emphasize how big the Federal Government has become. The total national debt including the $300 billion outstanding, unpaid obligations, unused authority, unfunded cost of started public works, contingent obligations, and other commitments actually reaches $1,242 billion. This equals $6,642 for each man, woman and child in the United States. Next to defense, the largest item in our Federal budget—$9.4 billion last year—is for the interest payment on the national debt.

The Federal Government is the largest single owner of real estate in the United States. Its total holdings exceed the combined areas of the six New England States plus Texas. It also owns 224,300 vehicles.

Senator BYRD, chairman of the Joint Committee on Reduction of Non-Essential Federal Expenditures, reported that as of June 30, 1962, there were 2,496,455 Federal employees. New Federal programs and policies since the Kennedy administration took office have added 143,656 employees to the Federal payroll, with an estimated added cost of $718,280,000 per year—or the total tax payments of 861,936 taxpayers.

Last January the President submitted to Congress the largest peacetime budget in history—$92.5 billion. At that time it was estimated that receipts from taxes and other revenue would be $93 billion, leaving a surplus of $500 million. However, we now hear that we will actually end this fiscal year with a deficit of from $4 to $5 billion. Two recently enacted administration bills, the $900 million "standby public works bill" and the tax revision bill, with its 7-percent credit provision add to this deficit.

Deficit spending is the real cause of inflation. Unless we begin to balance the budget and curb Government spending, we are going to have a continuing depreciation of the value of the dollar. While everyone is affected by inflation, those who are hurt the most are persons relying upon small, fixed incomes—such as pensions. Only when every citizen realizes it is his money that the Government spends and every taxpayer identifies himself with "the Treasury" can we expect to attain responsible public administration. Everyone must keep in mind that the Government has no money of its own. Government money or Federal funds or "Federal aid" must come from taxpayers—every cent of it. If it does not come from taxpayers, it must be borrowed, thereby further increasing our national debt and the burden on you and me—taxpayers.

Mr. Speaker, we hear much talk about the possibility of a tax reduction next year. The prospect of a tax cut is a pleasing one and most taxpayers agree that it is long overdue. However, taxes are supposed to pay the cost of Government. Therefore, would not the most direct approach to the question be to find ways to relieve the people of the tremendous burden of Federal spending, of deficits and debts which cheapen our money, and of general waste which pervades the "big government" operation? Real tax reform could come easily if we would cut back Government spending. This could do much to provide the conditions under which enterprise could flourish, providing more jobs and more goods for everyone. Instead of continuing to follow its policy of tax, tax, tax and spend, spend, spend, I would hope that the adminstration would forgo needless new Federal programs and those that may be desirable but not really necessary, such as the Washington fish tank and establish real priorities for needed Government expenditures.

House Joint Resolution 636, the Quality Stabilization Bill

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 2, 1962

Mrs. BOLTON. Mr. Speaker, one of the bills which I very much hoped we would pass this session is House Joint Resolution 636, the quality stabilization bill. This joint resolution, which was reported by the Committee on Interstate and Foreign Commerce, is vital to the survival of hundreds of thousands of small, independent business men and women—the corner druggist, the grocer, the jeweler, the hardware merchant, the electric appliance dealer, the bookstore dealer, hat shops, women's and children's wear, and so forth.

The small retailer is at a great disadvantage in competing pricewise with the big department store, the discount house, the chainstore or supermarket. Looking at the situation realistically, if a price war should break out, the little retailer, the small businessman would be the first to die because he lacks the resources to endure the financial strain imposed by a price war. The giant retailer does have the resources to withstand the strain. He also has the ability to recoup losses on nationally advertised merchandise by selling to customers, attracted to the store by the promise of bargains, unfamiliar merchandise on which there is a substantial margin of profit.

Thus we are faced with the fact that unless the small businessman is afforded the opportunity of making a profit by enabling him to compete pricewise on nationally advertised, branded merchandise, we may find ourselves in a few years with a concentration of retailing in the hands of a few giant corporations. The trend is evident now and if we permit the trend to continue the economy of this country will suffer. We must not let this happen. The small retailer is the backbone of our communities and he represents the epitome of our American free-enterprise system.

Mr. Speaker, it is disappointing that this bill was not brought to the floor this session. Nevertheless, I hope the work accomplished on this matter this year will result in a good clean bill coming before us for action early in January.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 3, 1962

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Joshua 23: 11: *Take good heed therefore unto yourselves, that ye love the Lord your God.*

Almighty God, in these perilous times, when there are fears and fighting within and without our beloved country, may we cleave unto Thee with increasing tenacity of faith and courage.

Show us how we may stem the blatant and boisterous tides of communism and paganism which are seeking to engulf and enslave the whole world.

Grant that we may have within our hearts the abiding assurance that nothing can ever impede the progress and triumph of Thy kingdom of reason and righteousness.

Help us to understand that if our Republic is to remain invulnerable and invincible then we must continue to give ourselves with undivided and wholehearted devotion to those ideals and principles which are the secret of our Nation's greatness and glory.

Hear us in the name of the Captain of our Salvation. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

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 dates the President approved and signed bills and joint resolutions of the House of the following titles:

On September 27, 1962:

H.R. 575. An act to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes;

H.R. 2292. An act to authorize the Secretary of the Treasury to issue certificates of honorable service in lieu of certificates of disenrollment to certain persons who served as temporary members of the United States Coast Guard Reserve during World War II;

H.R. 12391. An act to improve and protect farm income, to reduce costs of farm programs to the Federal Government, to reduce the Federal Government's excessive stocks of agricultural commodities, to maintain reasonable and stable prices of agricultural commodities and products to consumers, to provide adequate supplies of

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agricultural commodities for domestic and foreign needs, to conserve natural resources, and for other purposes;

H.R. 12526. An act to amend section 172 of the Internal Revenue Code of 1954 to provide a 7-year net operating loss carryover for certain regulated transportation corporations;

H.R. 12675. An act to provide for the formation of partnerships in the District of Columbia and to make uniform the law with respect thereto;

H.R. 12727. An act to amend the act of February 28, 1901, to insure that policemen and firemen in the District of Columbia will receive medical care for all injuries and diseases; and

H.R. 12762. An act to amend the District of Columbia Unemployment Compensation Act, as amended.

On September 28, 1962:

H.R. 1171. An act to assure continued fish and wildlife benefits from the national fish and wildlife conservation areas by authorizing their appropriate incidental or secondary use for public recreation to the extent that such use is compatible with the primary purposes of such areas, and for other purposes;

H.R. 1304. An act for the relief of Jung Hae;

H.R. 2604. An act for the relief of Pietro Dattoli;

H.R. 6016. An act for the relief of William Thomas Dendy;

H.R. 7123. An act for the relief of Mrs. Takako Coughlin;

H.R. 7431. An act to provide for the free entry of certain stained glass for St. Joseph's Cathedral, Hartford, Conn., and for other purposes;

H.R. 7438. An act for the relief of Anna Caporossi Crisconi;

H.R. 7796. An act to amend certain lending limitations on real estate and construction loans applicable to national banks;

H.R. 9593. An act to provide for the conveyance of certain phosphate rights to the Dr. P. Phillips Foundation of Orlando, Fla.;

H.R. 9893. An act for the relief of Tadeusz Sochacki;

H.R. 9995. An act for the relief of Dwight W. Clarahan;

H.R. 10540. An act to exclude deposits of petrified wood from appropriation under the U.S. mining laws;

H.R. 11019. An act to provide that the Uniform Limited Partnership Act shall apply in the District of Columbia;

H.R. 12416. An act to authorize the sale, without regard to the 6-month waiting period prescribed, of chestnut extract proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act;

H.R. 12577. An act to place authority over the trust powers of national banks in the Comptroller of the Currency;

H.R. 12628. An act to provide additional funds under section 202(a)(4) of the Housing Act of 1959, and to amend title V of the Housing Act of 1949, in order to provide low and moderate cost housing, both urban and rural, for the elderly; and

H.R. 12899. An act to amend section 5155 of the Revised Statutes relating to bank branches which may be retained upon conversion or consolidation or merger.

On September 29, 1962:

H.J. Res. 897. Joint resolution making continuing appropriations for the fiscal year 1963, and for other purposes.

On October 1, 1962:

H.R. 9587. An act for relief of Anthony E. O'Sorio;

H.R. 11164. An act to approve an amendatory repayment contract negotiated with the Quincy Columbia Basin Irrigation District, authorize similar contracts with any of the Columbia Basin irrigation districts, and to amend the Columbia Basin Project Act of 1943 (57 Stat. 14), as amended, and for other purposes; and

H.J. Res. 730. Joint resolution to authorize the President to proclaim May 15 of each year as Peace Officers Memorial Day and the calendar week of each year during which such May 15 occurs as Police Week.

On October 2, 1962:

H.R. 8520. An act to amend the Soil Conservation and Domestic Allotment Act, as amended, to add a new section 16A to limit financial and technical assistance for drainage of certain wet lands; and

H.R. 11151. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1963, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 946. An act to extend to oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen.

H.R. 1362. An act for the relief of Calogera Virone Messina;

H.R. 1483. An act for the relief of Priscillo Jose Sisson and Evelyn Sisson;

H.R. 1598. An act for the relief of Michael Anthony Dedetsinas;

H.R. 1660. An act for the relief of Margaret MacPherson, Angus MacPherson, Ruth MacPherson, and Marilyn MacPherson;

H.R. 2836. An act for the relief of C. Edwin Alley;

H.R. 2978. An act for the relief of Rosa and Rita Quattrocchi;

H.R. 4483. An act for the relief of Simon Karasick;

H.R. 5695. An act for the relief of Forrest L. Gibson;

H.R. 6987. An act for the relief of Maj. William R. Cook;

H.R. 7099. An act to validate payments of certain per diem allowances made to members and former members of the U.S. Coast Guard while serving in special programs overseas;

H.R. 7617. An act for the relief of John W. Schleiger;

H.R. 7876. An act relating to the effective date of the qualification of the joint pension plan for employees of Local Unions 645, 1507, and 1511, Brotherhood of Painters, Decorators, and Paperhangers of America as a qualified trust under section 401(a) of the Internal Revenue Code of 1954;

H.R. 8855. An act for the relief of Marie Silva Arruda;

H.R. 9469. An act for the relief of Charles L. Kays;

H.R. 9590. An act for the relief of Lt. Col. Edward Hirsch;

H.R. 10316. An act for the relief of Leopoldo Rocha Canas and Teofilo Caoile Servito;

H.R. 16017. An act providing that the U.S. district courts shall have jurisdiction of certain cases involving pollution of interstate river systems, and providing for the venue thereof;

H.R. 10881. An act for the relief of Maj. Singh Sunga;

H.R. 10897. An act for the relief of Joseph Hammond;

H.R. 11522. An act for the relief of Henry E. Keiser;

H.R. 11594. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments;

H.R. 11678. An act to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Northern District of Ohio, Eastern Division, holding court at Akron, Ohio;

H.R. 11732. An act to amend section 305 of the Communications Act of 1934, as amended;

H.R. 12092. An act for the relief of Arthur H. Brackbill;

H.R. 12093. An act for the relief of Joseph Wolf, Jr.;

H.R. 12451. An act to authorize the reimbursement to appropriations of the U.S. Secret Service of moneys expended for the purchase of counterfeits;

H.R. 12653. An act to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such act;

H.R. 12855. An act to amend the Agricultural Adjustment Act of 1938 relating to the lease and transfer of tobacco acreage allotments;

H.R. 12887. An act for the relief of Benjamin Leach, Diogracias Leach, Rogelio Leach, and Maximo Leach;

H.R. 13241. An act to amend section 309 of the Food and Agriculture Act of 1962;

H. Con. Res. 513. Concurrent resolution for printing additional copies of hearings;

H. Con. Res. 574. Concurrent resolution authorizing the printing of a wall map of the United States, and for other purposes; and

H. Con. Res. 581. Concurrent resolution authorizing the Clerk of the House to make a correction in the enrollment of H.R. 8567.

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

H.R. 1691. An act for the relief of Elaine Veronica Brathwaite;

H.R. 8517. An act to grant emergency officer's retirement benefits to certain persons who did not qualify therefor because their applications were not submitted before May 25, 1929;

H.R. 10605. An act for the relief of Joan Rosa Orr;

H.R. 10708. An act to amend section 203 of the Rural Electrification Act of 1936, as amended, with respect to communication service for the transmission of voice, sounds, signals, pictures, writing, or signs of all kinds through the use of electricity;

H.R. 12402. An act for the relief of Concetta Maria, Rosetta, and Tomasino Mangiaracina; and

H.R. 12513. An act to provide for public notice of settlements in patent interferences, 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. 13175. An act making appropriations for foreign aid and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. ELLENDER, Mr. HOLLAND, Mr. PASTORE, Mr. MCGEE, Mr. SALTONSTALL, Mr. MUNDT, and Mrs. SMITH of Maine to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following

titles, in which the concurrence of the House is requested:

S. 1696. An act to authorize the Secretary of the Interior to conduct a survey of federally owned lands for the purpose of locating minerals and mineral fuels;

S. 2344. An act for the relief of Miloye M. Sokitch;

S. 2639. An act to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes;

S. 3041. An act to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the County of Harris;

S. 3370. An act to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District;

S. 3394. An act for the relief of Lt. Col. William A. Carter, U.S. Air Force;

S. 3477. An act to promote the security and welfare of the people of the United States by providing for a program to assist the several States in further developing their programs of general university extension education; and

S. 3760. An act to amend the National Defense Education Act of 1958 to raise the limit on Federal payments into student loan funds, to broaden the types of equipment which may be acquired with Federal grants and loans under title III thereof, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1651. An act to authorize the Commissioners of the District of Columbia to delegate the function of approving contracts not exceeding $100,000;

S. 2568. An act to amend the act of September 7, 1950, to extend the regulatory authority of the Federal and State agencies concerned under the terms of the Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington May 31, 1949, and for other purposes;

S. 2795. An act to prohibit the use by collecting agencies and private detective agencies of any name, emblem, or insignia which reasonably tends to convey the impression that any such agency is an agency of the government of the District of Columbia; and

S. 3504. An act to provide for alternate representation of secretarial officers on the Migratory Bird Conservation Commission, and for other purposes.

APPROPRIATIONS FOR FOREIGN AID AND RELATED AGENCIES, 1963

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13175) making appropriations for Foreign Aid and related agencies for the fiscal year ending June 30, 1963, and for other purposes, with amendments of the Senate thereto, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, it is my understanding that the foreign giveaway bill is now nearly $800 million higher than the House figure. It is my hope that the conferees will go to conference and sit, if necessary, until the snow flies before they give away any substantial part of the figure as was passed by the House of Representatives.

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

Mr. GROSS. I yield.

Mr. PASSMAN. I, myself, would say not just until the snow flies but until it has flown and melted away.

Mr. GROSS. I would say to the gentleman that I wish I could live to see the day when a substantial reduction is made, rather than an increase in a conference on one of these multibillion-dollar foreign giveaway bills.

Mr. PASSMAN. I think the record of the House conferees on this bill through the years speaks for itself. I can assure the gentleman it is my intention that this record will be maintained.

Mr. GROSS. I would be happy to see just one reduction in the annual rush to pass this foreign handout.

Mr. PASSMAN. I say to the distinguished gentleman from Iowa that overall the House conferees have upheld well the position of the House on this appropriation. I believe a similar situation will prevail in the conference committee this year; in fact, as far as I am concerned, I have no doubts about the results. We are well fortified by the facts.

Mr. GROSS. I wish the gentleman, my friend from Louisiana, would impress upon the other body that the Federal Treasury is insolvent. I question, at times, whether some of them know it.

Mr. PASSMAN. The gentleman and I are in complete accord on that matter.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

The Chair hears none and appoints the following conferees: Messrs. PASSMAN, GARY, CANNON, TABER, and FORD.

TO INCREASE CERTAIN TRAINING OPPORTUNITIES

Mr. TRIMBLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 824 Rept. No. 2519) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4999), to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. 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. 266]

Adair	Griffiths	Rains
Alexander	Hall	Quie
Andersen, Minn.	Hansen	Reifel
	Harris	Rogers, Tex.
Anderson, Ill.	Harrison, Va.	Roosevelt
Anfuso	Harvey, Ind.	Rousselot
Aspinall	Hays	Ryan, Mich.
Belcher	Hébert	St. Germain
Bennett, Mich.	Herlong	Santangelo
Berry	Hiestand	Saund
Blatnik	Hoffman, Mich.	Saylor
Blitch	Hull	Scherer
Bolling	Johnson, Md.	Scranton
Boykin	Kearns	Seely-Brown
Breeding	Kee	Shelley
Bromwell	Kilburn	Sheppard
Brown	Laird	Shipley
Burke, Ky.	McDonough	Short
Carey	McDowell	Siler
Celler	McIntire	Smith, Miss.
Chiperfield	McSween	Springer
Coad	McVey	Stafford
Cook	Macdonald	Taber
Davis, John W.	MacGregor	Tuck
Dawson	Magnuson	Ullman
Diggs	Martin, Nebr.	Utt
Dominick	Michel	Van Pelt
Dooley	Miller, George P.	Vinson
Evins		Watts
Forrester	Moorehead, Ohio	Weaver
Frazier		Weis
Garland	Moulder	Whalley
Glenn	Norrell	Williams
Goodell	O'Brien, Ill.	Willis
Gray	Osmers	Yates
Green, Oreg.	Powell	Zelenko

The SPEAKER. On this rollcall, 328 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING FEDERAL TRADE COMMISSION ACT TO PROMOTE QUALITY AND PRICE STABILIZATION AND FOR OTHER PURPOSES

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 825, Rept. No. 2520) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 636) to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for

other purposes. After general debate, which shall be confined to the joint resolution, and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

LAND FOR QUINAIELT INDIANS OF WASHINGTON

Mr. HALEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 507) to set aside certain lands in Washington for Indians of the Quinaielt Tribe, with a Senate amendment to the House amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendment, as follows:

On page 2, strike out all of section 2 and insert a new section 2 as follows:

"SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission."

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. HANSEN] may extend her remarks at this point in the RECORD.

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

There was no objection.

Mrs. HANSEN. Mr. Speaker, S. 507, the bill currently before the House, is of great interest and personal concern to me, as it will restore to the Quinaielt Indian Tribe of my district, land at Cape Elizabeth, Wash., which was originally a part of the Quinaielt Reservation.

The land, consisting of approximately 85 acres, was set aside in 1914, to be used for the building of a lighthouse by the Department of Commerce. The lighthouse was never built, so in the first session of this Congress I introduced a bill, H.R. 4945, to set the land aside in trust for the Quinaielt Tribe, in the same manner as other real property is held in trust by the United States for the tribe. My bill and S. 507 are similar bills.

Differences exist between my bill and the Senate version on the question of what amount of money should be set off against a claim which the Quinaielt Tribe has pending before the Indian Claims Commission. However, the tribe has now agreed that the language insisted on by the Senate, which sets no limitation on the amount which may be offset against this claim, is acceptable to them. The tribe owns relatively little land at present, and is anxious to acquire the Cape Elizabeth lands, to aid it in its efforts to promote the welfare of the tribe and provide assistance to its members.

Inasmuch as the language of the Senate bill is acceptable to the Quinaielts, it is acceptable to me, and I urge the approval of S. 507, with amendment, at this time.

The SPEAKER. Without objection, the Senate amendment to the House amendment is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

ESTABLISHMENT OF INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11099) 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 Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 7, after line 4, insert:

"SEC. 4. (a) Section 704 of the Public Health Service Act is amended by striking out 'six' and inserting in lieu thereof 'nine'.

"(b) Section 705(a) of such Act is amended by striking out '1962' and inserting in lieu thereof '1965'."

Amend the title so as to read: "An Act to amend the Public Health Service Act to provide for the establishment of an Institute of Child Health and Human Development, to extend for three additional years the authorization for grants for the construction of facilities for research in the sciences related to health, and for other purposes."

Mr. ROBERTS of Alabama. Mr. Speaker, the creation of the Institute of Child Health and Human Development and of General Medical Sciences is a forward step in the field of public health. This has long been needed and will prove to be very beneficial in solving the problems in this field.

The Senate amendment is simply an extension of the program which has been in existence for health research for the past 6 years. This will assure the continuance of the program that has done much to help us find some answers in the field of the crippling and killing diseases such as cancer, heart disease, arthritis, mental illness and other diseases which plague mankind.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATION BILL, 1963

Mr. THOMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13290) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes; and pending that, Mr. Speaker, I ask unanimous consent that general debate be limited to 1½ hours, the time to be equally divided and controlled by the gentleman from Iowa [Mr. JENSEN] and myself.

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

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13290) with Mr. THOMPSON of Texas in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Under the consent agreement the gentleman from Texas [Mr. THOMAS] will be recognized for 45 minutes, and the gentleman from Iowa [Mr. JENSEN] for 45 minutes.

The gentleman from Texas is recognized.

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume and hope not to take too much time.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. THOMAS. I tell my colleagues, Mr. Chairman, that this will surely be the last supplemental bill for the year.

This bill contains about 36 items. When it left the Bureau of the Budget, it came to your committee with about 58 items. The budget estimate for these items, in round figures, was about $640 million. Your committee allowed about $393 million, a cut of about $244 million.

Those figures were slightly changed in the full committee yesterday. Our very able and genial chairman offered an amendment putting in some claims and judgments against the United States to the tune of about $10 million, made up of some 25 items. It was a very good amendment, and the committee accepted it 100 percent because those judgments bear interest and the quicker we get rid of them and pay them off the better off the taxpayers will be.

Your Deficiency Subcommittee is present. All of the members of that committee on both sides of the aisle are here, and we will try to answer any questions, either together or singly, that any Members want to ask. We want to give you every bit of information that you want, and certainly we will gladly give you all we have and do the best we can to help you.

Mr. Chairman, pending any questions, may I say that about 80 percent of the whole bill is made up of two big items, one from the armed services dealing with increases for rental allowance for quarters, per diem travel increases, and lump-sum readjustment pay, to the extent of about $157 million. We respectfully deferred that item for the reason those accounts under which this is paid have some $23 billion in the regular bill. We

did not know whether they needed the money or not. If they need it, it will have to be paid. But we suggested that they wait another 6 or 7 months, and then come back at that time.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Iowa.

Mr. GROSS. Is the $100 million for the United Nations bond issue or the $500 million for the accelerated public works program in this bill?

Mr. THOMAS. Neither of the two items are in this bill.

Mr. GROSS. Where will those items be taken care of?

Mr. THOMAS. It is my understanding those items have been sent to the other body for consideration. Unfortunately, we did not get them over here in time, according to my understanding, to be considered in this bill. Anyway, they are over on the other side.

Mr. GROSS. In what bill or bills will we expect to find those items?

Mr. THOMAS. It is my understanding, and this is hearsay with me, the public works item is in the Senate public works bill, and the $100 million item will be in the State, Justice appropriation bill.

Mr. GROSS. Is the gentleman saying to me, after all the fight that was carried on earlier in the session about originating appropriations in the Senate, that the other body is going to originate these two very substantial appropriations?

Mr. THOMAS. I am afraid a very square answer to the gentleman's question is "Yes."

Mr. GROSS. I am sorry to hear that, because I supported the fight that was made by the House, as best I could.

Mr. THOMAS. We appreciate the gentleman's help.

Mr. GROSS. I am sorry this battle apparently did not avail too much.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Wisconsin.

Mr. REUSS. I notice that the committee struck out a request of the Public Health Service for $2,761,000 to start site acquisition in the Washington area for a proposed environmental health center that would ultimately employ some 5,000 employees and cost around $70 million.

I want to commend the distinguished subcommittee chairman and the other members of the committee on both sides of the aisle for the judgment involved in that denial of an appropriation. It seems to me the decision is one in the best interest of the future of the Nation's Capital.

In the committee report, on page 3, there is simply set forth this language:

> While the House Committee on Appropriations is favorably inclined to the creation of a National Environmental Health Center, it is of the opinion that the Washington, D.C., site is an improper location.

Mr. Chairman, that leads me to the question which I desire to ask of the chairman of the subcommittee, the distinguished gentleman from Texas [Mr. THOMAS].

Just a week ago another committee of this body, the House Committee on Government Operations, in its report entitled "Criteria for Decentralizing Federal Activities From the Nation's Capital," suggested that a good rule of thumb would be that any Federal building or activity sought to be erected in the National Capital area be reviewed, and if it can as well, from the national standpoint, be constructed elsewhere in the 50 States of the Union, that is where it should be constructed.

The reason for the Committee on Government Operations' recommendation is to permit better planning for the National Capital, and at the same time to see that the Federal Establishment stays as close as possible to the people by being decentralized to the extent that this can be done without in any way impairing the effectiveness of the service.

My question is this, Is the criterion adopted by the House Committee on Government Operations the governing criterion which led to the decision of the Committee on Appropriations?

Mr. THOMAS. If my distinguished friend will yield, may I say to the gentleman that he always makes a good statement and always makes good sense. We are not trying to lay down any particular policy. We took a look at this and, sitting as a supplemental committee, we came up with this recommendation. My personal opinion is that I agree with my able and distinguished friend from Wisconsin 100 percent.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman from Texas yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. ROONEY. I should like to say for the RECORD that I thoroughly disagree with the distinguished gentleman from Wisconsin.

Mr. JENSEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as always, I am not happy about these so-called supplemental appropriation bills. We have a law on the statute books, and it has been on the statute books for many, many years, and that law provides for heavy penalties and even jail sentences for agency heads who spend more during any quarter of a year than the regular appropriation provides. So, someone dreamed up this word "supplemental" a number of years ago, which word, of course, is in lieu of the word "deficiency."

So there is no law on the statute books which provides any penalties on any agency head who asks the Congress of the United States to spend the taxpayers' dollars for any reason on earth that might be his fancy to request. We have what we call a Subcommittee on Supplementals. This supplemental bill is no different than the other supplementals that have come before this House—we still call them deficiencies—since that subcommittee was instituted a number of years ago.

I must say that if it were not for the great patriotism and ability and fairness of our chairman, the gentleman from Texas [Mr. THOMAS] without a doubt this bill would be even larger than it is today, as is true of almost every supplemental bill that comes before his committee and then finally gets to the floor of the House. I may say this, that he spares no time or effort in questioning these bureaus, agencies, and departments that ask for these great sums of money for supplementals, or deficiencies, so to speak. But you see, Mr. Chairman, the members of the Subcommittee on Deficiency Appropriations are not as well acquainted with the functions of these departments, agencies, and bureaus that ask for these great sums of money, as the members of the subcommittees on appropriations which consider these agencies, departments, and bureaus in the regular annual bills. But they sit there in committee and listen to these agency heads and their staffs—sometimes as many as 25 come in at one time—and try as best they can to determine whether or not their requests are justified.

In this bill you will find supplemental requests for 14 agencies, bureaus, and commissions of government. We struck from the budget request some $243 million out of the $600-million-plus that was asked. Of course, those agencies that get nothing, after they had asked for millions upon millions, are not a bit happy. We reduced a number of them to zero; we reduced some of them by 50 percent, some of them by 75 percent, and some of them by 10 or 15 percent.

I must say that if I had my way there would be no Subcommittee on Deficiencies. Whenever a department or agency or bureau asked for additional funds over and above what was in the regular annual appropriation, I would send that request to the respective regular subcommittee to deal with that item, and those items which they know a lot about. I am satisfied that the establishment of the Subcommittee on Deficiencies, from which this bill originated, has cost the American taxpayers many dollars that would have been saved had the subcommittees which deal with these different agencies and bureaus of Government had the say as to how these supplementals should be dealt with.

I am also a member of the Subcommittee on Appropriations for the Interior Department. There are a number of items in here for the Interior Department. We struck out a number of them completely that we felt were not justified. The report starting at the bottom of page 5 explains those items quite in full, running to the bottom of page 7. I shall not take the time of the committee to read the report because I would just say what the report says. Anyone who is interested enough to take the time to read the report can then see why we did as we did.

So, Mr. Chairman, I am happy that we do have members on the committee that are also members of other subcommittees which deal with many of the items in this bill. My very able colleague, the gentleman from North Carolina [Mr. JONAS] is a member of the Independent Offices Subcommittee. The gentleman from Ohio [Mr. BOW], who is a member

of the State, Justice, Commerce, and Judiciary Subcommittee of which the gentleman from New York [Mr. ROONEY] is chairman, is also a member of the minority on this Deficiency Subcommittee. They will speak on this bill as they feel best.

Mr. Chairman, I shall conclude my remarks by saying again that while I am not happy with this bill we did reduce the budget request by the amount of $243 million, which is not hay, as we say out in Iowa.

Yet, if I had my way it would have been reduced even more. But all legislation is a compromise and I have nothing but the highest praise for the gentleman from Texas [Mr. THOMAS], who handles a most difficult bill in a most able manner possible. I have nothing but the highest praise for all the other members of the subcommittee both on the minority and the majority. We sit day after day, week after week and month after month in these appropriation subcommittee hearings doing the best we can to hold the amounts down to as reasonable a figure as possible. I am quite proud of the fact that during the 20 years I have been a member of the Committee on Appropriations had the figures which the House Committee on Appropriations recommended prevailed, the Federal debt would have been in the neighborhood of $60 billion less than it is today, and your Federal income tax would be at least 15 percent less than it is today.

SPEAKER JOHN WILLIAM M'CORMACK—A TRIBUTE

Mr. THOMAS. Mr. Chairman, I yield to our genial friend, the gentleman from Rhode Island [Mr. FOGARTY], such time as he may consume.

Mr. FOGARTY. Mr. Chairman, there comes a moment in the life of the House of Representatives when combat and partisanship, and political and national and international issues, come to a solemn and a tranquil pause.

It is the end, if you will of a period of history in the life of the Nation. The work of the session, for weal or for woe, is finished or almost finished, and the wheels of legislation grind down to a halt.

Controversy and debate are gratefully suspended.

It is a moment when all of us, on this side of the aisle and on that, put away the weapons of our trade—not for always, because that would be fatal for the democratic process—but for a noble and edifying moment in the history of Federal legislation. After which the business of action in Government must begin again.

But this moment of passive and subdued suspension is a precious moment and I hold it to be sacred to us all.

It is a moment I like to think that is reserved for reflection and for self-evaluation.

Mr. Chairman, I like to think of it as a moment of truth in the purest sense.

It comes toward the end of every session of the Congress. It comes now as we approach the end of the 2d, and, of course, final session of the 87th Congress.

With the permission and I hope the earnest, perhaps even enthusiastic, acquiescense of the House I am going to seize upon this restful and thoughtful hiatus in the turbulent career of this 1962 session, to offer a tribute to as beloved and respected, admired and brilliant a personality as ever sat in this historic hall and graced the podium of the speakership.

Mr. Chairman, for once I represent no district, no section of no State. For once I speak for no bill and no piece of legislation. I have no amendments to offer, no arguments to make or to answer. Yet no pronouncement I have ever made calls so wholeheartedly upon my inmost feelings, as the pronouncements I feel I must make out of both duty and conscience. For to me, as perhaps to every Representative in this Chamber, the gentleman from Massachusetts, Speaker JOHN WILLIAM MCCORMACK, in this, his first tour of duty as the Speaker of the House, represents the fulfillment of a great American tradition.

Here, in this man, presides indeed, the ideal Speaker of the House.

This is why I renounce any parochial concept of the office of Representative to which I have been elected. This is why I want to feel that I speak for the whole House, for every district in the country, and for all the people of the land. It would do my heart good today, tomorrow, to the very last minute of this session if—other Representatives feeling as I do, would on their own, rise to make their obeisance of affection and respect to this remarkable citizen of Massachusetts who so fairly and impartially, with such consideration and understanding—and such consummate skill—wielded the gavel of his high office during this action-crowded and meaningful session.

We all know there are those in the outer margins of Federal legislation, in the press and the other news media, and some who are in the journalistic business of making what are called analyses, who will see the legislation of this session in a constricted light.

They see it not incorrectly, not even unkindly, but somewhat narrowly.

They see it like so many figures on a scoreboard, like a mathematical equation, like so many hits, runs and errors. There are those, fair in their way, who will look for the results in this session of Congress, like answers coming out of a computing machine. They will see it like so much legislation that was planned and pushed but failed to pass. They will see it like so much legislation that was, indeed, passed for the good of the country and is now on the statute books. And they will work out a sort of legislative balance sheet. It is the attitude of making profound legislative computations like ringing up so many dollars and cents on a cash register.

It is a process to which I have no real objection. It is the right of any citizen anywhere to arrive at his own estimate of what the Congress does or fails to do in the public interest or against it.

It happens to be my feeling that this 2d session of the 87th Congress achieved extraordinarily sound and desirable results within the orbit of its opportunity. It is even possible that, as I go on, I may mention a few of these results. But basically this is far from my purpose today. I would remind the country that this House is made up of a conglomerate group of highly individual, superbly independent, demonstrably competent Americans whose capacity for leadership has won them the places they hold here.

My purpose, rather, is to show that the leadership of this House in the person of the Speaker, in the character and capacity of the gentleman from Massachusetts, JOHN W. MCCORMACK, is in the hands of a man whose position in history was secure before this session began. Before he took up the gavel of the speakership he had already made his mark pronouncedly in the pages of the American story. Since he took the office to which we elected him he has in these months enormously strengthened it. Even those who, out of partisan blindness, or bad orientation, or out of what some call hard conservatism and others call bigotry, entertained fears of JOHN W. MCCORMACK'S management of the speakership, must now see him in his true and actual light. For there was not a syllable of his utterances, not so much as a single bang of his gavel during the months of his speakership and his leadership, that could in the remotest sense be construed as slanted, as unfair, or as unjustly weighted against one group of legislators in this House or another.

We are all aware of the dual role of the speakership since the days of the first incumbent—Frederick A. C. Muhlenberg, of Pennsylvania. He functions here in the role of the leader of his party and, yet, as the umpire, the referee between the parties and among the Representatives. He is what Lord James Bryce, before the turn of the century, said:

> He is usually the most eminent member of the party who has a seat in the House.

The dignity of the Speaker's office, said Lord Bryce, "stands next after the President and on a level with the Justices of the Supreme Court."

The Congress in 1947 confirmed the true rank of the speakership when it passed an act that President Truman signed. This made the Speaker the third in line and second in succession to the Presidency of the United States. To an office of such importance and magnitude, and to responsibilities so diverse and massive, one cannot apply some slide rule or arbitrary chart, some limited little measuring stick, saying this and this statute were passed and that and the other statute were held over. One cannot say so much of the program became law and so much fell by the wayside, and make that seem more than just one phase of the accomplishment.

It is my conviction that even here, in the legislative scoresheet, the results of this Congress, are rich in achievement and rank high in the constructive legislative history of our country. And on the level of this success the gentleman

from Massachusetts, JOHN W. MCCORMACK, played a key and decisive role. It may be, and some no doubt will point it out, that under the dramatic pressure of crisis values—such as the famous hundred days in the era of Franklin Delano Roosevelt—more was accomplished in a given time. But that is hardly a fair estimate of the picture. For, indeed, if we study the significance of the legislation this House passed, its sweep and meaning, we shall find that substantively the 2d session of the 87th Congress, ranks high on any just comparison with the 87 Congresses that have gone before. It is, for the most part, with some disappointments that may freely be acknowledged, a do-the-right-thing Congress. And in his capacity as the first man of his party in this House, as Speaker, and as 1 of 437 Representatives, the gentleman from Massachusetts, JOHN W. MCCORMACK, lived up magnificently to the highest standards of American leadership in a post that is 1 of perhaps the 5 or 10 most important in the world.

The Speaker was, without a question of a doubt, the strong right arm of President John F. Kennedy in these Halls. He fought for the President's program, with many pronounced victories, every inch of the way demonstrating a skill and ingenuity that are the hallmarks of his leadership. But he did much more. And it is for this, mostly, that I rise to pay him tribute. He added to and enlarged the dignity of the speakership bequeathed to him in all its integrity and forcefulness by his great predecessor the late Sam Rayburn. The gentleman from Massachusetts, JOHN W. MCCORMACK, grew in the post to which we were all so proud to name him and added a new and remarkable dimension to his reputation for prudence, sound judgment, and meticulous and judicial rectitude. Even in his notable temperament as a fair and vigorous fighter for what he thinks is right he seemed to modify his nature to an even greater level of amiability and concession. When I say he grew in his role as a leader and an arbiter in the House, I mean that he exercised a remarkable gift for self-understanding. And where he felt it had to be done he adjusted his point of view, he modified and restrained, he reshaped his very nature, in order to model himself to the sometimes judicial aloofness that the speakership calls for when decisions have to be made.

This I say he did from my personal observation of the man and this I insist represents the highest order of human excellence. When in the years to come historians and biographers look for greatness in the men who presided over this House let them take note of this quality in the gentleman from Massachusetts, Speaker MCCORMACK, and let them accord him the recognition, the applause, the encomiums he has so patently earned.

For what happened in this House during these months of the second session under the leadership, often the direction, and frequently the persuasion and guidance of the gentleman from Massachusetts, JOHN W. MCCORMACK, wins applause from us, his colleagues in this House, because many of us know how he went about his job.

We know how he fought.

We know how he conferred.

We know how he conciliated and compromised.

We know of his loyalty to the administration as a force behind a program, and of his loyalty as Speaker to President Kennedy personally, and as President of the United States.

No Speaker could have done more.

No Speaker could have done better.

And looking back over the pages of history from the beginning, back through the record, if you like, of the Founding Fathers, down through our own times, it is doubtful if—excepting a mere handful—there were many who could have done as well.

The gentleman from Massachusetts, JOHN W. MCCORMACK, made the institution of the speakership work harmoniously and smoothly with the institution of the Presidency. It stands out, a wonderful, indeed, a spectacular performance.

This 2d session of the 87th Congress represents achievement, politics being, as we are told, the art of the possible. And surely at every moment, in every crisis, at every strategic juncture, the gentleman from Massachusetts, JOHN W. MCCORMACK, Speaker of the House, was out front with the torch of legislative enlightenment. We Democrats and Republicans are many of us veteran enough to remember a famous but worn phrase which in this instance can be refreshingly summoned into use: "Let's look at the record."

Indeed, let us look at the record.

For this is a record not to sneer at, but to applaud. It is a record of success—I repeat, success—and no small part of that success is due to the cool appraisal, the healthy influence, the simple eloquence of the Speaker. It is a record that was accomplished in spite of the fact that much of it lacked the impetus that comes from extreme urgency and the drama of intense crisis, like the situation of the hundred days. But it was done and it stands on the statute books of our country as a record of legislation powerfully and meaningfully in the public interest and the defense of the United States and the free world.

Let us just sum up the legislation that bears the signature of the President and is now law—the accomplished fact:

There is, for instance, Public Law 87–415 making available $435 million over a 3-year period for the retraining of American manpower so that unemployed workers may become qualified to fill skilled jobs.

Is that in the public interest?

What can more directly affect advantageously some of the neediest elements in our population so that they can contribute to the American economy instead of draining it, and so that their productive strength can be added to what the economists call the gross national product? Here is a human value brought to fruition by enlightened legislation.

We have a law which this session of the Congress passed and the President signed, strengthening the enforcement provisions of the Union Welfare and Pension Plan Disclosure Act, and which we know as Public Law 420. Let me say only that it affords much better protection to the pensions of millions of American workers.

There are in the United States as I speak something over 54 million homes that have television sets. What comes out of these sets has been characterized a great wasteland. We here are not concerned with endorsing or condemning that presumably authoritative judgment. But we are concerned with improving TV so that those who wish it may have a wider range of choice. And this precisely is what this second session of the 87th Congress has provided for and President Kennedy has signed this measure into law.

Under this law the Federal Communications Commission is authorized to require television manufacturers to equip all new sets to receive ultrahigh frequency channels. Officially this is known as Public Law 87–529. It is a law that constitutes a vital change for the good of TV, its manufacturers and its broadcasters, for it helps to remove from the back of the industry a monkey of criticism heretofore formidably launched against it. It has enormous educational and cultural value for tens of millions of American viewers.

Of course I can go on like this, showing what the Congress in this session has done and what it has not done.

There is Public Law 87–503. This extends the normal corporation tax rate and certain excise tax rates. It provides also for the end of the tax on surface transportation. And it halves the tax on air transportation. As we know, air transportation is hardly the luxury it was once regarded and this provision will be a great help to a vital industry that badly needs Federal support along concrete lines. By the same token it means much to the traveling public and to executives and businessmen who are such constant users of transportation by flight. The end altogether of the tax on surface transportation is a desperately needed boon and was too long in coming. This Congress did the job that had to be done.

This is the Congress that expanded and liberalized Federal participation in State public assistance and child welfare under Public Law 87–563. Surely it is not necessary to detail the virtues of this measure because it goes to the heart of Judaeo-Christian ethics. Does anyone question whether a public responsibility as basic as this is in the public interest?

The same thing may be said in connection with the authorization by this Congress of up to $4,672 million for military and economic foreign aid. This Public Law 87–565 is a massive boulder in our wall of defense against the encroachments of an evil force that threatens to dominate the earth and to bury us. From the standpoint of my own convictions it is a small price to pay for the most precious values of a free society. This Congress by overwhelming majorities also gave the President

standby authority for 1 year to call up 150,000 Reserves. And we all know that the struggle against communism is a prime motivating principle in the philosophy, the religion and the very life of the gentleman from Massachusetts, Speaker McCormack, and was indigenous to his career long before foreign aid became a fundamental tenet of American defense.

On the frontiers of outer space we have created in this Congress Public Law 87-624—the Communications Satellite Act of 1962. This provides for a privately owned corporation—under Government supervision—to launch and operate a worldwide system of communication relay satellites. The merits and demerits of the measure have been amply discussed, to say the least, especially in the other body. In effect the inherent idea means a tremendous organization with world-girdling facilities, for the dissemination of informaton to the whole of mankind. It is an instrument for incalculably strengthening the thinking of the free world.

And then there is the long overdue constitutional amendment outlawing the poll tax in Federal elections which, of course, is not yet public law, and which does not call for the President's signature. This is the amendment which must yet win the endorsement of three-fourths of the States before it can achieve ratification. But it was this Congress that took this basic and indispensable step toward a result so vital to the democratic process. This is the Congress that put the enactment machinery in motion so that the elimination of the poll tax in Federal elections is now a matter of final decision by the States, as called for by the Constitution.

This brings me to Public law 87-658 authorizing the President to allocate $900 million for job-creating public works projects in depressed areas, or sections of the country suffering from heavy unemployment. Here is another crucial piece of enlightened legislation that is profoundly in the public interest where the public interest is particularly vulnerable.

For a number of decades, since the early thirties, government on the Federal level has accepted this compelling responsibility on behalf of our people. It happens, I may add, to be a part of the philosophy of Government that has always had the wholehearted support of the gentleman from Massachusetts, Speaker McCormack. I doubt whether this Congress has ever had a harder fighting legislator dedicated to the task of eradicating poverty in this country than the gentleman from Massachusetts, John W. McCormack. This precisely is the task this measure, passed by this Congress, set for itself in the general program for ending joblessness.

Along with other measures too numerous and diverse to detail here this Congress passed the bill authorizing the President to lend up to $100 million to the United Nations—S. 2768. This, as we know, is a commitment, a responsibility, like honoring one's check. It is a commitment which up to now the Soviet Union, so far as its obligation is concerned, has dishonored. But our country and the Soviet Union operate—thank God—under different concepts of national integrity and of right and wrong.

There were other measures going through the legislative process as I was preparing this address. One, as you all know, authorizes the President to reduce tariffs in general up to 50 percent, to abolish tariffs on certain goods altogether, and to provide Government aid to U.S. industries and workers who may be disadvantaged by increased imports. It had passed both Houses, as I was assembling material for this comment on the Speaker, and was under discussion by the Senate-House committee for the adjustment of differences. It is a measure of the greatest possible significance to American industry and our economy and the strengthening of the free world.

Both Houses, also, had passed an extension of existing farm legislation for 1 year, and the House, as I wrote, had adopted the conference report, and was awaiting Senate action. This is a complex and a vexing problem which has had the deepest and the most thorough study of committees and experts. And the end is not yet.

There is other legislation on taxation which passed both Houses and which is vital to our economy and our budget. I have in mind H.R. 10650. This amends the Internal Revenue Code of 1954. It authorizes deductions from business taxes for investment in machinery. Our House bill also provides for withholding on dividend and interest payments. The measure is now in Senate-House conference. Here again we have a measure that is strategic and vital and that is wholly in the public interest and the interests of the U.S. Treasury and fair taxation.

The Congress also passed a bill—not yet law—providing for increases in first-, second-, and third-class mail rates. It limits the distribution of Communist propaganda through the mails—H.R. 7927.

There may have been disappointments in this Congress with regard to some legislation that many of us believe the country needs, but I would hardly call them failures. The worst that can be said is that there is a pause, a delay, a procrastination in the passage of legislation by this House and by the other body, legislation that ought now to be law. But in my judgment all that has happened is a prolongation of perhaps desirable debate. Aid to education and medicare call for further enlightenment of the American electorate. And it may very well be that in the end the country will have legislation that it needs and wants and that will be more carefully considered and the better drafted because of the delays and the obstructions, however undesirable they now seem.

Neither I nor, I know, the gentleman from Massachusetts, Speaker McCormack, think these delays and procrastinations and obstructions wise or helpful, nor would many of us in this House urge their continuance. But in the interests of the legislative process, indeed, in the interests of the democratic process, it is better to make sure that the legislation we all seek has the fullest accord of the country than to have steamroller tactics employed by the Speaker or by any of the committees of this House.

Here finally I come to another virtue of the Speaker of the House of Representatives in whose honor I make this brief address.

THE RECORD

Mr. Chairman, this and much that I failed to mention, is a substantive and a remarkable record of legislation. It reflects, I maintain, the high mind of the current leadership of this House not only in the Speakership but on both sides of the aisle. It is particularly significant of the noble aims and purposes, the distinguished management and the decency, of our Speaker, the gentleman from Massachusetts, John W. McCormack.

There is the legislation on defense and our enormous military budget and there is the support of the President by both bodies on the matter of Cuba.

We are a cohesive Government.

We are a loyal and a mature legislative body.

We are not given, I insist, to exploiting issues that touch our defense and our foreign affairs problems for mean and selfish political ends, even if here and there there may be occasional individual deviations from this principle.

In paying this tribute to the Speaker for adding a new dimension to his own personality since he assumed the speakership, I cannot forbear to pay a companion tribute to those nearest to him in the direction of party policy and initiative. If the stature of the gentleman from Massachusetts, John W. McCormack, has grown in this body and his posture, before the country, much likewise may be said of the gentleman from Oklahoma, Representative Carl Albert, the majority leader; and the majority whip, the gentleman from Louisiana, Hale Boggs.

This is a great triumvirate.

Their work has had and is going to have great significance for the history of this body and the eminence of the United States as the lead-nation of the free world.

Mr. Chairman, I look forward, as does this House, to your continued service in the eminent position with us that you now hold. We all trust and pray that many years are ahead for your leadership so that our country and the free world may be the beneficiary of your wisdom, your counsel and your extraordinary experience. Yet I am glad to testify as one of the Members of this House, reverently and wholeheartedly, that for your accomplishments up to this hour, for your dignity and your fairness in the administration of your leadership, and for the character of your performance since your first coming to this body with the 70th Congress, some 35 years ago, you are already counted among the immortals in the galaxy of American statesmen.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert].

Mr. ALBERT. Mr. Chairman, first of all may I thank the distinguished gentleman from Rhode Island [Mr. FOGARTY] for his kind words with reference to the leadership of the House of Representatives this year. But I am particularly happy that the gentleman has taken this time to pay tribute to our great and beloved Speaker. I am happy to join the gentleman in this tribute.

The gentleman from Massachusetts, JOHN MCCORMACK, is one of the great American statesmen of his generation, one of the great legislators of all time. His outstanding record made during his first session as the presiding officer of this House makes the words of eulogy with which the gentleman from Rhode Island has spoken most appropriate and timely.

JOHN MCCORMACK's success as Speaker was foretold in his distinguished record of 34 years of service in this House. His success in this House was likewise foretold by the manner in which he met his problems from the earliest years of his life. Fatherless at the age of 13, JOHN MCCORMACK became the chief support of his widowed mother and his sister and three brothers. He left school and worked by day; at night he studied law, and at the age of 21 was admitted to the bar of Massachusetts. The keen, analytical turn of mind which has characterized his service in this House was clearly in evidence during his early career as a trial lawyer in Boston. The perception and astuteness which have carried him to his present high office were already in the making when he won election to the Massachusetts Legislature.

In 1928, the gentleman from Massachusetts, JOHN MCCORMACK, came to the House of Representatives, the victor in a nine-man race. He was immediately marked as a "comer" and in his second term was named to the Committee on Ways and Means where he helped to shape many vital programs of the Roosevelt era which lifted from the Nation the grey curtain of depression.

In depression and in war, in peace, and in cold war, the gentleman from Massachusetts, JOHN MCCORMACK, for more than three decades has shared in the responsibility for the legislative decisions which have set the course of this Nation in both domestic and international affairs.

Named the first chairman of the Select Committee on Un-American Activities, the gentleman from Massachusetts, JOHN MCCORMACK, turned the spotlight of identification on the Communist menance. The Smith Act which came out of his committee to require the registration of all aliens has grown in significance over the years in direct proportion to the buildup of the Communist conspiracy.

A devout Christian gentleman who wears a Knight of Malta ribbon, the gentleman from Massachusetts, JOHN MCCORMACK, has repeatedly called the attention of the House and the country to the dangers of atheistic international communism. He has fought communism through the most militant support of a strong Military Establishment, through support of all programs designed to give this country overall leverage against the forces which seek her downfall.

When the gentleman from Massachusetts, JOHN MCCORMACK, was elected majority leader in 1940, the world horizons were clouded by war and the threat of war. Through trying years of stress, he fought side by side with the great Speaker Rayburn to cope with the problems of armaments and defense involved in this mammoth conflict.

With the coming of peace, the gentleman from Massachusetts, JOHN MCCORMACK, shifted gears and plunged on tirelessly to work for postwar economic restorations—the Greek-Turkey relief program, the Marshall plan, the North Atlantic Pact.

Not by chance or by accident has the gentleman from Masachusetts, JOHN MCCORMACK, attained the highest position in this House today. A devoted son of Massachusetts, he worked unceasingly for his district, yet never lost sight of the need to meet broad national problems as well. A Democrat of unquestioned fidelity, he has had an ear for the problems of all Members, regardless of political alinement or seniority, and he has earned the accumulated good will of years of consideration shown to his colleagues on both sides of the aisle.

It would be impossible to recount here the many events in the life of the gentleman from Massachusetts, Speaker MCCORMACK, which have won him a place of distinction in the annals of this House, on the roster of his party, and on the list of the great and good men of history. The qualities which he brings to his job are greatness of mind, of heart, and of spirit. The achievements of his career have demonstrated a stature of of intellect, a breadth of vision, a wide-ranging compassion and a fighting spirit, which inevitably have led to the recognition accorded him by this House upon his election as Speaker.

The gentleman from Massachusetts, JOHN MCCORMACK, has presided over the House with dignity and decorum in keeping with great traditions of this institution. In the short course of a single session, he has joined the ranks of the most outstanding men to have served in the position to which he has acceded.

I have had the rare privilege of working closely with the Speaker on most of the problems which have come to his office during this session, and there have been many problems. He has brought to their solution the rare judgment, the fairness of attitude, and the deep understanding which time and experience and rare mature ability have honed to sharpest perfection. He has at all times been equal to the task and on top of the job.

The gentleman from Massachusetts, JOHN MCCORMACK, has served this House and the Nation effectively and well during his first session as Speaker. May the Almighty God bless him with good health, and bless this House and this country with the continued benefit of his guidance and leadership for many years to come.

Mr. LIBONATI. Mr. Chairman, it is with a deep sense of appreciation that we of the Illinois delegation join with our colleagues in extolling the contributions that our distinguished Speaker, the gentleman from Massachusetts, JOHN WILLIAM MCCORMACK, has given to the people of this Nation through his years of service as a Member, leader and Speaker of this august body.

The Democratic Members of the Congress representing the State of Illinois under their beloved dean, THOMAS J. O'BRIEN, have known of his virtues and abilities in statesmanship over the years—and this was reflected in the fact that the Illinois delegation was the first State delegation to unanimously endorse his candidacy for the speakership.

It is unfortunate that Mr. O'BRIEN is ill at this time and, therefore, unable to personally voice his personal sentiments as to the Christian character and brilliant oratorical forensics of his distinguished friend. But we can say that time and again when we of the Illinois delegation discussed the question of leadership in the House of Representatives, Mr. O'BRIEN said, "He is for us."—thus recognizing the gentleman from Massachusetts, Speaker MCCORMACK's great loyalty to his friends.

Speaker MCCORMACK is a humble and considerate man. He has a high sense of humility indicative of his early training and youth under humble circumstances. He has never refused to hear the troubles, problems or complaints of others regardless of the individual's standing whether important or not. He gives a straightforward answer without equivocation. His judgment is sound and based on the truth of the evidence. He is considerate of the feeling of others and commiserates with the unfortunate and underdog. He is a champion of people's rights and public causes. He never even in anger castigates a fellow human being. He is honest in his criticism and is not too proud to admit a mistake. He venerates the traditions established by the great men before him and never hesitates to give praise and compliments to a deserving person. His hand is always ready to help another. He is every deserving man's friend and helper. He stands firm for the things he believes and will guard his position against all odds. His courage is unmatched in opposition because of his high sense of sincerity of purpose. He is a real American citizen and patriot who does not unfurl the flag to pose among its folds in self-aggrandizement. The younger Members hold his genuine friendship in esteem as their adviser and tutor.

The gentleman from Massachusetts, Speaker JOHN MCCORMACK, as a lawyer, leader and legislator has developed through the tough and hurly-burly tumbling experiences of Boston's city streets. He struggled under tight financial circumstances to gain a foothold career in life. It is the story of struggles and deprivation of the ordinary necessities in life. We respect him in his greatness as a statesman. We admire him in his attainments and we love him for his high sense of humility and his inspiring religious image. Above all, we serve with a Speaker whose rare qualities of leadership reflect the great traditions of the Speaker before him, the immortal

Sam Rayburn, who ruled the House demanding decorum and strict adherence to the rules. The gentleman from Massachusetts, JOHN MCCORMACK, is his disciple. May God bless him and his lovely wife, Harriet, and keep them with us.

Mr. SLACK. Mr. Chairman, I join my colleagues in paying tribute to a truly great and good man, our beloved Speaker, the gentleman from Massachusetts, JOHN W. MCCORMACK.

He has lived up to the high standard of American leadership with the wonderful gift of deep understanding and fairness which he daily displays to the House membership. No Speaker could do more.

The achievements of his career and his statesmanship qualities gives him his rightful place in the ranks of the most outstanding men who have served as Speaker of this great body.

Mr. BURKE of Massachusetts. Mr. Chairman, I wish to associate myself with the distinguished gentleman from Rhode Island [Mr. FOGARTY] by joining with him in praising our great Speaker of the House, the gentleman from Massachusetts, JOHN W. MCCORMACK, for establishing one of the finest records ever compiled by a Speaker of the House in the history of our country. Speaker MCCORMACK assumed his duties at a time in our Nation's history when leadership was very vital. Trained in the halls of the Massachusetts Legislature where he served as a Member of the House of Representatives and later as a member of the Massachusetts Senate, the gentleman from Massachusetts, Speaker MCCORMACK, came to Washington with a solid legislative background. His years of service as a Congressman further developed the great talents in the man. As a member of the powerful House Ways and Means Committee, as majority leader and serving as the strong right arm of our late beloved Speaker Sam Rayburn the Honorable JOHN W. MCCORMACK earned the respect and admiration of Members of both sides of the aisle.

As Speaker of our National House he has presided with dignity and honor. He has served our Jresident, John F. Kennedy, with loyalty and fidelity. Speaker MCCORMACK has compiled a very impressive record. I need not cite the many progressive pieces of legislation that has been passed by the Congress because of his excellent leadership.

The Honorable JOHN W. MCCORMACK has already made his mark. His name will be recorded in our history books as a great American. The people of Massachusetts, his home State are proud of him. The people of his native city Boston love him and admire him. It is a great privilege to serve as a Member of Congress with a presiding officer of the caliber of the gentleman from Massachusetts, JOHN W. MCCORMACK. May the years be kind to him and Mrs. McCormack. God bless them both.

Mr. O'HARA of Illinois. Mr. Chairman, the speakership came to the gentleman from Massachusetts, JOHN MCCORMACK, late in his years and after a long and distinguished service in the House in peace and war. It came to him at a time when his heart and the hearts of his colleagues were heavy with the grief at the passing of the beloved Speaker Sam Rayburn. It bespoke the sentiment of the House, and the hold of the gentleman from Massachusetts, JOHN MCCORMACK, on the esteem and affection of his colleagues, that no other name was on anyone's mind when attention to duty, called upon us, in the midst of our grief, to give consideration to the selection of the successor in the speakership to one who for so long had been the strength upon which we leaned.

The gentleman from Massachusetts, JOHN MCCORMACK's hold on the esteem and affection of his colleagues on both sides of the aisle remains unshaken and unchanged as the first session of his speakership draws to a close. He himself has remained unchanged. Humility is the true unfailing index of greatness. In truly great men the sense of humility is more and more manifest as the succeeding steps in worldly success and acclaim are reached. As Speaker of the House of Representatives, as second in succession to the Presidency of the United States, the gentleman from Massachusetts, JOHN MCCORMACK, has shown the enriching quality of humility in a measure possible only with those who live in the spirit of self-abnegation and of service to their fellow men. He remains untouched and his greatness untainted by the vanities and pretenses of high and exalted station. He is as kindly, as approachable, to the lowly in position as to the highest.

In his first session he has performed the dual duties of his office in a manner that places him high in the company of the great Speakers of the past. He has presided over the House with parliamentary ability, tact and fairness, and with efficiency in the dispatch of business. He has met the challenge of party responsibility with a record of accomplishment that has seldom been equaled. The record of the House in the 2d session of the 87th Congress, when the going was not always easy, tells the story.

Mr. Chairman, as a Democrat, standing on the New Frontier, with faith in the future and that, under President Kennedy, our country will go to greater heights than ever we have known, I am proud of our Democratic leadership in the House. Speaker MCCORMACK, Majority Leader ALBERT, and Whip BOGGS, have measured up to every expectation. I join with my colleagues in a salute of congratulations, appreciation and affection.

Mr. EDMONDSON. Mr. Chairman, I ask unanimous consent that the gentleman from Maryland [Mr. JOHNSON] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. JOHNSON of Maryland. Mr. Chairman, I rise today to express my sincere gratitude to a man who not only has personally inspired me, but has guided the House of Representatives through a trying period of history. Since coming to Congress, I have found the gentleman from Massachusetts, JOHN MCCORMACK, to be a real friend. I shall always be grateful for his many courtesies and assistance.

The great State of Massachusetts—the Bay State—gave to our Nation another distinguished son to take over the House leadership. A study of history will reveal Speaker MCCORMACK's State has produced more Speakers than any other. The gentleman from Massachusetts, JOHN MCCORMACK, is the seventh Bay Stater so honored.

The gentleman from Massachusetts, JOHN MCCORMACK, was elected to the Speaker's chair after 21 years of outstanding service as the House majority leader and a 33-year progressive record as a legislator. This is, indeed, an impressive record of devotion to his country.

I know of no one more qualified than the gentleman from Massachusetts, the Honorable JOHN MCCORMACK, to hold the high position of Speaker. His character, legislative experience, intellect, his proven ability as a strong leader has admirably fitted him for the arduous task as Speaker of the House of Representatives.

It is a fact well known to all of us that beyond and above experience and knowledge, the office of Speaker requires character. In a man character is measured, for the most part, by devotion to principle, industry in his work, integrity of action, compassion for his fellow man, and tolerance of the belief and causes of others who may differ with him.

With his devout faith in God and his sympathetic understanding of his fellow men, the gentleman from Massachusetts, JOHN MCCORMACK, possesses the spiritual qualities so necessary to the high position his office commands in our Nation. With his background of knowledge and experience, the gentleman from Massachusetts, JOHN MCCORMACK, has ably led the 2d session of the 87th Congress in national legislative responsibility through the gravest and most challenging period of our history.

I am sure all of us join in prayer that with God's help, the Almighty will grant continued strength and health to the man we all love, the gentleman from Massachusetts, the Honorable JOHN W. MCCORMACK.

Mr. BOLAND. Mr. Chairman, I want to associate myself with the remarks that the gentleman from Rhode Island [Mr. FOGARTY] has just delivered.

Seldom have I heard a finer tribute, more beautifully phrased, so neatly accurate and as well delivered as the tribute the distinguished Member from Rhode Island paid to the great and beloved Speaker of this House, the gentleman from Massachusetts, the Honorable JOHN W. MCCORMACK. And may I add, Mr. Chairman, no one is more deserving of this praise than the gentleman from Massachusetts, Speaker MCCORMACK.

Mr. Chairman, there is no doubt that Speaker MCCORMACK ascended to his great position at a most difficult time and under trying circumstances.

To follow Sam Rayburn to the exalted Speaker's chair was alone an almost unsurmountable task. The fine talents of

Speaker Rayburn, his strength of purpose, his spirit of dedication, his extraordinary sense of perception—the love, affection and regard in which he was held by the Members of this great body, all of these and more combined to compound the problems of his successor.

But, Mr. Chairman, the gentleman from Massachusetts, Speaker McCORMACK, was bound to accept and to meet with marked success, the great challenge that blanketed him. His whole character, his magnanimous devotion to his family, his friends, his church, his Nation, State and district—all tended to proclaim that a worthy successor had moved up to the highest position within the gift of the legislative branch of the Government of the United States.

Mr. Chairman, I need not run the litany of his accomplishments in the Halls of this body. They have been detailed many times before. Suffice it to say that they have been many and they have been great and good.

But I am delighted to have the opportunity, in the twilight and closing days of this 87th Congress, to add my voice in praise of the tremendous leadership that the gentleman from Massachusetts, Speaker McCORMACK, has exerted since the mantle of the speakership fell upon his shoulders and particularly during this long, arduous second session. When this 87th Congress passes and an account is taken of its accomplishments, it will be written that it, indeed, has been an extraordinarily good Congress that has etched a record that its Members can be proud of.

The leadership of this House is to be congratulated on the record that has been writ. And, of course, the man most responsible will be the distinguished Speaker McCORMACK. May I add that the spirit of cooperation between the Executive and the legislative branch has never been better. This comes as no surprise to those of us who know of the great respect and admiration that the Speaker holds for the Presidency. During his time as majority leader, and as Speaker, he has been the good right arm of President Kennedy in the administration's efforts to put through programs that reflected the philosophy of the Democratic Party and the Chief Executive.

Larry O'Brien, Special Assistant to the President for Congressional Affairs, has time and again indicated his gratitude and praise for the spirit of cooperation that reigns between the Executive and legislative. President Kennedy himself has acknowledged his appreciation of the Democratic leadership in the House.

And so, Mr. Chairman, we are coming to the close of this Congress—a Congress that emphatically proclaims and magnificently attests to the great leadership of this great body, the gentleman from Massachusetts, the Honorable JOHN W. McCORMACK.

Mr. ZABLOCKI. Mr. Chairman, I wish to commend the distinguished gentleman from Rhode Island, Mr. JOHN FOGARTY, for calling to the attention of the House the many accomplishments of our beloved Speaker, the gentleman from Massachusetts, Hon. JOHN W. McCORMACK. I want to associate myself with the gentleman's remarks.

It is indeed a great pleasure to join in paying tribute to our esteemed Speaker. During the gentleman from Massachusetts' [Mr. McCORMACK] colorful career of 34 years in Congress, he has served God, country, and his fellow man with distinction. As one of the most influential Members of the Congress, our Speaker played a vital part in the enactment of legislation affecting the domestic and international fields.

Upon his election as Speaker, some doubted the gentleman from Massachusetts [Mr. McCORMACK] would be able to fill the shoes of the great Sam Rayburn. Our Speaker proved these skeptics to be wrong. The gentleman from Massachusetts [Mr. McCORMACK] continued his distinguished and brilliant record as majority leader to his role as Speaker. He is a great leader, a great parliamentarian, a fair, just, courageous, and considerate presiding officer of the House of Representatives.

Mr. Speaker, it has been a great privilege and honor to serve with you. Your dedication to the welfare and interest of our Nation is an inspiration to all of us. You are a great leader and a great American. May the good Lord grant you and your beloved wife His choicest blessings and many more years of service as our Speaker.

Mr. MONAGAN. Mr. Chairman, I am happy to join my colleagues in paying tribute to our great Speaker, my friend, the gentleman from Massachusetts, JOHN W. McCORMACK.

The gentleman from Massachusetts, Speaker McCORMACK, came to his present position after the service of one of our most famous Speakers in the history of the House of Representatives and there were some who feared that he might not live up to the record of Sam Rayburn.

I was not of that number and I am proud to say that my expectations have been fulfilled. The gentleman from Massachusetts, Speaker McCORMACK, has filled the chair of the House of Representatives with courtly grace which has won the approval and commendation of all Members on both sides of the aisle. His fairness, understanding, and his helpfulness have been notable.

Most important of all, however, he has contributed in substantial measure to moving forward, on behalf of the President and the Congress, legislation which has been dedicated to the welfare of the people of the United States. In doing this, he has risen above partisanship and above the petty temporary quarrels of political strife.

He will continue to lend luster to the third ranking office in the United States and he will, I am sure, be recorded in history as one of our great Speakers.

Mrs. KELLY. Mr. Chairman, to have served under your leadership during this session of the House of Representatives, the greatest legislative body in the world, has been a distinct honor and privilege. I am proud to call you my friend and thank you for all of the courtesies you have extended to me.

Your quiet, kind, and honest ways, giving each Member of this body a fair deal, are shining examples of the highest traditions of the House of Representatives. Your dedication to the President, as chief custodian of his legislative program, warrants the highest praise.

This has been a session of substantial accomplishment. Your hard work and your skillful management of the business of this House have been major factors in the progress we have made.

While you have served your Nation in the House of Representatives for 34 years, I still consider you to be a pioneer. You welcome new ideas, new challenges and enjoy working to implement them. There are no better qualifications for the high office which you hold.

I look forward to future sessions of Congress with the hope that I may, for many years, have the privilege of serving under your leadership.

Mr. COLMER. Mr. Chairman, I wish to be associated with the gentleman from Rhode Island [Mr. FOGARTY], the majority leader, the gentleman from Oklahoma [Mr. ALBERT], and all of those who have preceded me in paying their respect to and confidence in our popular and able Speaker, the gentleman from Massachusetts, the Honorable JOHN W. McCORMACK.

It has been my pleasure and privilege to serve in this body with the able gentleman whom we honor on this occasion for nearly 30 years. While I do not always find it possible to follow his leadership, I cherish the sincere personal relations and friendship which has existed for those three decades.

I can sincerely state that I have always found him to be a gentleman in every respect. Moreover, I can attest to the fact that in the discharge of his official duties as majority leader and Speaker that he is always honest and fair.

The gentleman from Massachusetts, JOHN McCORMACK, is possessed of many virtues. He is not only a dedicated member of the Democratic Party, but he is a devoted churchman and friend. Mr. Chairman, I salute our Speaker, the gentleman from Massachusetts, JOHN McCORMACK, on this occasion and wish for him a long and healthy life as he proceeds down the pathway of life with his charming, talented and devoted wife.

Mr. O'NEILL. Mr. Chairman, the Speaker of the U.S. House of Representatives holds a unique position.

He leads one of the few remaining parliamentary forums in the world today for expression of the will of a free people through their democratically elected Representatives. As such he is an important spokesman of the free world.

The speakership involves heavy duties and responsibilities. It also carries honor, prestige, and power ranked by historians and commentators as second only to that of the Presidency itself. And the Speaker is second in line of succession in event of disability of the President.

The Speaker and the President pro tempore of the Senate are the only officers of the National Government who,

in effect, are twice elected, once by their home constituency and then again by their colleagues. As expressed on a bronze plaque in a lobby of the Capitol:

Speakers of the House of Representatives of the United States, chosen by the people, honored by the preferment of their associates, these makers of history are memorialized as a tribute to their worth to the Nation.

In the 173-year history of our country under the Constitution of 1789 only 44 men were elected Speaker prior to this year.

The 45th man—our Speaker today—is JOHN WILLIAM MCCORMACK, of Massachusetts, elected to the post January 10, 1962, at the start of the 2d session of the 87th Congress, succeeding the late Sam Rayburn of Texas.

Mr. MCCORMACK, the seventh citizen of his home State to attain this honor, came to the speakership peculiarly well qualified by long experience to fulfill its varied and exacting demands of leadership.

For the Speaker is much more than merely the presiding officer of the House. His duties are manifold in character:

First. In the chair he is, as the House elected him to be, their servant, bound by the traditional code of rules to wield the gavel with impartiality and fairness to all, and to so conduct proceedings that the House performs its functions in orderly and expeditious fashion.

Second. Off the floor, as leader of his party, he works to enhance its prestige and to maintain its preeminence in power. This he does mainly by promoting enactment of legislation designed in the best interests of the country, calculated to win wide public approval and thereby to gain reelection of a majority for his party.

Third. At the same time, Speaker MCCORMACK continues to serve his constituents of South Boston, comprising the 12th District of Massachusetts, who have loyally continued to reelect him every 2 years for 36 years, starting with his selection to fill an unexpired term in the 70th Congress in 1926.

Fourth. And finally, above and beyond all this, the Speaker is the chief administrator of an establishment of subordinate officials and employees—both elected and appointed—numbering well over 4,000, who serve the members of the committees of the House of Representatives. Jointly with the President pro tempore of the Senate he has jurisdiction also over other agencies of the legislative branch—which were created by and are creatures of the Congress: the General Accounting Office, the Library of Congress, Government Printing Office, and the Office of the Architect of the Capitol.

