General Medical Sciences does not have an advisory council of its own. Instead, its programs are reviewed by the National Advisory Advisory Council—which performs this function with respect to all research grants outside of the fields of the seven categorical advisory councils, and which also serves as a general advisory body to the Surgeon General on programs and policies of the Service.

The establishment of a separate Institute of General Medical Sciences with its own specialized Council would relieve the National Advisory Health Council of the responsibility of advising the Surgeon General with regard to activities and policies in the field.

The committee feels that the size and importance of this Division's program warrant its elevation to full institute status.

Mr. Speaker, to summarize, the provisions of the legislation are confined primarily to matters of organization and administration and do not add significantly to the existing authority of the Surgeon General to conduct or support research and research training in the health and medical sciences. Therefore, no new funds or additional authorization is included in the legislation. No additional appropriations are contemplated for the fiscal year 1963. Insofar as administrative expenses of the two new institutes are concerned, it is estimated by the Department of Health, Education, and Welfare that additional funds required to carry out the legislation will not exceed $900,000 annually.

Mr. Speaker, I ask the House to support the bill H.R. 11099.

Mr. Speaker, I yield such time as he may require to the gentleman from Alabama, Mr. Roberts, chairman of the subcommittee which held the hearings on and reported this bill.

Mr. ROBERTS of Alabama. Mr. Speaker, the bill before the House today will provide for the establishment of an Institute for Child Health and Human Development, and an Institute of General Medical Science, amending title 4 of the Public Health Service Act.

Purposes of the bill are as follows:

First, it authorizes the creation of an institute for the conduct and support of research and research training in the health, medical, social, and behavioral sciences which have significance for two or more other institutes, or are outside the general area of responsibility of any other institute, established under or by this act.

In the past, the functions pertaining to child health and the problems of the aging have been under the Institute of the medical sciences, relating to pharmacology, biology, and general studies in the basic sciences relating to the administration of drugs to be as certain as is humanly possible, that we may prevent the use of dangerous and harmful drugs.

The institute also studies such clinical sciences as, for example, general surgery, orthopedic surgery, dermatology, pathology, and anesthetics.

It is concerned, generally, with public health. We have cared for these as well as certain fields of statistics. This bill would elevate the Division of General Medical Sciences to institute status. It would give the Child Health Center and the General Medical Sciences institute status.

The other institutes, such as heart, cancer, mental health, et cetera, are what is known as specific disease institutes. The two institutes created by this bill are concerned with public health and the very old. Our people are living longer and since 1900, the rapid advances of medicine and science have raised the average lifespan from about 47 in 1900 to 67 as of today.

With the advent of new techniques, new vaccines, and improved methods of sanitation, we have practically eliminated all of the infectious killers of babies, although we have problems with others which are even longer lasting and probably more dangerous. At least we may say they are more burdensome.

Our average birth rate, which is at an all-time high, means that we are adding about 4 million children to our population each year and if this level continues, we will have over 700 million by 1970 which will comprise 42.3 percent of the total population.

As stated before, acute infectious diseases—formerly the great killers and killers of infants, children, and adults—have given way to the chronic, disabling, irreversible conditions often originating before birth, such as mental retardation, congenital anomalies, disorders of speech, hearing, vision, and the degenerative disorders of the heart, limbs, brain, and so forth.

The elderly will constitute the second largest group in our population in the year 1900, and it has risen since 1900 to about 17 million. This is a jump from of 4 to over 9 percent of the total population. As the number of people in the older age group has increased, so have the medical, social, economic, psychological, and physiological problems associated with aging.

You will note from a glance at the chart that the predictions made on the basis of the figures of 90 million children as to the number of handicapped children in various fields.

The number of persons affected by epilepsy is 450,000 for a low of 12,500,000 for eye conditions. Other very high figures are in the field of mental retardation, estimated to run around 2,720,000. The problem of mental retardation is one of the most serious. Someone has stated that no family can afford to have a mentally retarded child, speaking of the terrific cost. We have in this country over 30,000 million children and almost 4 million adults who are mentally retarded. We believe many of these are salvageable.

Approximately 3 percent of the mentally retarded are in institutions. Mental retardation accounts for some $250 million annually in public institutional costs.

The mentally retarded are heavily represented among persons who qualify for children benefits based on disability. Among the 20,000 persons of 18 and older who qualified for childhood disability benefits in 1962, which was the first year for which payments were made, mental deficiency was the primary diagnosis in 45 percent of the cases. In addition, 22 percent had cerebral spastic infantile paralysis as mental defect. Mental deficiency was a factor in two-thirds of the cases.

Many of the physical, mental, and emotional problems in our population today start in childhood, and leading to their prevention or control would have a tremendous impact on the health of the country.

There are no complete or exact data on the numbers of children with various types of handicaps, but approximate estimates are available for some conditions.

The national health survey found that there were over 2 million impairments among children under 14 and 1 1/4 million among youths of 15 to 24 years of age. Over 500,000 young people under 24 were reported as blind or having serious visual defects, almost 600,000 as deaf or having serious trouble with hearing, and more than 700,000 with speech impairments. Over 1,800,000 were found with orthopedic ailments, including paralysis, amputations, and other types of orthopedic defects. These figures probably underestimate the problem, since they do not include the institutionalized population, and may otherwise be subject to underreporting.

Close to 100,000 children have cleft palate or harelip. Some 50,000 to 50,000 babies are born each year are born with congenital heart disease.

The number of mentally retarded children is over 1 1/2 million. About 1 out of every 200 or 700 babies is Mongoloid.

Without further research and prevention, the number of handicapped children will increase from year to year. Partly because of the increase in the child population, and partly because medical advances are keeping some children alive who otherwise would have died.

Projections of available data suggest that by 1970 there will be nearly one-half million children under 21 with
handicaps resulting from cerebral palsy, and nearly as many with epilepsy. The number of children with some degree of mental retardation may be as high as 2% million.

A substantial number of babies come into the world with handicaps resulting from prenatal or perinatal causes for many of whom we do not yet have adequate knowledge for prevention. Still other children accumulate physical or emotional problems during childhood and adolescence, and nearly as many with epilepsy. The extent of rejection for military service obviously varies greatly from one order of magnitude of the problem.

Mr. HARRIS. For the information of the House, it is not true that there are within the National Institutes of Health seven Institutes, each with its own advisory council for seven different diseases or groups of diseases.

Mr. ROBERTS of Alabama. That is correct. They are related to certain specific diseases such as heart disease, cancer, mental health, and neurological diseases.

Mr. HARRIS. Under present authority the Surgeon General may set up this type of organization for special purposes?

Mr. ROBERTS of Alabama. That is correct. This is a very critical thing for this reason: We have fallen from 6th to 10th place among civilized nations of the world in the world to become before they become fourteenth in the world. We are now in 10th place among the nations of the world.

Mr. HARRIS. I would say to the House that this bill has been carefully worked out. It indicates what is. It specifically takes care of this kind of special study. I am sure the membership of this House after a careful understanding of what it will do will be wholeheartedly in support of this program.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I am equally interested in anything that affects our children, especially when we have grandchildren. I think we need to bring many more problems, more complex diseases, so that we are appealed. But I am troubled by the bill. In the first place, it helps the child before it becomes something else.

Mr. ROBERTS of Alabama. I suppose that depends on the child, but 21 years of age and under is the definition of a child for the purpose of this legislation.

Mrs. BOLTON. It goes through to 21 from infancy?

Mr. ROBERTS of Alabama. From birth.

Mr. HARRIS. If the gentlewoman would permit, I would say that it is also a study of prenatal troubles. Prenatal health is a part of it.

Mr. BOLTON. That, of course, broadens it very much.

Mr. HARRIS. Yes.

Mrs. BOLTON. I do not find any financial way to do this. Does this go into the hundreds of millions of dollars? Where does this stop?

Mr. ROBERTS of Alabama. It is stated in the report that for fiscal year 1963-64, funds will be necessary. No buildings are contemplated. I believe it was testified that in the future, they will seek for not over one-half million dollars in a year which, and when you consider 90 million children, is a very small amount.

Mrs. BOLTON. But there is a provision for pay and allowances set forth on page 17 of the report. That means money; does it not?

Mr. ROBERTS of Alabama. That is correct.

Mrs. BOLTON. Is it to be handled as the advisory groups have been handled in the field of dentistry, for instance, for dental work in the Health Institute?

Mr. ROBERTS of Alabama. That has been a matter of grave discussion as to whether the research being done is good research and whether they deserve money in the coming year. I happen to have followed that very closely for quite a number of years, and it can be an absolutely impossibly high financial matter.

Mr. ROBERTS of Alabama. I might also say to the gentlewoman that I am very sincerely interested in this field that my subcommittee plans to hold extensive hearings on a bill introduced by our distinguished chairman beginning in the next session, if we are here, to go into the entire Public Health Service, and the NIH, institute by institute, and have them account for everything they are spending and to give us any information as to how thorough and as to work that they are doing. I think the gentlewoman will be satisfied with the review that will be given.

Mrs. BOLTON. Of course, the results of such a review would be, perhaps, a year or a year and a half or even more from now and this will be furnishing the money and we would not know just where we are with this.

Mr. ROBERTS of Alabama. I think the gentlewoman will remember that I made the statement that no funds will be requested for 1963 fiscal year.

Mrs. BOLTON. Of course, and this is simply setting up the framework. I thank the gentleman very much.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentleman.

Mr. QUIE. You also mentioned that you limit the age to 21 as provided in this bill and, yet, in the report in a number of places you say that there will also be research requirements for mothers, children, and aged persons.

Mr. ROBERTS of Alabama. That was taken care of by the committee amendment to which the chairman alluded when the bill was called up. We have stripped this reference to aging in this bill.

Mr. QUIE. I see, and that amendment will take care of the reference to aging?

Mr. ROBERTS of Alabama. That was by agreement with the minority.

Mr. SCHEINCK. Mr. Speaker, our Subcommittee on Health and Safety conducted rather extensive hearings on this legislation and had some of the best child specialists and university people in this entire field. It was eminently shown at that point that the bringing together of the various activities under one In-
stute of Health for Children would promote efficiency and reduce costs.

Mr. Speaker, I yield to the gentleman from Texas [Mr. Thorn-
soe].

Mr. THOMPSON of Texas. Mr. Speaker, I am in favor of the enactment of this bill. One of the questions that I have often asked myself is the fact that it is being considered under suspension of the rules, I would offer some clarifying amendments to make certain that the objectives of the legislation were specifically included in the programs of the new Institute of Child Health and Human Development. There can be no argument but that vision is one of the most important factors in the well-being, not only of children but of the entire population.

It is true that the language of the bill is broad enough to include these subjects and to enable the Surgeon General to avail himself of the services of optometrists who have made outstanding contributions to the solution of visual problems. Unfortunately, notwithstanding all that this profession has done and is doing in this field, I am informed that there is not a single optometrist, as such, employed by the Department of Health, Education, and Welfare. This is something which I hope the new head of that Department will speedily rectify.

Mr. HARRIS. Mr. Speaker, I yield to the gentleman from Florida [Mr. Rosans], a member of the subcommittee.

Mr. ROGERS of Florida. Mr. Speaker, legislation before us now is designed to accomplish a great deal with very little additional legislative authorization. The bill as is presently written simply carries on action which could be accomplished by administrative regulation within the Department of Health, Education, and Welfare were it but for a provision wisely placed in the Public Health Service Act when it was passed by the Congress in 1948. It provides for an Institute of Child Health and Human Development, a section within the National Institutes of Health. The Surgeon General has authority to conduct research on specifically defined diseases. However, his authority to carry out research in areas which include several diseases is limited. As we know, the maladies of man are often interrelated. Suffering from one disease can cause further difficulties and a human being may then become subject to several illnesses. Because of the progress being made at the National Institutes of Health on specific diseases, there has been a wealth of information relating to the health matters of children which has not been utilized. There is no clearinghouse at the NIH for research in the area of children's diseases. Generally speaking, the human being will be studied from the viewpoint of the lifespan, with emphasis on the long-term effects of prenatal, infant, and adolescent growth. What is the effect of medical research in information which relates to the development of the embryo and how it affects later life? For example, have we any idea of the effects of certain drugs taken during pregnancy? Thalidomide, about which we have all become so concerned, is a case in point. It is possible that with proper research and development this drug might have been avoided. Who knows what drugs or conditions affiliated with human conception could have an adverse effect in later life? It is possible that the after-effects of treatments taken by a young mother might later have harmful effects on mother and child. Pharmacology, or the study of drugs, is only one area where a need for additional medical knowledge is needed.

Are we sure that the American child is being properly fed in infancy? Foods which are designed for the child of age 2 or older may be injurious to the baby. Can the diet at 1 be correlated with heart disease at age 50? Can a concentration of certain infant foods determine the condition of the arteries at age 65? These are questions which need to be answered.

Mr. Speaker, this legislation will not require any sizable additional cost to the taxpayers. We find that the money gained from the Institute of Child Health and Human Development in terms of more enlightened medical and health practices should far outweigh its cost. We have seen the tremendous strides that have been made against a number of our medical problems. Malaria was once a dreaded crippler. Malaria was once a scourge of mankind. Medicine is based on effective research, and the essence of research is coordination, organization, and guidance.

One can look at this bill primarily from the point of view of whether or not it is efficient and as an extension of the National Institutes of Health. The chairman of our committee, the gentleman from Arkansas [Mr. Harris], has already pointed out how this bill helps in the fight against cancer. Not long ago, polio was a dreaded crippler. Malaria was once labeled a " scourge of mankind." Medicine is based on effective research, and the essence of research is coordination, organization, and guidance.

Another way of looking at this bill is to inquire whether it will permit us to gain additional scientific knowledge in fields in which such knowledge is badly needed. When representatives of the pharmaceutical industry testified last week before our committee on legislation aimed at strengthening the Nation's food and drug laws, they stressed our woeful lack of scientific knowledge which constrains their ability to make medical progress. These two new institutes, and particularly the Child Health Institute, are aimed at securing additional knowledge in these all-important fields. We need to know how drugs and conditions affiliated with the misfortunes arising from this drug conception could have an adverse effect in later life? There is no institute whose primary mission and clear responsibility it is to concern itself with the infinitely

The question might be asked, is this legislation economically sound? My answer to this question is an unqualified "Yes." The legislation does not provide additional spending author-

ity for the National Institutes of Health. The cost of the legislation is minimal. With the establishment of these two new Institutes will be in the neighborhood of one-half million dollars.

Under these circumstances I consider this legislation a good economic bargain. It is estimated that the outlay for the additional expenditures contemplated by this legislation we may be in a position of saving millions of dollars which otherwise would be required to support these children if they become public charges.

Mr. Speaker, for all of these reasons I support this legislation and to those who say that we cannot afford the minor additional expenditure incurred from this legislation, I say we can ill afford not to spend these few additional dollars in order to avoid the expenditure of much larger sums in caring for or relieving suffering among children who are born with severe handicaps.

Mr. HARRIS. Mr. Speaker, I yield such time as he may desire to the gentleman from Rhode Island [Mr. FoGARTY].

Mr. FOgARTY. Mr. Speaker, this bill is one of the most important pieces of legislation affecting the future welfare of the American people—and especially the young and the future generation-born—to come before this House since the act which completed the present group of Institutes at the National Institutes of Health was passed 12 years ago.

The creation of a National Institute of Child Health and Human Development and the elevation of the Division of General Medical Sciences to the status of an Institute will signify the beginning of a new era in our Nation's concerted attack on disease and disability. I am confident that dramatic and rapid progress will result from the innovative approach which these Institutes will make possible.

Much work affecting child health is, of course, already being done and supported by NHI. The Heart Institute is as concerned about congenital heart disease in young children as about the circulatory diseases of their grandparents. One of the major objectives of the Cancer Institute is to find the cause of and a cure for leukemia which is the most common form of cancer among children. Most of the work of the Institute of Allergy and Infectious Diseases directly concerns children. Research supported by NIH on metabolic diseases, on dental problems, on neurological and sensory disabilities, and in the field of mental illness is focused on childhood development and the problems in these areas first appear.