To this great task—at once judicial, legislative, and administrative, as well as political, in nature—Speaker MCCORMACK has brought the wisdom, tact, know-how and historical perspective which are the fruit of nearly a half-century of public life.

JOHN W. M'CORMACK—PERSONAL

JOHN MCCORMACK was only 13, and the eldest of three brothers, when his father died. He left public school to help support his mother and brothers, working as a newsboy, errand boy, and later an office boy for a law firm. There he read law and at 21 passed his bar examinations.

As a practitioner he was a highly successful trial lawyer, but preferred the political platform to the courtroom. He was one of the youngest delegates elected to the State constitutional convention in 1917. Later that same year he enlisted in the Army of World War I, emerging from the service as a sergeant major.

He won nomination and was elected to the State house of representatives in 1920–21 and 1922, followed by 4 years as a member of the State senate, where in the last 2 years of his service he was Democratic leader.

Mr. MCCORMACK'S talents as a legislator were recognized by Speaker John Garner, of Texas, and his aid, Representative Sam Rayburn, soon after the tall, lean Massachusetts man came to Washington. They helped start him up the ladder to leadership by backing his election to the Ways and Means Committee before he had served 2 terms. Few Members of Congress have won a seat on this all-important committee in such a short time.

The Rayburn-McCormack Democratic leadership alliance continued for 30 years. "JOHN and I have no secrets from each other," the Bostonian's predecessor has been quoted.

Speaker MCCORMACK has always been in the forefront of battles for progressive and humanitarian legislation, was chairman of the first congressional committee to investigate extremist movements—Communist, Fascist, and Nazi alike—and was recently honored by the Washington Interfaith Committee for his years of effort in behalf of mutual understanding among all religious groups.

Mr. DONOHUE. Mr. Chairman, it is indeed a deep personal pleasure and privilege for me to join in this spontaneous tribute to my colleague from Massachusetts and our beloved Speaker of the House, the Honorable JOHN W. MCCORMACK.

In my opinion, no man who ever served as a Member of this body has more exhaustively, more conscientiously, more patriotically or more effectively devoted his superior talents and abilities to the completely unselfish service of his country, his State and his district, than JOHN W. MCCORMACK.

In preparation for his destiny as Speaker, JOHN MCCORMACK fulfilled the most difficult and varied duties of majority leader with preeminent effectiveness through periods of national danger and peril for over 21 years. It is amazingly and universally recognized that throughout these long years, and despite the multitudinous burdens of leadership imposed upon him, JOHN MCCORMACK still found time, with a willing spirit, to give patient counsel, guidance, sympathy and legislative courage to new Members coming into this House.

Even the newest Members here are well aware that there are mighty few, if any, men in the political life of the United States who have been tendered so many honors and decorations of all kinds and from every source in recognition of his exemplary character, extraordinary knowledge, dynamic leadership and patriotic dedication. All of us are equally aware that JOHN MCCORMACK accepted these distinctions with his characteristically quiet humility and with the unselfish sense of these distinctions visiting honor upon this House generally and not himself personally.

In summary, this is the background of proven character, experience and attributes that JOHN MCCORMACK brought into the discharge of the awesome responsibilities of Speaker of this House. It is not, then, a wonder, but more an expectation fulfilled, that we find in these closing days of the 87th Congress that under his inspiring and impartial guidance and ruling, the legislative achievements of these 2 years to be among the most constructive and impressive of any in our legislative history.

Because of the basic qualities and virtue consistently developed and demonstrated in public and private life, of indestructible integrity, unsurpassed competence of leadership and unswerving patriotic devotion, the name of our colleague from Massachusetts, JOHN W. MCCORMACK, had already become a legend in our political life before the speakership of this House was bestowed upon him by his beloved colleagues. On his record, I confidently predict that JOHN W. MCCORMACK will be recognized as one of the greatest Speakers who ever presided over this House, and his image will be forever enshrined in the most glorious pages of our national legislative history.

May the good, kind Lord continue to bless him, and his lovely and gracious wife, Harriet, with continuing good health through many more years of their devoted love. May divine providence further bestow upon this Nation the good fortune of preserving our Speaker's sustained leadership here for our eventual triumph over the Communist challenge still confronting us.

Mr. LANE. Mr. Chairman, before the 87th Congress passes into history, I want to express my personal thanks for the legislative skill, combined with consideration for the problems of individual Members, that has characterized the administration of the House during the first year of your speakership.

Your long apprenticeship as majority leader working with the late and highly regarded Speaker Sam Rayburn, during one of the most critical periods in the life of our Nation, thoroughly prepared you for your present responsibilities.

But the test that proved your talent and experience is your record of achievement in the 2d session of the 87th Congress. Against formidable obstacles you succeeded in winning approval for a large part of the administration's program.

Your strength in moments of decision has been enhanced by the example of your personal integrity. Representing a

district which is close to yours, I know that you draw this strength from the people of Boston who are friends and neighbors rather than constituents. As Speaker, you are nourished by their qualities and thus honor the "voice of the people."

Every Member has learned much from your guidance. Sometimes, in concentrating on the problems of our individual districts, we tend to lose sight of the national interest. With your deep and abiding love for our country, you have taught us the effective and harmonious way in which these conflicting claims must be reconciled to arrive at the consensus which is the Government of the United States.

Your greatest satisfaction is that you have presided over the House of Representatives at the beginning of a new phase in domestic progress and international leadership.

The list of accomplishments during the past year is impressive. Of greater importance is the fact that they have opened the way for greater things to come.

The Nation is fortunate to have JOHN W. MCCORMACK in the key position of Speaker, U.S. House of Representatives. His wealth of experience, his courage and understanding of the practical steps that must be taken to develop our Nation and to meet its responsibilities as the leader of the free world, inspire the Members of this House, and through them, the people, with confidence in the future.

We congratulate JOHN W. MCCORMACK for the success he has achieved during his first term as Speaker.

To him and to his devoted wife Harriet we wish every blessing, now and in the years ahead.

Mr. PHILBIN. Mr. Chairman, I am pleased indeed to join with my able, distinguished and dear friend, Congressman JOHN E. FOGARTY, of Rhode Island, in his fine expressions concerning the outstanding Speaker of the House, the Honorable JOHN W. MCCORMACK.

The greatness and goodness of our beloved Speaker is manifested to all Members of the House, to the Nation, and to the world. The House may well be proud of this illustrious son of Massachusetts, who is conducting one of the greatest offices of our land with such impressive dignity, impartiality, fairness, ability, and distinction.

It is clear that Speaker MCCORMACK will go down in history as one of our greatest Speakers. His long, ripe experience in public life and in the House has given him an insight into every facet of the work of Congress, and the Government, as well as a superb knowledge of the great public questions with which the Congress is required to deal.

His mastery of parliamentary law and procedure, his warm friendships on both sides of the aisle, his ability to cooperate with leadership at every level, his eagerness to promote the public good at all times, to help and assist the Members of the House with problems of legislation and administration, and their own personal concerns, his meticulous fidelity to duty, unceasing labors in his difficult tasks and the great success which he has enjoyed as Speaker during this tremendously critical session, have won for him greatest respect, highest admiration, widest acclaim, and deepest gratitude.

With this great, experienced, knowledgeable, humane, effective leader at the helm, the country may be confident that the work of the Congress is proceeding with wisdom, sagacity, and judgment toward the high goals which the American people and the Nation have set to bring our ship of state through the turbulence of the hour into the calmer waters of peace, where human betterment and progress may bestow even greater blessings on our land, and untold benefits upon the nations and peoples of the earth.

I take great pleasure in congratulating my dear friend, Speaker MCCORMACK, and wish for him and his most gracious, charming wife, Harriet, and his family, many more years of brilliant achievement for the House, the Congress, and the American people, and the free world. I hope the good Lord will shower upon them His choicest blessings, continued good health, success, and happiness.

Mr. FARBSTEIN. Mr. Chairman, since August 31 of last year, and especially since January 10 of this year, JOHN W. MCCORMACK has demonstrated to the Members of the House the qualities which a Speaker should combine in himself. It is not easy for any one man to have such capacities. The purpose of the House is free, if limited, debate and the exchange of differing views of legislation; the Speaker's primary purpose is to facilitate procedure and keep order. At the same time, the Speaker is the leader of his party in the House, and he must exercise his strongest powers of persuasion on behalf of legislation which he believes essential to the public good, and he must do this without infringing his obligation to maintain the proper order of business in the House.

Speaker MCCORMACK has measured up to his office most admirably.

If there is one thing that Members of both parties are in absolute agreement about, it is that the Speaker has shown the most scrupulous fairness toward every Member. He has recognized the right of every point of view to be heard, and the right of every Member who had something to say, to say it. He has never attempted to abridge the legislative process for the advantage of his party's aims, but has carefully guaranteed the full process of careful deliberation which the people expect of their representatives.

At the same time, Speaker MCCORMACK continues to be a vigorous party leader, never a czar or a dictator, but an earnest and reasonable persuader, intent on converting the minds of others to the point of view which he considers to be in the best interest of the country.

If it might have appeared at the beginning of the session that legislative progress was slow, it was because Mr. MCCORMACK refused to try to steamroller any program through the House. And the successes, such as the trade bill, which the President called a "terrific job" on his part, have been the fruition of the Speaker's capacity for democratic leadership.

The House can congratulate itself on having chosen JOHN W. MCCORMACK as Speaker.

Mr. BOW. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, in following the gentlemen who have just spoken, I should like on behalf of myself and, I am sure, for the minority to express our appreciation for the courtesies extended to us by the distinguished Speaker of the House, the gentleman from Massachusetts, JOHN MCCORMACK, who has followed many great Americans in the speakership of this House and, in following them, has shown that he is a great parliamentarian. He has been fair to the minority; we recognize him as a great American, and we join in wishing for him the best of health in his continued service.

He has followed a great Speaker of this House. Sam Rayburn was greatly beloved by all who served here. I think mine has been a better life for having served under, or rather, with Speaker Rayburn. I think that is the way he would prefer to have it said. I think those who serve with the gentleman from Massachusetts, JOHN MCCORMACK, will feel the same.

It would seem that perhaps Massachusetts has a knack for statesmen. I have also served in this House under another great Speaker who came from the State of Massachusetts, the Honorable Joe Martin. I think Joe Martin has those same qualities of leadership that have been displayed by other Speakers of this House. He is fair and courageous. Although he has a great love of party, he has put aside party when the needs of the Nation required it. We can look at the history of all the Speakers and find that to be true.

I sincerely hope that the Speaker in the 88th Congress, a Republican, will show the same courtesy to the then minority as the majority now shows to the minority of this House.

Again, sincerely and from the bottom of my heart, I should like to express our appreciation of a great man, a great American and patriot, the gentleman from Massachusetts, JOHN MCCORMACK. We hope that he and his beloved wife shall have many happy years together as he continues in the service of his country. May God bless them both.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Washington.

Mr. HORAN. I personally want to be associated with the thoughts expressed by the gentleman from Ohio [Mr. Bow].

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I would like to compliment the gentleman on an excellent statement, and to be associated with his fine, complimentary remarks about our present Speaker, the gentleman from Massachusetts, John McCormack, as well as the two previous Speakers we have all

known, Sam Rayburn and Joe Martin. These are three high-level men who have given us every opportunity to be heard whether we were in the majority or the minority.

May I point out one particular facet of the gentleman from Massachusetts, Speaker JOHN MCCORMACK'S service to the House which has not been mentioned, that is, in the field of space. I served on the original Select Space Committee under the leadership of then chairman, the gentleman from Massachusetts, JOHN MCCORMACK. I must say he was one of the biggest boosters for space research, and helped us get ahead in space as much as anybody I know, into our present situation where we are now orbiting our fine astronaut, Walter Schirra, for six orbits today.

In the early days of the space program there was much ridicule about it, but when the House set up a Committee on Science and Astronautics for space research under the leadership of the gentleman from Massachusetts, JOHN MCCORMACK we made real progress.

I thank the gentleman very much.

Mr. BOW. Now I should like to return to the business before the House, this supplemental appropriation bill, and say to my colleagues that I believe the committee has taken out of this bill a considerable amount of money that can be saved for the taxpayers. If I had any criticisms at all of this bill I would have two. One is that in some instances the supplemental bill contains money to start new projects in various departments. I do not believe it is a proper function of supplemental appropriation bills to begin new projects. I think all new projects should be started by the regular subcommittees on appropriations. There are several in here that start new projects.

There are others here that should be here but are not because they are in bills of the other body. There will be the $100 million of United Nations loans. I think the other body passed $500 million in the accelerated public works project. It seems to me that all of these matters should originate here in the House of Representatives so that this House could work its will upon these bills rather than have them come back in conference, where we have no opportunity to work our will.

That would be my criticism of the bill.

Now there are several matters that some of my colleagues may have some difficulty with because of the cuts that were made in this bill. I would like to discuss them briefly.

One has to do with Health, Education, and Welfare on the question of educational television. I raised the question in the hearings on educational television. There was a request for $4,900,000 to get this program underway. Since we passed the educational television bill, a new system has been developed by the Federal Communications Commission which gives the possibility of 1,900 to 2,000 megacycle bands which would create about 20 bands for educational television and take it away from the present crowded bands of regular television. The important thing, I might say to my colleagues, is the fact that it would cost about one-third to one-fifth of what regular educational television would cost, thereby saving millions of dollars not only to the Federal Government but to the local school boards, local television operators, and others.

May I just quote what Commissioner Robert E. Lee of the Federal Communications Commission had to say about this new system:

It may well be that if Bethpage, N.Y., will be to education what Kitty Hawk is to the aircraft industry, we can expect this to be a memorable day for the growth of television.

That statement was made in New York, at Bethpage, N.Y., when this new system was tried out and found to be workable.

I shall extend my remarks and put more details in the RECORD on this new program:

NEW ETV TECHNIQUE MAKES FEDERAL AID UNNECESSARY

Since the passage of the bill to provide $32 million Federal aid for educational television, the Federal Communications Commission has proposed a revolutionary new ETV service operating on the television broadcast auxiliary band 1990–2110 Mc/s. This new ETV service (called fixed station multiple address service by the FCC engineers) "offers the prospect of meeting all the reasonable requirements of educators." At the same time it will cost only a fraction of the conventional ETV station to purchase and install; and its operating expenses will be a drop in the bucket compared to either the conventional ETV broadcasting or closed circuit systems.

NEW SERVICE

A typical ETV fixed station service will be equipped, in addition to cameras and other studio facilities, with one transmitter which feeds programs into two broadbeam directive transmitting antennas attached to a schoolhouse chimney, which may reach less than 75 feet above ground level—no high towers are necessary. These antennas send a clear signal, according to the terrain, to between 30 and 40 miles, to be picked up by a receiver converter in each of the 20 or more schools in the district. These receiver converters, in turn, change the signal so that it can be tuned in and viewed on ordinary TV sets in the various classrooms.

If a greater range is desired, repeater translators may be licensed to do the job.

If desired, an ETV fixed station may interconnect with other ETV fixed stations or with commercial or noncommercial ETV broadcasting systems to receive or relay educational material.

ADVANTAGES

1. According to the FCC, the "total number of channels allocated for television broadcasting is inadequate to provide channels for broadcasting both educational and commercial, and still leave multiple channels for classroom instruction and other special users." The new service would take ETV for classroom and other special uses out of competition for the scarce television broadcasting bands needed for telecasting to the general public.

2. ETV fixed station signals will not play interference in the scarce spectrum channels and vice versa.

3. The new service is not intended to serve the general public. It is for supervised instruction in schools and colleges; in-service training of all sorts; advanced courses to help doctors, engineers, etc., to keep abreast of their professions; hospital and home courses for shut-ins or the temporarily ill. Converters for home use will be available for any eligible licensee.

4. The 1990–2110 Mc/s band provides some 20 channels for ETV and will permit the simultaneous transmission of a number of programs from the same originating location.

5. The cost of the new service is between one-fifth and one-third the cost of a moderately powered ETV broadcasting station.

6. Since the new service will be within the financial reach of every parochial school or college as well as every local school board, it will not pose a church-state problem.

7. Since the new service is limited in scope to the wishes of the eligible licenses, it is in the American tradition of local control of education.

What it will do is to give you a complete educational television band where schools can use it and it can be used for curriculum and so on.

I want to say in fairness that in the printed hearings, there is a statement credited to Mr. Nestingen, of the Health, Education, and Welfare Department, which actually is my own statement, and it shows him as putting the breaks on and going slow in bringing this up. Mr. Nestingen was, I may say, for the full amount of this appropriation and it is unfortunate that he was credited in the printed record with having said something that was my statement rather than his statement, and it might be misleading to those who read the RECORD. I want to make that correction and I will ask to have added to the RECORD a statement on that when we go back into the House.

I insert at this point the statement of HEW:

A statement saying Federal financial aid for educational television is unnecessary was incorrectly attributed to Under Secretary Ivan A. Nestingen in testimony released today by the House Appropriations Subcommittee on Deficiencies, the Department of Health, Education, and Welfare said today.

The statement, appearing on page 248 of hearings on the "Supplemental appropriation bill, 1963," was mistakenly attributed through an editorial inadvertence. The statement should have been attributed to Congressman FRANK T. BOW.

Mr. Nestingen, in presenting the administration's views, testified in support of a budget request for $4,750,000 for grants for the current fiscal year (pp. 233–248 of the hearings) and strongly emphasized the need for these funds now.

The funds were requested as a supplemental appropriation to provide Federal matching grants for the construction of educational television broadcasting facilities. The authorizing legislation was enacted by Congress in May of this year as an amendment to the Communications Act of 1934.

It would seem to me that this $2 million that has been allowed for educational television is sufficient funds to go ahead on a proper basis and we should go slow and not get into more extensive operations when this new development is coming along. I only remind the House that a few years ago we appropriated many millions of dollars for a certain system of navigational equipment for the airways of this country. I think we spent some $40 million or more on it. Within a year we found it was obsolete because of new developments. We do not want that to

happen in this case, and that is the reason why we are calling this to the attention of the House and the country at this time.

The National Association of Educational Broadcasters, under contract with the HEW, recently published the results of the first nationwide educational television survey.

This survey found, to quote the HEW release, that "a primary concern was that this educational medium must reach far beyond the formal system of schools and provide opportunities for continuing education at every stage of life."

The survey also found that "the school systems of the country reported a greater need for educational television than the colleges and universities. More than 95 percent of public schools reported serious curriculum deficiencies or teaching needs. Most said that these could be met, or greatly helped, by broadcast television."

We know now that the new ETV service proposed by the FCC can take care of the needs of the school systems and of the colleges, much more effectively, economically, and satisfactorily than can broadcast ETV. I am convinced that the Congress no longer need concern itself with Federal aid for ETV in the schools and colleges.

This leaves only the problem of adult education, referred to as "enrichment" or continuing education, available to adults in their homes. This may be a legitimate field for Federal aid in ETV.

The Congress should recognize that the problem is much different and much more limited than we conceived it to be when the authorizing legislation was enacted.

In conclusion on ETV let me say—

First. It is cheap—initial investment and operational costs are considerably less than half those for either ordinary ETV broadcasting or closed-circuit using coaxial cables.

Second. It allows for several programs to be transmitted simultaneously.

Third. It is flexible. It is designed primarily for classroom use in schools within a 30-mile radius. Although it may be kept closed circuit, it may also act as a relay station for national broadcasts or other local broadcasts.

Fourth. Because it is flexible, school boards could do their own programing, using their own teachers; buy tapes of especially outstanding teachers for transmission over their closed-circuit system; or hook up on occasion with national networks or other local ETV stations as they choose. In other words, school boards would be in control of the ETV curriculum in the local schools.

Fifth. The FCC proposal to allocate the 2,000 megacycle band is in addition to the present FCC allocations for ETV broadcasting.

There is one other matter with reference to HEW that I am interested in. It was mentioned by the gentleman from Wisconsin earlier. That is with reference to the request that was made to build a new building in Washington for environmental health. This is a rather extensive project that they were going forward with. It seems to me, there was a great deal of duplication of what they anticipated and what is now being done at the Taft Laboratories at Cincinnati, Ohio.

The system at the laboratory in Cincinnati was built for these very purposes, and I was fearful that they might in some way disrupt the work going on in that great laboratory named after our great Senator, Bob Taft. I asked them to give me a statement of what they intend to do, what would be the future of the laboratory. They told me it was originally built to accommodate 375 to 425 personnel. They said they had from 400 to 500 people working there right now, leading me to believe that they were increasing the number of personnel in Cincinnati.

Upon checking their statement of 375 to 425 I found it was not correct. There are more than 1,200 employees in Cincinnati, rather than the 400 to 500. This means that they may be moving from this area some of these agencies. So I feel that they were not completely honest in their reply to me upon this question.

I might say further that they are now beginning to bring into Washington from various parts of the country personnel simply to try to show an increased personnel in Washington to try and justify this building in the District of Columbia. I think this is wrong. They ought to keep the personnel where they have them now, and not simply try to get new buildings for the transfer of employees from permanent posts back here to the District of Columbia.

Mr. Chairman, I think this is a good bill. The committee has saved some millions of dollars. I would like to just say this in closing, that the various departments of the Government should not in supplemental bills before the supplemental subcommittee attempt to put back into the bills money which has been denied them by the regular committees. This is wrong; it should not be done, but they have attempted in this bill and others where a regular subcommittee has denied funds, they have tried to get it in this bill. I think the departments should know that this is not the purpose of the supplemental subcommittee. I hope our committee will deny any request of that kind.

Mr. Chairman, I yield to the gentleman from Ohio [Mr. CLANCY].

Mr. CLANCY. Mr. Chairman, I want to associate myself with the remarks of the gentleman from Ohio with respect to the environmental health center in Cincinnati. The committee should give favorable consideration to expanding the Taft Center in Cincinnati rather than building a new center in this area or elsewhere with the subsequent disruption of the lives of employees who have bought homes and established themselves in the Cincinnati area. The employees at the Taft Center have rendered valuable service to this country and have made great contributions to the welfare of our citizens. It would be unwise to move any part of this program elsewhere.

Mr. BOW. There are 1,200 employees in the Cincinnati area now, as I understand. That is where they have become established, that is where they should be working. I shall insist that they not cannibalize the Taft Laboratories to bring these people to Washington or elsewhere for the purpose of justifying the erection of a new building. This is where these people have established their homes. We should leave them there rather than bring them here simply to make a showing for a new building.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mr. GROSS. I understand from reading the hearings that the Foreign Service Institute in the Arlington Towers apartment building is expanding all over the place. I do not know how many thousands upon thousands of square feet of space they have there. I wonder how long it will be before the State Department takes over this entire apartment layout.

Mr. BOW. If the gentleman will read the RECORD he will find that I have some concern about that too.

Mr. GROSS. Yes, and I am pleased to know he is watching this situation.

Mr. BOW. And it seems to me anything they do there ought certainly to be observed. We have spent a great deal of money there, and we are bringing in professors from all over the country to lecture our Foreign Service officers in that Institute. This seems to me to be completely out of line.

I share the gentleman's feeling that they should not spread out in such luxury apartments as the Arlington Towers. I think they certainly could handle this under the present situation.

Mr. GROSS. I understand the State Department is asking, for instance, for a $2,800 rug for the Seminar Room, whatever that is.

Does the gentleman think that would be a pretty expensive rug?

Mr. BOW. I would say it would be perfectly ridiculous to put any such rug in the Seminar Room.

Mr. GROSS. They are also asking for $700 worth of draperies for the Seminar and three study rooms. Is this the way this educational institution of the State Department is being operated?

Mr. BOW. I am afraid it has been plush in many instances, and I am opposed to that kind of expenditure in the Seminar Room. I think we could much better use that in other areas if we have to use it at all. What we ought to do is save it.

Mr. GROSS. I agree with the gentleman. I have looked at what I understand to be the Seminar Room, and I cannot see how in the world they can put nearly $3,000 worth of rugs in the Seminar Room.

Mr. BOW. All I can say is that the State Department can do amazing things at times. I am sure the gentleman has found all these funds where denied.

Mr. GROSS. They certainly can do amazing things.

Mr. BOW. And rather costly to the taxpayers of the country.

Mr. GROSS. I hope the gentleman and his subcommittee will keep a close eye on what is apparently going on in this Foreign Service Institute. I understand that right now they are knocking out more partitions and taking over more and more space in that apartment building.

Mr. BOW. I assure the gentleman we will watch it carefully.

Mr. GROSS. I thank the gentleman.

Mr. JENSEN. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I should like to comment briefly on some aspects of this bill. Over the years there may have been a few appropriation bills presented to this House in which budget requests were cut as much as this one, but I would say they have been few in number. Those who will consult the report of the committee will see that the cuts amounted to about 38 percent. That is a sizable reduction in any appropriation bill.

However, as the distinguished chairman of our subcommittee has pointed out, Members should not be under any illusions about the cut, because when this bill comes back from the other body and out of conference, if these additional items have not been added to regular appropriations bills in the other body, it will be substantially increased by an amount that will range from a half billion dollars to a billion dollars, because there remains to be appropriated money to purchase the U.N. bonds and to fund the emergency public works bill. Those items may come back here in other regular bills, as the chairman indicated they might, or they might be in this one when it comes from conference. At least it is safe to say while this is the last appropriation bill to come before this body during the present session, there will be substantial additional sums of appropriations that will be added on by the other body or in conference.

Something has been said during the course of debate by the gentleman from Wisconsin and by the gentleman from Ohio [Mr. Bow], and perhaps others, concerning the environmental health center that was proposed to be built in the Washington area.

The subcommittee eliminated the funds request for that project and suggested that consideration of the item go over until next year, to be handled by the regular subcommittee which handles appropriations for the Department of Health, Education, and Welfare.

Mr. Chairman, the item in question amounted to only $2.7 million. But do not be misled about that. This Environmental Health Center is supposed to cost eventually about $70 or $80 million, the first increment of which was to be only $34 million. This was made clear when the Department witnesses were before the subcommittee, and the $2.7 million requested by the Department in this bill was to be used only for the purchase of a site and to employ architectural engineers to prepare plans and specifications.

Mr. Chairman, it seems strange to me that the Department should undertake to add to the vast complex of Government installations in the Washington area and be willing to spend $3,000 an acre for 440 acres of land, at a cost of about $1.32 million, when an adequate and even better site in my judgment has been offered by the State of North Carolina through our distinguished Governor, free of charge to the Government, at what is known as the Research Triangle in North Carolina. This Research Triangle is an area of land, in a triangle formed by the University of North Carolina at Chapel Hill, Duke University at Durham, and North Carolina State College at Raleigh. This is an ideal location for the Environmental Health Center, and has all of the necessary supporting facilities in the way of scientists, engineers, medical schools, and all of the other things that the agency witnesses said they would require. These are all available within a stone's throw of where the Center would be built.

Mr. Chairman, all of these factors, plus the fact that the land would be donated to the Government free of charge, at a savings to the taxpayers of $1.32 million in site acquisition alone, with an additional savings of about $6 million in the construction of the first increment building of the Center, if the Governor of our State is correct in his statement in the brief which he filed with the subcommittee that construction costs in our State are approximately 20 percent less than those in the Washington area, would seem to me that the Research Triangle site in North Carolina would be ideal for this facility and much superior to the site selected in the Washington area.

Mr. Chairman, I was very pleased when the subcommittee decided to reject the item this year and pass it over for consideration next year in a regular bill to be handled by the subcommittee which handles the appropriations for the Department of Health, Education, and Welfare. This delay will give the Governor of North Carolina and other supporters of the Research Triangle site another 4 or 5 months to try to sell the Public Health Service on the advantages of the North Carolina site.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I shall be happy to yield to the gentleman from Iowa.

Mr. GROSS. First of all, I should like to commend the committee for the 38-percent cut in the budget figures. I point out, however, at the same time that with the $100 million U.N. bond issue matter still dangling, along with the $500 million for the accelerated public works program, this could very well have been a $1 billion deficiency appropriation instead of a $400 million-plus. But I do commend the committee, because I think we ought to be thankful around here for small favors when it comes to trying to save some of the taxpayers' money.

Mr. JONAS. Mr. Chairman, I think the record ought to show that we are dealing here not with regular appropriations, because all of the regular appropriations have heretofore cleared this body.

Mr. GROSS. That is right.

Mr. JONAS. These requests for funds, and the funds to be appropriated in this bill, are to be superimposed upon the regular bills that have already cleared this body. It amounts to additional spending, whether it is $400 million or $800 million or $900 million, as the case may be, if the bill included the United Nations bond money and the public works money which will come back over here from the other body.

Mr. GROSS. And this is the third deficiency appropriation bill of this session, is it not?

Mr. JONAS. Yes, that is correct; and the session is not yet over. I hope it is the last we will have during this session.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I should like to commend him for his opposition to spending $3,000 an acre for a site for the environmental health center. I appreciate very much his efforts to stop that and to carry it over until another year when perhaps we may find this health center can be located at a place where at least the land acquisition will not cost the taxpayers anything.

Mr. Chairman, will the gentleman yield further for a minute or two?

Mr. JONAS. Mr. Chairman, I had hoped to be able to yield to the gentleman from Michigan [Mr. MEADER] if I have sufficient time.

Mr. THOMAS. Mr. Chairman, I yield 2 minutes to the gentleman so that the gentleman from Iowa may complete his statement.

Mr. GROSS. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I never cease to marvel at the hearings and the efforts it takes to drag the facts and the truth out of some witnesses, particularly those of the State Department. I think the Members might be interested, if they have not already read it, in this little colloquy that took place in the subcommittee that handled this bill:

Mr. Bow. What are you going to pay these professors?

Mr. ORRICK. They get an honorarium of $100.

Mr. Bow. One hundred dollars a day?

Mr. ORRICK. No, sir; total.

I do not know how many lectures each will give. Dr. Millikan gave seven.

Mr. Bow. He gave seven lectures for $100?

Mr. ORRICK. Yes—$100 each.

Mr. Bow. One hundred dollars each?

Mr. ORRICK. Yes.

Mr. Bow. You paid his expenses to come here?

Mr. ORRICK. Yes.

Mr. Bow. What was the total cost?

Mr. ORRICK. $200. One hundred dollars per lecture and per diem and travel estimated at $100.

So what started out to be $100 for seven lectures turned out to be seven times that plus transportation.

Then on page 488 of the hearings there is this colloquy:

Mr. ROONEY. You had rent in the regular 1963 budget for the chancery operation in Buenos Aires, did you not?

Mr. LEWIS. Yes, sir.

Mr. ROONEY. Are we to understand that this $148,400 is an increase?

Mr. LEWIS. No, sir. This is the total amount of the lease.

Mr. ROONEY. But there was money in there. We have been paying rent in Buenos Aires for years, have we not?

Mr. LEWIS. Yes, sir.

Mr. ROONEY. This $148,400 is on top of that, is that correct?

Mr. LEWIS. That is right.

Mr. JONAS. Mr. Chairman, I am glad the gentleman has called attention to that colloquy. It proves that the members of the subcommittee were on the job and, while it is very difficult sometimes to pull all of the information we need out of the witnesses, we do the best we can.

Mr. GROSS. That is what I am trying to point out; it is often necessary to dig deep to get something out of them.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman from North Carolina yield?

Mr. JONAS. I yield to the gentleman from New York.

Mr. ROONEY. I should like to ask the distinguished gentleman from North Carolina if it was not on such testimony as that to which the gentleman from Iowa has referred, that the committee saw fit to make very substantial reductions in the budget requests?

Mr. JONAS. That is correct.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. JENSEN. It must be said now that with the exception of one or two members the Subcommittee on Supplemental Appropriations did not know about it until the $100 million United Nations bond item had been sent to the Senate and the $900 million public works bill of the President had been sent to the Senate. I certainly did not know, and I know that all the other members did not know.

Mr. ROONEY. If the distinguished gentleman will yield, I am familiar with the procedure with regard to the $100 million United Nations bond issue. I was asked about it and my judgment was that it should first be considered in the Senate. Perhaps I was right, perhaps I was wrong. But I did know about it and was consulted about it by the clerk of the full committee.

Mr. JENSEN. I know the gentleman knew because he said so in the committee. There was one other member that knew about the public works item, but to my knowledge only two members, the gentleman and another one, knew that that item had been sent to the Senate.

Mr. JONAS. Irrespective of where the requests for the bond money and the public works money are now, they are not in this bill.

I can say in my judgment to the members of the Committee today that this is a good bill. It has been substantially reduced under the requests made in the budget. The reduction is 38 percent. I think this bill deserves the support of the members of the Committee of the Whole this afternoon, and I commend it to them.

Mr. JENSEN. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I have asked for this time to call the attention of the committee to an amendment I propose to offer on page 1 of the bill. Strangely enough for me, this amendment will increase the amount of money in the bill, but not by a large amount; $250,000.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York.

Mr. ROONEY. Is the gentleman now contending that a quarter of a million dollars is peanuts?

Mr. MEADER. Well, it is much less than many of the amounts we deal with.

I want to call attention to the reason for offering this amendment and offering it at this late stage. Michigan has been infested with the Japanese beetle. I have a picture of the bug here. It is a pretty-looking insect but it causes havoc to the crops. There are 80,000 acres in my congressional district along the Ohio border that have been infested with this beetle.

The reason for the lateness in bringing this to the attention of the Congress is that a trapping program was conducted throughout the summer which was only completed in the early part of September of this year. The State of Michigan is prepared to put up $250,000 to match the $250,000 from the Federal Goverment for an eradication program. In case this is not done, undoubtedly the area will be quarantined, and we will be spending money on stopping the transportation of fruits and vegetables, and so forth, which will be costly but will not make any inroads on the basic problem.

I think this is a meritorious amendment, and I hope it receives the support of the committee. When the amendment is offered I shall go into further detail, and when we get back into the House I will ask permission to insert further material which will show in detail the necessity for this program at this time.

Mr. THOMAS. Mr. Chairman, when we get back into the House I am going to ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks at the proper point in the RECORD in connection with the many fine words that were said about our beloved Speaker, the gentleman from Massachusetts, JOHN MCCORMACK.

In that regard may I say, Mr. Chairman, by any yardstick you want to measure him by, and I have watched him carefully for 25 years, he will go down in history as one of the great men of the 20th century and, certainly, one of the greatest legislators this House has ever had. But I do not want to stop there—I want to talk about that McCormack team—I want to say something about our beloved and distinguished friend, my personal friend and yours, the minority leader, the gentleman from Indiana, CHARLIE HALLECK, and his very able right hand man, the gentleman from Illinois, LES ARENDS. Over here there is another part of this McCormack team, our beloved majority leader, the gentleman from Oklahoma, CARL ALBERT, and our very able and genial friend the gentleman from Louisiana, HALE BOGGS. Where in the world are you going to beat that team? May I say that the good old United States of America is very, very fortunate in having these five able men to take care and to deliver for them during these perilous times and at all times.

The CHAIRMAN. The Clerk will read.

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 the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1963") for the fiscal year ending June 30, 1963, and for other purposes, namely:

Mr. THOMAS (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at all points.

Mr. CURTIS of Missouri. Mr. Chairman, reserving the right to object, I would like to speak for 5 minutes under the 5-minute rule.

Mr. THOMAS. Our friend will certainly get that time.

Mr. CURTIS of Missouri. Well, I would not be able to as I do not have any amendment. I want to strike out the last word.

Mr. THOMAS. My friend from Missouri will be able to get the time under the 5-minute rule.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Are there any points of order?

The Chair hears none.

For what purpose does the gentleman from Michigan rise?

Mr. MEADER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MEADER: On page 1, after line 7, insert the following:

"DEPARTMENT OF AGRICULTURE

"Agricultural Research Service

"Salaries and expenses

"For an additional amount for 'plant and animal disease and pest control', $250,000."

Mr. MEADER. Mr. Chairman, as I explained briefly in general debate this amendment would add $250,000 for plant and animal disease and pest control intended to be used in Michigan for Japanese beetle eradication and to be matched by State funds on a 50–50 basis.

Mr. Chairman, a survey conducted from July to September this year trapping Japanese beetles disclosed approximately 80,000 acres in Monroe and Lenawee Counties in my congressional district to be infested with the Japanese beetle. Until a few days ago, I was unaware of this condition and, of course, until the survey was completed, no one was aware of it.

The eradication of these pests is urgent and must be undertaken promptly to prevent spreading and infestation of this rapidly multiplying, hitchhiking,

flying insect, and to protect other areas in the State of Michigan, and to prevent the problem from reaching a magnitude where control would be extremely costly, if not altogether impossible.

Another factor of urgency is that the treatment of the soil must be undertaken between October 15 and November 1 this fall. It must be done before the ground freezes and before snow falls to be effective.

If this work is not done, this area and additional areas to which the infestation may spread will have to be placed under a costly and onerous quarantine, requiring inspection, fumigation and certification procedures, but failing wholly to deal with the basic problem, the existence of the infestation.

This program is an emergency which could not have been foreseen and is singularly appropriate for inclusion in this supplemental appropriation bill.

Mr. Chairman, I have received urgent requests from my congressional district and the State of Michigan pleading for assistance by the Federal Government in helping the State meet this problem promptly and effectively. I include two telegrams at this point in my remarks:

LANSING, MICH.,
September 28, 1962.

Congressman GEORGE MEADER,
House Office Building, Washington, D.C.:

It is of major importance for the welfare of the Michigan nursery industry and the citizens of the State that the Japanese beetle matching fund by United States be made available at once to allow soil treatment at this time. Michigan vigorously opposes a quarantine as the only alternative.

MICHIGAN ASSOCIATION OF NURSERYMEN,
VIC BERESFORD, *Executive Secretary.*

MONROE, MICH.,
October 1, 1962.

Congressman GEORGE MEADER,
House Office Building, Washington, D.C.:

Referring to information furnished you by George McIntyre, State department of agriculture, relative to Japanese beetle infestation in Monroe and Lenawee Counties. In order to prevent a restrictive quarantine being placed on infested area it is necessary to conduct control program that must be completed by November 15. Quarantine on this diversified area would mean heavy financial loss to growers in area, and eventually entire State. Committee signing message were selected at meeting of growers in area with State department of agriculture officials. We have met with members of State legislature and department of agriculture officials and have reasonable assurance that State funds will be available for control program, providing that 50 percent of cost can be shared by Federal funds. Estimated cost of control program is $500,000. Control program in infested area is imperative to protect spread of pest to balance of State. Will appreciate your efforts to make available $250,000 of Federal funds to match State funds for this control project. Secretary Freeman on recent visit to State was advised of seriousness of this problem. Seriousness of Japanese beetle problem could not be determined until close of trapping season. Trapping program conducted by State department of agriculture results made known September 15.

HAROLD MORRIN.
DELMONT CHAPMAN.
ROY FITKIN.
LOREN BLUM.
DONALD DROUILLARD.
BERNARD COUSINO.

Mr. Chairman, this morning I received a 3-page letter from Mr. George S. McIntyre, director of the Michigan Department of Agriculture, containing the facts and justification for this requested appropriation, which I include at this point in my remarks:

MICHIGAN DEPARTMENT OF AGRICULTURE,
Lansing, Mich., October 2, 1962.

Hon. GEORGE MEADER,
U.S. Congressman, Old House Office Building, Washington, D.C.

DEAR CONGRESSMAN MEADER: On September 19 I wrote you about the Japanese beetle infestation in Michigan. I also discussed this with you over the telephone. You will recall that I stated there was one major infestation in Monroe and Lenawee Counties comprising approximately 80,000 acres, one small area of 1,200 acres in Berrien County, and a few small spots in other parts of the State. The Berrien County Board of Supervisors has appropriated money to treat the 1,200 acres in Berrien, and the department with the assistance of the U.S. Department of Agriculture will treat all the other locations in the State except the 80,000 acres in Monroe and Lenawee Counties. It is this latter area that causes us some very real concern and the reason I am writing to you.

The site of the Monroe-Lenawee infestation is on the Michigan-Ohio border and extends into Michigan as much as 6 miles in some places. Ohio has long had Japanese beetle in the Toledo area but has elected to do nothing about it. We in Michigan therefore are exposed to infestation of the beetle from Ohio without being able to protect ourselves from it.

Starting about July 1 each year Michigan carries out a trapping program to locate Japanese beetle. Traps are set at appropriate places. Each trap contains an attractant which will attract Japanese beetle for some distance. If a beetle or beetles are found in a trap the soil in a 300-foot radius around the trap is hand treated with aldrin or dieldrin unless it is in a generally infested area such as the 1,200 acres in Berrien County or the 80,000 acres in Monroe and Lenawee Counties. In these areas treatment is applied by aircraft.

The first infestation was found in Monroe County in 1959. Approximately 15,000 acres were treated that year. The Monroe Board of Supervisors appropriated close to $39,000 to purchase the material used. The cost of application was paid for by the State and the U.S. Department of Agriculture.

In 1960 an additional 40,000 acres were found needing treatment. Costs of this were paid by the State and the U.S. Department of Agriculture. No major infestations were found in 1961. However, due to a population explosion by the Ohio infestation and the disappearance of aldrin residue from the soil from the previous years' treatments, approximately 80,000 acres were found infested in 1962.

Because the residue from dieldrin usually lasts from 3 to 5 years in the soil as compared to 2 years for aldrin, its use is being recommended this year. The estimated cost of the material and treatment is $480,000.

Michigan found its first Japanese beetle in 1932. Through a trapping and treatment program the State has been kept clean of beetles until now. Japanese beetle attacks 250 to 275 different kinds of plants and is not only of economic importance to farmers but is also of importance to people living in the cities and urban areas as well because it also attacks turfs, shrubbery, trees, etc.

Since the trapping program runs from July 1 to September 1 and sometimes later, it is impossible to know exactly the areas of infestation until after the close of the trapping season. This year as soon as the areas of infestation and the problems confronting us were known (August 29) we discussed the matter with the Governor, not only to apprise him of the situation but to also learn his wishes insofar as treatment was concerned. It was then discussed with the commission of agriculture at its meeting on September 5. It was the opinion of both the Governor and the commission that every effort should be made to treat the infested areas. To do so however required funds for which no provisions had been made by either the State legislature or Congress because there is no way of knowing the needs for such funds until after September 1 when the trapping program has been completed.

This situation was discussed with farmers and residents in both the southwestern and southeastern parts of the State. They have insisted that the area be treated.

What are the alternatives to treating the infested area in Monroe and Lenawee Counties?

If this area is not treated this fall a quarantine will be placed covering the movement of any fruit, vegetable, grain, hay, or whatever it may be that is capable of carrying Japanese beetle from the quarantined areas into an unquarantined area. This will mean that all such commodities will have to be treated and carry an inspection certificate showing treatment to have been made or to have been inspected and to be free of Japanese beetles. As severe and costly as a quarantine will be, it will not stop the spread of Japanese beetle to other areas of the State. It will only slow up its spread. Next year the infested area would be larger and in a short time the entire State would become infested and under quarantine. Not only will there be a spread if treatment is not carried out this fall but the problem will be so large after this fall that we do not believe it will be feasible to attempt treatment in the future. We must act now.

It is easy to see the economic hardships involved under a quarantine. There are several thousand acres of tomatoes in Monroe County that are sold to processing plants located outside of quarantine areas. These tomatoes would have to be treated before shipment. In some areas nurseries have had to move out of quarantined areas because of the costs caused by the quarantine.

It is estimated that the cost of treating this area will be $480,000. We believe the U.S. Department of Agriculture has an obligation to provide funds for one-half the costs since we are vulnerable to an infestation in Ohio from which Michigan is defenseless and from which neither the U.S. Department of Agriculture nor Ohio is doing one single thing to protect us. Members of the Michigan Legislature have stated they will make State money available only if the U.S. Department of Agriculture will provide funds to cover one-half the cost of treatment.

Time is of the essence. Treatment must be made between October 15 and November 1 this fall. It cannot be done in the spring because of pasturelands, and other crops that will be growing. It must also be done before the ground freezes and before snow falls. Funds must be made available immediately. If Federal funds are available the State will provide its share.

Please call me if further information is needed.

Sincerely,

G. S. MCINTYRE,
Director.

Mr. Chairman, I have also discussed this problem with officials in the Department of Agriculture, and this morning received a summary on the Japanese beetle from Mr. W. L. Popham in the Agriculture Research Service of the U.S. Department of Agriculture, which I incorporate at this point in my remarks:

JAPANESE BEETLE

The Japanese beetle attacks more than 200 species of agricultural, horticultural, and

ornamental plants among which are such crops as grapes, peaches, apples, beans, corn, and others. It damages lawns, turfed areas, and garden plants.

The Japanese beetle was first found in this country in a nursery at Riverton, N.J., in 1916.

By 1918, 40,000 acres in that general area were infested and attempts were made to eradicate the beetle. This attempt failed because at that time there was no practical eradication treatment.

Without a satisfactory eradication procedure, State and Federal authorities decided that every effort should be made through quarantine and control work to delay spread to uninfested parts of the country. A Federal quarantine was invoked in 1919.

This program has been successful in delaying the spread of this important pest throughout the United States; however, in spite of the effectiveness of this work the infestation through natural spread has now reached into southern Michigan, eastern Illinois, and northern counties of Georgia and Tennessee. There are small infestations in East St. Louis, Ill.; St. Louis, Mo.; and Sacramento, Calif. These small infestations are under eradication treatment .

The Japanese beetle was first found in Michigan in 1932 in the city of Detroit. It has been found periodically since that time in several other cities but through a prompt eradication program by the State and Federal agencies infestations have either been eradicated or have been completely suppressed. This program has had the active support of the fruit and vegetable growers, the nursery industry, and the farmers and urban homeowners.

In 1959 and 1960 there was a buildup of the Japanese beetle population in the Toledo area of Ohio and from this area it spread across the line into Monroe and Lenawee Counties in Michigan. There was also buildup of the South Bend area of Indiana, and there was some spread from there into Berrien County, Mich. During the period 1959–61, 85,000 acres were treated, principally in these three counties, with funds provided by the Federal, State, and county governments to eradicate the beetle.

The eradication of Japanese beetle infestations each year as they have been discovered in Michigan has precluded the need for costly yearly quarantine compliance by the industry, in order to ship their products and the need for widespread use of insecticides on the affected farms and in the urban areas to control this pest.

Since the 1959–60 outbreak, extensive surveys have been made throughout the State to determine any recurrence of the Japanese beetle. In 1962, the trapping program revealed infestation again in Monroe and Lenawee Counties on about 80,000 acres, and 1,000 acres in Berrien County. The seriousness of the problem in Michigan could not be fully appraised until the end of the trapping program in September when the full extent of the 1962 spread was known.

This is a serious problem area. Based on past experience with this pest it can be assumed that without prompt eradication effort the beetle will build up and spread throughout the State. Eradication treatments to be effective in such situations should be applied in the fall of the year. There is strong public support for an aggressive program to deal with this problem.

The current Japanese beetle situation in Michigan is cause for alarm considering that the State is one of the major producers of nursery stock, fruits, and vegetables which are prime hosts of the Japanese beetle.

Similar infestations, but which are not so extensive, also occur in Illinois, Tennessee, and Missouri. These are infestations beyond the area of general infestation which should be eradicated promptly if spread is to be prevented into other parts of these States, and into other uninfested States.

Mr. Chairman, I hope the committee will adopt this amendment.

Mr. THOMAS. Mr. Chairman, will our able and distinguished friend yield just for a moment?

Mr. MEADER. I am glad to yield to the gentleman.

Mr. THOMAS. I realize that our friend here is a little bit at a disadvantage because he did not have an opportunity, I assume, to present this to the committee, but I know he realizes the committee is at a disadvantage too because the first time we heard about it was an hour ago, from our able friend. He did pretty well under the circumstances and, of course, my friend knows I am not fussing because I know that you do have a bad problem and we want to help.

I would like to ask our colleagues on the committee having jurisdiction of this matter whether they have had an opportunity to examine this problem.

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

Mr. MEADER. I yield to the gentleman.

Mr. WHITTEN. All I can do is to say that I have talked to the author of the amendment and have served for some years as chairman of the committee which recommends funds for the work that we have tried to do in eradicating the Japanese beetle. The latest information is that the Department has some $760,000 for this work in the pending bill for agriculture. Also that bill includes $1,500,000 for outbreaks of pests for fiscal year 1963.

I do think that in this area it would not be remiss to grant these funds, but I think the Department has to be certain as to whether they wish to set out on an overall effort to control the Japanese beetle. It cannot be limited to a local situation. Unless adjacent States and the whole Federal Government work on this problem, history shows there is little chance of controlling it by just working in one place.

Mr. THOMAS. If the gentleman from Michigan will yield further, may I ask the gentleman from Mississippi [Mr. WHITTEN], and the gentleman from Minnesota [Mr. ANDERSON], the gentleman from Washington [Mr. HORAN], would it be possible for the committee to accept this amendment now and then take it to conference and rely upon your judgment and the judgment of other distinguished Members? And if it develops that this is serious and there is no money for it, then we accept it; otherwise we reserve the liberty of throwing it out in conference. Does that make sense?

Mr. WHITTEN. This was not called to our attention as a separate problem. It was before our committee, of course, along with the regular activities. May I say to the gentleman from Michigan, it would be perfectly agreeable, and I think good business, if we carried it to conference. Then I would suggest that members of the committee confer with Department of Agriculture officials and see if they could use this money under a sound approach to this problem.

Mr. THOMAS. Will the gentleman yield briefly to the gentleman from Washington [Mr. HORAN] that we may hear from him?

Mr. MEADER. I yield.

Mr. HORAN. I am in favor of allowing this amendment, because I think the State of Michigan has shown excellent judgment and good faith in offering to appropriate $250,000 of their own money to make a line operation against the Japanese beetle, which is very, very destructive to crops.

There is right now perhaps some $50,000 of Federal funds that might be applied by the Federal Government on this. There is $760,000 that we carry every year largely for M. & O., salaries, and expenses, and that sort of thing for use anywhere there is an emergency.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. MEADER] has expired.

Mr. FORD. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. MEADER] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORD. Mr. Chairman, I am strongly in favor of the amendment of the gentleman from Michigan [Mr. MEADER]. With the $250,000 in this amendment and the funds promised by the State of Michigan the Japanese beetle problem in our State can be handled.

This is a critical problem in southeastern Michigan but there are other areas in the State where there is evidence of Japanese beetle infestation. There is some evidence Kent County has Japanese beetles. This is serious and action must be taken immediately.

I hope the amendment is approved.

Mr. HORAN. Mr. Chairman, will the gentleman yield further?

Mr. MEADER. I yield.

Mr. HORAN. The gentleman from Mississippi mentioned $1,500,000 emergency funds. They will not be available for this purpose.

I am in favor of this, but I do want to point out this fact which was raised by my colleague from Mississippi, it does very little for one State to put on a forthright program such as Michigan, unless the adjoining neighboring States do likewise.

I do think our great Committee on Agriculture legislation should make a study of this matter, and I think that a law is in order making it mandatory that uniform practices be had by every State, not only Michigan, but the surrounding States. I say this because in my own State of Washington during the depression years the State passed a law which made it possible for the State to bring a bulldozer into a commercial orchard and push over trees that were infested. This had to be done because a good, conscientious orchardist might protect his own orchard from pests to no avail if his neighbor neglected his property.

Mr. THOMAS. Mr. Chairman, will the gentleman yield briefly for a question?

Mr. MEADER. I yield.

Mr. THOMAS. Our friend, the gentleman from Washington, has spoken. I would like to know what our able and distinguished colleague on the other side, the gentleman from Iowa [Mr. JENSEN], thinks about it.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield.

Mr. JENSEN. I, of course, have not made a great study of the Japanese beetle.

Mr. THOMAS. None of us have.

Mr. JENSEN. It is starting to spread to my State. However, we are not hurt too much yet. The Japanese beetles fly far and fast, and they multiply mighty fast. I know, as most everyone does, who knows anything about the problem, that we must head this infestation off or they are going to be really a problem.

So I am very much in favor of curbing the infestation of this destructive beetle.

Mr. THOMAS. Mr. Chairman, without objection, the committee will accept the gentleman's amendment. We will take it to conference, and if anything develops in conference we can throw it out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MEADER].

The amendment was agreed to.

Mr. CURTIS of Missouri. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Chairman, I want to call attention to the fact that yesterday, maybe most Members now know it, we amended the National Defense Education Act of 1958 by striking out subsection (f) and inserting in lieu thereof several lengthy paragraphs. This is in reference to the disclaimer affidavit about which there is considerable controversy.

The question comes up, How could a thing like this occur by unanimous consent? At this time in the session we frequently have these unanimous-consent requests without anyone taking the mike and it is hard sometimes to know what they are. This was not programed, it was not on the whip notice, as far as I can find out. The people concerned with this as members of the Committee on Education and Labor on our side, primarily concerned with this jurisdiction, were not notified.

Mr. GRIFFIN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. CURTIS of Missouri. Mr. Chairman, this Senate amendment to a House bill amended the National Defense Education Act. Actually, the committee that had the bill was the Science and Astronautics Committee, because the original bill was an amendment to the National Science Foundation Act.

You will find all of this on page 21728 of yesterday's RECORD. This was called up by the chairman of the Committee on Veterans' Affairs, the gentleman from Texas [Mr. TEAGUE], although I do not know whether he was acting in that capacity. He asked unanimous consent on the three bills immediately preceding this for consideration. These bills had to do with veterans' affairs. Then this particular bill was called up which did not deal with veterans' affairs. Then, immediately after, another bill dealing with veterans' affairs was called up.

I do not happen to have strong feelings on this particular issue, although I do know many of the people I represent do. Many Members of the House do. Certainly this matter is quite controversial.

Let me show what the Senate amendment does, for the information of those who are concerned in the other direction.

It imposes a criminal penalty for whoever violates this, and they shall be subject to a fine of $10,000 and imprisonment for not more than 5 years, or both.

Mr. Chairman, the point is that if we can bring matters onto the floor of the House in this fashion, which I am sure the leadership on both sides know are controversial, without it having been considered by the committee which should consider it, then we have lost control of the legislative process.

Mr. Chairman, on the next page in the RECORD we find some very interesting letters exchanged between the chairman of the House Committee on Education and Labor, the gentleman from New York [Mr. POWELL], and the chairman of the Committee on Science and Astronautics, the gentleman from California [Mr. MILLER], in which the jurisdiction of the House Labor and Education Committee is in effect waived by the gentleman from New York, Chairman POWELL.

These letters are dated September 26, 1962, and September 27, 1962.

Mr. Chairman, the House billion which this was a rider was passed in the closing days of the last session, on September 6, 1961, on the Consent Calendar, without effective notice being given at that time, I might say. For over a year the bill has been sitting in the other body, apparently just waiting until this stage of the session of the House.

Gentlemen, I have said before, and I repeat, unless we adhere to proper procedures in this Congress, government by law has disappeared. If this kind of procedure is to be followed it is going to require those of us who are trying to be faithful to our duties to have to object to all unanimous-consent requests. We should be able to rely on the leadership of the House to show more concern for the Members' representation and the people of this country, than to slip through a bill so far reaching and so controversial in this kind of fashion.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. Yes, I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to say to the gentleman from Missouri [Mr. CURTIS], that I agree with the gentleman from Missouri in saying that this is far from an ideal way in which to consider a matter of real consequence. I do think it fair to point out, however, that this change in section 101(f) does not affect the loyalty oath provision of the National Defense Education Act or the National Science Foundation Act. It eliminates the so-called Communist disclaimer affidavit, and substitutes criminal charges in place of that provision.

Mr. Chairman, there was a brief discussion, but not until yesterday, in the Committee on Education and Labor, at the urging of some of the minority members of that committee, about this question.

The gentleman from Missouri referred to a letter which the chairman of the full committee wrote to the Science and Astronautics Committee——

Mr. CURTIS of Missouri. Yes; this letter is in the RECORD.

Mr. FRELINGHUYSEN. On page 21729, in which Mr. POWELL said time did not permit our committee to take direct action on this. That is not quite accurate. We could have taken action yesterday. But had we done so, we still would not have had an opportunity even in committee for a full discussion. Of course, as the gentleman has pointed out, there was no discussion, no legislative history made yesterday on the floor.

I might say that I was in the Committee on Foreign Affairs yesterday; I arrived on the floor of the House at 12 minutes past noon, and found that action on the Senate amendment had already been taken.

I do think this matter was of sufficient importance to have been considered directly, and at some length in the House. I might add also that I think the language to be substituted for the disclaimer affidavit represents an improvement, but I regret that there was not at least some discussion of the changes in the National Defense Education Act.

Mr. CURTIS of Missouri. Mr. Chairman, I urge all of my colleagues to look into this particular procedure and come to their own conclusions.

Mr. TEAGUE of Texas. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Chairman, the gentleman from Missouri [Mr. CURTIS] is critical of the manner in which H.R. 8556, to amend the National Science Foundation Act of 1950 to require certain additional information to be filed by an applicant for a scholarship or fellowship, and for other purposes, was passed.

Mr. Chairman, the gentleman from Missouri implies that this bill was considered in a way that was something less than complete frankness with the Members of the House. Mr. Chairman, first it seems only common courtesy that if any Member expects to criticize the actions of another Member of the

House that he would so inform that Member before making the remarks. This, the gentleman from Missouri [Mr. CURTIS], did not do.

Mr. Chairman, some 10 days ago the gentleman from California [Mr. GEORGE P. MILLER], chairman of the House Committee on Science and Astronautics, contacted me and asked if I, as the second ranking member of that committee, would call this bill up as he was to be out of town. I first called the staff of the Science Committee and instructed them to inform the minority members of the committee concerning this bill. Inasmuch as the other body had attached an amendment which applied to legislation originating in the House Committee on Education and Labor, I contacted this committee and was informed that the gentleman from Connecticut [Mr. GIAIMO] was the person to contact. I spoke to the gentleman from Connecticut [Mr. GIAIMO] and later went to the minority side of the House and contacted the gentleman from Pennsylvania [Mr. FULTON], the senior minority member on the Science Committee. I contacted the gentleman from Ohio [Mr. AYRES], who is a member of the Education and Labor Committee but was not able to locate the gentleman from Pennsylvania [Mr. KEARNS] nor the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Early yesterday morning, I called the gentleman from Connecticut [Mr. GIAIMO] and asked that he clear this with members of the minority on the Education and Labor Committee. He informed me that the committee was meeting that morning and would discuss it then. He called me later and advised that the bill had been discussed and that it would not be objected to. I was also called by a member of the committee's staff and informed that the bill was discussed and had been approved.

I discussed the bill with the Speaker, with the majority leader, and with the gentleman from Indiana [Mr. HALLECK], the minority leader. I was told by the gentleman from Pennsylvania [Mr. FULTON] that he had contacted minority members of the Education and Labor Committee and that they agreed on the procedure under which the bill was to be considered.

Mr. Chairman, I had heard that the American Council on Education objected to this legislation and inquired of the council and was furnished a letter signed by Mr. Logan Wilson, saying that they approve of the legislation. I had heard that the gentleman from Pennsylvania, Mr. FRANCIS WALTER, had some objection to this bill. I contacted the gentleman from Pennsylvania [Mr. WALTER] and was advised that he was in agreement and would support the legislation. If I had had any idea, Mr. Chairman, that the gentleman from Missouri was interested in this legislation I would have contacted him but I believe that every Member of the House will agree from my statements above that I did everything that any Member should be expected to do in clearing a bill. It is impossible to contact every Member of the House on a unanimous-consent request.

Mr. Chairman, the gentleman from Missouri makes a point of this unanimous-consent request being made at the same time that unanimous-consent requests concerning veteran bills were made. Mr. Chairman, I had five requests for concurrence in Senate amendments and one request for conference and this is the order in which the requests were made. Mr. Chairman, for the benefit of the gentleman from Missouri and to keep him fully informed, I shall advise him of any unanimous-consent requests pertaining to legislation which I shall make in the future.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is just possible that I will not take the 5 minutes. I do so because I ran into an item in the bill under "International Organizations and Conferences, Missions to International Organizations," providing $12,000 for the Interparliamentary Union, the junketing organization for Members of Congress that has been close to my heart for a long time because of the spending for no good purpose.

Is it not true, I ask some member of the committee, that the Interparliamentary Union got $15,000 earlier? That this is $12,000 more? Is it not true that these junketeers wheel out MATS planes to take them wherever they want to go for these so-called conferences?

Is that about correct, I would ask my friend, the gentleman from New York [Mr. ROONEY]?

Mr. ROONEY. If the distinguished gentleman from Iowa will yield, that is correct. But I should like to point out to the distinguished gentleman from Iowa that in my humble estimation the Interparliamentary Union Conference is one of the most effective means of achieving better relationship between the parliaments of the world. I have attended some of these conferences. I have not been to one in many years; but I never worked so hard in my life in a week or 10 days as I did in 1948 at the one in Rome, Italy.

Mr. GROSS. Mr. Chairman, I know the industry of the gentleman from New York, and I hope that is the story with all of the other delegates, but I am fearful that it is not.

Mr. ROONEY. Has the gentleman ever attended one?

Mr. GROSS. No.

Mr. ROONEY. The gentleman has been invited?

Mr. GROSS. Yes; the gentleman nominated me once.

Mr. ROONEY. I certainly did; and I wish the gentleman had gone to the conference that year because he would have realized that this expenditure of $27,000 is worthwhile.

Mr. GROSS. I understand the schedule that was developed or announced yesterday for this year's meeting of the Interparliamentary Union. I note that the delegates are going to Brasilia, the new capital of Brazil, and they are going by a circuitous route, as I understand it they are going by a circuitous route to get there and then by another circuitous route to get home. They are apparently going to do a little junketing as they go and come, I will say to the gentleman, if he will read the schedule for this year.

Mr. ROONEY. I do not know whether that is the correct word or not—"junket." I never liked it. However, the gentleman always uses it. I think that when one goes on official business, as a Member of the House of Representatives, that it is not junketing.

Mr. GROSS. Whether it is a junket depends on what the Member does and accomplishes. Mr. Chairman, I notice that the Peace Corps is going to have what is called a "middleman's" conference. And where do you suppose the so-called middleman's conference is going to be held, beginning on October 10, just a few days from now? It is going to be held at the luxurious Dorado Beach Golf Club, on the Caribbean, 25 miles from San Juan, P.R. That is the same hotel where the distinguished gentleman from New York, Mr. ADAM CLAYTON POWELL, had a minimum wage conference not so long ago and did not invite the Republican members of his committee to participate in that conference. I am not here appealing for sympathy for the Republicans who were left behind. I note that Laurance Rockefeller, who owns this sumptuous hotel, with rates beyond the average traveler, has made a special rate of $28 per day for the "middleman's" Peace Corps conference, this down-to-earth organization that was not going to cost the taxpayers anything. This was to be a labor of love, a sacrifice on the part of everybody connected with it. I notice that Vice President Johnson, the State Department's Walter Rostow, Edward Murrow, and R. Sargent Shriver, and others, will be on hand for the "middleman's" conference. I do not know how many of these are "middlemen," but they are going to be there to enjoy hotel accommodations at $28 a day.

Mr. ROONEY. Mr. Chairman, I should like to point out to the distinguished gentleman that that hotel in Puerto Rico was also visited by our distinguished Governor of the State of New York, "Nels" Rockefeller.

Mr. GROSS. I pointed out at the start of my remarks on this subject that it is the kind of place where people with the kind of money the Rockefellers have would be staying.

Mr. ASHBROOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: On page 5, strike out lines 16 through 23.

Mr. ASHBROOK. Mr. Chairman, I would like to take a few moments here to reiterate some of the points made by my distinguished colleague from Ohio [Mr. BOW]. Those of you who took the time to read these hearings, and they are very interesting hearings, found on pages 242 to 249 some rather interesting statements regarding the educational television program.

I should like to compliment the gentleman from Ohio, the gentleman from North Carolina [Mr. JONAS] and the

gentleman from Texas [Mr. THOMAS]. They have pointed out that there is probably not any need for this $2 million which has been requested to implement the educational television program. Indeed, they reduced the bureaucrats' request from $4,250,000 to the $2 million figure.

The reason for this reduction, I think, is well summed up by Mr. THOMAS on page 248:

Mr. THOMAS. What Mr. Bow is trying to caution you on is to go slow and get your feet squarely on the ground, and that is what we all want you to do. You cannot do it in a year. This is a big field and is a field that no doubt will grow, so take your time. We will not rush you. We will help you in due time.

The point I would like to make to the committee is the fact that next year would more appropriately be "in due time," as the gentleman from Texas put it, because we already have had the testimony that the Federal Communications Commission has announced a program which would call for less expansive programs assuring local control and could offer educational television to the schools without the cost that is shown by the people who were promoting this program.

On page 246 the gentleman from Ohio [Mr. Bow] asked a very penetrating question, and I may say in reading the hearings that the gentlemen on both sides of the aisle asked very good questions. The gentleman from Ohio [Mr. Bow] said:

It seems to me it would be well that the State and local school boards and educators generally be advised of this new development.

I might inject here that he is talking about the Federal Communications Commission's statement that you can have a 2000-megacycle television band at less cost.

The gentleman from Ohio [Mr. Bow] said, and I repeat—

the State and local school boards and educators generally be advised of this new development so that they would have knowledge that something is in the making that would be less expensive to them. Have you done anything about that?

Here was the answer he received:

Dr. BYSTROM. To my knowledge there has been no general information by the Office of Education on the 2000 megacycles for the reason I stated, that the Federal Communications Commission still is in the midst of acting on it.

I would suggest that if you look at the Federal Communications Commission document, they are much further than being "in the midst of acting on it," as Dr. Bystrom put it. They have made statements that this bill will be a workable program and in fact have pointed out that it holds great promise.

What we are doing here again is to take a new program and start it by supplemental or deficiency appropriations rather than waiting to get the full hearings that would properly be taken through the regular appropriations process next year. It is always questionable legislative procedure to start new projects or programs by this so-called supplemental process.

This is one of the areas I have studied very closely. As every Member of the House knows, there are always one or two specific areas in which you will have a particular interest and look at very closely. Educational television is one of those areas on which I have spent a great deal of time.

I happen to believe, and I do not think this is an alarmist statement, that this is one of the best means we can possibly have for developing a system in the hands of the national bureaucrats for putting their ideas out into every classroom in the country. It is very difficult to control 120,000 school districts, but it it relatively easy to control 5 or 6 central education television networks. I happen to believe, for all the points made by the gentleman from Texas [Mr. THOMAS], the gentleman from Ohio [Mr. Bow], and the gentleman from North Carolina [Mr. JONAS], that we would do well to delete this proposal right now and let it come in next year and stand on its own two feet under the regular appropriations process rather than sneak in through the back door.

Mr. BRUCE. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Indiana.

Mr. BRUCE. I should like to commend the gentleman from Ohio for his foresight in offering this amendment. I think certainly those who believe and have spoken eloquently on the subject of preserving local autonomy and control in the field of education would find this amendment much to their liking. Not only does that raise the possibility of a vast saving of money, which is advisable with our financial condition the way it is, but also the question of the tremendous possibilities of the use of educational television on campus, to facilitiate construction in the classrooms through the new proposals that are coming forward, the new ideas. If this can be done, and apparently according to the Federal Communications Commission it can, it is really strengthening the fiber of local control, State control, over the very vital area of education. I commend the gentleman and support his amendment.

Mr. ASHBROOK. I thank the gentleman from Indiana.

One of the keys to the whole matter is the fact that the new 2000-megacycle-type ETV setup will be one which can be used locally. I think that is why the Office of Education so vehemently opposes it since they want an overall system of networks which can be controlled and used to their own purposes.

NEW PROJECT STARTED BY SUPPLEMENTAL

Mr. Chairman, I should like to draw to the attention of my colleagues on both sides of the aisle the fact that since the passage of the educational television authorization bill, more than one piece of new evidence has come to light which should cause us as responsible lawmakers to reconsider.

First, there is this new FCC proposal to allocate the 2000-megacycle range for educational TV. The initial investment for equipment and for the operational costs for this new TV technique are both estimated by the FCC to be far less than for conventional TV broadcasting. It therefore would be capricious indeed for us to appropriate Federal funds to further ETV broadcasting—at least until a study of the apparently more efficient and economic new method has been made, and the facts established.

Second—and it is this "new evidence" that I will deal with briefly here—there is the reorganization of the U.S. Office of Education along the lines suggested in the discredited pamphlet "A Federal Education Agency for the Future—Report of the Committee on Mission and Organization of the U.S. Office of Education." The question is: Is the U.S. Office of Education, staffed with so many educational bureaucrats dedicated to the "mission" set forth in "A Federal Education Agency for the Future," the appropriate agency to administer Federal aid to educational television in a country devoted to local control of education?

To be sure, the Educational Television Act vests administrative power not in the Commissioner of Education but in the Secretary of Health, Education, and Welfare. However, in the hearings on the supplemental appropriations bill, 1963, in its justification for the funds requested, HEW stated, and I quote from page 235:

Implementation of the act will be accomplished by the established of an Assistant to the Secretary for Education Television and a Deputy. This unit, in the Office of the Secretary, will be responsible to the Under Secretary for executive direction and program coordination. It will establish policy guidelines for the Secretary, and review for the Secretary, recommendations of the Office of Education.

A unit for educational television will be established in the Office of Education to carry out the operational details of the program. Important duties will involve review and processing of applications, preparation of recommendations for the Office of the Secretary, and disbursement of grand funds.

This means, of course, that the Office of Education will in effect administer the act—particularly inasmuch as Dr. John W. Bystrom, Assistant to the Secretary for Educational Television, came from the Office of Education. Both Dr. Bystrom and Dr. Arthur L. Harris, Associate Commissioner, Bureau of Educational Assistance Programs, Office of Education, appeared with Ivan A. Nestingen, Under Secretary of HEW, before the Appropriations Committee.

On July 26, Mr. Chairman, I revealed here on the floor of the House that not only had the Office of Education been reorganized along the lines of "A Federal Education Agency for the Future," but that a number of the committee members and their aids and associates in that project had been raised to positions of leadership in the reorganization. They were:

Dr. Arthur Harris, to the position of Acting Associate Commissioner and Director of the Bureau of Educational Assistance Programs.

Mr. Ralph C. M. Flynt, to the position of Acting Associate Commissioner and

Director of the Bureau of Educational Research and Development.

Mr. John F. Hughes, to the position of Acting Executive Director of the Office of Administration and Director in the Office of the Commissioner.

Mr. Charles P. Dennison, to acting executive officer under Mr. Flynt in the Office of Educational Research and Development.

Mr. Thomas E. Cotner, to the position of Acting Deputy Associate Commissioner in the Bureau of International Education.

Mrs. Sonia O. Ashworth, to the position of acting budget assistant under Mr. Flynt in the Bureau of Educational Research and Development.

Mr. Edward Cunningham, to the position of acting personnel assistant under Mr. Harris in the Bureau of Educational Assistance Programs.

Mr. E. Glenn Featherston, to the position of Deputy Associate Commissioner under Mr. Flynt in the new Bureau of Educational Assistance Programs.

At that time, I said:

Mr. Speaker, I submit that this is no routine reorganization for purposes of efficiency or economy. I submit that this is a design for change in Office of Education functions leading toward Federal control over the State and local school systems and curriculum content—in short, Federal control of education.

It is my understanding, Mr. Chairman, that other OE personnel associated with the "mission" project have been promoted to high positions—including B. Harold Williams, a Mission Committee member, to be Acting Director of Information; and John G. Lorenz, a Mission Committee member, to be Acting Director of the Division of Continuing Education and Cultural Affairs.

Equally important is the recommendation to promote Mr. John R. Ludington to the position of chairman of the Office of Education Civil Service Review Board. Mr. Ludington was not a member of the Committee on Mission, but he was deeply involved in the life-adjustment movement—philosophical successor to progressive education—at the time of its heyday when the Office of Education was taking leadership in this field.

I have here in my hand a book, published by the OE, entitled "Vitalizing Secondary Education—Education for Life Adjustment," of which Dr. Ludington is a coauthor. Let me read you a few passages:

In "Getting Programs of Life Adjustment Education Under Way," issued by the Office of Education in February 1949, the following criteria were suggested for the use of State committees in selecting cooperating schools:

1. The administration and staff understand and accept the guiding principles of life adjustment education.

2. The administration and staff propose a place of action in accordance with the principles of life adjustment education.

3. The administration and teaching staff are willing to change the school program to adapt it to life adjustment goals.

4. The community is ready to accept changes in the school program in the direction of life adjustment goals.

5. The school and community can make available necessary resources for carrying out the proposed plan of action.

In this statement the Commission called attention to the importance of selecting cooperating schools having staffs willing to spend considerable time and energy in systematic efforts to change present programs.

The Office of Education and the U.S. Government Printing Office distributed and sold more than 17,000 copies of "Life Adjustment Education for Every Youth," which reported activities of the first national conference at Chicago and plans for the Commission. The American Technical Society published and distributed free of charge to educators single copies of two popularly styled brochures—"High School—What's In It for Me?" and "A Primer of Life Adjustment Education." More than 58,000 copies of the first brochure were distributed. The Office of Education distributed free of charge many copies of "Developing Life Adjustment Education in a Local School" and "Getting [State] Programs of Life Adjustment Education Under Way." Also, in connection with the program, there were distributed a number of pertinent professional publications produced by staff members of the Office in the course of their regular duties and an especially useful statement reproduced by permission of a professional magazine.

* * * * *

Functions schools should serve: Schools planning programs for life adjustment education should make continuous efforts to understand the most significant cultural forces affecting the lives of people now and likely to affect them in the years ahead. School programs should provide the understandings and experiences necessary to meet the demands for democratic world citizenship. American schools cooperating with schools throughout the world must exchange information, experiences, and practices which have proved to be effective in helping young people live effectively in a modern democratic society.

* * * * *

Schools should help youth understand the patterns of the new social structure and the changed social relationships which advancing technology brings. In short the modern school should induct youth by stages into full membership in the dynamic local, State, National, and world communities in which they live.

These quotations show Dr. Ludington to be an ideological brother of the "mission" advocates. In the position of Chairman of the OE Civil Service Review Board he will be able to decide in large measure who will and who will not carry the "mission" torch and lead American education in curriculum changes and life adjustment.

I have proposed, Mr. Chairman, that in the OE the posts of Deputy Commissioner and Associate Commissioner be made appointive under schedule C and be kept out of civil service; and I have shown that my Chairman, Mr. POWELL, Mr. ROOSEVELT, and Mrs. GREEN, with whom I do not always see eye to eye, have made the same suggestion. In this connection it is of interest to note that the position of Deputy Commissioner of Education, at present held by Wayne O. Reed, was sometime ago transferred from schedule S to Civil Service, and that this change took place at the time Reed was Chairman of the OE Civil Service Review Board—the position for which John R. Ludington, of the life adjustment persuasion, has been recommended.

What does all this have to do with educational television?

I submit, Mr. Chairman, that it does not take much imagination or special knowledge of the workings of Federal aid to see how much easier it would be to influence or control a handful of ETV stations that potentially reach all children than to control thousands of schools. The latter can be done, given enough Federal money, but not with the same degree of ease.

The Office of Education already has demonstrated that the basis of my fears is not unfounded. The Office was created largely "for the collection and dissemination of information describing the state of American education." The Office was well aware of the sensational FCC proposal regarding educational TV, and yet, by the admission of Dr. Bystrom, the OE did nothing to disseminate this information that should be of vital interest to every local school board. The OE decision not to inform the country of the new opportunity in ETV is certainly a form of control. It takes decision in this field away from the localities and vests it in the OE, and is an example of what we may expect if the OE has dollars to give for ETV.

Mr. Chairman, I support the amendment to strike the appropriation for ETV in 1963.

Pages 242 through 249 of the hearings on this supplemental appropriation bill are most revealing and I wish to have them included at this point along with the FCC statement on this subject:

FCC PROPOSED AUXILIARY SERVICE

Mr. BOW. I have been concerned about this program after learning that since the passage of this bill the Federal Communications Commission has come up with a proposal of a new rather revolutionary program operating on the television broadcast auxiliary band 1190–2110 megacycles. What have you done in that?

Dr. BYSTROM. That is strictly in the experimental stage at this time. They have one experiment going in New York which has been quite successful. This so-called 2000-megacycle range would not be a substitute or a competitor for this kind of educational television activity.

Mr. BOW. Why not?

Dr. BYSTROM. This is general cultural programing of broadcast quality for the general public. The 2000-megacycle range would be essentially closed circuit. By that I mean that you, by purchasing a very expensive application for your existing set at a price of about $300, you might be able to pick up the programs that would be put out in that 2000-megacycle range. But basically it would be for schools in the locality, it would be for institutions, and it would not be for the general public.

Mr. BOW. Do I understand, then, that your anticipation of this educational television facility is not for schools but to educate the general public? Is that correct?

Dr. BYSTROM. No, that is not quite the case. The broadcast station is conceived as perhaps telecasting to the general public in the evening hours and being used by schools in the area during the morning and afternoon. In a case where it is a highly developed urban center the broadcast station is not sufficient because you can only put on one class at a time. If you develop this 2000-megacycle system it is possible for them to put six or eight classes on simultaneously. The broadcast station is especially good in

the more sparsely populated areas, for school use; but it is essentially for the broad cultural programs, adult education, and that sort of thing.

Mr. Bow. The Federal Communications Commission, in their report, has stated that this new system they have developed offers the prospects of meeting all the requirements of educators. Do you agree with that?

Dr. BYSTROM. For inschool use, yes.

Mr. Bow. With the new inschool use the cost is much less in the erection of facilities, is that not also true?

Dr. BYSTROM. For purely school use the erection of the transmission facilities would be less expensive. However, the cost of reception would be much greater. The kind of receivers you would use for this 2000-megacycle range would be quite expensive. No one has set a figure on it yet because it is still experimental, but it could be two, three, or four times more than the traditional receiver would cost.

Mr. Bow. Where we are called upon to give grants of $1 million to States, the actual cost of equipment would be from one-fifth to one-third of the kind you are now anticipating, would it not?

Dr. BYSTROM. Well, so far the only company in this field for the 2000-megacycle system is the Adler Co., and I think they have proposed some estimates that would come close to that figure, but these are still estimates and we are still talking about prototype equipment.

Mr. Bow. I have a copy of the proposed rulemaking of the Federal Communications Commission and have studied it very carefully and it seems to me we ought to go a little slow in the development of this educational television until we find out if this is true that it will cost only between one-fifth and one-third of the cost of the other, and perhaps we could save the Federal Government its share.

Dr. BYSTROM. I would offer two responses. One is that on the same day—that was July 25, I think, you are referring to on which the Federal Communications Commission made this report on the 2000 megacycle—on that same day they reserved for educational television 6 new UHF channels in Georgia, 9 in Kentucky, and 12 in Florida. So I would say this is evidence on the part of the Federal Communications Commission, at least, that they still see a future for educational television as here proposed.

Mr. Bow. They also stated the "total number of channels allocated for television broadcasting is inadequate to provide channels for broadcasting both educational and commercial, and still leave multiple channels for classroom instruction and other special uses." So it seems to me they are very much concerned with the development of this educational television 2000 megacycle service, which is less expensive, than the one anticipated under these programs.

Mr. THOMAS. Off the record.

(Discussion off the record.)

PROGRAMING RESPONSIBILITY

Mr. Bow. I notice in the release of the Secretary of Health, Education, and Welfare, I think that was the 23d of August, that he refers on page 3 to a nationwide system of instruction and general education. Does this mean that the Department is favoring a centrally controlled system of instruction and general education?

Mr. NESTINGEN. As far as programing is concerned, it is not our intent to get into the programing. We have a very keen interest in making sure that as much exposure as is possible of educational programs is made available to people through the television media wherever it is possible to do it. This is not to say we will be involved in the programing.

Mr. Bow. In view of the fact you have indicated it is not the intention to have this nationwide programing, would you then suggest it be decentralized in the various areas?

Mr. NESTINGEN. So far as programing is concerned, leave that to the States or local units of government or to the nonprofit television licenseholder.

INFORMATION TO SCHOOLS ON 2000-MEGACYCLE SYSTEM

Mr. Bow. Now has the Department done anything about advising the State and local school boards and educators generally about the possible advantages of this new system?

"Views of the Department of Health, Education, and Welfare on the proposed auxiliary educational television service (2000 megacycles)

"The following information is submitted to the Subcommittee on Deficiencies by the Department of Health, Education, and Welfare in response to the interest shown by Mr. Bow and the subcommittee in the new auxiliary educational television service proposed by the Federal Communications Commission in its public notice of July 26, 1962.

"The Department is presently encouraging active study of this service which gives evidence of being an extremely important asset to education. The Department will submit to the Federal Communications Commission, prior to September 17, 1962, comments relative to the proposed service. The educational media program of the Office of Education which administers the funds available for research and experimentation in the new educational media, under title VII of the National Defense Education Act, is prepared to give consideration to proposals for experimentation in the use of the 2000-megacycle range for in-school education. Through the medium of the three principal educational associations in the media field, the Joint Council on Educational Broadcasting, the National Association of Educational Broadcasters, and the National Educational Television and Radio Center, information is being provided school administrators, chief State school officers, and college and university authorities concerning the FCC Report No. 4296 and the nature of the 2000-megacycle-range service. Working in cooperation with the Federal Communications Commission we will continue and broaden informational and research efforts in relation to the new service.

"Wide use of the 2000-megacycle range by schools, colleges, and universities would in all probability reduce the anticipated demand by education over the next decade for television channels since agencies which might have sought multiple channels for essentially institutional use will now consider the 2000-megacycle-range service for private needs rather than the public service provided by VHF and UHF channel allocations. The 2000-megacycle-range service cannot by its private nature, however, meet the existing need for a general public educational television service and this need is sizable and still largely unmet.

"The Department recognizes the 2000-megacycle range as one of the ways to meet the need of education for a private, institutional television service. It is properly described by the Federal Communications Commission as an auxiliary or supplement to a public broadcast television service. We fully support the view of the Federal Communications Commission (docket No. 14744) when, in discussing the 2000-megacycle proposal, the Commission said:

" 'In considering the contemplated uses of television for educational purposes, we find that two general types of operation are involved. There is a need for a broadcast type of operation whereby educational and cultural material as well as selected types of entertainment are transmitted for the purpose of being received by the general public on conventional television receivers located in individual homes. There is also a need for the transmission of instructional material to selected receiving locations for display on conventional TV receivers located in classrooms, lecture halls, industrial plants, hospitals, rehabilitation centers, and other similar places, as well as a limited number of private homes.'

"In the Educational Television Facilities Act, Congress directed its attention to the need for a public educational television broadcast service. This is evidenced by the history of the legislation, by the act's exclusion of support for private closed-circuit television except as incidental to public broadcast television, and by the primary purpose of the act which was to activate television channels allocated to education.

"State and local authorities are prepared and are preparing to provide that public educational television service. A list of the States with established television planning agencies is attached. Many of these authorities have been set up to meet the demand for State and local initiative in planning for public broadcast educational television required by the Educational Television Facilities Act.

"Many States have recently undertaken extensive educational and engineering surveys of State needs for public broadcast television facilities with funds provided by State and local public bodies and private sources. Undoubtedly, while some of these surveys will have to be modified should the proposed 2000-megacycle-range auxiliary service become a reality, the basic thrust of the planning has been to provide as many people as possible with the opportunity for noncommercial television service and plans for early station activation will not be greatly modified if at all. Thus, there may be expected a substantial demand immediately for funds under the act, a demand backed by careful local planning and extended effort to raise the necessary local matching funds.

"States with educational television planning authorities

"Alabama, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Hawaii, Idaho, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia—total, 41."

Mr. NESTINGEN. We are getting as much information out as possible on inquiry.

Mr. Bow. But have you circulated them at all and told them this new development was coming along?

Mr. KELLY. You are talking about the 2000-megacycle system?

Mr. BOW. Yes.

Dr. BYSTROM. No. This is a very new development.

Mr. Bow. I know it is, and being new and with the prospects it has I think it is something we should give real consideration to.

Dr. BYSTROM. The Federal Communications Commission, while they have put out a report, still are waiting for comments on that report so, in a sense, if we were to move before the Federal Communications Commission made a ruling on feasibility, it would be premature.

Mr. Bow. It seems to me it would be well that the State and local school boards and educators generally be advised of this new development so that they would have knowledge that something is in the making that would be less expensive to them. Have you done anything about that?

Dr. BYSTROM. To my knowledge there has been no general information by the Office of Education on the 2000 megacycles for the reason I stated, that the Federal Communications Commission still is in the midst of acting on it.

EFFECT OF 2000-MEGACYCLE SYSTEM ON HEW PLANS

Mr. BOW. Let me ask this question: What do you people intend to do now with this new development, the 2000 megacycle?

Mr. NESTINGEN. Let me answer that in this way: Going back for a moment to the question you posed about whether it would not be a good idea, in effect, to hold up on the present program, I would say definitely not. I am not technically acquainted with the 2000 megacycle but I would say this, it is experimental and it is only on the basis of estimates and exploratory work the Federal Communications Commission is proceeding at the present time. There is great interest across the Nation in educational television. We are ready to move on a relatively inexpensive program now.

Mr. BOW. When you say "relatively inexpensive" what do you have in mind?

Mr. NESTINGEN. A total allotment of approximately $32 million over a 5-year period. Approximately 40 percent of the Nation's population is now within range of an educational television station, but if all channels now reserved for education were put to use we could reach over 90 percent of the Nation's population in the sense of exposure. It strikes me that this would be a relatively inexpensive program and we should not hold up our efforts, so to speak, on this program.

Mr. BOW. Science develops very fast. We had a situation in aviation a few years ago where we appropriated large sums of money for a particular type of transmission in the airlines. At that time we were right at the verge of a breakthrough. We put millions and millions of dollars into it and within 2 years we were junking it and putting millions and millions of dollars in the new system.

Let me read what the Federal Communications Commission says about it. This is under "New Service":

"The total number of channels allocated for television broadcasting is inadequate to provide channels for broadcasting, both educational and commercial, and still leave multiple channels for classroom instruction and other special uses.

"There are two frequency bands in the present frequency-service allocations which might be suitable for such a service. The television broadcast auxiliary band 1990 to 2110 megacycles is only a little more than twice the frequency of the upper UHF television broadcast band and its propagation characteristics should not be markedly different. Since the contemplated service is in the nature of a supplement to educational television broadcasting, sharing with TV broadcast auxiliary fixed circuits, that is, television STL and televsion intercity relay stations, which now occupy this band, would seem to be feasible.

"The simplest system will consist of a central transmitting station or stations transmitting instructional and cultural material to one or more school buildings for use in classroom instruction. If needed, receivers can also be located at other selected locations including the homes of individual students. In some cases, the nature of the terrain or the extent of the area to be served will make it impossible to provide the needed service from a single central location. In such instances, transmitters will be licensed as 'repeaters' placed at strategic locations to serve areas that are not served by the central station. In some areas it will be desirable to interconnect systems operated by different jurisdictions or operated in different areas by the same jurisdiction. The rules will permit the use of transmitters as relay stations to interconnect such systems. Finally, there may be a need to deliver the instructional programs carried by the school system, to an educational or commercial broadcasting station or to bring selected program material from an educational or commercial broadcasting station to the closed circuit system. The rules will provide for such use."

Mr. THOMAS. Off the record.

(Discussion off the record.)

Mr. BOW. I would urge that the Office of Education go slow on this question of educational television facilities, and I think the schools should be advised of this new development coming along and if it will cost one-fifth to one-third of the cost presently anticipated, you do not need the $1 million matching funds.

Mr. NESTINGEN. Your point is well taken but I would like to make these observations on what we would like to do by way of proceeding. When you talk about a $32 million program——

TOTAL AUTHORIZATION AND EXPENDITURES

Mr. THOMAS. This is a 5-year program and you are authorized to spend $6.5 million a year? Can you spend any part of the $32 million over the period of 5 years?

Mr. NESTINGEN. Not in excess of $32 million. We would anticipate being able to spend the $32 million in 5 years.

Mr. THOMAS. Does it have to be in five annual installments?

Mr. NESTINGEN. No, we are asking for $4,750,000 during the first year.

Mr. THOMAS. What Mr. Bow is trying to caution you on is to go slow and get your feet squarely on the ground, and that is what we all want you to do. You cannot do it in a year. This is a big field and is a field that no doubt will grow, so take your time. We will not rush you. We will help you in due time.

Mr. BOW. Mr. Chairman, I should like to make a further statement on this subject.

Mr. Chairman, since the passage of the bill to provide $32 million Federal aid for educational television, the Federal Communications Commission has proposed a revolutionary new ETV service operating on the television broadcast auxiliary band 1990 to 2110 megacycles. This new ETV service (called fixed station multiple-address service by the FCC engineers) "offers the prospect of meeting all the reasonable requirements of educators." At the same time it will cost only a fraction of the conventional ETV station to purchase and install; and its operating expenses will be a drop in the bucket compared to either the conventional ETV broadcasting or closed circuit systems.

A typical ETV fixed-station service will be equipped, in addition to cameras and other studio facilities, with one transmitter which feeds programs into two broadbeam directive transmitting antennas attached to a schoolhouse chimney, which may reach less than 75 feet above ground level—no high towers are necessary. These antennas send a clear signal, according to the terrain, to between 30 and 40 miles, to be picked up by a receiver converter in each of the 20 or more schools in the district. These receiver converters, in turn, change the signal so that it can be tuned in and viewed on ordinary TV sets in the various classrooms.

If a greater range is desired, repeater translators may be licensed to do the job.

If desired, an ETV fixed station may interconnect with other ETV fixed stations or with commercial or noncommercial ETV broadcasting systems to receive or relay educational material.

1. According to the FCC, the "total number of channels allocated for television broadcasting is inadequate to provide channels for broadcasting both educational and commercial, and still leave multiple channels for classroom instruction and other special uses." The new service would take ETV for classroom and other special uses out of competition for the scarce television broadcasting bands needed for telecasting to the general public.

2. ETV fixed station signals will not play interference in the scarce spectrum channels and vice versa.

3. The new service is not intended to serve the general public. It is for supervised instruction in schools and colleges; inservice training of all sorts; advanced courses to help doctors, engineers, etc., to keep abreast of their professions; hospital and home courses for shut-ins or the temporarily ill. Converters for home use will be available for any eligible licensee.

4. The 1990- to 2110-megacycle band provides some 20 channels for ETV and will permit the simultaneous transmission of a number of programs from the same originating location.

5. The cost of the new service is between one-fifth and one-third the cost of a moderately powered ETV broadcasting station.

6. Since the new service will be within the financial reach of every parochial school or college as well as every local school board, it will not pose a church-state problem.

7. Since the new service is limited in scope to the wishes of the eligible licensee, it is in the American tradition of local control of education.

It seems to me, Mr. Chairman, the reasons given for the need for Federal financial aid for ETV were the high costs of ETV; whereas the proposed new ETV service apparently is fully adequate and in many ways more suitable than conventional broadcasting; and whereas the new system costs considerably less than half an ETV broadcasting station for which the Federal Government would pay half—it is apparent that Federal financial aid for ETV is unnecessary—at least at this time.

Mr. THOMAS. Any further questions?

Thank you very much, gentlemen. We are delighted and honored to have you and good luck to you. Come back and see us again.

NOTICE OF PROPOSED RULEMAKING

(Before the Federal Communications Commission, Washington 25, D.C.)

(In the matter of amendment of parts 2 and 4 of the Commission rules and regulations to establish a new class of educational television service for the transmission of instructional and cultural material to multiple receiving locations on channels in the 1990–2110 Mc/s or 2500–2690 Mc/s frequency band.)

(Docket No. 14744)

1. In considering the contemplated uses of television for educational purposes, we find that two general types of operation are involved. There is a need for a broadcast type of operation whereby educational and cultural material as well as selected types of entertainment are transmitted for the purpose of being received by the general public on conventional television receivers located in individual homes. There is also a need for the transmission of instructional material to selected receiving locations for display on conventional TV receivers located in classrooms, lecture halls, industrial plants, hospitals, rehabilitation centers, and other similar places, as well as a limited number of private homes. The broadcast type of operation obviously has to be carried on in the television broadcasting bands. Although the second type of operation is technically feasible on television broadcasting channels, it requires the use of more than one channel if courses in different subjects are to be given simultaneously. The total number of channels allocated for

television broadcasting is inadequate to provide channels for broadcasting, both educational and commercial, and still leave multiple channels for classroom instruction and other special uses.

2. Although television broadcasting is being used to a limited extent for classroom instruction it falls far short of meeting the actual needs of education, mainly because of the cost. The alternative, closed circuit systems which depend upon physical conductors or narrow beam microwave radio for distribution of instructional material, is also costly and lacks the ubiquity of broadcasting.

There is a real need for a service that can reach a number of scattered receiving locations from a central transmitting point and which at the same time can be controlled in such a manner as to make possible the assignment of several channels for a single system in a single area.

3. There are two frequency bands in the present frequency-service allocations which might be suitable for such a service. The television broadcast auxiliary band 1990–2110 Mc/s is only a little more than twice the frequency of the upper UHF television broadcast band and its propagation characteristics should not be markedly different. Since the contemplated service is in the nature of a supplement to educational television broadcasting, sharing with TV broadcast auxiliary fixed circuits, i.e., television STL and television intercity relay stations, which now occupy this band, would seem to be feasible.

The 120 Mc/s in this band would provide 20 standard 6 Mc/s television channels. The fact that the licensees have control of both the transmitting and receiving installations in the present service and the proposed new service, will permit considerable engineering planning to secure maximum efficiency in the use of the band.

4. The band 2500–2690 Mc/s is currently allocated to international control and operational fixed stations. Very little use is being made of this band at the present time. As an alternative to the 1990–2110 Mc/s band, this band might be allocated to the proposed new service on an exclusive basis. Existing licensees in the international control and operational fixed services would be permitted to continue use of the band but no new authorizations in those services would be granted. The propagation characteristics of this band should be approximately the same as those of the 2000 Mc/s band. The band would provide 31 standard 6 Mc/s television channels and thereby offers the promise of more available assignments. We invite comments as to the advantages and disadvantages of using this band for the proposed new service in lieu of the band 1990–2110 Mc/s.

5. Should the Commission eventually reallocate the 2500–2690 Mc/s band for this new educational service, it is further proposed that existing licensees in this band would be given a reasonable period of time in which to amortize their investment. Concomitant with such action, the Commission would consolidate the bands 1850–1990 Mc/s and 1990–2110 Mc/s into a single band, 1850–2110 Mc/s, with operational fixed available from the low end of the band upward and television STL and intercity relay from the top end downward. This would permit added flexibility to both services wherein specific congestion may develop.

6. Under either alternative, the Commission proposes to delete the spectrum space between 1990–2110 Mc/s from availability to television pickup stations, with suitable provision to be made for such of the stations in this classification as currently are authorized to operate this band.

7. During the preliminary exploration of this concept of a new class of educational television service, the matter was discussed with a manufacturer of a translator type device designed to operate in the 1990–2110 Mc/s band. The manufacturer volunteered to conduct certain experiments to determine the technical feasibility of an educational TV system in that band. With the cooperation of the Union Free School District No. 18 of New York, an experimental system has been established at Plainedge, Long Island, N.Y., with a transmitter operating in the channel 2008–2014 Mc/s. The transmitter provides 10 watts peak visual power output and 1 watt average aural power. The transmitter output is fed into two broadbeam directive transmitting antennas, mounted on the Plainedge High School building, 72 feet above ground, and aimed in approximately opposite directions. Each antenna provides an effective radiated power of 136 watts and an excellent signal is provided to seven individual school buildings scattered through the town. At each school building, a single receiver-converter is installed which picks up the 2000 Mc/s signal, converts it to channel 6 and feeds it into a master antenna distribution system where it goes to the individual classrooms for display on conventional TV receivers.

8. Preliminary reports from this experimental operation show that no unusual difficulties have been encountered and that the low power transmitter provides an adequate signal at all receiving locations. The receiving antennas employed at all but the most distant school are relatively simple and are mounted at rooftop level. At the most distant school a parabolic antenna is employed for receiving but it is only a 4-foot "dish" conveniently mounted on the roof. In an engineered system, particularly in congested areas, it would probably be desirable to employ more directive receiving antennas—not for the sake of additional gain, which might not be needed, but primarily to minimize interference from unwanted signals. Exact cost figures for such a system are not available but it has been estimated that a single-channel system of this type serving approximately 25 separate schools would require an investment of from one-fifth to one-third of the cost of a moderately powered TV broadcasting station serving the same purpose. This includes the special receiver-converters required at each receiving location to convert the signals to regular TV channels so that conventional TV receivers can be used in the individual classrooms.

9. Aside from its lower cost, such a system would have other advantages over a similar system operated on broadcast channels. Special types of material not intended for reception by the general public could be transmitted without employing special "scrambling" devices on the transmitter and receivers to provide the needed control since the average home would not be equipped for reception of the 2000 Mc/s signals. On the other hand, if reception is desired in selected homes of persons directly interested in the instructional material or at industrial plants, hospitals, clinics, rehabilitation centers, or private offices of professional people, the licensee could arrange to lend, lease, or sell the special receiver-converters for such purposes.

7. Operated as a private system rather than a broadcasting system, transmissions could include subject material for supervised instruction; training material in special skills; safety programs; material designed for the rehabilitation of the aged, infirm, or mentally disturbed; clinical studies; new arts and crafts; material intended to keep professional and semiprofessional people abreast of the state of the art in various fields; inservice training for teachers; instructional material for shut-ins; program material for purposes of entertainment or cultural advancement; as well as administrative traffic.

8. There are a number of technical advantages to the use of this band for this purpose. The 20 channels which can be established in the band provide a high degree of flexibility in making assignments thus increasing the possibility of providing multiple channels for individual areas. The rapid attenuation of the signal beyond the service range reduces its interfering capability substantially and this will make possible the duplication of assignments on the same channel in relatively nearby areas. Likewise, the low transmitter power required and the highly directive receiving antennas that are conventional in this band plus the use of needed directivity in the transmitting antennas not only further reduces the hazard of interference between systems but also provides the equivalent of substantially greater transmitting power and thus lengthens the service area. Other techniques such as the use of cross-polarization or rotating polarization are quite practical at 2000 Mc/s and provide added means of minimizing interference thereby increasing the total number of possible assignments. The use of this band offers the prospect of meeting all of the reasonable requirements of educators.

9. In the appendix attached hereto we have set forth proposed rules to govern this new class of educational TV service. The service is classed as a multiple-address fixed service and will operate as a supplement to the educational television broadcasting service. The service will be administered under part 4 of the Commission rules. The rules are designed to meet the needs of educators in several ways. The simplest system will consist of a central transmitting station or stations transmitting instructional and cultural material to one or more school buildings for use in classroom instruction. If needed, receivers can also be located at other selected locations including the homes of individual students. In some cases, the nature of the terrain or the extent of the area to be served will make it impossible to provide the needed service from a single central location. In such instances, transmitters will be licensed as "repeaters" placed at strategic locations to serve areas that are not served by the central station. In some areas it will be desirable to interconnect systems operated by different jurisdictions or operated in different areas by the same jurisdiction. The rules will permit the use of transmitters as relay stations to interconnect such systems. Finally, there may be a need to deliver the instructional programs carried by the school system, to an educational or commercial broadcasting station or to bring selected program material from an educational or commercial broadcasting station to the closed circuit system. The rules will provide for such use.

10. We have given careful consideration to the matter of transmission standards and have concluded that those which apply to television broadcasting stations should apply generally to this service. This will permit the use of conventional TV receivers for displaying the programs in individual classrooms. It may be possible to relax some of the more strict tolerances that broadcasting stations must observe. We have, as a matter of fact, proposed a less stringent frequency tolerance; a lower aural to visual power ratio; less attenuation of spurious emissions; considerable latitude in the choice of polarization; and, provision for remote control and in some cases unattended operation of the transmitters. These measures are intended to reduce the cost of installation and operation of these stations. Informed parties are invited to suggest other changes with due regard for the impact of such changes on the quality of the service and the efficient use of the channels. Changes in other of the proposed rules may be warranted or additional rules may be needed. Suggestions supported by factual data will be most helpful. Manufacturers

or prospective manufacturers of transmitters, antennas, receivers, studio equipment, and any other apparatus that might be used in this service are invited to supply data as to technical characteristics, reliability, and costs. Experimental data on propagation, quality of reception, and other experience in actual service use, if such data can be obtained promptly, will be most useful. We are particularly interested in data on the needed desired-to-undesired signal ratios at receiving points where the desired signal has the characteristics of those employed in the television broadcast auxiliary services and the undesired signal has transmission characteristics as proposed in these rules. We desire similar data for two cochannel signals having the transmission characteristics proposed in these rules, the amount of discrimination obtainable by the use of cross-polarization or right-hand and left-hand rotating polarization and similar data with respect to plane polarization versus rotating polarization; the amount of discrimination against unwanted signals which may be provided by various kinds of directive receiving antennas; and such other data as would make possible a more accurate assessment of interference potential.

11. Educational interests are invited to comment as to contemplated uses for a service of this kind, the number of channels that might be needed in a single system, typical areas to be covered, the kinds of material that may be transmitted over the system, the extent to which interconnection of systems may be employed, time schedules of when such service might be inaugurated, and such other data as may be helpful to the Commission. Television broadcast interests are invited to comment as to the feasibility of the proposed sharing of this band with TV auxiliaries, the extent to which they will cooperate in planning and engineering their auxiliary systems to permit the fullest use of this band both by broadcast auxiliaries and educational fixed systems, the advantages or disadvantages of employing 6 Mc/s channels with suitable equipment for broadcast auxiliary purposes, and other matters of concern to broadcasters.

12. Eligibility for licensing in the proposed service will be restricted to nonprofit educational organizations engaged primarily in supervised instruction. In general, the criteria applied in our rules for educational FM and television broadcast stations will be used to determine eligibility. A special application form will be designed for this service. The exact contents of this form cannot be determined until a decision is made as to whether the proposed rules will be adopted as proposed, with modification, or not adopted at all.

13. Comments by interested parties shall be filed no later than September 17, 1962, and replies to such comments no later than October 1, 1962. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

14. Authority for adoption of the rules proposed herein is contained in sections 4(i), 303, and 318 of the Communications Act of 1934, as amended.

15. In accordance with the provisions of section 1.54 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE, *Acting Secretary.*

APPENDIX

1. Section 4.1 is amended by adding a new paragraph (d) to read as follows:

§ 4.1 Broadcast services covered by this part.

* * * * *

(d) Supplemental broadcast service: Educational television fixed (Subpart I)

2. Section 4.15 is amended by adding a new paragraph (f) to read as follows:

§ 4.15 License period.

* * * * *

(f) Licenses for educational television fixed stations will be issued for a period of 5 years beginning with the date of grant.

3. A new Subpart I is added to Part 4 to read as follows:

SUBPART I—EDUCATIONAL TELEVISION FIXED STATIONS.

Definitions and allocation of frequencies

§ 4.901 Definitions.

Educational television fixed station: A fixed station operated by an educational organization and used for the transmission of visual and aural instructional, cultural, and other types of educational material to one or more fixed receiving locations.

Attended operation: Operation of a station by a qualified operator on duty at the place where the transmitting apparatus is located with the transmitter in plain view of the operator.

Remote control: Operation of a station by a qualified operator at a control position from which the transmitter is not visible but which control position is equipped with suitable control and telemetering circuits so that the essential functions that could be performed at the transmitter can also be performed from the control point.

Unattended operation: Operation of a station by automatic means whereby the transmitter is turned on and off and performs its functions without attention by a qualified operator.

§ 4.902 Frequency assignments.

(a) The following frequency channels are available for assignment to educational television fixed stations:

Channel number:	Frequency band Mc/s
101	1990–1996
102	1996–2002
103	2002–2008
104	2008–2014
105	2014–2020
106	2020–2026
107	2026–2032
108	2032–2038
109	2038–2044
110	2044–2050
111	2050–2056
112	2056–2062
113	2062–2068
114	2068–2074
115	2074–2080
116	2080–2086
117	2086–2092
118	2092–2098
119	2098–2104
120	2104–2110

(b) The frequency band 1990–2100 Mc/s is shared with television broadcast auxiliary stations and assignments to new educational television fixed stations will not be made where interference would be caused to any existing television broadcast auxiliary station. Similarly assignments to new television broadcast auxiliary stations will not be made where interference would be caused to any existing educational television fixed station. It should be noted that a different channelling is employed for television broadcast auxiliary stations as set forth in § 4.602. In assessing potential interference this fact should be kept in mind.

(c) Although no numerical limit is placed upon the number of channels which may be assigned to a single licensee, applicants are expected to plan systems so as to use the fewest number of channels needed to perform the required service. The Commission may require applicants to review proposed systems if in its opinion the number of channels requested is excessive. Furthermore, in congested areas it may be necessary to limit the number of channels assigned to a single licensee to insure a fair and equitable apportionment of the available channels.

Note: If the alternative proposal to use the band 2500-2690 Mc/s is adopted, paragraphs (a) and (b) above will be made to conform to that decision.

(d) The same channel may be assigned to more than one station or more than one licensee in the same area if the geometric arrangement of the transmitting and receiving points or the times of operation are such that interference is not likely to occur.

§ 4.903 Interference

(a) Since interference in this service will occur only when an unfavorable desired to undesired signal ratio exists at the antenna input terminals of the affected receiver, the directive properties of receiving antennas can be used to minimize the hazard of such interference. Interference may also be controlled through the use of directive transmitting antennas, geometric arrangement of transmitters and receivers, and the use of the minimum power required to provide the needed service.

(b) An applicant for a new educational television fixed station is expected to take full advantage of such techniques to prevent interference to the reception of any existing television broadcast auxiliary station or educational television fixed station at authorized receiving locations. In cases where it can be demonstrated that potential interference could be effectively controlled with practical refinements at such existing receiving locations, the user of the receiving installation is expected to make the needed refinements if interference-free reception is desired.

(c) Existing licensees and prospective applicants are expected to cooperate fully in attempting to resolve problems of potential interference before bringing the matter to the attention of the Commission.

Administrative procedure

§ 4.911 Cross Reference.

See §§ 4.11 to 4.16.

Licensing policies

§ 4.931 Purpose and permissible service.

(a) Educational television fixed stations provide a means whereby instructional and cultural material in visual and aural form may be transmitted to one or more selected receiving locations in places such as public and parochial schools, college and university buildings, hospitals, nursing homes, training centers, clinics, rehabilitation centers, assembly halls, offices, business establishments, industrial plants, private homes, and other similar places, for the purpose of formal education, in-service training, instruction in special skills and safety programs, extension of professional training, keeping professional and semi-professional persons abreast of current developments in particular fields, and other similar endeavors. During periods when the circuits are not being used for the foregoing purposes, administrative traffic may be transmitted. However, educational television fixed stations will not be authorized for the sole purpose of handling administrative traffic.

(b) The transmissions of educational television fixed stations shall be intended for reception at specified receiving locations. However, such transmissions may also be directed to unspecified receiving locations if the material transmitted is intended for use by the recipients.

(c) Educational television fixed stations may be operated as relay stations to interconnect educational television fixed station systems in different areas, to deliver educational television program material to commercial and noncommercial educational television broadcasting stations, and to obtain program material from commercial and noncommercial educational television broadcasting stations for use by an educational television fixed station system.

§ 4.932 Eligibility and licensing requirements.

(a) A license for an educational television fixed station will be issued only to a noprofit educational organization engaged primarily in supervised instruction and which is otherwise qualified under the statutory provisions of the Communications Act of 1934, as amended.

(1) In determining the eligibility of publicly supported educational organizations, the accreditation of the appropriate State department of education will be taken into consideration.

(2) In determining the eligibility of privately controlled educational organizations, the accreditation of the appropriate State department of education or the recognized regional and national accrediting organizations will be taken into consideration.

(b) No numerical limit is placed on the number of stations which may be licensed to a single licensee. However, the Commission may impose such a limit in individual cases if such is found to be necessary to insure a fair and equitable distribution of available assignments to meet the needs of educational organizations for educational television fixed station systems and the needs of television broadcasting stations for television auxiliary services. Applicants are expected to support proposals with adequate engineering data to show that the proposed operation will be accomplished by the use of the smallest number of channels required to provide the needed service.

(c) An application for a new educational television fixed station or for changes in the facilities of an existing station shall specify the location of the transmitter and all proposed receiving locations which will be under the control of the applicant or will be equipped for reception by the applicant. If reception is also intended at unspecified receiving locations which are not under the control of the applicant, the application shall include a complete statement as to the purpose of such additional reception.

§ 4.933 Remote control operation.

(a) An educational television fixed station may be operated by remote control if the following conditions are met:

(1) The transmitter and associated control system shall be installed and protected in a manner designed to prevent tampering or operation by unauthorized persons.

(2) An operator meeting the requirements of § 4.965 shall be on duty at the remote control position and in actual charge thereof at all times when the station is in operation.

(3) Facilities shall be provided at the control position which will permit the operator to turn the transmitter on and off at will. The control position shall also be equipped with a carrier actuated device which will give a continuous visual indication whenever the transmitting antenna is radiating a signal.

(4) The control circuits shall be so designed and installed that short circuits, open circuits, other line faults, or any other cause which would result in loss of control of the transmitter, will automatically cause the transmitter to cease radiating.

(b) An application for authority to construct a new station or to make changes in the facilities of an existing station and which proposes operation by remote control, shall include an adequate showing of the manner of compliance with the requirements of this section.

§ 4.934 Unattended operation.

(a) An educational television fixed station used solely for relaying the signals of another educational television fixed station or a commercial or non-commercial educational television broadcasting station by automatic means, may be operated unattended if the following requirements are met:

(1) The transmitter shall be equipped with automatic circuits which will permit it to radiate only when a signal is present at the input terminals of the apparatus on the channel which it is intended to retransmit. The automatic circuit may be provided with a reasonable time-delay factor to prevent the transmitter from being turned off during momentary failures of the incoming signal.

(2) The transmitter shall accomplish the relaying of the incoming signal by direct heterodyne frequency conversion to a different channel, or linear amplification of the incoming signal. The use of a common oscillator to convert the incoming signal to a low frequency for amplification and to reconvert it to its original channel, will be considered to be the same as linear amplification. In cases where frequency conversion to a different channel is employed, the electrical characteristics of the incoming signal when retransmitted shall not be significantly altered except as to frequency and amplitude. In cases where linear amplification is employed, the electrical characteristics of the incoming signal when retransmitted shall not be significantly altered except as to amplitude. Care shall be taken in the design and installation of an unattended relay station to prevent instability which could result in spurious or other unwanted radiation.

(3) If the transmitting apparatus is located at a site which is not readily accessible at all hours and in all seasons, means shall be provided for turning the transmitter on and off at will from a location which can be reached promptly at all hours and in all seasons.

(4) The transmitter and any associated control circuits shall be installed and protected in a manner designed to prevent tampering or operation by unauthorized persons.

(5) In cases where the antenna supporting structure of an unattended station is required to have aeronautical hazard markings pursuant to the provisions of Part 17 of the Commission Rules, the licensee shall provide for inspection and logging of observations of such markings as required by §§ 17.37 and 17.38.

(b) An application for authority to construct a new station or to make changes in the facilities of an existing station and which proposes unattended operation, shall include an adequate showing as to the manner of compliance with the requirements of this section.

§ 4.935 Power limitations.

(a) The power of an educational television fixed station will be limited to that required to perform the proposed service. Applicants are expected to take full advantage of the power-concentrating properties of directive transmitting antennas and the collective properties of directive receiving antennas to provide the needed service.

(b) An application for a new educational television fixed station or for changes in the facilities of an existing station proposing a peak visual power output from the transmitter in excess of 10 watts, shall include a showing as to the distance and direction to each specified receiving point, the elevation above ground and the power gain of each receiving antenna at such receiving points, the vertical and horizontal directive patterns of the proposed transmitting antenna system in terms of power gain, the elevation of the transmitting antenna above ground and the nature of significant terrain features over the transmission path or paths.

(c) The operating power (peak visual) of an educational television fixed station shall not be permitted to exceed the authorized power by more than 10 percent at any time.

(d) The transmitter power output of the aural signal shall not be more than 70 percent nor less than 10 percent of the peak power output of the visual signal.

§ 4.936 Emissions and bandwidth.

(a) An educational television fixed station shall normally employ amplitude modulation (A5) for the transmission of the visual signal and frequency modulation (F3) for the transmission of the aural signal.

(b) The average power of radio frequency harmonics of the visual and aural carriers, measured at the output terminals of the transmitter, shall be attenuated no less than 60 decibels below the peak visual output power within the assigned channel. All other emissions appearing on frequencies more than 3 Mc/s above or below the upper and lower edges, respectively, of the assigned channel shall be attenuated no less than:

(i) 30 decibels for transmitters rated at less than 10 watts power output.

(ii) 40 decibels for transmitters rated at 10 watts or more power output.

(c) Should interference occur as the result of emission outside the assigned channel, greater attenuation may be required.

§ 4.937 Antennas.

(a) In order to minimize the hazard of harmful interference from other stations, directive receiving antennas should be used at all receiving points. The choice of receiving antennas is left to the discretion of the licensee. However, should interference occur and it can be demonstrated that such interference could be eliminated through the use of a more suitable but practical directive receiving antenna, the licensee of the station causing the interference is absolved of the responsibility of correcting the interference condition.

(b) Directive transmitting antennas shall be used wherever feasible so as to minimize the hazard of harmful interference to other licensees. The radiation pattern shall be designed to minimize radiation in directions where no reception is intended.

(c) In selecting a location for the transmitting antenna it should be borne in mind that interference to the reception of its transmissions is most likely to come from the direction in which receiving antennas must be aimed to receive its transmissions. Whenever possible the location should be chosen so that the receiving antennas in its system are aimed in directions from which interfering signals are least likely to come.

(d) The use of elevated receiving antennas is preferable to the use of elevated transmitting antennas or greater power to provide the desired service.

(e) The use of vertical or horizontal plane polarization or right-hand or left-hand rotating (circular) polarization may be used to minimize the hazard of harmful interference between systems. The Commission reserves the right to specify the polarization to be used.

(f) The power gain compared to a half-wave dipole and the directive properties of the transmitting receiving antennas proposed to be employed as well as the geometric distribution of the transmitting and receiving points, shall be supplied with each application for a new educational television fixed station or for changes in the antenna facilities of an existing station.

§ 4.938 Transmission standards.

The transmission standards of § 3.682 of this chapter shall be employed with the following exceptions:

(1) The provisions of § 4.937(e) apply with respect to the polarization of the radiated signal.

(2) The provisions of § 4.935(d) apply with respect to the ratio of aural to visual power output.

§ 4.950 Equipment performance and installation.

(a) The requirements of § 3.687 regarding the performance of transmitters and of their installation shall apply to transmitters employed at stations in the educational television fixed service with the following exceptions:

(1) The provisions of § 4.961 apply with respect to the frequency tolerance.

(2) The provisions of § 4.936 apply with respect to spurious emissions and radio frequency harmonics.

(b) The requirements of § 4.750(c), (e), and (f) regarding the performance of translators and of their installation shall apply to translators employed at stations in the educational television fixed service.

§ 4.951 Equipment changes.

(a) Formal application (FCC Form ——) is required for any of the following changes:

(1) Replacement of the transmitter as a whole except replacement with an identical transmitter, or any change in equipment which could result in a change in the electrical characteristics or performance of the station.

(2) Any change in the transmitting antenna system including the direction of radiation, directive pattern, antenna gain or transmission line.

(3) Any change in the height of the antenna above ground or any horizontal change in the location of the antenna in excess of 500 feet.

(4) Any change in the transmitter control system.

(5) Any change in the location of the transmitter except a move within the same building or upon the same tower or pole.

(6) Any change of frequency assignment.

(7) Any change of authorized operating power.

(b) Other equipment changes not specifically referred to in paragraph (a) of this section may be made at the discretion of the licensee, provided that the engineer in charge of the radio district in which the station is located and the Commission in Washington, D.C., are notified in writing upon the completion of such changes and provided further, that the changes are appropriately reflected in the next application for renewal of license of the station.

6. Suggested wording for proposed new section 4.952 to accommodate provision for type acceptance of transmitters and translators in Educational Television Fixed Service.

§ 4.952 Acceptability of equipment for licensing.

(a) In order to facilitate the filing of, and action on, applications for station authorizations, transmitting equipment will be accepted for licensing by the Commission under one of the following conditions:

(1) A transmitter or translator may be type accepted upon the request of any manufacturer of such equipment built in quantity by following the type acceptance procedure set forth in part 2 of this chapter, provided that the date and information submitted indicates that the equipment meets all technical requirements applicable to this Service. If accepted, such transmitting equipment will be included on the Commission's "Radio Equipment List, Part C, Equipment Acceptable for Licensing in the Radio Services Other Than Broadcast." Applicants specifying equipment included on such a list need not submit detailed descriptions and diagrams where the correct type number is specified, provided that the equipment proposed is identical with that accepted. Copies of the radio equipment list, part C, are available for inspection at the Commission's office in Washington, D.C., and at each of its field offices.

(2) An application specifying a transmitter or translator not included on the radio equipment list, part C, may be accepted upon the request of a prospective licensee submitting with the application for construction permit a complete description of the equipment, including the circuit diagram listing of all tubes used, function of each, multiplication in each stage, plate current and voltage applied to each tube, and a description of the oscillator circuit together with any devices installed for the purpose of frequency stabilization. However, if this data has been filed with the Commission by a manufacturer in connection with a request for type acceptance, it need not be submitted with the application for construction permit but may be referred to as "on file." Measurement data for type acceptance made in accordance with subparagraph (1) of this paragraph shall be submitted with the license application.

(b) Additional rules with respect to withdrawal of type acceptance, modification of type accepted equipment and limitations on the findings upon which type acceptance is based are set forth in part 2 of this chapter.

Technical operation

§ 4.961 Frequency tolerance.

(a) The frequency of the visual carrier shall be maintained within .0005 percent of the assigned frequency at all times when the station is in operation.

(b) The frequency of the aural carrier shall be maintained within 1 kilocycle-per-second of the frequency that is 4.5 megacycles-per-second above the operating frequency of the visual carrier.

§ 4.962 Frequency monitors and measurements.

(a) Suitable means shall be provided to insure that the operating frequencies of the station are within the prescribed tolerances.

(b) The operating frequencies shall be checked as often as is necessary to insure that they are within the prescribed tolerances at all times and in all cases the operating frequencies shall be checked at intervals of no more than one month.

§ 4.963 Time of operation.

(a) An educational television fixed station is not required to adhere to any regular schedule of operation. Unless otherwise specified in the license, the hours of operation are not limited.

(b) Except for purposes of tests and adjustments, the transmitter shall not be permitted to radiate unmodulated carriers or otherwise make unnecessary transmissions for extended periods of time.

§ 4.964 Station inspection.

The station and all records required to be kept by the licensee shall be made available for inspection upon request by any authorized representative of the Commission.

§ 4.965 Posting of station and operator licenses.

(a) The station license and any other instrument of authorization or individual order concerning the construction of the equipment or manner of operation shall be posted at the place where the transmitter is located, so that all terms thereof are visible except as otherwise provided in paragraphs (b) and (c) of this section.

(b) In cases where the transmitter is operated by remote control, the documents referred to in paragraph (a) of this section shall be posted in the manner described at the control point of the transmitter.

(c) In cases where the transmitter is operated unattended, the name of the licensee and the call sign of the unattended station shall be displayed at the transmitter site on the structure supporting the transmitting antenna, so as to be visible to a person standing on the ground at the transmitter site. The display shall be prepared so as to withstand normal weathering for a reasonable period of time and shall be maintained in a legible condition at all times by the licensee. The station license and other documents referred to in paragraph (a) of this section shall be kept at the nearest attended station operated by the licensee of the unattended station or in cases where the licensee of the unattended station does not operate attended stations, at the point of destination of the signals relayed by the unattended station.

(d) The original of each station operator license shall be posted at the place where he is on duty: *Provided, however,* That if the original license of a station operator is posted at another radio transmitting station in accordance with the rules governing the class of station and is there available for inspection by a representative of the Commission, a verification card (FCC form 758–F) is acceptable in lieu of the posting of such license; *Provided further, however,* That if the operator on duty holds an operator permit of the card form (as distinguished from the diploma form), he shall not post that permit but shall keep it in his personal possession.

§ 4.966 Operator requirements.

(a) An educational television fixed station used for the origination of visual and aural program material or the transmitter of which is modulated with visual and aural program material received from other sources, shall not be operated unless there is one or more operators holding a valid radiotelephone first-class or second-class operator license or radiotelephone third-class operator permit, on duty at the place where the transmitter is located or at an authorized control point established pursuant to the provisions of § 4.933, and in actual charge thereof.

(b) Except when under the immediate supervision of a radiotelephone first-class or second-class operator, the radiotelephone third-class operator permit holder may perform only the following functions:

(1) Those necessary to turn the transmitter on and off.

(2) Such adjustments as may be made by means of external controls and which are necessary to maintain modulation of the transmitter within the prescribed limits.

(3) Such adjustments as may be made by means of external controls and which are necessary to compensate for fluctuations of the power supply voltage which would otherwise result in changes in the authorized operating power.

(4) Make routine meter readings and inspection of antenna hazard marking for logging purposes.

(c) In cases where a transmitter is operated unattended pursuant to the provisions of § 4.934, an operator of the grade specified in paragraph (a) of this section shall observe the transmissions at the receiving point for the station or some other suitable place where the transmissions of the unattended station can be observed, at intervals of no more than 1 hour whenever the station is in operation. Should any condition of improper operation be observed, immediate measures shall be instituted to correct the condition of improper operation.

(d) Any tests, adjustments or repairs made while the transmitter is in operation and which require technical skill and knowledge

to avoid improper operation, shall be made by or under the immediate supervision of an operator holding a valid radiotelephone first-class or second-class operator license.

(e) The licensed operator on duty and in charge of an educational television fixed station may, at the discretion of the licensee, be employed for other duties or for the operation of another station or stations in accordance with the class of operator license or permit which he holds and the rules and regulations governing such stations. However, such duties shall in no way interfere with the operation of the educational television fixed station.

§ 4.967 Marking and lighting of antenna structures.

The marking and lighting of antenna structures authorized by the Commission, where required, will be specified in the authorization issued by the Commission. Part 17 of the rules of the Commission sets forth the circumstances under which such marking and lighting will be required and the responsibility of the licensee with regard thereto.

§ 4.968 Additional orders.

In case the rules of this part do not cover all phases of operation with respect to external effects, the Commission may make supplemental or additional orders in each case as may be deemed necessary.

§ 4.969 Copies of the rules.

The licensee of an educational television fixed station shall have current copies of Parts 3 and 4, and in cases where aeronautical hazard marking of antennas is required Part 17, of the rules of the Commission, available for use by the operator in charge. Both the licensee and operator or operators responsible for the proper operation of the station are expected to be familiar with the pertinent rules governing educational television fixed stations.

§ 4.970 Modulation limits.

(a) Visual transmitter: The maximum excursion of the luminance signal in the white direction shall not exceed the value specified for the reference white level.

(b) Aural transmitter: The maximum frequency swing of the aural carrier shall not be permitted to exceed ±25 kc/s on sound peaks of frequent occurrence during any transmission. This is defined as 100 percent modulation.

§ 4.971 Modulation monitors and measurements.

Suitable means shall be provided to insure that the modulation limits specified in § 4.970 are observed.

§ 4.981 Logs.

(a) The licensee of an educational television fixed station shall maintain an operating log showing the following:

(1) The date and time of the beginning of each period of operation of the transmitter.

(2) The date and time of any unscheduled interruptions to the transmissions of the station, the duration of such interruptions, and the causes thereof.

(3) The date and time of the end of each period of operation of the transmitter.

(4) A record of all repairs, adjustments, maintenance, tests, and equipment changes, showing the date and time of such events, the name and qualifications of the person or persons performing such tasks, and a brief description of the matter logged.

(5) Where an antenna structure is required to have aeronautical hazard markings, the information required by § 17.38.

(b) The log entries shall be made by the person or persons competent to do so, having actual knowledge of the facts required, who shall sign the log when starting duty and again when going off duty.

(c) The log shall be kept in an orderly and legible manner, in suitable form and in such detail that the data required are readily available. Key letters or abbreviations may be used if proper meaning or explanation is contained elsewhere in the log.

(d) No log or portion thereof shall be erased, obliterated, or willfully destroyed within the period of retention required by rule. Any necessary correction may be made only by the person who made the original entry who shall strike out the erroneous portion, initial the correction made, and show the date the correction was made.

(e) Operating logs shall be retained for a period of not less than 2 years. The Commission reserves the right to order, in individual cases, retention of logs for a longer period of time. In cases where the licensee has notice of any claim or complaint to which information contained in the log may be pertinent, the log shall be retained until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims.

§ 4.982 Station identification.

(a) Call signs for educational television fixed stations will consist of three letters and two digits pursuant to the provisions of § 2.302 relating to fixed stations.

(b) Except as otherwise provided in paragraphs (c) and (d) of this section, each educational television fixed stations shall transmit its call sign at the beginning and end of each period of operation and during operation, on the hour. Visual and aural transmissions shall be employed.

(c) The hourly station identification announcement during operation may be deferred if it would interrupt a single consecutive demonstration, lecture, or other similar discourse or otherwise impair the continuity of a program in progress. In such cases the station identification announcement shall be made at the first normal break in the continuity of the program.

(d) In cases where an educational television fixed station is operating as a relay for signals originating at some other station operated by the same licensee, its call sign shall be announced by the originating station at the times and in the manner prescribed in paragraph (b) of this section.

(e) In cases where an educational television fixed station is operating as a relay for signals originating at a station operated by some other licensee, its call sign may be transmitted by the originating station if suitable arrangements can be made with the other licensee or in lieu thereof, means shall be provided for the transmission of the call sign by the relay transmitter itself. If the transmitter is operating unattended or if it is not equipped for direct modulation by a locally generated signal, the transmission of the call sign may be made automatically in international Morse telegraphy by interrupting the carrier.

§ 4.983 [Reserved]

§ 4.984 Rebroadcasts.

(a) An educational television fixed station may retransmit the signals of any television broadcasting station provided that prior written consent or certification of consent is obtained from the station originating the signals which are retransmitted.

(b) An educational television fixed station may not retransmit the signals of any other class of station without prior authority of the Commission and consent of the station originating the signals to be retransmitted. Requests for such authority shall be submitted in writing to the Commission in Washington, D.C. at least 10 days prior to the commencement of such retransmissions and the request shall certify that consent for the retransmission has been obtained from the originating station.

Mr. THOMAS. Mr. Chairman, I rise in opposition to the amendment, and I ask unanimous consent, Mr. Chairman, that all debate on this amendment and all amendments to this paragraph end in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMAS. Mr. Chairman, I have a great deal of respect for our very able and genial friend who has just spoken. He is a very able and fine gentleman.

But, Mr. Chairman, I do hope this amendment is voted down. Of all the good things in this bill and of all the popular things in this bill, I think this is perhaps the most popular one. This item allows for 50 percent contributions to the cost of construction of educational television broadcasting facilities. This is for education, all nonprofit channels and stations, and provides 50 percent for new ones and 75 percent for old ones with an average contribution of about $100,000 per station and a total limitation of $1 million per State. There are 304 channels available in the United States and I will guarantee you when you get back to your office and read your mail after you have been over here all day long, my guess is you are going to have telegrams from 50 or 60 percent of those in your area urging you to vote for it.

The budget estimate in round figures was $5 million. Your committee cut it down to $2 million. This is a 5-year program for $32 million. I think your committee has been generous and reasonable and, I repeat the good words of my friend, the gentleman from Ohio [Mr. ASHBROOK], we did ask them to go slow and to guarantee that they would go slow because we did not give them too much.

Mr. Chairman, I ask for a vote and respectfully ask my colleagues to vote down the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ASHBROOK].

The amendment was rejected.

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. THOMPSON of Texas, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the bill (H.R. 13290) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes, had directed him to report the bill back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

Mr. THOMAS. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND ON SUPPLEMENTAL APPROPRIATION BILL, 1963

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks concerning our beloved Speaker at that point in the RECORD following the remarks of Mr. FOGARTY.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EIGHTH SEMIANNUAL REPORT OF THE OFFICE OF MINERALS EXPLORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers, referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Eighth Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its Territories and possessions by encouraging exploration for minerals, and for other purposes."

JOHN F. KENNEDY.

The WHITE HOUSE, *October 3, 1962.*

RIVERS AND HARBORS AND FLOOD CONTROL PROJECTS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 823) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee for the consideration of the bill (H.R. 13273) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the gentlewoman from New York [Mrs. ST. GEORGE], and pending that I yield myself such time as I may consume.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. COLMER. Mr. Speaker, House Resolution 823 provides for the consideration of H.R. 13273, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

H.R. 13273 is similar to the omnibus river and harbor and flood control bills of 1960 and preceding years, which have been considered at intervals of 2 to 4 years.

The purposes of the bill are to authorize construction of certain projects for navigation, beach erosion control, flood control, and other purposes, on which favorable recommendations have been made by the Chief of Engineers; authorize an increase in the monetary authorization for one comprehensive river basin plan previously approved by the Congress; authorize surveys of problems on streams and at other localities, to be carried out by the Corps of Engineers; provide for reimbursement to local interests for work done on authorized beach erosion control projects, and other matters.

Title I of the bill covers river and harbor works, including navigation and beach erosion control projects and matters related thereto. Title II covers flood control works, hurricane protection works, multiple-purpose works including and related to flood control and hurricane protection, and matters related thereto.

The total cost of the bill is estimated to be $2,307,719,300.

Mr. Speaker, I urge the adoption of House Resolution 823.

Mr. Speaker, I reserve the balance of my time.

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, House Resolution 823 makes in order consideration of H.R. 13273 authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

Mr. Speaker, this bill, as it comes before us, contains 167 projects. The price tag on them is $2,300 million. There is no one on the floor practically listening to the bill, because presumably the 297 Members who already have projects in the bill are very well satisfied with its contents.

I am not going to criticize the bill because I have not had enough time to study or examine it, nor has anyone else, I might add.

Yesterday morning your Committee on Rules met at 10:30 to consider this bill. When we arrived in committee we were informed that the bill had not yet been brought up from the Printer, nor had the report. We recessed until 11:15 yesterday morning, when the bill was finally brought to our attention for consideration. It is very obvious it was considered in an extremely cursory manner, and for that reason it would be impossible to either criticize or endorse in an intelligent manner.

This bill differentiates from the Senate bill, in that it is just about half the amount; therefore we like to believe it is preferable to the Senate bill. I would like to point out, however, Mr. Speaker, that in the minority report attention is called to the fact that there are 4 projects out of the 167 that are not even budgeted. I believe amendments are to be offered on the floor to strike these four projects from the bill, and it is my hope, at least, and I think the hope of some others, that that will be done. Out of 167 projects to only strike out 4, for the very obvious reason they have not been budgeted and have not been approved by the Bureau of the Budget, should be sufficient reason to strike these projects from the bill.

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

Mrs. ST. GEORGE. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I would like to say at the outset that, of course, this is a very important matter and should have the attention of all Members.

The gentlewoman has referred to certain items that are in the bill. I would like to say at this point that for better than 25 years the people of the State of Indiana, their elected officials, Governors, Democrats, and Republicans, down to now, when we have a Democratic Governor, have been striving for a public deep water port on Lake Michigan on Indiana shores.

We have had a favorable report from the Army engineers. We have been years and years achieving that. The Army engineers have reported to the Bureau of the Budget that the project is economically feasible. I have every reason to believe that all of the people in the executive branch of the Government recognize that this project is economically feasible.

But for some reason or other, I think probably I know what the reasons are, although probably I cannot talk about them here on the floor of the House, but for reasons that I do not think are well

founded, the approval of the Bureau of the Budget, along with the transmission to the Congress of the favorable report of the Army engineers, after all of the procedures have been gone through has not been forthcoming.

Now, could I just say further, with the gentlewoman's indulgence, in all my time here I have sought to abide by the rules governing consideration of matters such as these. I do not know yet what we from the State of Indiana, without regard to political affiliation, ought to do today about getting our project advanced.

Mrs. ST. GEORGE. I would like to point out to the gentleman from Indiana that I have mentioned four projects.

Mr. HALLECK. I understand.

Mrs. ST. GEORGE. Not one of these projects is located in the State of Indiana. I would like to also ask the gentleman if his project is in the bill about which he is talking?

Mr. HALLECK. If the gentlewoman will yield further, it has been introduced in bills by Members of the Indiana delegation here in the House of Representatives. It is not included in this bill. It should be included in this bill.

Mrs. ST. GEORGE. That may well be, and I hope the gentleman will offer such an amendment.

Mr. HALLECK. If the gentlewoman will yield further, may I just say this: As distinguished from some projects that are presently in the bill, our harbor has been approved by the Army engineers, declared economically feasible, and again may I say for reasons completely outside my control or apparently outside the control of anyone from my great State, Democrat or Republican, the approval of the Bureau of the Budget has not been forthcoming since last June. It should have been here. The project should have been included in this bill.

Now, as I said, I have always tried to follow the rules of procedure here. But if there ever was a project justified, this is it. When I first came to Congress, the Governor of my State was Paul V. McNutt. I appeared with him to testify in favor of this project. Already there is one steel mill located in this area. There will be others. What we need in Indiana is a public port, with the land available to provide for a diversified industrial complex, not just one kind of production, but all kinds of production.

We have too long been foreclosed. Possibly we are foreclosed now. But I want it clearly understood that it is through no fault of mine. In my 28 years here I do not think I have ever asked for a single thing for my own district which I could not demonstrate was completely justified. Seldom have I asked for a single thing for my district, but I must say that the failure of the Bureau of the Budget to follow the recommendations of the Army engineers, after years and years of support, is in my opinion completely without understanding, except as I said, having regard for the parliamentary situation that sort of hems us in here once in a while, some things have intervened which I do not believe are justified.

Mrs. ST. GEORGE. Mr. Speaker, I want merely to assure my leader that, of course, I was not in any way referring to his project as one in the bill. The four projects that I mentioned I think are definitely open to criticism. Of course, the House in due time can work its will on this. On the other hand, I think the gentleman from Indiana has brought out something that I wanted to touch upon also. The great mistake of bringing up a bill like this in a few short days and expecting to have the House vote intelligently upon it is just impossible and cannot be done.

Mr. WRIGHT. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. WRIGHT. Mr. Speaker, I should like to comment with respect to the remarks made by our distinguished colleague from Indiana [Mr. HALLECK] that I certainly sympathize with his point of view and with the frustration which frequently grips a Member of this House when he has the difficult task of trying to get through the various administrative agencies clearance for these projects. It is my understanding that we intend in this committee to have another omnibus bill next year. I should like to pledge to the gentleman from Indiana, as one member of this committee, that this project having been in the mill as long as it has, whether or not it gets favorable clearance from the Bureau of the Budget, I for one will be most anxious to help and support him in any way I can to see that it gets a fair and fully sympathetic hearing from this committee when we meet to hear these matters next year.

We cannot always be bound and inhibited by the recommendations of the Bureau of the Budget, although we try as best we can to do so. These two projects which have not been cleared by the Bureau of the Budget out of the 167 contained in this present bill may possibly be in the same category as the one referred to by the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, will the gentlewoman yield further to me?

Mrs. ST. GEORGE. I yield.

Mr. HALLECK. Mr. Speaker, I appreciate the remarks of the gentleman. All I can say is that we in my State, going clear back to the time when Mr. Minton was a Senator from Indiana and before he was a Justice of the Supreme Court; Senator Van Nuys; Governor McNutt, whom I mentioned earlier; Governor Schricker, who was twice Governor of Indiana; Governor Gates, Governor Craig, and every other Governor I can think of, and almost without exception our whole congressional delegation have been trying for all the years I have been here—28—to build this public port. We have been roadblocked and stymied to the point where some of us, after a bit, are going to start telling the truth. As I say, I do not know for sure what we can do about it today. I am going to watch and see what happens.

Mr. CRAMER. Mr. Speaker, will the gentlewoman yield to me?

Mrs. ST. GEORGE. I yield.

Mr. CRAMER. Mr. Speaker, in order that the situation be understood, and that we are not misled by some of the suggestions that there are "only four projects in controversy," I think it would be well at this point to say that the value of the projects that are in controversy is $144 million. Therefore, not minimizing the fact that there is moneywise a very substantial disagreement with regard to the bill, it will be the objective of the minority when the proper time comes for amendment, to offer amendments to try to get a clean bill and to strike out the $144 million worth of projects in this $2.3 billion bill, which is a pretty substantial portion of the bill.

Mr. Speaker, may I say secondly to the gentleman from Indiana [Mr. HALLECK] with regard to his project, that I know of no controversy concerning it; I know of no reason why the Bureau of the Budget should not have acted on it, because we certainly were flooded—and I mean flooded—with approvals by the Bureau of the Budget here in the last 10 or 12 days, since consideration of this bill started. The flood gates have been opened for Bureau of the Budget approval of projects of all kinds, many of which have not been waiting nearly as long as that of the gentleman from Indiana.

I know of no reason, no legitimate reason, why that project should not have been brought before our committee unless, perhaps, the gentleman just was not on the right list.

Mrs. ST. GEORGE. Mr. Speaker, may I say to the gentleman that I am very happy for his contribution and for his bringing out the fact that these four projects total $144 million, which, as he has well said, is a considerable amount. I would also like to point out that the Bureau of the Budget, I understand—and maybe at this very hour—are reversing their stand on some of these projects. Therefore, when I say that there are four projects that were disapproved, that was as of 11:15 yesterday morning. I do not vouch for the fact that they are still not acceding to these demands. In other words, Mr. Speaker, while we are not quarreling too much—and I say again not too much—with this bill, we must quarrel with the way in which it has been handled and brought before this House.

This should have been taken up months ago. It should have been worked on for a long time. There are some of the projects where the opponents of the project were never even heard in the various committees. That was testified to before the Rules Committee.

For all these reasons I trust that in the next Congress, the 88th Congress, we will start working a little before the end of June and try to study some of these matters that deserve a great deal of study and a great deal of consideration.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, the overriding importance of what I have to say here today, the equal protection of the law, and I measure every word, is the only reason I would intrude on this debate.

Mr. Speaker, at this moment in Springfield, Mo., a citizen of these United States is being held in prison by the Government and from all the facts I have been able to gather, I am deeply concerned that his constitutional rights are being tragically violated. Maj. Gen. Edwin Walker is a resident of the Fifth District of Texas and I am his voice in Congress. This morning I received a telephone call from General Walker's mother, appealing to me to protect her son from what appears to be a deliberate conspiracy to deprive him of his liberty. As a responsible Member of the Congress of the United States I cannot, indeed it would be a violation of my oath, to refuse to heed such an appeal—an appeal from his mother.

As I stated on the floor of the House yesterday and as I made clear to the Attorney General in a telephone conversation with him yesterday morning, it is not my purpose to judge the guilt or innocence of General Walker concerning the charge made against him. It is my bounden duty as a Representative of the people to see that General Walker has the same protection of the law and the same guarantees of his constitutional rights as the Government is giving to James Meredith, using every source at its command to do so.

Since talking with the Attorney General yesterday morning and since my telephone conversation with the mother of General Walker, I have been given a complete chronology of the arrest, arraignment, imprisonment, and finally the ordering of a mental test for General Walker. This record makes it painfully clear that in the unparalleled treatment of General Walker the Government has violated two of his constitutional rights. No. 1, the right to be admitted to bail. No. 2, the right to have legal representation at every stage of the proceeding. He did not have legal representation in the court when the commitment order was issued by a judge in Mississippi while General Walker was being held in a cell in Springfield, Mo., having been sent there the day previous to the order which committed him there.