The work of each of the existing Institutes is, however, primarily concerned with a specific disease or group of diseases. Generally speaking, there is no institute whose principal mission and clear responsibility it is to concern itself with the infinitely
more complex problem of the total development of the human body from conception through maturity. There is no institute which can give its full attention to the relationship between all the physiological and environmental factors affecting normal and abnormal development of the child and young adult.

In the basic biological sciences, about which I wish to speak in a moment, the need for interdisciplinary approaches to biological problems is now well recognized. It has become perfectly clear that biological problems cannot be fully understood and most biological problems cannot be solved unless a much broader range of scientific knowledge, skills, and techniques than those available to the biologist working alone is brought to bear on them. Nature simply will not confine herself to the neat compartments into which man has divided his study of science.

The need for a broader approach is now no less evident in the so-called clinical sciences. Nature does not maintain the distinctions drawn by man in his classification of diseases. Research on many diseases already advances sharply across the field for which the various categorical Institutes are responsible. Let me mention just two examples. What now seems to be among the most promising work toward understanding the cause of cancer is being done in virology which is primarily the concern of the National Institute of Allergy and Infectious Diseases. Breakthroughs have been made on the metabolic origins of several neurological diseases and of some forms of mental retardation—work which cuts across the interests of three Institutes.

The need for supplementing and complementing the disease-oriented research of the categorical Institutes with a broader effort aimed at the understanding of the complex processes of human development and why they go awry—is nowhere more obvious than in the field of child health. The blunt truth is that despite the great spurt in medical knowledge in the past 20 years, very little is known about the prenatal factors that determine whether a newborn baby will be healthy and bright or deformed or retarded.

The tragic thalidomide cases, which have been so much in the news these last few weeks, illustrate the terrible consequences of the inability of scientists to predict the effect of drugs, taken by the mother, on an unborn child. But this is only the latest example of the discovery of an unsuspected danger to child health. It is natural to be indignant that the damage done by this drug was not prevented and it is, of course, essential to take whatever steps we can to tighten control over the experimental use of drugs in the hope of preventing the tragedies in the future. But we must also be thankful that this danger was discovered relatively quickly.

It is some 14 years, to take X-ray pictures of pregnant women before it was discovered that this useful tool in insuring a safe delivery might actually damage the baby. No one could foresee that many people now suffer from birth defects as a result of a pro-

ocedure which, at the time, was used to assist physicians in preventing birth damage.

You have seen the recent reports of evidence that smoking during pregnancy is likely to cause harm with contingencies and possible damage to the baby. No one knows how many infants died or got off to a bad start in life as a direct result of excessive smoking among women since the 1920's.

There are uncounted thousands of people with serious brain damage because it was not known, when they were born, that some mothers during delivery might so reduce the blood supply and the heartbeat of the unborn baby that the lack of oxygen supplied to its brain would, in a matter of minutes, do irreparable damage. It is now possible for physicians to detect and promptly correct this condition partly as a result, I am proud to say, of a monitoring method developed by the Lying-In Hospital in Providence, R.I.

What other unsuspected factors are responsible for the fact that we will this year have in this country nearly a million infant deaths? The complications in which the baby dies either before or shortly after birth or survives with some congenital defect? What are the unknown factors that prevent thousands of young couples from having the children they want?

What is the relationship of hereditary characteristics to susceptibility to cerebral damage? How can we learn how to prevent the transmission of an hereditary defect of a parent to his or her children? How can we predict and prevent abnormal development during early childhood, adolescence, and adult life?

Why is it that this country, which during the past 26 years has become the world's leader in medical research, has during the past 10 years slipped from 6th to 10th place, in comparison with other advanced nations, in its ability to save the lives of newborn infants? And what are we doing to get back?

Much is already being done and I am happy to say that the National Institutes of Health have taken the lead in stimulating, supporting, and conducting research in this vital area. An outstanding example is the long-term perinatal program of the Neurology Institute which is in process of studying 50,000 mothers from the early months of pregnancy and will continue to watch the development of the children until they are at least 6 years old. This work is being done in cooperation with 15 research centers across the country. One of these is a Child Development Study directed by Brown University in Rhode Island. This project is developing new approaches and new techniques for studying prenatal influences and postnatal development which are not only producing significant research results but have already saved lives and prevented abnormalities.

Dramatic progress has also been made at NIH in the search for an understanding of the basic mechanism by which hereditary characteristics are transmitted. The year 1959 saw scientists at NIH earn worldwide acclaim by discovering what has been called the key to the genetic code. This key holds out the very real promise that scientists will during the next few years be able to unravel the extraordinarily complex processes involved in reproduction and development during the reproduction process. This, in turn, will unlock the door to deeply penetrating research into the nature and control of genetic defects—and those of them, fortunately, only minor blemishes—that now occur in something like 1 in every 12 pregnancies.

What is urgently needed is a center at which the problems of child health and human development are viewed as part of a continuous, interrelated process; a center which will examine the discoveries of narrower, disease-oriented research for their possible relationship to the normal growth process; a center which will establish methods for quite distinct clinical or biological problems but which may have a mutual relationship to the general development of the body; a center which will identify gaps in our understanding of normal body changes and stimulate research to fill these gaps or to link discoveries concerning specific diseases to their possible hereditary background or genetic effect. Such a center would also serve as a national repository and clearing house for information on developmental problems. It would greatly facilitate the rapid dissemination of research advances in this complex and vitally important field.

The National Institute of Child Health and Human Development, authorized in this bill, will have these functions. Its creation will help to focus the appropriate segments of the work now being done—and most of which will continue to be done—under the auspices of the seven categorical institutes on the problems of child health and human development. The new Institute's professional staff and the new advisory committee will be established will be able to give their full attention to this vitally important field.

I am sure that we may confidently expect that the creation of this institute will lead to a dramatic increase in the pace and effectiveness of the research attack on a wide range of fundamental problems whose solution will go a long way toward eliminating the tragedies of infant deaths, mental retardation, neurological defects and crippling physical malformations.

The other major provision of the bill would confer the title and status of an Institute on the present Division of General Medical Sciences.

During the 4 years since this Division was created, it has given the categorical Institutes separate program direction to research and training in the basic clinical and biological sciences, its programs have rapidly expanded in scope and impact. The appropriation for the Division for the current fiscal year is larger than that of all but four of the seven existing Institutes. Its support for research projects—which account for nearly all of the Division's expenditures—is greater
than that of all but two of the other Institutions.

In fact, this Division is already an Institute in all but name. This bill will give formal recognition to the importance of research in the basic clinical and biological sciences.

Elevating the Division to the status of an Institute and providing it with a separate research budget will also underscore the importance which the Federal Government—and, I think, the country as a whole—attaches to research in the basic sciences underlying the practice of medicine and the work of the other applied health sciences.

I have repeatedly stressed on the floor of the House and elsewhere—and it is the unanimous opinion of all those familiar with the problems of medical research—that the rate of future progress in the solution of disease problems depends squarely and directly on the progress made toward a better understanding of basic biological principles. In many cases it is not just the rate of progress that will depend on the above basic principles—it is whether any significant progress can be made at all.

The harsh fact is that the life sciences are still in a much more primitive state of development than the so-called physical sciences. The fundamental laws and the generally applicable theories which make it possible for physicists to harness nuclear energy, for the metals to produce alloys with predetermined properties, and for the astronomer to work out a newly discovered comet with an orbit which it takes 2,900 years to complete and which will carry it nearest the earth on a certain date at a certain place, simply do not yet exist in the biological and the behavioral sciences.

Until such basic knowledge does exist, much medical research will necessarily have to be done on a trial-and-error basis with all the dangers, frustrations, and sometimes misleading results that crowd it.

It is the function of the Division of General Medical Sciences to support work which will progressively dispel the ignorance about basic biological processes and to establish a foundation of fundamental sciences on a solid foundation of well-attested principles with predictable consequences. This is a task of such importance that it demands a responsibility for it amply merits the authority and prestige inherent in the status of a legally constituted and directly supported National Institute of General Medical Sciences.

The two new Institutes created by this bill will complement the seven categorical Institutes in such a way that the NIH will have a fully rounded program aimed, in a balanced and logical manner, at discovering the fundamental principles of the life sciences, sharpening the attack on the major disease categories, and establishing the conditions under which a man unified as a living unit.

The passage of this bill will demonstrate, to the American people and to the scientific community the clear determination of this Congress that medical research should be vigorously pursued on the broad fronts where there has been too little activity in years past but where the most dramatic advances can now be confidently expected.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the Record at this point.

The SPEAKER. Is there objection to the statement of the gentleman from Arkansas?

There was no objection.

Mr. SCHENCK. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS). Mr. GROSS. Mr. Speaker, I take this time to ask a few questions.

Do I understand this bill proposes the establishment of another Advisory Council and another Advisory Committee? Is that correct?

Mr. ROBERTS of Alabama. That is correct.

Mr. GROSS. And there are advisory committees to go along with them?

Mr. ROBERTS of Alabama. The establishing of the Institutes is, of course, a specialized matter, and we have to define it and pin it into the general category and point it into the single specialty program.

Mr. GROSS. How many more of these advisory councils, committees, and consultants do you think the taxpayers of the country can afford right now?

Mr. ROBERTS of Alabama. I do not know as an Advisory Committee is, the system down there has been the establishment of a council for each of the Institutes.

Mr. GROSS. Each one of these present institutes has a council?

Mr. ROBERTS of Alabama. That is correct.

Mr. GROSS. And there are advisory committees to go along with them?

Mr. ROBERTS of Alabama. We have an advisory committee for each Institute. That has been the system that has been followed since the beginning, and if we authorize these two Institutes there will be a need for many pediatricians who are specialists to serve on the council.

Mr. GROSS. How many more of these advisory councils, committees, and consultants do you think the taxpayers of the country can afford right now?

Mr. ROBERTS of Alabama. I think that when you consider that mental retardation costs this country around $250 million a year, that the taxpayers would be well advised to spend a little money studying it.

Mr. GROSS. The gentleman is not saying, is he, that this is going to cure mental retardation?

Mr. ROBERTS of Alabama. Not at all, but I am sure if the gentleman is interested in the subject he will find that the cost to society of one mentally retarded individual is quite considerable, and I think he will realize that this is a good legislation.

Mr. GROSS. Some people might say that the gentleman from Iowa is mentally retarded.

Mr. ROBERTS of Alabama. I would not agree with them.

Mr. GROSS. On page 16 of the report I find paragraph 2 (f): (f) In accordance with regulations, special consultants may be employed to assist and advise in the operations of the Service. Such consultants shall be appointed without regard to the civil-service laws and their compensation may be fixed without regard to the Classification Act of 1949, as amended.

How many consultants do you think in the establishment of this service and its advisory committee would see fit to saddle upon the taxpayers?
Mr. GROSS. Mr. Speaker, will the gentleman yield?  

Mr. SCHEINK. I yield to the gentleman from Iowa.  

Mr. GROSS. Where is it proposed to get the money for this additional setup?  

Mr. SCHEINK. It may be to the gentleman from Iowa that under the legislation we are proposing here there is to be no appropriation in the fiscal year 1963. There is expected to be not to exceed a half million dollars in succeeding years. The savings made by transferring personnel into these categories will take care of that.  

Mr. GROSS. There is no requirement for money in fiscal year 1963?  

Mr. SCHEINK. That is exactly what the report says.  

Mr. GROSS. Then there is to be no activity in fiscal year 1963?  

Mr. SCHEINK. Oh, yes. The Institutes of Health is going right ahead organizing, combining and coordinating the work in these several Institutes that have to deal in particular with children.  

Mr. GROSS. May I say to the gentleman from Ohio saying they have sufficient money to take care of these new functions; that there has already been appropriated to the National Institutes of Health so much money that they do not have to have additional funds for this brand new setup from now until the end of this fiscal year?  

Mr. SCHEINK. That is correct as far as the Institute for Child Health is concerned.  

Mr. GROSS. Then we are appropriating too much money for the Department of Health, Education, and Welfare. Here is the start of a new Institute and not a dime of additional money is requested to finance it. This simply means that the appropriations to the National Institutes of Health have been more than the amount that they require. Among others, I stated this to be the fact when the appropriation bill for the Department of Health, Education, and Welfare was before the House earlier in this session. This stake in the stake in the fact that this Department has been getting a substantial amount of money surplus to its immediate needs.  

I am not opposed to the establishment of another Institute, but I am more than ever convinced that there is bad financial management in this regard on the part of Congress.  

Mr. SPEAKER. The question is on the motion of the gentleman from Arkansas that the House suspend the rules and pass the bill H.R. 11099.  

The question was taken; and two-thirds concurred in the motion that the rules were suspended and the bill was passed.  

PLACING AUTHORITY OVER THE TRUST POWERS OF NATIONAL BANKS IN THE COMPTROLLER OF THE CURRENCY  

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 12577 to place authority over the trust powers of national banks in the Comptroller of the Currency.  

The Clerk read as follows:  

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Comptroller of the Currency is authorized and empowered to grant by special permit to national banks applying therefor, subject to such limitations and conditions as the Comptroller of the Currency may prescribe, the right to act as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, or as an agent for, or on behalf of, any corporation, or any other person or entity, in any fiduciary capacity in which State banks, trust companies, or other corporations which are not national banks may act, and shall require such data and records showing in proper detail all transactions engaged in under authority of this section. The State banking authorities may make reports upon such transactions made by the Comptroller of the Currency insofar as such reports relate to the trust department deposits of current funds authorized and empowered to promulgate regulations therefor, and shall require such data and records showing in proper detail all transactions engaged in under authority of this section. The State banking authorities may, upon request made by the Comptroller of the Currency insofar as such reports relate to the trust department deposits of current funds authorized and empowered to promulgate regulations therefor.  

(b) National banks exercising any or all of the powers enumerated in this section shall segregate assets held in any fiduciary capacity from the general assets of the bank, and shall keep a separate set of books and records showing in proper detail all transactions engaged in under authority of this section. The State banking authorities may make reports upon such transactions made by the Comptroller of the Currency insofar as such reports relate to the trust department deposits of current funds authorized and empowered to promulgate regulations therefor.  

(c) National banks exercising any or all of the powers enumerated in this section shall segregate all assets held in any fiduciary capacity from the general assets of the bank, and shall keep a separate set of books and records showing in proper detail all transactions engaged in under authority of this section. The State banking authorities may make reports upon such transactions made by the Comptroller of the Currency insofar as such reports relate to the trust department deposits of current funds authorized and empowered to promulgate regulations therefor.  

(d) No national bank shall receive in its trust department deposits of current funds subject to check or the deposit of checks, drafts, bills of exchange, or other items for collection or exchange purposes. Funds deposited or held in trust by the bank, awaiting investment shall be carried in a separate account and shall not be used by the bank in the conduct of its business unless it shall first set aside in the trust department United States bonds or other securities approved by the Comptroller of the Currency.  

(e) In the event of the failure of such bank, the holders or assignees of trust for investment shall have a lien on the bonds or other securities so set aside in addition to their claim against the estate of the bank.  

(f) Whenever the laws of a State require corporate fiduciary powers of banks to deposit securities with the State authorities for the protection of private or court trusts, national banks so acting shall be required to make similar deposits and securities so deposited shall be held for the protection of private or court trusts, as provided by the State law. National banks in such cases shall not be required to execute the bond usually required of individuals if State banking authorities or person or corporation acting as such fiduciary are exempt from this requirement. National banks shall have power to execute such bond when so required by the laws of such State.  

(g) In any case in which the laws of a State require that a corporation acting as trustee, executor, administrator, or in any capacity specified in this section, shall take an oath or make an affidavit, the president, vice president, cashier, or trust officer of such corporation shall take such oath or make such affidavit.  

(h) It shall be unlawful for any national banking association, bank, trust company, or bank holding company, or any officer, director, or employee of any banks, trust companies, or bank holding companies, to act as such under the powers conferred by this section. Any officer, director, or employee of any such corporation, or any bank, trust company, or bank holding company, upon whom such loans are made, may be fined not more than $5,000, or imprisoned not more than five years, or may be both fined and imprisoned, in the discretion of the court.  