In order that every Member of this body have the benefit of the complete record, I would like to summarize the course of events as they have been given to me by General Walker's attorney within the past few hours.

General Walker was arrested around noon on Monday, October 1. His hearing was held at about 2 p.m. He was taken from Mississippi about 4 p.m. to be incarcerated at a Federal Prison reserved for psychiatric and mental prisoners where he arrived at 6:55 p.m.

As I pointed out in my remarks on the floor yesterday evening, the Attorney General assured me at about 10:30 yesterday morning, October 2, that General Walker was being treated as any other person accused of a law violation, that he was not removed to Springfield because it was a mental institution, that he could not be subjected to mental tests without a court order, and that he would be released on bond as soon as such bond was made available.

At 5:44 p.m. yesterday the news ticker carried a report that a Mississippi judge had issued a court order after a hearing held in Mississippi at 2 p.m. approximately that afternoon, ordering psychiatric tests for General Walker.

Mr. Speaker, we dare not allow our Government to ride roughshod over the constitutional rights of General Walker because if it is permitted to do so, then the freedom of every citizen of this land is in jeopardy and, indeed, the Constitution will have been betrayed.

General Walker's attorney advised me further that it was not possible to make the bond for him in Mississippi because he was shipped out before bond could be arranged and a man was there with the money. All day yesterday and up until this very moment, they have been endeavoring to make bond and have not been permitted to do so.

There are very sinister overtones to this whole proceding and it is my opinion that Congress must take some action to clear up the implications. In the haste with which the administration incarcerated General Walker and seemingly denied him his constitutional rights, it has willfully and illegally denied him full protection of the law through manipulation of the law or it has acted in collusion with the courts. In either case General Walker has been denied equal protection under the law and this we dare not ignore.

I have purposely refrained from commenting on the situation in Mississippi which resulted in the arrest of General Walker because, as I stated yesterday, while I have never agreed with the 1954 decision of the Supreme Court, it is my contention that the decision must be changed in the Halls of Congress and not on the campus of the University of Mississippi. As an officer of the Federal Government, elected by the people of the Fifth District of Texas, General Walker's district, I feel that I am bound by my oath of office to protect the people in their constitutional rights and I know every other Member intends the same protection to all citizens, and to uphold the laws of the land and the legal procedures of our courts even when I am in disagreement. But now I must comment because as in the case of General Walker, it appears the Government is going far beyond its constitutional authority in imposing its will upon the State of Mississippi and its people. It has been reported by news media, I suppose this is accurate and it is the only information I have, that U.S. marshals are preventing students of the University of Mississippi from leaving classes attended by James Meredith when they desire so to do. It is one thing to guarantee James Meredith the right to attend classes. It is quite another, and wholly without any constitutional authority for Federal officers to force other students to attend classes which they may wish to leave for any reason whatsoever.

The press reports further that U.S. marshals—and I have this morning's newspaper column to back this up, and that is all I know about it, in case that column is inaccurate, and members of the Armed Forces are searching cars without warrants. In the absence of warrants or in the absence of a declaration of martial law, such action is completely in violation of fourth amendment of the Constitution, as I understand it and I am not an attorney, I am freely admitting this, which states:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Mr. Speaker, I appeal to every Member of this body and to every responsible official of this Government, let us use every means to return the situation we now face to one of reason governed by law and the Constitution. To do less, to continue to violate the rights under law of General Walker and to promulgate the questionable acts of unconstitutionality now going on in Mississippi shakes the very foundations of this Republic and it could come crashing down in the midst of such fury that the freedom of mankind will be destroyed forevermore.

I now ask that every means at the disposal of Congress be brought to bear to stop any further illegal acts against General Walker so that he may be brought speedily to trial with proper legal representation and under the full protection of all our legal procedures, not the least of which is his being able to prepare his own case for presentation, which is now being denied him, according to his attorneys.

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

Mr. ALGER. I yield to the gentleman.

Mr. ROONEY. I should like to ask the distinguished gentleman if he has any information as to what General Walker was doing on the campus of the University of Mississippi at Oxford, Miss., last Sunday night?

Mr. ALGER. I do not have, except newspaper accounts, and neither has General Walker been able to answer that in his own defense before being committed.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ALGER. Mr. Speaker, as addenda to my remarks, I would like to include four exhibits. First, section 18 U.S. 4244:

> Section 18 U.S. 4244: When the U.S. attorney reasonably believes that a person is insane or is so mentally defective that he is unable to understand the nature of the charge against him or to assist in his defense he will be under motion of U.S. attorney and under order of court committed for psychiatric examination.

Second. A transcript of the telephone conversation today at 11 a.m. with General Walker's attorney, Clyde J. Watts:

> Mr. ALGER. All right, he was arrested around noon, hearing around 2, left around

4, and got to Springfield around 6; is that right?

Mr. WATTS. He got to Springfield at 6:55.

Mr. ALGER. Right.

Mr. WATTS. His commitment before the judge in Mississippi was the following day, at which time Judge Clayton did not have Walker before him, so he could observe his condition and demeanor.

Mr. ALGER. Just a minute. Of course his hearing was after they had already shipped him out?

Mr. WATTS. That's right. Judge Clayton entered his order yesterday after Walker had arrived in Missouri.

Mr. ALGER. Right.

Mr. WATTS. It would have fixed the time of Clayton's order somewhere shortly after noon, probably around 2 o'clock on Tuesday.

Mr. ALGER. October 2?

Mr. WATTS. October 2.

Mr. ALGER. All right.

Mr. WATTS. Now, those are the critical times and dates.

Mr. ALGER. Bond was refused at the day of October 1 and October 2.

Mr. WATTS. The bond was—no, now here, the bond was fixed on October 1.

Mr. ALGER. Right. And I understood that that day——

Mr. WATTS. Before his bondsman, who was in Mississippi, before he could make the bond, Walker was brought to Missouri.

Mr. ALGER. Missouri on the second, and on the second his bond was refused?

Mr. WATTS. All mornin' long we were here endeavoring to make the bond.

Mr. ALGER. I see. But you couldn't make the bond?

Mr. WATTS. We could not—in other words, there is no legal proceeding in Missouri through which we could make the bond.

Mr. ALGER. I understand.

Mr. WATTS. We finally, after conference with the judge, were advised that the U.S. attorney would be here at 2 o'clock——

Mr. ALGER. Right.

Mr. WATTS. To discuss with us the mechanics of making the bond.

Mr. ALGER. Mechanics.

Mr. WATTS. When the U.S. attorney arrived, he called the U.S. attorney in Mississippi, who advised him that Judge Clayton, about 2 o'clock, had entered this new order and therefore bond was impossible.

Mr. ALGER. All right.

All right. My next question: He was sent to Springfield on the evening or the afternoon of October 1 without any court order?

Mr. WATTS. That's right. He was sent to Springfield by this telegram from the Director of Prisons that I read to you.

Mr. ALGER. James Bennett?

Mr. WATTS. James Bennett.

Mr. ALGER. Yes.

Mr. WATTS. To the marshal in Mississippi.

Mr. ALGER. The marshal who had General Walker in custody?

Mr. WATTS. Yes. That telegram directed delivery of Walker to Springfield, Mo.

Mr. ALGER. And the man sending the wire was James Bennett?

Mr. WATTS. That's right.

Mr. ALGER. But how did Craig figure in that?

Mr. WATTS. Craig is the U.S. Commissioner. He is the magistrate in Mississippi who fixed the bond.

Mr. ALGER. I see. I see. Okay.

Now, all right, I said that you agreed he was sent, though, to the mental prison without a court order; the court order came the next day?

Mr. WATTS. Now, the next day, this marshal in Mississippi sent this telegram that I quoted to you, dated October 2, which quotes the telegram from Bennett to the marshal.

Mr. ALGER. Right.

Mr. WATTS. Now, the following day, this telegram was sent to the warden, the Warden Russell here at the medical center. Now, that's the entire chronology.

Mr. ALGER. All right. Now, since he has arrived there, what has been the personal treatment? You made the point as his attorney that being incarcerated in a cell in a mental institution prevents him from making his case.

Mr. WATTS. That's right.

Mr. ALGER. I mean preparing his case.

Mr. WATTS. In other words, that defeats the very purpose of the statute. The statute is ostensibly for the protection of the accused prisoner.

Mr. ALGER. Yes.

Mr. WATTS. In order to attest his mental capacity to participate in his defense.

Mr. ALGER. And what is that statute?

Mr. WATTS. That's 18 United States Code Annotated 42.44.

Mr. ALGER. All right. I can look that up. OK.

Mr. WATTS. The purpose of that statute is to aid the accused who may be of questionable mentality to provide his defense.

Mr. ALGER. Right.

Mr. WATTS. Now, by the implementation of this statute, his defense is being completely frustrated in court.

Mr. ALGER. Now, do you have anything else to add?

Mr. WATTS. One other thing. The statute itself does not require that he be committed to a Federal penitentiary.

Mr. ALGER. Right.

Mr. WATTS. He could and properly should have been examined right there in Mississippi by a competent psychiatrist. Now, this business of shuffling him off to a penitentiary completely frustrates the preparation of his defense.

Mr. ALGER. I have got to run to the floor, but I want you to continue adding such material as you would like to. I have to leave, but my assistant, Ralph Marlatt, is here and I have a reporter putting it down.

Mr. MARLATT. Go right ahead.

Mr. WATTS. Now, we recognize in this unparalleled treatment of General Walker, the violation of two constitutional rights.

No. 1, the right to be admitted to bail.

No. 2, the right to have legal representation at every stage of the proceeding, which he did not have before Judge Clayton when the commitment order was issued yesterday at 2 o'clock.

Now, those constitutional rights are being, in our opinion, flagrantly denied him. And that covers it.

Mr. MARLATT. That's it. Fine. I think that's it, then.

Mr. WATTS. There is another concept you ought to get out.

Mr. MARLATT. All right.

Mr. WATTS. The Federal Government has massed and mobilized forces to protect the civil rights of one man in Mississippi, and in the operation of the juggernaut, it has run roughshod over the constitutional rights of General Walker.

Mr. Speaker, the morning newspaper account as it appeared in the Washington Post, Wednesday, October 3, 1962:

MENTAL TEST IS ORDERED FOR WALKER

SPRINGFIELD, Mo., October 2.—Former Maj. Gen. Edwin A. Walker, a key figure in weekend battling over admission of a Negro to the University of Mississippi, was ordered placed under psychiatric examination in a Federal prison today.

His attorneys announced immediately that they would fight the order in U.S. district court here Wednesday. They instructed Walker to refuse to cooperate with prison physicians.

Walker was locked in the U.S. medical center here. He was brought here from Oxford, Miss., in a border patrol plane October 1, after his arrest and arraignment on charges of inciting insurrection and seditious conspiracy.

U.S. District Attorney F. Russell Millin, of Kansas City, told newsmen the psychiatric examination order was issued in Oxford this afternoon by U.S. District Judge Claude Clayton. Millin said it prevents Walker from obtaining his release under a $100,000 bond set yesterday at his arraignment.

TO TAKE 60 TO 90 DAYS

Millin said he understood the psychiatric examination would take 60 to 90 days and that during that period Walker would not be bailable.

Clyde J. Watts, spokesman for Walker's corps of attorneys, said they would ask U.S. District Judge John W. Oliver, holding court here, for either a writ of habeas corpus, freeing Walker, or for an injunction against any surgical or medicinal treatment of the former general without the presence of a psychiatrist or physician approved by Walker's counsel.

Watts said he and two Springfield attorneys, George Donegan and William Wear, talked to Walker in the medical center this morning and found him "clear, lucid, undisturbed, and possessing all his mental faculties."

Watts said they told Walker "that his response to questions asked by physicians or psychiatrists at the medical center should be only his name, rank, and serial number—the same as an American soldier who has been captured."

Watts, reading from a 4-page statement, told newsmen he had talked to Judge Clayton at Oxford by telephone and was informed the order committing Walker for psychiatric examination was issued on the basis of testimony by Dr. Charles E. Smith, a bureau of prisons psychiatrist. Watts quoted Judge Clayton as saying Dr. Smith had not seen Walker.

Watts said that during their talk with Walker this morning, Walker gave them his version of what happened at Oxford.

"He at no time led any assault, charge, or overt act against any State or Federal officer, including U.S. marshals," Watts said. "He at no time incited anyone to riot or disorder."

Walker told his lawyers, Watts said, that he was in contact with the sheriff in Oxford Saturday and Sunday and advised him he was "there to observe developments."

Walker said he was eating dinner Sunday night during President Kennedy's television speech to the Nation when newsmen advised him of a demonstration at the Ole Miss campus. He said he went there and found a "scene of considerable disturbance." He said he was standing near a Confederate monument about 300 yards from the administration building when several persons asked him to make a statement.

"General Walker made a statement that participants should avoid all semblance of violence that the real war was in Cuba, not Mississippi," Watts said.

SAYS HE HAD NO MISSILE

The former general told the lawyers his remarks lasted about 5 minutes and that as he watched the students going toward the U.S. marshals and then moving back, he was no closer than 30 feet to the officers.

Watts said Walker had "no missile, weapons, or rocks" and that "he counseled the participants to avoid violence."

The lawyer said the statement he read to newsmen had been concurred in by another Walker attorney, Robert Morris of Dallas, former counsel for the House Un-American Activities Committee. Morris was in Cleveland today, but was expected to arrive in Springfield soon.

Watts said Morris issued the following statement:

"I ask all citizens to examine what has happened today. Because General Walker raised his voice in a cause not popular to all of us, he should not be subject to this

treatment. This is a suspension of the Bill of Rights."

The $100,000 bail set for Walker was offered on the basis of Oklahoma sureties that were not otherwise identified. Mrs. George Walker of Center Point, Tex., wife of the former general's rancher brother, told newsmen in Houston that it had been raised from two sources—the family and others whom she did not identify.

Mr. Speaker, finally, a record account from the Washington Post regarding the illegal search of automobiles in Oxford:

TORN BETWEEN PRIDE AND SHAME, OXFORD SETTLES INTO AN UNEASY CALM

(By Gene Sherman)

OXFORD, Miss., October 2.—An uneasy calm settled today over this proud college town that seems torn between civic pride and shame.

Shops were open again, but military convoys continued to rumble through the town, directed by military police stationed at intersections to halt civilian traffic when necessary.

MP's constantly patrolled the streets and the campus in jeeps. Army helicopters spun low overhead and Air Force troop transports kept the tiny airport busier than it has ever been.

Every car entering Oxford was searched for weapons by MP's who set up blockades on all roads leading into town.

There was some question by what legal authority this was accomplished, but as one resentful Oxford resident commented: "Who's going to fight 'em?"

"If I had to research the authority for that," said U.S. Attorney H. M. Ray, "I wouldn't have time to get my work done." He said it as an afterthought to a curt "No comment."

Theoretically, local government and law enforcement still prevail, but the demarcation between them and military authority is thin at the moment.

Martial law has not been declared, but Lt. Gen. Hamilton H. Howze, in command of the troop buildup, admitted it was pretty close at one time. He hastened to add that the situation had been close, not the declaration.

Chief of Police James D. Jones said he was glad to see the troops move in because he didn't think he had enough men to handle the situation. There are six in his department.

Local police are continuing to enforce city ordinances, he said, but the quelling of what might develop into a disturbance in the streets was up to the military. * * *

Mr. COLMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is not my intention to get into any debate at this time on this unfortunate tragedy that is being enacted in my once sovereign State of Mississippi, but since the question has been raised here may I say to my distingiushed friend from Texas and to the other Members of this body, and through this media to the country, that my understanding of the situation that has developed in Mississippi goes far beyond General Walker.

If what I understand to be the true facts down there as I have gotten them from reliable people, the whole question of the constitutional rights not only of General Walker but of the people of—again I repeat—the once sovereign State of Mississippi are being challenged and are being run over rough-shod.

In this connection, Mr. Speaker, many sound lawyers challenge the procedure if not the legality itself under which the U.S. Supreme Court through the Justice Department acted to force this would be student Meredith into the University of Mississippi.

As Mr. Arthur Krock so well pointed out in the New York Times on October 1, Mississippi was denied due process. He said in part:

Established procedure under due process is completed only when a court of last resort has formally disposed of the final step available to litigants. Since the agreement of all the other Justices that Black announced in his order of September 12, 1962, could have been learned only by communication means other than face-to-face discussion, this raises the legitimate question whether 'due-process' was afforded the State of Mississippi. If, as Justice Black also announced, the Court was certain to reject the State's request for review, that could have been done in the established manner when the Court reassembled today, the day Meredith actually was enrolled at the university.

In other words, in the haste of the administration to force the admission of the NAACP's candidate Meredith into the all-white university, the State of Mississippi was denied the oppportunity under due process to have the merits of its side considered by the Supreme Court in an orderly manner. Instead a single Justice, Hugo Black, after some kind of a Gallup poll, acted on his own. The appeal of the State of Mississippi for an orderly review of the case is thus left hanging in the balance and has never been acted upon.

Mr. Speaker, I had not intended to go into this at this time. At another point in the RECORD I will have some further remarks on this unfortunate event.

Mr. Speaker, this is happening today to the people of Mississippi under the pretext of the admission of one man with his alleged rights, while the rights of 5,000 other students are apparently not considered. Yet it is happening to them under that pretext today. How do we know it is not going to happen to you tomorrow under some other pretext?

Mr. Speaker, I am so concerned about this matter, I am so disturbed about it, that I even hesitate to speak on the subject. But let me say to my friend from Texas that in the other body the machinery has been set in motion for an investigation of the legality of this whole procedure that has brought on this holocaust down in my beloved State of Mississippi.

Mr. ALGER. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. COLMER. Mr. Speaker, I yield for a unanimous-consent request only.

Mr. ALGER. Mr. Speaker, I ask unanimous consent that I may be permitted to revise and extend my remarks and to include extraneous material that will include some of the conversation to which I alluded in my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The question was taken.

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 344, nays 4, not voting 87, as follows:

[Roll No. 267]

YEAS—344

Abbitt	Delaney	Johnson, Md.
Abernethy	Dent	Johnson, Wis.
Addabbo	Denton	Jonas
Albert	Derounian	Jones, Ala.
Alford	Derwinski	Judd
Alger	Devine	Karsten
Andersen, Minn.	Dingell	Karth
Andrews	Dole	Kastenmeier
Arends	Donohue	Kearns
Ashbrook	Dorn	Keith
Ashley	Dowdy	Kelly
Ashmore	Downing	Kilgore
Auchincloss	Doyle	King, Calif.
Avery	Dulski	King, N.Y.
Ayres	Durno	King, Utah
Bailey	Dwyer	Kirwan
Baker	Edmondson	Kitchin
Baldwin	Elliott	Kluczynski
Baring	Ellsworth	Knox
Barrett	Everett	Kornegay
Barry	Fallon	Kowalski
Bass, N.H.	Farbstein	Kunkel
Bass, Tenn.	Fascell	Kyl
Bates	Feighan	Landrum
Battin	Fenton	Lane
Becker	Findley	Langen
Beckworth	Finnegan	Lankford
Beermann	Fino	Latta
Bell	Fisher	Lennon
Bennett, Fla.	Flood	Lesinski
Betts	Flynt	Libonati
Blatnik	Fogarty	Lindsay
Boland	Ford	Lipscomb
Bolton	Forrester	Loser
Bonner	Fountain	McCulloch
Bow	Frelinghuysen	McFall
Brademas	Friedel	McMillan
Bray	Fulton	McVey
Brewster	Gallagher	Macdonald
Bromwell	Garland	Mack
Brooks, Tex.	Garmatz	Madden
Broyhill	Gary	Mahon
Bruce	Gathings	Mailliard
Buckley	Gavin	Marshall
Burke, Mass.	Giaimo	Martin, Nebr.
Burleson	Gilbert	Mason
Byrne, Pa.	Gonzalez	Mathias
Byrnes, Wis.	Goodling	Matthews
Cahill	Granahan	May
Carey	Grant	Meader
Casey	Gray	Merrow
Cederberg	Green, Oreg.	Miller, Clem
Celler	Griffin	Miller, N.Y.
Chamberlain	Gross	Milliken
Chelf	Hagan, Ga.	Mills
Chenoweth	Hagen, Calif.	Minshall
Church	Haley	Moeller
Clancy	Halleck	Monagan
Clark	Halpern	Montoya
Coad	Harding	Moore
Cohelan	Hardy	Moorhead, Pa.
Collier	Harrison, Wyo.	Morgan
Colmer	Harsha	Morris
Conte	Harvey, Mich.	Morrison
Cook	Healey	Morse
Cooley	Hechler	Mosher
Corbett	Hemphill	Moss
Corman	Henderson	Multer
Cramer	Hoeven	Murphy
Cunningham	Holifield	Murray
Curtin	Holland	Natcher
Curtis, Mass.	Horan	Nedzi
Curtis, Mo.	Hosmer	Nelsen
Daddario	Huddleston	Nix
Dague	Ichord, Mo.	Norblad
Daniels	Inouye	Norrell
Davis, James C.	Jarman	Nygaard
Davis, Tenn.	Jennings	O'Brien, N.Y.
Dawson	Jensen	O'Hara, Ill.
	Joelson	O'Konski
	Johnson, Calif.	Olsen

O'Neill	Rosenthal	Teague, Calif.
Osmers	Rostenkowski	Teague, Tex.
Ostertag	Roudebush	Thomas
Passman	Roush	Thompson, La.
Patman	Rutherford	Thompson, N.J.
Pelly	Ryan, Mich.	Thompson, Tex.
Perkins	Ryan, N.Y.	Thomson, Wis.
Peterson	St. George	Thornberry
Pfost	St. Germain	Toll
Philbin	Santangelo	Tollefson
Pike	Schadeberg	Trimble
Pilcher	Schenck	Tuck
Pirnie	Schneebeli	Tupper
Poage	Schweiker	Udall, Morris K.
Poff	Schwengel	Vanik
Powell	Scott	Waggonner
Price	Selden	Wallhauser
Purcell	Shelley	Walter
Randall	Shriver	Weaver
Ray	Sibal	Westland
Reece	Sikes	Wharton
Reuss	Sisk	Whitener
Rhodes, Ariz.	Slack	Whitten
Rhodes, Pa.	Smith, Iowa	Wickersham
Riehlman	Smith, Miss.	Widnall
Riley	Smith, Va.	Wilson, Calif.
Rivers, Alaska	Spence	Wilson, Ind.
Rivers, S.C.	Stafford	Winstead
Roberts, Ala.	Staggers	Wright
Roberts, Tex.	Stephens	Yates
Robison	Stratton	Young
Rodino	Stubblefield	Younger
Rogers, Colo.	Sullivan	Zablocki
Rogers, Fla.	Taber	
Rooney	Taylor	

NAYS—4

Hoffman, Ill.	Pillion	Smith, Calif.
Johansen		

NOT VOTING—87

Adair	Hansen	Pucinski
Alexander	Harris	Quie
Anderson, Ill.	Harrison, Va.	Rains
Anfuso	Harvey, Ind.	Reifel
Aspinall	Hays	Rogers, Tex.
Belcher	Hébert	Roosevelt
Bennett, Mich.	Herlong	Rousselot
Berry	Hiestand	Saund
Blitch	Hoffman, Mich.	Saylor
Boggs	Hull	Scherer
Bolling	Jones, Mo.	Scranton
Boykin	Kee	Seely-Brown
Breeding	Keogh	Sheppard
Broomfield	Kilburn	Shipley
Brown	Laird	Short
Burke, Ky.	McDonough	Siler
Cannon	McDowell	Springer
Chiperfield	McIntire	Steed
Davis, John W.	McSween	Ullman
Diggs	MacGregor	Utt
Dominick	Magnuson	Van Pelt
Dooley	Martin, Mass.	Van Zandt
Evins	Michel	Vinson
Frazier	Miller,	Watts
Glenn	George P.	Weis
Goodell	Moorehead,	Whalley
Green, Pa.	Ohio	Williams
Griffiths	Moulder	Willis
Gubser	O'Brien, Ill.	Zelenko
Hall	O'Hara, Mich.	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mrs. Weis.
Mr. Keogh with Mr. Adair.
Mr. Green of Pennsylvania with Mr. Van Pelt.
Mr. Zelenko with Mr. Michel.
Mr. Rogers of Texas with Mr. Brown.
Mr. Hull with Mr. McIntire.
Mr. Rains with Mr. Utt.
Mr. Roosevelt with Mr. Bennett of Michigan.
Mr. Sheppard with Mr. Moorehead of Ohio.
Mr. O'Brien of Illinois with Mr. Laird.
Mr. Shipley with Mr. Berry of South Dakota.
Mr. Herlong with Mr. Anderson of Illinois.
Mr. Aspinall with Mr. Dominick.
Mr. Alexander with Mr. Springer.
Mr. John W. Davis with Mr. Quie.
Mr. Anfuso with Mr. Siler.
Mr. George P. Miller with Mr. Chiperfield.
Mr. Ullman with Mr. MacGregor.
Mr. McDowell with Mr. Short.
Mrs. Griffiths with Mr. Kilburn.
Mr. Harris with Mr. Van Zandt.
Mr. Pucinski with Mr. Saylor.
Mr. Magnuson with Mr. McDonough.
Mr. Watts with Mr. Rousselot.
Mr. Williams with Mr. Hiestand.
Mr. Breeding with Mr. Scherer.
Mr. Willis with Mr. Belcher.
Mr. Burke of Kentucky with Mr. Harvey of Indiana.
Mr. Boggs with Mr. Glenn.
Mr. Diggs with Mr. Reifel.
Mr. Evins with Mr. Goodell.
Mrs. Hansen with Mr. Hall.
Mr. Hays with Mr. Martin of Massachusetts.
Mr. O'Hara of Michigan with Mr. Broomfield.
Mrs. Kee with Mr. Scranton.
Mr. Steed with Mr. Gubser.
Mr. Harrison of Virginia with Mr. Dooley.
Mr. McSween with Mr. Seely-Brown.
Mr. Vinson with Mr. Hoffman of Michigan.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

MOBILE TRADE FAIRS

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3389) to promote the foreign commerce of the United States through the use of mobile trade fairs, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. BONNER, DOWNING, CASEY, MAILLIARD, and PELLY.

RIVER AND HARBOR AND FLOOD CONTROL PROJECTS

Mr. DAVIS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13273) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13273 with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Tennessee [Mr. DAVIS] will be recognized for 1 hour, and the gentleman from New Jersey [Mr. AUCHINCLOSS] will be recognized for 1 hour.

The Chair recognizes the gentleman from Tennessee.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, if I may have the attention of the Committee for a moment, I should like to say that the members of this Committee on Public Works on both sides of the aisle have agreed in all sincerity to do everything possible to reduce the time consumed in the consideration of this bill, despite the fact that it is a big one.

I recognize that there are 297 Members of this House affected directly or indirectly, and certainly interested in the consideration of this bill. We recognize that there are 167 projects included in it. We know also that it carries a money value of $2,300 million, covering 167 projects.

There is a bill in the other body which I understand will be considered on tomorrow. It carries a much greater money value. I want to be absolutely frank with the House. We want to get a good bill out, but we recognize that we will go into conference when we pass our version, with very skillful legislators, and it will require patience, and I hope intelligent action on our part.

So, then, recognizing further that so many of our Members want to get home, having some duties to perform at home, some living a great distance from here, they should be entitled to go.

Se we want to cooperate with the House, and we ask the House cooperate with us, and we will get this bill out of the way as soon as possible and seek the conference and undertake to resolve the difference and try to bring back a sound bill which will be agreed to in conference. We do ask you to cooperate with us as we are asked to cooperate with you. We are going to discourage as much as possible too much conversation and too much discussion on the bill which may prove collateral. We want to keep this bill very much at it is, without the addition of any other projects. But I will say, in all fairness, we are going to have a bill in the House come next session, because there are a great many projects that should be in this bill and we promise, early in the session next year that this committee will give serious and full hearings to a great many projects that you may have in mind at the moment.

Mr. WESTLAND. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Washington.

Mr. WESTLAND. I am interested in this China Gardens project.

Mr. DAVIS of Tennessee. That is in the bill.

Mr. WESTLAND. I know it is in the bill, I may say to the gentleman, but we are very much interested on the Columbia and on the Snake Rivers in the fish going upstream. I understand there were no public hearings on China Gardens. It was authorized something like 7 years ago. It is supposed to be a reregulating reservoir for Nez Perce and High Mountain Sheep, one of which is going to be constructed. It seems to me that you put the cart before the horse here when you authorize or build High Mountain Sheep, then perhaps the China Gardens would be in order.

Mr. DAVIS of Tennessee. May I interrupt the gentleman. If he will consult the gentleman on his side handling that particular project, they will advise the gentleman what they have in mind at the moment.

Mr. WESTLAND. I thought the chairman of the committee would be able to give me some information.

Mr. DAVIS of Tennessee. I am giving it to the gentleman.

Mr. WESTLAND. Why were not hearings held?

Mr. DAVIS of Tennessee. I am not going to yield further. I will get to that at the proper time.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the distinguished gentleman from Alabama.

Mr. JONES of Alabama. I want to say in response to the inquiries propounded by the distinguished gentleman from Washington [Mr. WESTLAND] that there was no opposition to the development of this project by any of the local agencies insofar as the report is concerned.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I shall be glad to yield to the distinguished gentleman from California.

Mr. BALDWIN. I think, since this has been brought up, it should be said further that a question was asked of the Corps of Engineers at that time if there was any opposition to the project and the Corps of Engineers at that time said "no." But subsequent investigation found that there is substantial opposition to it. In fact, there is even an application for private power now, which has not yet been resolved.

Therefore, the information before the committee at the time this project was voted upon was not at all complete.

Mr. CRAMER. Mr. Chairman, will the gentleman yield for one further observation?

Mr. DAVIS of Tennessee. I do.

Mr. CRAMER. For the information of the gentleman from Washington [Mr. WESTLAND] and others, this is one of the projects referred to which is in controversy insofar as the minority is concerned. There will be a motion made at the proper time to strike it out.

Mr. DAVIS of Tennessee. Mr. Chairman, I thought I was trying to conserve and save time. It looks as if I am responsible for losing some time, with my distinguished friend—and he is a good friend—the gentleman from Washington [Mr. WESTLAND] in regard to this project.

Mr. Chairman, I do not want to leave this, however, without saying we are going to have hearings on projects that should be closer to inclusion in this bill than they presently are. I want to say to the distinguished minority leader, the gentleman from Indiana [Mr. HALLECK] that I did not wait until next year to tell the gentleman my feelings about the gentleman's project. But on this floor just a few days ago I expressed the hope to the gentleman that the Bureau of the Budget would have that project forwarded so that the committee could include it. I promised the distinguished minority leader insofar as I was concerned, if it came in at the very last minute, it would be added to this bill.

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

Mr. DAVIS of Tennessee. I yield to the distinguished minority leader.

Mr. HALLECK. I thank the gentleman for his courtesy and for his statement that I did discuss the matter with him. The gentleman and I have been friends for a long time. He will recall that I went to him and talked to him. However, long recognizing the arrangements by which we ought to proceed here, some suggestion has been made that perhaps since I once was majority leader or that once a man of my party was President of the United States and had something to say about the Bureau of the Budget, why did I not get this project approved before? Well, the plain fact of the matter is we have pursued—we people from Indiana—a regular course to get final approval of the Corps of Engineers.

It was just within the last year or so that we obtained such approval.

I recognize the situation. I just want to say to the gentleman the one thing about it that kind of sticks in my craw, as we say out in Indiana, is that I absolutely know that the responsible people of my State, including our members of the port commission who have acquired hundreds of acres of lands for the development of an industrial complex that we need, had every reasonable assurance that the Bureau of the Budget would follow the recommendations of the Corps of Engineers, and transmit a favorable report on this project. That favorable report has not been forthcoming for reasons that I say should have no place in our legislative branch. But I recognize the difficulty of my situation.

Mr. DAVIS of Tennessee. Mr. Chairman, I will say further to the distinguished gentleman from Indiana that he stated to me, and we agreed that we were going to follow the rules of the House on this bill—he said to me very frankly that "If the Burcau of the Budget does not approve, I certainly will not ask you to consider it."

The gentleman will recognize that we were in entire agreement.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman.

Mr. MADDEN. Mr. Chairman, in regard to my good friend, the minority leader, I might say this Committee should be commended for not including the so-called Burns Ditch Harbor, that project did not start 20 years ago, it started 130-odd years ago, when Senator Daniel Webster came out to Michigan City, Ind., to dedicate a port at but a few miles up the shore from Michigan City, Ind. They discovered then that a port at that location, at the south end of the 600-mile sweep down from the north on Lake Michigan, annually fills up with sand and silt. Back in those days lake storms would block the harbor and require an appropriation every 3 or 4 years on the part of the Government to clean that harbor location so the harbor could function.

There is approved an application for an engineers study for a port to the west in Lake County, Ind., just out of that 600-mile sweep of sand drift, located at the Burns Ditch area, Lake County would make a practical location for a real port for northern Indiana.

There is an appropriation now authorized for an engineers' study at that location.

In verification of my good friend's statement regarding an engineers report, there have been two engineers reports on this so-called Burns Ditch—one report made in 1960 was withdrawn. That report criticized the location. That recalling of the first engineer's report was at the instance of the ex-Secretary of the Treasury, George Humphrey, who is building a steel mill at that location. He is making every effort to get the taxpayers of Indiana and of the United States to build a port for his steel mill. Mr. Humphrey has been very successful in his short experience as a Federal official on a number of different projects and contracts. I do not think that the people of the Nation should contribute to building a port for George Humphrey's steel mill, which is now under construction at this particular location. I feel sorry for this big land development project that some of the important people of Indiana are promoting in this area, but I do not think that the taxpayers of these United States should help build a port for George Humphrey's National Steel Corp.

Mr. HALLECK. Mr. Chairman, will the gentleman yield to me?

Mr. DAVIS of Tennessee. I yield to the distinguished gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, the political overtones in this controversy have raged for years. The gentleman from the First District, for whom I have the highest regard, is like the mother who saw the column of soldiers going by and said, "Everybody is out of step but Jim." He is the one man from Indiana that I have been able to discover who is out of step.

By what he has just said he indicts our present Democrat Governor, Matt Welsh; he indicts the Port Commission; he indicts Governor McNutt; he indicts former Governor Schricker.

I will not stand for it. It is true that a steel company, Mid-West Steel, has built, on land that they have owned for years, a steel mill. They are going to build more. It is true that another steel company is going to build a mill.

The problem for the people of Indiana, my friend from Lake County notwithstanding, is to build there a deepwater port with land available for diversification. The gentleman from Lake County ought to understand and to know, because he represents a steel mill complex, that we need diversification. We need an opportunity for the development of a public harbor on the Great Lakes. May I say to the gentleman that if the State of Indiana, which already has put hundreds of thousands of dollars in this operation, is now to be foreclosed, one of two things will happen.

Maybe it will suit the gentleman who represents Lake County but it does not suit me and it does not suit all the other people I represent. Either the State of Indiana will build that harbor or the steel companies will build their harbors, as the steel companies built them at

Gary. They are private harbors. They are not open to public use.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. No, I will not. The gentleman from Tennessee has the floor. I cannot yield to the gentleman from Indiana. I am sorry he feels this way about it.

Mr. DAVIS of Tennessee. I hope you will not take all my time.

Mr. HALLECK. I will not take it all.

I sat in a hearing on this proposition in the city of Gary, which the gentleman represents. I understand he has problems, that Gary's Chamber of Commerce is for this harbor but some other people up there are not. But I sat there with Governor Schricker, the then Democratic Governor of Indiana. I do not know whether the gentleman from Indiana was there or not, but I want to say this: There was unanimity of position of all of us from Indiana. The only thing I regret—I want to close by saying this. Probably I am foreclosed here today, but the people of my State are not going to be foreclosed and we are not going to forget it. There have been political manipulations from certain people in the other body that I say are unconscionable in an effort to defeat the accomplishment of a project in my great State.

You talk about spending taxpayers' money. The State of Indiana, the taxpayers of Indiana, have contributed to the building of harbors all over the United States of America.

All we ask is fair treatment.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for one statement?

Mr. DAVIS of Tennessee. Briefly.

Mr. MADDEN. I am now quoting the first report of the Army Engineers of a year ago which, through the influence of former Secretary Humphrey, was withdrawn. In that report it is stated that 97 percent of the shipping through this particular location, if a port was built there, for the next 20 years 97 percent would be cargo in and out of the two steel mills. About 3 percent would go to southern Indiana.

Mr. DAVIS of Tennessee. Mr. Chairman, I refuse to yield any further. I have been more than generous. I decline to yield to anyone.

Mr. Chairman, I know I do not have any foes in this House. I sought in the beginning to suggest that, thinking so many Members of this House wanted to get home if at all possible by this weekend, and with the cooperation with the fine Members on the minority side handling this bill, and with the warm support of all the men on my side of this Committee, we were asking you not to offer any amendments to increase this bill, with the assurance that we are going to have a bill early next year, because it is important; but collateral matters had come in. I was asking that you not discuss matters outside, and to show you my good faith—let us be reasonable. If we pass this bill this afternoon, you know what we are up against in this conference with the other body, I repeat, a conference committee headed by skilled legislators. The leadership has indicated rather informally to me that if we can handle with reasonable haste and yet intelligence and justice this particular bill, we have a good opportunity to adjourn this weekend. That would be a happy moment with all of us.

To show you my sincerity further, I want to say that I have prepared with some degree of care a statement covering the overall context of this bill.

I am not going to use it, but, Mr. Chairman, I am going to ask unanimous consent to extend my remarks at this point in the RECORD and to include what I wanted to say to you because I am going to be sincere and consistent the rest of this day in the efforts to do what I told you in the beginning all of us on both sides of the aisle had agreed to do as far as this committee is concerned.

H.R. 13273, generally referred to as the omnibus river and harbor and flood control bill, comes to the floor of the House after careful consideration by the subcommittees and the full Committee on Public Works. The bill is divided into two parts—title I, designated as the River and Harbor Act of 1962; and title II, designated as the Flood Control Act of 1962.

Title I adopts 71 river and harbor projects located in 25 States, with an estimated Federal cost of $406,730,000. It also adopts eight beach erosion control projects in seven States, with an estimated Federal cost of $1,775,800.

Title II adopts 86 projects for flood control, hurricane protection, and multiple purposes in 37 States, with an estimated Federal cost of $2,307 million. It also provides for an increase in the monetary authorization for one comprehensive river basin plan, previously approved by the Congress, with an estimated Federal cost of $3,700,000.

The projects adopted in H.R. 13273, both individually and collectively, comprise a valuable addition to the Nation's civil works program. The broad objectives of this program are the full and efficient development, utilization, and conservation of the Nation's rivers, and the protection and development of its coasts, as a means of advancing the national economy and enhancing the welfare of the people. The attainment of these objectives requires the formulation of comprehensive and unified plans for river basin and coastal improvement.

In the Nation's infant years the Corps of Engineers of the Army possessed the primary engineering know-how available to the Government. Hence, the corps was called upon—particularly by President Jefferson—to pioneer the development of the Nation's resources. It conducted explorations, established routes for roads and canals, and served as adviser to both the President and the Congress in the civil aspects of engineering. It was not until 1824, however, that Congress began to appropriate funds for direct Federal developmental activities. The small appropriation of that year, for improving the navigability of the Ohio and Mississippi Rivers by the removal of snags, marks the beginning of what has come to be known as the civil works program. For almost a century this program was confined to the improvement of navigation, the only type of internal improvement considered by Congress to be a responsibility of the Federal Government. Finally, in 1917, Congress authorized flood control work on the Mississippi and Sacramento Rivers. Not until 1936, however, was general flood control legislation enacted; although, in 1928, the corps was directed to make broad basinwide surveys for flood control, navigation, and power development. These studies—commonly known as the 308 surveys—were the first Federal attempt to develop basinwide plans for multiple-purpose development. They had much to do with the gradual acceptance of the concept of comprehensive river basin development, and with the progressive broadening of the body of legislation made up of what are still designated the "flood control acts"; although they now actually provide the bulk of the legislative authorities under which the Nation carries out the comprehensive development of its great river systems.

Over the period of 138 years since 1824, the civil works program has contributed to the Nation's economic development by planning and constructing: 214 reservoirs providing 165 million acre-feet of storage capacity. 500 local protection projects—including the vast levee system protecting almost 24 million acres of flood plain land along the lower Mississippi River; 34 power installations having an aggregate capacity of 7 million kilowatts; 3.2 million acres of water area—summer season—which provided more than 100 million person-days of recreation in 1960, and which is being used more intensively each year; 22,500 miles of inland waterway which provided 123 billion ton-miles of low-cost transportation service in 1960; connecting channels between the Great Lakes which have converted them into a great inland sea providing 99 billion ton-miles of transportation service in 1960; 500 deep-draft commercial harbors on the shores of the oceans and Great Lakes; 250 small boat harbors for refuge, recreation and commercial fishing; shore protection works along more than 300 miles of coastline; and rescue and disaster relief work during great floods and other natural disasters.

In addition to the completed works mentioned above, the Corps of Engineers has under construction 172 new projects, including 62 reservoirs which will increase the aggregate storage capacity by about 46 million acre-feet, and will increase the capacity of power installations by nearly 4.5 million kilowatts—to 11.5 million kilowatts. A program of flood plain information studies was initiated during fiscal year 1962 to encourage States and local governmental entities to regulate the use of flood plain lands for the purpose of slowing down the growth of new flood problems.

The committee is convinced of the necessity for continuing study of the Nation's water and related land resource development requirements and of the necessity for continuing revision and expansion of the Nation's civil works program to meet current and prospective needs disclosed by such study. The projects adopted by H.R. 13273 were

formulated in this way. They are based primarily on investigations made by the Corps of Engineers in close coordination with States, other Federal agencies, and local interests, and completed almost entirely since adoption of the River and Harbor and Flood Control Act of 1960. Thus, these projects are based on the most up-to-date appraisals of needs—both immediate and prospective—which it is possible to provide.

In the field of flood control the desirability of avoiding repetition of experienced damage and hazard to life is clear. Perhaps less clear is the role of the projects adopted by H.R. 13273 in bringing about the most effective use of our valley lands, so that we may capitalize on the compelling economic advantages attend upon their wise use. These works have been planned on the basis that flood control is a positive economic force in economic development rather than merely being a corrective measure.

Many of the reservoirs adopted by H.R. 13273 include storage designed to provide adequate supplies of good water, on schedule, to meet municipal, industrial, and agricultural needs. Substantial increases in low water flow will result from reservoir operation, with attendant improvement in water quality. The water supply and water quality control services which will be provided by the adopted projects also are positive forces in the national program for sound economic development.

Hydroelectric power facilities are included in those reservoir projects where economically feasible, to aid in serving growing municipal, industrial, and agricultural power needs.

The growth of public use of Federal land and water areas has been phenomenal in recent years. In 1961 public use of Corps of Engineers projects reached a total of 120 million visits, and water resource projects undertaken by other agencies served additional millions. The key role of water in outdoor recreational activity has been confirmed by the findings of the Outdoor Recreational Resources Review Commission. In recognition of public demand for outdoor recreational opportunities, substantially all of the reservoir projects adopted by H.R. 13273 provides for balanced basic recreational development. This will insure effective public use and enjoyment of the recreational potential which these projects will create.

In the field of navigation the projects adopted by H.R. 13273 are based on recognition of the importance of a sound transportation system to our economy, security, and general welfare, and the fact that each mode of transportation must play the role for which it is best suited.

The projects adopted for improvement of Great Lakes and coastal harbors will afford needed improvement and vitalization of these essential elements of our national transportation system. This is true also of the measures adopted for improvement of our inland waters.

Finally, the short protection measures adopted for beach erosion control and hurricane protection will serve to prevent irrevocable loss of beach areas, serious property damage, and hazard to life.

In summary, the committee considers H.R. 13273 to be a sound bill providing for essential continuing development of our Nation's water resources.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to my warm friend on the committee who is chairman of the rivers and harbors section. We work together so well, I have to yield to my colleague.

Mr. BLATNIK. Mr. Chairman, I want to say what I really know is in the hearts of so many of our colleagues and friends on both sides of the aisle in expressing not only the appreciation but admiration and genuine commendation to our able colleague and distinguished colleague, the gentleman from Tennessee who for years has carried the brunt of a tremendous burden in presenting these multibillion dollar public works projects that help the areas throughout the Nation. Few people realize the hearings that go on day in and day out requiring great patience and technical knowledge to go into all the details of the economic and fiscal feasibility of these projects in areas far removed from your district, Mr. Chairman—areas, yes, far removed from your own State. The manner in which you have conducted the hearings and the consideration of your very important committee and the fairness and consideration that you have shown to every and all of your colleagues regardless from what part of the country they come from reflect great credit on the gentleman from Tennessee and it is proof of his sound knowledge and belief that anything that upgrades the resources of the country to provide for a freer and more efficient flow of commerce and traffic on the waterways of the country and anything that protects life and property in areas subject to flood enhances the economic development of those areas and contributes not only to the improvement of the particular area but to the sum total of the country.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman.

Mr. JONES of Alabama. Mr. Chairman, I have served on the Committee on Public Works for 16 years. During the course of my tenure on the Committee on Public Works, we have brought biennially public works proposals with a scheme of development of our water resources which are so immensely important to our Republic. During my tenure on the committee, I do not think I have ever worked with or sat along side any member who is so knowledgeable of the subject, and so articulate in his expression and understanding of the subject, so patient in his approach and who has given so much even to an infinite degree to research and study of this enormous problem than the distinguished gentleman from Tennessee, chairman of this subcommittee.

There is not a section of the United States that has not been a recipient of his good work. There is not a section that has not benefited by his zeal and his earnestness and his dedication to the proposition of orderly and judicious prosecution of water resources development.

So, Mr. Chairman, he is a tower of strength in this work that we seek here to do, and certainly, Mr. Chairman, we all adore him and find a great deal of satisfaction that he has directed this phase of the work of the Congress that has had so much to do with making this a great Nation.

Mr. WICKERSHAM. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Briefly.

Mr. WICKERSHAM. I would just like to compliment the gentleman for his splendid work and to tell him and the other members of the committee that we appreciate the fact that the Waurika project has been included in the bill. It was considered on the Senate side, hearings were held over there before the Interior Committee, and we appreciate the item of $24 million for the Waurika project.

Mr. DAVIS of Tennessee. I remember the gentleman talked to me about that.

Mr. Chairman, I am very grateful to my colleagues on the committee for the fine things they have said about me. Any man would be unappreciative indeed not to be moved by them.

Now I am going to practice what I tried and insisted on preaching earlier, I am going to sit down. I hope my friends on the minority side will have better fortune in controlling and limiting time than I have been able to accomplish on this side.

Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, it is appropriate at this time in connection with H.R. 13273, the omnibus rivers and harbors and flood control bill, to restate some basic principles which I believe should underlie our national water resources policy.

Our national water policy is now being shaped. Only in recent years have we become aware of the need for such a policy and taken action to assess our resources in light of probable future needs.

History shows us, of course, that water has dominated human life. Americans are familiar with the impact of our river systems, harbors and rainfall on the social and economic development of the Nation. Water, or its absence, has shaped our destiny.

Throughout the 19th century and the early decades of the present century, we took our water resources for granted. In most of America, water was abundant. There seemed to be no need to husband or develop supplies. We used our water carelessly without any thought of the future.

But only a few short years ago we came to our senses and began to analyze the cold facts. We discovered that our water resources were not unlimited in the face of a rapidly expanding population and the demands of our swelling industrial complex. Surveys and studies showed us that there was no doubt about it; we must design a national water policy to enable us prudently and efficiently to employ this key resource.

It should be apparent to all of us today that the health and welfare of the American people in the years ahead will be dependent on the availability of adequate domestic and industrial water supplies. It follows, then, that we must construct a national water policy that will contribute to a sound regional and national development of this vital resource.

We must intensify our efforts to develop our water resources, to perfect flood control measures, to improve our waterways and our harbors, to expand existing hydroelectric projects and initiate others, to reduce water pollution, and to preserve areas of our lakes, rivers, streams and coastal waters for recreational purposes.

Proper water development is exemplified by the TVA. TVA is a model not only for our country but has been an example for similar development schemes throughout the world. The measure of its success has been demonstrated in all of its aspects. It is a source of pride to me to point to TVA as a model in satisfying water resources development in all of its ultimate needs and uses.

We can no longer enjoy the luxury of misusing our water resources.

Certainly the Federal Government has a clear responsibility for safeguarding and developing national water resources. In the national interest it must be the overseer of these resources for the ultimate benefit of all. Management responsibilities and duties may be shared with State and local governments and with private enterprise. But the primary powers must remain with the primary responsibility which is held by the Federal Government. At the same time there must be unity of approach as among the local, State, regional and national levels.

The report of the President's Water Resources Policy Commission, 1950, said:

> The national interest in water resources development is obviously large. It includes the benefits which accrue to the Nation as a whole, such as the strengthening of national security and the national economy, the conservation of soil, water, forest, and mineral resources, the encouragement of a wider and more economical dispersal of industry, the provision of opportunities for new investment and thus for employment, the provision of an adequate supply of food, fibers, and electric energy at reasonable prices, and the expansion of opportunities for the public enjoyment of recreation and wildlife. The amount of the Federal Government's contribution to water resources development should be determined accordingly.

Our interior waterways and our coastal waterways with their associated facilities form a critical transportation complex of paramount importance to agriculture, industry, and the national security. It is an essential element of our national policy that our navigable water resources be developed and used to the fullest economical extent. Low-cost water transportation is a significant factor in the location and establishment of industries today—and will be in the future—as it has been in the past.

A national water resources policy, then, must be designed to maintain and improve these important links in America's overall transportation pattern.

Flood control must be another element of this national water policy. Devastating floods have inflicted great human and economic losses on our Nation. An effective flood control program would preserve human life and effect huge annual savings by protecting the Nation's property, its soil, and its forests. Further, it would conserve our dwindling water supplies. Flood-producing conditions, the effects and repercussions of floods, and the flood-management measures are almost always of much more than local concern. The problem must be tackled through feasible comprehensive river-system or regional water-resource development plans.

Our Nation has a great future need of power capacity, part of which can be satisfied through hydrodevelopment. Another element of our national water policy, then, must concern itself with development of electric power. The economical and timely expansion of electric power will have most fundamental effects on the American economy, including agriculture. Power is one of the most important of all multiple-water-development purposes from the standpoint of bringing development projects and programs into the economically feasible and self-liquidating ranges.

It is obvious that the protection and expansion of our domestic, industrial, and public water supplies must be a primary mission of our national water resources policy. Our water requirements are growing and will continue to grow and we must provide more water by careful management of our present resources and by finding new resources.

In pressing development of our water resources we must be alert to the increasing needs of Americans for recreation areas and to the necessity of conserving our fish and wildlife. Our recreational resources must not be merely preserved, they must be enhanced and expanded. Again, the TVA is a fine example of the substantial and beneficial results that can be obtained through recreational planning and development coordinated in place and time with that of other water uses.

Mr. Chairman, I feel deeply that we must not falter in our pursuit of a comprehensive, fully rounded water resources policy. We are moving in the right direction but we must be unremitting in our determination to reach the final goal. We must continue to move ahead.

Mr. AUCHINCLOSS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the Committee on Public Works has very great responsibilities covering a wide area. It considers problems affecting the physical well-being of every part of the United States and reaches decisions on projects seeking the solution of these problems. Every Member of the House has perplexing questions for the development of his district and introduces legislation for their solution which reaches the Committee on Public Works. It is indeed an important though not spectacular committee.

Consider for a moment the scope of this committee's authority. It has the policy of highway construction throughout the country under its jurisdiction. The planning, building, and operation of this vast road system requires hard and intensive study in order to promote a sound expanding national policy in accord with the policies and laws of the various States. This program alone makes this committee an important one. But there are other responsibilities.

The Committee on Public Works must consider the construction of public buildings in all parts of the country and it is by no means a simple task to determine where a building should be located, its purpose, how much it should cost, and what agencies of Government should occupy it. These problems are not easy of solution, but require diligent research and real foresight. New Government buildings do not just happen, they are the result of careful planning and study.

Then there is the enormous problem of flood control of our rivers and lakes, which comes under the jurisdiction of this committee. Each one of these flood control projects presents different problems, frequently involving the construction of public powerplants, which require careful scientific study by men specially trained in that field of experience. The Corps of Army Engineers have time and again proved themselves highly capable to carry on such work and reach constructive conclusions, and I venture to state that it is the best qualified group in the world for this type of work. I am sure there are none better. This engineering knowledge is most important because the solution of this type of problem is technical and costly, and our taxpayers' money would be extravagantly wasted if scrupulous care was not used in the planning for the future. The Public Works Committee should never report out for the consideration of Congress any project of flood control without a completed report from the Corps of Army Engineers together with the approval of the Bureau of the Budget.

Then there is also the great question about the maintenance of the Nation's rivers and harbors and the protection from erosion of our shorelines, in Great Lakes as well as along the coastline. Here again keen alanysis by trained men is required to reach sound and farsighted conclusions. Like the flood control problem, the rivers and harbors projects are costly and care should be taken in reaching conclusions for their solution. It is the responsibility of the Committee on Public Works to make sound and well-supported recommendations concerning these matters, and it should never approve a report to Congress on any project without a full report from the Corps of Army Engineers.

The bill H.R. 13273 now under consideration contains many fully authenticated projects in various parts of the country covering flood control, rivers and harbors maintenance and protection from beach erosion, but unfortunately it contains a few projects which do not have the final approval of the Corps of Army Engineers and the Bureau of the

Budget. These projects are reviewed in the supplemental report signed by the minority members of the committee, so I shall not discuss them in detail. In these remarks I wish to stress the responsibilities, moral and legal, of the Committee on Public Works, and emphasize the fact that such unauthorized projects should not be included in any bill for the consideration of the House.

In accord with our system of operation, the House relies on its committees to study carefully matters submitted to it for consideration, and expects definite standards to prevail for the protection of all. As soon as projects are included in the so-called omnibus bill which fail to meet standards based on the approval of responsible and experienced Government agencies, then this measure can properly be called the pork-barrel bill to the everlasting humiliation of all of us. An omnibut bill should provide for the constructive benefit of America, based on sound reasoning and study and should not contain measures for the political aid of any individual Member with no recommendation of any kind from anyone. To maintain the dignity of the House of Representatives and fulfill our responsibilities as elected Members of the Congress, we should refuse to permit the authorization of taxpayers' money for projects without the approval of any qualified Government authority.

I have served on the Public Works Committee and its predecessor committees for about 20 years, and I am proud of its work and its responsibilities. I must confess however that I do shudder and my blood pressure rises when I read in the press that the committee has reported out a pork-barrel bill. I am sure my colleagues join with me in that feeling, and we should act together in protecting the fair name of this committee and the honor of this very great legislative body and thereby maintain the prestige of our Government.

Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. ROBISON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and three Members are present, a quorum.

The gentleman from Florida [Mr. CRAMER] is recognized for 15 minutes.

Mr. CRAMER. Mr. Chairman and Members of the Committee, we have before us today a $2.3 billion omnibus rivers and harbors bill. In that bill, as I previously stated, there is in controversy $144 million, such figure representing the dollar value of the projects involved in controversy.

Mr. Chairman, I appreciate the remarks of the gentleman, my distinguished colleague and friend from Tennessee [Mr. DAVIS] for his sincerity and his desire to attempt to get out a good bill. I would say that it has been the objective of the minority throughout the consideration of this bill, and particularly in view of the fact that it has been brought to the floor of the House at an unprecedentedly late period in this session of the Congress, without any public hearings, without any opportunity even for Members of Congress to testify, that it is essential in protecting the integrity of the great Committee on Public Works of the House of Representatives on which I have had the privilege of serving for 8 years, and the integrity which I think is essential that we protect, because we have the duty of protecting the rights and interests of the taxpayers of America and to make sure that this Congress, this House and this important committee, is never subject to the charge of pork barreling, to the charge of favoritism, to the charge of playing politics with public works projects, to the charge of not getting a dollar's worth of value for every dollar of the taxpayer's money spent.

Mr. Chairman, it has been my objective throughout as a member of this committee to make certain that those fundamental obligations, I believe, of our committee and certainly of every member on it, are observed. That is why there is controversy; that is why there is a difference of opinion in this particular bill as it relates to these particular projects.

Mr. Chairman, I think it is the duty of the minority when it believes the majority is not following the basic concepts which I have just pointed out to attempt to see that they are observed, particularly in a situation where you here in the last few days of the session allow to be brought up a $2.3 billion bill. The only hope of passage of the bill being that controversy is left out of the bill, the hope for passage being that certain ground rules are established and observed which do not subject the committee and this Congress to charges along this line. I say that as the bill is presently written it does involve pork barreling, favoritism, playing politics with the taxpayers' dollars. With reference to those ground rules I though there was an understanding concerning them as we started consideration of this legislation at this late hour.

Mr. Chairman, I had understood that the rules to be observed were, No. 1, there would be no project contained in the bill that was controversial, for the obvious reason that if there is one which is controversial, the people who oppose it should have a right, under our democratic form of government and system, to be heard. That is the least their right should be. But everyone of those people was denied the right to be heard under this bill. I trust and hope, and I am sure the gentleman from Tennessee [Mr. DAVIS] agrees with me, that this shall not be considered a precedent by the great Committee on Public Works of the House of Representatives—the manner in which this bill has been considered.

It should not be thought throughout this Nation that those who are interested in hundreds of millions and even billions of dollars of expenditures, concerning which there are substantial differences of opinion that those people who have those differences of opinion will be denied, and even the Members of Congress denied, the right to be heard on these projects.

So that is why I, for one, have insisted that the ground rules that I thought had been established be observed. That is why we are opposing these projects, because on them the ground rules were not observed. That is why we fought as hard as we did in the subcommittee and in the full committee to try to make this a clean bill, with good projects, sound projects, with a preservation of the rights of the taxpayers, a clean bill that could pass without controversy.

Well, it is interesting to note how this bill gets before us at this late date—and I am being careful in the words that I use. So far as I can determine, the reason this bill was not properly considered 6 months ago, as we usually do on omnibus rivers and harbors bills, with persons who are interested being given the right to testify, and with adequate consideration being given to all projects, with proper legislative procedure, is that it was held up for a $900 million pork-barrel, grab-bag bill that passed the House a few weeks ago. We spent all our time trying to push through a program that is unsound, that delegates to the President unlimited powers, using the taxpayers' money at the same time, without proper congressional authorization. We spent half of this session working on that $900 million pork-barrel bill rather than considering a sound approach, based on meritorious projects in an omnibus rivers and harbors bill, it being the duty of our committee to do so this year, on a biennial basis.

As a matter of fact, I was informed, and I think authoritatively so, that it was generally advised that we would not even have an omnibus rivers and harbors bill if the $900 million pork barrel, grab bag, handout bill did not pass. Well, it has passed. And I am one to say that that is a bill that is going to come back to haunt this Congress and the Public Works Committee, because it gave to the President the powers that are reserved to the Congress, that of authorizing the projects, precisely what we are doing here today and should be doing in other areas. But that is past history.

Now we are faced with a $2.3 billion bill in which there is $144 million in controversy, in the last few days of the session, when there is not an opportunity properly to consider all the controversies involved; and due to the fact that not to strike out these projects will jeopardize the entire bill, I think the best wisdom is to knock them out, particularly in view of the statement on the part of the distinguished gentleman from Tennessee to the effect that we will be hearing another omnibus rivers and harbors bill with other projects early next year. It also might lead you to ask why has it been essential to include a number of projects in this bill, and in particular the $144 million worth of projects involving controversy?

It is important that we protect the integrity of this bill, not only because of our responsibility to the taxpayers of this Nation but also your Representatives of the House in conference are going

to have to face up to the other body. And again I say that as far as I can see, the only hope of getting a bill passed is to get one without controversy and try to hold the line. So far as the House bill is concerned, we can only preserve the House bill if we can take a position based upon merit, based upon the fact that we observed two rules. We made them and stuck by them because they are right; Rule No. 1 being noncontroversial projects on which hearings thus would not necessarily be justified.

Rule No. 2, projects that have been cleared by executive agencies.

That is what our amendments will do. Thus we can go to conference, and we can say to the other body we have protected the integrity of our bill by noncontroversial projects, and only those reported, and therefore we can insist on the other body's doing the same thing in a sound approach in the last few days of this session.

What are the projects in controversy? Burns Creek, in flood control, $52 million. China Gardens, flood control, $74,777,000. Jones Inlet, beach erosion control. Estimated cost, nobody knows what; minimum $4 million, maximum $17 million. Port Elizabeth, $230,500, annually.

These total $144 million, exclusive of the continuing annual costs.

I want to say something very briefly concerning the rivers and harbors projects, two of which I referred to, Fire Island and Port Elizabeth, that do not conform to the basic ground rules of this bill. The distinguished gentleman from California [Mr. BALDWIN], ranking Republican on the Flood Control Subcommittee, will discuss the Burns Creek and China Gardens projects, along with the gentleman from Iowa [Mr. SCHWENGEL]. Those two projects violate the rule of being noncontroversial. There could not be two more controversial projects before the Congress. They have no business in this bill when the effect of having them in this bill is to jeopardize all public works projects in the omnibus bill that is here.

Let us take Fire Island, $17 million. I invite your attention to the minority views in the committee report. There is not any politics in my approach to this. As a matter of fact, the two projects I propose striking out are in Republican districts, and I freely admit it. I still say if we are going to protect the integrity of this bill, a very good bill that abides by basic ground rules, if it is essential to pass a bill at this late stage in the session, then we should take out projects that do not conform to those rules, be they Democrat or Republican.

I say to my distinguished colleagues who are Republicans, who I know are interested in these projects, and I appreciate it, that I trust they will go along with the bill, at least the minority who are insistent on certain ground rules being followed.

Let us discuss, for instance, Jones Inlet. If you will refer to page 240 of this report, you will see a discussion of Fire Island Inlet or Jones Inlet, N.Y. I have had the privilege of visiting this project. I am very sympathetic to the project. I realize a solution must be found. But what is the status of the study or survey that is presently underway pursuant to previous congressional authorization? There has been no clearance by any Government agencies. As a matter of fact, the testimony before our committee was to the effect that the witnesses representing the Erosion Board and the Corps of Engineers could not even testify to what type of project they intend to construct at this location. That you will find in the minority views.

Secondly, the best estimate of cost was—imagine this, we are supposed to act on a project with a best estimate of cost as between $4 million and $17 million. That is as close as they could come to it.

The survey is the first step on any project. If you will turn to page 238 of the report, you will find every step a project must go through in order to conform to the ground rules. This project has not gone through any of them.

You say, Why observe ground rules? Because you as Members of Congress yourselves have said our committee should observe ground rules, and you have made it basic law. On the bottom of page 239 you will see reference to the fundamental basic law, which is the instructions to the committee in considering these projects. The report states:

> In section 202 of the River and Harbor and Flood Control Act of 1954, it is declared to be the policy of the Congress that:
>
> "No project or any modification not authorized, of a project for flood control or rivers and harbors, shall be authorized by the Congress unless a report for such project or modification has been previously submitted by the Chief of Engineers, U.S. Army, in conformity with existing law."

I know what the answer is going to be. It will be that we have waived this in other cases.

But we have never waived it to my knowledge in a case similar to this where you have last minute legislation in order to become a law of necessity. It should be noncontroversial and should obey the ground rules. So that is the difference. We are trying to pass a bill involving good projects in the late hours of the session and that is the objection of the minority.

Therefore, I will at the proper time offer an amendment, as the second ranking Republican member of the Rivers and Harbors Subcommittee, to strike out Fire Island Inlet or Jones Beach. If you look at the bill, you see that there is no cost in it. There is no figure because there is no way of knowing what the figure is.

Secondly, I will offer an amendment to strike out the Port Elizabeth project. It is a maintenance project. Yes, it is a small one. Yes, there is a Republican who is interested in it. The cost is $230,500 annually. Elimination of this project will preserve the integrity of this bill and so we can face the people of this Nation and the taxpayers and say we voted out a bill that was sound and was not a pork-barrel approach to public works projects.

So I will offer an amendment for the purpose of striking that out.

I have one other proposal which I intend to use whatever parliamentary procedures are available to me to try to get the Congress and our committee to consider properly the amendment written into the bill at the last minute without any hearings and without any report from the agencies. It appears on page 13 known as section 102 which completely amends the beach erosion control acts and permits 100-percent participation by the Federal Government for any damages caused by beach erosion but limited only to beach damage as a public function—not including any other public function. If you have a firehouse or city hall damaged by erosion, it does not conform and it cannot qualify for the funds. But if you have a beach and a park—it does. That does not make any sense to me at all.

It also provides on page 15, lines 11 through 13 direct appropriation of $3 million to be obtained from other projects that have already been appropriated for by the Congress.

Transfer fund authority, which I intend to object to at the proper time.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to my distinguished friend and colleague, the gentleman from New York, who I might say has shown a great deal of interest in the Jones Inlet project, and, as a matter of fact, he was our host when we went to Jones Inlet and Jones Beach. Nothing has been harder for me since I have been in the Congress to stand up here and oppose a project that I know my distinguished colleague is interested in and which is meritorious, I believe, if the Engineers had a chance to come up with a program.

Now I am glad to yield to my friend, the distinguished gentleman.

Mr. BECKER. I would be the last one to quarrel with my colleague from Florida on the matter of procedure and rules. The only point I would like to make insofar as the Fire Island-Jones Beach Inlet project is concerned, the erosion project, is that this is an authorized project and that we have made appropriations to complete the first phase of this project. What we are actually doing here or are attempting to do is that because of studies previously made by the Army Engineers and the engineers of the State of New York, to change the manner by which the project is to be continued rather than by dredging, which is what took place in the first phase, but by putting in some type of bypass pumping operation that would be permanent and always keep the channel clear as well as providing feeder sand for the beaches. That is why I hang my hat on the necessity of this project now so that we can continue with it, and next year when there will be no authorization bill, we at least can complete the study and then ask for the necessary appropriation.

Mr. CRAMER. May I say to the gentleman, this is a review report, but that report has not been refused. We do not know what it contains or how much it will cost, and it will not be available for 6 months. I will say to the gentleman,

I will be the first one to support his proposal as a separate bill, if need be, next year if the Engineers indicate it is sound and if the cost is reasonable.

Mr. BECKER. The gentleman says this is estimated to cost between $4 million and $17 million. We will have to come back here next year for the necessary appropriation. Then we will know what the cost will be.

Mr. CRAMER. I will say to the gentleman from New York, as the gentleman from Tennessee indicated, that we are going to have a bill next year, we are going to consider a bill next year. I would support a proposal for the gentleman to put in a separate bill. Then it will go through the proper procedure.

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

Mr. CRAMER. I yield

Mr HALLECK. Mr. Chairman, perhaps I have said too much already, but I have got to say this much further. The gentleman talked about ground rules. If there is one Member of this House who has tried to play by the ground rules, I have, but I want to add that the patience of some of us is being sorely tried.

I refer again to the effort that the officials of the State of Indiana have made for the past 25 years and more to establish a deepwater port on Indiana's shore of Lake Michigan.

If you want to know what the ground rules are, I refer you, Mr. Chairman, to page 238 of the report where the eight steps involved are set forth.

Step No. 1: Assignment of investigation by Chief of Engineers. That was done years ago for Indiana.

Step No. 2: Public Hearings by District Engineer. We have had hearings, and hearings, and hearings.

Step No. 3: Investigation by District Engineer.

Step No. 4: Review of Division Engineer and issuance of public notice.

Step No. 5: Review and hearings by Engineer Boards.

Step No. 6: Preparation of proposed report by the Chief of Engineers and review thereof by the affected States and Federal agencies.

Step No. 7: Transmittal of report to the Bureau of the Budget.

As of late June of this year, Mr. Chairman, all of these steps were behind us, as far as this project is concerned. Then we come to Step No. 8: Transmittal of report to Congress.

I just want to say that while I recognize the necessity of following the ground rules, when you come to that final step—and I say a case for the building of this harbor has been made—when you come to that final step, the report from the Bureau of the Budget, I am getting to the point where I just do not believe that the Bureau of the Budget should have the final determination for whatever reasons—they may be political or otherwise, and I happen to think in this case they have been political—and not against me, since it is only incidental that this harbor is in my district. The whole State of Indiana has been for this, they are for it now.

I just want to serve notice that if the State of Indiana from our Governor on down, and the bipartisan port commission, are to be foreclosed here today, I am not going to continue to take it lying down. They will either send up a report in compliance with the report of the Army Engineers, a carefully drawn report, or we may forget about the ground rules.

I know that this report from the Bureau of the Budget should have been forthcoming weeks ago, and as I said to the chairman of the committee, I was confident it would be here. It is not here.

Without going into any more detail I just want to conclude by saying that my State of Indiana is not going to longer be foreclosed. All of this talk about how the harbor would just be built for some selfish interests is absolutely without foundation. Indiana is going to have its harbor one way or the other.

Mr. CRAMER. Let me say to the gentleman that I appreciate his problem. This has been the reservation I have had, and illustrates it clearly—the reservation I have had about the manner in which this bill has been considered at this late date, in this short period of time.

Who has controlled what has gone into this bill? The gentleman from Indiana put his finger on it by using his project as an example. The agency that controls what has gone into the bill in the last 3 weeks of submission of new projects has been the Bureau of the Budget. There is no question about that. They have selected the projects to come up. There have been some Republican projects. As a matter of fact, I had a project that has been sent up, and there have been other projects. But the Bureau of the Budget has control of what should be considered under this short procedure in the consideration of this authorization bill and is the best evidence of the weakness of considering the bill in the manner in which it has been considered. I can remember the criticism offered the Bureau of the Budget under President Eisenhower, but I do not hear any today.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield myself 3 minutes.

I want to say that we have agreed to use only 10 minutes, and I regret we have used 25 minutes. But that was due to the nice things said about me by other Members.

I want my good friend, the minority leader from Indiana, to feel in his heart that the gentleman from Tennessee tried to be generous in yielding to him, because if any man or woman in this House has any doubt about whether he has made his case for the public harbor at Burns Waterway in Indiana I would be the most surprised person in world. But, trying to keep our agreement, I want to announce now, Mr. Chairman, that there will be no further requests for time on this side in general debate. We hope to proceed as quickly and as orderly as possible when the bill is being read for amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Iowa.

Mr. GROSS. This is a $2,300 million bill. What is the reason for all of this circumscription of time on the gentleman's side of the aisle? I assumed you wanted to tell us what is in the bill in detail. I am surprised you only asked for 2 hours of general debate. We used an hour and a half on a $400 million deficiency apropriation bill a little while ago. What is the deal? What is going on?

Mr. DAVIS of Tennessee. We are endeavoring to cooperate, to dispose of the business of this session. I stated in the beginning that this was a big bill. The gentlemen on the other side of the aisle have already stated their position. The gentleman from Florida, who always states a case well, has referred to four objections to this bill on which they are going to lodge objections, plus a fifth. When the point of order is raised on the fifth, I can say to him now that it will be conceded, so there will remain four.

May I say very humbly when this matter is presented and the objections on the other side of the aisle are stated under a limitation of time, and when we are standing on the bill as is, asking that there be no further additions, recognizing that we are going to be up against a bill in the other body providing more than a billion and a half additional dollars, we will do our dead level best in conference to hold our ground. I do not think I could be more sincere in any statement I can make to the gentleman from Iowa [Mr. GROSS] for whom I have the highest regard.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. BALDWIN].

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Iowa.

Mr. GROSS. I still do not have an answer to my question as to why this attempted restriction of time. What is going on here today? Now, January, February, March, April, May, June, July, August, September have gone and this is October. Where has this bill been that it must be rammed through as far as time is concerned on an almost take-it-or-leave-it basis?

Mr. BALDWIN. I believe the gentleman from Iowa was querying the chairman on these points, and I shall yield to the chairman of the subcommittee, the gentleman from Tennessee [Mr. DAVIS], on that point.

Mr. CRAMER. Mr. Chairman, will the gentleman yield to me?

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

Mr. CRAMER. I think I tried to explain it. It has been in the deep freeze. The only thing that thawed it out was the $900 million pork-barrel bill, as far as I am concerned.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I will say that while it is late in the session, you may be able to make speed by proceeding moderately this afternoon. I will say this to the members of the committee, I would like to get out of Washington and to Iowa as well as anyone else. But I do not like the kind of situation

that I see developing. If this bill is going to be rammed down our throats without adequate explanation under the 5-minute rule, and under a general debate, the timetable for adjournment can be all out of gear, as far as I am concerned.

Mr. BALDWIN. Mr. Chairman, first I would like to say that it has been a privilege again for me to serve as the ranking member on the Flood Control Subcommittee of the Committee on Public Works, and to work with the Chairman of that Flood Control Subcommittee, the gentleman from Tennessee [Mr. DAVIS]. The gentleman from Tennessee has always been very fair to me. It has been a privilege for me, and a pleasure, to work with the gentleman.

Mr. Chairman, I would like to say that as far as the procedure under which this bill was brought to the House floor is concerned, the procedure was that because of the inadequate time available to the committee from the time the hearings started, there being only about 2½ weeks available for hearings, that both subcommittees would only hear the Corps of Engineers and occasionally a Member of Congress. In many cases Members of Congress were asked to file statements and told that there was inadequate time in which to be heard.

Mr. Chairman, this procedure is all right for projects that are noncontroversial. I do not have any objection to the procedure for that type project. But toward the end, particularly the last day of the Flood Control Subcommittee hearings, a number of extremely controversial projects were added to the agenda, and brought before the committee.

Mr. Chairman, of all the 167 projects in this bill in my opinion the most controversial of any of them is the $52-million Burns Creek project in Idaho. I would like to mention just briefly the history of this project, because I think it is important that all Members of the House be aware of it.

Mr. Chairman, this project has been pending before the House Interior and Insular Affairs Committee for four Congresses. The first bill on this subject was introduced in the 84th Congress. It was before the Interior Committee, but there was no action taken on it.

In the 85th Congress the bill was again introduced. A subcommittee of the Committee on Interior and Insular Affairs held 2 or 3 days of hearings on it. However, the committee took no action upon it.

In the 86th Congress bills were again introduced and a subcommittee of the House Interior and Insular Affairs Committee held about 11 days of hearings and meetings on it.

Although the subcommittee acted, the full committee did not take action upon it. In the 87th Congress, this Congress, the project was again before the full Interior Committee, and the Interior Committee last year held 4 days of hearings upon the project. This year, in February, the Interior Committee voted on the project and voted it down by a vote of 17 to 14.

After that history as a Bureau of Reclamation project before the House Interior Committee, this project suddenly blossomed out as a Corps of Engineers project. The only possible conclusion that I can come to is that it suddenly was transferred from the Bureau of Reclamation to the Corps of Engineers because it was defeated by the House Interior Committee.

The Corps of Engineers sent up a report to our committee just a week before the end of the hearings submitting this project to our committee. On the last day of the hearings the committee heard the Corps of Engineers only—no outside witnesses. The following day, two Members of Congress, one for it and one against it, testified briefly. One other Member had written the committee for the opportunity to be heard on the day that the hearing with the Corps of Engineers occurred, but he was not even given the opportunity to testify before the committee. In the committee files are requests for the opportunity to be heard from the United Mine Workers of America who in their letter said that they were opposed to the project and wanted the opportunity to be heard; a letter from the Electrical Workers Union, who wanted the opportunity to be heard against the project and were denied that opportunity; a letter from a coal company in Wyoming, that stated in their testimony last year that the effect of the Burns Creek project would be to reduce the mining of coal to the extent of 250,000 tons of coal per year, the company being the one which has a contract with a private power company that was going to serve some of the area. That company was not given the opportunity to be heard.

A letter was also on file before the committee by the Utah Power & Light Co., the company that serves some of the same area and now has a private power project under construction. That would be a 150,000-kilowatt plant which would be available in a few months and would serve some of the same area. And that company was not even given the opportunity to be heard.

Whatever the merits of this project may be, the Public Works Committee as a committee of the House of Representatives owes an obligation on controversial projects of this type to give the interested witnesses the opportunity to be heard.

Whether we agree with them or we do not agree with them, certainly this House and our committee owes the obligation to interested witnesses to give them the right to be heard. Once we give them that right to be heard, then we have the right to come to a decision, whether it is for or against their point of view. But to take a project and throw it into a bill that has had the controversial history like this has and bar interested witnesses from the opportunity to be heard, in my opinion, is unforgivable. This is not the way this Congress, in my opinion, should handle this type of project.

This project is opposed by the State of Utah. It is opposed by the State of Wyoming. The record of the hearings before our committee, just with the Corps of Engineers present, shows in the statement of the Corps of Engineers itself that both the States of Utah and Wyoming are opposed to the project.

This project therefore is before this House today with interested witnesses having requests on file with the committee 3 months ago that were never given the opportunity to be heard. Certainly we owe them the right to be heard.

When this was a Bureau of Reclamation project, the Bureau of Reclamation came before the Interior committee and said this was a 97-percent power project. The Bureau of Reclamation last year in the House Interior Committee testified before the House Interior Committee and stated that there was no flood control in the plans whatsoever, it was 97 percent power.

After the Interior committee turned it down in February it blossomed out as a Corps of Engineers project. The Corps of Engineers did not have the time to make a new design. They took the Bureau of Reclamation design, and they testified that the Bureau of Reclamation would build this project. Since they testified the Bureau of Reclamation would build and operate this project, it seems even more clear, therefore, that basically the only reason it was transferred from the Interior Committee to our committee was that the Interior committee had already defeated the project. The Corps of Engineers suddenly said when they came before our committee that this project had some flood control in it, but even after that it still had some 85 percent power in the project.

The United Mine Workers said that the private powerplant to be constructed and now in process of construction at Kemmerer, Wyo., will serve some of the same area. If the Burns Creek project is constructed it will reduce the consumption of coal by 250,000 tons a year and, therefore, deprive those coal miners of their occupation.

There was some testimony in one of the hearings before the Rules Committee that the Utah Power Co. and another plant use gas. The actual facts of the matter are that the Kemmerer plant in Wyoming, which is to serve some of the same area, is being designed to use coal exclusively. That was the testimony in the Interior Committee last year, and that testimony has not been refuted from any source.

Certainly the United Mine Workers have a right to be heard, the electrical workers have a right to be heard, the coal company has a right to be heard, and the private power companies that have been serving some of the same area have a right to be heard. Then we can make a decision, whatever it may be, in view of the testimony.

In this bill there are five projects in the State of Idaho amounting to $234 million.

Mr. HARDING. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I would like to finish my statement. The chairman of the committee said he had 30 minutes remaining.

Mr. HARDING. The chairman said that time would be yielded back. If the gentleman will not yield to me, I will

make the point of order that a quorum is not present.

The CHAIRMAN. The gentleman from California refuses to yield.

Mr. HARDING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HARDING. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. HARDING. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The gentleman from California is recognized.

Mr. BALDWIN. The point I wanted to make in conclusion was that the State of Idaho has five projects in this bill amounting to $234 million. The total bill is $2,307 million. That means the State of Idaho has more than one-tenth of the total monetary value in this whole bill.

According to the 1960 census there are 600,000 people in the State of Idaho. If you will divide 600,000 into $234 million you will find that there is in this bill for every citizen in the State of Idaho $350 per person. If you will review the other 49 States in the Union and divide their total population into the total amount of money in the bill for the other 49 States, you will find the average sum of money in this bill per person for the other 49 States is $12. Therefore, the State of Idaho has in this bill $350 per person and the other 49 States have on the average in this bill $12 per person.

This would certainly indicate that we should strike the Burns Creek project out of the bill, and I intend to offer an amendment for that purpose. We can give that project adequate hearings next year, and certainly the State of Idaho will not be treated unfairly because it will still have in this bill almost $200 million of Federal money.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I first want to say that it has been a great experience to have the opportunity to serve on the Committee on Public Works with some very distinguished, devoted, and dedicated Members of the Congress. I want to pay tribute as others have to the leadership on the majority and leadership on the minority side who have always sought to serve the public interest and to pay close attention to the desires and interests of the individual members of the committee and the Members of the Congress as a whole.

We had some assurance earlier from the majority side that if the controversial projects do not stay in this bill, and I hope they do not, that they will be considered early next year and hearings will be granted, as they should be, on this and many other projects that we should have considered this year much earlier. Now this is not complete assurance, I say to you, because this presumes that the present majority leader will be the majority leader in the next session of the Congress—and I do not believe he will because I believe the majority will shift to our side of the aisle. So in order to have complete assurance, I would like to address this question to the ranking Member on the minority side, the gentleman from New Jersey [Mr. AUCHINCLOSS]. Can you give this House assurance that if these projects are taken out that they will be considered when you take over as chairman of this committee in the next Congress?

Mr. AUCHINCLOSS. I appreciate the statement of the gentleman. I am very busy trying to get reelected myself to the Congress and if the Congress could only adjourn, I think I will be reelected. If I am reelected, and if I serve on this committee and we control the House, I assure the gentleman that we certainly will give these projects serious consideration.

Mr. SCHWENGEL. I thank the gentleman. Now we are assured that these projects will be considered in the next session of the Congress.

At the proper time I will offer an amendment to have the China Gardens project taken out of this bill. And for these reasons. H.R. 13273 would authorize the construction of the China Gardens project on the Snake River in Idaho at a cost of $75 million. I say to this House that this is a controversial project. There have not been any public hearings on China Gardens. It is very controversial. Public witnesses were denied a hearing. There is an obligation on the part of the Congress to at least give the people in the area a chance to be heard as to whether they are for or against the project. The primary function of the China Gardens would be as a reregulating dam for the upstream High Mountain Sheep and it would be operated in coordination with High Mountain Sheep. The Pacific Northwest Power Co. has an application pending before the Federal Power Commission to construct High Mountain Sheep. The Pacific Northwest Power Co. has committed itself in testimony before the Senate Public Works Committee on September 6, 1962, to construct China Gardens, if the Federal Power Commission will make grants. It is adjacent to the High Mountain Sheep. Extensive hearings have been completed and the Federal Power Commission decision is imminent and I think almost assured. China Gardens can be deferred with no adverse effect on the power supply in the Northwest region. The anticipated ratification by Canada of the Columbia River Treaty will make available large blocks of electric power. This power plus the power of the Hanford reactor and other hydropower projects which will be constructed completely obviates any need for the China Gardens project until 1970.

That is important data to remember. If that is so, we have plenty of time on this, and this is virtually a 100-percent power project. But two-tenths of 1 percent benefit go to other phases.

Mr. Chairman, this is a key project, because this not only involves $75 million, but involves all the other projects which are part of that total system and probably would envision saving many millions of dollars more.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

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

Mr. CRAMER. The gentleman has just made a very important point right now. I have in my hand a 1957 estimate for the Columbia River and tributaries, all of which, Burns Creek, Knowles Dam, which is in the Senate bill, China Gardens, which is in this bill, Bruces Eddy, which is not in this bill, but is in the Senate bill—the total cost estimate of those projects is $478 million, not including about a 20-percent increase in cost of construction since 1957. The total cost of this Columbia River Basin is $1,169 million, not including the 20-percent increase. Including the 20-percent increase the estimate is $1,400 million. That is why it is so important in considering the authorization of the Burns Creek and China Gardens project—the gentleman mentioned the High Mountain Sheep. That is in for $198 million. It is essential to understand that this is underwriting this entire project without even public hearings on a $1,500 million Columbia Basin improvement program. Can you, Mr. Chairman, imagine such irresponsibility on the part of Congress?

Mr. SCHWENGEL. It is terrible and almost unforgivable.

Permit me to say in closing that it makes no sense to consider this project now, and the possibility of saving millions of dollars is very good. If these can be justified when the hearings are held next year we have the assurance they can be taken care of at that time.

Mr. CRAMER. If this body knocks out Burns Creek and China Gardens we can get further information about them next year.

Mr. SCHWENGEL. That is true.

Mr. Chairman, because the philosophy of public power is at stake in this bill, I think the public interest is served by calling attention to an article entitled "Our Changing Economy," which follows:

OUR CHANGING ECONOMY—WHO PAYS FOR FEDERAL POWER?

(By Maurice H. Stans)

The investor-owned electric utilities in the United States last year paid $1.312 billion in Federal income taxes and $1.104 billion in State and local taxes. Would you be willing to eliminate all these taxes in the future, and make the electric companies tax free?

Before you answer, think it over. A saving of $2.416 billion in this way to the utilities would make it possible for them to cut all their electricity rates by about one-fourth.

This would be quite a saving for everyone. This is what happens in areas where Federal power systems operate, like TVA and others. They do have low electricity rates.

So far it sounds good.

But then comes the inevitable question. Who would make up the loss in revenues to the Federal and local governments?

The answer is that you and other property holders and income earners in the country would have to pay nearly $2½ billion more in taxes—of one kind or another—for the governments to operate.

This circle illustrates a major distinction between Federal power and private power. Federal power is cheaper only because it shifts a burden of Government upkeep onto others.

To clarify this, let's look at the various costs involved in your electric bill:

Rather obviously such items as fuel, material, equipment and supplies presumably can be bought at similar prices by private enterprise or Government. Labor rates should be roughly comparable also, or else the labor unions should look into the matter. So this leaves one other major item:

Taxes currently are taking around 24 cents out of every $1 billed to customers by private enterprise utilities. But Federal power enterprises pay no Federal taxes and out of each revenue dollar may pay little or nothing to local and State governments.

Sometimes there is a further difference. Utilities must borrow large sums of money to build their plants and distribution networks. The Federal Government can borrow a little cheaper than private companies. Local tax-exempt bodies can borrow still cheaper. And one Federal program, the Rural Electrification Administration, borrows from the Federal Treasury at 2 percent although the Government has to pay around 4 percent for the long-term funds its lends the REA. Again the taxpayer makes it up.

So if the price paid for Federal power is lower than that for private enterprise power, you can credit these two cost breaks for which every taxpayer is paying extra to make up the difference.

At the present time one-eighth of the installed generating capacity in the United States is Federal power. The pressures for more spreading of this deceptive "bargain" grow regularly.

REA asked for a record appropriation of nearly half a billion dollars this year (although 98 percent of the farmers now have central station electricity). A proposal to build a Federal power unit at an atomic site at Hanford, Wash., was barely defeated in Congress a short time ago. And now Government planners are advocating construction of a Federal national power grid, although private power companies have a nationwide system of interconnections and are building more each year.

The arguments of Federal power proponents don't hold water:

1. There is no need for Federal power where private companies are willing and able to do the job, and this is almost everywhere. The capacity of the industry has doubled about every 10 years.

2. Private utilities have the means and the finances. They already have invested $46 billion in power facilities, and have been spending $3.2 billion a year on new plant and equipment. They will have $88 billion invested by 1970.

3. Federal power costs in actuality are not cheaper. Federal power rates are lower only because of Federal subsidy through tax exemption and cheap money. Indeed, the added tax burden of existing federalized power currently exceeds the supposed savings from its "cheap power."

Nor can the argument be used that private utilities are gouging the public. Private utility returns are regulated rigidly by government public utilities commissions which ordinarily allow between 5 and 7 percent on invested capital—hardly a get-rich-quick return.

The real issue in Federal power, then, is not efficiency or economy of operation. The real issue is whether we want growing Government and ultimate socialization of the power industry. There is no need for any increase in Federal power if private industry does the job as it has and can. The trend ought to be the other way, if we believe in free enterprise and in tax equity. The Government ought to give private companies the opportunity to take over the Federal power operations upon a demonstration of their ability to do so.

Unless the trend of recent years is stopped, the cost of Federal power to us taxpayers can be expected to go up.

Matched against any standard, the investor-owned electric power industry has demonstrated an amazing record of competence, progress, and service. Rates today are about one-third of what they were 50 years ago. America has more power capacity than the next five countries in the world combined—three times that of the Soviet Union. The American home uses nearly eight times the electricity of the Russian home.

The electric industry is today one of the outstanding examples of successful free enterprise. Should we allow it to be slowly destroyed at the price of industrial socialism and higher taxes?

Mr. AUCHINCLOSS. Mr. Chairman, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. DWYER. Mr. Chairman, I think it is important to clarify the record with respect to the item concerning the modification of the Newark Bay-Hackensack and Passaic Rivers, N.J., project which would authorize Federal maintenance of the channels to Port Elizabeth. While I appreciate the concern of those who object to this and other projects that established procedures should be followed with regard to authorization of such projects, I believe a closer examination of this matter will reveal that in all essential respects the Port Elizabeth project meets the standards.

First of all, Mr. Chairman, this is a very modest project. There are no construction costs whatsoever involved for the Federal Government. Annual maintenance charges are estimated at $230,500. The annual benefits have been forecast by the New York district and North Atlantic Division Engineers to be $8,078,000. This is an incredibly high benefit-cost ratio. Even after adding non-Federal charges, which include the costs to local interests for the maintenance of ship berths alongside the branch channel, the total annual charges for this project amount to $973,000, for a corresponding benefit-cost ratio of 8.3 to 1.

I can state unequivocably, Mr. Chairman, and I know that the district engineer and division engineer and Port of New York Authority all agree, that no matter what formula is used for the calculation of benefits and costs, the ratio of benefits to cost will be overwhelmingly favorable.

Those who object to the Port Elizabeth channels project—and I believe it is worth emphasizing that the objections have been exclusively procedural and none have been made to the substance of the project—make a special point of the fact that the Governors of the affected States have not had an opportunity to comment on the project. I do not believe this objection is valid. The principal sponsor of the project is the Port of New York Authority. The Port of New York Authority is a public body, responsible to the States of New York and New Jersey, and charged with the responsibility of developing and operating shipping facilities in the vast New York-New Jersey port area. As a matter of practice, the Port of New York Authority could not propose a project of this type without the consent of the two States involved. This project was approved by the board of directors of the port authority and was made a part of the official minutes of that organization. Those minutes were subsequently submitted to the Governors of New York and New Jersey and were approved by both Governors.

I think it is fair to conclude therefore that the Governors of New York and New Jersey not only have had an opportunity to review this project but are wholeheartedly in favor of it. I maintain that the full requirement of the procedure referred to by those who object to the project has been met.

I should also like to point out, Mr. Chairman, that the channel maintenance which would be authorized by this provision of the bill is the same as maintenance previously authorized by the Congress for other shipping channels in the area and specifically for the channels leading to Port Newark. Port Newark is located immediately adjacent to Port Elizabeth, and the two projects, insofar as channel maintenance is concerned, are exactly similar.

There is nothing precedent setting about this project in any way. The channels involved are vital to the foreign and domestic seagoing commerce of the United States. They are an integral part of the biggest and most important international port in the world. The responsibility of the Federal Government is clear and indisputable.

One final point, Mr. Chairman. Those who object to this project contend that there is no particular reason for Congress to authorize Federal maintenance of the channels at this time. I would strongly disagree with this contention. A large part of the network of channels to Port Elizabeth have been constructed and are now in use. An increasing volume of shipping is currently moving through these channels. Cargo handling facilities are in existence and are under construction along these channels. A portion of the channels has been in use for as long as a year. The problem of maintenance, therefore, is a present one which should not be postponed.

In summary, Mr. Chairman, I share my colleagues' concern that procedural requirements are important and should be insisted upon by Congress in the consideration of navigation and other public works projects. For the reasons I have outlined, I believe these requirements have been met in all significant respects. I hope the House will approve the inclusion of the Port Elizabeth channels item in the pending bill.

Mr. AUCHINCLOSS. Mr. Chairman, I now yield 5 minutes to the gentleman from Wyoming [Mr. HARRISON].

Mr. HARRISON of Wyoming. Mr. Chairman, I regret that the proponents of the Burns Creek project have seen fit to bring this project to the floor of the House today in the public works authorization bill. I also regret that they have seen fit to bring this project before us under a procedure which denied the opponents of the project any chance whatsoever to testify and to make their opposition and reason for such opposition known. It has been brought to the floor under a procedure of a closed hearing with one witness, and that one witness being from the Corps of Engineers. My own State of Wyoming desired to testify in opposition and made their opposition clear to the Corps of Engineers, but it is my understanding that the opposition of the State of Wyoming was not brought to the attention of the committee.

The procedure used on this particular piece of legislation not only is one which denies the rights of States and individuals to express their views on matters affecting them, but it also marks a new course in handling legislation before the House—a course which has taken a bill turned down by the House Interior and Insular Affairs Committee after extensive hearings, and brought it before the Public Works Committee under an entirely different theory that it was now a flood control project and not a reclamation project.

The Burns Creek project has been before the House Interior and Insular Affairs Committee, the committee on which I serve, on four different occasions. At no time was it ever claimed that this project was a flood control project and at no time were any benefits claimed for it under the heading of flood control. If there had been the proponents would surely have claimed them. The House Interior and Insular Affairs Committee turned this project down last February 7 because it was the opinion of the majority of the committee that this was not a true reclamation project, but was a 98-percent public power project with 2 percent being distributed between irrigation and wildlife and recreation benefits. The proponents have chosen on all these occasions to bring this bill before the House Interior and Insular Affairs Committee as a reclamation project. That was their choice. The House Interior and Insular Affairs Committee accepted the responsibility of hearings on this legislation in good faith. We gave it a fair and impartial hearing. We allowed all witnesses, whether for or against the project, to appear and testify or to put their testimony in the record—quite different from the action of the Public Works Committee.

The action of the Corps of Engineers and the progress of this bill as a flood control measure has been veiled in secrecy from the beginning. Neither myself nor the State of Wyoming was notified by the Corps of Engineers that a hearing would be held on May 4 on this project. When I learned of the proposed hearing and asked the Corps of Engineers why we were not notified, I was told that only the congressional delegation of Idaho was notified. Both the State of Wyoming and myself made requests for a continuance on this hearing, asking that we be allowed to testify before the Corps of Engineers. This was refused. Following their May 4 meeting in which the corps approved this project, the State of Wyoming was requested to give their views on Burns Creek. This was prepared by the State of Wyoming and forwarded to the Corps of Engineers and was a protest against the building of this project and yet, I understand that the testimony of the State was not made available to the committee.

The Utah Power & Light Co. is building a steam generation plant at Kemmerer, Wyo., which will serve that whole southwest area with electric power. This plant is nearly completed and it will supply employment for a great many now unemployed miners and will help the economy not only of these individuals, but of the whole area. This plant will furnish taxes to the United States and to the State of Wyoming. It can and it will supply power to the areas in Wyoming which it is proposed that the Burns Creek project supply.

It is also interesting to note that the Corps of Engineers raised the figure from about $46 to $52 million for this project. The reason for this being given that they must add some flood control measures to it, which is a clear indication that the project itself had to have something added to it to give the Engineers jurisdiction. Then again, the Corps of Engineers proposes to turn over to the Bureau of Reclamation the building of this dam and its operation as a multiple-unit project under the same construction plans. If it is a true flood control project, and not a reclamation project as it was proposed before our committee, then why does the Corps of Engineers turn it back to the Bureau of Reclamation? There is no reason why this project cannot be put over until next year. It is controversial and it should receive a full hearing with everyone given a chance to testify either for or against it. I hope that the Members of this House will support the motion to strike this project from the bill so that proper procedures can be followed, and those of us who oppose this project, and the States that oppose this project have their rights protected.

Mr. AUCHINCLOSS. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. ROBISON].

Mr. ROBISON. Mr. Chairman, I intend to vote against this bill—H.R. 13273—the omnibus rivers and harbors and flood control authorization bill, and I would like to take just a minute or two to tell my colleagues why.

Not only does H.R. 13273 contain—as the supplemental views of the minority Members point out—projects which ought to be deleted as either being opposed by the Corps of Engineers or because they have not been submitted to Congress in accordance with normal procedures, but it also contains several projects which we now know are controversial, and on which the opponent's thereof have been denied an opportunity to be heard. How many more are in this latter category. No one knows.

As a matter of fact, all of you will know as much about all of the projects which would be authorized by this bill—projects totalling over $2 billion worth in estimated cost—as we on the committee know, merely by having reference to the committee report which sets forth a summary of each such project as prepared by the Army Engineers. Why is that? Because those brief summaries were all the information of any of these projects that we had, for—under the ground rules set up for us; rules with which I suspect the chairman of our subcommittee and my very good friend, the gentleman from Tennessee Mr. DAVIS] did not agree—the only witnesses we were permitted to hear were witnesses from the Corps of Engineers and even their time was strictly limited.

Now, it may well be that even if we had held full, open hearings in the usual manner, we would still have reported to you a bill containing all or nearly all of the same projects as are set forth in H.R. 13273. I would have had no quarrel with any such result, and I would have supported such a bill for I fully appreciate the necessity of periodic legislation of this sort.

However, Mr. Chairman, I rather resent being used as a rubber stamp. I believe that my responsibility to the people I represent and to the people of this Nation goes well beyond that. Now, perhaps the great majority of the projects in this bill are truly noncontroversial and are fully justified, but, frankly, I do not know how we on the committee could so determine on the basis of the limited evidence we had before us. And I doubt that it mitigates our conduct at all for us to ease our conscience by saying that, after all, this is only an authorization bill and the Appropriations Committees will give each of these projects a more careful look before anything else is done thereon.

That is true, but the hardworking and overworked—if I may say so—Appropriations Committees also have a right to assume that we, on our part, have given the justification for these millions of dollars worth of new public works projects our full and careful consideration.

I am just as tired and ready to go home as any of you—maybe more so—but my conscience simply will not permit me to believe that our committee—a committee of which I have heretofore been proud to be a member—has lived up to its full responsibility in this instance. We have, I think, had ample time in which to do so, but it is not my right to speculate on why we did not.

However, it is my right—in protest—to vote against this bill, which I fully intend to do and I invite any of my colleagues who feel similarly inclined to join me in doing so.

Now, Mr. Chairman, if that means no omnibus bill this year, so be it. There is not much of "this year" left anyway, and if that is the case then perhaps we will come back in January, prepared and determined to do a proper job.

Mr. DAVIS of Tennessee. Mr. Chairman, I ask unanimous consent that the

gentleman from Illinois [Mr. GRAY] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GRAY. Mr. Chairman, I rise in support of H.R. 3273, a bill authorizing the construction, repair, and preservation of certain public works projects on rivers and harbors for navigation, flood control, and for other purposes. It has been my pleasure to serve on the important Subcommittees on Rivers and Harbors and Flood Control of the Committee on Public Works for 8 years and although time has been running against us in the closing days of this session, I can truthfully say that I have never witnessed a greater display of teamwork than has been shown by our chairman, our subcommittee chairmen, the members of the committee, and the staff. I want to personally commend my friend, the distinguished gentleman from Tennessee, Mr. CLIFFORD DAVIS, and my friend the distinguished gentleman from Minnesota [Mr. BLATNIK], chairmen of the Flood Control and Rivers and Harbors Subcommittees, respectively. They have done a magnificent job on this bill. I also want to publicly commend our chief clerk Mrs. Margaret Beiter, our consultant engineer, Mr. Joe Brennan, and Richard Sullivan our counsel. They have truly worked like Trojans and along with other members of the Public Works Committee staff have done an outstanding job.

Mr. Chairman, this is an all-American bill. This is not a so-called pork barrell bill as has been stated on the floor previously.

This is a bill to improve commerce and navigation, supply much needed protection for flood control, provide recreation, industral development, and meet other essential economic ingredients needed for a bigger and better America. America wll be stronger and most certainly a better place in which to live because of the tremendous benefits that will ultimately be derived from this legislation.

Mr. Chairman, I am particularly grateful to the committee for allowing several projects in Illinois to be included in this legislation. Coming from a district that is bounded on both sides by the two great rivers, the Ohio and Mississippi, we have far-reaching problems on the tributaries of these rivers. We have many God-given natural resources in the area and I am confident that the projects included in this bill will help our area gain full employment, in the not too distant future. We have been spending untold millions in the past for relief handouts and at present have as many as 25 percent of the employable force unemployed in some counties of my district. Serious flood damages annually, of course, only aggravate a bad situation. The projects I am about to list that are included in this bill for my district will help control floods, improve economic benefits, and provide much needed facilities, that have been lacking in the past. There is an authorization in this legislation for the Kaskaskia River navigation project and although the cost is $58.2 million to the Federal Government we already have promised over $300 million in private capital investment.

Mr. Chairman, it makes sense when we can invest $58 million in Federal funds and receive benefits many times over coming back to the Federal Government in the form of taxes and repayments. We also have in this bill an authorization for $35.5 million for the Rend Lake Reservoir in southern Illinois. I could speak all day on the need for Rend Lake but will suffice to say that the project will alleviate floods in the Big Muddy Basin, provide a much needed water supply for industry, give us a tremendous recreation area that can be enjoyed by all Americans and other multipurpose benefits. We also have included in the legislation an amendment deleting the amount of local cash contribution required for the Saline River, Ill., project authorized by Congress in 1958. Included in the Flood Control section of the bill is a project to alleviate floods along the Mississippi River on Kaskaskia Island between Ste. Genevieve and St. Marys, Mo. This flood control work on the Illinois side of the Mississippi River in Randolph County, Ill., is in the amount of $2,500,000. Included in the bill is a vitally needed flood control project in the Harrisonville and Ivy Landing Drainage and Levee No. 2, Illinois, in the amount of $1,112,000. Also a project in the Columbia Drainage and Levee District No. 3, Illinois, flood control works in the amount of $986,000 and, Mr. Chairman, a project in the Prairie du Pont Levee and Sanitary District, Ill., in flood control work in the amount of $921,000.

Mr. Chairman, the above projects are vitally needed in the basins surrounded by the two great rivers, the Ohio and the Mississippi, and I again want to thank the Committee and my colleagues for supporting this much needed legislation containing these valuable projects. Thank you very much.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, I support this bill.

Mr. Chairman, I rise in support of H.R. 13273, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

This is legislation which usually every 2 years is brought before the Congress for the purpose of authorizing certain public works projects in the nature of construction, repair, and preservation of projects on rivers and harbors for navigation, flood control, and other purposes in the interest of a strong and vital United States.

The projects which are authorized by this legislation are in the nature of capital investments which will be of benefit to our Nation and its citizens for many years ahead. Most of these projects will be self-liquidating, and over the period of their lives will return to the Treasury of the United States more than the capital outlay, including cost of construction, interest charges, and maintenance of operation.

I am particularly pleased that this bill contains a provision for substantial river development on the Chattahoochee River in the form of a multipurpose dam and reservoir in the vicinity of West Point, Troup County, and Franklin, Heard County, Ga., and adjacent territory in Alabama.

The lower reach of the Chattahoochee River forms a portion of the boundary between Georgia and Alabama. Its headwaters are in the mountains of north Georgia. It drains the north central portion of Georgia as well as the southwest portion of Georgia and the southeast portion of Alabama. The drainage basin of the Chattahoochee River is 440 miles long and averages 30 miles in width. The confluence of the Chattahoochee and Flint Rivers join to form the Apalachicola River.

The authority for the inclusion of this portion of the bill is contained in resolutions by the Committee on Public Works of the House of Representatives adopted July 29,1955, in the 84th Congress and July 31, 1957, in the 85th Congress.

During recent years, in fact twice during one 12 month period, flood damage in what is referred to as the middle reach of the Chattahoochee River has been substantial. Flood damage at and below West Point, Ga., has been estimated to average $600,000 annually, and there was an estimated $2 million damage in a 2-year time frame including 1961 and 1962.

There is also an increasing demand for power in the area to be served by this project.

Recommended plan of improvement includes construction of West Point Dam and Reservoir for hydroelectric power, flood control, navigation, and recreation. The dam would be located at river mile 201.4 and would form a reservoir of 553,000 acre-feet capacity; 282,000 acre-feet would be for power purposes except for flood control storage use of a maximum of 204,000 acre-feet from December through April. Storage of 158,000 acre-feet would also be usable for flood control above the power pool.

The benefit-cost ratio is 1 to 3. The annual charges, including interest and amortization, maintenance, operation, replacement, and taxes forgone, are estimated at $2,671,000. The annual benefits, including flood control, power, recreation, fish and wildlife, and navigation, amount to $3,524,000.

The reports from the States of Georgia and Alabama were favorable to the authorization of this project. The affected Federal agencies, including the Departments of Interior, Agriculture, Commerce and Health, Education, and Welfare, the Federal Power Commission and the Public Health Service submitted written statements stating that there was no objection to the authorization of the project.

The Bureau of the Budget advises that there is no objection to the submission of the report to the Congress.

It is my belief that this project will be of great benefit and value to the economy of the area which we refer to as

west central Georgia. It will also be of value to our adjoining State of Alabama.

Mr. Chairman, I would like to express my appreciation to the Committee on Public Works, especially to the Subcommittee on Flood Control, to both U.S. Senators from Georgia, Hon. RICHARD B. RUSSELL and Hon. HERMAN E. TALMADGE, to the U.S. Corps of Engineers, and to all others who have participated and cooperated in making possible the authorization for the West Point dam and reservoir. To each of those Members of Congress, engineer officials, and private citizens who have worked diligently for this cause, I express my gratitude and appreciation.

Mr. DAVIS of Tennessee. Mr. Chairman, we have no further requests for time.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and five Members are present, a quorum.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—RIVERS AND HARBORS

SEC. 101. That the following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated: *Provided,* That the provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full:

Navigation

Narraguagus River, Maine: House Document Numbered 530, Eighty-seventh Congress, at an estimated cost of $500,000;

Carvers Harbor, Vinalhaven, Maine: Senate Document Numbered 118, Eighty-seventh Congress, at an estimated cost of $205,000;

Searsport Harbor, Maine: House Document Numbered 500, Eighty-seventh Congress, at an estimated cost of $700,000;

Portland Harbor, Maine: House Document Numbered 216, Eighty-seventh Congress, at an estimated cost of $8,340,000;

Kennebunk River, Maine: House Document Numbered 459, Eighty-seventh Congress, at an estimated cost of $270,000;

Portsmouth Harbor and Piscataqua River, Maine and New Hampshire: House Document Numbered 482, Eighty-seventh Congress, at an estimated cost of $7,500,000;

Gloucester Harbor, Massachusetts: House Document Numbered 341, Eighty-seventh Congress, at an estimated cost of $1,100,000;

Marblehead Harbor, Massachusetts: House Document Numbered 516, Eighty-seventh Congress, at an estimated cost of $1,752,000;

Chelsea Harbor, Massachusetts: House Document Numbered 350, Eighty-seventh Congress, at an estimated cost of $2,843,000;

Dorchester Bay and Neponset River, Massachusetts: Senate Document Numbered 126, Eighty-seventh Congress, at an estimated cost of $7,050,000;

Plymouth Harbor, Massachusetts: Senate Document Numbered 124, Eighty-seventh Congress, at an estimated cost of $1,200,000;

Pawtuxet Cove, Rhode Island: House Document Numbered 236, Eighty-seventh Congress, at an estimated cost of $210,000;

Little Neck Bay, New York: House Document Numbered 510, Eighty-seventh Congress, at an estimated cost of $2,185,000;

Flushing Bay and Creek, New York: House Document Numbered 551, Eighty-seventh Congress, at an estimated cost of $1,695,000;

Buttermilk Channel, New York: House Document Numbered 483, Eighty-seventh Congress, at an estimated cost of $2,226,000;

Newark Bay, Hackensack and Passaic Rivers, New Jersey (channels to Port Elizabeth): Modification of the existing navigation project authorized by the River and Harbor Act of 1954 (Public Law 780, Eighty-third Congress). House Document Numbered 252, is hereby authorized substantially in accordance with the plans being prepared by the Chief of Engineers.

Raritan River, New Jersey: House Document Numbered 455, Eighty-sixth Congress, maintenance;

Lynnhaven Inlet, Bay, and connecting waters, Virginia: House Document Numbered —, Eighty-seventh Congress, at an estimated cost of $1,068,000: *Provided,* That nothing in this Act shall be construed as authorizing reimbursement to local interests for the Long Creek-Broad Bay Canal Bridge;

Rollinson Channel and channel from Hatteras Inlet to Hatteras, North Carolina: House Document Numbered 457, Eighty-seventh Congress, at an estimated cost of $652,000;

Wilmington Harbor, North Carolina: Senate Document Numbered 114, Eighty-seventh Congress, at an estimated cost of $6,370,000;

Savannah Harbor, Georgia: Senate Document Numbered 115, Eighty-seventh Congress, at an estimated cost of $605,000;

Key West Harbor, Florida: Senate Document Numbered 106, Eighty-seventh Congress, at an estimated cost of $820,000;

Tampa Harbor, Port Sutton and Ybor Channels, Florida: House Document Numbered 529, Eighty-seventh Congress, at an estimated cost of $997,000;

Walter F. George lock and dam, Alabama: Senate Document Numbered 109, Eighty-seventh Congress, at an estimated cost of $500,000;

Pensacola Harbor, Florida: House Document Numbered 528, Eighty-seventh Congress, at an estimated cost of $424,000;

Holt lock and dam, Alabama: The Secretary of the Army is hereby authorized and directed to cause an immediae study to be made under the direction of the Chief of Engineers with a view to providing hydroelectric power generating facilities in said dam, and such installation of necessary power facilities is hereby authorized as determined to be justified by the Secretary of the Army, unless within the first period of sixty calendar days of continuous session of the Congress after the date on which the report is submitted to it such report is disapproved by the Congress.

Pascagoula Harbor, Mississippi: House Document Numbered 560, Eighty-seventh Congress, at an estimated cost of $4,870,000;

Mississippi River, Baton Rouge to Gulf of Mexico, Louisiana: Senate Document Numbered 36, Eighty-seventh Congress, at an estimated cost of $357,000;

Gulf Intracoastal Waterway, Louisiana and Texas: House Document Numbered 556, Eighty-seventh Congress, at an estimated cost of $25,540,000;

Calcasieu River Salt Water Barrier, Louisiana: House Document Numbered 582, Eighty-seventh Congress, at an estimated cost of $3,310,000;

Mississippi River at Clarksville, Missouri: House Document Numbered 552, Eighty-seventh Congress, at an estimated cost of $103,300;

Sandy Slough, Lincoln County, Missouri: House Document Numbered 419, Eighty-seventh Congress, at an estimated cost of $195,000;

Sabine-Neches Waterway, Texas: House Document Numbered 553, Eighty-seventh Congress, at an estimated cost of $20,830,000;

Trinity River, Wallisville Reservoir, Texas: House Document Numbered 215, Eighty-seventh Congress, at an estimated cost of $9,162,000;

Gulf Intracoastal Waterway, channel to Palacios, Texas: House Document Numbered 504, Eighty-seventh Congress, at an estimated cost of $818,000;

Gulf Intracoastal Waterway, channel to Victoria, Texas: House Document Numbered 288, Eighty-seventh Congress, at an estimated cost of $1,590,000;

Illinois Waterway, Illinois and Indiana: House Document Numbered 31, Eighty-sixth Congress, at an estimated cost of $114,652,000;

Kaskaskia River, Illinois: Senate Document Numbered 44, Eighty-seventh Congress, at an estimated cost of $58,200,000;

Mississippi River between Missouri River and Minneapolis, Minnesota: House Document Numbered 513, Eighty-seventh Congress, at an estimated cost of $1,205,000;

Ontonagon Harbor, Michigan: House Document Numbered 287, Eighty-seventh Congress, at an estimated cost of $4,741,000;

Muskegon Harbor, Michigan: House Document Numbered 474, Eighty-seventh Congress, at an estimated cost of $609,000;

Leland Harbor, Michigan: House Document Numbered 413, Eighty-seventh Congress, at an estimated cost of $485,000;

Little Bay De Noc, Gladstone Harbor and Kipling, Michigan: House Document Numbered 480, Eighty-seventh Congress, at an estimated cost of $350,000;

Green Bay Harbor, Wisconsin: House Document Numbered 470, Eighty-seventh Congress, at an estimated cost of $4,270,000;

Kenosha Harbor, Wisconsin: House Document Numbered 496, Eighty-seventh Congress, at an estimated cost of $673,000;

Manitowoc Harbor, Wisconsin: House Document Numbered 479, Eighty-seventh Congress, at an estimated cost of $719,000;

Milwaukee Harbor, Wisconsin: House Document Numbered 134, Eighty-seventh Congress, at an estimated cost of $4,029,000;

Calumet Harbor and River, Illinois and Indiana: House Document Numbered —, Eighty-seventh Congress, at an estimated cost of $11,464,000;

Chicago Harbor, Illinois: House Document Numbered 485, Eighty-seventh Congress, at an estimated cost of $1,505,000;

New Buffalo Harbor, Michigan: House Document Numbered 481, Eighty-seventh Congress, at an estimated cost of $667,000;

Caseville Harbor, Michigan: House Document Numbered 64, Eighty-seventh Congress, at an estimated cost of $327,000;

Saginaw River, Michigan: House Document Numbered 544, Eighty-seventh Congress, at an estimated cost of $4,784,000;

Rouge River, Michigan: House Document Numbered 509, Eighty-seventh Congress, at an estimated cost of $257,000;

Huron Harbor, Ohio: House Document Numbered 165, Eighty-seventh Congress, at an estimated cost of $8,557,000;

Cleveland Harbor, Ohio: House Document Numbered 527, Eighty-seventh Congress, at an estimated cost of $888,000;

Conneaut Harbor, Ohio: House Document Numbered 415, Eighty-seventh Congress, at an estimated cost of $6,179,000;

Erie Harbor, Pennsylvania: House Document Numbered 340, Eighty-seventh Congress, at an estimated cost of $671,000;

Buffalo Harbor, New York: House Document Numbered 451, Eighty-seventh Congress, at an estimated cost of $2,797,000;

Great Sodus Bay Harbor, New York: House Document Numbered 138, Eighty-seventh Congress, at an estimated cost of $765,000;

Oswego Harbor, New York: House Document Numbered 471, Eighty-seventh Congress, at an estimated cost of $1,180,000;

Dana Harbor, California: House Document Numbered 532, Eighty-seventh Congress, at an estimated cost of $3,730,000;

Santa Barbara Harbor, California: House Document Numbered 518, Eighty-seventh Congress, at an estimated cost of $3,000,000;

Oakland Harbor, California, Fruitvale Avenue Bridge: Senate Document Numbered 75, Eighty-seventh Congress, at an estimated cost of $1,750,000;

Oakland Harbor, California: House Document Numbered 353, Eighty-seventh Congress, at an estimated cost of $6,775,000;

Noyo River and Harbor, California: Senate Document Numbered 121, Eighty-seventh Congress, at an estimated cost of $13,231,000;

Columbia and Lower Willamette Rivers, Oregon and Washington: House Document Numbered 203, Eighty-seventh Congress, at an estimated cost of $493,000;

Columbia and Lower Willamette Rivers below Vancouver, Washington, and Portland, Oregon: House Document Numbered 452, Eighty-seventh Congress, at an estimated cost of $20,100,000;

Tacoma Harbor, Port Industrial and Hylebos Waterways, Washington: Senate Document Numbered 104, Eighty-seventh Congress, at an estimated cost of $2,460,000;

Kingston Harbor, Washington: House Document Numbered 417, Eighty-seventh Congress, at an estimated cost of $428,000;

Swinomish Channel, Washington: House Document Numbered 499, Eighty-seventh Congress, at an estimated cost of $887,000;

Kaunakakai Harbor, Molokai, Hawaii: House Document Numbered 484, Eighty-seventh Congress, at an estimated cost of $7,919,000;

Beach erosion

State of New Hampshire: House Document Numbered 416, Eighty-seventh Congress, at an estimated cost of $88,000;

Fire Island Inlet and shore westerly to Jones Inlet, Long Island, New York: Modification of the existing beach erosion control project authorized by the River and Harbor Act of 1958 (Public Law 500, Eighty-fifth Congress), House Document Numbered 411, Eighty-fifth Congress, is hereby authorized substantially in accordance with the plans, which will include a sand bypassing system at Fire Island Inlet, being prepared by the Chief of Engineers;

Virginia Beach, Virginia: House Document Numbered 382, Eighty-seventh Congress, periodic nourishment;

Fort Macon, Atlantic Beach and vicinity, North Carolina: House Document Numbered 555, Eighty-seventh Congress, at an estimated cost of $194,000;

Virginia Key and Key Biscayne, Florida: House Document Numbered 561, Eighty-seventh Congress, at an estimated cost of $220,000;

Lake Erie shoreline from the Michigan-Ohio State line to Marblehead, Ohio: House Document Numbered 63, Eighty-seventh Congress, at an estimated cost of $658,500;

Sheffield Lake Community Park, Sheffield Lake Village, Ohio: House Document Numbered 414, Eighty-seventh Congress, at an estimated cost of $100,300;

Ventura-Pierpont Area, California: House Document Numbered 458, Eighty-seventh Congress, at an estimated cost of $515,000.

SEC. 102. The Secretary of the Army is authorized to convey 17.94 acres of land located at old lock and dam numbered 7, Ohio River, to the city of Midland, Pennsylvania, after November 1, 1962, for public park and recreation purposes, without monetary consideration but subject to reversion to the United States if not utilized for public park and recreation purposes and further subject to such flowage rights as may be necessary in the operation of the New Cumberland lock and dam, Ohio River.

SEC. 103. That the Secretary of the Army is hereby authorized to reimburse local interests for such work done by them on the beach erosion projects authorized in section 101, and in other sections of this Act, subsequent to the initiation of the cooperative studies which form the basis for the projects: *Provided,* That the work which may have been done on these projects is approved by the Chief of Engineers as being in accordance with the projects herein adopted: *Provided further,* That such reimbursement shall be subject to appropriations applicable thereto or funds available therefor and shall not take precedence over other pending projects of higher priority for improvements.

SEC. 104. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following named localities and subject to all applicable provisions of section 10 of the River and Harbor Act of 1950:

A channel between Point Shirley and Deer Island, Massachusetts, at approximately the same location as the former channel, commonly known as Shirley Gut.

Kings Bay Channel, Georgia.

Auglaize River in Wapakoneta, Auglaize County, Ohio.

SEC. 105. Title I of this Act may be cited as the "River and Harbor Act of 1962".

TITLE II—FLOOD CONTROL

SEC. 201. That section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided,* That the authorization for any flood control project herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

SEC. 202. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 584, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

SEC. 203. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided,* That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations heretofore or hereafter made for flood control so as to be ready for rapid inauguration of a construction program: *Provided further,* That the projects authorized herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further,* That penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

New England-Atlantic coastal area

The project for navigation and hurricane-flood protection at Wareham-Marion, Massachusetts, is hereby authorized substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 548, Eighty-seventh Congress, at an estimated cost of $3,811,500.

The project for navigation and hurricane flood protection at Point Judith, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 521, Eighty-seventh Congress, at an estimated cost of $2,414,000.

The project for navigation and hurricane-flood control protection at Narragansett Pier, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 195, Eighty-seventh Congress, at an estimated cost of $1,152,000.

Long Island Sound area

The project for hurricane-flood control protection at New London, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 478, Eighty-seventh Congress, at an estimated cost of $2,401,000.

The project for hurricane-flood protection at Westport, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 412, Eighty-seventh Congress, at an estimated cost of $217,000.

The project for hurricane-flood protection at Mystic, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 411, Eighty-seventh Congress, at an estimated cost of $1,490,000.

Housatonic River Basin

The project for flood protection on the Naugatuck River at Ansonia-Derby, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 437, Eighty-seventh Congress, at an estimated cost of $5,620,000.

Hudson River Basin

The project for flood protection on Rondout Creek and Wallkill River and their tributaries, New York and New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 113, Eighty-seventh Congress, at an estimated cost of $5,111,000.

New Jersey-Atlantic coastal area

The project for hurricane-flood protection and beach erosion control on Raritan Bay and Sandy Hook Bay, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 464, Eighty-seventh Congress, at an estimated cost of $3,097,000.

Susquehanna River Basin

The project for the Juniata River and tributaries, Pennsylvania, is hereby authorized in accordance with the recommendations of the Chief of Engineers in House Document Numbered 565, Eighty-seventh Congress, but without the power features,

at an estimated cost of $32,150,000: *Provided*, That if the Chief of Engineers deems it desirable he may submit a reexamination report on the power generating to the Congress for its consideration.

Delaware River Basin

The project for the comprehensive development of the Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 522, Eighty-seventh Congress, at an estimated cost of $224,000,000.

Potomac River Basin

The project for the North Branch of the Potomac River, Maryland and West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 469, Eighty-seventh Congress, at an estimated cost of $50,965,000.

Middle Atlantic coastal area

The project for hurricane-flood protection at Norfolk, Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 354, Eighty-seventh Congress, at an estimated cost of $1,537,000.

The project for hurricane-flood protection and beach erosion control at Carolina Beach and vicinity, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 418, Eighty-seventh Congress, at an estimated cost of $739,000.

Apalachicola River Basin, Georgia

The project for the West Point Reservoir, Chattahoochee River, Georgia, is hereby authorized substantially in accordance with the recommendations of the Secretary of the Army and the Chief of Engineers in House Document Numbered 570, Eighty-seventh Congress, at an estimated cost of $52,900,000.

Central and southern Florida

The comprehensive plan for flood control and other purposes in central and southern Florida, approved in the Act of June 30, 1948, and subsequent Acts of Congress is hereby modified to include the following items:

The project for south Dade County, Florida, is hereby authorized substantially in accordance with the recommendations of the Secretary of the Army and the Chief of Engineers in Senate Document Numbered 138, Eighty-seventh Congress, at an estimated cost of $13,388,000;

The project for flood protection in the Cutler Drain Area, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 123, Eighty-seventh Congress, at an estimated cost of $2,063,000.

Green Swamp region, Florida

The project for the four river basins, Florida, namely the Hillsborough, Oklawaha, Withlacoochee, and Peace Rivers, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 585, Eighty-seventh Congress, at an estimated cost of $57,760,000.

Pascagoula River Basin

The project for flood protection on the Chunky Creek, Chickasawhay and Pascagoula Rivers, Mississippi, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 549, Eighty-seventh Congress, at an estimated cost of $6,740,000.

Lower Mississippi River Basin

The project for flood control and improvement of the lower Mississippi River, adopted by the Act of May 15, 1928, as amended, is hereby modified and expanded to include construction of certain improvements in Gin and Muddy Bayous, Yazoo River Basin, Mississippi, substantially in accordance with plans on file in the Office, Chief of Engineers, at an estimated cost of $150,000.

The project for hurricane-flood protection on the Mississippi River Delta at and below New Orleans, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 550, Eighty-seventh Congress, at an estimated cost of $7,502,000.

The project for flood protection on Red River in Natchitoches and Red River Parishes, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 476, Eighty-seventh Congress, at an estimated cost of $1,293,000.

The lower auxiliary channel, Yazoo River Basin, Mississippi, a unit in the Mississippi River and tributaries project, shall hereafter be known and designated as the Will M. Whittington Auxiliary Channel in honor of the late Member of the House of Representatives from the Third District of Mississippi, and former chairman of the House Public Works Committee. The Secretary of the Army, acting through the Chief of Engineers, United States Army, is hereby authorized and directed to erect appropriate markers along the auxiliary channel designating the project "The Will M. Whittington Auxiliary Channel". Any law, regulation, document, or record of the United States in which such project is designated or referred to under the name of lower auxiliary channel, Yazoo River Basin, Mississippi, shall be held and considered to refer to such project by the name of "Will M. Whittington Auxiliary Channel".

Buffalo Bayou

The project for flood protection on Vince and Little Vince Bayous, Texas, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 441, Eighty-seventh Congress, at an estimated cost of $2,224,000.

Gulf of Mexico

The project for hurricane-flood protection at Port Arthur and vicinity, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 585, Eighty-seventh Congress, at an estimated cost of $23,380,000.

The project for hurricane-flood protection at Freeport and vicinity, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 495, Eighty-seventh Congress, at an estimated cost of $3,780,000.

Trinity River Basin

The project for flood protection on the East Fork of the Trinity River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 554, Eighty-seventh Congress, at an estimated cost of $23,760,000.

The project for extension of the Fort Worth Floodway, Texas, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 454, Eighty-seventh Congress, at an estimated cost of $5,148,000.

Brazos River Basin

The comprehensive plan for the Brazos River Basin, authorized by the Act of September 3, 1954, as amended by subsequent Acts of Congress, is hereby further modified to include the following item, and the monetary authorization for said comprehensive plan is hereby increased accordingly.

The project for the San Gabriel River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered ——, Eighty-seventh Congress, at an estimated cost of $20,250,000.

The project for flood protection on the Clear Fork of the Brazos River at and in the vicinity of Abilene, Texas, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 506, Eighty-seventh Congress, at an estimated cost of $31,200,000.

Tularosa Basin

The project for flood protection at Alamogordo, New Mexico, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 473, Eighty-seventh Congress, at an estimated cost of $2,040,000.

Rio Grande Basin

The project for flood protection at Las Cruces, New Mexico, is hereby authorized substantially as recommended by the Chief of Engineers in Senate Document Numbered 117, Eighty-seventh Congress, at an estimated cost of $3,350,000.

Arkansas River Basin

The Dardanelle lock and dam, Arkansas River, Arkansas, is hereby modified to provide for construction of a sewage outfall for the city of Russellville, Arkansas, substantially in accordance with plans of said city, approved by the Chief of Engineers, at an estimated cost of $1,400,000.

The project for flood protection on Cow Creek, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 531, Eighty-seventh Congress, at an estimated cost of $1,560,000.

The project for flood protection on the Arkansas River at Dodge City, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 498, Eighty-seventh Congress, at an estimated cost of $2,133,000.

The project for improvement of the Verdigris River and tributaries, Oklahoma and Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 563, Eighty-seventh Congress, at an estimated cost of $62,400,000.

The project for the Kaw Reservoir, Arkansas River, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 143, Eighty-seventh Congress, at an estimated cost of $83,230,000.

White River Basin

The project for flood protection on Village Creek, White River, and Mayberry Levee Districts, Arkansas, is hereby modified to provide for construction of a pumping plant, substantially as recommended by the Chief of Engineers in House Document Numbered 577, Eighty-seventh Congress, at an estimated cost of $1,018,000.

The flood protection project for Village Creek, Jackson and Lawrence Counties, Arkansas, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 352, Eighty-seventh Congress, at an estimated cost of $1,968,000.

Red River Basin

The project for Lake Kemp, Wichita River, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 144, Eighty-seventh Congress, at an estimated cost of $6,410,000.

The project providing for the construction of two experimental water quality study projects in the Arkansas-Red River Basins, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 105, Eighty-seventh Congress, at an estimated cost of $300,000.

The modification of the Broken Bow Reservoir, Mountain Fork River, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 137, Eighty-seventh Congress, at an estimated cost of $23,800,000.

The project for the Clayton and Tuskahoma Reservoirs, Kiamichi River, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 145, Eighty-seventh Congress, at an estimated cost of $29,748,000.

Missouri River Basin

The comprehensive plan for the Missouri River Basin, approved in the Act of June 28, 1938, as amended by subsequent Acts of Congress, is hereby further modified to include the following projects, and the monetary authorization for said general comprehensive plan is increased accordingly.

(a) The Kaysinger Bluff Reservoir, Osage River, Missouri, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered ——, Eighty-seventh Congress, at an estimated additional cost of $43,245,000: *Provided,* That nothing in this Act shall be construed as authorizing the acquisition of additional lands for the establishment of a national wildlife refuge at the reservoir.

(b) The project for the Kansas River, Kansas, Nebraska, and Colorado, is hereby authorized substantially in accordance with the recommendations of the Secretary of the Army and the Chief of Engineers in Senate Document Numbered 122, Eighty-seventh Congress, at an estimated cost of $88,070,000: *Provided,* That the authorization for the Woodbine Reservoir on Lyon Creek is deferred at this time, subject to submission of a new feasibility report by the Chief of Engineers to the Eighty-eighth Congress, which shall take into account the water and related land resource development plans of the Soil Conservation Service, the Kansas Water Resources Board, and Lyon Creek Watershed Joint District Numbered 41, and preparation of said report is hereby authorized.

The project for flood protection on Papillion Creek and tributaries, Nebraska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 475, Eighty-seventh Congress, at an estimated cost of $2,122,000.

The project for flood protection on Indian Creek, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 438, Eighty-seventh Congress, at an estimated cost of $1,270,000.

Ohio River Basin

The project for flood protection on the Kokosing River, Ohio, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 220, Eighty-seventh Congress, at an estimated cost of $2,438,000.

The project for flood protection on the Mad River above Huffman Dam, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 439, Eighty-seventh Congress, at an estimated cost of $7,930,000.

The project for the Kentucky River, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 423, Eighty-seventh Congress, at an estimated cost of $26,020,000.

The project for flood protection on the Buckhannon River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 43, Eighty-seventh Congress, at an estimated cost of $1,206,000.

The project for the Guyandot River and tributaries, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 569, Eighty-seventh Congress, second session, at an estimated cost of $60,477,000.

The project for Twelvepole Creek, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 520, Eighty-seventh Congress, at an estimated cost of $11,000,000.

The project for flood protection on Crab Creek at Youngstown, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 440, Eighty-seventh Congress, at an estimated cost of $2,268,000.

The project for the Scioto River, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered ——, Eighty-seventh Congress, at an estimated cost of $55,847,000.

The project for flood protection on the Allegheny River at Salamanca, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 166, Eighty-seventh Congress, at an estimated cost of $1,390,000.

The project for French Creek, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 95, Eighty-seventh Congress, at an estimated cost of $23,102,000.

The project for the Saline River and tributaries, Illinois, authorized by the Flood Control Act of 1958 (Public Law 85–500), is hereby modified to provide that no cash contribution shall be required of local interests: *Provided,* That the other items of local cooperation recommended by the Chief of Engineers in House Document Numbered 316 of the Eighty-fourth Congress shall still be applicable.

Upper Mississippi River Basin

The project for the Illinois River and tributaries, Illinois, Wisconsin, and Indiana, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 472, Eighty-seventh Congress, at an estimated cost of $71,465,000.

The project for Rend Lake, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 541, Eighty-seventh Congress, at an estimated cost of $35,500,000.

The project for flood protection on the Mississippi River at and in the vicinity of Guttenberg, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 286, Eighty-seventh Congress, at an estimated cost of $729,000.

The project for flood protection on the Mississippi River between Sainte Genevieve and Saint Marys, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 519, Eighty-seventh Congress, at an estimated cost of $2,500,000.

The project for the Harrisonville and Ivy Landing Drainage and Levee District Number 2, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 542, Eighty-seventh Congress, at an estimated cost of $1,112,000.

The project for the Columbia Drainage and Levee District Number 3, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 543, Eighty-seventh Congress, at an estimated cost of $986,000.

The project for the Prairie DuPont Levee and Sanitary District, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 540, Eighty-seventh Congress, at an estimated cost of $921,000.

The project for flood protection on Richmond Creek, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 571, Eighty-seventh Congress, at an estimated cost of $4,995,000.

The project for the Joanna Reservoir, Salt River, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 507, Eighty-seventh Congress, at an estimated cost of $63,300,000.

The project for flood protection on the Pecatonica River, Illinois and Wisconsin, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 539, Eighty-seventh Congress, at an estimated cost of $850,000.

The project for the Mississippi River Urban Areas from Hampton, Illinois, to Cassville, Wisconsin, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 450, Eighty-seventh Congress, at an estimated cost of $5,350,000.

The project for the Kickapoo River, Wisconsin, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 557, Eighty-seventh Congress, at an estimated cost of $15,570,000.

The project for flood protection on the Warroad River and Bull Dog Creek, Minnesota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 449, Eighty-seventh Congress, at an estimated cost of $972,000.

Great Lakes Basin

The project for flood protection on the River Rouge, Michigan, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 148, Eighty-seventh Congress, at an estimated cost of $8,659,000.

The project for flood protection on the Sandusky River, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 136, Eighty-seventh Congress, at an estimated cost of $4,300,000.

Truckee River Basin

The project for flood protection on the Truckee River and tributaries, California and Nevada, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 435, Eighty-seventh Congress, at an estimated cost of $2,385,000.

San Francisco Bay area

The project for flood protection on Alameda Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers

in Senate Document Numbered 128, Eighty-seventh Congress, at an estimated cost of $14,680,000.

The project for Corte Madera Creek, Marin County, California, is hereby authorized substantially in accordance with the recommendations of the Secretary of the Army and the Chief of Engineers in House Document Numbered 545, Eighty-seventh Congress, at an estimated cost of $5,534,000.

San Joaquin River Basin

The New Melones project, Stanislaus River, California, authorized by the Flood Control Act approved December 22, 1944 (58 Stat. 887), is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 453, Eighty-seventh Congress, at an estimated cost of $113,717,000: *Provided*, That upon completion of construction of the dam and powerplant by the Corps of Engineers, the project shall become an integral part of the Central Valley project and be operated and maintained by the Secretary of the Interior pursuant to the Federal reclamation laws, except that the flood control operation of the project shall be in accordance with the rules and regulations prescribed by the Secretary of the Army: *Provided further*, That the Stanislaus River Channel, from Goodwin Dam to the San Joaquin River, shall be maintained by the Secretary of the Army to a capacity of at least five thousand cubic feet per second subject to the condition that responsible local interests agree to maintain private levees and to prevent encroachment on the existing channel and floodway between the levees: *Provided further*, That before initiating any diversions of water from the Stanislaus River Basin in connection with the operation of the Central Valley project, the Secretary of the Interior shall determine the quantity of water required to satisfy all existing and anticipated future needs within that basin and the diversions shall at all times be subordinate to the quantities so determined: *Provided further*, That the Secretary of the Army adopt appropriate measures to insure the preservation and propagation of fish and wildlife in the New Melones project and shall allocate to the preservation and propagation of fish and wildlife, as provided in the Act of August 14, 1946 (60 Stat. 1080), an appropriate share of the cost of constructing the Stanislaus River division and of operating and maintaining the same, such costs to be nonreimbursable: *Provided further*, That the Secretary of the Army, in connection with the New Melones project, construct basic public recreation facilities, acquire land necessary for that purpose, the cost of constructing such facilities and acquiring such lands to be non-reimbursable and nonreturnable: *Provided further*, That contracts for the sale and delivery of the additional electric energy available from the Central Valley project power system as a result of the construction of the plants herein authorized and their integration with that system shall be made in accordance with preferences expressed in the Federal reclamation laws except that a first preference, to the extent of 25 per centum of such additional energy, shall be given, under reclamation law, to preference customers in Tuolumne and Calaveras Counties, California, for use in that county, who are ready, able, and willing, within twelve months after notice of availability by the Secretary of the Interior, to enter into contracts for the energy and that Tuolumne and Calaveras County preference customers may exercise their option in the same date in each successive fifth year providing written notice of their intention to use the energy is given to the Secretary not less than eighteen months prior to said dates: *And provided further*, That the Secretary of the Army give consideration during the preconstruction planning for the New Melones project to the advisability of including storage for the regulation of streamflow for the purpose of downstream water quality control.

The Hidden Reservoir, Fresno River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 37, Eighty-seventh Congress, at an estimated cost of $14,338,000.

The Buchanan Reservoir, Chowchilla River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 98, Eighty-seventh Congress, at an estimated cost of $13,585,000.

Russian River Basin

The project for Russian River, Dry Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 547, Eighty-seventh Congress, at an estimated cost of $42,400,000.

Redwood Creek Basin

The project for flood protection on Redwood Creek, Humboldt County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 497, Eighty-seventh Congress, at an estimated cost of $2,580,000.

Los Angeles River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $3,700,000 for the prosecution of the comprehensive plan for the Los Angeles River Basin approved in the Act of August 18, 1941, as amended and supplemented by subsequent Acts of Congress.

Rogue River Basin

The project for the Rogue River, Oregon and California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 566, Eighty-seventh Congress, at an estimated cost of $106,700,000: *Provided*, That (a) the project is located, constructed, and operated to accomplish the benefits as set forth and described in the report of the district engineer and its appended report; (b) water for all purposes shall be released in the quantities and qualities at points described in the district engineer's report and its appendixes; (c) in the years of short water supply all water users will share the available water in the same proportions that they would share the total full supply when it is available and that no further water-use allocations will be made from the authorized storage so as to retain the maximum possible benefits to authorized uses during the periods of adversity when storage shortages occur.

Columbia River Basin

The project for the Burns Creek Dam and Reservoir, Snake River, Idaho, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 130, Eighty-seventh Congress, at an estimated cost of $52,000,000.

The project for the Ririe Dam and Reservoir, Willow Creek, Idaho, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 562, Eighty-seventh Congress, at an estimated cost of $7,027,000.

The project for the Blackfoot Dam and Reservoir, Blackfoot River, Idaho, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 568, Eighty-seventh Congress, at an estimated cost of $829,000.

The project for the Asotin Dam and Reservoir, Snake River, Idaho and Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 403, Eighty-seventh Congress, at an estimated cost of $99,818,000.

The project for the China Gardens Dam and Reservoir, Snake River, Idaho, Oregon, and Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 403, Eighty-seventh Congress, at an estimated cost of $74,777,000.

Cook Inlet, Alaska

The project for Bradley Lake, Cook Inlet, Alaska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 455, Eighty-seventh Congress, at an estimated cost of $45,750,000.

SEC. 204. That section 205 of the Flood Control Act of 1948, as amended (33 U.S.C. 701s), is amended by, (a) striking out "$10,000,000" and inserting "$25,000,000" in lieu thereof, (b) substituting for the term "small flood control projects" the term "small projects for flood control and related purposes", and (c) striking out *"Provided*, That not more than $400,000 shall be allotted for this purpose at any single locality from the appropriations for any one fiscal year" and inserting in lieu thereof *"Provided*, That not more than $2,000,000 shall be allotted under this section for a project at any single locality and the amount allotted shall be sufficient to complete Federal participation in the project: *And provided further*, That no construction shall be undertaken on any project under the provisions of this section with a Federal cost in excess of $1,000,000 unless such project has been approved by resolutions adopted by the Committee on Public Works of the Senate and the Committee on Public Works of the House of Representatives, respectively."

SEC. 205. The consent of Congress is hereby granted to Duke Power Company, its successors and assigns, to construct, maintain, and operate a dam across Savannah River between Anderson County, South Carolina, and Elbert County, Georgia, near Middleton Shoals, and about two hundred and ninety-seven miles above the mouth of said river, for the purpose of providing a pool for condenser water for a steam-electric plant. Construction on such dam shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of the Army, and when such plans have been approved by the Chief of Engineers and by the Secretary of the Army, there shall be no deviation from such plans either before or after completion of said dam unless the modification of such plans has previously been submitted to and approved by the Chief of Engineers and the Secretary of the Army. In approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of the Army may deem necessary to protect the present and future interest of the United States. Nothing in this section shall be construed to authorize the use of such dam to develop water power or generate hydroelectric energy. The grantee and its successors shall hold and save the United States free from all claims arising from damage which may be sustained by the dam herein authorized, or damage sustained by the appurtenances of the said dam, by reason of the future construction and operation by the United States of Hartwell Reservoir or any other Federal project upstream or downstream from the dam herein authorized. The authority granted by this section shall cease and be deemed null and void unless the actual construction of the dam hereby authorized is commenced within four years and completed within seven years from the date of approval of this section. The right

to alter, amend, or repeal this section is hereby expressly reserved.

SEC. 206. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the following named localities: *Provided*, That after the regular or formal reports made on any survey are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this title until the project for the proposed work shall have been adopted by law:

Waccasassa River (Levy County and Gilchrist County), Florida.

Valenciana River, Puerto Rico.

Lake Pontchartrain, north shore, Louisiana.

San Bernard River, Texas.

Clear Creek, Texas.

Peytons Creek and tributaries, Texas.