(i) In passing upon applications for permission to exercise the powers granted by this section, the Comptroller of the Currency may take into consideration the capital and surplus of the applicant, the character of the field of business in which it is engaged, the need of capital and surplus in such business, and the effect that any national banking association having a capital and surplus less than the capital and surplus of the applicant, together with such capital and surplus, and the required reserve of such national banks, trust companies, and corporations exercising such powers, may have upon or affect the business of such national banking association.  

(j) Any national banking association desiring to surrender its right to exercise the powers granted by this section, in order to relieve itself of the necessity of complying with the requirements of this section, or to have returned to it any securities which it may have deposited with the State banking authorities for the protection of private, court trusts, or for any other purpose, may file with the Comptroller of the Currency a certified copy of a resolution of the board of directors signifying such desire. Upon receipt of such resolution, the Comptroller of the Currency, after determining that such bank has been relieved in accordance with State law of all duties as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, or in any capacity specified in this section, shall take the authority granted by this section, and the proper authorities for the protection of private or court trusts, or for any other purpose, may take possession of such securities. The Comptroller of the Currency is hereby authorized and empowered to make regulations for the protection of private or court trusts, or for any other purpose; and the provisions of this Act shall not be construed as being contrary to the provisions of any other Act of Congress.  


SEC. 6. Paragraph (2) of subsection (a) of section 584 of the Internal Revenue Code of 1954 is amended by inserting "or the Comptroller of the Currency following the words "as provided after "the Board of Governors of the Federal Reserve System".  

SEC. 7. Section 581 of the Internal Revenue Code of 1954 is amended by striking out "section 11(k) of the Federal Reserve Act (28
RETAIION OF BANK BRANCHES
UPON CONVERSION

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12899) to amend section 5155 of the Revised Statutes relating to bank branches which may be retained upon conversion or merger.

The Clerk read as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5155 of the Revised Statutes, as amended (12 U.S.C. 36), is amended to read as follows:"

"(b) A national bank resulting from the conversion of a State bank may retain and operate as a branch any office which, immediately prior to such conversion, was a branch of the national bank immediately prior to such conversion;"

"(C) a branch or office of a national bank which was a branch of the national bank immediately prior to such conversion, was in operation as a branch of a national bank which, immediately prior to such conversion, was a branch of the national bank;"

"(D) a branch which participated in the operations of the resulting national bank;"

"(E) a branch which participated in the operations of the resulting national bank, even though the branch was not in operation on February 25, 1927;"

There was no objection.

The Speaker. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Speaker. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, this bill is endorsed by the Board of Governors of the Federal Reserve System, by the General Counsel of the Treasury Department, and by the Federal Deposit Insurance Corporation.

Mr. Speaker, I ask unanimous consent to insert in the Record at this point the letters which the committee has received from each of these departments.

The Speaker. Is there objection to the request of the gentleman from Texas?
CONGRESSIONAL RECORD — HOUSE

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

Mr. PATMAN. Mr. Speaker, this bill also passed the committee unanimously.

Mr. WIDNALL. Mr. Speaker, will the gentleman from Texas (Mr. PATMAN) explain what this bill proposes to do?

Mr. PATMAN. It allows the banks that merge to keep the branches which they had at the time of the merger. That is really the essence of it. It just retains the same branches.

Mr. WIDNALL. If the gentleman will yield further, the bill was reported out of the committee unanimously?

Mr. PATMAN. Yes.

Mr. WIDNALL. And all of the testimony was favorable to the bill?

Mr. PATMAN. There was no opposition to it.

The SPEAKER. The question is on the advice and consent of the Senate to the ratification of the International Wheat Agreement, 1962.

Mr. PATMAN. Mr. Speaker, this bill moves to suspend the rules and pass the bill (S. 3574) to extend the International Wheat Agreement Act of 1949.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the International Wheat Agreement Act of 1949, as amended, is further amended as follows:

(1) The first sentence is amended by striking out the language in the first parenthesis and all that follows in said sentence and inserting in lieu thereof the following: "signed by the United States and certain other countries revising and renewing such agreement, to extend said agreement through July 31, 1956 (hereinafter called the 'International Wheat Agreement')."

(2) There is inserted immediately before the last sentence the following new sentence: "Such net costs in connection with the International Wheat Agreement, 1962, shall be laid out in accordance with respect to all transactions which qualify as commercial purchases (as defined in such agreement) from the United States by persons through July 31, 1962, by the United States, and member importing countries, including transactions entered into prior to the date of the agreement, acceptance or accession by any of the countries involved, if the loading period is not earlier than the date the agreement enters into force."

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I yield to the gentleman from New Jersey.

Mr. WIDNALL. Is there any opposition so far as you know to the bill?

Mr. PATMAN. No.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Does this bill have the approval of the European Economic Community, otherwise known as the Common Market?

Mr. PATMAN. We do not consult the Common Market about things like this.

Mr. GROSS. Perhaps the gentleman from Iowa will tell us what the State Department and everybody else does and acts accordingly. I just wondered if the gentleman had got this approval of the Common Market.

Mr. PATMAN. We do not feel obligated to confer with the Common Market.

Mr. WIDNALL. Mr. Speaker, the subcommittee and the full committee felt that this was very much in the best interests of the United States to continue with this agreement.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the following comments constitute background information pertinent to the consideration of a bill to extend the International Wheat Agreement Act of 1949, as amended, to implement U.S. membership for the ensuing 3 years in the 1962 International Wheat Agreement. The Senate gave its advice and consent to the ratification of the agreement on July 9, 1962.

SCOPe OF WHEAT AND FLOUR TRADE INVOLVED

The rights and obligations under the agreement are of necessity restricted to commercial trade, inasmuch as exports under special Government programs, notably Public Law 480 and noncommercial barter—United States—and under the Colombo plan and export credits insurance—Canada—by their very nature have their own rights and obligations such as attach to trade under a multilateral agreement.

U.S. exports of wheat and flour for the crop year just ended June 30, 1963, are expected to total around 710 million
bushels. A preliminary estimate of the composition of this trade is as follows:

<table>
<thead>
<tr>
<th>Million Bushels</th>
<th>Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Commercial sales to IWA member importing countries</td>
<td>180</td>
</tr>
<tr>
<td>2. Commercial sales to other exporting countries, and to nonmember countries</td>
<td>55</td>
</tr>
<tr>
<td>3. Sales to all countries under title I, Public Law 480</td>
<td>1,962</td>
</tr>
<tr>
<td>4. Sales to all countries under title IV, Public Law 480</td>
<td>7</td>
</tr>
<tr>
<td>5. Nonmember sales to all countries</td>
<td>38</td>
</tr>
<tr>
<td>6. Donations to all countries</td>
<td>50</td>
</tr>
<tr>
<td><strong>Total exports</strong></td>
<td><strong>710</strong></td>
</tr>
</tbody>
</table>

Only the segment of trade in category No. 1 comes under the rights and obligations of the wheat agreement for the reasons mentioned above, and also inasmuch as trade so covered is restricted to exports to countries with "provisional" membership. The 1962 agreement recognizes a provisional membership to accommodate those countries which participated in the negotiations but whose reasons mentioned above, and also inasmuch as trade so covered is restricted to exports to countries with "provisional" membership. The 1962 agreement recognizes a provisional membership to accommodate those countries which participated in the negotiations but whose

Under the 1962 agreement, and likewise under the proposed implementing legislation, "member importing countries" is intended to include importing countries with "provisional" membership. The 1962 agreement recognizes a provisional membership to accommodate those countries which participated in the negotiations but whose legislatures do not find it possible to ratify before the agreement comes into force. In such a case an interim instrument is deposited; that is, an intention to seek acceptance or accession in accordance with the country's constitutional procedures. This allows a country time to conclude those formalities, and the provisional membership expires upon deposit of the full instrument of acceptance or upon expiry of the period granted by the Wheat Council for its deposit, but in no case later than July 31, 1963.

The 1962 agreement also recognizes the practical necessity for the concluding of export transactions in advance of shipment, and the inevitable circumstance that the 1962 agreement took 6 months after the crop year in the agreement will be made before some countries have been able to deposit instruments of acceptance or accession. Accordingly, the criterion for recording transactions under the agreement is not the time of consummation of the transaction, but is whether or not the loading period falls within the term of the agreement.

The 1962 agreement provides for the following obligations of importing countries:

1. Each member importing country undertakes to purchase from member exporting countries a specified percentage of its tons of wheat or wheat flour which is utilized in connection with further exports under the program.

2. A preliminary estimate of the total percentage of wheat or wheat flour which is utilized in connection with further exports under the program is 30 percent.

3. The average payment on combined wheat and flour exports under the wheat agreement during the fiscal year 1960-61 will be 4.8 cents per bushel. This price is approximately the low point for any annual average since the beginning of the agreements in 1949 except for 1953-54 when the average was 44 cents; the highest annual average was 79 in 1956-57; and the overall average since 1949 was 63.2 cents. It is difficult to estimate the program costs during the life of the 1962 agreement due to the uncertainties inherent in two of the three principal determinative factors; namely, first, the volume of trade; second, the level of domestic market prices; and, third, the future export prices which will need to be established in order to remain fully competitive in the world market. The volume of exports by member importing countries is expected to be about 100 million bushels annually. The domestic price factor may be expected to operate to increase unit costs although this depends upon the level of domestic market prices, whereas present conditions would indicate that the third factor—the export prices—may to some extent reduce unit costs. The closest estimate possible at this time is 63 cents per bushel with a possibility of reaching 70 cents if domestic markets rise materially; or conversely, a lowering of the cost per bushel, should conditions lead to a domestic market decline.

The following information relating to the 1963 International Wheat Agreement is pertinent to the proposed implementing legislation:

**PROSPECTIVE MEMBERSHIP**

Fifty-eight countries participated in the 1962 United Nations Negotiating Conference, but 7 of these were importing countries which did not subscribe a percentage obligation prior to the adjournment of the conference; consequently only 41 countries are inscribed in the agreement.

The membership status as of August 1, 1962, was as follows:

<table>
<thead>
<tr>
<th>Exporters</th>
<th>Importers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>12</td>
<td>16</td>
</tr>
<tr>
<td>2</td>
<td>10</td>
<td>12</td>
</tr>
<tr>
<td>3</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>4</td>
</tr>
<tr>
<td>10</td>
<td>41</td>
<td>51</td>
</tr>
</tbody>
</table>

**NOTE:** The names of the countries in the foregoing categories are listed in "App. I: Exporting Countries," and "App. II: Importing Countries."
the crop-years 1959 to 1960 and 1960 to 1961, commercial purchases from all sources aggregated around 590 million bushels.

It is expected that the member importing countries will buy within the agreement a much greater proportion of their total commercial requirements than the 81 percent subscribed. Under the previous 1959 agreement, when the weighted average subscribed was 70 percent, the actual commercial purchases for the crop years 1959 to 1960 and 1960 to 1961 approximated 92½ percent.

The importers' obligation exists at the agreement minimum price and throughout the range up to the maximum price. The right of the United States and other exporting countries is to sell this guaranteed percentage that the member importers purchase. This benefit is global in the sense that exporting countries compete with one another in selling importing countries their requirements.

**OBLIGATION OF EXPORTING COUNTRIES**

The obligation of exporting countries exists if the price reaches the agreement maximum. Then, they undertake to furnish any quantities not already purchased in that year, up to a moving average equal to importers' historical commercial purchases during a 4-year period. To purchase up to these quantities at the maximum price, before prices may go any higher, is the importing countries' right. The maximum obligation of the United States, at the maximum price, for the crop year 1961-62 was 163 million bushels. During the life of the 1962 agreement, the maximum obligation each year could be expected to continue at about this figure. Exporters' obligations are global in the sense that an exporting country may discharge its obligation by selling to any member importing country until the exporter's overall commitment has been fulfilled.

It is interesting to note that commercial sales by United States for the current 1961-62 campaign only reached 161 million bushels. The United States, nonetheless, was the industrialized, commercial buyer which enabled the United States and other exporting countries to negotiate the price increase.

**AGREEMENT ADMINISTRATION**

The agreement is administered internationally by a Wheat Council composed of member countries of the agreement. Votes are divided equally between exporting countries and importing countries, with each group having 1,000 votes. The United States holds 290 of the 1,000 exporter votes in the Council. The U.S. pro rata proportion of the cost of administration under the 1959 agreement averaged $22,500 annually, which is about one-sixtieth of a cent per bushel of wheat exported under the agreement.

### APPENDIX 1

Exporting countries inscribed in the 1962 agreement

<table>
<thead>
<tr>
<th>Exporting country</th>
<th>Member of 1959 agreement</th>
<th>Inscribed in 1962 agreement</th>
<th>Instrument full membership deposited</th>
<th>Instrument of provisional membership deposited</th>
<th>Status as of Aug. 1, 1962</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Argentina</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>2. Australia</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>3. Belgium-Luxembourg</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>4. Brazil</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>5. Canada</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>6. Ceylon</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>7. China</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>8. Colombia</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>9. Denmark</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>10. Dominican Republic</td>
<td>X</td>
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### APPENDIX 2

Importing countries inscribed in the 1962 agreement

<table>
<thead>
<tr>
<th>Importing country</th>
<th>Percent of commercial purchases pledged</th>
<th>Status as of Aug. 1, 1962</th>
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<tbody>
<tr>
<td>1. Austria</td>
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<td>31. Peru</td>
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### Footnote

1 Not member of 1959 agreement.

Seven additional importing countries participated in the 1962 negotiating conference but did not specify a percentage undertaking and consequently were not inscribed in the agreement. Two of these countries—Finland and Greece—
applied to the International Wheat Council for accession after the agreement came into force on July 14, 1962. The applications were approved and the countries are now placing membership before their legislatures. The other five countries in this category may participate in the 1962 negotiating conference. One of these countries—El Salvador—applied for accession after the agreement came into force on July 16, 1962. The application was approved by the Wheat Council and the deposit of the instrument of accession is pending. The other eight countries in this category are Costa Rica, Guatemala, Haiti, Honduras, Iceland, Panama, Peru, and Sierra Leone. Sierra Leone has applied for accession but the Wheat Council has not yet had an opportunity to act on it.

Of the 41 exporting and importing countries inscribed in the agreement, all but 4 have deposited instruments, either final or provisional, or have been granted extensions for deposit. The four which have not been granted extensions, have not applied therefore nor did they sign the agreement during the prescribed period. These countries are Ceylon, Iran, Libya, and Poland. They are privileged to apply to the Wheat Council for accession under article 35(4) of the agreement which authorizes the Council by a two-thirds majority to accept them.

The title was amended so as to read: “An act to make eligible for assistance under the public facility loan program certain areas which are rapidly growing communities where research or development installations of the National Aeronautics and Space Administration are located.”

A motion to reconsider was laid on the table.

ASSISTANCE FOR CERTAIN FEDERALLY IMPACTED AREAS

Mr. RAINDS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3327) to make certain federally impacted areas eligible for assistance under the public facility loan program, with amendments, which I send to the Clerk’s desk.

The Clerk reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraphs 2(3) and 2(4) of the Banking Amendments of 1955 is amended by inserting immediately after “Act” the following: “I in the case of an area which is located a research or development installation of the National Aeronautics and Space Administration.”

The SPEAKER. The second demand for a quorum.

Mr. WIDNALL. Mr. Speaker, on that I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

Mr. RAINDS. Mr. Speaker, right at the outset let me make it clear that the title of the bill does not accurately describe the amendment in the nature of a substitute sent to the desk by the distinguished gentleman from Alabama (Mr. BAILEY).

This bill, S. 3327, is intended to make loans from the Community Facilities Administration available to those rapidly growing communities where research or development installations of the National Aeronautics and Space Administration are located.

This is the bill which was brought up on the consent calendar, but objection was raised on the grounds that it referred to federally impacted areas where there are NASA installations. My amendment overcomes those objections by eliminating entirely any reference to federally impacted areas. Instead, the amendment which is at the desk in effect substitutes a population ceiling. Under this amendment any community which has a NASA research or development installation would be eligible under the public facility loan program provided that its population does not exceed the ceiling. The loans made by the pending bill if they are not made available to NASA installations are located.