Sacramento River Basin and streams in northern California draining into the Pacific Ocean for the purposes of developing, where feasible, multiple-purpose water resource projects, particularly those which would be eligible under the provisions of title III of Public Law 85–500.

Battle Creek, Sacramento River, California.

All streams in Santa Barbara County, California, draining the Santa Ynez Mountains, except Santa Ynez River and tributaries.

SEC. 207. Title II of this Act may be cited as the "Flood Control Act of 1962".

Mr. BLATNIK (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that title I, the rivers and harbors navigation section of the bill, be considered as read and open at any point for amendment.

Mr. CRAMER. Mr. Chairman, reserving the right to object, I understood that the request was going to be made that the entire bill be considered as read. I ask the gentleman from Minnesota not to make such a request.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. BLATNIK] desire to modify the unanimous-consent request made, in accordance with the suggestion made by the gentleman from Florida [Mr. CRAMER]?

Mr. BLATNIK. Mr. Chairman, it would expedite the consideration of the bill and make it more orderly if we disposed of title I first. It should not take long. Then we can proceed in the same order on title II. I would certainly be agreeable that title II be considered as read and open at any point for amendment. It is purely a matter of logical order.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. CRAMER. Mr. Chairman, if they are not going to live up to the agreement made, I object, and let us read the bill. I understood it was agreed that the bill would be considered as read in toto.

Mr. BLATNIK. If the gentleman will yield, I am not aware of any such agreement.

Mr. CRAMER. Then I object.

The CHAIRMAN. Objection is heard.

Mr. BLATNIK. Mr. Chairman, I move that title I——

The CHAIRMAN. The Chair will state that that motion is not in order.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent that titles I and II be considered as read.

The CHAIRMAN. And open for amendment at any point?

Mr. BLATNIK. Open at any point for amendment.

Mr. CRAMER. Mr. Chairman, reserving the right to object, that does not preclude the right to raise points of order at any time, does it?

The CHAIRMAN. Of course not.

Is there objection to the request of the gentleman from Minnesota [Mr. BLATNIK], that the first two titles will be considered as read?

There was no objection.

Mr. BALDWIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BALDWIN. Mr. Chairman, do points of order have to be brought up before any amendments are offered?

The CHAIRMAN. The Chair will state that they should be, but they may be raised.

Mr. GROSS. Mr. Chairman, I ask unanimous consent that points of order be in order at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 5, line 16, strike out lines 16 through 25 and insert:

"Holt lock and dam, Alabama: The Secretary of the Army is hereby authorized and directed to cause an immediate study to be made under the direction of the Chief of Engineers with a view to providing hydroelectric power generating facilities in said dam, and his report on such study shall be submitted to the Congress by the Secretary of the Army within the first period of sixty calendar days of continuous session of the Eighty-eighth Congress."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, line 21, insert:

"Lock and dam numbered 3, Big Sandy River, Kentucky, at an estimated cost not to exceed $200,000; such work as may be necessary for the repair and restoration of said lock and dam: *Provided*, That the work authorized herein shall have no effect on the condition that local interests shall operate and maintain the structure and related properties as required by the Act of Congress approved August 2, 1946 (60 Stat. 1062): *And provided further*, That there is hereby authorized to be expended from appropriations heretofore or hereinafter made for such functions administered by the Department of the Army such funds as may be necessary for the repair and restoration of lock and dam numbered 3 on the Big Sandy River."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 13, line 15, insert:

"SEC. 102. (a) The Act approved August 13, 1946, as amended by the Act approved July 28, 1956 (33 U.S.C. 426e–h), pertaining to shore protection, is hereby further amended as follows:

"(1) the word 'one-third' in section 1(b) is deleted and the word 'one-half' is substituted therefor.

"(2) The following is added after the word 'located' in section 1(b): ', except that the costs allocated to the restoration and protection of Federal property shall be borne fully by the Federal Government, and further, that Federal participation in the cost of a project for restoration and protection of State, county, and other publicly owned shore parks and conservation areas may be the total cost exclusive of land costs, when such areas: Include a zone which excludes permanent human habitation; include but are not limited to recreational beaches; satisfy adequate criteria for conservation and development of the natural resources of the environment; extend landward a sufficient distance to include, where appropriate, protective dunes, bluffs, or other natural features which serve to protect the uplands from damage; and provide essentially full park facilities for appropriate public use, all of which shall meet with the approval of the Chief of Engineers.'

"(3) The following is added after the word 'supplemented' in section 1(e): ', c·, in the case of a small project under section 3 of this Act, unless the plan therefor has been approved by the Chief of Engineers.'

"(4) Sections 2 and 3 are amended to read as follows:

"'SEC. 2. The Secretary of the Army is hereby authorized to reimburse local interests for work done by them on authorized projects which individually do not exceed $1,000,000 in total cost after initiation of the survey studies which form the basis for the project: *Provided*, That the work which may have been done on the projects is approved by the Chief of Engineers as being in accordance with the authorized projects: *Provided further*, That such reimbursement shall be subject to appropriations applicable thereto or funds available therefor and shall not take precedence over other pending projects of higher priority for improvements.

"'SEC. 3. The Chief of Engineers is hereby authorized to undertake construction of small shore and beach restoration and protection projects not specifically authorized by Congress, which otherwise comply with section 1 of this Act, when he finds that such work is advisable, and he is further authorized to allot from any appropriations heretofore or hereinafter made for civil works, not to exceed $3,000,000 for any one fiscal year for the Federal share of the costs of construction of such projects: *Provided*, That not more than $400,000 shall be allotted for this purpose for any single project and the total amount allotted shall be sufficient to complete the Federal participation in the project under this section including periodic nourishment as provided for under section 1(c) of this Act: *Provided further*, That the provisions of local cooperation specified in section 1 of this Act shall apply: *And provided further*, That the work shall be complete in itself and shall not commit the United States to any additional

improvement to insure its successful operation, except for participation in periodic beach nourishment in accordance with section 1(c) of this Act, and as may result from the normal procedure applying to projects authorized after submission of survey reports.'

"(b) All provisions of existing law relating to surveys of rivers and harbors shall apply to surveys relating to shore protection and any expenses incident and necessary to investigation and study shall be paid from funds for 'General investigations, civil functions', Department of the Army, and section 2 of the River and Harbor Act approved July 3, 1930, as amended (33 U.S.C. 426), is modified to the extent inconsistent herewith.

"(c) The cost-sharing provisions of this section shall apply in determining the amounts of Federal participation in or payments toward the costs of authorized projects for which the Federal contribution has not been made prior to the date of approval of this Act, and the Chief of Engineers, through the Beach Erosion Board, is authorized and directed to recompute the amounts of Federal contribution toward the costs of such projects accordingly."

Mr. CRAMER. Mr. Chairman, I raise a point of order against the amendment in that it appears clearly in the amendment that it is an appropriation on an authorization bill.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard?

Mr. BLATNIK. Mr. Chairman, the committee concedes the point of order.

The CHAIRMAN (Mr. WALTER). The Chair sustains the point of order.

The Chair will state, this applies to the entire amendment from page 13, line 15, down to and including line 19 on page 16.

Mr. BLATNIK. Mr. Chairman, am I correct, then, that this applies to the entire section 102, it deletes that section?

The CHAIRMAN. That is correct.

The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 16, line 20, strike "102" and insert "103".

Mr. CRAMER. Mr. Chairman, I raise the point of order against that in that it is no longer necessary with the deletion of section 102.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, line 4, strike out "103" and insert "104".

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 17, line 16, insert:

"SEC. 105. The body of water designated as the Redondo Beach Harbor, California, shall be known and designated hereafter as the Redondo Beach King Harbor, California. Any law, regulation, map, document, record, or other paper of the United States in which such body of water is referred to shall be held to refer to it as the Redondo Beach King Harbor, California."

The CHAIRMAN. Without objection, the amendment will be modified to read "SEC. 104."

There was no objection.

The CHAIRMAN. Without objection, the amendment, as modified, will be agreed to.

There was no objection.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 17, line 23, strike out "104" and insert "106".

The CHAIRMAN. Without objection, that amendment will be withdrawn, as it should be "Section 105", and that amendment is agreed to.

There was no objection.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 18, line 3, strike out "A channel" and insert "Channel".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 18, line 10, strike out "Sec. 105" and insert "SEC. 107".

Mr. CRAMER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER to the committee amendment: Strike out "107" and insert "106".

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

Mr. WRIGHT. Mr. Chairman, so as to avoid any possible confusion in the numbering of these sections, I ask unanimous consent that the Clerk of the House be instructed so to number these sections serially that they are all in proper sequence.

The CHAIRMAN. The gentleman's request will have to be made in the House.

The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 32, line 5, strike out "project" and insert "projects,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 40, line 10, strike out "five" and insert "eight".

The committee amendment was agreed to.

The CHAIRMAN. Are there any amendments to be offered?

Mr. BALDWIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN: Page 44, delete all of the words in lines 4 through 8.

Mr. BALDWIN. Mr. Chairman, this amendment would delete the Burns Creek project in Idaho from this bill. As I mentioned earlier, this is a $52 million public power project. It was before the Interior Committee in the 84th, 85th, and 86th Congresses, and in this Congress. The Interior Committee held hearings on it in the 85th Congress and did not act on it. The Interior Committee held hearings on it in the 86th Congress and did not act on it. The Interior Committee held 4 days of hearings on it in the first session of this Congress, the 87th Congress.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-one Members are present, not a quorum.

The Clerk will call the roll.

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

[Roll No. 268]

Adair	Hall	O'Neill
Alexander	Hansen	Passman
Andersen, Minn	Harris	Patman
Anderson, Ill	Harrison, Va.	Powell
Anfuso	Harvey, Ind.	Quie
Aspinall	Hays	Rains
Belcher	Hébert	Reifel
Bell	Herlong	Rogers, Tex.
Bennett, Mich.	Hiestand	Roosevelt
Berry	Hoeven	Roudebush
Blitch	Hoffman, Mich.	Rousselot
Bolling	Holland	Saund
Boykin	Jones, Mo.	Saylor
Breeding	Karth	Scherer
Brewster	Kearns	Scranton
Brown	Kee	Seely-Brown
Burke, Ky	Kilburn	Shelley
Cannon	Kirwan	Sheppard
Celler	Laird	Shipley
Chiperfield	Lindsay	Short
Coad	McDonough	Sibal
Curtin	McDowell	Siler
Davis, John W.	McIntire	Springer
Derwinski	McSween	Steed
Diggs	McVey	Taber
Dominick	MacGregor	Ullman
Dooley	Magnuson	Utt
Evins	Martin, Nebr.	Van Pelt
Fogarty	Mason	Vinson
Forrester	Michel	Watts
Frazier	Miller, George, P.	Weis
Garland	Moorehead, Ohio	Whalley
Glenn	Moulder	Williams
Goodell	O'Brien, Ill	Zelenko
Griffiths		

Accordingly, the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 13273, and finding itself without a quorum, he had directed the roll to be called, when 332 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from California [Mr. BALDWIN] is recognized.

Mr. BALDWIN. Mr. Chairman, the amendment which I have just offered would strike lines 4 to 8 on page 44 of the bill and would therefore strike the $52 million controversial Burns Creek public power project in Idaho.

As I mentioned earlier in the debate, this project has been before the House Interior Committee in the last four Congresses. It was before the Interior Committee in a bill in the 84th Congress and no action was taken. It was before the Interior Committee in the 85th Congress, there were 2 or 3 days of hearings held, and no action was taken on it. It was before the 86th Congress in the Interior

Committee. There were about 11 days of hearings held and although the subcommittee acted, the full committee took no action on it. In the first session of 87th Congress, the Interior Committee held 4 days of hearings on it and the Interior Committee had a vote on it in February of this year. After being before the Interior Committee for four successive Congresses, the Interior Committee voted on this Burns Creek project in February of this year. The project was defeated by a vote of 17 to 14 by the House Interior Committee.

Then, very strangely, it was suddenly transferred from the Bureau of Reclamation to the Corps of Engineers and submitted to our committee, the Public Works Committee, just a week before our hearings closed on the omnibus bill. The sole witnesses allowed to be heard except the Corps of Engineers were one Member of Congress for it and one Member against it. But all other outside witnesses were prevented from testifying even though it was a highly controversial project. The Corps of Engineers stated that the project would be built by the Bureau of Reclamation, the same agency that tried for four Congresses to get it through the House Interior Committee and was defeated.

The facts of the matter are that these individuals have filed requests with the House Public Works Committee to be heard against the project and were denied the right of a hearing.

The United Mine Workers, who filed a request on June 18, stated in their letter that they were opposed to the project and would like to be heard.

The International Brotherhood of Electrical Workers on June 13 filed a letter with the committee saying they were opposed to the project and wanted to be heard.

The Kemmerer Coal Co. at Frontier, Wyo., on June 5 filed a letter saying it wanted to be heard and was opposed to the project.

The Utah Power & Light Co. on May 31 of this year filed a letter with the committee saying it wanted to be heard.

None of these people was given the right to be heard.

However you feel on the merits of the project, I believe all the Members of the House in their own hearts and minds believe that whenever a highly controversial project is before a committee the interested people who have filed requests to be heard should be given that opportunity.

Why is there this opposition? Because there is now under construction in Kemmerer, Wyo., in the same general area that would be served by the Burns Creek project, a private power plant that would have a 150,000-kilowatt capacity as compared to the Burns Creek plant capacity of 90,000 kilowatts. It is going to use coal. It has been designed for that use exclusively. This is the first unit of that private power project. It is designed eventually for 500,000 kilowatts. If the Burns Creek project is built, the United Mine Workers expect that the Burns Creek project is going to deprive them of the production of 250,000 tons of coal per year, and deprive many of them of the right of employment.

It is true the first unit of this plant is already under construction and will be built in any case, but the subsequent units of the plant will be postponed or eliminated completely if the Burns Creek project is used.

I believe basically in private enterprise. I believe private enterprise has shown it has the ability to provide the needs of an area. We should first give private enterprise that opportunity. Above all, I believe in the rights of the individuals, the mineworkers, the electrical workers, the coal companies, and the power companies involved, to be given an opportunity to be heard before a controversial project of this nature is decided upon.

Mrs. PFOST. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this measure, as the gentleman from California has said, has been considered by Members of this Congress for several years. In fact, back in 1957 the late senior Senator from Idaho, Senator Dworshak, introduced a Burns Creek bill, as did the then junior Senator from Idaho Senator CHURCH. Congressman Homes Budge represented the second district in Idaho and introduced a bill on the House side. These measures were considered by both the Senate and the House Committee on Interior and Insular Affairs.

In 1958, $1½ million was appropriated for the construction of the Burns Creek project; in 1959, $500,000 was appropriated, and in 1960 another $500,000 was appropriated. In 1961, there was a $487,500 carryover from prior appropriations.

This means that not only the Appropriations Committee but Members of the House have previously voted the necessary funds to start construction of the Burns Creek project.

Let me say this project should never have become a partisan issue. I had not until last year introduced a bill on the Burns Creek project because it was in the Second Congressional District, represented by Congressman Budge. But in 1961 Congressman HARDING, who replaced Mr. Budge, and I each introduced a Burns Creek bill. We have done everything we could to get it approved. It is not a partisan issue in Idaho. It should not be a partisan issue here in the House of Representatives. The people of the State of Idaho want it. They need it. We have had disastrous floods in that area and additional flood control projects are needed.

The charge has been made by opponents that this has now been turned into a flood control project. This is not true. The amount allocable to flood control by the Army Corps of Engineers is slightly more than $3 million. It will also provide supplemental irrigation water to 650,000 acres of land already being irrigated. The multiple uses are power, irrigation, flood control and recreation. It will be beneficial for the propagation of fish and wildlife, which is an important resource to our state.

Now in answer to the gentleman from California [Mr. BALDWIN] who said:

Let private enterprise build these projects.

In cross examination during hearings I asked the manager of the Utah Power & Light Co. if the company had transmission lines to service the people in this area who are begging for power to pump irrigation water from underground wells.

He replied that they did not.

I asked if when the Kemmerer plant was constructed and in operation, would the company put in a transmission line to service the people in this area; his answer was, "No."

It seems to me, Mr. Chairman, that a project which has been proven to be necessary, a project having these multiple uses, a project that has been debated for so many years, should be approved by the Congress. It is high time that we get on today with the consideration of this overall public works bill which includes 167 projects affecting some 300 Members of the Congress. I see no reason for pointing a finger at specific projects.

Let me say, further, that the Burns Creek project is an integral part of the large overall Columbia Basin system and one which the Army Corps of Engineers and Bureau of Reclamation have been working closely together on for many years.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. AUCHINCLOSS. Mr. Chairman, I ask unanimous consent that the gentlewoman from Idaho may proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. AUCHINCLOSS. Mr. Chairman, will the gentlewoman yield to me for a question.

Mrs. PFOST. I yield to my colleague.

Mr. AUCHINCLOSS. You said in your statement that this project had been before the Congress and had been considered by many Members of the Congress for a number of years. Would you care to comment on the fact that the standing committee of the Congress rejected it twice?

Mrs. PFOST. Let me say to the gentleman that the Committee on Appropriations for the years 1958 through 1960 certainly did not reject it. Also let me state that even though we were unsuccessful in getting approval by the House Committee on Interior and Insular Affairs, the Corps of Army Engineers was simultaneously making a Columbia Basin study. The Snake River drains 109,000 square miles in Idaho, Washington, and Oregon. The portion taking in the Burns Creek and surrounding areas covers a 5,750-square-mile drainage area above Heise, Idaho, in southeastern Idaho and western Wyoming. The Army Corps of Engineers recognized the need for this project in the upper reaches of the Snake River for the multiple benefits it would provide.

Because of the importance of this project to the Columbia River Basin system, the Corps of Army Engineers continued with their studies these several years and have finally come out early this year with a strong favorable report for the construction of the Burns Creek

project. I hope it will not be deleted from our public works bill.

Mr. KYL. Mr. Chairman, I move to strike out the last word.

Mr. KYL. Mr. Chairman, it is entirely incongruous that this matter comes before us in this bill today. The project was considered by the Interior and Insular Affairs Committee. The gentlewoman from Idaho, for whom I have such great affection and esteem, is correct when she says it is a nonpartisan matter. The committee has the same ratio of Democrats and Republicans as the other committees of the Congress. The chairmen of both the committee and the subcommittee are of the majority party.

The gentlewoman from Idaho has said that the Corps of Army Engineers has placed in the record complete factual information which would lead anyone to think this project is desirable and should be completed at this time.

I think the Members of the House should know, Mr. Chairman, that the Engineers in report No. 4 for the Interior Department concerning the Upper Snake River Basin, Burns Creek, dated March, 1962, had these things to say about Burns Creek. Now, remember this was an Interior project. The Engineers come to the committee now, not the Interior Committee, but the Public Works Committee, to try to get a project not for the Engineers, but for the Reclamation Bureau. These were the facts stated by the Engineers in March 1962.

This report states that the Corps of Engineers has reviewed the Bureau of Reclamation's design plans and found them entirely inadequate. More than that, the corps now forecasts that further exploration will show serious deficiencies in foundation conditions which would result in greatly increased costs over those predicted here today. In the exact words of the Corps of Engineers:

> A considerable amount of additional exploration may be necessary for final design * * * the indicated additional investigation could disclose foundation conditions that would result in increasing costs.

But these new costs which involve the most expensive part of any dam—the foundation—are not included in the $52 million price tag we are looking at today.

Foundation costs are not the only added costs developed by the Corps of Engineers which have been conveniently omitted in today's cost estimate. The corps says:

> In order to use the lower 100,000 acre-feet for flood control, lowering of the outlet works or installation of a second tunnel would be required which could increase the project cost materially.

I submit that the $52 million price tag is but a foot in the door. I have great aversion to authorizing a project at a fictitious cost figure after an agency of our Government, in a formal engineering report, says flatly that the essential foundation will cost more and that the flood control facilities will cost more.

But these are not the only items where the cost picture will change for the worse. The Corps of Engineers in Interior Report No. 4 says that proper use of Burns Creek to take advantage of flood control opportunities will require changes in the Bureau of Reclamation's operating procedure at the expense of some power production. Loss of power production will mean loss of claimed revenues.

Now here is a project that was the subject of full hearings before the House Interior and Insular Affairs Committee and turned down after exhaustive examination. Burns Creek then was a $48,700,000 project that, by Bureau figures, failed to pay its own annual cost by $311,000 a year. Now the admitted cost is $52 million and the actual cost when the inadequacies of foundation conditions and flood control facilities are corrected must be millions more.

Have the Bureau's feasibility figures changed to compensate for the higher costs? They have not—not one iota. They have not even been adjusted to compensate for the increase from the $48 million to the $52 million figure, let alone for the additional expense Interior Report No. 4 makes evident. What the annual loss would actually prove to be if we were provided with a realistic accounting of an accurate price tag is something we have not been told.

To be fair to the taxpayers who always end up by paying the bill when we authorize projects with misleading financial information, and to assure ourselves that at least we are voting on conditions that actually exist, this Burns Creek project should be sent to the Interior and Insular Affairs Committee so it can examine the new costs revealed by the Corps of Engineers. In good conscience I cannot see how we could do otherwise.

Mr. ASHBROOK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to associate myself with the remarks of the gentleman from Iowa. I am also a member of the Committee on Interior and Insular Affairs.

Mr. Chairman, the word "reclamation" has high political appeal in the West and to a somewhat lesser degree so does flood control. Now, I know of no reasonable man who will argue the merit of bona fide reclamation projects which the facts have proven to be economically feasible and the construction of which would be in the overall national interest. The same may be said about projects with bona fide and realistic flood control features. However, it is the firm responsibility of the Congress, a sacred trust, to obtain all the technical and economic facts about any so-called reclamation or flood control project, to conduct open and complete hearings, and, after taking under advisement the views expressed in support of and in opposition to the project and after careful and objective consideration of the facts, to decide whether or not the project is worthy of approval.

Mr. Chairman, the omnibus rivers and harbors and flood control bill reported by the Committee on Public Works includes a project which, if authorized, would constitute a gross violation of our sacred trust to screen out unworthy and uneconomic projects. This is the $52 million Burns Creek project proposed for construction in southeastern Idaho. Burns Creek has already been carefully evaluated by the Committee on Interior and Insular Affairs and found wanting. It was defeated by committee vote on February 7, 1962. I am certain the committee was surprised, shocked, and insulted to find Burns Creek turning up like a bad penny in the omnibus authorization bill—especially on the basis of masquerading this project as a flood control project.

Reclamation and flood control jointly occupy a warm spot in the heart of many of us far removed from the reclamation States. I certainly am sympathetic to flood control projects since I have meritorious projects in my own district. But we would be derelict in our duty if we did not weed out expensive, unnecessary projects which entail a gross waste of public funds. Burns Creek is such an unnecessary and uneconomic project.

Mr. Chairman, in my opinion Congress has already abdicated too many of its prerogatives and obligations by giving excessive administrative control and decision to the experts in the executive agencies in the planning and selection of water resources projects. Is the Congress now so inferior to the bureaucratic agencies that the experts can tag just any rag-tail project with a reclamation or flood-control label and ram its authorization down our throats? Are the legislative bodies now the weak sisters of our American system of checks and balances? I think it is high time we reassume our rightful prerogative of full control over the project authorization process. There is no better place to start than with Burns Creek.

This project is a classic example of wasteful spending at its destructive worst. The cost of $52 million, according to the latest estimates of these executive agency experts, is already a substantial increase from previous estimates. I defy anyone to tell me what the final cost would be. We can be sure it is not going to stop at $52 million. It is uneconomic. It is obviously and admittedly a power project since 98 percent of its construction costs are allocated to hydroelectric power generating facilities. By itself it can never repay to the Treasury its reimbursable construction costs. In fact, annual power revenues from Burns Creek would be over $350,000 less than required to pay the interest obligation which the experts have presumptuously assumed at only 2.632 percent. The experts have therefore proposed integration of Burns Creek electrically, hydraulically, and financially with an already authorized and operating self-liquidating reclamation project, Palisades upstream. In other words, these experts intend to subsidize the uneconomic Burns Creek power project with revenues from a good reclamation project, Palisades. And this is the project we are now considering even though it was rejected as unworthy by the Committee on Interior and Insular Affairs only 8 months ago, a committee on which I have the honor to serve.

Reclamation is going to lose a lot of eastern friends if this sort of thing keeps up. There is no rational justification of Burns Creek except to supply subsidized

Federal electricity to a few select special-interest groups in southeastern Idaho. We should not permit authorization of an unnecessary project which will benefit only a very small region at the expense of others. I submit that Burns Creek means $52 million of spending which cannot be justified.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I also wish to associate myself with the remarks of the gentleman from Iowa. He has very carefully and very accurately painted the picture of this project. Its costs far exceed those that are printed in the committee report here and the revenue structure will be impeded if this project is built. I think it would be a great reflection on the soundness of judgment of this Congress should this project remain in the bill.

Mr. HARRISON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Wyoming.

Mr. HARRISON of Wyoming. Mr. Chairman, I want to clear up one statement that was made here recently regarding testimony before the Committee on Interior and Insular Affairs today on this project.

As a member of that committee I sat through the hearings. When the question, as stated on the floor, was asked the representative of the Utah Power Co., whether or not they would furnish or build lines in this area, the answer was no. The reason was given that because of a power hookup and the Utah Power Co. and the Idaho Power Co. it would not be necessary to build lines in there because it would be uneconomical to go that distance, but the area could be and would be served and was being served with power presently in existence within the Utah Power Co. and the Idaho Power Co.

I opposed this project, the State of Wyoming opposed it, because it is uneconomical. I resent the fact that the people from my State, the State itself, and others have been denied the privilege of appearing before the committee on a project which is as important to the people as this one is. I think it is poor legislative procedure. I think it is improper to take a bill which has been acted upon in good faith by one of our standing committees and then within a period of a few months give it to another committee and pursue an entirely different theory.

I hope the Members of the House will see the fairness of the position of those who oppose the project and will sustain the motion to strike, and will consider allowing a full and open hearing in the next session of the Congress.

Mr. DENT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Chairman, water is not the only resource we need be concerned with. Coal is a resource and an important one too. Burns Creek, mislabeled with the good name of reclamation or partially hidden under a flimsy veil of extremely nebulous flood-control benefits, is still nothing more nor less than a poor and uneconomical power project. Burns Creek by any name would still be extremely detrimental to the ailing coal industry in the surrounding States. The coal mining companies and labor unions have, and continue to, vigorously oppose Burns Creek. The State of Wyoming and the Wyoming Natural Resource Board unqualifiedly oppose Burns Creek. All requested an opportunity to appear and testify in opposition before the Public Works Committee but were arbitrarily deprived of their right to be heard.

I wonder how long eastern Congressmen and their tax-paying constituents will continue to shell out hard-earned tax dollars to subsidize Government power generation to a small, select and self-interested handful of priviliged citizens? Most of the electric power which would generate at Burns Creek would go to three growing and prospering communities serving urban residents and business organizations. A favored few would gobble up the excessively priced benefits of Burns Creek with the Nation's hard-pressed taxpayers paying the bill.

In addition, every kilowatt-hour of power generated at Burns Creek would replace 1 pound of coal on the market—a pound which would be mined, marketed, and burned in a steam generator to produce an equivalent kilowatt-hour if Burns Creek did not exist. The power developed at Burns Creek would displace 20,000 man-shifts per year in the already depressed coal industry, an employment equivalent to 250,000 tons of coal mined annually, with a loss of $275,000 in mine payroll and $225,000 in supplies purchased locally. And also a reduction in annual State and local taxes of $18,000 and of annual payments to the United Mine Workers of America health, welfare, and retirement fund of $100,000.

The little town of Kemmerer, Wyo., would be particularly hard hit by the detrimental effect of Burns Creek. Kemmerer was founded as the center of the coal mining industry in southwestern Wyoming. Over the years the economic health of Kemmerer has fluctuated with the ups and downs of the coal industry. The coalfields of southwestern Wyoming have felt the full impact of the current depressed state of the coal business. Now, a utility company is building a large coal-burning thermoelectric plant near Kemmerer. New hope and new life have been given to the town of Kemmerer. The citizens in the area are seriously concerned with the effect of Burns Creek.

The mayor of Kemmerer traveled all the way to Washington in 1959 to appear before the Senate Subcommittee on Irrigation and Reclamation in opposition to Burns Creek. That is how concerned he was. I am particularly impressed with one statement the mayor made at that time. This is his statement:

> I should like to emphasize to you that the people of this area of Wyoming are appearing before this Senate committee without any intention of asking for Government assistance or aid, nor do we ask this committee to expend one dollar of the taxpayer's money in our behalf. We are here simply to request that you do not put a stumbling block in our way, to ask that you allow us to work out our own destiny and to develop our economic future with our own capital and our own initiative.

This has the clarion ring and virile spirit of our forefathers who fought to make America great. We cannot afford to put a stumbling block in the way of citizens whose spirit reflects so nobly the traditional spirit of American get-up-and-go. We cannot afford to let an uneconomical, unnecessary power project slip by under the false guise of reclamation or flood control.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, a couple of things should be said to set the record straight in connection with this particular project.

I am one of the members of the Committee on Public Works who also sat on the Committee on the Interior and Insular Affairs. and I listened to the evidence with regard to this project.

There are three members of the Committee on Public Works at the present time who sat on the Committee on Interior and Insular Affairs and heard the evidence on this project. I think the record will show every member who heard the evidence over in the Committee on Interior and Insular Affairs voted to report this project out in the Committee on Public Works.

The plain fact of the matter is this is a good project. It was good enough to get the recommendation of the Bureau of the Budget under the Eisenhower administration when the man who represented that district was a member of Mr. Eisenhower's party.

When you get right down to the meat in the coconut, this bill failed to be reported out of the Committee on the Interior and Insular Affairs for one reason, and no other, and that is that some of the members of the other party who were champions of the bill when the district was represented by a Republican Congressman turned a flip in mid-air and opposed this project when we got a Democratic Representative from that district who was sponsoring the bill. The record will show that in the Committee on Interior and Insular Affairs. This is a good project. The Eisenhower engineers said it was a good project, the Eisenhower Bureau of the Budget said it was a good project.

The Engineers and the Bureau of the Budget of this administration have said it is a good project.

Mr. Chairman, it has been said it has no flood control in it. The report shows on page 224 thereof, if the Members of the Committee will take the time to look at it, that there are annual benefits of $120,000 a year in flood damage prevention under this project.

Mr. Chairman, insofar as the benefit-cost ratio is concerned, it is 1.7 to 1. That is a good project ratio by any standard. It was good enough to be

something that our distinguished minority leader identified himself publicly with under the previous administration.

Mr. Chairman, I say to the Members of the Committee that we ought to stand together in support of this committee bill, and approve this project.

Mr. LANGEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am sure that it is the desire of every Member of this House that they serve the best interests of this Nation. I should say to the Members of the Committee that you have an excellent opportunity to do so by supporting the Baldwin amendment that is now before us for consideration. I say this as a member of the Committee on Interior and Insular Affairs, as a member of the subcommittee that has held hearings on this project ever since I came to Congress; yes, for 4 years we have been seriously concerned with this project. I cannot for the life of me understand how or why we should even have the project before us at this point, when that committee, after the most complete and extensive hearings, after having heard all the people who have an interest testify before that committee, and after the judgment of that committee then is such that it has turned it down, but definitely, just a matter of a few months ago.

Mr. Chairman, it has been said just a few minutes ago that this was such a good project and it had the support of any number of people. If that were the case, then I must obviously ask the question: Why? How come it was not approved prior to this time? How come it has not received approval at any time where hearings have been held and where there has been a complete analysis of the cost factors, of the need factors, and all of the items involved that have been heard and considered? The answer is simple, it is a bad project.

Mr. Chairman, permit me to relate to the members of the committee just a few of the objections, and I wish I had time to go over all of them: This project in its own right could not stand up by itself under any circumstances. As a matter of fact, if the power revenues were called upon to pay for this project, they would have to raise the rates to such a degree it would be completely unfeasible. This is no secret to the members of the committee. Everyone knows it. As a matter of fact, in order to make it pay out at all they are going to have to take over $30 million of profits from the Palisades project moneys that would otherwise go back into the Federal Treasury, if you please.

Mr. Chairman, then there is the matter of need. There was no evidence submitted to the committee that there was any need. In fact, there was evidence to the reverse, that there was every possibility that all of the electrical needs of that area would be supplied, could be supplied, and that there definitely was not any need for this kind of a project.

Mr. Chairman, permit me to bring into consideration one further item: This project in addition will aggravate one of the items that has been before this House constantly during this session, that of unemployment. This is why the Electrical Workers, the United Mine Workers, have all expressed their opposition to it. Why? Because it means less jobs in the United States, and I ask the members of the committee whether or not this has not been one of the truly great concerns of this session of Congress?

If we piece all of these items together—first, that there is not any need; and secondly, that it is a completely infeasible project; and thirdly, that it can do nothing but aggravate problems that already exist, then how in the name of commonsense can this House on this day approve this project, when we know that the recommendation has come to us without having heard all the testimony that has been presented in connection with it? It seems so inconsistent to me, when you have a committee whose prime purpose it has been to give consideration to this matter, that has gone into it thoroughly and completely—and there are those of us who sat through all these hearings—when that committee arrives at a decision and then we circumvent it in this manner, why do we even have our committee? Why do we go through that entire process, having given those who appeared as witnesses the assurance that their statements were going to be given consideration? They have every right to expect that their efforts should be respected. Do you need any more evidence than these I have referred to to turn down this project?

Mr. SAYLOR. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, what is involved in the question that is before you today and at this time is not merely that of a project. It involves the very integrity of the House of Representatives. If you, as Members of the House of Representatives, believe in the committee system, then you have no choice but to support this amendment and to strike this provision from this bill.

Why do I say that? The first bill on this project was presented several Congresses ago by Congressman Budge and Senator Welker as a result of a communication from the Interior Department. It was referred to the House Committee on Interior and Insular Affairs, it was referred to the Senate Committee on Interior and Insular Affairs, and after thorough hearings in each succeeding Congress it was defeated.

As a result I want to call your attention to certain startling facts. This is here as a flood control project. In February of this year, the Army Engineers who are charged with the responsibility of telling the House of Representatives how much flood control there is in any project, submitted their statement to the House and Senate committees and said that of the $48 million involved in this project there was not one penny's worth of flood control.

I defy any Member of Congress or anyone in this room to rise and challenge that statement.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. EDMONDSON. The Public Works Committee report on page 225 indicates $120,000 of annual flood control.

Mr. SAYLOR. That is not the question I asked. I defy anyone to find in the report that was given to the House Committee on Interior and Insular Affairs where there was 1 cent's worth of flood control; not a penny.

After it was defeated in the House Committee on Interior and Insular Affairs, after full and complete hearings, people went down and asked them how they could get this project through. They went to the Army Engineers. This is the same group that for years has declared in report after report that there is no flood control in this project. They took the same project, and they now added the report that you have before the House Committee of Public Works.

I can tell you that if this goes through you might as well forget about your committee system in Congress, because all you have to do is have a bill defeated in one committee, go down and get somebody in a department downtown to take the same project, with no study whatsoever, change a figure or two, reshuffle all the figures, then bring it to another committee that might be more favorably disposed to it, and end up in getting it passed. This is what is involved in this project.

There is absolutely no need for this project at this time. What started out to be a small re-regulating reservoir costing about $5 million has now grown to be a public power project costing over $50 million.

In the testimony, session after session before our committee, they admitted that 97 and a fraction percent of all the benefits on this project were going to be power. The testimony is replete that the power produced at this site cannot be sold, at the same price as Palisades power. This power will be so expensive that if sold at that rate it will not even pay the interest on the bonds.

The only thing you can do this afternoon by voting for this project is to defy the committee system of Congress, and put on the books a project which will drag down reclamation into the dirt. I challenge you from the West to vote for this amendment.

Mr. HARDING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I feel very humble as I stand before the House this afternoon because I was raised in the Snake River Valley of Idaho. I know what water means to the farmers of Idaho. When people say this is a power project, I reply that the impetus for the Burns Creek project started with the dirt farmers and the water users.

This project has had unanimous support in the State of Idaho except for two power companies. The chambers of commerce of many small towns in Idaho after hearing the testimony on Burns Creek both pro and con have gone on record supporting this project.

I would like to review the history of the Burns Creek project before this Congress; it has twice passed the Senate,

once on the Consent Calendar and once on a voice vote. It is true that it has been rejected only once in the Interior Committee. It has never come to a vote before in the full Interior Committee before this year. The Subcommittee on Irrigation and Reclamation, after hearing lengthy testimony on the project, has voted twice to approve it, once on a voice vote again, and again by a vote of nearly 2 to 1.

I might say further, Mr. Chairman, that what the gentleman from Oklahoma said is true. I am sorry it is true, but two of the minority members in the Interior Committee that were two of the foremost sponsors of the bill 2 years ago have now reversed their position and voted against Burns Creek this year. Even though the leaders of the Republican Party are on record all over the United States of America as supporting the Burns Creek project, including President Eisenhower, Vice President Nixon, and even our distinguished minority leader, CHARLIE HALLECK. They have all declared their support for the Burns Creek project, yet, there has not been one member of the minority party so far who has voted for the project in four committee votes this year. I just want to say that our farmers in Idaho are not Democrats and Republicans—they are Americans. They want this project. They need it. It is a good project. It has been recommended by the Corps of Engineers, by the Department of the Interior, and by the Bureau of the Budget. I sincerely hope the House will in its wisdom approve this project which is so desperately needed in the State of Idaho.

Mr. CRAMER. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. WIDNALL. Mr. Chairman, I would like to ask permission to speak out of order.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WIDNALL. Mr. Chairman, I would like to announce that Astronaut Schirra has landed and has completed his six orbits around the earth. I make this announcement with pride because he comes from my congressional district. He is another great example of a wonderful team we have working for us. It is a great source of satisfaction to our country.

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. CRAMER. If it does not come out of my time, Mr. Chairman, I yield.

Mr. DAVIS of Tennessee. Mr. Chairman, I ask unanimous consent that all debate on this amendment be closed at the conclusion of the remarks to be made by the gentleman from Florida [Mr. CRAMER].

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CRAMER. Mr. Chairman and members of the committee, I too am delighted to hear that Astronaut Schirra has successfully orbited the earth six times. I am hopeful that we can do an equally American job here on the floor of the House today and bring this bill down out of orbit and onto the ground and on a sound fiscal basis by eliminating the Burns Creek project.

Now we have heard a lot of politics and we have heard a lot of discussion about who voted how and why. I just wonder if someone on the other side of the aisle could answer a question, and I do not think it is answerable, if this is such a good project and there is no politics in it, why in the world, when our distinguished former colleague from Idaho, Hamer Budge, who was trying so hard to get this project through for so many years, did the Democratic Congress consistently time and time again not even vote the thing out of the committee? For the obvious reason, there is something wrong with it.

Now we set ground rules when we were considering this bill at this last hour knowing that we were going to have problems procedurally if we tried to get through a controversial bill. Those ground rules were: First, there should be no controversial projects in this bill; and second, they should have clearance of all the departments. The Burns Creek project is about as controversial a project as you possibly can get as the history of the project itself indicates. This project was turned down by the Democratic controlled committee which has an 18 to 13 membership on the Interior and Insular Affairs Committee by a vote of 17 to 14. Does that sound like it is partisan? Of course not—it is a bad project. I say to you, we ought to think twice for the great people of the two great States who are opposing this project, if we put it in this bill without giving their representatives even an opportunity to be heard. That is the procedure that has been followed with regard to this legislation. The committee has not had an opportunity to be heard on this project. It is, as I said, as controversial as you can get.

The Burns Creek proposal in the omnibus bill has been imposed on the House in one of the slickest maneuvers we have seen in recent times. How did it get here? The Bureau of Reclamation proposed it in 1957. From 1957 to the beginning of this year it was before the Interior and Insular Affairs Committee. It was killed.

Stage 2: Here we are now. The Bureau of Reclamation does a fadeout and the Corps of Engineers in March does a fade-in. They filed a report on Burns Creek, recommending it for construction by the Bureau of Reclamation. Can you imagine the Corps of Engineers making a study, finding less than 10-percent justification for flood control, and the Corps of Engineers not going to construct the project which is always the case on projects which come before our committee, but the Bureau of Reclamation is going to have jurisdiction over this project? What a sleight-of-hand performance.

From the Interior Department, Bureau of Reclamation, all of a sudden to the Corps of Engineers, and from there it goes back to the Bureau of Reclamation. That is what is being done.

Stage No. 3: The approach now is to expose the Burns Creek project to action by Congress without any searching analysis or any hearings of any kind. That is what is happening.

Let me direct attention to a few more problems involved. This is part of the total Columbia River Basin program. The other body has included in their bill—and I have it right here, and this is what we are going to be faced with when we get to conference—they have Knowles Dam, they have Bruces Eddy. All of you know about these projects, you know they are controversial. But they are in the Senate bill. I suppose next we will be faced with China Gardens. The cost is $1,400 million.

Mr. Speaker, the project proposed in this omnibus bill has been imposed on the House in one of the slickest maneuvers we have seen.

Let me explain just how Burns Creek has come up before us. The Bureau of Reclamation first proposed this project in 1957. From 1957 to the beginning of this year it was before the Interior and Insular Affairs Committee where it rightfully belonged. That committee examined Burns Creek about as thoroughly as any project has ever been examined and they found it was not meritorious. They expressed their final disapproval in February 1962, when they refused to report it. This is stage 1.

Next comes stage 2. The Bureau of Reclamation does a fadeout and the Corps of Engineers, in March, comes out with a hasty report on Burns Creek, recommending it for construction by the Bureau of Reclamation. Read the report and you find some mumbo-jumbo about flood control which puts the stamp of legitimacy on the switch of Burns Creek from Reclamation to corps. And so, because the corps is now the sponsoring agency but still to be administered by the Department of the Interior the project must go to the Public Works Committee. As the teenagers say, neat. By this simple stratagem, the Committee on Interior and Insular Affairs is bypassed and the project is ready to come before the Committee on Public Works.

Then comes stage 3. The approach now is not to expose the Burns Creek project to any sort of searching analysis. So the Public Works Committee publishes no schedule of projects they are going to consider for the omnibus bill. In fact, they let it be known that this bill, because it has been so hastily thrown together in these last few days of the session, would not include any controversial projects.

And I can assure my colleagues, if they do not already know it, Burns Creek is just about as controversial as you can get. Then, one quiet day, the flood control committee slips Burns Creek into the bill on a few minutes of testimony by a Corps of Engineers witness. When word of this leaks out and the telegrams of protest begin flooding the committee from witnesses who wanted to be heard in opposition, the committee, in a most undemocratic fashion, ignores everyone of them.

This, my friends, is how we come to consider the Burns Creek project in the omnibus bill today.

Let me draw attention to a few more inconsistencies.

First, if this is a reclamation project then it belongs with the Bureau of Reclamation and it should be before the Committee on Interior and Insular Affairs where it was before.

If it is a flood control project, then it rightly belongs with the Corps of Engineers and can come before the Public Works Committee. But—and this is a big but—then the corps should construct it, not as they have recommended, the Bureau of Reclamation. Obviously, therefore, this is simply a device to get this project out of one committee and into another.

Next, it must be remembered that this project has been rejected in the course of the regular legislative process. What we are dealing with now is a cynical perversion of this process.

I would further point out that in May of this year the Public Works Committee held hearings on some 10 or more corps projects, saying it did not intend to hold any more hearings. But suddenly, within the last few days, and with ill considered haste, the committee hauls out the barrel and stuffs it with controversial projects. This is done in hearings so blatantly and obviously staged to prevent any opposition whatsoever from being heard and I would be ashamed for this body if the bill goes through as it has been presented to us.

The demerits of Burns Creek do not need elaboration here. The project simply is no good. The record has already established that. It should be sufficient to know that we have seen a tremendous concerted, well-organized effort go into covering up that record. I hope the majority of my colleagues will be alert to this and will register their protest by voting for the elimination of this project from the bill.

The Burns Creek Dam and Reservoir has no place in the omnibus rivers and harbors and flood control bill. It fails to meet even minimum previously accepted standards for economic and financial feasibility. It is being paraded as a flood control project only because it was rejected as a reclamation project this year by the Interior and Insular Affairs Committee of the House of Representatives after 5 years of consideration. Moreover, if it were a flood control project, it would be a Corps of Engineers responsibility and not a Bureau of Reclamation project as proposed in this bill.

The Burns Creek project was recommended to the Congress as a Bureau of Reclamation project on April 4, 1957—see House Document No. 147, 85th Congress. Extensive hearings were held by the House Interior and Insular Affairs Committee in 1958, 1959, 1960, and 1961. The committee after thorough and searching examination consistently refused to approve the project for congressional authorization. The latest action of this committee occurred on February 7, 1962, when it rejected the proposal by a rollcall vote.

When the Bureau of Reclamation was unsuccessful in inflicting its will on its counterpart committee in the Congress—the Interior and Insular Affairs Committee—which is responsible for and intimately familiar with the program of this agency, it arranged for an end run around this committee by having the Corps of Engineers prepare a quickie report recommending this project for construction by the Bureau. Obviously the Corps of Engineers could not conduct any real study or prepare any intelligent report in that short period of time and the report in effect so states. The corps has not even investigated the damsite. Except for some minor reexamination of the flood control potentials of the project, the corps' studies were limited to a summary and evaluation of the report of the Bureau of Reclamation on the project.

The corps' review of the Bureau's designs indicated that "a considerable amount of additional exploration will be necessary for final design" of the dam. If this is true, it would be difficult to assure that the cost estimates can be firm. Burns Creek was selected as a project for early construction because of the need "to insure more adequate control of streamflows." Evidently, the control is now adequate and there is no problem with floods.

The report shows that it is practical to forecast seasonal runoff volumes on the Snake River with reasonable accuracy, that rainstorms are not a major factor in runoff production and that extensive regulation and a "fairly high degree of protection" from floods now exists. The original analysis of the corps used in connection with the Bureau of Reclamation's earlier reports determined that net flood control benefits from the Burns Creek project would be minor. The flood damages now cited in the report represent those that would have occurred under original conditions, and there are no data to show how these figures are adjusted to present conditions. Furthermore, the basis for changing the original conclusions are not shown. There is no space allocated for flood control storage and the operation of the Burns Creek project for power is a major use.

The appendix purporting to show how the standard project flood was designed is nothing more than an exposé of various approaches to the science of synthetic flood design and concludes that the flood damage and benefit estimates "should be verified or revised by a conventional derivation in substantial accordance with Civil Works Engineer Bulletin No. 52–8." The corps appears to be straining to find some flood control advantages for the project. Nevertheless, in spite of the historical and very real question as to whether there is any measurable flood control need or benefit in the Burns Creek project, some flood control has been claimed as a purpose and costs have been allocated to it. Apparently, therefore, this was done for reasons other than physical, economic or financial justification or merit and is why the corps' report fails to mention the legislative history of the project. The report appears to be merely a bold device for putting a new face on the Bureau project to make it logical for Public Works Committee consideration.

There is nothing new in the corps' report which was not available to the Congress in its earlier considerations of the Burns Creek project.

Facts developed during previous hearings show Burns Creek to be an extremely uneconomical project. The total Burns Creek net annual revenue would fall over $300,000 short of even meeting the annual interest payments on the project costs—at 2.632-percent rate—without repaying 1 cent of the principal. Therefore, the Bureau of Reclamation would have to integrate it with the upstream Palisades project in Idaho to make it appear feasible. Surplus revenues from a good reclamation project—Palisades, would be used to subsidize a poor power project—Burns Creek, thereby deferring the payout of Palisades some 33 years or 24 years beyond the 40-year period established by law for reclamation projects.

The merits or demerits of this project have not been fully discussed before either the Flood Control Subcommittee or the full Committee on Public Works of the House of Representatives. The Public Works Committee has not had the benefit of testimony of those opposed to the authorization of this project. In fact, several individuals from the project area—who represent both labor organization and business—requested time to be heard in opposition to Burns Creek and were specifically denied that opportunity.

The project is being railroaded through the Congress by a committee which has approved the project without adequate study and consideration of the many factors involved and in direct contempt for the decision of the committee which considered the proposal in accordance with established procedures and which reached its conclusion on the basis of all the facts. This is a travesty on the democratic process and an insult to the Congress.

To include a project of this controversial nature in the public works omnibus bill at this late date in the legislative session can only be construed as an obvious pork barrel effort and legislative irresponsibility. It was recognized that proper ground rules for consideration of this bill at this late date was that only noncontroversial projects would be included. Since no witnesses were permitted to appear except the Corps of Engineers, this bill can only be considered as being the result of one point of view. There is no wish here to impugn the testimony of the Corps of Engineers for they have a right to express their thinking on the project. But, to include a project that has had the benefit of only the executive department's views is more in keeping with the method of government in the Soviet Union than with the legislative traditions of the U.S. Congress. The attempt to get an omnibus bill out at the last minute without hearing witnesses in opposition who otherwise would be entitled to be heard on the basis that the proposed projects are noncontroversial, shows favoritism and

pressure politics of the worst kind. This type of last-minute, narrowminded legislating must be avoided. There is nothing so urgent about Burns Creek that we must abandon established democratic legislative procedures.

Therefore, I sincerely urge the deletion of the Burns Creek Dam and Reservoir from this bill and passage of the Baldwin amendment.

The CHAIRMAN. The time of the gentleman from Florida has expired. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. BALDWIN].

The question was taken and the Chair announced that the noes appeared to have it.

Mr. BALDWIN. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed as tellers Mr. DAVIS of Tennessee and Mr. BALDWIN.

The committee divided, and the tellers reported that there were—ayes 106, noes 109.

So the amendment was rejected.

Mr. SCHWENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHWENGEL: On page 44, strike out line 24 and all that follows down through and including line 4 on page 45.

Mr. SCHWENGEL. Mr. Chairman, I think the intent of the amendment is clear. At the outset I want to remind you that a pretty strong plea was made down here on the floor that the committee system of the Congress was at stake. With this, I wholly agree. But, Mr. Chairman, more is at stake. It is the orderly procedure of the operation of this great legislative body and, maybe, freedom. This is something we had better think about and think pretty seriously about these days.

Mr. Chairman, the authorization of the China Gardens project on the Snake River, costing $75 million, which is included in this bill, should be and can be deferred at this time without adverse effects. Let me underscore that: It can be postponed without any adverse effects.

Mr. Chairman, the China Gardens project is a companion project to the proposed $257 million High Mountain Sheep project which is now before the Federal Power Commission for early decision. China Gardens would be operated in coordination with that project to produce power and reregulate the fluctuating water releases from the High Mountain Sheep project which is planned to be located immediately upstream.

China Gardens should be constructed and operated by the same entity that constructs High Mountain Sheep project.

Mr. Chairman, there is absolutely no justification for Federal construction of the China Gardens project which derives its benefits almost 100 percent from power. Listen, only two-tenths of 1 percent of its benefits are assigned to the other purposes, which is recreation.

Mr. Chairman, the Pacific Northwest Power Co., an outstanding electric utility, has a pending license application with the Federal Power Commission for the High Mountain Sheep project. Hearings on the High Mountain Sheep project have been completed before the Federal Power Commission and the decision as to a license should be forthcoming in the very near future. This company, I repeat, is competent, it is resourceful, and fully qualified in all respects to construct the China Gardens project.

Mr. Chairman, listen to this: This company has committed itself before the Senate Public Works Committee to build China Gardens if it receives a license to construct the High Mountain Sheep project.

Mr. Chairman, the construction of China Gardens by this company will eliminate a present drain on the Federal Treasury for $75 million required for its construction. And, in addition, listen, would pay taxes of over $75 million in the next 50 years at the present rates and, of course, double that amount, or $150 million, for the 100 years on which China Gardens is offered in the House report.

Mr. Chairman, this ought to be pretty seriously in the minds of the members of the committee as we consider this project. We ought to be able to see from this alone that the public interest is not being served here. This is just one of the things that will be testified to and proved beyond doubt before our committee, if we could have some hearings on it.

Mr. Chairman, should a license be denied by the Federal Power Commission for the construction of the High Mountain Sheep project, which is highly unlikely, then the Congress will have ample time at a future session to authorize China Gardens without adverse effects on the power supplied to this region.

China Gardens will not be needed for its primary operational purpose of reregulation until High Mountain Sheep is constructed, and power from China Gardens will not be required until about 1970, nor will it be economic until that date.

The ratification by the Canadian Government of the treaty between Canada and the United States for flood control and power development in the Columbia River Basin, which is now imminent, will make available a large block of hydroelectric power. This power, plus the power that will be made available from the construction of the power facilities at the Hanford reactor which were recently authorized and the expected construction of other hydroelectric facilities, eliminates the need for the power from China Gardens until then.

I urge support of my amendment.

Mrs. PFOST. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to call attention to the fact that this, again, is just another smokescreen thrown up by the private power trusts. This China Gardens project is a meritorious one. The authority for the review of this project was approved in 1955 by the Senate Public Works Committee. The project has a benefit-to-cost ratio of 1.7 to 1. Here, in this Army Corps of Engineers report, is a statement that the omission of the High Mountain Sheep project has only minor effect on the economic justification for the China Gardens project. It has been approved by the Departments of Interior, Agriculture, Commerce, HEW, and the State of Idaho. The States of Washington and Oregon have no objection to it. Also, the Bureau of the Budget has no objection.

The project will cost, as the gentleman has said, $74,777,000. It is a very important project in the Columbia River Basin system, of which the Snake River is a principal tributary. The China Gardens project is a relatively low-head dam and reservoir with an initial installed capacity of 180,000 kilowatts for the production of hydroelectric power. It will also provide recreation, which is an important industry in these times of shorter workweeks.

We must start development of our Columbia River Basin in Idaho, if we are to meet the needs of the people who will be moving into our great Northwest. These people will need power and the other facilities that will be brought about by development of such projects as those included in this rivers and harbors bill.

I certainly hope my distinguished colleagues will vote for the entire bill as it has been presented to the House today. The Idaho projects under bitter criticism should not be deleted from this important bill. All of them are important and are in accord with the President's message regarding the development of the Nation's natural resources.

Mr. CRAMER. Mr. Chairman, I can see no justification for Federal construction of the China Gardens project. A non-Federal body stands ready to build China Gardens and provide the same public benefits at no cost to the taxpayers. This non-Federal body is competent, resourceful, and fully qualified in all respects to build and operate this project.

China Gardens would function as a reregulating dam for the High Mountain Sheep project upstream. The non-Federal entity has a pending license application with the Federal Power Commission for High Mountain Sheep and has committed itself in hearings before a Subcommittee of the Senate Public Works Committee to construct China Gardens if a license is issued to it for High Mountain Sheep. Hearings on High Mountain Sheep have been completed before the Federal Power Commission and the question as to a license should be resolved within a year. Should a license for High Mountain Sheep be denied to the non-Federal entity, this committee could then consider whether China Gardens should be authorized. Accordingly, nothing would be lost by postponing action on China Gardens.

The committee has heard absolutely no testimony from anyone—either public witnesses or the Corps of Engineers—upon this project which involves the expenditure of public funds of $74 million. There are interests willing to build this

project who have not been given an opportunity to appear and present their case. Certainly, if we as a committee are to perform our function, no projects should be authorized until full opportunity to present the issues of this committee have been afforded all interested parties, including the Corps of Army Engineers. To authorize this project under these circumstances seems to us to be reckless and unwarranted, particularly since the authorization of this project would deprive Federal, State, and local governments of taxes which would result from private development.

Mr. SCHWENGEL. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. There is testimony on record, and I think if we could hear this project before our Committee we would find out that this could be proved, that is that the public-power interests envision the production of 180,000 kilowatts and the private-power interests envision the development of 300,000 kilowatts. This ought to be considered. This ought to be an important factor as you consider the whole project.

Mr. CRAMER. I think the public power advocates are determined to grab off this project here and now before private enterprise gets busy on High Mountain Sheep and prove they can do a better job with private funds than can be done with public funds. That is what is behind the whole thing. If that is done, it is going to affect the entire Columbia River Basin program, amounting to $1.4 billion. That is what is involved. We need to strike this out so we can prevent the Columbia River Basin project from being authorized without even holding public hearings.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. SCHWENGEL and Mr. MCFALL.

The Committee divided, and the tellers reported that there were—ayes 92, noes 104.

So the amendment was rejected.

Mr. HALEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to direct my remarks to the chairman of the Committee on Public Works. We have in this Public Works bill on page 25, the so-called Green Swamp Region of Florida.

Mr. Chairman, this calls for an authorization of $57,760,000 of Federal money with local participation to the extent of about $42 million.

My complaint here today, Mr. Chairman, is this: This may be a good project. There may have been some slip-up in the committee in its communication, but I have in my congressional district, and a large part of this project is in my congressional district, a great many people who are violently opposed to this project. I had contacted the committee and asked that they be heard. They were not given that opportunity, Mr. Chairman, and I hope that before any appropriations are made—as a matter of fact, I would demand that before appropriations are being made or will be made on this project that the people in my congressional district who are going to be called on to expend $42 million of their own money be given an opportunity to be heard. I would just like to say to the chairman of the Committee on Public Works that I realize it is not his fault, and I realize it is not the fault of other members of the committee that these people who oppose this project were not heard. But I do say this, that where the expenditure of nearly $100 million is involved and where the expenditure of $42 million of the people's money is involved, I think, Mr. Chairman, and do you not that they should have had an opportunity to be heard inasmuch as they had requested to be heard?

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. HALEY. I yield.

Mr. DAVIS of Tennessee. I am very sorry that this situation developed. The only thing I can promise the distinguished gentleman from Florida is that when you do go before the Appropriations Committee I shall be glad to go and state that there was a mistake in this matter.

Mr. HALEY. I thank the gentleman and yield back the balance of my time.

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 4, strike out line 6 and all that follows down to and including line 12.

Mr. CRAMER. During debate on the bill, the gentleman from Florida [Mr. HALEY] commented on the Green Swamp region, Fla., project, which is partially in his district and also in mine and two other districts, as of 1963 as a result of the redistricting, and which, because of the tremendous damage done by floods in this area, I felt it essential to have put in the bill this year. I did not realize that it was controversial until it came up on the Senate side, with some witnesses appearing against a portion of the project, pursuant to which, the other body, in reporting its bill, S. 3773, included a proviso on page 30, lines 13 to 16, and I quote:

And provided further, That planning and construction on the Lowery-Mattie Conservation Area and its appurtenant works is deferred until additional studies are made thereon, and a further report submitted to the Congress.

Which protects the gentleman and his constituents and will give his constituents an opportunity to be heard at a future date. I can inform the gentleman that I expect to be appointed a conferee on the bill when the Senate acts and will give serious consideration to the inclusion of this proviso in the conference bill, yielding of course to the gentleman's concern on behalf of his constituents who desire to be heard. This is consistent with my position on the total bill, having stated that people should be entitled to be heard and controversial phases of the project should be eliminated.

Mr. Chairman, this is one of two amendments in the rivers and harbors section of the omnibus bill that are being offered for the reason that the projects do not conform to the basic ground rules which I believe are essential for the protection of the integrity of this bill, it being considered in the waning days of this Congress.

The ground rules that are being violated in these two projects are that they have not cleared the proper departmental agencies as is evidenced by the minority report, and I would call attention to page 238 of the report which sets out the procedures which Congress itself has said must be followed by our committee in considering projects. That is specifically provided in section 202 of the Rivers and Harbors Flood Control Act of 1954 in which this Congress stated:

No project or any modification not authorized on a project for flood control or rivers and harbors shall be considered by the Congress unless the report on such project or modification has been previously submitted by the Chief of Engineers in conformity with existing law.

The project under discussion which this amendment will strike is the Port Elizabeth Channel maintenance project at an estimated cost of $230,500 a year.

There is no politics in this; there was not any politics in the other two amendments offered. This is a question of basic fundamental what is right and what is wrong. When we consider this bill on this basis controversial projects should be left out, projects without proper reports should be left out, and that is what this project is. It does not have proper clearance from the proper agency. The report was not acceptable to the Board of Engineers. The report was not acceptable because it did not show the measurement under the benefit-to-cost ratio. The report was sent back to the District Engineers where it now lodges.

This means that the report has not been approved by the Board of Engineers, by the Chief of Engineers. It has not prepared the proposed report referred to as required by the law with the Board's report to the Governor of the affected States and other interested Federal agencies for comments and recommendations. Therefore, it is not properly, in my opinion, before our committee, should not have been acted on by our committee, and I am therefore moving that it be stricken.

I say again so far as I am concerned the position being taken by the minority on this bill is to protect the integrity of this bill and our committee in this Congress so that we cannot be subject to the charge of pork-barreling or showing favoritism. We must come up with a bill with physical projects on a meritorious basis.

As I say, there is no politics in this or in the other two motions. This happens to be in a Republican district, and I happen to believe Republicans and Democrats alike should live up to the ground rules. That is why I am offering this

amendment to strike this particular project. I shall also offer an amendment covering the Jones Inlet proposition, and trust the amendment will be agreed to.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks on the pending amendment and the two previous amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. McFALL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida [Mr. CRAMER]. This is a Newark Bay channel-making project and was thoroughly considered by the committee. It is sound and meritorious. It is not a matter of local controversy as were the other two large projects that were previously considered by the committee. It is merely a channel-making project involving $230,500 a year. It is approved by the Corps of Engineers. They sent it up to the Board of Rivers and Harbors and the Board of Rivers and Harbors found they included something in the cost-benefit ratio that should not have been included. They sent it back to the corps for a refiguring. We have received from the corps an informal statement by letter, stating that the cost-benefit ratio will be 2 to 1. In every way this is a sound and meritorious project. The committee gave it thorough consideration, and while the Bureau of the Budget has not had the opportunity to consider it we on this side feel, in spite of whatever technical objection may be made to it, that there is no controversy, it is sound and meritorious and should be accepted as part of the bill.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to announce the wonderful news that astronaut Walter Schirra has just arrived safely on the *Kearsarge* carrier deck in the Pacific.

He is back safe and sound, and we are all thankful. Schirria's almost six orbits of the world today have been an outstanding U.S. space accomplishment.

Congratulations to our present U.S. team of seven astronauts, and the five successes to this time. Congratulations to the National Aeronautics and Space Agency under the leadership of Administrator James Webb. Congratulations to the House Committee on Science and Astronautics, of which I am proud to be a member, as well as to the Senate Space Committee, who have handled the legislative authority for these NASA Mercury man-in-space programs. Congratulations to Congressman ALBERT THOMAS, and his appropriations subcommittee on supplying the funds. President Kennedy and former President Eisenhower share in this high success of the Mercury man-in-space program.

We Americans can hold up our heads today in the real progress that has marked the Schirra remarkable orbit of the world.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 67, noes 103.

So the amendment was rejected.

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 12, strike out line 14 and all that follows, down to and including line 21.

Mr. CRAMER. Mr. Chairman, this involves Jones Inlet. It is becoming quite obvious that the House intends to go pork-barreling along its way. Therefore, I shall briefly discuss the project which is being objected to. It has no report of any kind from anybody, there is no way an estimate of cost can even be made.

Mr. Chairman, if the members of the committee will take a look at page 12 of the bill, the members will see that there is no estimate of the cost. There is no cost figure in the bill itself, which is the best indication of how bad a project it is from the standpoint of not properly being before the Congress.

Mr. Chairman, I hope the Congress will strike this project out and will support my amendment. But I repeat that it appears obvious that the House is going to merely pork-barrel its way along today. So, I will let it go at that.

Mr. PIKE. Mr. Chairman, I rise in opposition to the amendment.

Mr. PIKE. Mr. Chairman, I shall try to be brief on this project. I did not intend to take the well of the House at all today. But I had an awful shock today when I heard the gentleman from Florida [Mr. CRAMER] earlier refer to this particular project as a "Republican" project. Mr. Chairman, I want to assure the gentleman from Florida that in opposing it he need not feel badly at all, because I want to guarantee the gentleman that this project begins at a place called "Democrat Point" on the west end of Fire Island, and it happens to be in the congressional district which I have the honor to represent.

Mr. CRAMER. If the gentleman will yield, I stand corrected.

Mr. PIKE. Mr. Chairman, I want to assure the gentleman from Florida also that this is a project which was brought up in a hurry, because there was a disaster in this area in March of this year.

The committee report says that continuing erosion of the protective and recreational beach in the study area has progressed in recent years to such an extent that use of the beach is impaired, and improvements to the shore front areas are damaged by storms and subject to possible destruction.

Mr. Chairman, it is not "possible destruction." We lost 100 homes in that district this year. This is an emergency project. There is not any opposition to it locally whatsoever, unlike other projects which we have discussed here. However, time is important in regard to this project. It cannot be postponed without adverse effects.

Mr. Chairman, a big point has been made of the fact that they cannot accurately at this time tell us the exact number of dollars which may be required subsequently in an appropriation bill. But I say to the members of this committee that if this project is not approved, if this amendment is agreed to, it is quite possible that the cost will be measured in lives and not in dollars.

Mr. Chairman, I ask that this amendment be defeated.

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I shall be glad to yield to the gentleman from California.

Mr. McFALL. I wish to associate myself with the statement made by the gentleman from New York, who is a member of the committee. I also want to say that as a member of the committee myself we agree with what the gentleman says. Many members of the committee have seen this emergency situation when we were in New York, and the committee feels that this is a much-needed and necessary project.

Mr. PIKE. In return, I will say that I am deeply grateful to the committee for having been aware of the emergency and disaster nature of this operation up there. I am greatly appreciative of the fact that they have seen fit to recognize this emergency and do something about it.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, this is a project which many members of the committee have been to New York and looked at for ourselves. So, there are members of this committee who are personally acquainted with the situation.

Mr. PIKE. I am aware of the fact that the committee has studied it very thoroughly and I am delighted that the committee has seen fit to include it in this bill. I think it would be a great mistake to accept this amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I shall be glad to yield to the gentleman from Florida.

Mr. CRAMER. I want to say to the gentleman that I too have been there. It is a beautiful beach—this Jones Beach—but I will say to the gentleman also that possibly the Engineers can come up with a good project. If it is a good one and is feasible, I shall be for it. But we do not know what it is. That is the problem. I understand the gentleman's problem, and I am sympathetic with it.

Mr. PIKE. The gentleman from Florida is saying because there was a storm up there and they had to revise some of their planning before, and they have not got their plans completed, what the gentleman is saying is because we have a lot of erosion up there, we cannot do anything about the erosion.

Mr. BECKER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think most of the Members of the House know that this is my project, and has been so for several years. I worked a great many years in an effort to take care of the beach erosion at Jones Beach, caused by the silting of sand at the Fire Island Inlet.

Mr. Chairman, as our colleague has said, the gentleman from Oklahoma [Mr. EDMONDSON], he was up there and he viewed it and so did many other Members of the House Committee on Public Works come up and view the project.

I would like to make one little correction, however. In the course of this authorized project the first phase has already been completed. The Congress voted funds twice for the first phase of this project. It is not a change that is taking place now, because the Army Engineers and the State engineers in the beginning were coming up with a bypassing pumping process, and I hope this is what they are doing now. As a matter of fact, I am sure that is what they have in mind.

Mr. Chairman, I hope, because of the conditions there in that area in my district, as well as in the First Congressional District, the committee will defeat this amendment so that the Engineers may proceed with the plans and get underway a permanent bypassing project in that area.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was rejected.

Mr. ROUSH. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take the well of the House at this time, and hope the committee will be indulgent. A while ago we heard two of the giants of this House exchange words and become involved in a very forceful colloquy concerning the Indiana port. I regret very much that we do not have in this bill an authorization for the Indiana port. I have the highest regard for my colleague from Indiana [Mr. MADDEN]. In Indiana he is Mr. Democrat. And I have an equally high regard and respect for my colleague from Indiana [Mr. HALLECK]. In Indiana he is Mr. Republican. And because this powerful Democrat and this powerful Republican exchanged words on the floor of this House concerning this port, I fear there might be misunderstanding and that the Members of the House will think that this is a partisan issue. This is not so.

As much as I love my colleague [Mr. MADDEN], and respect him, I cannot stand with him on this issue. He stands alone in the Indiana delegation concerning our views on the Indiana port. He stands all alone. This has been a bipartisan or nonpartisan issue in Indiana for years and years and years.

My colleague from Indiana, the distinguished minority leader, referred to Henry F. Schricker. Mr. Schricker is perhaps the most beloved Democrat in the State of Indiana. He is for this port. The Governors who followed him, Governor Craig, and Governor Handley, Republicans, are for this port. At this moment there sits in the Governor's chair of Indiana a great Governor who has the backing of Hoosiers regardless whether they are Democrats or Republicans, regardless whether they represent big business or labor on this matter of an Indiana port.

You might ask, Well, why has not this port been authorized? Why has not the Bureau of the Budget seen fit to give its OK? I can say this: We have neighbors who are jealous of Indiana's intention to build a port. These people are trying to deprive us of this port because it will offer competition to another port on Lake Michigan. They are trying to build in Indiana a national park. We want a national park. But their plan includes this area where our port will be built, and we resent this interference in the affairs of Indiana on the part of our neighbor.

I tell you that when the distinguished minority leader said that we will not be foreclosed on this matter, he was not just talking. He was stating the truth for all of Indiana. Democrats and Republicans alike will rise and fight for this port which justifiably belongs to our great State.

Mr. DORN. Mr. Chairman, I wish to thank my distinguished colleagues, the gentleman from New York [Mr. BUCKLEY], chairman of the committee; the gentleman from Tennessee, Judge DAVIS, chairman of the subcommittee; and each member of this great committee for doing the right thing by including H.R. 6789 in the omnibus rivers and harbors bill. I appreciate the consideration and fairness of the Rules Committee in granting a rule.

The people of my congressional district, the people of South Carolina, and yes, Mr. Chairman, the people of the entire southeastern section of the country are grateful for your sense of justice, your dedication to our traditional American opportunity system and your fairness to permit Duke Power Co. to move ahead without further delay.

This section—205—of the bill will permit Duke Power Co. to build a retaining dam across the Savannah River at Middleton Shoals between South Carolina and Georgia. This dam will enable Duke Power Co. to build the largest steamplant in the world in Anderson County in my congressional district. I introduced my bill, H.R. 6789, May 3, 1961. Since its introduction, the bill has been favorably approved by the Corps of Engineers, Department of the Army, and the Bureau of the Budget. Duke Power officials and engineers held many conferences with the Corps of Engineers to make this bill acceptable to all parties concerned. It was agreed that Duke would spend an additional $1,300,000 to raise the level of its dam in order to make its operation compatible with any further development of the Savannah River in the future. I wish to commend the Corps of Engineers for their cooperation and foresight in approving this project.

Mr. Chairman, there is no opposition to the language in H.R. 6789. It is the same identical bill as passed by the 80th Congress which authorized Duke to build a dam and steamplant on Dan River between North Carolina and Virginia. Mr. Chairman, I might add that section 205 of this bill is the same as that in H.R. 6789. Since the day the bill was introduced, over 17 months ago, I have not received one telephone call, nor one letter, nor one telegram from anyone in the United States opposing the bill. This authorization is in keeping with the President's program to get the economy moving. The construction of this gigantic steamplant, estimated to cost approximately $280 million, and possibly $300 million, will be of tremendous help to the unemployed coal miners of Virginia, West Virginia, Kentucky, Pennsylvania, and throughout the East. This bill is a positive answer to the unemployment problem by creating more jobs and larger payrolls. It will provide more cheap power and will thus encourage many new industries. It will be a shot in the arm for our depressed railroads.

Mr. Chairman, we need to move forward to meet our defense program. A great plant such as the one proposed by Duke with its fantastic abundance of cheap power will aid defense and will boost our economy. America must grow. This plant will point the way in the South.

The Duke Power Co. typifies the ideal, modern, progressive, philanthropic business corporation. Duke Power Co.'s wages and working conditions are second to none. The Duke Hospital with its charity, research, and philanthropy is known and admired throughout the world. Duke University is making its contribution in the desperate struggle with our enemies to win the cold war in the field of education. The President and leaders of this great company believe in progress.

They are dedicated to humanitarianism and they have a firm belief in the future of the United States.

Mr. Chairman, Duke Power Co. would spend approximately $300 million to build this gigantic project. The steamplant would consume $26 million of coal annually from the Nation's depressed coal mines. It would help the depressed railroads by their hauling 9,500 tons of coal daily to the plant. It would pay to the Federal Government annually approximately $10 million in taxes. It would pay to the State of South Carolina approximately $7 million annually in taxes. It would pay Anderson County —largest in my district—approximately $1 million annually in taxes, and it borders on a depressed area and is in line, may I say again, with the President's program to get the economy moving.

Mr. Chairman, may I repeat to emphasize that this is a taxpaying project of fantastic proportions. We must continue to encourage the construction and expansion of taxpaying enterprises if we are to balance our Federal budget and provide for the working people of America and the consumer, a sound, stable dollar.

Mr. Chairman, we must move the wheels of progress forward. We must keep turning forward the clock of economic progress and development. This bill authorizing this great project will inaugurate the dawn of a new day in the South. I know this section of the bill will have the unanimous approval of the House and the other body.

Mr. ASHBROOK. Mr. Chairman, I wish to thank the Committee on Public

Works for their consideration of my district in including for authorization of $2,438,000 for the very important Kokosing River project in the omnibus bill H.R. 13273. Time is of the essence and I am glad that we are today taking this forward step. Coming as it does, at the very close of the session of Congress it is my sincere hope that this project—indeed, this whole bill—will not be pigeonholed in our rush for adjournment. The people of my district were stunned by the January 1959 flood which devastated many areas but none harder than the city of Mount Vernon, Ohio. We have witnessed the expeditious handling of this flood protection project by the Corps of Engineers but at that almost 3 years have elapsed. The 3 years seems like a long time and yet by most standards in these matters, it has been very rapid.

It has been impossible to secure any quicker action on this project because this is the first—and only—authorization bill of the 87th Congress. If this bill passes, we then face the task of securing the funds to forthrightly proceed in this important matter. The Corps of Engineers has already informed me that their overall capabilities will be for $75,000 to initiate preconstruction planning of the North Branch Kokosing River Reservoir and an amount of $110,000 to initiate and complete preconstruction, snagging, and clearing on the Kokosing River in Mount Vernon. If this bill passes and is enacted into law, I will immediately request these funds. Up to now it has been a matter of surveying the needs and making the plans; now we are down to the real heart of the matter and that is the actual construction of the flood control system. I might say also that there has been a fine cooperative effort in securing this authorization. Local committees and citizens, officials in Knox County and the city of Mount Vernon, have been able partners in the promotion of this much needed flood control system.

I limit my remarks to the status of the study of the Kokosing River Basin, but as a matter of information there are at the present time three authorized studies in various stages of completion in my seven-county district. Each of these projects cover flood control and allied purposes, including water supply, pollution abatement, and recreation for the following watersheds: Licking River, Clear Fork and Rocky Fork, and the Scioto River.

At the outset, let me remind this committee that the district I am privileged to represent was one of the hardest hit in the January 1959 flood which caused such havoc in many areas of our Nation. The people of this area appreciate the considerate treatment they have already received by this committee in expeditiously appropriating funds for these worthy projects which are so ably administered by the Corps of Engineers. However, without appearing ungrateful, or unappreciative of these fine efforts, I must frankly state that the proposals in the Kokosing project are of the greatest necessity in affording proper flood protection for the citizens in the Kokosing River Basin and for their property.

Your committee has already received a great amount of testimony regarding the extent of flood damage to this area. The passage of over 3 years, of course, tends to dim the memory of this event and the hardships it imposed on so many of our citizens. The Kokosing and its tributaries in Mount Vernon, Fredericktown, and surrounding rural areas during the January 1959 flood inflicted damages totaling 5,300,000. The destruction occurred, primarily, to individual private properties and business establishments. This river basin has a serious history of extensive flooding dating as far back as 1932 with the more destructive ones occurring in 1913 and 1959. The January 1959 flood had a water runoff, above Mount Vernon, amounting to 5.2 inches which resulted in the highest cresting in history for the Kokosing River Basin. The record demonstrates that flooding is not restricted to any season, but that floods may occur in any month of the year. This recorded history of flood frequency and damages clearly illustrate the urgent need for immediate flood preventive measures.

The city of Mount Vernon and the village of Fredericktown are the major municipal areas in the river basin where the potential flood hazard is of extreme concern. Rural areas above and below Mount Vernon are also subject to flooding and would substantially benefit for the improvements.

Following the record 1959 flood the Corps of Engineers conducted a detailed damage survey based on a house-to-house canvass of the flooded areas. All tangible flood damages were placed on a monetary value. Physical damages included direct damages to buildings or parts thereof, and loss of damage to contents. Emergency costs, such as flood fighting, evacuation of families, and emergency restoration of damaged flood protection facilities were estimated conservatively because of the difficulty in estimating the thousands of manhours donated by the residents of the area. This evidence more than substantiates the above-mentioned damage estimates and realistically illustrates the necessity for funding this program.

The Corps of Engineers has indicated the necessity of commencing this project as soon as possible, indirectly, by demonstrating the fact that June 1959 Federal costs of the North Branch Reservoir were estimated at $2,334,000 and by July 1961 these costs had increased by their estimate to $2,520,000. A substantial cost savings to the taxpayers will be afforded by expeditiously commencing work on this project.

The intangible damages, those that could not be given any monetary value, are very real and must be recognized. The principal intangible damage that merits discussion is the high probability of loss of life that exists at Mount Vernon in the event of the present levee overtopping at night. There are approximately 650 homes that are located in the flood plains of the Kokosing River behind the existing levee. First floor elevations of these homes vary from 2 to as much as 8 feet below the top of the protective levee. On January 21, 1959, the levee was overtopped early in the afternoon. Actual evacuation of most of the area was not started until after the levee failed, and even at this time was carried out under hazardous conditions. Had the overtopping and subsequent failure of the levee occurred late at night it is highly probable that loss of life by drowning or exposure would have reached disastrous proportions, and also, very probable that movable property evacuation would have proceeded at a much slower rate, thereby increasing the losses.

At this point I would like to elaborate on a quote taken from the report submitted by the Board of Engineers for Rivers and Harbors:

> An accurate forecast of the future trend of development for the Kokosing River Basin is extremely difficult to develop. For this reason a conservative approach to this phase of damage and benefit evaluation has been adopted.

Even though the Corps of Engineers issued a relatively conservative analysis report, the strategic location of the city of Mount Vernon and the rate of future growth predicted for the Kokosing River basin and the inevitable extensive expansion in the use of lands in the flood plains, in my opinion, more than vindicate the approval of this project. In fact, the projected future growth of this area in the next 50 years is 100 percent.

As has been earlier stated, the Kokosing River basin has an extensive history of flood problems which naturally has been long recognized by the local residents as evidenced by the efforts put forth, locally, on projects to curb flooding. Following the 1898 flood the people of Mount Vernon constructed a levee system that provided partial protection. This levee was destroyed by the 1913 flood and subsequently was rebuilt. The levee was again overtopped and partially destroyed by the 1959 flood.

Soon after the 1959 flood, local interest at Fredericktown, Mount Vernon, and affected rural areas throughout the basin again demonstrated their intense interest by working with the Corps of Engineers, U.S. Soil Conservation Service, Ohio Department of Natural Resources, and the Muskingum Watershed Conservancy District in designing and promoting concrete actions for attacking the flood menace. As a result of these fine efforts and extensive studies by the Corps of Engineers two separate and distinct plans were selected and recommended to make up the project plan for the Kokosing River basin. This combination of projects, the North Branch Reservoir and the snagging and clearing of the Kokosing at Mount Vernon, will have widespread benefits throughout the most densely populated reaches of the basin. The two plans will, respectfully, provide virtually complete protection at Fredericktown and would prevent overtopping of the existing levee at Mount Vernon on the basis of the record January 1959 flood and will virtually eliminate damages from all floods having an

estimated frequency of recurrence in the order of 100 years.

In addition, the construction of the proposed North Branch project will greatly enhance the net flood control in the Mohawk Reservoir which is a key link in the 14 reservoir Muskingum River reservoir system.

Both the North Branch Reservoir and the snagging and clearing project at Mount Vernon show a favorable justification. Based on an incremental analysis, the two projects together have a favorable overall benefit-cost ratio of 1.3 to 1. Even though the snagging and clearing project at Mount Vernon has a higher benefit-cost ratio than the North Branch Reservoir, it is not recommended that the Mount Vernon project precede the North Branch Reservoir since it would create a false sense of security among the citizens of Mount Vernon.

The U.S. Fish and Wildlife Service reports that the proposed projects would have no significant effect on the fish and wildlife resources in the Kokosing River basin.

The U.S. Public Health Service investigated the need for water supply and pollution abatement and reported that there will be no need for such storage in the foreseeable future.

In conclusion, I sincerely urge that the House approve this request so that the future of the citizens of the Kokosing River basin can be secure from floods that have plagued them with damages amounting to millions of dollars over a short period of years.

Mr. JOELSON. Mr. Chairman, I fail to see the need for such a rush to enact this tremendous "pork barrel" in the waning days of this session. Certainly the appropriation cannot be made this year.

I am not convinced that the many projects which the bill would authorize are essential. They might be desirable in times of less economic demands upon our national budget, but these are unusual times. We simply cannot spend for every project suggested. I am opposed to this measure, H.R. 13273.

Mr. HALPERN. Mr. Chairman, there is a specific item in this bill before us which is of particular interest to the people of my district. I refer to the $2,185,000 Federal appropriation to improve and reclaim Little Neck Bay, which is on the westerly end of Long Island Sound about 17 miles northeast of the Battery, New York City.

The Corps of Army Engineers is to be heartily commended for its thorough survey, a vital undertaking which I recommended to this House in 1959.

The item to which I refer is contained in this bill as a result of this survey. It has been fully approved by the Department of the Interior, the Department of Health, Education, and Welfare, and the State of New York. The Bureau of the Budget has voiced no objection to the appropriation.

The envisioned plan calls for dredging an entrance channel 200 feet wide and 7 feet deep from Long Island Sound, to expanded anchorage facilities covering an area of 350 acres which would also be dredged to a 7-foot depth.

This proposed dredging would rid Little Neck Bay of unsightly, drifting mudbanks, removing the difficulties which have arisen from insufficient depth in the southerly part of the bay causing craft to moor in less sheltered areas—a condition which has plagued boaters for years. But, beyond this hazard, the deteriorating conditions has been a direct jeopardy to the health and property valuation of local residents.

At the same time the dredging operation is underway, it would be a tremendous community improvement to have a 3,000 foot seawall constructed along the western shore of the bay, so that the 2 million cubic yards of fill which the dredging will yield—could be utilized in the creation of waterfront recreation areas, playgrounds, and parking facilities. It is estimated that such a wall would cost not more than $375,000. This certainly would be money well spent. A portion of this fill could also be used for the planned extension of Alley Pond Park, and for the construction of a public marina—a real bonus to the community.

I wish the story had its happy ending here. But, there is still more to be done. The action here today, which I trust will be sustained by the Senate and approved by the President, is not, unfortunately, the complete fruition of the objective. It is, however, a long-sought start and an essential one.

The next step is for the State to match the Federal funds. There seems to be no State provision for providing moneys for such a purpose and legislation to correct this situation continually faces jurisdictional conflict. There have been some difficult hurdles, and I trust they will be overcome.

An answer to this problem—not only for Little Neck Bay, but for all similar situations throughout the country—can be found by applying funds derived from marine fuel taxes that now go to the highway trust fund for this purpose. My bill, H.R. 12890, would transfer to the several States the money being held in reserve by the Federal Government in the highway trust fund, and would require the States to earmark the money for the improvement of boating facilities. I call this legislation to the attention of my colleagues and enlist their support in its behalf.

All we seek, Mr. Chairman, is that the unclaimed and unrefunded portion of the fund be allocated for the sole purpose of improving boating facilities and improving harbors. After all, it is the use of the marine craft that produced this portion of the fund. It is no more than equitable then that it should be applied toward the improvement of the navigable waterways which will benefit the boat users who pay the tax in the first place.

This fund, Mr. Speaker, is now estimated to total some $13 million. It has been accumulated from the unrefunded 2-cent portion of the Federal taxes collected on sales of marine fuels.

My bill would appropriate to each State its pro rata share of this fund. New York's portion should more than take care of the matching funds it needs for its contribution to such projects as the one planned for Little Neck Bay.

The very establishment of the trust fund attests to the fact that the Federal Government intended to hold this money in reserve for boatmen. While some have received a refund of 2 cents for each gallon of marine gasoline they buy, the refund procedure is so complicated that it becomes impossible for the average operator of a small open boat to keep the records necessary to apply for a refund.

In a very real sense these funds are owed to these very boatmen and should be used for their benefit. It is tragic that this situation continues to exist while at the same time worthwhile and desired harbor improvement projects are prevented from going ahead because of lack of funds locally. It is only fitting that the trust fund be returned to the States in the proportion of their contributions to it, and that these moneys be used for harbor improvement. My bill is intended to do just that.

And, Mr. Speaker, to realize the side-benefits to which I referred earlier, we must look to New York's City Hall. It would be a shame, Mr. Chairman, if these side benefits which cost so little do not become a part of the overall plans. Surely, few projects are able to harvest such varied and desirable benefits for the over 1 million residents of the area surrounding Little Neck Bay.

Mr. Chairman, again let me say that few projects offer such desirable residual advantages to all concerned. As I stated, the project will make possible new playgrounds, parking facilities, waterfront recreational areas, and a park extention. Thus, the improvement of Little Neck Bay would not only be of a tremendous benefit to the many boatmen who use it and would provide a safer harbor of refuge—but would also make possible new recreational facilities, eliminate health fears and improve the property valuation of the many residents of the area.

Mr. Chairman, this bill fulfills an objective we in Queens and Nassau Counties have sought for a long time. I urge my colleagues to join me in giving it their fullest support.

Mr. SCHADEBERG. Mr. Chairman, it is with a deep sense of pride that I speak of the efforts of the city of Kenosha, Wis., and the dedicated cooperation of business firms and private citizens of Kenosha to create an international port of entry from a small natural harbor used by fishing boats and pleasure craft.

The impossible was accomplished. Kenosha, Wis., has been designated an international port of entry. The city spent $750,000 for land acquisition, construction of warehouse facilities, and dredging to make the port of Kenosha inviting to foreign ships using the St. Lawrence Seaway. A private concern, the Endee Co., spent $1.5 million to improve facilities for the expected business of the St. Lawrence Seaway.

Year 1961 was a good year for the Kenosha port—1962 was even better. By the end of August 1962, 68 ships used the port of Kenosha, compared with 38 by the end of August 1961. A total of

76 foreign ships called at the Kenosha port during 1961, compared to 4 in 1958, and about 50,000 tons of import and export cargo were handled, compared to 953 tons in 1958—the opening season of the St. Lawrence Seaway. The port of Kenosha handles the oversea shipment of Rambler automobiles made in Kenosha, feed grains, flour, lard and tallow, and military cargo.

Ships using the St. Lawrence Seaway are larger and loading heavier than in the past and lake ports must be deepened to accommodate the ships using the seaway, if the seaway is to be utilized to the full extent of its promise.

Recently the heavily laden Swiss freighter *Castagnola* ran aground at the entrance to the Kenosha Harbor. An all-night battle against heavy seas and a 40-mile-an-hour northeast wind which trapped the ship ended with its rescue from being smashed against the south pier, but unable to proceed. The *Castagnola*, which ran aground on a sandbar at the mouth of the harbor channel, was literally dragged through the sand back to the protection of the harbor, after 14 hours and 35 minutes of combined effort by the Coast Guard and private tugs. The *Castagnola* was grounded on mud and sand. This condition will be improved by deepening the entrance and approach channels as recommended by the Army Engineers.

The Corps of Engineers has recommended a $673,000 dredging project to deepen the Kenosha port to a depth of 25 feet to correspond with the depth of the St. Lawrence Seaway. The Kenosha Harbor project is included in H.R. 13273, the omnibus rivers and harbors and flood control bill and I respectfully ask for the favorable consideration of the House to this measure.

Mr. DERWINSKI. Mr. Chairman, this "pork barrel" bill is traditionally an abuse of the taxpayers and a vehicle whereby political debts are paid at their expense. The only justification for the huge cost of this measure is that numerous sound and needed projects are included, and in effect, the good outweigh the bad.

The action of the conferees in removing from the bill the $110,000 appropriation for preconstruction planning on the Calumet Harbor and River project, Indiana, and Illinois, is a great blow, completely unjustified. The continued development and expansion of the Lake Calumet Harbor is of major importance to Chicago and the entire Midwest. The removal of this project cannot be justified as an economy move especially with millions of dollars in excessive and unnecessary projects remaining in the bill.

I realize that in the rush for Congress to adjourn, the Members will pay little heed to one Member's plea for some semblance of sanity in this conference report. However, I emphasize to the House the complete irrationality in removing the preconstruction planning on the Calumet Harbor and River project and urge the rejection of the conference report so that this item can be restored.

Mr. ROBISON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time merely to announce to the House that at the appropriate moment I intend to offer a motion to recommit with instructions to strike the Burns Creek project.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I thought yesterday when the $10 million fishbowl was passed I heard the jingle of sleigh bells. With this $2,300 million "pork" bill this afternoon I hear them all over the place. I want to wish all of you a merry Christmas.

The SPEAKER. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13273) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, pursuant to House Resolution 823, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. ROBISON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ROBISON. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ROBISON moves to recommit the bill, H.R. 13273, to the House Committee on Public Works with instructions to report the bill back to the House forthwith with the following amendment: On page 44, delete all the words on lines 4 through 8.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. ROBISON. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 203, nays 130, answered "present" 1, not voting 102, as follows:

[Roll No. 269]

YEAS—203

Abbitt	Auchincloss	Beermann
Abernethy	Avery	Betts
Addabbo	Ayres	Boland
Alford	Bailey	Bolton
Alger	Baldwin	Bonner
Andersen, Minn.	Barry	Bow
	Bass, N.H.	Bray
Andrews	Bates	Bromwell
Arends	Battin	Broomfield
Ashbrook	Becker	Broyhill
Ashmore	Beckworth	Bruce
Burke, Mass.	Gross	Patman
Burleson	Gubser	Pelly
Byrnes, Wis.	Haley	Perkins
Cahill	Halleck	Philbin
Carey	Hardy	Pillion
Casey	Harrison, Wyo.	Pirnie
Cederberg	Harsha	Poff
Chamberlain	Harvey, Mich.	Pucinski
Chenoweth	Henderson	Randall
Church	Hoffman, Ill.	Ray
Clancy	Horan	Reece
Clark	Hosmer	Rhodes, Ariz.
Collier	Huddleston	Rhodes, Pa.
Colmer	Hull	Riehlman
Conte	Jarman	Rivers, S.C.
Cook	Jennings	Roberts, Tex.
Cooley	Jensen	Robison
Corbett	Joelson	Rogers, Fla.
Cramer	Johansen	Rutherford
Cunningham	Jonas	St. George
Curtis, Mass.	Keith	St. Germain
Curtis, Mo.	Kilgore	Saylor
Daddario	King, N.Y.	Schadeberg
Dague	Kitchin	Schenck
Davis, James C.	Knox	Schneebeli
	Kornegay	Schweiker
Denton	Kunkel	Schwengel
Derounian	Kyl	Scott
Derwinski	Lane	Selden
Devine	Langen	Shriver
Dole	Latta	Sibal
Donohue	Lennon	Sikes
Dowdy	Lipscomb	Slack
Downing	McCulloch	Smith, Calif.
Dulski	McVey	Smith, Va.
Durno	Mahon	Stafford
Dwyer	Mailliard	Staggers
Elliott	Martin, Nebr.	Stratton
Ellsworth	Mathias	Taylor
Fascell	Matthews	Teague, Calif.
Feighan	Meader	Teague, Tex.
Fenton	Miller, N.Y.	Thomson, Wis.
Findley	Milliken	Tuck
Fino	Minshall	Vanik
Fisher	Monagan	Waggonner
Ford	Moore	Wallhauser
Fountain	Morgan	Walter
Frelinghuysen	Morse	Westland
Fulton	Mosher	Wharton
Garland	Murray	Whitener
Gary	Nelsen	Whitten
Gathings	Norblad	Widnall
Gavin	Nygaard	Wilson, Calif.
Giaimo	O'Brien, N.Y.	Wilson, Ind.
Grant	Osmers	Winstead
Gray	Ostertag	Young
Griffin	Passman	Younger

NAYS—130

Albert	Hechler	Pfost
Ashley	Hemphill	Pike
Baker	Holifield	Pilcher
Baring	Ichord, Mo.	Poage
Barrett	Inouye	Powell
Bass, Tenn.	Johnson, Calif.	Price
Bennett, Fla.	Johnson, Md.	Purcell
Blatnik	Johnson, Wis.	Reuss
Boggs	Jones, Ala.	Riley
Brademas	Karsten	Rivers, Alaska
Brooks, Tex.	Kastenmeier	Roberts, Ala.
Buckley	Kearns	Rodino
Byrne, Pa.	Kelly	Rogers, Colo.
Celler	Keogh	Rooney
Chelf	King, Calif.	Rosenthal
Cohelan	King, Utah	Rostenkowski
Corman	Kluczynski	Roush
Daniels	Landrum	Ryan, Mich.
Davis, Tenn.	Lankford	Ryan, N.Y.
Dawson	Lesinski	Santangelo
Delaney	Libonati	Shelley
Dingell	Loser	Sisk
Dorn	McFall	Smith, Iowa
Doyle	Macdonald	Smith, Miss.
Edmondson	Mack	Steed
Everett	Madden	Stephens
Farbstein	Marshall	Stubblefield
Finnegan	May	Sullivan
Flood	Merrow	Thomas
Flynt	Mills	Thompson, N.J.
Forrester	Montoya	Thompson, Tex.
Friedel	Moorhead, Pa.	Toll
Gallagher	Morris	Tollefson
Garmatz	Morrison	Trimble
Gilbert	Moss	Tupper
Gonzalez	Multer	Udall, Morris K.
Granahan	Murphy	Weaver
Green, Oreg.	Natcher	Wickersham
Green, Pa.	Nedzi	Willis
Hagan, Ga.	Nix	Wright
Hagen, Calif.	O'Hara, Ill.	Yates
Halpern	O'Hara, Mich.	Zablocki
Harding	Olsen	
Healey	O'Neill	

ANSWERED "PRESENT"—1

Fallon

NOT VOTING—102

Adair	Harrison, Va.	Norrell
Alexander	Harvey, Ind.	O'Brien, Ill.
Anderson, Ill.	Hays	O'Konski
Anfuso	Hébert	Peterson
Aspinall	Herlong	Quie
Belcher	Hiestand	Rains
Bell	Hoeven	Reifel
Bennett, Mich.	Hoffman, Mich.	Rogers, Tex.
Berry	Holland	Roosevelt
Blitch	Jones, Mo.	Roudebush
Bolling	Judd	Rousselot
Boykin	Karth	Saund
Breeding	Kee	Scherer
Brewster	Kilburn	Scranton
Brown	Kirwan	Seely-Brown
Burke, Ky.	Kowalski	Sheppard
Cannon	Laird	Shipley
Chiperfield	Lindsay	Short
Coad	McDonough	Siler
Curtin	McDowell	Spence
Davis, John W.	McIntire	Springer
Dent	McMillan	Taber
Diggs	McSween	Thompson, La.
Dominick	MacGregor	Thornberry
Dooley	Magnuson	Ullman
Evins	Martin, Mass.	Utt
Fogarty	Mason	Van Pelt
Frazier	Michel	Van Zandt
Glenn	Miller, Clem	Vinson
Goodell	Miller, George P.	Watts
Goodling	Moeller	Weis
Griffiths	Moorehead, Ohio	Whalley
Hall	Moulder	Williams
Hansen		Zelenko
Harris		

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Fallon for, with Mr. Ullman against.
Mr. Dent for, with Mr. Hébert against.
Mr. Holland for, with Mr. Thompson of Louisiana against.
Mr. Bell for, with Mr. George P. Miller against.
Mr. Laird for, with Mr. Shipley against.
Mr. Martin of Massachusetts for, with Mr. Anfuso against.
Mr. Williams for, with Mr. Roosevelt against.
Mr. Glenn for, with Mr. Sheppard against.
Mr. Goodling for, with Mr. Clem Miller against.
Mr. MacGregor for, with Mr. Frazier against.
Mr. Hiestand for, with Mr. Peterson against.
Mr. Rousselot for, with Mr. O'Brien of Illinois against.
Mr. Utt for, with Mr. Magnuson against.
Mr. Taber for, with Mr. Kirwan against.
Mr. Scherer for, with Mr. Brewster against.
Mr. Lindsay for, with Mr. Moeller against.
Mrs. Kee for, with Mr. Zelenko against.
Mr. Seely-Brown for, with Mrs. Hansen against.
Mr. Hoeven for, with Mr. Diggs against.
Mr. Alexander for, with Mr. John W. Davis against.
Mr. Goodell for, with Mr. Aspinall against.
Mr. Brown for, with Mr. Breeding against.
Mr. Quie for, with Mrs. Griffiths against.
Mr. Judd for, with Mr. Spence against.
Mr. Short for, with Mr. Karth against.
Mr. Roudebush for, with Mr. Hays against.
Mr. Michel for, with Mr. Coad against.

Until further notice:

Mr. Evins with Mr. Anderson of Illinois.
Mr. Burke of Kentucky with Mr. Scranton.
Mr. Thornberry with Mr. O'Konski.
Mr. Rogers of Texas with Mr. Kilburn.
Mr. Rains with Mr. Hall.
Mr. Watts with Mr. Reifel.
Mr. Vinson with Mr. McDonough.
Mr. Fogarty with Mr. Siler.
Mr. Harris with Mr. Berry.
Mr. Harrison of Virginia with Mr. Adair.
Mr. Herlong with Mr. Curtis.
Mr. McMillan with Mr. Dominick.
Mr. Kowalski with Mr. Moorehead of Ohio.
Mr. McSween with Mr. Bennett of Michigan.
Mrs. Norrell with Mr. Springer.
Mr. Moulder with Mr. Van Pelt.
Mr. McDowell with Mr. McIntire.
Mr. Saund with Mr. Harvey of Indiana.
Mrs. Blitch with Mr. Belcher.

Mr. FALLON. Mr. Speaker, I have a live pair with the gentleman from Oregon, Mr. ULLMAN. Had he been present, he would have voted "nay." I voted "yea." Therefore, I withdraw my vote and vote "present."

Messers. JARMAN, PERKINS, ROBERTS of Texas, WALTER, ELLIOTT, BONNER, FASCELL, ST. GERMAIN, LANE, PHILBIN, DONOHUE, and RANDALL changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. DAVIS of Tennessee. Mr. Speaker, pursuant to the instructions of the House, I report the bill H.R. 13273 back to the House with an amendment which is at the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 44, delete all the words on lines 4 through 8.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. LATTA. On this vote, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to adjust indexes, cross-references, and numbers of sections in the bill just passed.

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

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 9491. An act to provide for the removal of an encumbrance on the title of certain real property heretofore conveyed to the Board of Education of the Vallejo School District, Vallejo, Calif., by the U.S. Housing Corporation.

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. 12580. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCLELLAN, Mr. ELLENDER, Mr. HAYDEN, Mr. HOLLAND, Mr. FULBRIGHT, Mr. MANSFIELD, Mrs. SMITH of Maine, Mr. SALTONSTALL, Mr. MUNDT, and Mr. HRUSKA to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 962. An act to amend the Federal Aviation Act of 1958, as amended, to aid the Civil Aeronautics Board in the investigation of aircraft accidents, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7927) entitled "An act to adjust postal rates, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 901) entitled "An act to advance the marine sciences, to establish a comprehensive 10-year program of oceanographic research and surveys, to promote commerce and navigation, to secure the national defense, to expand ocean, coastal, and Great Lakes resources, to authorize the construction of research and survey ships and laboratory facilities, to expedite oceanographic instrumentation, to assure systematic studies of effects of radioactive materials in marine environments, to enhance the public health and general welfare, and for other purposes."

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1963

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 12580 making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1963, and for other purposes with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none and appoints the following conferees:

Messrs. ROONEY, SIKES, CANNON, BOW, and TABER.

AMENDING AND SUPPLEMENTING THE LAWS WITH RESPECT TO MANUFACTURE AND DISTRIBUTION OF DRUGS

Mr. ROBERTS of Alabama submitted a conference report and statement on the bill (S. 1552) to amend and supplement the laws with respect to the manufacture and distribution of drugs, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 4034. An act for the relief of Lt. Cmdr. David V. Kyrklund;

H.R. 6386. An act for the relief of Cleo A. Dekat;

H.R. 7791. An act to amend title 13 of the United States Code to provide for the collection and publication of foreign commerce and trade statistics, and for other purposes;

H.R. 8321. An act for the relief of Maj. Clara May Matthews;

H.R. 8662. An act for the relief of Jose Fuentes;

H.R. 9128. An act for the relief of Sgt. Ernest I. Aguilar;

H.R. 9199. An act for the relief of certain officers and enlisted personnel of the 1202d Civil Affairs Group (Reinf Tng), Fort Hamilton, Brooklyn, N.Y.;

H.R. 9804. An act for the relief of Cuyahoga County, Ohio;

H.R. 9894. An act for the relief of Loretta Shea, deceased, in full settlement of the claims of that estate;

H.R. 10002. An act for the relief of civilian employees of the New York Naval Shipyard and the San Francisco Naval Shipyard erroneously in receipt of certain wages due to a misinterpretation of a Navy civilian personnel instruction;

H.R. 10026. An act for the relief of Thomas J. Fitzpatrick and Peter D. Power;

H.R. 10199. An act for the relief of Lester A. Kocher;

H.R. 10415. An act for the relief of Earl T. Briley;

H.R. 10423. An act for the relief of Mrs. Dorothy H. Johnson;

H.R. 11058. An act for the relief of Carl Adams;

H.R. 11334. An act for the relief of Mary J. Papworth;

H.R. 11578. An act for the relief of Don C. Jenson and Bruce E. Woolner;

H.R. 12090. An act for the relief of James Comeau;

H.R. 12539. An act for the relief of Leslie O. Cox and other employees of the Federal Aviation Agency;

H.R. 12701. An act for the relief of Catalina Properties, Inc.; and

H.R. 12936. An act for the relief of Kenneth E. Foussé and others.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1552) entitled "An act to amend and supplement the laws with respect to the manufacture and distribution of drugs, and for other purposes."

AMENDING SECTION 203 OF RURAL ELECTRIFICATION ACT OF 1936

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10708) to amend section 203 of the Rural Electrification Act of 1936, as amended, with respect to communication service for the transmission of voice, sounds, signals, pictures, writing, or signs of all kinds through the use of electricity, with an amendment of the Senate thereto and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, line 4, strike out all after "mean" down to and including "intended" in line 8, and insert: "message telegram service or community antenna television system services or facilities other than those intended exclusively."

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman say that the amendment of the other body is germane to the bill?

Mr. POAGE. Yes, I think they struck out a part of our bill.

Mr. GROSS. I just want to be sure there is not any subject matter that has been added to the bill that is not germane. I could not ascertain from reading the Senate amendment hurriedly whether or not it is germane. Has the minority agreed to this?

Mr. POAGE. The minority has approved it. The gentleman from California [Mr. TEAGUE] is standing at the minority table.

Mr. GROSS. Mr. Speaker, I withdraw the reservation of objection.

PARLIAMENTARY INQUIRY

Mr. KEARNS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEARNS. Mr. Speaker, I have two bills coming up tomorrow from my committee—the school lunch program and the child labor bill. I think the House is fairly well organized and I wonder if the Speaker could state when these bills will be programed for consideration.

The SPEAKER. The Chair will state in response to the parliamentary inquiry by the gentleman from Pennsylvania that the bills to which he has referred are programed for tomorrow.

Mr. KEARNS. Mr. Speaker, I have had my problems in connection with the Landrum-Griffin bill and the Hill-Burton Act and I have sat and listened to the testimony and debate on the school lunch program and the child labor bill. Could not these bills be brought up under unanimous consent?

The SPEAKER. The Chair will state that no one is more anxious than the Chair to have both pieces of legislation brought up and considered as they will be under the rules of the House.

Mr. KEARNS. I thank the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, and I believe I shall object, until we can understand what the amendments of the Senate are. In light of what transpired yesterday, I will object and I will continue to object until the House knows just what is in these amendments. I think it would be well if we waited. They will be printed in the RECORD and we will have a chance to read them and understand them.

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Texas [Mr. POAGE] to explain the amendments?

Mr. CURTIS of Missouri. I yield to the gentleman.

Mr. POAGE. The gentleman, apparently, does not want an explanation of the amendment.

Mr. CURTIS of Missouri. Mr. Speaker, I will say to the gentleman that these amendments frequently can be quite long and I cannot and I do not believe anyone can understand this in a few minutes at this time. I think if they are printed in the RECORD, we can read them and find out what they are for ourselves. It is very obvious that matters are coming over here that are not germane to legislation and are being agreed to by unanimous consent. As I said earlier, under the circumstances, I was going to object to these matters. They will be printed in the RECORD tomorrow and then, I am sure, there will not be any objection if the gentleman's explanation is correct.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. POAGE. I do not want to stand in the way of having it printed in the RECORD and being taken up tomorrow, but I would point out to the gentleman that these amendments are further limitations, that they were discussed by the committee, that there was a unanimous vote in the committee, with every member of the minority side present, that the ranking minority member of the committee approved the amendment this morning.

Mr. CURTIS of Missouri. Here is the problem, the gentleman from Iowa [Mr. HOEVEN] is the ranking minority member. He is not on the floor. I believe the gentleman's statement on these things, but I think it should be brought up when the chief member on the other side is present. I am just one Member of the House, but no harm can be done by having it printed in the RECORD tonight and take it up tomorrow.

Mr. POAGE. The gentleman from California is right there. He can vouch for it.

Mr. CURTIS of Missouri. He knows nothing about it; he told me so.

Mr. TEAGUE of California. The gentleman from Iowa [Mr. HOEVEN] did discuss it with the committee, and he said it was perfectly agreeable with him, that these amendments were restrictive. However, as for my situation I do not understand it.

Mr. CURTIS of Missouri. Mr. Speaker, I think we should let this go over until tomorrow.

The SPEAKER. Does the Chair understand that the gentleman objects for the time being? Is that correct?

Mr. CURTIS of Missouri. Yes, I object.

INDECENT PUBLICATIONS IN THE DISTRICT OF COLUMBIA

Mr. DOWDY submitted a conference report and statement on the bill (H.R. 4670) to amend the law relating to indecent publications in the District of Columbia.

PROVIDING COMPENSATION FOR CERTAIN WORLD WAR II LOSSES

Mr. MACK. Mr. Speaker, I call up the conference report on the bill (H.R. 7283) to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2513)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7283) to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 7, 8, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, 17, and 18, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(2), and thereafter of any award made pursuant to section 202(a) to any claimant certified to the Commission by the Small Business Administration as having been, on the date of loss, damage, or destruction, a small business concern within the meaning now set forth in the Small Business Act, as amended."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 206. At the end of the Act, as amended, add the following new section:

" 'SEC. 41. (a) Notwithstanding any statute of limitation, lapse of time, any prior decision by any court of the United States, or any compromise, release or assignment to the Alien Property Custodian, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and report to the Congress concerning the claims against the United States for the proceeds received by the United States from the sale of the property vested under the provisions of the Trading With the Enemy Act by vesting order numbered 33 relating to certificate numbers 104 to 121, inclusive, 125, 126, 128 to 134, inclusive, and 137 to 139, inclusive. Proceedings with respect to such claims may be instituted hereunder not later than one year after the date of the enactment of this Act.

" '(b) As used in this section the word "copyrights" includes copyrights, claims of copyrights, rights to copyrights, and rights to copyright renewals.

" '(c) All copyrights vested in the Alien Property Custodian or the Attorney General under the provisions of this Act subsequent to December 17, 1941, which have not been returned or otherwise disposed of under this Act, except copyrights vested by vesting orders 128 (7 F.R. 7578), 13111 (14 F.R. 1730), 14349 (15 F.R. 1575), 17366 (16 F.R. 2483), and 17952 (16 F.R. 6162) and copyrights vested with respect to the motion picture listed last in exhibit A of vesting order 11803, as amended (13 F.R. 5167, 15 F.R. 1626), are hereby divested as a matter of grace effective the ninety-first day after the date of enactment of this section, and the persons entitled thereto shall on that day succeed to the rights, privileges, and obligations arising out of such copyrights, subject, however, to—

" '(1) the rights of licensees under licenses issued by the Alien Property Custodian or the Attorney General in respect of such copyrights;

" '(2) the rights of assignees under assignments by the Alien Property Custodian or the Attorney General of interests in such licenses; and

" '(3) the right retained by the United States to reproduce, for its own use, or exhibit any divested copyrighted motion picture films.

The rights and interests remaining in the Attorney General under licenses issued by him or by the Alien Property Custodian in respect to copyrights divested hereunder are hereby transferred, effective the day of divestment, to the persons entitled to such copyrights: *Provided,* That all unpaid royalties or other income accrued in favor of the Attorney General under such licenses prior to the day of divestment shall be paid by the licensees to the Attorney General.

" '(d) All rights or interests vested in the Alien Property Custodian or the Attorney General under the provisions of this Act subsequent to December 17, 1941, arising out of prevesting contracts entered into with respect to copyrights, except—

" '(1) royalties or other income received by or accrued in favor of the Alien Property Custodian or the Attorney General under such contracts;

" '(2) rights or interests which have been returned or otherwise disposed of under this Act; and

" '(3) rights or interests vested by vesting orders 128 (7 F.R. 7578), 13111 (14 F.R. 1730), 14349 (15 F.R. 1575), and 17366 (16 F.R. 2483),

are hereby divested as a matter of grace, effective the ninety-first day after the date of enactment of this section, and the persons entitled to such rights or interests shall succeed thereto, subject to the right of the Attorney General to collect and receive all unpaid royalties or other income accrued in his favor under such prevesting contracts prior to the day of divestment.

" '(e) Nothing in this section shall be construed to transfer to a person entitled to a copyright divested hereunder the right of the Attorney General to sue for the infringement of such copyright during the period between (1) the vesting thereof or the vesting of rights and interests in a contract entered into with respect thereto, and (2) the day of divestment. The right to sue for infringement shall remain in the Attorney General.' "; and the Senate agree to the same.

OREN HARRIS,
PETER F. MACK, JR.,
LEO W. O'BRIEN,
JOHN D. DINGELL,
J. ARTHUR YOUNGER,
MILTON W. GLENN,
Managers on the Part of the House.

RUSSELL B. LONG,
ALAN BIBLE,
EVERETT M. DIRKSEN,
K. B. KEATING,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7283) to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

TECHNICAL AND CLERICAL AMENDMENTS

The following Senate amendments made technical, clerical, clarifying, or conforming changes: 1, 2, 3, 4, 7, 10, 11, 12, 17, and 18. With respect to these amendments the House recedes in order to conform to other action by the conference, or the Senate recedes in order to conform to other action agreed on by the committee of conference.

LATE NATIONALS

Amendment No. 5 would have authorized payment of war claims to persons presently U.S. nationals, who were not such nationals at the time the loss occurred.

Amendment No. 8 would have authorized the Foreign Claims Settlement Commission to determine the amount and validity of, and provided for the payment of claims of certain U.S. nationals who, while nationals of the United States or any government allied or associated with the United States during World War II, were detained as internees, or who, while serving in the armed forces of any government allied with or associated with the United States, were interned as prisoners of war during World War II, and who have since become U.S. nationals.

Amendment No. 9 would have authorized and directed the Foreign Claims Settlement Commission to receive and determine the validity and amount of claims of refugees from certain Communist countries who suffered loss or destruction of, or physical damage to, property in such countries during the period beginning May 8, 1945, and ending January 1, 1952.

With respect to amendments Nos. 5, 8, and 9, the Senate recedes, with the understanding that in the event there remains a balance in the war claims fund after the payment in full of claims provided for under this bill, consideration would be given to legislation providing for payment to these categories of persons. The committee of conference recommends that the Foreign Claims Settlement Commission should proceed to make an estimate of the amount of claims that would be involved in these amendments.

SMALL BUSINESS CLAIMANTS

Amendment No. 6 would provide for payment in full, after payments have been made in full for certain death and disability claims, to claimants certified by the Small Business Administration to have been small business concerns at the time of loss, damage, or destruction to its property. The House recedes with a clerical amendment.

SALE OF GENERAL ANILINE & FILM CORP.

Amendment No. 13 contains the provisions of H.R. 3460, as passed by the House of Representatives on August 9, 1962. This

amendment, which authorizes the sale, in time of war or national emergency, of any property or interest claimed in any suit filed under section 9(a) of the Trading With the Enemy Act, in substance, will provide for the sale of the General Aniline & Film Corp. The history of the problem dealt with in this amendment is set forth in full in House Report No. 2046, 87th Congress, accompanying H.R. 3460. In view of the sizable amounts involved in this sale, the managers on the part of the House expect that the Department of Justice will advise the Congress in advance of the arrangements made by the Department with respect to such sale.

CLAIMS OF SUCCESSOR ORGANIZATIONS

Amendment No. 14 provides for the settlement of claims of successor organizations for the return of vested heirless property. A House bill on this subject, H.R. 5028, was reported from the Committee on Interstate and Foreign Commerce on July 24, 1962.

DIVESTMENT OF ESTATES AND TRUSTS

Amendment No. 15 provides for the divestment of the Government's interest in vested estates, trusts, insurance policies, etc. All rights and interests in such property which have not become payable or deliverable to the Attorney General prior to December 31, 1961, would be divested.

DIVESTMENT OF COPYRIGHTS

Amendment No. 16 provides for the divestment of the Government's interest in certain copyrights. This subject was dealt with in H.R. 9045 which passed the House on August 13, 1962.

This amendment, as agreed to by the conferees, also provides for the Court of Claims to hear, determine, and report to the Congress concerning claims arising out of the vesting of certain shares of the General Dyestuff Corp. These shares were vested by the United States during World War II on the theory that their ownership by an American citizen was serving to cloak ownership by German nationals. Proceedings in the court must be instituted within 1 year after the date of enactment of this bill.

OREN HARRIS,
PETER F. MACK, Jr.,
LEO W. O'BRIEN,
JOHN D. DINGELL,
J. ARTHUR YOUNGER,
MILTON W. GLENN,
Managers on the Part of the House.

Mr. MACK. Mr. Speaker, today we bring before the House a conference report on a bill which provides for compensation for certain losses as a result of World War II. For 17 years American citizens who suffered war damage losses during the Second World War have been denied payment. During this same period we have rewarded citizens of the Philippines and most all countries have made settlements with their own citizens for similar losses.

Ever since the War Claims Act was passed in 1948 these people have waited patiently for Congress to reimburse them. Most of these people have only limited resources and many of them lost their life savings as a result of World War II. They had no lobby to represent them here and since they were in somewhat limited numbers they encountered difficulty in securing approval of the Congress. It gives me great satisfaction today to know that justice is finally being done to these citizens.

In 1959 my Subcommittee on Commerce and Finance held extensive hearings on this matter involving some 800 pages of testimony. As a result of those hearings a similar bill was passed at that time but no action was taken in the other body and the bill died with the adjournment of Congress.

This year the House again acted in approving this bill and under the direction and guidance of the distinguished Senator from Louisiana, the Honorable RUSSELL LONG, the Senate approved this bill and added several amendments.

From first glance it appears that the House agreed to all the Senate amendments, but this is not the case. When the bill was being considered in the Senate because of the unusual parliamentary situation, many other proposals which had formerly been passed by the House of Representatives were included as amendments to the bill in the Senate. And as a result the House conferees were agreeable to the Senate amendments. The principal bill included in these amendments was the General Aniline bill which provides for the disposal of this large corporation which has been operated by the Government for over 20 years and which is worth some $200 million. It is necessary for this plant to be disposed of so that its facilities may be expanded. The House formerly approved this bill without a dissenting vote and, therefore, we readily accepted this amendment. The effect of this amendment is to return to private enterprise one of the largest corporations ever operated by the Federal Government after some 20 years of operation under the directions of our Government. Since this sale will involve a considerable sum of money, we feel that the Department of Justice should advise the Congress in advance of the arrangements made by the Department with respect to the sale.

Amendments Nos. 5, 8, and 9 which are known as the late nationals amendments were not agreed to by the managers on the part of the House, because the House had opposed these amendments when the bill was in the House for consideration. These amendments involved claims by people who are now citizens but were not citizens at the time of the loss.

There was great sympathy for these amendments on the part of the managers on both the House and the Senate and the Senate receded with the understanding that in the event there remains a balance in the war claims fund after the payments of claims provided for under this bill, consideration would be given to legislation providing for the payment to these categories of persons. The conference committee also recommended that the Foreign Claims Settlement Commission should proceed to make an estimate of the amount of claims that would be involved in these amendments.

Amendment No. 6 gives a priority to small business in the settlement of claims and the managers on the part of the House accepted this amendment.

Amendment No. 14 provides for the settlement of claims of successor organizations for the return of vested heirless property. This amendment was identical to a bill which passed the House in the 86th Congress and one which I sponsored in this Congress which was reported by the House Interstate and Foreign Commerce Committee. Therefore the managers on the part of the House accepted this amendment.

The managers on the part of the House also accepted amendments Nos. 14 and 15 which provides for the divestment of estates and trusts and the divestment of copyrights. The latter amendment as agreed to by the conferees also provides for the court of claims to hear, determine and report to the Congress concerning claims arising out of the vesting of certain shares of the General Dyestuff Corp. These shares were vested on the theory that their ownership by an American citizen was serving to cloak ownership by German nationals.

Mr. Speaker, I am especially proud of my subcommittee which has labored so long in an effort to compensate these American citizens for their World War II property and it is gratifying to know that these citizens will be compensated even though it is now 17 years after the end of the war.

Mr. DINGELL. Mr. Speaker, as one of the conferees on H.R. 7283 I am distressed at the addition of section 41(a).

This section, as it was approved by the conferees proposes to confer jurisdiction on the U.S. Court of Claims to hear claims against the United States by the stockholders of General Dyestuff Corp. (except Dr. Walter Duisberg) for the proceeds received by the United States from the sale of such stock which had been vested under the provisions of the Trading With the Enemy Act.

The addition of the above subsection to the Trading With the Enemy Act has been prompted by complaints made by Mr. Ernest K. Halbach, now deceased, the principal stockholder of General Dyestuff Corp., that a settlement he had entered into of his lawsuit for the return of his vested stock was consummated through coercion and duress exerted against him.

General Dyestuff Corp. was incorporated in 1925 and has been a selling agent for dyestuffs produced by I. G. Farben. All the stock in General Dyestuff Corp. has since its incorporation been subject to an option agreement whereby the optionholder could redeem any of the shares of stock at the option price of $100 per share plus a dividend of 6 percent from the date of the last declaration of dividends. From 1926 until 1933 I. G. Farben itself held the option to purchase the stock. From 1933 until 1938 the option was held by Marion Co., an Illinois corporation, whose own shares of stock were in turn held under option to Ed. Greutert & Cie, of Switzerland, a private banking firm owned and controlled by I. G. Farben. From 1938 to 1939 the option on the General Dyestuff Corp. stock was held by Chemnyco, Inc., a Farben service agency in the United States. In 1939, when the Farben-controlled American I. G. Corp. changed its name to General Aniline & Film Corp., Chemnyco, Inc., renounced its option, thus giving up without any consideration a right to buy $2,500,000 worth of stock for $600,000. D. A. Schmitz, the brother of the head of I. G. Farben, sold his majority stock

interest in General Dyestuff Corp., as did two other smaller stockholders, to the corporation itself. The sale was made at the option price of $100 per share, notwithstanding its book value of $460 per share. This stock was resold by the corporation immediately to Halbach, Duisberg, and a few other employees of General Dyestuff Corp. at the price of $100. A new option agreement was signed by Halbach, Duisberg, and all other stockholders giving to General Dyestuff Corp. itself the same option as had always existed with the predecessor optionholders. In 1940 and 1941 two stock dividends were declared, each for 50 percent. As a result, Mr. Halbach's holdings, for example, increased from 2,100 shares to 4,725 shares.

All the stock of General Dyestuff Corp. was vested by the Alien Property Custodian on June 30, 1942, by vesting order No. 33 on the finding and determination that the stock was the property of foreign nationals. Each of the stockholders filed a claim for the return of the seized stock, and most of them—including Mr. Halbach and Dr. Duisberg—instituted lawsuits under section 9(a) of the Trading With the Enemy Act. Dr. Duisberg's lawsuit was dismissed for lack of prosecution, and such dismissal was upheld by the appellate courts. Mr. Halbach and the other stockholders, except Dr. St. George, were represented by the New York City law firm of Sullivan & Cromwell, and settlement negotiations were entered into. It was agreed between Mr. Halbach and the other stockholders and the Department of Justice attorneys that their claims would be settled by the payment to each of them of the option price, namely $100 per share plus 6 percent dividends since the last payment of dividends. These negotiations were consummated and payment was made in 1945. Inasmuch as 3 years had elapsed since the last payment of dividends, each of these stockholders—except Dr. St. George and Dr. Duisberg—received $118 per share. Mr. Halbach, for example, received for his 4,725 shares the sum of $557,550. He had paid for these shares $210,000.

From 1942 to 1950 Mr. Halbach remained on the payroll of General Dyestuff Corp. During that period of time he received as salary, bonuses, and salary adjustments the total sum of $558,600. Mr. Halbach retired in August 1950, at which time he was entitled to receive only $257 per month under the company's employee retirement plan and an additional $45 a month under social security. The board of General Dyestuff Corp. resolved, however, to make a voluntary monthly payment to him sufficient to bring him a total retirement pay of $1,500 per month.

In 1951, after his retirement, Mr. Halbach sought to obtain through private legislation and by a suit to vacate the judgment entered after the settlement in 1945 the reopening of his claim for the proceeds of the sale of his vested stock on grounds that the settlement had been entered into by reason of the exertion of coercion and duress against him. His motion to vacate the judgment was fully heard in the U.S. District Court for the District of New Jersey at which evidence and depositions were taken, and his motion to vacate the judgment was denied on the basis that there had been a complete failure to prove duress.

The Court of Appeals for the Third Circuit upheld the judgment of the lower court after appeal to it, and the Supreme Court of the United States denied certiorari. The issue of duress has been fully litigated. Moreover, the retention of Mr. Halbach as a high-salaried employee of General Dyestuff Corp. after the vesting of all the stock in the corporation, including Halbach's, and the generous treatment of his retirement annuity do not bespeak the duress alleged. Another important factor showing the absence of duress is the settlement that Dr. Duisberg agreed upon some 15 years after the Halbach settlement. Duisberg, the second largest stockholder of General Dyestuff Corp., was the only stockholder of that company with whom the Department of Justice had not settled. He was finally successful in obtaining a House resolution referring his claim against the United States to the Court of Claims for report on the legal and equitable nature of his claim, notwithstanding previous litigation, the statute of limitations, or res judicata. Dr. Duisberg accepted a settlement in 1961 on precisely the same formula as had been offered to Halbach and the other stockholders, namely, the option price of $100 per share plus dividends at 6 percent from 1942 to 1953, when General Dyestuff Corp. ceased to exist as an independent entity.

The stock of General Dyestuff Corp., had been seized notwithstanding its ownership by citizens of the United States because it was believed that the beneficial owner of the stock was I. G. Farben of Germany. The option agreements, the close association of the officers and directors of General Dyestuff Corp., with the personnel of I. G. Farben by blood relationship or economic dependence, and the sole concern of the corporation itself with Farben products, make this clear. After 1939 Mr. Halbach and General Dyestuff Corp., cooperated with I. G. Farben to distribute Farben products to South American companies in evasion of the British blockade. Testimony concerning these activities was presented to the Kilgore committee in December 1945 and is embodied in "Elimination of German Resources for War," hearings before a subcommittee of the Senate Committee on Military Affairs, June 1945 to March 1946.

Mr. STRATTON. Mr. Speaker, while I have strongly supported this legislation, it has long been my hope that the eligibility requirement for consideration of claims could be extended beyond the definition contained in the bill as it originally passed the House. It was my hope that the claims of those who are citizens of the United States at the time of the enactment of this legislation might also be in order, as well as the claims of those who were American citizens at the time the original loss or injury was actually sustained. I supported amendments to H.R. 7283 to that end which were offered at the time the bill was originally considered; unfortunately these amendments did not prevail.

I was therefore delighted when the Senate adopted certain amendments that did liberalize the bill in this very direction, and I was hopeful that the conference committee would accept the Senate amendments.

I am indeed sorry, Mr. Speaker, that the conference report now before us does not retain the Senate wording on this point. I sincerely regret that the House conferees were unwilling to accept the Senate position.

Of course, Mr. Speaker, in spite of this disappointment I shall not vote against the conference report because I believe this legislation is too important to jeopardize in this way at this late date in this session. At least we are making some progress. At least the version finally adopted by the conference committee makes some progress over the original House wording, even though it is not as strong as the Senate wording and not as extensive in its direct coverage of proper and legitimate claimants as I would have wished.

Mr. Speaker, the statement of the managers on the part of the House makes it clear that in the event there remains a balance in the war claims fund, after the payment in full of claims provided under the bill, consideration would be given to legislation providing for payment to these categories of persons.

And the statement goes on to say:

> The committee of conference recommends that the Foreign Claims Settlement Commission should proceed to make an estimate of the amount of claims that would be involved in these amendments.

This at least, Mr. Speaker, is a step in the right direction. Hence I shall not oppose the conference report. I hope the Commission will move swiftly to carry out the recommendations of the conference committee. And I am hopeful, too, that the funds available under this program will indeed make it possible to satisfy the claims of those many fine persons who are still technically excluded, but who now at least, are in direct line for relief in line with the provisions of this conference report.

Mr. RYAN of New York. Mr. Speaker, I wish to comment on one deeply disappointing aspect of the conference report on H.R. 7283. The Senate has receded from amendment No. 5, a provision which I believe would have been consistent with our general philosophy of citizenship. This provision would have compensated those citizens who were citizens at the time of passage of this bill but were not citizens at the time they lost their property.

At the time this bill was before us I fought for such an amendment. I felt then, and still feel, that it is inconsistent with our traditions to treat some citizens different from others. This is nothing more or less than the creation of two classes of citizenship. Such a concept is wholly inconsistent with American jurisprudence.

The conference report attempts to mitigate the error by suggesting that, after all claims are paid under this bill,

those citizens, who are now citizens but not when they lost their property, might be compensated. The fact of the matter is, however, that there are over 34,000 claimants for war loss compensation; and the War Claims Commission has estimated that there will not be enough to pay all claims eligible under this bill. I regret that the conference committee did not include all citizens.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MACK. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the conference report, and that the gentleman from Michigan [Mr. DINGELL] may extend his remarks following mine before action was taken on the report.

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

There was no objection.

ADJUSTING POSTAL RATES, AND FOR OTHER PURPOSES

Mr. MURRAY submitted the following conference report and statement on the bill (H.R. 7927) to adjust postal rates, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2525)

[To accompany H.R. 7927]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7927) to adjust postal rates, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'Postal Service and Federal Employees Salary Act of 1962'.

"PART I—POSTAL SERVICE

"Title I—Postal Rates

"First-class mail

"SEC. 101. Section 4253(a) of title 39, United States Code, is amended by striking out the words 'four' and 'three' wherever appearing in subsection (a) and inserting in lieu thereof the words 'five' and 'four,' respectively.

"Airmail

"SEC. 102. (a) Section 4303 of title 39, United States Code, is amended—

"(1) by striking out the word 'seven' in subsection (a) and inserting in lieu thereof the word 'eight';

"(2) by striking out the word 'five' in subsection (b) and inserting in lieu thereof the word 'six';

"(3) by increasing each of the rates under the heading 'First pound over 8 ounces or fraction thereof' in the table in subsection (d)(1) by 8 cents;

"(4) by striking out paragraph (2) of subsection (d) and inserting in lieu thereof the following:

"'(2) The rate of postage on air mail of the first class weighing in excess of eight ounces shall be the rate provided by subsection (a) for each ounce not in excess of eight ounces, plus 5 cents for each ounce or fraction thereof in excess of eight ounces, but in no case less than the rate provided under paragraph (1) for air parcels.'

"Second class within county of publication

"SEC. 103. Subsections (a) and (b) of section 4358 of title 39, United States Code, are amended to read as follows:

"'(a) Except as provided in subsection (b), the rate of postage on publications admitted as second-class mail when addressed for delivery within the county in which they are published and entered is as follows:

"'[In cents]

	"'Mailed after January 6, 1963, and prior to January 1, 1965	Mailed after December 31, 1964
"'Rate per pound	1	1¼
Minimum charge per piece	⅛	⅛

"'(b) The rate of postage on the following publications admitted as second-class mail when mailed for delivery, within the county in which they are published and entered, by letter carrier at the office of mailing, shall be—

"'(1) publications issued more frequently than weekly, one cent a copy;

"'(2) publications issued less frequently than weekly—

"'(A) weighing two ounces or less, one cent a copy;

"'(B) weighing more than two ounces, two cents a copy.'

"Second class beyond county of publication

"SEC. 104. (a) Section 4359(b) of title 39, United States Code, is amended to read as follows:

"'(b)(1) Except as provided by paragraphs (2), (3), and (4), the rates of postage on publications mailed in accordance with subsection (a) are as follows:

"'[In cents]

	"'Mailed after January 6, 1963, and prior to January 1, 1964	Mailed during calendar year 1964	Mailed after December 31, 1964
"'Rate per pound:			
Advertising portion:			
Zones 1 and 2	3.4	3.8	4.2
Zone 3	4.4	4.8	5.2
Zone 4	6.4	6.8	7.2
Zone 5	8.4	8.8	9.2
Zone 6	10.4	10.8	11.2
Zone 7	12.0	12.0	12.0
Zone 8	14.0	14.0	14.0
Nonadvertising portion	2.6	2.7	2.8
Minimum charge per piece	.6	.8	1.0

"'(2) The postage on classroom publications is 60 per centum of the postage computed in accordance with paragraph (1).

"'(3) The rates of postage on publications of a qualified nonprofit organization mailed in accordance with subsection (a) are as follows:

"'[In cents]

	"'Mailed after January 6, 1963, and prior to January 1, 1964	Mailed during calendar year 1964	Mailed after December 31, 1964
"'Rate per pound	1.6	1.7	1.8
Minimum charge per piece	.125	.125	.125

"'(4) In lieu of the minimum charge per piece prescribed by paragraph (1), the minimum charge per piece to be paid by the following publications (other than publications to which paragraph (2) or paragraph (3) is applicable) shall be as follows—

"'(A) publications mailing fewer than 5,000 copies per issue outside the county of publication—one-half cent per piece;

"'(B) any issue of a publication the advertising portion of which does not exceed 5 per centum of the entire issue—.55 of a cent per piece when mailed after January 6, 1963, and prior to January 1, 1964, .65 of a cent per piece when mailed during calendar year 1964, and .75 of a cent per piece when mailed after December 31, 1964.'

"(b) Section 4359(e)(2) of title 39, United States Code, is amended by striking out 'and fraternal,' and inserting in lieu thereof the following: 'fraternal, and associations of rural electric cooperatives, and not to exceed one publication published by the official highway agency of a State which meets all of the requirements of section 4354 and which contains no advertising'.

"(c) Section 4360 of title 39, United States Code, is repealed.

"Second-class transient mail

"SEC. 105. Section 4362 of title 39, United States Code, is amended by striking out 'two cents' and inserting in lieu thereof 'four cents'.

"Controlled circulation publications

"SEC. 106. Section 4422 of title 39, United States Code, is amended by striking out '12 cents a pound or fraction thereof' and inserting in lieu thereof the following: '12½ cents a pound or fraction thereof when mailed after January 6, 1963, and prior to January 1, 1964, 13 cents a pound or fraction thereof when mailed during calendar year 1964, and 13½ cents a pound or fraction thereof when mailed after December 31, 1964'.

"Third-class mail

"SEC. 107. Section 4452 of title 39, United States Code, is amended—

"(1) by amending subsections (a), (b), and (c) to read as follows:

"'(a) Except as provided in subsection (c) of this section, and subject to the minimum charge per piece provided in subsection (b) of this section, the postage rates on third-class mail are as follows:

"'Type of mailing	Rate	Unit
	Cents	
(1) Individual piece	4	First 2 ounces or fraction thereof.
	2	Each additional ounce or fraction thereof.
(2) Bulk mailings under subsec. (3) of this section of:		
(A) Books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions and plants.	12	Each pound or fraction thereof.
(B) Other matter	18	Do.

"'(b) Matter mailed in bulk under subsection (e) of this section is subject to a minimum charge for each piece of 2⅝ cents when mailed subsequent to January 6, 1963 and prior to January 1, 1964, 2⅝ cents when mailed during calendar year 1964, and 2⅞

cents when mailed after December 31, 1964, except that the minimum charge per piece on such matter mailed by qualified nonprofit organizations is 1¼ cents.

"'(c) The pound rates on matter mailed in bulk under subsection (e) by qualified nonprofit organizations are 50 per centum of the pound rates provided by subsection (a).'

"(2) by striking out 'subsections (a) and (b) of' wherever it appears in subsection (d).

"(3) by striking out '$20' and 'twenty pounds' in subsection (e) and inserting in lieu thereof '$30' and 'fifty pounds', respectively, effective January 1, 1963.

"Fourth-class mail

"SEC. 108. Section 4552(b)(5) of title 39, United States Code, relating to size and weight limitations on fourth-class matter mailed to or from certain areas, is amended by striking out the words 'Territory of Hawaii' and inserting in lieu thereof the words 'States of Alaska and Hawaii,'.

"SEC. 109. Section 4554 of title 39, United States Code (relating to books, films, and similar educational materials), is amended by striking out that part of subsection (a) which precedes paragraph (1) and inserting in lieu thereof the following:

"'(a) Except as provided in subsection (b) of this section, the postage rate is 9½ cents a pound for the first pound or fraction thereof and 5 cents for each additional pound or fraction thereof when mailed after January 6, 1963 and prior to January 1, 1964, and 10 cents for the first pound or fraction thereof and 5 cents for each additional pound or fraction thereof when mailed after December 31, 1963, except that the rate now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower than the rate prescribed in this subsection on—'.

"Fees for second-class entry and registration

"SEC. 110. Section 4357 of title 39, United States Code, is amended—

"(1) by striking out '$25' in subsection (a)(1) and inserting in lieu thereof '$30';

"(2) by striking out '$50' in subsection (a)(2) and inserting in lieu thereof '$60';

"(3) by striking out '$100' in subsection (a)(3) and inserting in lieu thereof '$120';

"(4) by striking out '$10' in the first sentence of subsection (b) and inserting in lieu thereof '$15';

"(5) by striking out the second sentence of subsection (b) and inserting in lieu thereof the following: 'The fee for each additional entry is $15, except that if the additional entry is made within zones 3 to 8, inclusive (determined from the office of publication and entry), of the zones established for purposes of fourth-class mail, such fee shall be $50.';

"(6) by striking out '$20' in subsection (c) and inserting in lieu thereof '$25'; and

"(7) by striking out the last sentence in subsection (d).

"Permit fees for mailing without stamps

"SEC. 111. Section 4052(b) of title 39, United States Code, is amended by striking out '$10' and inserting in lieu thereof '$15'.

"Fixing of fees by Postmaster General

"SEC. 112. Section 507 of title 39, United States Code, is amended by adding at the end thereof the following:

"'(12) the issuance of a permit for prepayment of postage without stamps.

"'(13) the entry, re-entry, or additional entry of a periodical publication as second-class mail.

"'(14) the registry of a news agent.

Fees prescribed by the Postmaster General under paragraphs (12) to (14), inclusive, shall be collected in lieu of the corresponding fees established under section 4052(b) or 4357."

"Keys and other small articles

"SEC. 113. Section 4651(b) of title 39, United States Code, is amended by striking out '5 cents' and inserting in lieu thereof '6 cents'.

"Method of determining gross receipts

"SEC. 114. Section 711(c) of title 39, United States Code, is amended by striking out 'Public Law 85–426' and inserting in lieu thereof 'any Act of Congress enacted on or after May 27, 1958'.

"Standards for determination of qualifications of applicants for positions of postmaster

"SEC. 115. In evaluating the qualifications of applicants for positions of postmaster, the United States Civil Service Commission shall give, with respect to each applicant, all due and appropriate consideration to experience in the postal field service, including seniority, length of service, level of difficulty and responsibility of work, attendance, awards and commendations, and performance rating.

"Title II—Postal Policy

"SEC. 201. (a) Section 2302(c)(4) of title 39, United States Code, is amended by striking out 'deemed to be attributable to the performance of public services under section 2303(b) of this title' and inserting in lieu thereof 'determined under section 2303 of this title to be attributable to the performance of public services'.

"(b) Section 2303(a) of title 39, United States Code, is amended—

"(1) by amending the heading so as to read

"'§ 2303. Identification of public services and costs thereof';

"(2) by striking out paragraph 1(A) and inserting in lieu thereof the following:

"'(A) reduced rates for certain publications as provided by section 4359 of this title;';

"(3) by striking out paragraph 1(C) and inserting in lieu thereof the following:

"'(C) second class mailings at postage rates as provided by section 4358 of this title;'; and

"(4) by striking out paragraph (2) and inserting in lieu thereof the following:

"'(2) 10 per centum of the gross cost of the operation of third-class post offices and the star route system, and 20 per centum of the gross cost of the operation of fourth-class post offices and rural routes.'

"(5) by adding at the end thereof the following new sentence: 'The terms "total loss" and "loss" as used in this section mean the amounts by which the total allocated costs incurred by the postal establishment in the performance of the public services enumerated in this subsection exceed the total revenues received by the postal establishment for the performance of such public services.'

"(c) Section 2303(b) of title 39, United States Code, is amended to read as follows:

"'(b) The Postmaster General shall report to the Congress, on or before February 1 of each year beginning with the year 1963, the estimated amount of the losses or costs (or percentage of costs) specified in subsection (a) incurred by the postal establishment in the then current fiscal year in the performance of the public services enumerated in such subsection. The aggregate amount of the losses or costs (or percentage of costs) specified in subsection (a), incurred by the postal establishment in any fiscal year in the performance of such public services, shall be excluded from the total cost of operating the postal establishment for purposes of adjustment of postal rates and fees, including any adjustment pursuant to the provisions of section 207(b) of the Act of February 28, 1925, relating to reformation of classification (39 U.S.C., 1958 ed. 247).'

"(d) The table of contents of chapter 27 of title 39, United States Code, is amended by striking out

"'2303. Identification of and appropriations for public services.'

and inserting in lieu thereof:

"'2303. Identification of public services and costs thereof.'.

"Title III—Miscellaneous

"Eligibility of certain organizations for second-class entry

"SEC. 301. Section 4355(a) of title 39, United States Code, is amended—

"(1) by inserting after the words 'State board of health' in subparagraph (3) a comma and the words 'or a State industrial development agency';

"(2) by striking out the period at the end of subparagraph (9) and inserting in lieu of such period a semicolon and the word 'or'; and

"(3) by adding at the end thereof the following new subparagraph (10):

"'(10) published by any public or nonprofit private elementary or secondary institution of learning or its administrative or governing body.'.