Mr. Speaker, in my judgment, this is an extremely worthwhile piece of legislation. The creation of these space research centers has in most cases brought in a substantial number of new families to the area and often has placed great strain on existing community facilities. As a result of this population increase, these communities are forced to finance the housing developments, schools, and the like. Schools, of course, are not eligible under the community facility loan program and are not eligible under the bill now before the House.

Surely we should recognize the vital importance of the space program and the need to take whatever steps are called for to keep that program moving at a rapid pace. One of these needs is adequate housing, which includes adequate community facilities for the people who work there. This bill will assure that financing on reasonable terms is available to help these communities provide the facilities needed.

Let me point out that the community facility loan program does not cost the taxpayer a single cent. The interest rate of these loans is set by a formula which will not exceed the interest rate on Treasury loans. At present the interest rate on these loans is 3½ percent. They are used only if the community cannot sell its own tax-exempt securities at interest rates which are reasonable rates.

Currently, this means a 4 percent rate, and no community which can borrow on its own in the private market at 4 percent or less can obtain one of these loans.

At present there are NASA installations in 16 communities; 9 of these communities are already eligible under the public facility loan program because they are small towns of less than 50,000 population. At the other extreme, there are 3 communities in large cities which, because of their financial power, are able to say that it is unnecessary to have these loans made available to them. The remaining four communities would be made eligible for these loans by the pending bill if they find that they cannot borrow from private investors at reasonable rates. These are Huntsville, Ala.; Hampton, Va.; and Pasadena and Santa Monica, Calif.

May I emphasize that these four communities would use this program only if it were really needed and, in my judgment, this kind of backup financing should be made available to them. I urge all of my colleagues to support the bill.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. RAINDS. I yield to the gentleman from West Virginia.

Mr. BAILEY. Did I understand the distinguished gentleman from Alabama to say that this in no way affects Public Laws 815 and 874?

Mr. RAINDS. Not all. It has no connection with it. In the Senate they use the words “impacted areas,” whereas in reality it is an amendment to the Community Facilities Act. It has no relation to the impacted area laws, either 815 or 874.

Mr. BAILEY. I thank the gentleman.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 3327, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MAXIMUM PERSONNEL SECURITY IN THE NATIONAL SECURITY AGENCY

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12082) to amend the Internal Security Act of 1950 by adding thereto title IV establishing a legislative base for personnel security procedures in the National Security Agency.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. WILLIS. Mr. Speaker, I withdraw my motion.
The SPEAKER. Does the gentleman from Ohio withdraw his point of order? Mr. HAYS I withdraw it, Mr. Speaker.

PADRE ISLAND NATIONAL SEASHORE

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4152) to provide for the establishment of the Padre Island National Seashore, as amended.

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Will the gentleman withhold his point of order until the Chair lays before the House two messages?

Mr. GROSS. Yes, Mr. Speaker.

BARBARA W. TROUSIL, EDWARD G. TROUSIL, AND ROBERT E. TROUSIL.

The Chair laid before the House the following communication from the Clerk of the House:

AUGUST 27, 1962.

The Honorable the SPEAKER,
House of Representatives.

Sirs: I have the honor to transmit hereewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office at 4:53 p.m. on August 24, 1962, and said to contain a veto message on H.R. 3372, "An act for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil."

Respectfully yours,
Ralph R. Roberts,
Clerk, U.S. House of Representatives.

BARBARA W. TROUSIL, EDWARD G. TROUSIL, AND ROBERT E. TROUSIL—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 533)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H.R. 3372, "for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil."

This bill would waive the applicable statute of limitations and permit Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil to file their claims under the Czechoslovakian claims program as a whole. Claims against the Czechoslovakian Government are required to be completed by the Foreign Claims Settlement Commission next month. It now appears that with awards aggregating over $300 million, compared with the $9 million available to pay claims under the statute as amended, it would be impossible to pay even a fair proportion of those claims.

My second reason for disapproving the bill relates to the Czechoslovakian claims program as a whole. Claims against the Czechoslovakian Government are required to be completed by the Foreign Claims Settlement Commission.

In 1958, the Congress authorized a program to compensate those U.S. citizens who sustained losses when their property located in Czechoslovakia was nationalized following World War II. Under that program—to be financed from the liquidation of certain assets of the Czechoslovakian Government situated in the United States—the statutory deadline for filing claims was September 15, 1959.

The beneficiaries of the present bill, U.S. citizens who returned to this country from Czechoslovakia after the war, filed their claim under the Czechoslovakian program in August 1960. It was, therefore, necessarily rejected by the Foreign Claims Settlement Commission as being barred by the applicable statute of limitations.

According to the report of the House Committee on the Judiciary, the beneficiaries' failure to file timely was due to the deception of the manager of their property. It is asserted that this manager, starting in 1953, repeatedly deceived the beneficiary, and learned that the property and that it was not until 1960 that they became suspicious, went to Czechoslovakia, and learned that the property had, in fact, been nationalized in 1953. Had they not been so misled, it is argued, the beneficiaries would have known about the loss of their property and would, therefore, have filed a timely claim under the 1958 statute.

While regretting the losses suffered by the beneficiaries, I am myself unable to approve this bill. First of all, accepting the facts as presented in the committee report, it seems to me that the beneficiaries could and should have taken the precaution of filing under the claims program while taking earlier steps to verify the status of their property. Indeed, the manager's reported explanation that earnings from the property could not be removed from Czechoslovakia would, of itself, appear to be a sufficient reason for filing a claim. Given the wide range of possible reasons for not filing claims within the prescribed statute of limitations, I do not believe those which have been advanced in this case are sufficiently distinguishing to warrant the discriminatory relief proposed in H.R. 3372.

It is obvious that any award to the beneficiaries of the present bill would reduce the extremely limited awards payable to claimants who filed their claims timely. In addition, the time required for presentation of the beneficiaries' case and adjudication of their claim would necessarily delay pro rata distribution to the more than 4,000 claimants, most of whom have already waited many years for compensation. Waiver of the statutory period in this case could also serve as a precedent for similar action on behalf of other claimants, thus delaying still further the ultimate settlement date.

Respectfully yours,
John F. Kennedy,
The White House, August 24, 1962.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message are referred to the Committee on the Judiciary and ordered to be printed. There was no objection.

THIRD ANNUAL REPORT ON WEATHER MODIFICATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 534)

The SPEAKER laid before the House the following message from the President of the United States which was read and ordered to lie on the table

Respectfully yours,
John F. Kennedy,

Mr. ASPINALL. Mr. Speaker, I withdraw the motion previously made.

REVISING THE BOUNDARIES OF THE VIRGIN ISLANDS NATIONAL PARK,
ST. JOHN, V.I.

Mr. O'BRIEN of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2133) to revise the boundaries of the Virgin Islands National Park, St. John, V.I., and for other purposes, with amendments.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of August 2, 1956 (70 Stat. 541), as amended, providing for the establishment of the Virgin Islands National Park, and in order to preserve the benefits of the public significant coral gardens, marine life, and seascapes in the vicinity thereof, the boundaries of such park, subject to valid existing rights, are hereby revised to include the following lands, submerged lands, and waters described as follows:

NORTH OFFSHORE AREA

Beginning at the hereinafter lettered point A on the shore of Cruz Bay, a corner in the Virgin Islands National Park boundary, being also a corner of lot J, Cruz Bay, added to the barataria by an act of deposit of Governor's land of July 29, 1960, by the Assistant Secretary of the Interior pursuant to the Act of August 2, 1956 (70 Stat. 541), and published in the Federal Register of July 7, 1960, the said corner being the terminus of the course recited therein as "north 58 degrees 50 minutes west a distance of 20.0 feet, more or less, along Government land to a point;" for the third call in the next bound and bounds description lot J, Cruz Bay;

From the initial point A, distances in nautical miles, along direct courses between the hereinafter lettered points at geographic positions (latitudes north, longitudes west):

Northwestward, approximately 0.13 mile to point B, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 47 minutes 49 seconds in Cruz Bay;
0.48 mile to point C, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 48 minutes 10 seconds in Pillsbury Sound; 1.04 miles to point H, latitude 18 degrees 21 minutes 10 seconds, longitude 64 degrees 40 minutes 40 seconds in Haulover Bay; Southward approximately 0.29 mile to point I, a bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park as shown on a drawing numbered NP-VL-7000 entitled "Acquisition Area Virgin Islands National Park," being also the northerly boundary of the described parcel 1, estate Concordia (A), as delineated on the Leo R. Gibbons and Saint John drawing No. 44-45 dated October 26, 1950;

Thence running generally eastward along the northerly boundary of the Virgin Islands National Park as shown on the said drawing numbered NP-VL-7000 entitled "Acquisition Area Virgin Islands National Park" and along the northwesterly boundary of the described parcel 1, estate Concordia (A), as delineated on the Leo R. Gibbons and Saint John drawing No. 44-45 dated October 26, 1950;

Beginning at the hereinafter lettered point L, a concrete bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park as shown on the said drawing numbered NP-VL-7000 entitled "Acquisition Area Virgin Islands National Park," being also the northerly boundary of the described parcel 1, estate Concordia (A), as delineated on the Leo R. Gibbons and Saint John drawing No. 44-45 dated October 26, 1950;

From the initial point L, distances in the following table represent distances in linear feet, longitude 64 degrees 41 minutes 45 seconds, longitude 64 degrees 44 minutes 18 minutes, longitude 64 degrees 20 minutes 10 seconds, longitude 64 degrees 46 minutes 35 seconds in the Atlantic Ocean;

1.04 miles to point H, latitude 18 degrees 21 minutes 10 seconds, longitude 64 degrees 40 minutes 40 seconds in Haulover Bay; Southward approximately 0.29 mile to point I, a bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park as shown on a drawing numbered NP-VL-7000 entitled "Acquisition Area Virgin Islands National Park," being also the northerly boundary of the described parcel 1, estate Concordia (A), as delineated on the Leo R. Gibbons and Saint John drawing No. 44-45 dated October 26, 1950;

Thence running generally eastward along the northerly boundary of the Virgin Islands National Park as shown on the said drawing numbered NP-VL-7000 entitled "Acquisition Area Virgin Islands National Park," being also the northerly boundary of the described parcel 1, estate Concordia (A), as delineated on the Leo R. Gibbons and Saint John drawing No. 44-45 dated October 26, 1950;

Beginning at the hereinafter lettered point L, a concrete bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park as shown on the said drawing numbered NP-VL-7000 entitled "Acquisition Area Virgin Islands National Park," being also the northerly boundary of the described parcel 1, estate Concordia (A), as delineated on the Leo R. Gibbons and Saint John drawing No. 44-45 dated October 26, 1950;
The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this time to the request of the gentleman from Arkansas.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, the purpose of S. 1606 is to increase from 100 to 2,000 horsepower the size of small hydroelectric projects which may be exempted from certain of the licensing provisions of the Federal Power Act.

The original Federal Water Power Act in 1920 created the Commission for the purpose of licensing hydroelectric developments on the waters of the United States over which the Congress has jurisdiction. That act recognized, and its major revision in 1935, the Federal Power Act, established the Commission. All of the requirements for licensing a large hydroelectric project were not necessary for small projects. The Commission was given authority in section 10(d) of the act to waive approval of plans for changes in a project of not more than 100 horsepower, and in section 10(e) to waive annual charges for such projects except those on Indian tribal lands. Subsection 10(f) does not mean that projects of 100 horsepower or less do not have to have a license. It means that the Commission may, if it deems the public interest warrants such action under the circumstances, waive some of the conditions and requirements that it must attach to and apply to the license of a larger project. The bill simply would raise this discretionary dividing line from 100 to 2,000 horsepower.

As stated by the Commission, some of the Commission requirements that it now may waive for projects of not more than 100 horsepower and that it would be authorized by the bill to waive for projects of not more than 2,000 horsepower are those relating to the original cost of the project, the annual charges, the establishment of amortization reserves and depreciation reserves, and other accounting matters which are deemed unnecessary for these small plants, expensive for the licensees to comply with, and expensive for the Commission to administer.

One of the subjects which the Federal Power Commission is required to consider in the issuing of a project license is that of fish and wildlife resources. Section 10 of the Federal Power Act reads:

The Commission shall require the construction, maintenance, and operation by a licensee of fishways and other fish propagating facilities which may be prescribed by the Secretary of Commerce (now Interior).

In connection with concern expressed at the hearing by some of the members relative to this subject, Chairman Swidler said that specific assurance that while the Commission might waive some provisions and not waive other provisions it was not the Commission's intention to waive the requirements with respect to protection of fish resources at these projects.

Section 2 of the Fish and Wildlife Coordination Act (16 U.S.C. 662f) also imposes certain duties upon all Federal agencies, and upon all licensees, to consult with the Fish and Wildlife Service and with appropriate State agencies with respect to the conservation and improvement of wildlife resources in connection with water resource development. In response to a direct question, Chairman Swidler stated that this bill would not change the responsibility of the Commission to confer with the Department or the heads of the State agencies.

In view of these assurances the Department of the Interior has no objection to the enactment of the legislation.

The Committee on Interstate and Foreign Commerce urges the passage of the bill.

Mr. Speaker, this is a very satisfactory proposal and is offered at the request of the Federal Power Commission to help them to discharge their business of the Commission in relation to very small hydro projects. Not only that, but it relieves certain administrative difficulties in problems with the operators of these very small hydro projects.

In the early days of the twenties, when the Federal Water Power Act was enacted into law, there was included in the administrative provisions of the act a provision relating to small hydro projects up to 100 horsepower. This provision—it is permissive—would extend to the Federal Power Commission a discretion as to whether or not it could exempt or would exempt hydro projects from the usual provisions of the act up to 2,000 horsepower. That is simply for the purpose of it, and that is all it does.

The committee conducted hearings, and this bill was voted out of the committee unanimously. I believe it is a desirable and favorable piece of legislation, and would be in the public interest.

Mr. SCHENCK. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa (Mr. Jensen).

Mr. JENSEN. Mr. Speaker, I merely want to point out that, in my judgment—and I know a little about the workings of the Federal Power Commission—that is not good legislation. I am not saying that they would take advantage of the new authority which they would receive under legislation of this nature. But I do believe the Federal Power Commission could penalize people they do not like and favor people they do like in the electric power industry.

I do not believe that the 30-minute hearings held before the committee is sufficient time for any member of the committee to determine the value of such legislation, especially under suspension of the rules.

I would hope that this bill could be laid over until the committee would have sufficient time to look into a number of matters which I think should be locked into. I am sure that the gentleman will agree that the Federal Power Commission does exercise great authority over all types of electric power, both Federal and private, and to give them this added power under a suspension of the rules I do not think is fair. After only one meeting of the committee before the bill was brought to the floor of the House, the committee was to discuss this matter. I want to say that as a representative of the House, I was not present at that meeting, but I do know that the gentleman from Arkansas (Mr. Harris) is a good friend and colleague of the gentleman from Iowa (Mr. Jensen) that this bill is too far reaching in its significance.

Mr. HARRIS. I would say to the gentleman that I certainly do appreciate the gentleman's interest. I know of the gentleman's continuing interest in matters of this kind. I will say, however, the committee conducted hearings and went into the desirability of this particular proposal—the discretion that would be given to the Federal Power Commission of this kind. I will say, however, the committee conducted hearings and went into the desirability of this particular proposal—the discretion that would be given to the Federal Power Commission on it. So far as we were able to ascertain, there was no one else who wanted to be heard, because it was explained to be a relatively small matter.

The gentleman made one comment that would cause me some concern, and that was the comment with reference to the special or the preferential treatment which the Commission might give in the administration of this provision. If that were to happen, I can say to the gentleman from Iowa (Mr. Jensen), I shall be the first one to go into it with the Federal Power Commission to see why such preferential treatment were given.

Mr. JENSEN. But in regard to that, the gentleman will be too late. The horse will be stolen before you shut the barn door. The gentleman realizes that, does he not? I have the greatest regard for the gentleman.

Mr. HARRIS. I appreciate that and the feeling is mutual. If we had any idea or any reports at all that such would be the case, then I am sure it would have been handled in the way it should be handled thoroughly. But here we are trying to say—

Mr. JENSEN. Who knew? Did the gentleman or his committee inform any Member of the House that hearings were going to be held on a bill of this nature? I certainly did not know anything about it.

Mr. HARRIS. We announced the hearings as we do all of our hearings, and that is on the calendar.

Mr. JENSEN. Well, I will say to my good friend and colleague the gentleman from Arkansas (Mr. Harris) that this bill is too far reaching in its significance.
to pass it today under a suspension of the rules, especially since no one, to my knowledge, appeared before the committee in opposition to the bill. I am sure if these things were in the country, had known about it, they would have appeared in opposition to this kind of legislation.

Mr. HARRIS. I say to the gentleman from Iowa [Mr. JENSEN] I regret exceedingly that there seems to be any opposition at all. The Department of the Interior supports it in addition to the Federal Power Commission. The Bureau of the Budget has submitted its report, and we thought it was a method of doing something for the small private licensee.

I really believe that it is something which would be desirable when it is thought through and when one sees what it is. The committee, at least, has thought so.

We have had no expression of any opposition since the day that the bill was reported which was August 16. As the gentleman knows, the other body passed the bill that day. The committee would have been among the first to hear of it. We have not had one single objection to it since it was reported.

Mr. JENSEN. The gentleman knows that there is no Member of the House or the Senate who can possibly follow, understand, or have knowledge of every bill that this Congress considers, or that is introduced. They run into the thousands.

Mr. HARRIS. I thoroughly agree with the gentleman. If my attention is ever called to any objection by any Member of Congress I do my best, as chairman of the committee, to give opportunity to those who have objections to register them or state their position.

Mr. BAILEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman yield for a parliamentary inquiry?

Mr. BAILEY. I yield.

Mr. BAILEY. Mr. Speaker, I would like to inquire who has the floor at the present time.

Mr. HARRIS. I have charge of the time.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. BAILEY. Since the Federal Power Commission over the last 5 years has authorized certificates of convenience to five Canadian and two Mexican corporations to pipe natural gas into the United States from the free list, I am of the opinion that the Federal Power Commission has too much authority right now and I am not in favor of giving it any more.

Mr. HARRIS. Mr. Speaker, I will say to the gentleman that this does not extend additional authority to the Federal Power Commission. It adjusts the size of small hydroelectric projects which have been exempted by law hereafter, to give the Commission discretion on the question whether or not these small 1,500 kilowatt operating plants would be exempt from certain requirements of the Federal Power Act that go with such organizations and such administration.

Mr. BAILEY. I would like further to clarify my position. Any Federal commission empowered as they are to do that, I do not want to give them any more authority at any time.

Mr. HARRIS. Of course, this gives business people some relief from the rigidity that they have today. This is an effort to tax some of the rigid authority that they have and have exercised all these years.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. AVERY. If I understand the gentleman from Arkansas correctly, this would not be any open-end authority for any public power entity to construct any such plant without further authorization or further appropriation by the Congress.

Mr. HARRIS. Oh, no; of course not. Mr. AVERY. I think that is the critical and deciding point on this whole issue. This is not an open-end authority for any public power construction.

Mr. HARRIS. No. Under the law they must obtain a license. The question is whether or not the Federal Power Commission will decide on a broad basis exemptions from the multitudinous administrative responsibilities that go along with very large hydroelectric company operations. We know that a small operator, whether a small hydropower or a small independent gas producer, has to proceed under very heavy burdens in order to carry out the administrative directions of the regulatory agency.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. CURTIS of Missouri. This is discretionary rather than mandatory, is it not?

Mr. HARRIS. That is true. It was discretionary for so long, up to 100 horsepower. This makes it discretionary.

Mr. CURTIS of Missouri. Up to 2,000 horsepower? Mr. HARRIS. Up to 2,000.

Mr. CURTIS of Missouri. In other words, the small hydroelectric plant or grant exemption or not grant exemption?

Mr. HARRIS. It is the intention under this program for the Commission by regular proceedings of its own on a broad scale to permit certain of these small operations to be exempt from some of the administrative functions of the Federal Power Act.

Mr. CURTIS of Missouri. Why would it be mandatory not to make an exemption?

Mr. HARRIS. I will say in all frankness that the hearings did not discuss that. We did not give it consideration. There is no mention of it during the course of the hearings or the executive session. Consequently, I assumed it was that there would be objection to outright mandatory exemption under the law, and I imagine they be.

Mr. SCHENCK. Mr. Speaker, I have no further requests for time.

Mr. HARRIS. Mr. Speaker, I yield to the gentleman from Michigan [Mr. Dingell].

Mr. DINGELL. Mr. Speaker, I thank the gentleman for yielding to me.
The SPEAKER. The question is, Will the House suspend the rules and pass the bill S 1060? The question was taken; and on a division (demanded by Mr. JENSEN), there were—ayes 107, noes 20. So the bill (S. 3389) was referred to the Committee on Merchant Marine and Fisheries. The SPEAKER. Is there objection to the request of the gentleman from Arkansas? There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District Day. The Chair recognizes the gentleman from Texas (Mr. Dowdy).

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 12467) to amend the act of June 4, 1948, as it relates to the appointment of the District of Columbia Armory Board and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Does the gentleman from Ohio withdraw the point of order that a quorum is not present?

Mr. HAYS. Yes, Mr. Speaker, I withdraw the point of order of no quorum—

The SPEAKER. The LATE HONORABLE JOSEPH LUTHER SMITH

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, it is my sad duty to inform the House of the death, last week, of the Honorable Joseph Luther Smith, of Beckley, W. Va., for 16 years a Member of this body.

Joe L. Smith, as he was known, was born in Marshes—Now Glen Daniel—Raleigh County, W. Va., May 22, 1860. He attended public and private schools. Starting to work on the Raleigh Register as a "printer's devil," he later owned the publication, and served as editor and manager until 1911. He also engaged in the real estate and banking business.

He entered public life and served as mayor of Beckley for 28 years. He was a member of the State senate. In 1928 he was elected to the 71st Congress, and served with distinction for 8 terms. He was not a candidate for reelection in 1944.

While it was not my privilege to serve with Joe Smith, our paths crossed many times, and I knew and admired him. Members who served with him will be interested to know that his son, Hulet, serves West Virginia as Commissioner of Commerce.

I extend my deepest sympathy to Mrs. Smith and her children.

Mr. Speaker, at this time I would like to ask on behalf of my colleagues, the gentleman from West Virginia (Mr. SLACK), permission to insert his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PERSONAL STATEMENT

Mr. FOUNTAIN. Mr. Speaker, I was unable to be present when H.R. 12628, the housing bill for the elderly, passed the House today under suspension. I would like to show at this time the amendment which I had been present I would have voted "yea."

THE SECRETARY OF THE INTERIOR AND THE ELECTRIC POWER INDUSTRY IN THE UNITED STATES

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that all members of the delegation from West Virginia and other friends of Joe L. Smith be permitted 5 days within which to extend their remarks in the Record on the life, character, and public service of our former colleague.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Sincerely yours,

JOSEPH C. SWTOKES,
Chairman.
sent on to say that those making the trip with Mr. Udall include: Joseph C. Swidler, Chairman of the Federal Power Commission; Gen. R. G. Aiken, Under Secretary of Interior; James K. Carr; Floyd E. Dominy, Reclamation Commissioner; Charles F. Luce, Bonneville Power Administration; and Secretary of the FPC; Fred Chambers, Tennessee Valley Authority; Lee White, Assistant Secretary of the Interior; and operated by investor-owned electric companies operating within the framework of free competitive enterprise, while paying full taxes to the Federal State and local governments. In the open market at the going rate of interest. I think it would be safe to say that the Secretary of the Interior has never not visited and studied a single one of the plants. Nevertheless, he now finds it necessary to take a junket to Russia to study their plants.

A previous news item pointed out that the purpose of the trip is to "study Soviet technological advances in power production and particularly transmission of large blocks of power over great distances." It is not difficult to understand why this important spokesman for the administration on Federal power activities wants to study the Russian government. He is an integral part of the efforts of these Federal bureaus at the top of which is the Secretary, for he and other members of the administration on this junket have been actively advocating a federally controlled national grid even since they have been in office.

Perhaps the Secretary should also give consideration to taking the present REA Administrator with him, because he is an integral part of the efforts of these Federal bureaus at the top of which is the Secretary, for he and other members of the administration on this junket have been actively advocating a federally controlled national grid even since they have been in office.

This administration wants Federal interests constructed to link power areas served by the big Federal hydroprojects. We have some interest in this plan. The new Assistant Secretary of the Interior for Power, Kenneth Holton, has indicated a desire to work closely with REA and its representatives for the interests. These backbone Federal interests could well be first important to his plan of federalizing the world's electrical industry and a model for the rest of the world. This is a plan that could well be worthy of study by the Secretary and other members of the administration on this junket.

First, Clinch River: Owned and operated by the Appalachian Power Co., with a net heat rate of 8,975 British thermal units per kilowatt-hour.

Second, Dickerson Plant: Right out here in Maryland, and owned by the Potomac Electric Power Co., with a net heat rate of 9,014 British thermal units per kilowatt-hour.

Third, The Kenawha: Also owned by the Appalachian Power Co.


Fifth, Smoky Creek: Owned by Indiana-Kentucky Electric Corp.

Sixth, Eddystone plant of the Philadelphia Electric Co.


Eighth, Muskingum River plant of Ohio Power Co.

Ninth, Camer Plant of the Ohio Power Co.

Tenth, Tanner's Creek of the Indiana and Michigan Electric Co.

Please note, Mr. Secretary of the Interior, that each and every one of these 10 most efficient steam electric generating plants is operated by investor-owned electric companies operating within the framework of free competitive enterprise, while paying full taxes to the Federal State and local governments. In the open market at the going rate of interest. I think it would be safe to say that the Secretary of the Interior has never not visited and studied a single one of the plants. Nevertheless, he now finds it necessary to take a junket to Russia to study their plants.

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hill country of which he is a part. As we say, he is fully "simpatico" with it.

These are worthy qualities in a man, for they bespeak something about how genuinely he is, and I value them in our Vice President as I would value them in any man. I believe that a man should have pride in what he is and what he does, and, for one, rejoice that Lyndon B. Johnson has them and is at one with Stonewall and the Pedernales.

How typical it is that today while we note this additional milestone in his life, our Vice President is in some foreign corner of the world serving as our good will ambassador among people who may have a dim understanding of all our purposes but cannot mistake the firm hand and steady eye of one who is at home on all the rocky rivers of the world. I wish him well. He is a great parliamentary leader and brings credit to us and to our land.

NAJEEB HALABY'S VISIT TO SAN ANTONIO, TEX.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma (Mr. Gonzalez) may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, in earlier remarks to this House I stated that I was curious to know what motivation possessed Mr. Najeeb Halaby, Administrator of the Federal Aviation Agency, to make a personal attack on me in my hometown.

Several Members of the House have asked me about this statement, and in response to their queries I wish today to put in the Record Mr. Halaby's personal attack on me while visiting in San Antonio, Texas, which occurred on May 18, 1962, almost a month before I appeared before the Subcommittee on Independent Offices to protest what Mr. Halaby proposed to do in moving the San Antonio Air Traffic Control Center into a new building here.

It occurred before I made any statements or inquiries about his personal conduct of his office.

I insert this information just as it appeared in the San Antonio News as written by the able columnist, Mr. Paul Thompson, on May 19, 1962:

(By Paul Thompson)

Najeeb E. Halaby, the Federal Aviation Administrator, was anything but a diplomat while visiting San Antonio yesterday. He managed to alienate some 30 of the town's leading citizens, including the mayor and chamber of commerce president, and he flatly refused to give pertinent information on why the 280-job air traffic control center will be shifted from here to Houston.

Most of those who tried to reason with Halaby at International Airport were astounded by his behavior, especially in the presence of the able columnist, Mr. Paul Thompson, of the San Antonio Express News. The administrator simply refused to answer questions in an effort to attain his ends.

The newspapers of San Antonio were so outraged by the lack of courtesy displayed by Mr. Halaby that they published letters to the editor. One letter to the editor by Mr. Thompson titled "Najeeb Halaby's Visit to San Antonio, Tex." was published in the San Antonio News on May 20, 1962.

Thompson's letter begins:

"Najeeb Halaby's Visit to San Antonio, Tex.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma (Mr. Gonzalez) may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware Mr. McDowell may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MEN like Mayor McAllister, Mayor Pro Tempore Walter Gunstream, Chamber of Commerce President James Gaines, Banker Tom Frost, Jr., Bill Pope, and Melvin Sisk went to the airport to meet him.

Halaby never did put on an act that he wanted to talk to anybody, according to Sisk.

TRIBUTE

Mayor McAllister and the others hoped to discover why Halaby reasoned that moving the control center to Houston would effect economy and promote safety.

The visitor never did come up with an explanation.

Instead, he crossed verbal swords with the mayor, Frost, Sisk, Gaines, et al. "His attitude," declared Sisk, "seemed to be that he had made a decision and no one should bother him about it."

OBJECTIONS

Sisk pointed out that Houston is the only city in the country where a new building will go up to house control centers for other cities.

"Taxpayers will have to pay 10 years rent on the present building here, and the building in New Orleans must be vacated. I don't see how that, plus putting up another structure in Houston, adds up to economy," he said, adding: "As for safety, there are more flights here than in Houston, taking military planes into account."

LETTER

Congressman Gonzalez wrote Halaby a letter April 12 asking for a full explanation during his lifetime? I submit that we

should bother him about it.

DISAGREES

In general, Halaby was high-handed, discourteous, arrogant, and uncooperative. At one point, according to Thompson, he referred to the control center affair as so much squabbling "between Texas cow towns."

Those who went out to see him certainly didn't know what they were doing, as indicated by the above letter. The reason, Thompson explained, was that the visitor never did come up with an explanation.

MARKING OF PADEREWSKI'S GRAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma (Mr. Gonzalez) may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McDowell. Mr. Speaker, no word of homage, no identification marks the resting place in Arlington Cemetery of Ignace Jan Paderewski, Polish pianist, composer, statesman, for 21 years unacknowledged in a land which should treasure, which should cultivate his memory. From the late 1800s until early 1941 America enjoyed concert after unforgettable concert of the pianist Paderewski—performances which revealed him to be a highly trained and original mind of the first rank. His operatic and choral compositions are well known and well loved; his skill and versatility as a composer cannot be challenged. But above all, it is his patriotism that we should remember.

Upon Paderewski's death in New York City in 1941 his body was placed in Arlington National Cemetery with the plan that when Poland once again became free it would be placed in his homeland country. The plan still holds. We are certain that the Polish people will one day throw off the yoke of Communist oppression, for the desire for freedom burns as brightly as ever in the Polish soul. But until such time is it right that the grave of this great artist and statesman remains anonymous? Should we not somehow show our affection and respect our Nation feels toward this great artist and public servant? Could we not set up some reminder that we are holding his remains in trust, until his homeland country has achieved the goals he worked so hard for during his lifetime? I submit that we can. A simple identifying marker on his tomb would indicate that America has not forgotten Paderewski. It would serve as a token of our continuous respect and affection and for him would remind the world of our temporary trust. It would also remind the world that we have not forgotten President Wilson's demand in 1 of his 14 points: the creation of a united, independent, and autonomous Poland.

The creation of an independent Polish state was as important to Paderewski as his musical career, and his success as a musician of worldwide renown never caused him to forget his own country. When World War I broke out, he interrupted his musical career to dedicate himself to his country's service. In 1914 he became honorary president of a non-partisan group of Poles who organized a "General Committee of Assistance for the Victims of the War in Poland." In this capacity he established branches in London and Paris and then went to the United States where he spent nearly 4 years championing the Polish cause while recruiting and organizing a hundred thousand Polish independence fighters.

After the armistice was reached he returned to Warsaw where he succeeded in forming a coalition ministry of which he became Prime Minister and Minister of Foreign Affairs. He regularized the international position of Poland by ob-
Mr. KOWALSKI. Mr. Speaker, a situation has been brought to my attention in which, I feel, the public interest is being subverted to the personal gain of a few individuals. And the principal culprit is an agency of the U.S. Government itself.

Specifically, on Virginia Avenue between 9th and 10th Streets SW., there is a large vacant lot owned by the U.S. Government. It is capable of parking several hundred automobiles. For a number of months, construction workers and laborers who work on Government projects in this area have been using this lot for that purpose. On August 15, they were summarily informed by this Government agency that they could no longer use this area on penalty of arrest.

In calling the controlling agency, the Redevelopment Land Agency, I was told that it wanted to develop other lots in the vicinity to private parking concerns. I was told that these private concerns had complained that they were being used free of charge. I was also told that this lot was to be used only for Government employees' cars. At this date, neither the surplus of Government employees use this facility, leaving several hundred spaces unused.

In catering to these complaints from the lessee parking concerns, this Agency has added the profit squeeze to the District's parking problem—already a growing monster—as well as squeezing the local citizenry out of the use of vacant Government land.

Is this serving the public interest, Mr. Speaker? Where is the concern for the taxpayer, the ordinary workingman? We are all very well aware how critical the District's parking problem is in the District of Columbia. A little thoughtful foresight on the part of the Redevelopment Land Agency could go a long way toward alleviating this problem.

I would ask that all Government-owned property, which can be used for parking, be made available free of charge to those citizens who work in the District and have need of such facilities. The few paltry dollars that the U.S. Government earns from leasing such lots to private concerns, certainly does not outweigh the right of the taxpayer to the use of Government land.

In the specific instance I have described, I fail to see how arbitrarily ordering that a large lot remain vacant is in the interest of the citizens of the District or of the U.S. Government. And I see no compelling reason why the public interest cannot be served.

I would hope that my colleagues in the Congress will now be resolved in a way that will do honor to all.

We cannot delay any longer.

REDEVELOPMENT LAND AGENCY PUTS THE SQUEEZE ON PARKING IN THE DISTRICT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. SLACK] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SLACK. Mr. Speaker, the House will soon be called upon to express its approval of the Acceleration Act, on which a rule was granted last week. This measure is the outgrowth of a proposal by the President which was transmitted to the Congress in February.

The original proposal by the President was made on the basis of a conviction that our economic growth process could be made much smoother if the Congress could authorize a standby program of public works construction. It was an antirecession proposition primarily, with $2 billion worth of public works activity to be generated at such a time as might be considered desirable when various economic indicators began to record declines.

President Truman has pretty well proven that there is an unavoidable time lag between the congressional adoption of antirecession measures and their implementation. As late as the protracted business decline which fostered employee layoffs. The elimination of this time lag was one of the major objectives of the bill as originally conceived.

The proposal was taken up by the Senate, and after due committee consideration a bill was reported and passed on May 28 by that body. The Senate bill provided $2 billion in standby public works authority, to become operative when a sharp rise in unemployment was recorded and it became apparent that unusual action would be required to reverse an economic decline.

The Senate added another feature, however, in the form of immediate authorization of a $600 million public works program to be initiated in those areas which did not entirely share in the recovery from the last recession. This provision brought to the bill some of the characteristics of a limited Area Redevelopment Act.

Four months ago the House Committee on Public Works began consideration of the proposal. Even before the first hearings were scheduled, prominent members of the minority were widely quoted to the effect that they would oppose, unalterably and forever, the granting of standby public works authority to the President, and would insist that all such authority continue to rest with the Congress.

Their views were influential, inasmuch as the House Committee on Public Works reported out a bill, H.R. 10113, which contained no such authority whatsoever, but simply authorized appropriations of $900 million to accelerate construction of Federal, State, and local public works projects. The Committee, in effect, stipulates that the projects must be located in areas eligible for aid under the Area Redevelopment Act, or which have had substantial unemployment during the last year.

The original purpose of the proposal—that of an antirecession tool—has...
The main underlying purpose was to seize those occasions when we experience business declines and to prod them through public construction programs both to generate temporary employment and to improve our public facilities. This, in turn, would render our commodities more attractive and new private capital investment might be encouraged to present itself, thereby counteracting recession tendencies. It is an extension of the same conviction which brought the stabilization process produced famine and tragedy in China recently, and after 45 years in the Soviet Union is shining, as the President stated it originally. It is high time for us to recognize the connection between massive public works programs and the eb and flow of our business cycle has become wholly obscured.

The Public Works Acceleration Act appears to have become part of a foolish and dangerous game of Russian roulette which some of my colleagues like to play with our economy. In the wider ranges then, they calculate the effects of a recession on the next Presidential election. In the middle ranges they broadcast publicly how many congressional seats the minority will gain at the election November—and weigh to the loud the ratio between the number of administration proposals defeated in this Congress and the prospects for the minority to gain control of the next Congress. We are not playing a game of chance however. We are dealing with certain tangibles which have defied proper solution ever since the end of World War II. Our business cycle tends and falls because it does respond to Federal spending. But the principle involved in the standoff public works proposal may or may not be valid. We do not know, because we have never tried it, and we cannot know until we do.

We do know what happens when a recession strikes us while the administration lacks suitable plans and acts to take countermeasures. We saw that in 1958-59, and we were treated to a $12 billion deficit amassed by an administration supposedly dominated by hardheaded businessmen who could operate on proven business principles. The fortunes and prospects of the public works acceleration proposal have bounded like a yo-yo during the past 6 months, in response to every total employment forecast, every gross national product estimate, every stock market gyrations, and every pronouncement by every professor who ever served in any capacity in the Federal Government. Within the past week we have had solemn, authoritarian statements that the economy is suffering a "major recession," that the economy has "leveled off, but on a high plateau," and that business anticipates "steady gains at least until mid-1963."

Most recently, in the weeks since H.R. 10113 was reported out, we have been treated to a wave of oratory which expresses a solemn conviction that now the House should defeat the bill, because it has an antirecession value; it is simply a huge public works pork barrel which will be exploited by the present administration for partisan purposes. Those most vociferous in this argument are the principle are now most active in deploring the loss of the principle and demanding defeat of the bill.

The choice then seems quite clear: Either public works programed and pursued in a businesslike, efficient fashion during the dills in our economic expansion, will provide the entrepreneurial risk. The stabilization process produced famine and tragedy in China recently, and after 45 years in the Soviet Union has produced an economically backward nation, far less developed than the European countries, and attempting to hide behind flashy space exploits which produce absolutely nothing for the Soviet people.

The role of programed capital public works in this context is one whereby we raise our standard of living and increase the facilities of our communities so that we help open new areas attractive to entrepreneurial risk.

Within the traditional American approach to economics it would be no more analogous to stabilize our economy completely than it would be to stabilize a bowl of mercury. We must, in fact, avoid any Government action which interferes sharply with the decision-making process in industry. The stabilization process produced famine and tragedy in China recently, and after 45 years in the Soviet Union has produced an economically backward nation, far less developed than the European countries, and attempting to hide behind flashy space exploits which produce absolutely nothing for the Soviet people.

The fortune and prospects of the public works proposal offer us a clear choice between two roads we can follow:

First. During the next 10 years there will be gains in output per man-hour in the country which we will be able to turn into total increases in employment of about 100,000 workers per year. This total is in addition to total worker losses which will be recorded in other industries where total output will decline or remain relatively stable.

Second. There will be 1 million net additions—new workers—to the labor force each year during the next decade. These will be 1 million new persons victims of unemployment and 1 million new persons out of employment who will be able to increase in employment of about 100,000 workers per year. This total is in addition to total worker losses which will be recorded in other industries where total output will decline or remain relatively stable.

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The role of programed capital public works in this context is one whereby we raise our standard of living and increase the facilities of our communities so that we help open new areas attractive to entrepreneurial risk.
Nate entered the newspaper field in 1929 after his graduation from Chicago Law School. He covered police courts as a reporter "on the beat" for the Associated Press and Times. Later he joined the staff of the Chicago American in 1933 and was assigned to the Criminal Courts Building.

It is said that everyone's personality is subjected to and influenced by the environment in which he finds himself. Nate believed this to be true. He said that the hundreds of unfortunates of the common run of offenders brought into the municipal court were subjects for a social study in human psychology.

He was a kindly, considerate, and friendly man to begin with—and so these studies of human behavior in the raw developed in him a deeper sense of humility in judging humankind. He looked upon the underdog as a friendless person searching for advice, and as a victim of despair whose spark of hope for the future he did something about—he gave a helping hand and became a friend.

He numbered hundreds of policemen among his friends, especially Capt. Frankie Pope, now retired, former commander of the police in Chicago's first district. Civic leaders, politicians, judges, lawyers, businessmen, and celebrities of the stage, screen, and cafe society called him by his first name.

I have known Nate Gross for many years. He covered many notorious criminal trials, both at the Old Courts Building and at the present Criminal Building and at the present Criminal Courts and incidents depict the history of the period of newspaper headlines for that era.

If the future was dead. Nate did something about it—organized his career. He numbered hundreds of policemen among his friends, especially Capt. Frankie Pope, now retired, former commander of the police in Chicago's first district. Civic leaders, politicians, judges, lawyers, businessmen, and celebrities of the stage, screen, and cafe society called him by his first name.

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the public mind. He fought all the way for clean and straight-to-the-truth journalism. His book, based on personal experience with the press, was a certain medium for the stimulating of the public mind. He fought all the way for the respect of the bench and the bar, and in the admiration of the American people. History may accord him a very special place for his role in the legal evolution of the rights of man in the United States.

Mr. Speaker, it, therefore, becomes crystal clear that the issue before us is not Mr. Marshall's professional competence, nor his loyalty as a citizen of the United States, nor his integrity, but rather in seeking to further obfuscate the demagogue's mists and nullify justice whenever the Negro is involved.

The President, named Mr. Marshall last September 23 to fill a vacancy on the Second Circuit of the Court of Appeals which embraces New York, Connecticut, and Vermont and, since last October Acting Judge Marshall has sat on an interim basis under a recess appointment. Hearings were delayed until May and since then six sessions to debate his qualifications have taken place.

Mr. Speaker, we find in Mr. Marshall a legally able citizen of the United States and one who, manifestly qualified for the highest judicial appointment. Permit me to enumerate some of these qualifications. Immediately upon completion of his academic training in 1933 Mr. Marshall was admitted to the bar of the State of Maryland and he practiced in Baltimore until 1938. In 1939 he was admitted to the U.S. Supreme Court and thereafter to the U.S. Circuit Courts of Appeals for the Second Circuit, Fourth Circuit, Fifth Circuit, Sixth Circuit, and Eighth Circuit and numerous U.S. District Courts.

In the meantime Mr. Marshall had become counsel for the Baltimore City Branch of the National Association for the Advancement of Colored People in 1934 and later that year was appointed special counsel in 1936. In 1938 he was appointed special counsel in active charge of legal cases to secure full citizenship rights for Negroes. From 1939 until his nomination to the President's last special counsel in 1939, he was an associate and special counsel. In 1939 he was appointed special counsel in active charge of legal cases to secure full citizenship rights for Negroes. From 1939 until his nomination to the President's last special counsel in 1939, he was an associate and special counsel.

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It is true that the Commission may by ma- jority vote to investigate a matter, or the ari- cle 15 of the protocol clearly declares, "The conclusions and recommendations of the Commission resulting from investigations shall be adopted unanimously."

Consequently, I cannot accept your statement that the general rule is that the Com- mission can act only by unanimous vote, in- cluding the vote of the Communist members. In fact, the veto is stitched into every part of the fabric of the incredible Geneva agreements, with the exception of the Conciliation Commission, on which I am a member of the International Control Commission. It is given to Prince Sou- phanouvong, the Communist representative in the Assembly, and no rules exist without whose concurrence the Control Commission cannot exercise any of its functions.

I am hardly reassured by your statement that a vote on the part of one of the members of the International Control Commission is not final since the 14 signatory na- tions can "consider measures to be taken to ensure observance of the agreements, re- gardless of the decisions or recommendations of the Commission itself." I find it hard to believe that the Soviet Union, Communist China, North Vietnam, Poland—and all signatory states with Communist elements—will take steps to take corrective action when a violation of the agreements by the Communist oc- cupants is questioned. In my judgment, the agreements have already been violated by the movement of Communist forces from Laos to South Vietnam. Yesterday was the deadline on agreeing to exit routes for foreign troops to get out of Laos expired.

The negotiations at Geneva were an un- broken retreat by the United States from positions which our President, our Secretary of State, and our Government had taken over the past 12 months. President Ken- nedy in March 1961 said that he would not permit Communist aggression to succeed in Laos. Secretary Rusk said that he would not sit down to negotiate in Geneva until he sought to include in the protocol a foreign policy on a bipartisan basis. To fate which these Lao allies of ours now face is included.

Mr. Rusk said that he would not return from Geneva to tell us that this treaty will be violated. Already the treaty will be violated. The emotionalism flowed in great amounts during a two-month period of criticism of the President by organized group of critics of the President. The American Civil Liberties Union this year—see my insert in the daily CONGRESSIONAL RECORD, August 8, pages A6059-A6061—commented upon the actions of the FCC in the Kroker Baking case in pursuing an investigation in Indianapolis, in public. The American Civil Liberties Union pointed out that the FCC, and this principle applies to congressional committees, has in ef- fect utilizing the powers of a grand jury without any of the civil rights safe- guards that have grown up over the cen- turies to temper the great powers of the courts and the executive to the rights of individuals against unfair public degradation.

Unfortunately, the congressional powers to investigate in our most recent years have been gravely unbalanced because of this concentration. Congress- iional investigations of alleged national crime, alleged national labor racketeer- ing, alleged national drug traffic, all carrying the weight of laws and all infer- rences of such laws and in other fields were in vi- olation of the same principles allegedly violated by the committees investigat­ ing Communist infiltration. The or- der of the day in both House and Senate failed completely to relate their criticism in this context.

The emotionalism flowed in great waves in two opposing directions. The emotionalism of those who were concen- trating upon the rights of individuals was in some respects surpassed by the emotionalism of those who were concen- trating upon the dangers of communism infiltration. The excesses that flowed from both groups served as momentum to increase the emotional reactions of the other.

Those who seek to handle the im- portant and basic power of congressional investigation with proper regard for the equally important and basic rights of the individual citizen have been and are still swamped in the turbulence which has ensued in the wake of the meeting of these two huge conflicting waves of emotion.

When we top all of this difficulty with the efforts of those who are trying to gain partisan political advantage out of this or that investigation it becomes a thing of wonder that any objectivity at
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all remains in present day congressional investigations. Yet, long ago, Senator William Borah said in 1913: "The need for [congressional] investigations if representative government in a constitutional system of balanced powers is to function with any degree of stability, is so obvious that no one, I think, can abandon the process because of the seemingly overwhelming difficulties. Instead we must redouble our efforts to establish the kind of procedures which will prevent it from being perverted by the attacks of emotionalism and permit it to fulfill its functions."

Perhaps it would be well that the two basic investigation committees of the House and Senate, the Government Operations Committees, be under the control of the political party not in control of the executive department, regardless of which party controls the House or the Senate. Interestingly enough, the people have provided for this kind of balance 8 out of the last 16 post-World War II years by electing Congresses controlled by the party not in the control of the executive, the 80th, 84th, 85th, and 86th Congresses. There is great likelihood that half of the 88th Congress be elected in November, and the brazen November will carry out this principle.

For legislative reasons it may not be good for the political control to be split in the way of the legislative branches but for investigatory reasons it might very well be the best thing that can happen.

The editorial follows:

[From the St. Louis Post-Dispatch, Aug. 17, 1962]

THE HUMPHREY CASE

After full allowance has been made for partisanship and a certain degree of unfair innuendo in the Senate stockpiling investigation, one comes down to the core question: Was it right for Secretary of the Treasury George M. Humphrey in the Eisenhower administration to retain his dominant stock ownership in a company doing business with the Government?

We do not think it was right.

We think Mr. Humphrey should have disposed of his Hanna stock exactly as his Ford stock was disposed of by Secretary of Commerce Wilson and another to Mr. Humphrey. He is equally so that Mr. Humphrey did not see then, and still does not see today, that despite some superficial differences his case and Mr. Wilson's were essentially identical.

Secretary Wilson had sold his General Motors stock, and Secretary McNamar's of his Ford stock. It is shocking that the only apparent reason the new Mr. Wilson and another to Mr. Humphrey. Humphrey was so far off base in trying to make a scandal on this stock deal turned out to be a bad one for the Government. It is difficult for the layman to understand accounting enough to decide that Humphrey's profits were in fact excessive, as the committee tried to show. If they were, the major responsibility lies with the Government administration which negotiated the deal well before Mr. Humphrey became a Cabinet officer.

We think Mr. Humphrey made much or little of his personal gain from the Hanna stock. The essential point is that a powerful Cabinet officer, such as he, has a duty to act in the best interest of a company dealing with the Government so largely influences. Admittedly this principle does not bar businessmen who enter Government service; perhaps some regular procedure needs to be worked out whereby such men can serve without undergirding underlying public policy. But the principle is sound and ought to be maintained in all administrations and even-handedly for all officials.

TWO QUESTIONS ON HANNA

The political content of the Senate stockpiling investigation went up several degrees when Senator Symington adjourned the hearings without permitting former Secretary of the Treasury Humphrey to complete his testimony.

Senator Symington's excuse was that Mr. Humphrey in press statements outside the hearings, had "impugned the motives" of the Government and into matters pertaining to the Nation has never been seriously questioned.

George M. Humphrey, former Secretary of the Treasury and one of the ablest men ever to serve in the Government, came pretty close to questioning that right in his cavalier treatment of Senator Symington's Stockpile Subcommittee.

Thursday and again Friday, Mr. Humphrey acted, as one newspaper reporter put it, "as if he were lecturing the Senate on matters of State, and the Senate on matters of detail.

"Time and again, the former Secretary parried questions as to the profits of his various companies, the propriety of a company in which a Cabinet member is a large stockholder having a substantial contract with the Government, and questions to which his own dignity to respond.

"As he stated, just plain isn't right.

"When he stated that he dared Senator Symington to adjourn the hearing, he was in effect saying that he too, like Mr. Wilson, was impugning the only manner in which he could, by adjourning it.

"But the nation's right performance by the Eisenhowen Cabinet officer still leaves many of the questions unanswered. There seems little doubt, however, out of the issue of charge and countercharge that the Hanna Co., of which Mr. Humphrey was chief executive officer, profited handsomely on some of its operations with the Government."

Mr. Humphrey pointed out that he did not do as well on some investments as he had hoped, but similar sums of money in stocks earning the national rate of return.

On the other hand, the Hanna Co. profited handsomely by stockpiling nickel, constructing a smelting plant largely through Government funds for $1,729,000, even though the Government had some $23 million invested in the facility.

"Though it doesn't make it right, this is not greatly different from countless other situations, "Mr. Humphrey said to Senator Symington, as chairman of several subcommittees, has never been a headliner during the Senate's job of gaining necessary information for the Senate and for the Government."

"The other question is whether Hanna earned exorbitant profits from selling nickel to the Government and, if so, why it failed to adjust its selling to the Government's needs."

Corporate accounting, however, is a statistician's nightmare to be drawn depends heavily upon what figures are selected for attention. The same committee which charged the Hanna Co. stockpiling also gave the impression that Mr. Humphrey's personal gain from the sale in value of his Hanna stock was excessive, while in fact Hanna stock values in the fifties went up much less than most stock values.

We have found, in the present day congressional investigations, that the nickel deal is a comparative showing that will indicate whether Hanna obtained unusually favorable terms not usually available to other Government contractors.

We are all in favor of Senator Symington's stockpiling investigation, to learn about Government and into matters pertaining to the Nation has never been seriously questioned.

But he was a member of the 86th, 88th, and 89th Congresses, as well as the 90th and 91st. We are all in favor of Senator Symington's investigation, but we feel that it could have been handled differently. For legislative reasons it may not be good for the political control to be split in the way of the legislative branches but for investigatory reasons it might very well be the best thing that can happen.
It is regrettable that Mr. Humphrey assumed, incorrectly, the role of martyr and indicated that he could not exercise his constitutional right to answer, thus frustrating, at least for the time being, the Senate's unquestioned right to know.

DEFENSIVE ARMS FOR ISRAEL

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPEN] is recognized for 20 minutes.

Mr. HALPEN. Mr. Speaker, it is with a degree of satisfaction that I have heard the words of the President, expressed to his press conference last Wednesday, indicating an attitude contrary to the intent of an amendment to the Foreign Assistance Authorization Act, that voiced the sense of Congress on an important principle. This attitude emerged even before we have received the foreign assistance appropriations bill and in the face of the fact that the amendment was unanimously approved by this body and incorporated into the act signed by the President himself.

I would like to start to which I refer is found in section 101 of the act. It is one I had the privilege of offering on the floor of this House and it was identical to other bills which were accepted in the Senate. It expresses the sense of Congress that in the administration of these funds great attention and consideration should be given to those countries which share the view of the United States on the world crisis and which do not, as a result of U.S. assistance, divert their own economic resources for propaganda efforts supported by the Soviet Union or Communist China, and directed against the United States or against other countries receiving aid under this act.

A new report asked the President at his press conference last week if he thought a country receiving aid from us had a moral right to engage in business deals for military purposes with the Communist bloc countries. The President replied that he did not think it was a moral issue and went on to justify American assistance to nations that use their own resources to buy Soviet munitions.

Mr. Speaker, the amendment offered a clear guideline expressing the sense of the Congress on the matter stated. Now, the question comes up whether the White House is to implement this will of the American people as unanimously expressed by their representatives in this Congress. Or is the administration to turn its back on this important principle?

I cannot understand why we should increase assistance and loans, for instance, to Egypt. It is no secret that Egypt is using its own resources to pay Soviet military technicians and instructors and to purchase jet bombers, jet fighters and equipment.

Egyptian military training programs are now inextricably linked to camps and bases behind the Iron Curtain.

Instead of promoting human welfare and development, the Egyptian regime is building up an arsenal of Soviet weapons in the Near East. I do not see why the American taxpayer should finance, however indirectly, such expansion of the Soviet military supply network. Have we forgotten Nasser of Egypt is a friend, supporter, and admirer of Cuba's Castro? Is he acquiring similar Soviet equipment? Indeed, press reports describe how Egyptian and Cuban soldiers are both being trained in military and Soviet-style bloc countries and even in Russia itself.

Mr. Speaker, the State of Israel is a democratic nation far more closely identified with America than Egypt. Witness the putting of Soviet weapons of the Federal Republic of Germany in the United Nations and the so-called Kauftam amendment to the Mutual Security Act this session. This amendment established a principle that we should concentrate on aiding those nations that do not divert their own assets to the Soviet arms supply system.

We are gravely concerned by Castro's new military jets and equipment. How can we justify to the taxpayer the loans and grants to Castro's good friend, Nasser, that enable Egypt to divert resources to get his country more deeply involved with the Soviet military supply system?

It comes to my attention, Mr. President, that Israel is the only anti-Communist nation on earth that is threatened by Soviet-equipped military forces, which has turned to us pleading for the right to purchase balancing arms and gotten no favorable response.

I recently have asked the President to prepare an explanation of the whole situation with which we have to do to Israel's military needs while subsidizing Egypt's buildup of late-model Soviet jets, tanks, submarines, and so forth.

Mr. Speaker, under unanimous consent, I ask your early response to the President at this point in the Record:

AUGUST 21, 1962.

The Honorable John F. Kennedy,
The White House,
Washington, D.C.

Dear Mr. President: I am seeking, through this communication which I respectfully address to you, clarification of the current thinking of the executive department on an issue in which you in the past have indicated personal interest and concern.

As you will recall, you wrote the Honorable Herbert H. Lehman on November 2, 1960, stating that if an arms race cannot be avoided between the United States and Israel, "then at the very least, we should not condone any imbalance between the powers for international purposes."

Mr. President, since you wrote those words, a dangerous imbalance has developed. The most recent edition of the Soviet military arsenals, in significant quantities, have been provided by the Soviet Union to Egypt's Nasser. Mr. Nasser has openly threatened to "Algerianize" the Palestine issue, made bellicose displays of military rocketry, and bragged that Israel has nothing to match his new Mig-21 jet fighters and TU-16 Soviet jet bombers.

At tremendous expense, Israel has been forced to seek whatever arms it can obtain from France, in an attempt to maintain a semblance of balance. But Soviet weapons of ultramodern design, at bargain rates, are cynically poured into Egypt by the Soviet merchants of death. Israel's French sources are inadequate because Russia is giving Egypt its very latest equipment.

The only response of the United States has appeared to be an attempt to supply arms to the Arab States other than those supplied by Russia. Israel has been put at a grave disadvantage.

The whole bloc has clearly put its arsenals to work on the side of Nasser. Indeed, the entire Egyptian military establishment appears to be geared to the Soviet Red army, Red air force, and Red air force for training, equipment, spare parts, and so forth. The imbalance between Israel and the Arabs has reached a dangerous point where Nasser is tempted to take it even further.

We are seemingly ignoring our commitments, stated by yourself and in the platform.

The Egyptians are diverting their economic credits and resources not to raise living standards but to finance the flow of Soviet weapons. As you know, Mr. President, the Congress recently expressed itself in the rejection of the so-called Kauftam amendment to the Mutual Security Act this session. This amendment established a principle that we should concentrate on aiding those nations that do not divert their own assets to the Soviet arms supply system.

We are gravely concerned by Castro's new military jets and equipment. How can we justify to the taxpayer the loans and grants to Castro's good friend, Nasser, that enable Egypt to divert resources to get his country more deeply involved with the Soviet military supply system?

It comes to my attention, Mr. President, that Israel is the only anti-Communist nation on earth that is threatened by Soviet-equipped military forces, which has turned to us pleading for the right to purchase balancing arms and gotten no favorable response.

I recently have asked the President to prepare an explanation of the whole situation with which we have to do to Israel's military needs while subsidizing Egypt's purchase of late-model Soviet jets, tanks, submarines, and so forth.

I understand that we have become neutral to a friend, Israel, but friendly to a "neutral" in Egypt. Israel has been denied the right to buy any American arms of real military importance and cannot even get authorization, apparently, to buy purely defensive antiaircraft weapons from America with the substantial financial aid we send her from our own self-defense because Nasser might be annoyed.

Mr. Speaker, the only anti-Communist nation on earth that is threatened by Soviet-equipped military force? We have not only ignored Israel, but we have ignored the right to purchase balancing arms from us for her own self-defense because Nasser might be annoyed.

Mr. Speaker, I am asking you to explain your recent statement of November 2, 1960, in which you indicated your personal interest and concern in this matter. I am asking you to explain why we ignore Israel's military needs while subsidizing Egypt's purchase of late-model Soviet jet bombers, tanks, submarines, and so forth.

I am sure you are aware that Egypt is a member of the United Nations and is a sovereign state, just like Israel. I am sure you are aware that Egypt has openly threatened Israel, just like Israel has done to her. I am sure you are aware that the United States and the Soviet Union are not even friends.

I am asking you to protect our allies, the democratic nations of the world, to explain why we ignore Israel's military needs while subsidizing Egypt's purchase of late-model Soviet jet bombers, tanks, submarines, and so forth.

I understand that we have become neutral to a friend, Israel, but friendly to a "neutral" in Egypt. Israel has been denied the right to buy any American arms of real military importance and cannot even get authorization, apparently, to buy purely defensive antiaircraft weapons from America with the substantial financial aid we send her from our own self-defense because Nasser might be annoyed.

Would we similarly ignore the defense needs of South American nations threatened by Castro's Soviet military equipment?

In order that I may be constructively informed, especially since the foreign assistance appropriations bill will soon come before the House, I ask your early response to this inquiry.

With all good wishes and my warm regard,

Very sincerely,

Seymour Halpern.

Mr. Speaker, Mr. Nasser of Egypt has bragged that his budget for military equipment is being expanded. I, as the American taxpayer, am financing his domestic needs while Egyptian assets are released to pay for Russian munitions. Mr. Nasser said, 'Why this budget? Because we are preparing. We are strengthening our air force, army, and navy.'

Against whom is Nasser preparing this Soviet-equipped military force? Certainly not against the Soviet Union. He has openly stated that Israel is the intended victim.

Mr. Speaker, Mr. Milton Friedman is a well-known and respected Washington journalist. I feel that some of the points raised in Mr. Friedman's recent syndicated column are worthy of our consideration. The following quotation very aptly presents an evaluation, in depth, of this issue. Under unanimous consent, I include Mr. Friedman's column:

UNITED STATES WON'T Aid ANTI-COMMUNIST CONTESTANT OF ISRAEL

(BY Milton Friedman)

The administration is finding it increasingly difficult to explain why it still refuses to...
to provide any significant defensive arms to an anti-Communist nation, Israel, threatened by the rockets, missiles and jets of a Soviet-trained enemy, Nasser of Egypt.

This issue is clearly destined for a crisis in coming months. Israel, it seems, is the only anti-Communist nation in the world experiencing such difficulty in obtaining American help to defend itself against Soviet-equipped and Soviet-trained enemies.

The United States provides military equipment to Jordan, Lebanon, and other Arab States but supplies the rest of their arms inasmuch as they are preoccupied with the American Medical Association's refusal to buy Soviet arms.

But if America helped arm Israel, the State Department says, it would constitute an arms race. The race is already being run by the Soviet Union.

But if America helped arm Israel, the State Department says, it would constitute an arms race. The race is already being run by the Soviet Union.

State Department officials are praising the new Nasser for his alleged devotion to peace and progress. They ignore his open threats to "Algerianize" the entire Middle East and his explicit display of military rocketry, his super-sonic Soviet TU-16 jets and so forth. All of this our officials view as merely propaganda for domestic public opinion.

Accordingly, the State Department has recommended increased aid and loans to Nasser and the anti-Communist nations. It is not a major military aid to Israel. Still, the United States is not the only important military aid to Israel.

Even though Soviet engineers are working in Iran and Egypt, and!! the State Department failed to object when West Germany shipped sensitive electronic and guidance equipment to the Egyptian rockets. The Germans and Russians are apparently divided by no Berlin walls in Egypt, working happily together on rockets to kill Israelis.

If West Germany shipped strategic rocket components to Washington, they could conceivably be in an uproar. But the New Frontier has seemingly adopted the same evasive line as the previous administrations: States is not the traditional source of defense for Israel. Only 2 years ago, both political parties made the "traditional" campaign pledge of "getting America together for our security."

Apologists will tell you that Washington is still mindful of the Tripartite Declaration of 1950 and will consider action, probably through the United Nations, if Israel were attacked. The trouble is that the Soviet Union veto would forestall any effective U.N. remedy. Also, rocket and jet warfare is measured by hours; Israel's fate could be sealed in one tragic day.

A moral question has been raised: Should America stand by unconcerned, while the Soviet bloc arms a "neutral" with super-power weapons against a pro-Western democracy?

The emotions of Congress were voiced in the Kennedy Administration's offer to the new Foreign Assistance Act. This amendment is noncompulsory and serves mainly to apprise the executive department of the sentiments of Congress and the American people. It is called on the President to restrict aid to nations, like Egypt, which use their own resources to buy Soviet arms.

State Department sources have already termed the amendment "vague" and "unrealistic." They said it would be impossible to avoid offending Nasser. In their view, it was adopted only as a sop for Jewish votes.

They failed to see the beauty of explaining its concept of a "new" Nasser when the entire military establishment of Egypt is geared to the Soviet army, fleet and air force for training, equipment, spare parts, and so forth. Egyptian forces have reached the point where they are entirely dependent on a Soviet service and supply and technical manuals originating in Moscow.

President Kennedy apparently has been so preoccupied with the American Medical Association's refusal to buy Soviet arms that he has lost sight of that other AMA, the Arabian Missile Association.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

MR. MACDONALD (at the request of Mr. ALBERT), for today, on account of official business.

MR. BURLESON (at the request of Mr. HALLECK), for Monday, August 29, on account of official business.

MR. O'BRIEN of Illinois (at the request of Mr. LIBONATI), indefinitely, on account of illness.

MR. MCDOWELL (at the request of Mr. ALBERT), for today and tomorrow, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative day, was granted and any special orders heretofore entered, was granted to:

MR. RODINO (at the request of Mr. ALBERT), for 30 minutes, tomorrow, August 28, 1962, and to revise and extend his remarks and include extraneous matter.

MR. NIX (at the request of Mr. ALBERT), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

MR. BEAY (at the request of Mr. ARENS), for 30 minutes, August 30, 1962.

MR. LINDSAY (at the request of Mr. ARENS), for 1 hour on Wednesday, August 29, 1962.

MR. HALFERN (at the request of Mr. ARENS), for 20 minutes, today.

MR. HALFERN (at the request of Mr. ARENS), for 30 minutes, Tuesday, August 28, 1962.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

MR. ALGER.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

MR. MULLER.

MR. SMITH of Iowa and to include tables.

MR. THOMPSON of New Jersey.

MR. DUGGS.

MR. RAINS.

(The following Members (at the request of Mr. LATTA) and to include extraneous matter:)

MR. VAN ZANDT.

MR. LINDSAY.

SENATE BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTIONS REFERRED

Bills, a joint resolution, and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 708. An act to validate the homestead entries of Leo F. Reeves; to the Committee on Interior and Insular Affairs.

S. 1552. An act to amend and supplement the laws with respect to the manufacture and sale of certain compounds and poisons, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 2959. An act to provide for retrocession of legislative jurisdiction over U.S. Naval Supply Depot Clearfield, Ogden, Utah; to the Committee on Armed Services.

S. 2950. An act for the relief of Dwijendra Kumar Misra; to the Committee on the Judiciary.

S. 2962. An act for the relief of Byung Yong Cho (Alan Cho Gardner) and Moonee Choo (Charlie Gardner); to the Committee on the Judiciary.

S. 3085. An act for the relief of Paul Huygelen and Luba A. Huygelen; to the Committee on the Judiciary.

S. 3221. An act to provide for the exchange of certain lands in Puerto Rico; to the Committee on Merchant Marine and Fisheries.

S. 3265. An act for the relief of Despina Anastos (Psyhopedas); to the Committee on the Judiciary.

S. 3275. An act for the relief of Anna Sammama Misticomi; to the Committee on the Judiciary.

S. 3319. An act to extend to certain employees on the Trust Territory of the Pacific Islands the benefits of the Federal Employees' Compenstation Act; to the Committee on Education and Labor.

S. 3380. An act for the relief of Naife Kahl; to the Committee on the Judiciary.

S. 3517. An act to authorize the Secretary of Commerce to establish and carry out a program to promote the flow of domestically produced number in commerce; to the Committee on Agriculture.

S. 3693. An act to amend title 10, United States Code, to authorize the appointment of citizens or nationals of the United States to work on American Samoa, Guam, or the Virgin Islands to the U.S. Military Academy, the U.S. Coast Guard Academy and the U.S. Air Force Academy; to the Committee on Armed Services.

S. Res. 217. Joint resolution making the 17th day in September of each year a legal holiday to be known as Constitution Day; to the Committee on the Judiciary.

S. Con. Res. 84. Concurrent resolution expressing the sense of Congress that arrangements be made for viewing within the United States of certain films prepared by the U.S. Information Agency; to the Committee on Foreign Affairs.

S. Con. Res. 87. Concurrent resolution authorizing the printing of additional copies of the hearings entitled "Military Cold War Education and Speech Review Policies" and the report thereon; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the Committee had examined and found true enrolled bills of the following titles, which were thereupon signed by the Speaker:

H.R. 1498. An act for the relief of Leo Reeves.

H.R. 2449. An act to provide that hydraulic brake fluid sold or shipped in commerce for
use in motor vehicles shall meet certain specifications prescribed by the Secretary of Commerce.

H.R. 6564. An act to amend the acts of May 21, 1926, and January 25, 1927, relating to the construction of certain bridges across the Missouri river as to authorize the use of certain funds acquired by the owners of such bridges for purposes not directly related to the use of such bridges and their approaches;

H.R. 6894. An act to provide for a method of payment of indirect costs of research and development contracted by the Federal Government at universities, colleges, and other educational institutions;

H.R. 7736. An act to amend the act of May 15, 1960 (Private Law 68-388); H.R. 7330. An act for the relief of Sister Mary Alphonza (Elena Bruno) and Sister Mary Attilia Filipa Todaro;


H.R. 10263. An act to authorize the Secretary of the Air Force to adjust the legislative jurisdiction exercised by the United States over lands within Eglin Air Force Base, Fla.

H.R. 10325. An act to repeal the act of August 4, 1959 (73 Stat. 280);

H.R. 11040. An act to provide for the establishment, regulation and coordination of a commercial communications satellite system, and for other purposes;

H.R. 11251. An act to authorize the Secretary of the Treasury to sell to the Blackfeet Tribe of Indians certain lands in the State of Montana, and for other purposes;

H.R. 11310. An act to amend section 3515 of the Revised Statutes to eliminate tin in the alloy of the 1-cent piece;

H.R. 11721. An act to authorize the Army to convey certain land and easement interests at Hunter-Liggett Military Reservation for construction of the San Antonio Dam and Reservoir project in exchange for other property.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 338. An act to amend section 205 of the Federal Home Loan Bank Board, as amended by the Housing Act of 1949 to empower certain officers and employees of the General Services Administration to administer oaths to any person;

S. 891. An act to extend certain authority over the United States Forest Service and the National Park Service, and for other purposes;

S. 1208. An act to amend Public Law 96-30 (73 Stat. 937) approved June 1, 1960;

S. 1208. An act to amend the Act of September 14, 1949 (73 Stat. 614, 43 U.S.C. 615a), relating to the construction, operation, and maintenance of the Spokane Valley project, to authorize an additional appropriation of $73 million for that purpose; and

H.R. 8564. An act to amend the Federal Employees' Group Life Insurance Act of 1954 to provide for the payment of amounts of insurance to the insurance fund under such act in the absence of any claim for payment, and for other purposes;

H.R. 10561. An act to amend title 38, United States Code, with respect to fees of U.S. marshals, and for other purposes;

H.R. 10623. An act to authorize the employment without compensation from the Government of readers for blind Government employees; and

H.R. 12105. An act to amend the law relating to the final disposition of the property of the Choctaw Tribe.

ADJOURNMENT

Mr. ALBERT, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 28, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2450. A letter from the Secretary of the Army transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army General Staff on June 30, 1962, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

2451. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a draft of a proposed bill entitled "A bill to amend the Home Owners Loan Act of August 26, 1933, as amended; the Federal Home Loan Bank Act, as amended"; to the Committee on Banking and Currency.

2452. A letter from the Deputy Administrator, Federal Aviation Agency, relative to the proposed program of airport development for the fiscal year next ensuing, pursuant to section 4 of the Federal Airport Act, as amended on September 30, 1951; to the Committee on Interstate and Foreign Commerce.

2453. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a "bill to authorize mortgage insurance and loans to help finance the cost of constructing and equipping facilities for the group practice of medicine or dentistry"; to the Committee on Interstate and Foreign Commerce.

2454. A letter from the Administrator, General Services Administration, transmitting a report of the Federal Home Loan Bank Board, Federal Home Loan Bank Administration during fiscal year 1962, pursuant to title 28, section 2673, of the United States Code; to the Committee on Government Operations.

2455. A letter from the Administrator, General Services Administration, transmitting a report of the Department of Commerce, Federal Aviation Administration, for the fiscal year ending June 30, 1962, submitting a report, together with accompanying papers and an illustration on the Great Lakes Harbors study-second interim report on Cleveland Harbor, Ohio, requested by resolutions of the Committee on Public Works, U.S. Senate and House of Representatives, adopted May 18, 1956, and June 27, 1956 (H. Doc. No. 527); to the Committee on Public Works and ordered to be printed with one illustration.

2456. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated July 6, 1962, submitting a report, together with accompanying papers and an illustration, on a review of the reports on, and a survey of, the Panama Canal Zone, requested by resolutions of the subcommittee on Rivers and Harbors and the Committee on Public Works, adopted November 20, 1945 and June 3, 1958, and authorized by the River and Harbor Act, approved March 2, 1945 (H. Doc. No. 528); to the Committee on Public Works and ordered to be printed with one illustration.

2457. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated June 5, 1962, submitting a report, together with accompanying papers and an illustration, on a review of the reports on the Port Sutton and Ybor Channel, Tampa Harbor, Fla., requested by resolutions of the Committee on Public Works, U.S. Senate and House of Representatives, adopted November 19, 1958, January 5, 1959, and April 15, 1959 (H. Doc. No. 529); to the Committee on Public Works and ordered to be printed with one illustration.

2458. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated July 6, 1962, together with accompanying papers and an illustration, on a review of the reports on the Narrows Project, River and Harbor Act, as a resolution of the Committee on Public Works, House of Representatives, adopted June 27, 1956 (H. Doc. No. 530); to the Committee on Public Works and ordered to be printed with one illustration.

2459. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated July 6, 1962, together with accompanying papers and an illustration on a review of the reports on the Cow Creek, Kans., requested by a resolution of the subcommittee on Rivers and Harbors and the Committee on Public Works, adopted June 3, 1959 (H. Doc. No. 531); to the Committee on Public Works and ordered to be printed with one illustration.

2460. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated July 6, 1962, together with accompanying papers and an illustration on an interim report on the Dania Point Harbor, Calif., authorized by the River and Harbor Act, and for other purposes, requested by resolutions of the Committee on Public Works, U.S. Senate and House of Representatives, adopted May 18, 1956, and June 27, 1956 (H. Doc. No. 522); to the Committee on Public Works and ordered to be printed with one illustration.
REPUBLICS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XXII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:


Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 12901. A bill to clarify certain provisions of part IV of the Interstate Commerce Act and to place the Transportation Secretary in a position to control of freight forwarders under the provisions of section 5 of the act; with amendment (Rept. No. 2269). Referred to the Committee on Interstate and Foreign Commerce of the Whole House on the State of the Union.

Mr. OLSEN: Committee on Post Office and Civil Service. H.R. 2079. A bill to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain positions: to the Committee on Post Office and Civil Service of the Whole House on the State of the Union.

Mr. POPE: Committee on Post Office and Civil Service. H.R. 10696. A bill to permit the Postmaster General to extend contracting for the transportation of mail by air or air mail to the Territory of Puerto Rico, without amendment, to the Committee on Post Office and Civil Service of the Whole House on the State of the Union.

Mr. CHORDS: Committee on Interstate and Foreign Commerce. Report on world newsprint on demand: without amendment (Rept. No. 2270). Referred to the Committee on the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 11587. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; without amendment (Rept. No. 2272). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK: Committee on Interstate and Foreign Commerce. Report on world newsprint on demand; without amendment (Rept. No. 2273). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:
H.R. 12974. A bill to authorize the Secretary of the Interior to lease and administrate certain lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BRODYHILL:
H.R. 12974. A bill to amend the act entitled "An act to provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes"; to the Committee on the District of Columbia.

By Mr. GONZALEZ:
H.R. 12979. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturer's excise tax on musical instruments; to the Committee on Ways and Means.

By Mr. ROUSSELOT:
H.R. 12977. A bill to abolish the Arms Control and Disarmament Agency and transfer its functions to the National Security Agency; to the Committee on Foreign Affairs.

By Mr. SCRANTON:
H.R. 12975. A bill to amend title I of the Housing Act of 1949 with respect to eligibility for capital grants thereunder in certain hardship cases; to the Committee on Banking and Currency.

By Mr. THOMPSON of New Jersey:
H.R. 12968. A bill to provide for the distribution of educational and training films for use by deaf persons, and for other purposes; to the Committee on Education and Labor.

By Mr. DURNO:
H.R. 12980. A bill authorizing the Administrator of General Services to convey certain property of the United States to the city of Roseburg, Ore.; to Committee on Government Operations.

By Mr. HALPERN:
H.R. 12981. A bill to establish a Domestic Peace Corp.; to the Committee on Education and Labor.

By Mr. NORDBLAD:
H.R. 12983. A bill to provide for the waiver of a condition of part IV, as amended, in Clatsop County, Oreg., so as to permit its use as a public park; to the Committee on Merchant Marine and Fisheries.

By Mr. ARENDT:
H.R. Res. 860. Joint resolution making the Fourth of July of each year a legal holiday to be known as "Constitution Day"; to the Committee on the Judiciary.

By Mr. MATTHEWS:
H.R. Res. 861. Joint resolution proposing an amendment to the Constitution of the United States, to the Committee on the Judiciary.

By Mr. WIDNALL:
H.R. Res. 862. Joint resolution requiring a public hearing before any theater in the District of Columbia which is suitable, and has been used, for the presentation of live drama, ballet, or opera productions, may be demolished; to the Committee on the District of Columbia.

By Mr. WRIGHT:
H.R. Res. 863. Joint resolution authorizing the President of the United States to designate the period from November 26, 1968, through December 2, 1968, as National Cultural Center Week; to the Committee on the Judiciary.

By Mr. FREIDEL:
H.R. Res. 760. Resolution authorizing additional employees of the Office of the Clerk, and Postmaster of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Florida, memorializing the President of the United States relative to requesting an amendment to the Constitution relating to the apportionment of the membership of State legislatures to the several States and to spell out that State action in this field is not subject to review by the Federal courts, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:
H.R. 12983. A bill for the relief of Dina Grad; to the Committee on the Judiciary.

By Mr. BROYHILL:
H.R. 12984. A bill for the relief of Victor O. McNabb; to the Committee on the Judiciary.

By Mr. DOOLEY:
H.R. 12985. A bill for the relief of Loreto Testori; to the Committee on the Judiciary.

By Mr. FOGARTY:
H.R. 12986. A bill for the relief of Carmine Antonio Gambino; to the Committee on the Judiciary.

By Mr. HALLEY:
H.R. 12987. A bill for the relief of Irene Gold and Clampico; to the Committee on the Judiciary.

By Mr. HUDDLESTON:
H.R. 12988. A bill to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes; to the Committee on the District of Columbia.

By Mr. LOUSER:
H.R. 12990. A bill for the relief of Karolina Rado; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:
H.R. 12991. A bill for the relief of Sister M. Augustina (Teresa Cattaneo), Sister M. Francesca (Rina Tagliaferri), Sister Maria Silvia (Natalina Darch), and Sister Maria Angela (Rosa Colombo); to the Committee on the Judiciary.

By Mr. O'NEILL:
H.R. 12992. A bill for the relief of Brother Antonio Testori; to the Committee on the Judiciary.

By Mr. O'Neill:
H.R. 12993. A bill for the relief of Ioannis Liberopoulos; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:
H.R. 12994. A bill providing for the extension of Patent No. 2,430,502, issued April 13, 1948, relating to an automatic fire alarm system; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

404. By the SPEAKER: Petition of J. W. Thrush and others, regarding the consideration of their resolution with reference to protecting the rightful interests of small, independent retailers by working for, and voting for, the quality stabilization bill; to the Committee on Interstate and Foreign Commerce.

405. Also, petition of Eva Northrup, secretary, the Hopi Tribe, Oraibi, Ariz., relative to authorizing the Secretary of the Interior to prescribe and promulgate regulations, to secure for the Hopi Tribe the right to take eagles in its traditional territories, and secure adequate protection for its outlying, established shrines for the placing of sacred prayer feather offerings, both within and without the Hopi Reservations; to the Committee on Merchant Marine and Fisheries.

SENATE

MONDAY, AUGUST 27, 1962

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Charles H. Mercer, minister, Centenary Methodist Church, Smithfield, N.C., offered the following prayer:

O God, our help in ages past, we thank Thee for our rich heritage, and ask for...