"Educational materials

"SEC. 302. Section 4554 of title 39, United States Code, is amended—

"(1) by striking out paragraph (5) of subsection (a) and inserting in lieu thereof the following:

"'(5) sound recordings, including incidental announcements of recordings and guides or scripts prepared solely for use with such recordings;';

"(2) by striking out the period at the end of paragraph (6) of subsection (a) and inserting in lieu thereof a semicolon;

"(3) by adding at the end of subsection (a) the following:

"'(7) printed educational reference charts, permanently processed for preservation; and

"'(8) looseleaf pages, and binders, therefor, consisting of medical information for distribution to doctors, hospitals, medical schools, and medical students.'

"(4) by striking out the word 'students'" immediately preceding the word 'notations' in paragraph (1) of subsection (a) and in paragraph (2) of subsection (b);

"(5) by inserting after the words 'loaned or exchanged' in paragraph (1) of subsection (b) the following: '(including cooperative processing by libraries)';

"(6) by striking out:

"'(D) bound volumes of periodicals;

"'(E) phonograph recordings; and'

in paragraph (2) of subsection (b) and inserting in lieu thereof:

"'(D) periodicals, whether bound or unbound;

"'(E) sound recordings; and'; and

"(7) by striking out 'and catalog of those items' in subsection (c) and inserting in lieu thereof 'scientific or mathematical kits, instruments, or other devices and catalogs of those items, and guides or scripts prepared solely for use with such materials'.

"Reading and other materials for blind persons

"SEC. 303. Sections 4653 and 4654 of title 39, United States Code, are amended to read as follows:

"'§ 4653. Publications for blind persons

"'(a) The following matter may be mailed free of postage—

"'(1) books, pamphlets, and other reading matter, including pages thereof:

"'(A) published (whether prepared by hand, or printed) either in raised characters or in sightsaving-size type, or in the form of sound recordings, for use of blind persons;

"'(B) in packages not exceeding the weight prescribed by the Postmaster General;

"'(C) containing no advertising or other matter whatsoever;

"'(D) unsealed;

"'(E) sent—

"'(i) by an institution, agency, publisher, organization, or association (including a library or school and including organizations or associations of or for blind people), not conducted for private profit, as a loan to blind readers, or when returned by the blind reader to the lender; or

"'(ii) to a blind person without cost to the blind person; or

"'(iii) to an institution, agency, publisher, organization, or association (including a library or school and including organizations or associations of or for blind people), not conducted for private profit, to be furnished to a blind person without cost to such blind person.

"'(2) magazines, periodicals, and other regularly issued publications:

"'(A) published (whether prepared by hand, or printed) either in raised characters or in sightsaving-size type, or in the form of sound recordings, for use of blind persons;

"'(B) containing no advertising;

"'(C) for which no subscription fee is charged.

"'(b) There may be mailed at the rate of postage of 1 cent for each pound or fraction thereof—

"'(1) books, pamphlets, and other reading matter, including pages thereof:

"'(A) published (whether prepared by hand, or printed) either in raised characters or in sightsaving-size type, or in the form of sound recordings, for use of blind persons;

"'(B) in packages not exceeding the weight prescribed by the Postmaster General;

"'(C) containing no advertising or other matter whatsoever;

"'(D) unsealed;

"'(E) sent—

"'(i) by an institution, agency, publisher, organization, or association (including a library or school and including organizations or associations of or for blind people), not conducted for private profit, on a rental basis to blind readers, or when returned by the blind reader to such organizations, at a price not greater than the cost price thereof; or

"'(ii) to a blind person at a price not greater than the cost price thereof; or

"'(iii) to an institution, agency, publisher, organization, or association (including a library or school and including organizations or associations of or for blind people), not conducted for private profit, to be furnished to a blind person at a price not greater than the cost price thereof.

"'(2) magazines, periodicals, and other regularly issued publications:

"'(A) published (whether prepared by hand, or printed) either in raised characters or in sightsaving-size type, or in the form of sound recordings, for use of blind persons;

"'(B) containing no advertising;

"'(C) when furnished by an institution, agency, publisher, organization, or association (including a library or school and including organizations or associations of or for blind people), not conducted for private profit, to a blind person, at a price not greater than the cost price thereof.

"'§ 4654. Reproducers, sound recordings, and other materials and appliances for the preparation of reading matter for blind persons

"'(a) Reproducers, or parts thereof, for sound recordings for blind persons which are the property of the United States Government may be mailed free of postage when sent for repair, or returned after repair—

"'(1) by an organization, institution, public library, or association for blind persons, not conducted for private profit;

"'(2) by a blind person to such an agency not conducted for private profit;

"'(3) from such an agency to an organization, institution, public library, or association for blind persons not conducted for private profit; or

"'(4) to a blind person.

"'(b) The Postmaster General may extend the free mailing privilege provided by subsection (a) of this section to reproducers or parts thereof for sound recordings for blind persons, braille writers and other appliances for blind persons or parts thereof, that are the property of—

"'(1) State governments or subdivisions thereof;

"'(2) public libraries;

"'(3) private agencies for the blind not conducted for private profit; or

"'(4) blind individuals.

"'(c) The Postmaster General may also permit the mailing free of postage of paper, records, tapes, and other materials for use by the recipients for the production (whether by hand or printed) of reading matter either in raised characters or sightsaving-size type, or in the form of sound recordings, for use of blind persons, where such materials are the property of—

"'(1) State governments or subdivisions thereof;

"'(2) public libraries;

"'(3) private agencies for the blind not conducted for private profit; or

"'(4) blind individuals.'

"Repeals and technical amendments

"SEC. 304. (a) The following provisions of law are repealed:

"(1) The third proviso in section 3 of the Act of October 30, 1951, as amended by the Act of June 23, 1959 (73 Stat. 89; Public Law 86–56);

"(2) Sections 204(d), 204(e)(1), and 204(e)(2) of the Postal Rate Revision and Federal Employees Salary Act of 1948, as amended by the Act of July 14, 1960 (74 Stat. 479; Public Law 86–644);

"(3) Sections 4361 and 4652 of title 39, United States Code.

"(b) Section 4359(a) of title 39, United States Code, is amended by striking out '4358, 4361, and 4362' and inserting in lieu thereof '4358 and 4362'.

"(c) Section 4451(d) of title 39, United States Code, is amended by striking out '(a)(2)' and inserting in lieu thereof '(a)(3)'.

"Communist political propaganda

"SEC. 305. (a) Chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"'§ 4008. Communist political propaganda

"'(a) Mail matter, except sealed letters, which originates or which is printed or otherwise prepared in a foreign country and which is determined by the Secretary of the Treasury pursuant to rules and regulations to be promulgated by him to be "communist political propaganda", shall be detained by the Postmaster General upon its arrival for delivery in the United States, or upon its subsequent deposit in the United States domestic mails, and the addressee shall be notified that such matter has been received and will be delivered only upon the addressee's request, except that such detention shall not be required in the case of any matter which is furnished pursuant to subscription or which is otherwise ascertained by the Postmaster General to be desired by the addressee. If no request for delivery is made by the addressee within a reasonable time, which shall not exceed sixty days, the matter detained shall be disposed of as the Postmaster General directs.

"'(b) For the purposes of this section, the term "communist political propaganda" means political propaganda, as defined in section 1(j) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611(j)), issued by or on behalf of any country with respect to which there is in effect a suspension or withdrawal of tariff concessions pursuant to section 5 of the Trade Agreements Extension Act of 1951 or section 231 of the Trade Expansion Act of 1962, or any country from which any type of foreign assistance is withheld pursuant to section 620(f) of the Foreign Assistance Act of 1961, as amended.

"'(c) The provisions of this section shall not be applicable with respect to (1) matter addressed to any United States Government agency, or any public library, or to any college, university, graduate school, or scientific or professional institution for advanced studies, or any official thereof, or (2) material whether or not "communist political propaganda" addressed for delivery in the United States pursuant to a reciprocal cultural international agreement under which the United States Government mails an equal amount of material for delivery in any country described in subsection (b).'

"(b) The table of contents of chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following:

"'4008. Communist political propaganda.'

"Effective date

"SEC. 306. Except as otherwise provided, the foregoing provisions of this part shall become effective on January 7, 1963.

"Notice with respect to obscene matter distributed by mail and detention thereof

"SEC. 307. In order to alert the recipients of mail and the general public to the fact that large quantities of obscene, lewd, lascivious, and indecent matter are being introduced into this country from abroad and disseminated in the United States by means of the United States mails, the Postmaster General shall publicize such fact (1) by appropriate notices posted in post offices, and (2) by notifying recipients of mail, whenever he deems it appropriate in order to carry out the purposes of this section, that the United States mails may contain such obscene, lewd, lascivious, or indecent matter. Any person may file a written request with his local post office to detain obscene, lewd, lascivious, or indecent matter addressed to him, and the Postmaster General shall detain and dispose of such matter for such period as the request is in effect. The Postmaster General shall permit the return of mail containing obscene, lewd, lascivious, or indecent matter, to local post offices, without cost to the recipient thereof. Nothing in this section shall be deemed to authorize the Postmaster General to open, inspect, or censor any mail except on specific request by the addressee thereof. The Postmaster General is authorized to prescribe such regulations as he may deem appropriate to carry out the purposes of this section.

"PART II—FEDERAL SALARY REFORM

"Title I—General Policy

"Short title

"SEC. 501. This part may be cited as the 'Federal Salary Reform Act of 1962'.

"Declaration of policy

"SEC. 502. The Congress hereby declares that, whereas the functions of a Federal salary system are to fix salary rates for the services rendered by Federal employees so as to make possible the employment of persons well qualified to conduct the Government's programs and to control expenditures of public funds for personal services with equity to the employee and to the taxpayer, and whereas fulfillment of these functions is essential to the development and maintenance of maximum proficiency in the civilian services of Government, then, accordingly, Federal salary fixing shall be based upon the principles that—

"(a) There shall be equal pay for substantially equal work, and pay distinctions shall be maintained in keeping with work and performance distinctions; and

"(b) Federal salary rates shall be comparable with private enterprise salary rates for the same levels of work.

Salary levels for the several Federal statutory salary systems shall be interrelated, and salary levels shall be set and henceforth adjusted in accordance with the above principles.

"IMPLEMENTATION OF POLICY

"SEC. 503. In order to give effect to the policy stated in section 502, the President: (1) shall direct such agency or agencies, as he deems appropriate, to prepare and submit to him annually a report which compares the rates of salary fixed by statute for Federal employees with the rates of salary paid for the same levels of work in private enterprise as determined on the basis of appropriate annual surveys conducted by the Bureau of Labor Statistics, and, after seeking the views of such employee organizations as he deems appropriate and in such manner as he may provide, (2) shall report annually to the Congress (a) this comparison of Federal and private enterprise salary rates and (b) such recommendations for revision of statutory salary schedules, salary structures, and compensation policy, as he deems advisable.

"SEC. 504. (a) Whenever the President shall find that the salary rates in private enterprise for one or more occupations in one or more areas or locations are so substantially above the salary rates of statutory pay schedules as to handicap significantly the Government's recruitment or retention of well-qualified persons in positions compensated under (1) section 603(b) of the Classification Act of 1949, as amended (5 U.S.C. 1113 (b)), (2) the provisions of part III of title 39, United States Code, relating to personnel in the postal field service, (3) the pay scales for physicians, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration under chapter 73 of title 38, United States Code, or (4) sections 412 and 415 of the Foreign Service Act of 1946, as amended (22 U.S.C. 867 and 870), he may establish for such areas or locations higher minimum rates of basic compensation for one or more grades or levels, occupational groups, series, classes, or subdivisions thereof, and may make corresponding increases in all step rates of the salary range for each such grade or level: *Provided*, That in no case shall any minimum salary rate so established exceed the seventh salary rate prescribed by law for the grade or level. The President may authorize the exercise of the authority conferred upon him by this section by the Civil Service Commission or, in the case of employees not subject to the civil service laws and regulations, by such other agency or agencies as he may designate.

"(b) Within the limitations specified in subsection (a), rates of basic compensation established under such subsection may be revised from time to time by the President or by such agency or agencies as he may designate. Such actions or revisions shall have the force and effect of law.

"(c) Any increase in rate of basic compensation established under this section shall not be regarded as an 'equivalent increase' in compensation within the meaning of section 701(a) of the Classification Act of 1949, as amended, and section 3552 of title 39 of the United States Code.

"SEC. 505. The functions, duties, and regulations of the departments and the Civil Service Commission with respect to this title, the Classification Act of 1949, as amended, the provisions of part III of title 39, United States Code, relating to personnel in the postal field service, the Foreign Service Act of 1946, as amended, and the provisions of chapter 73 of title 38 of the United States Code relating to personnel of the Department of Medicine and Surgery in the Veterans' Administration, shall be subject to such policies and rules as the President may issue. Among other things, the President's policies and rules may provide for—

"(1) preparing and reporting to him the annual comparison of Federal salary rates with private enterprise rates,

"(2) obtaining and reporting to him the views of employee organizations on such annual comparison, and on other salary matters,

"(3) reviewing and reporting to him on the adequacy of the Federal statutory salary structures for the Federal programs to which they apply,

"(4) reviewing the relationship of Federal statutory salary rates and private enterprise salary rates in specific occupation and local areas, and

"(5) providing step-increases in recognition of high quality performance and providing for properly relating supervisory salary rates paid under one system to those of subordinates paid under another system.

"Title II—Pay System of the Classification Act of 1949

"Short title

"SEC. 601. This title may be cited as the 'Classification Act Amendments of 1962'.

"Basic compensation schedules

"SEC. 602. (a) Section 603(b) of the Classification Act of 1949, as amended (74 Stat. 298; 5 U.S.C. 1113(b)), is amended to read as follows:

"'(b) The compensation schedules for the General Schedule shall be as follows:

"'COMPENSATION SCHEDULE I

"'(To be effective for the period beginning on the first day of the first pay period beginning on or after the date of enactment of this Act, and ending immediately prior to the applicable initial effective date of Compensation Schedule II set forth below)

"'Grade	Per annum rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS–1	$3,245	$3,350	$3,455	$3,560	$3,665	$3,770	$3,875	$3,980	$4,085	$4,190
GS–2	3,560	3,665	3,770	3,875	3,980	4,085	4,190	4,295	4,400	4,505
GS–3	3,820	3,925	4,030	4,135	4,240	4,345	4,455	4,580	4,705	4,830
GS–4	4,110	4,250	4,390	4,530	4,670	4,810	4,950	5,090	5,230	5,370
GS–5	4,565	4,725	4,885	5,045	5,205	5,365	5,525	5,685	5,845	6,005
GS–6	5,035	5,205	5,375	5,545	5,715	5,885	6,055	6,225	6,395	6,565
GS–7	5,540	5,725	5,910	6,095	6,280	6,465	6,650	6,835	7,020	7,205
GS–8	6,090	6,295	6,500	6,705	6,910	7,115	7,320	7,525	7,730	7,935
GS–9	6,675	6,900	7,125	7,350	7,575	7,800	8,025	8,250	8,475	8,700
GS–10	7,290	7,535	7,780	8,025	8,270	8,515	8,760	9,005	9,250	9,495
GS–11	8,045	8,310	8,575	8,840	9,105	9,370	9,635	9,900	10,165	------
GS–12	9,475	9,790	10,105	10,420	10,735	11,050	11,365	11,680	11,995	------
GS–13	11,150	11,515	11,880	12,245	12,610	12,975	13,340	13,705	14,070	------
GS–14	12,845	13,270	13,695	14,120	14,545	14,970	15,395	15,820	16,245	------
GS–15	14,565	15,045	15,525	16,005	16,485	16,965	17,445	17,925	------	------
GS–16	16,000	16,500	17,000	17,500	18,000	------	------	------	------	------
GS–17	18,000	18,500	19,000	19,500	20,000	------	------	------	------	------
GS–18	20,000	------	------	------	------	------	------	------	------	------

"'COMPENSATION SCHEDULE II

"'(To be effective on the first day of the first pay period beginning on or after January 1, 1964, and thereafter)

"'Grade	Per annum rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS–1	$3,305	$3,410	$3,515	$3,620	$3,725	$3,830	$3,935	$4,040	$4,145	$4,250
GS–2	3,620	3,725	3,830	3,935	4,040	4,145	4,250	4,355	4,460	4,565
GS–3	3,880	3,985	4,090	4,195	4,300	4,405	4,525	4,650	4,775	4,900
GS–4	4,215	4,355	4,495	4,635	4,775	4,915	5,055	5,195	5,335	5,475
GS–5	4,690	4,850	5,010	5,170	5,330	5,490	5,650	5,810	5,970	6,130
GS–6	5,225	5,410	5,585	5,760	5,935	6,110	6,285	6,460	6,635	6,810
GS–7	5,795	5,990	6,185	6,380	6,575	6,770	6,965	7,160	7,355	7,550
GS–8	6,390	6,600	6,810	7,020	7,230	7,440	7,650	7,860	8,070	8,280
GS–9	7,030	7,260	7,490	7,720	7,950	8,180	8,410	8,640	8,870	9,100
GS–10	7,690	7,945	8,200	8,455	8,710	8,965	9,220	9,475	9,730	9,985
GS–11	8,410	8,690	8,970	9,250	9,530	9,810	10,090	10,370	10,650	------
GS–12	9,980	10,310	10,640	10,970	11,300	11,630	11,960	12,290	12,620	------
GS–13	11,725	12,110	12,495	12,880	13,265	13,650	14,035	14,420	14,805	------
GS–14	13,615	14,065	14,515	14,965	15,415	15,865	16,315	16,765	17,215	------
GS–15	15,665	16,180	16,695	17,210	17,725	18,240	18,755	19,270	------	------
GS–16	16,000	16,500	17,000	17,500	18,000	------	------	------	------	------
GS–17	18,000	18,500	19,000	19,500	20,000	------	------	------	------	------
GS–18	20,000	------	------	------	------	------	------	------	------	------

"(b) The rates of basic compensation of officers and employees to whom Compensation Schedule I of the General Schedule set forth in subsection (a) of this section applies shall, subject to the provisions of paragraph (10) of this subsection, be initially adjusted, effective on the first day of the first pay period beginning on or after the date of enactment of this Act, as follows:

"(1) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at the first, second, third, fourth, fifth, sixth, or seventh scheduled rate, or at the first or second longevity rate of a grade below grade 4 of the General Schedule of the Classification Act of 1949, as amended, he shall be advanced as follows: Employees in step 1 to step 2 of the new schedule; step 2 to step 3; step 3 to step 4; step 4 to step 5; step 5 to step 6; step 6 to step 7; step 7 to step 8; the first longevity step to step 9; and the second longevity step to step 10.

"(2) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at the third longevity rate of a grade below grade 4 of the General Schedule of the Classification Act of 1949, as amended, he shall receive basic compensation at the highest rate of the appropriate grade plus an amount equal to the value of the maximum within grade increment provided for that grade in effect on and after such day.

"(3) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at the first, second, third, fourth, fifth, sixth, or seventh scheduled rate, or at the first, second, or third longevity rate, of grade 4, 5, 6, 7, 8, 9, or 10 of the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding first, sec-

ond, third, fourth, fifth, sixth, seventh, eighth, ninth, or tenth rate of the appropriate grade in effect on and after such day.

"(4) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at the first, second, third, fourth, fifth, or sixth scheduled rate, or at the first, second, or third longevity rate of grade 11, 12, 13, or 14 of the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding first, second, third, fourth, fifth, sixth, seventh, eighth, or ninth rate of the appropriate grade in effect on and after such day.

"(5) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at the first, second, third, fourth, or fifth scheduled rate, or at the first, second, or third longevity rate of grade 15 of the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding first, second, third, fourth, fifth, sixth, seventh, or eighth rate of such grade in effect on and after such day.

"(6) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period, which begins on or after the date of enactment of this Act at the first, second, third, fourth, or fifth rate of grade 16 or grade 17 of the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding first, second, third, fourth, or fifth rate of the appropriate grade in effect on and after such day.

"(7) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at the rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding rate of such grade in effect on and after such day.

"(8) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at a rate between two scheduled or two longevity rates, or between a scheduled and a longevity rate, of a grade of the General Schedule, he shall receive a rate of basic compensation at the higher of the two corresponding rates, as specified in paragraphs (1) through (6) of this subsection, in effect on and after such day.

"(9) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after the date of enactment of this Act at a rate in excess of the maximum longevity rate for his grade, or in excess of the maximum scheduled rate for his grade if there is no longevity rate for his grade, he shall receive (A) the rate of the new schedule, in effect on and after such day, prescribed by paragraphs (1) through (6) of this subsection for employees at the maximum longevity rate or at the maximum scheduled rate, as the case may be, for his grade, or (B) if such rate is less than his existing rate, (i) the lowest rate of the new schedule for his grade which equals or exceeds his existing rate or (ii) if there is no such rate, his existing rate.

"(10) Service of officers and employees performed immediately preceding the first day of the first pay period which begins on or after the date of enactment of this Act, in the grade of the General Schedule in which their respective positions were placed on such day, shall be counted toward not to exceed one step increase under the time in grade provisions of subsection (a) of section 701 of the Classification Act of 1949 as amended by this Act.

"(11) If the officer or employee, immediately prior to the first day of the first pay period which began on or after the date of enactment of this Act, is receiving, pursuant to paragraph (4) of section 2(b) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of compensation determined under section 208(b) of the Act of September 1, 1954 (68 Stat. 1111; Public Law 763, Eighty-third Congress), plus the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1955, by section 2 of the Federal Employees Salary Increase Act of 1958, and by section 112 of the Federal Employees Salary Increase Act of 1960, he shall receive an aggregate rate of compensation equal to the sum of (A) his existing aggregate rate of compensation determined under such section 208(b) of the Act of September 1, 1954, (B) the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1955, (C) the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1958, (D) the amount of the increase provided by section 112 of the Federal Employees Salary Increase Act of 1960, and (E) the amount of the increase made by this section in the maximum rate of his grade, until (i) he leaves his position, or (ii) he is entitled to receive aggregate compensation at a higher rate by reason of the operation of this Act or any other provision of law; but, when such position becomes vacant, the aggregate rate of compensation of any subsequent appointee thereto shall be fixed in accordance with applicable provisions of law. Subject to clauses (i) and (ii) of the immediately preceding sentence of this paragraph, the amount of the increase provided by this section shall be held and considered for the purpose of section 208(b) of such Act of September 1, 1954, to constitute a part of the existing rate of compensation of such employee.

"(c) The rates of basic compensation of officers and employees to whom Compensation Schedule II of the General Schedule set forth in subsection (a) of this section applies shall be initially adjusted, effective as of the first day of the first pay period beginning on or after January 1, 1964, as follows:

"(1) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after January 1, 1964, at one of the rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding rate in effect on and after such date.

"(2) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after January 1, 1964, at a rate between two rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date.

"(3) If the officer or employee is receiving basic compensation immediately prior to the first day of the first pay period which begins on or after January 1, 1964, at a rate in excess of the maximum rate for his grade, as in effect on and after such date, he shall receive (A) the rate of the new schedule prescribed for employees at the maximum rate for his grade, or (B) his existing rate of basic compensation if such existing rate is higher.

"(4) If the officer or employee, immediately prior to the first day of the first pay period which begins on or after January 1, 1964, is receiving, pursuant to paragraph (4) of section 2(b) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of compensation determined under section 208(b) of the Act of September 1, 1954 (68 Stat. 1111; Public Law 763, Eighty-third Congress), plus the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1955, by section 2 of the Federal Employees Salary Increase Act of 1958, and by section 112 of the Federal Employees Salary Increase Act of 1960, and the amount of the initial increase provided by this section, he shall receive an aggregate rate of compensation equal to the sum of (A) his existing aggregate rate of compensation determined under such section 208(b) of the Act of September 1, 1954, (B) the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1955, (C) the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1958, (D) the amount of the increase provided by section 112 of the Federal Employees Salary Increase Act of 1960, and (E) the amount of the increase made by this section in the maximum rate of his grade, until (i) he leaves his position, or (ii) he is entitled to receive aggregate compensation at a higher rate by reason of the operation of this Act or any other provision of law; but, when such position becomes vacant, the aggregate rate of compensation of any subsequent appointee thereto shall be fixed in accordance with applicable provisions of law. Subject to clauses (i) and (ii) of the immediately preceding sentence of this paragraph, the amount of the increase provided by this section shall be held and considered for the purpose of section 208(b) of such Act of September 1, 1954, to constitute a part of the existing rate of compensation of such employee.

"Step-increases

"SEC. 603. Title VII of the Classification Act of 1949, as amended (5 U.S.C. 1121–1125), relating to step-increases under such Act, is amended to read as follows:

"'TITLE VII—STEP-INCREASES

"'SEC. 701. (a) Each officer or employee compensated on a per annum basis, and occupying a permanent position within the scope of the compensation schedules fixed by this Act, who has not attained the maximum rate of compensation for the grade in which his position is placed, shall be advanced in compensation successively to the next higher rate within the grade at the beginning of the next pay period following the completion of (1) each fifty-two calendar weeks of service in salary rates 1, 2, and 3, or (2) each one hundred and four calendar weeks of service in salary rates 4, 5, and 6, or (3) each one hundred and fifty-six calendar weeks of service in salary rates 7, 8, and 9, subject to the following conditions:

"'(A) That no equivalent increase in compensation from any cause was received during such period;

"'(B) That his work is of an acceptable level of competence as determined by the head of the department; and

"'(C) That the benefit of successive step-increases shall be preserved, under regulations issued by the Commission, for officers and employees whose continuous service is interrupted in the public interest by service with the Armed Forces or by service in essential non-Government civilian employment during a period of war or national emergency.

"'(b) Any increase in compensation granted by law shall not be construed to be an equivalent increase in compensation within the meaning of subsection (a).

"'SEC. 702. (a) Within the limit of available appropriations and in accordance with regulations prescribed by the Commission, the head of each department is authorized to grant additional step-increases in recognition of high quality performance above that ordinarily found in the type of position concerned. Step-increases under this section shall be in addition to those under section

701 and shall not be construed to be an equivalent increase in compensation within the meaning of subsection (a) of section 701.

"'(b) No officer or employee shall be eligible under this section for more than one such additional step-increase within any period of fifty-two weeks.

"'SEC. 703. This title shall not apply to the compensation of persons appointed by the President, by and with the advice and consent of the Senate.'

"General compensation rules

"SEC. 604. (a) Section 802(b) of the Classification Act of 1949, as amended (5 U.S.C. 1132(b)), relating to the salary to be received by an officer or employee who is promoted or transferred to a higher grade, is amended to read as follows:

"'(b) Any officer or employee who is promoted or transferred to a position in a higher grade shall receive basic compensation at the lowest rate of such higher grade which exceeds his existing rate of basic compensation by not less than two step-increases of the grade from which he is promoted or transferred. If, in the case of any officer or employee so promoted or transferred who is receiving basic compensation at a rate in excess of the maximum rate for his grade under any provision of law, there is no rate in such higher grade which is at least two step-increases above his existing rate of basic compensation, he shall receive (1) the maximum rate of such higher grade, or (2) his existing rate of basic compensation, if such existing rate is the higher. In case any such officer or employee so promoted or transferred is receiving basic compensation at a rate saved to him under section 507 of this Act upon reduction in grade, such officer or employee shall receive (A) basic compensation at a rate two steps above the rate which he would be receiving if such section 507 were not applicable in his case, or (B) his existing rate of basic compensation, if such existing rate is the higher.'

"(b) Section 802 of such Act is amended by adding at the end thereof a new subsection to read as follows:

"'(d) The Commission may issue regulations governing the retention of the rate of basic compensation of an employee who together with his position is brought under this Act. If any such employee so entitled to receive a retained rate under regulations issued pursuant to this subsection is later demoted to a position under this Act, his rate of basic compensation shall be determined in accordance with section 507 of this Act, except that service in the position which was brought under the Act shall, for purposes of section 507, be considered as service under this Act.'.

"(c) Section 803 of the Classification Act of 1949, as amended (5 U.S.C. 1133), is amended to read as follows:

"'SEC. 803. Each employee in a position under this Act, who regularly has responsibility for supervision (including supervision over the technical aspects of the work concerned) over employees whose compensation is fixed and adjusted from time to time by wage boards or similar administrative authorities as nearly as is consistent with the public interest in accordance with prevailing rates, may, in accordance with regulations issued by the Commission, be paid at one of the scheduled rates for his grade which is above the highest rate of basic compensation being paid to any such prevailing-rate employee regularly supervised, or at the maximum rate for his grade, as provided for in such regulations.'.

"Salary retention

"SEC. 605. Section 507 of the Classification Act of 1949, as amended (72 Stat. 830; 5 U.S.C. 1107), is amended—

"(1) by striking out '(other than grade 16, 17, or 18 of the General Schedule)' in paragraph (1) of subsection (a) of such section; and

"(2) by striking out '(B) in the same grade or in the same and higher grades;' in paragraph (4) of subsection (a) of such section; and by inserting in lieu thereof '(B) in any grade or grades higher than the grade to which demoted;'.

"Top grade positions under classification act of 1949

"SEC. 606. (a) Section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), relating to the limitation on numbers of positions in grades 16, 17, and 18 of the General Schedule of such Act, is amended by striking out 'not to exceed an aggregate of nineteen hundred and eighty-nine' and substituting in lieu thereof 'not to exceed an aggregate of twenty-four hundred, in addition to any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades'.

"(b) Section 505(j) of such Act is amended by inserting after the word 'positions' the following: '(in addition to any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades)'.

"(c) Section 505 of such Act is further amended by inserting after subsection (j) the following new subsections:

"'(k) The Attorney General is authorized, without regard to any other provision of this section, to place a total of ten positions of Warden in the Bureau of Prisons in grade 16 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grade by subsection (b).

"'(l) The Attorney General is authorized, without regard to any other provision of this section, to place a total of eight positions of Member of the Board of Parole in grade 17 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grade by subsection (b).'

"Conforming changes in existing law

"SEC. 607. (a) The following provisions of law are hereby repealed:

"(1) Section 104 of the Department of Commerce and Related Agencies Appropriation Act, 1956 (69 Stat. 234; 5 U.S.C. 592(d)), authorizing grade 17 of the General Schedule of the Classification Act of 1949 for the position of Budget Officer of the Department of Commerce so long as the position is held by the present incumbent.

"(2) Section 206 of the Public Works Appropriation Act, 1956 (69 Stat. 360; 5 U.S.C. 483–2), authorizing the Secretary of the Interior to place the position of Director, Division of Budget and Finance, in grade 17 of the General Schedule established by the Classification Act of 1949 so long as the position is held by the present incumbent.

"(3) The second paragraph under the heading 'Administrative Provisions' in title III of the Public Works Appropriation Act, 1956 (69 Stat. 364; 10 U.S.C. 1335, note), authorizing the Chief of Engineers to place the position of Chief of the Programs Branch, Office of the Assistant Chief of Engineers for Civil Works, in grade 17 of the General Schedule established by the Classification Act of 1949 so long as the position is held by the present incumbent.

"(4) Section 24(d) of the Area Redevelopment Act (75 Stat. 62; 42 U.S.C. 2521(d)), authorizing five positions in grades 16, 17, and 18 of the General Schedule established by the Classification Act of 1949 for agencies performing functions under that Act.

"(5) The fourth sentence of section 3(a) of the Fish and Wildlife Act of 1956 (70 Stat. 1120; 16 U.S.C. 7426(a)), relating to the annual salary of the Commissioner of Fish and Wildlife in the Department of the Interior, which reads: 'He shall receive compensation at the same rate as that provided for grade GS–18.'.

"(6) That part of section 207 of the Agricultural Act of 1956 (70 Stat. 200; 7 U.S.C. 1857), relating to the annual salary of an agricultural surplus disposal administrator in the Department of Agriculture, which reads: ', at a salary rate of not exceeding $15,000 per annum,'.

"(7) Section 1102 of the Classification Act of 1949, as amended (63 Stat. 971; 5 U.S.C. 1073), relating to the submission of reports with respect to the rates of compensation under, and the administration of, such Act.

"(b) The second proviso of the paragraph under the heading 'FEDERAL PRISON SYSTEM' and under the subheading 'SALARIES AND EXPENSES, BUREAU OF PRISONS' in title II (the Department of Justice Appropriation Act, 1956) of the Departments of State and Justice, the Judiciary, and Related Agencies Appropriations Act, 1956 (69 Stat. 273; Public Law 133, Eighty-fourth Congress; 5 U.S.C. 298a) is amended by striking out 'three positions' and inserting in lieu thereof 'one position'.

"SEC. 608. (a) Each position specifically referred to in, or covered by, any repeal made by section 607(a) of this title shall be placed in the appropriate grade of the General Schedule of the Classification Act of 1949, as amended, in accordance with the provisions of such Act.

"(b) Positions in grade 16, 17, or 18, as the case may be, of the General Schedule of the Classification Act of 1949, as amended, immediately prior to the effective date of this section, shall remain, on and after such effective date, in their respective grades, until appropriate action is taken under section 505 of the Classification Act of 1949 as in effect on and after such effective date.

"SEC. 609. (a) The changes in existing law made by this title shall not affect any position existing immediately prior to the effective date of any such changes in existing law, the compensation attached to such position, and any incumbent thereof, his appointment thereto, and his entitlement to receive the compensation attached thereto, until appropriate action is taken in accordance with this title.

"(b) The incumbent of each such position immediately prior to the effective date of this title shall continue to receive the rate of basic compensation which he was receiving immediately prior to such effective date until he leaves such position or until he is entitled to receive compensation at a higher rate in accordance with law. When such incumbent leaves such position, the rate of basic compensation of each subsequent appointee to such position shall be determined in accordance with the Classification Act of 1949, as amended.

"Effective dates

"SEC. 610. Except as otherwise expressly provided in this title, the provisions of this title shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

"Title III—Postal Field Service Employees

"Short title

"SEC. 701. This title may be cited as the 'Postal Employees Salary Adjustment Act of 1962'.

"Postal Field Service Schedules

"SEC. 702. Subsection (a) of section 3542 of title 39, United States Code, is amended to read as follows:

"'(a) There are established basic compensation schedules for positions in the postal field service which shall be known as the Postal Field Service Schedules and for which the symbol shall be "PFS". Each such schedule shall be in effect for the period specified with respect to such schedule. Except as provided in sections 3543 and 3544 of this title, basic compensation shall be paid to all employees in accordance with these schedules.

"'POSTAL FIELD SERVICE SCHEDULE I

"'(To be effective for the period beginning on the first day of the first pay period beginning on or after the date of enactment of this Act, and ending immediately prior to the applicable initial effective date of the second PFS schedule set forth below)

"'PFS	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
1	$3,595	$3,725	$3,855	$3,985	$4,115	$4,245	$4,375	$4,505	$4,635	$4,765	$4,895	$5,025
2	3,905	4,040	4,175	4,310	4,445	4,580	4,715	4,850	4,985	5,120	5,255	5,390
3	4,230	4,375	4,520	4,665	4,810	4,955	5,100	5,245	5,390	5,535	5,680	5,825
4	4,565	4,725	4,885	5,045	5,205	5,365	5,525	5,685	5,845	6,005	6,165	6,325
5	4,965	5,130	5,295	5,460	5,625	5,790	5,955	6,120	6,285	6,450	6,615	6,780
6	5,365	5,545	5,725	5,905	6,085	6,265	6,445	6,625	6,805	6,985	7,165	7,345
7	5,805	6,000	6,195	6,390	6,585	6,780	6,975	7,170	7,365	7,560		
8	6,285	6,495	6,705	6,915	7,125	7,335	7,545	7,755	7,965	8,175		
9	6,805	7,030	7,255	7,480	7,705	7,930	8,155	8,380	8,605	8,830		
10	7,395	7,640	7,885	8,130	8,375	8,620	8,865	9,110	9,355	9,600		
11	8,045	8,310	8,575	8,840	9,105	9,370	9,635	9,900	10,165			
12	8,840	9,135	9,430	9,725	10,020	10,315	10,610	10,905	11,200			
13	9,725	10,050	10,375	10,700	11,025	11,350	11,675	12,000	12,325			
14	10,705	11,060	11,415	11,770	12,125	12,480	12,835	13,190	13,545			
15	11,780	12,170	12,560	12,950	13,340	13,730	14,120	14,510	14,900			
16	12,955	13,385	13,815	14,245	14,675	15,105	15,535	15,965				
17	14,260	14,730	15,200	15,670	16,140	16,610	17,080	17,550				
18	15,500	16,000	16,500	17,000	17,500	18,000	18,500					
19	16,750	17,250	17,750	18,250	18,750	19,250						
20	18,000	18,500	19,000	19,500								

"'POSTAL FIELD SERVICE SCHEDULE II

"'(To be effective on the first day of the first pay period beginning on or after January 1, 1964, and thereafter)

"'PFS	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
1	$3,690	$3,820	$3,950	$4,080	$4,210	$4,340	$4,470	$4,600	$4,730	$4,860	$4,990	$5,120
2	4,010	4,145	4,280	4,415	4,550	4,685	4,820	4,955	5,090	5,225	5,360	5,495
3	4,345	4,490	4,635	4,780	4,925	5,070	5,215	5,360	5,505	5,650	5,795	5,940
4	4,690	4,850	5,010	5,170	5,330	5,490	5,650	5,810	5,970	6,130	6,290	6,450
5	5,085	5,255	5,425	5,595	5,765	5,935	6,105	6,275	6,445	6,615	6,785	6,955
6	5,500	5,685	5,870	6,055	6,240	6,425	6,610	6,795	6,980	7,165	7,350	7,535
7	5,950	6,150	6,350	6,550	6,750	6,950	7,150	7,350	7,550	7,750		
8	6,440	6,655	6,870	7,085	7,300	7,515	7,730	7,945	8,160	8,375		
9	6,965	7,200	7,435	7,670	7,905	8,140	8,375	8,610	8,845	9,080		
10	7,650	7,900	8,150	8,400	8,650	8,900	9,150	9,400	9,650	9,900		
11	8,410	8,690	8,970	9,250	9,530	9,810	10,090	10,370	10,650			
12	9,270	9,575	9,880	10,185	10,490	10,795	11,100	11,405	11,710			
13	10,210	10,545	10,880	11,215	11,550	11,885	12,220	12,555	12,890			
14	11,240	11,610	11,980	12,350	12,720	13,090	13,460	13,830	14,200			
15	12,370	12,780	13,190	13,600	14,010	14,420	14,830	15,240	15,650			
16	13,625	14,075	14,525	14,975	15,425	15,875	16,325	16,775				
17	15,000	15,495	15,990	16,485	16,980	17,475	17,970	18,465				
18	15,500	16,000	16,500	17,000	17,500	18,000	18,500					
19	16,750	17,250	17,750	18,250	18,750	19,250						
20	18,000	18,500	19,000	19,500								

"Rural carrier schedules

"SEC. 703. (a) Section 3543(a) of title 39, United States Code, is amended to read as follows:

"'(a) There are established basic compensation schedules which shall be known as the Rural Carrier Schedules, and for which the symbol shall be "RCS". Each such schedule shall be in effect for the period specified with respect to such schedule.

"'RURAL CARRIER SCHEDULE I

"'(To be effective for the period beginning on the first day of the first pay period beginning on or after the date of enactment of this Act, and ending immediately prior to the applicable initial effective date of the second RCS Schedule set forth below)

	"'Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
Carriers in rural delivery service:												
Fixed compensation per annum	$2,027	$2,127	$2,227	$2,327	$2,427	$2,527	$2,627	$2,727	$2,827	$2,927	$3,027	$3,127
Compensation per mile per annum for each mile up to 30 miles of route	75	77	79	81	83	85	87	89	91	93	95	97
For each mile of route over 30 miles	24	24	24	24	24	24	24	24	24	24	24	24

"'RURAL CARRIER SCHEDULE II

"'(To be effective for the period beginning on the first day of the first pay period beginning on or after January 1, 1964, and thereafter)

	"'Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
Carriers in rural delivery service:												
Fixed compensation per annum	$2,080	$2,180	$2,280	$2,380	$2,480	$2,580	$2,680	$2,780	$2,880	$2,980	$3,080	$3,180
Compensation per mile per annum for each mile up to 30 miles of route	77	79	81	83	85	87	89	91	93	95	97	99
For each mile of route over 30 miles	25	25	25	25	25	25	25	25	25	25	25	25

"(b) Section 3543(c) of title 39, United States Code, is amended to read as follows:

"'(c) The Postmaster General may pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural carriers serving heavily patronized routes.'

"(c) The first sentence of section 3543(f) of title 39, United States Code, is amended to read as follows: 'In addition to the compensation provided in the Rural Carrier Schedule, each rural carrier shall be paid for equipment maintenance a sum equal to—

"'(1) 12 cents per mile for each mile or major fraction of a mile scheduled, or

"'(2) $4.20 per day, whichever is greater.'

"(d) Section 3543 of title 39, United States Code, is amended by adding thereto new subsections (i) and (j) as follows:

"'(i) Each person serving as a substitute of record on the effective date of this subsection shall be placed in step 2 of the Rural Carrier Schedule and he shall be advanced by step-increases, on the basis of time on the rolls prior to the effective date, in accordance with the schedule of step-increases provided in section 3552, except that no such person shall be so advanced to a step higher than the step to which a regular carrier with the same length of service would have advanced prior to such effective date. Thereafter, he shall be advanced by step-increases, pursuant to the provisions of sections 3552 and 3553 of this title. On and after the effective date of this subsection, each substitute rural carrier shall be paid the daily rate, based on the step attained by him, for the route on which service is performed.

"'(j) Each temporary rural carrier who, on the effective date of this subsection, is serving on a vacant route pending the appointment of a regular rural carrier shall be placed in step 2 and shall be advanced by step-increases on the basis of any prior substitute or temporary rural carrier service in accordance with the schedule of step-increases provided in section 3552.'

"Fourth Class Office Schedules

"SEC. 704. (a) Section 3544(a) of title 39, United States Code, is amended to read as follows:

"'(a) There are established basic compensation schedules which shall be known as the Fourth Class Office Schedules, and for which the symbol shall be "FOS", for postmasters in post offices of the fourth class. Each such schedule shall be in effect for the period specified with respect to such schedule. Each such schedule is based upon the gross postal receipts as contained in returns of the post office for the calendar year immediately preceding. Basic compensation shall be paid to postmasters in post offices of the fourth class in accordance with these schedules.

"(b) Section 3544(b) of title 39, United States Code, is amended to read as follows:

"'(b) The basic salary of postmasters in fourth-class post offices shall be readjusted for changes in gross receipts at the start of the first pay period after the beginning of each fiscal year. When a post office is restored to a gross receipts category held by it prior to relegation to a lower gross receipts category, the postmaster's basic salary may be adjusted to the highest salary step held by him when the post office was in the higher gross receipts category. In all other cases, in adjusting a postmaster's basic salary under this section, the basic salary shall be fixed at the lowest step which is higher than the basic salary received by the postmaster at the end of the preceding fiscal year. If there is no such step the basic salary shall be fixed at the highest step for the adjusted gross receipts of the office. Each increase in basic salary because of change in gross receipts shall be deemed the equivalent of a step-increase under section 3552 of this title and the waiting period, for purposes of advancement to the next step, shall begin on the date of adjustment.'

"'FOURTH CLASS OFFICE SCHEDULE I

"'(To be effective for the period beginning on the first day of the first pay period beginning on or after the date of enactment of this Act and ending immediately prior to the applicable initial effective date of the second FOS schedule set forth below)

"'Gross receipts	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
$1,300 to $1,499.99	$3,277	$3,386	$3,495	$3,604	$3,713	$3,822	$3,931	$4,040	$4,149	$4,258	$4,367	$4,476
$900 to $1,299.99	3,003	3,102	3,201	3,300	3,399	3,498	3,597	3,696	3,795	3,894	3,993	4,092
$600 to $899.99	2,457	2,540	2,623	2,706	2,789	2,872	2,955	3,038	3,121	3,204	3,287	3,370
$350 to $599.99	1,911	1,973	2,035	2,097	2,159	2,221	2,283	2,345	2,407	2,469	2,531	2,593
$250 to $349.99	1,366	1,410	1,454	1,498	1,542	1,586	1,630	1,674	1,718	1,762	1,806	1,850
$200 to $249.99	1,092	1,128	1,164	1,200	1,236	1,272	1,308	1,344	1,380	1,416	1,452	1,488
$100 to $199.99	820	846	872	898	924	950	976	1,002	1,028	1,054	1,080	1,106
Under $100	545	562	579	596	613	630	647	664	681	698	715	732

"'FOURTH CLASS SCHEDULE II

"'(To be effective on the first day of the first pay period beginning on or after January 1, 1964, and thereafter)

"'Gross receipts	Per annum rates and steps											
	1	2	3	4	5	6	7	8	9	10	11	12
$1,300 to $1,499.99	$3,426	$3,540	$3,654	$3,768	$3,882	$3,996	$4,110	$4,224	$4,338	$4,452	$4,566	$4,680
$900 to $1,299.99	3,140	3,243	3,346	3,449	3,552	3,655	3,758	3,861	3,964	4,067	4,170	4,273
$600 to $899.99	2,569	2,655	2,741	2,827	2,913	2,999	3,085	3,171	3,257	3,343	3,429	3,515
$350 to $599.99	1,998	2,063	2,128	2,193	2,258	2,323	2,388	2,453	2,518	2,583	2,648	2,713
$250 to $349.99	1,428	1,474	1,520	1,566	1,612	1,658	1,704	1,750	1,796	1,842	1,888	1,934
$200 to $249.99	1,142	1,179	1,216	1,253	1,290	1,327	1,364	1,401	1,438	1,475	1,512	1,549
$100 to $199.99	857	884	911	938	965	992	1,019	1,046	1,073	1,111	1,127	1,154
Under $100	569	588	607	626	645	664	683	702	721	740	759	778'.

"SEC. 705. Section 3552 of title 39, United States Code, is amended to read as follows:

"'§ 3552. Automatic advancement by step increases

"'(a)(1) Each employee in levels 1 through 6 of the Postal Field Service Schedule, each employee subject to the Rural Carrier Schedule, and each employee subject to the Fourth Class Office Schedule, who has not reached the highest step for his position, shall be advanced successively to the next higher step as follows:

"'(A) To steps 2, 3, 4, 5, 6, and 7—at the beginning of the first pay period following the completion of fifty-two calendar weeks of satisfactory service; and

"'(B) To steps 8 and above—at the beginning of the first pay period following the completion of one hundred and fifty-six calendar weeks of satisfactory service.

"'(2) Each employee in the postal field service in level 7 or above of the Postal Field Service Schedule, who has not reached the highest step for his position, shall be advanced successively to the next higher step, as follows:

"'(A) To steps 2, 3, and 4—at the beginning of the first pay period following the completion of fifty-two calendar weeks of satisfactory service;

"'(B) To steps 5, 6, and 7—at the beginning of the first pay period following the completion of one hundred and four calendar weeks of satisfactory service; and

"'(C) To steps 8 and above—at the beginning of the first pay period following the completion of one hundred and fifty-six calendar weeks of satisfactory service.

"'(3) The receipt of an equivalent increase during any of the waiting periods specified in this subsection shall cause a new full waiting period to commence for further step-increases.

"'(b) Any increase in basic compensation granted by law on or after the date of enactment of the Postal Employees Salary Adjustment Act of 1962, to employees in the postal field service shall not be deemed to be an equivalent increase in basic compensation within the meaning of subsection (a) of this section.

"'(c) The benefit of successive step-increases shall be preserved, under regulations prescribed by the Postmaster General, for employees whose continuous service is interrupted by service in the armed services.'

"SEC. 706. Section 3554 of title 39, United States Code, is amended to read as follows:

"'§ 3554. Compensation of certain temporary employees

"'Temporary employees hired for a continuous period of one year or less for a position in the postal field service shall be paid basic compensation at the entrance step of the position to which they are appointed.'.

"SEC. 707. Section 3559 of title 39, United States Code, is amended to read as follows:

"'§ 3559. Promotions

"'An employee who is promoted to a position in the Postal Field Service Schedule which is not more than two salary levels above the salary level of the position from which promoted shall be paid basic compensation at the lowest step of the higher salary level which exceeds his existing basic compensation by not less than two steps of the salary level from which promoted. An employee who is promoted to a position in the Postal Field Service Schedule which is more than two salary levels above the level of the position from which promoted shall be paid basic compensation at the lowest step of the higher salary level which exceeds his existing basic compensation by not less than three steps of the salary level from which promoted. If there is no step in the salary level to which the employee is promoted which exceeds his existing basic compensation by at least the amount of the specified difference, the employee shall be paid the rate for the maximum step of the salary level to which promoted, or his existing basic compensation, whichever is higher.'

"SEC. 708. Subsection (a)(4) of section 6402 of title 39, United States Code, is amended to read as follows:

"'(4) delivery and collection service may not be established or extended under a star route contract on a rural route except when such rural route does not meet the minimum standards established by the Postmaster General, and becomes vacant; and'.

"SEC. 709. Section 3101 of title 39, United States Code, is amended by deleting paragraphs (5) and (6), and inserting in lieu thereof, the following:

"'(5) "basic salary" and "basic compensation" mean the rate of annual or hourly compensation specified by law, exclusive of overtime and night differential.'.

"SEC. 710. Subsection 3541(d) of title 39, United States Code, is amended by (a) inserting in paragraph (3) thereof, after 'rural carriers,' the phrase '(other than substitute rural carriers),' and (b) adding a new paragraph (5) as follows:

"'(5) To compute the daily rate of basic compensation for substitute rural carriers, the annual rate of compensation shall be divided by 304.'.

"Conversion as of the first pay period beginning on or after the date of enactment of this act

"SEC. 711. (a) The basic compensation of each employee subject to Postal Field Service Schedule I or Rural Carrier Schedule I, as the case may be, on the effective date of such schedule shall be determined as follows:

"(1) Each employee shall be assigned to the same numerical level and step he was in prior to the effective date of such schedule, except that employees in the first four levels of the Postal Field Service Schedule and employees (except employees subject to section 3543(j) of title 39, United States Code) in the Rural Carrier Schedule shall be advanced as follows: Employees in step 1 to step 2 of the new schedule; step 2 to step 3; step 3 to step 4; step 4 to step 5; step 5 to step 6; step 6 to step 7, step 7 to step 8. If changes in level or step would otherwise occur on the effective date of such schedule without regard to the enactment of such schedule, such changes shall be deemed to have occurred prior to conversion under this paragraph.

"(2) In addition to conversion under paragraph (1) of this subsection, each employee shall be advanced one additional step for each longevity step which he had earned on or prior to such conversion.

"(3) Credit toward the next step-increase (other than toward longevity steps) earned by an employee who had not reached step 7 or who is not advanced to step 7 under paragraph (1) prior to the effective date of such schedule shall be creditable under subsection 3552(a) and section 3553 of title 39, United States Code, toward further step-increases if no step-increases were granted pursuant to paragraph (2) of this subsection. Credit earned toward longevity step-increases prior to the effective date of such schedule shall not be creditable toward further step-increases pursuant to subsection 3552(a), and section 3553 of title 39, United States Code.

"(b) The basic compensation of each postmaster subject to the Fourth Class Office Schedule I on the effective date of such schedule shall be determined as follows:

"(1) Each postmaster shall be assigned to the same receipts category and numerical step he was in prior to the effective date of such schedule. If changes in receipts category or step would otherwise occur on the effective date of such schedule without regard to the enactment of such schedule, such changes in receipts category or step shall be deemed to have occurred prior to conversion.

"(2) Postmasters who, as of the effective date of this schedule, have not reached step 7, shall retain credit for advancement to the next step under section 3552(a) and section 3553 of title 39, United States Code, if no step-increases are granted pursuant to paragraph 3 of this subsection. Credit earned toward longevity step-increases prior to the effective date of such schedule shall not be creditable toward further step-increases under section 3552(a) and section 3553 of title 39, United States Code.

"(3) For each longevity step earned on or prior to the effective date of such schedule postmasters shall be advanced one step.

"(c) If the existing basic compensation of any employee subject to the Postal Field Service Schedule, Rural Carrier Schedule, or Fourth Class Office Schedule, as the case may be, is greater than the rate established by subsection (a) or (b) of this section, he

shall be placed in the first step of such schedule which exceeds his existing basic compensation; if the existing basic compensation is greater than any numerical step, his existing basic compensation shall be established as his basic compensation.

"Conversion as of the first pay period beginning on or after January 1, 1964

"SEC. 712. The basic compensation of each employee subject to the Postal Field Service Schedule II, Rural Carrier Schedule II, or Fourth Class Office Schedule II, as the case may be, on the effective date of such schedule shall be determined as follows:

"(1) Each employee shall be assigned to the same numerical step for his position which he had attained prior to the effective date of such schedule. If changes in levels, receipts categories, or steps would otherwise occur on the effective date of such schedule without regard to enactment of such schedule, such changes shall be deemed to have occurred prior to conversion.

"(2) If existing basic compensation is greater than the rate to which the employee is converted under paragraph (1) of this section, the employee shall be placed in the lowest step which exceeds his basic compensation; if the existing basic compensation exceeds the maximum step of his position, his existing basic compensation shall be established as his basic compensation.

"SEC. 713. Subject to sections 711(c) and 712(2) of this title, rates of compensation fixed by reason of section 3560 of title 39, United States Code, shall not be increased by this title, notwithstanding any provision of such section to the contrary.

"Basic salary in cases of assignments of postal employees

"SEC. 714. (a) Section 3335(b) of title 39, United States Code, is amended by adding at the end thereof the following sentence: 'The Postmaster General may pay, as he deems advisable, in cases of such assignments, a basic salary computed in accordance with the provisions of such section 3559 without regard to the requirement in this subsection of assignment for more than thirty days in a calendar year.'.

"(b) Each payment of an increase in basic salary which was made prior to the date of enactment of this section for services performed for periods of thirty days or less in any calendar year in the course of an assignment referred to in section 3335(b) of title 39, United States Code, by a postal field service employee assigned to duties and responsibilities of a higher salary level, and which would have been authorized by such section 3335(b), if such services had been performed in the course of such assignment after the completion by such employee of thirty days of service in any calendar year in such higher salary level, are hereby validated to the same extent as if such services had been performed after the completion of thirty days of service in any calendar year in the course of such assignment. Payments of increases validated by this subsection shall be considered as basic salary for the purposes of the Civil Service Retirement Act (5 U.S.C. 2251–2267).

"Salary protection revision

"SEC. 715. (a) Section 3560(a)(1) of title 39, United States Code, is amended to read as follows:

"'(1) basic salary and salary level, with respect to the Postal Field Service Schedule,'.

"(b) Section 3560(b)(4) of title 39, United States Code, is amended to read as follows:

"'(4) who, for two continuous years immediately prior to such reduction in salary standing, served in the postal field service with any salary standing higher than the salary standing to which he is reduced; and'.

"(c) Section 3560(c) of title 39, United States Code, is amended—

"(1) by striking out the period at the end of paragraph (B) and inserting '; or' in lieu of such period, and

"(2) by adding at the end of such section 3560(c) the following paragraph:

"'(C) the amount of the rate in the lowest salary standing which such employee held during the two years immediately preceding such reduction in salary standing augmented by each step increase which he would have earned in such salary standing and by each increase provided by law in such salary rate.'.

"(d)(1) Subject to paragraph (2) of this section, the amendments made by this section to sections 3560(a)(1), 3560(b)(4), and 3560(c) of title 39, United States Code, shall apply only with respect to reductions in salary standing occurring on or after the date of enactment of this Act.

"(2) Payments not authorized by section 3560 of title 39, United States Code, which were made prior to the date ef enactment of this Act to employees in the postal field service in connection with reductions in salary standing and which would have been authorized under such section 3560 if the amendments made by this section to subsections (b)(4) and (c) of such section 3560 had been in effect at the time such payments were made, are hereby validated to the same extent as if such amendments had been in effect at such time.

"Rules for special compensation

"SEC. 716. Chapter 41 of title 39, United States Code, is amended by adding immediately following section 3105 a new section 3106 as follows:

"'§ 3106. Special compensation rules

"'In order that the basic compensation schedules in sections 3542, 3543, and 3544 of this title may be used equitably and with maximum effect to attract and motivate employees, the Postmaster General may prescribe regulations pursuant to which he may, within the limit of available appropriations, grant to any officer or employee before the expiration of the periods prescribed by section 3552, step-increases in recognition of extra competence: *Provided,* That no officer or employee shall be eligible under this section for more than one such additional step-increase within any period of fifty-two weeks, and such increase shall not be considered to be an equivalent increase.'

"Personnel requirements

"SEC. 717. (a) Section 3301 of title 39, United States Code, is amended to read as follows:

"'§ 3301. Personnel requirements

"'The Postmaster General shall determine the personnel requirements of the postal field service, and fix the number of supervisors and other employees in that service, except that there may not be at any one time more than one assistant postmaster employed at any post office or a total of 70 employees assigned to salary levels 18, 19, and 20 in the postal field service.'

"(b) Section 1310(a) of the Act of November 1, 1951 (65 Stat. 757), as amended, which fixes a ceiling on permanent employees in the Federal Government, is amended by inserting after the word '*Provided,*' the following: 'That increases in the number of permanent personnel in the Postal Field Service not exceeding 10 per centum above the total number of its permanent employees on September 1, 1950, shall not be chargeable to this limitation: *And provided further,*'.

"Conforming amendment

"SEC. 718. (a) The table of contents of chapter 41 of title 39, United States Code, is amended by adding after the heading entitled 'EMPLOYEES GENERALLY', the following:

"'3106. Special compensation rules'.

"(b) The table of contents of chapter 45 of title 39, United States Code, is amended by deleting '3558. Longevity step-increases'.

"Repeals

"SEC. 719. Sections 101 through 105 of the Act of July 1, 1960 (74 Stat. 296, Public Law 86–568), and section 3558 of title 39, United States Code, are repealed.

"Effective dates

"SEC. 720. Except as otherwise expressly provided in this title, the provisions of this title shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act, except that section 712 (conversion rules for second postal field service salary increases) shall become effective on the first day of the first pay period which begins on or after January 1, 1964.

"Title IV—Department of Medicine and Surgery in the Veterans' Administration

"SEC. 801. (a) Section 4103 of title 38 of the United States Code, relating to the appointment and annual salaries of the Chief Medical Director and certain other officers of the Department of Medicine and Surgery of the Veterans' Administration, is amended by striking out the words 'not to exceed eight Assistant Chief Medical Directors' in subsection (a) and inserting in lieu thereof the words 'not to exceed five Assistant Chief Medical Directors, such Medical Directors as may be designated to suit the needs of the Department,'.

"(b) Such section is further amended by striking out subsections (d) to (i), inclusive, and inserting in lieu thereof the following:

"'(d) Each Assistant Chief Medical Director shall be appointed by the Administrator upon the recommendation of the Chief Medical Director and shall be paid a salary of $20,000 a year.

"'One Assistant Chief Medical Director shall be a qualified doctor of dental surgery or dental medicine who shall be directly responsible to the Chief Medical Director for the operations of the Dental Service.

"'(e) Medical Directors, during their period of service as such, shall be paid a salary of $18,500 minimum to $19,500 maximum a year.

"'(f) The Director of Nursing Service shall be a qualified registered nurse, appointed by the Administrator, and shall be responsible to the Chief Medical Director for the operation of the Nursing Service. During the period of service as such, the Director of Nursing Service shall be paid, effective on the first day of the first pay period beginning on or after—

"'The date of enactment of the Federal Salary Reform Act of 1962, a salary of $14,565 minimum to $17,925 maximum a year;

"'January 1, 1964, a salary of $15,665 minimum to $19,270 maximum a year.

"'(g) The Administrator may appoint a chief pharmacist and a chief dietitian. During the period of his service as such, the chief pharmacist and the chief dietitian shall be paid, effective on the first day of the first pay period beginning on or after—

"'the date of enactment of the Federal Salary Reform Act of 1962, a salary of $14,565 minimum to $17,925 maximum a year;

"'January 1, 1964, a salary of $15,665 minimum to $19,270 maximum a year.

"'(h) Except as provided in subsection (j), any appointment under this section shall be for a period of four years but persons so appointed shall be subject to removal by the Administrator for cause.

"'(i) Reappointments may be made for successive like periods.

"'(j) The Administrator may designate a member of the Chaplain Service of the Veterans' Administration as Director, Chaplain Service, for a period of two years, subject to removal by the Administrator for cause. During the period that any such member serves as Director, Chaplain Service, he shall be paid a salary, as determined by the Administrator, within the minimum and maximum salary limitations prescribed for grade GS–15 positions by the Classification Act of 1949, as amended. Redesignations under this subsection may be made for successive like periods. An individual designated as

Director, Chaplain Service, shall at the end of his period of service as Director revert to the position, grade, and status which he held immediately prior to being designated Director, Chaplain Service, and all service as Director, Chaplain Service, shall be creditable as service in the former position.'

"Physicians, dentists, and nurses

"SEC. 802. Section 4107 of such title 38 relating to the minimum and maximum rates of annual salary of certain physicians, dentists, and nurses of the Department of Medicine and Surgery of the Veterans' Administration is amended to read as follows:

"'§ 4107. Grades and pay scales

"'(a) (1) Effective on the first day of the first pay period on or after the date of enactment of the Federal Salary Reform Act of 1962, the grades and per annum full-pay ranges for positions provided in paragraph (1) of section 4104 of this title shall be as follows:

"'Physician and dentist schedule

"'Director grade, $16,000 minimum to $19,000 maximum.

"'Executive grade, $15,250 minimum to $18,750 maximum.

"'Chief grade, $14,565 minimum to $18,405 maximum.

"'Senior grade, $12,845 minimum to $16,245 maximum.

"'Intermediate grade, $11,150 minimum to $14,070 maximum.

"'Full grade, $9,475 minimum to $11,995 maximum.

"'Associate grade, $8,045 minimum to $10,165 maximum.

"'Nurse schedule

"'Assistant Director grade, $12,845 minimum to $16,245 maximum.

"'Chief grade, $11,150 minimum to $14,070 maximum.

"'Senior grade, $9,475 minimum to $11,995 maximum.

"'Intermediate grade, $8,045 minimum to $10,165 maximum.

"'Full grade, $6,675 minimum to $8,700 maximum.

"'Associate grade, $5,820 minimum to $7,575 maximum.

"'Junior grade, $5,035 minimum to $6,565 maximum.

"'(2) Effective on the first day of the first pay period beginning on or after January 1, 1964, the per annum full pay ranges for positions provided in paragraph (1) of section 4104 of this title shall be as follows:

"'Physician and dentist schedule

"'Chief grade, $15,665 minimum to $19,785 maximum.

"'Senior grade, $13,615 minimum to $17,215 maximum.

"'Intermediate grade, $11,725 minimum to $14,805 maximum.

"'Full grade, $9,980 minimum to $12,620 maximum.

"'Associate grade, $8,410 minimum to $10,650 maximum.

"'Nurse schedule

"'Assistant director grade, $13,615 minimum to $17,215 maximum.

"'Chief grade, $11,725 minimum to $14,805 maximum.

"'Senior grade, $9,980 minimum to $12,620 maximum.

"'Intermediate grade, $8,410 minimum to $10,650 maximum.

"'Full grade, $7,030 minimum to $9,100 maximum.

"'Associate grade, $6,090 minimum to $7,890 maximum.

"'Junior grade, $5,235 minimum to $6,810 maximum.

"'(b) No person may hold the director grade unless he is serving as a director of a hospital, domiciliary, center, or outpatient clinic (independent). No person may hold the executive grade unless he holds the position of chief of staff at a hospital, center, or outpatient clinic (independent), or the position of clinic director at an outpatient clinic, or comparable position.'

"SEC. 803. (a) Section 4108 of such title 38 which formerly prescribed the maximum amount of pay and allowances for medical, surgical, or dental specialists of the Department of Medicine and Surgery of the Veterans' Administration is amended, effective on the date of enactment of this Act, to read as follows:

"'§ 4108. Administration.

"'Nothwithstanding any law, Executive order, or regulation, the Administrator shall prescribe by regulation the hours and conditions of employment and leaves of absence of physicians, dentists, and nurses.'.

"(b) The table of contents of chapter 73 of such title 38 is amended by striking out

"'4108. Specialist ratings.'

and inserting in lieu thereof.

"'4108. Administration.'

"Directors of hospitals, domiciliaries, and centers

"SEC. 804. Section 4111(b) of such title 38, relating to the annual salary of certain individuals serving as director of a hospital, domiciliary, or center, is amended, effective on the date of enactment of this Act, to read as follows:

"'(b) Notwithstanding any other provision of law, the per annum salary rate of each individual serving as a director of a hospital, domiciliary, or center who is not a physician in the medical service shall not be less than the rate of salary which he would receive under section 4107 of this title if his service as a director of a hospital, domiciliary, or center had been service as a physician in the director grade. This subsection shall not affect the allocation of any position of director of a hospital, domiciliary, or center to any grade of the General Schedule of the Classification Act of 1949, except with respect to changes in rate of salary pursuant to the preceding sentence, and shall not affect the applicability of the Performance Rating Act of 1950 to any individual.'

"SEC. 805. Except as otherwise expressly provided in this title, this title shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

"Title V—Foreign Service Act of 1946

"Short title

"SEC. 901. This title may be cited as the 'Foreign Service Salary Reform Act of 1962'.

"Foreign Service officers

"SEC. 902. The fourth sentence of section 412 of the Foreign Service Act of 1946, as amended (22 U.S.C. 867), is amended to read as follows:

"'On the first day of the first pay period which begins on or after the date of enactment of the Foreign Service Salary Reform Act of 1962, the per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

"'Class 1	$18,975	$19,650						
Class 2	15,900	16,400	$16,900	$17,400	$17,900	$18,400	$18,900	
Class 3	13,440	13,885	14,330	14,775	15,220	15,665	16,110	
Class 4	11,150	11,515	11,880	12,245	12,610	12,975	13,340	
Class 5	9,315	9,620	9,925	10,230	10,535	10,840	11,145	
Class 6	7,705	7,960	8,215	8,470	8,725	8,980	9,235	
Class 7	6,475	6,690	6,905	7,120	7,335	7,550	7,765	
Class 8	5,540	5,725	5,910	6,095	6,280	6,465	6,650	

"'On the first day of the first pay period which begins on or after January 1, 1964, the per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

"'Class 1	$18,975	$19,650						
Class 2	15,900	16,400	$16,900	$17,400	$17,900	$18,400	$18,900	
Class 3	14,265	14,735	15,205	15,675	16,145	16,615	17,085	
Class 4	11,725	12,110	12,495	12,880	13,265	13,650	14,035	
Class 5	9,695	10,015	10,335	10,655	10,975	11,295	11,615	
Class 6	8,090	8,355	8,620	8,885	9,150	9,415	9,680	
Class 7	6,810	7,035	7,260	7,485	7,710	7,935	8,160	
Class 8	5,795	5,990	6,185	6,380	6,575	6,770	6,965'	

"Foreign service staff officers and employees

"SEC. 903. Section 415 of such Act is amended to read as follows:

"'SEC. 415. (a) Effective on the first day of the first pay period which begins on or after the date of enactment of the Foreign Service Salary Reform Act of 1962, there shall be ten classes of Foreign Service staff officers and employees, referred to hereafter as staff officers and employees, and the per annum salaries of staff officers and employees within each class shall be as follows:

"'Class 1	$13,440	$13,885	$14,330	$14,775	$15,220	$15,665	$16,110	$16,555	$17,000	
Class 2	11,150	11,515	11,880	12,245	12,610	12,975	13,340	13,705	14,070	
Class 3	9,315	9,620	9,925	10,230	10,535	10,840	11,145	11,450	11,755	
Class 4	7,705	7,960	8,215	8,470	8,725	8,980	9,235	9,490	9,745	
Class 5	6,910	7,140	7,370	7,600	7,830	8,060	8,290	8,520	8,750	$8,980
Class 6	6,225	6,435	6,645	6,855	7,065	7,275	7,485	7,695	7,905	8,115
Class 7	5,610	5,800	5,990	6,180	6,370	6,560	6,750	6,940	7,130	7,320
Class 8	5,060	5,230	5,400	5,570	5,740	5,910	6,080	6,250	6,420	6,590
Class 9	4,575	4,725	4,875	5,025	5,175	5,325	5,475	5,625	5,775	5,930
Class 10	4,110	4,250	4,390	4,530	4,670	4,825	4,980	5,135	5,290	5,445

"'On the first day of the first pay period which begins on or after January 1, 1964, the per annum salaries of staff officers and employees within each class shall be as follows:

"'Class 1	$14,265	$14,735	$15,205	$15,675	$16,145	$16,615	$17,085	$17,555	$18,025	
Class 2	11,725	12,110	12,495	12,880	13,265	13,650	14,035	14,420	14,805	
Class 3	9,695	10,015	10,335	10,655	10,975	11,295	11,615	11,935	12,255	
Class 4	8,090	8,355	8,620	8,885	9,150	9,415	9,680	9,945	10,210	
Class 5	7,295	7,535	7,775	8,015	8,255	8,495	8,735	8,975	9,215	$9,455
Class 6	6,570	6,785	7,000	7,215	7,430	7,645	7,860	8,075	8,290	8,505
Class 7	5,890	6,085	6,280	6,475	6,670	6,865	7,060	7,255	7,450	7,645
Class 8	5,270	5,445	5,620	5,795	5,970	6,145	6,320	6,495	6,670	6,845
Class 9	4,715	4,870	5,025	5,180	5,335	5,490	5,645	5,800	5,955	6,110
Class 10	4,215	4,355	4,495	4,635	4,775	4,915	5,060	5,215	5,370	5,525

"'(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary may, under such regulations as he may prescribe, classify positions at levels below class 10, and establish salary rates therefor at lower rates than those prescribed by this section, for American employees recruited abroad who are not available or are not qualified for transfer to another post and who perform duties of a more routine nature than are generally performed at the class 10 level.'

"Conversion

"SEC. 904. Foreign Service officers, Reserve officers, and Foreign Service staff officers and employees who are entitled to receive basic compensation immediately prior to the effective date of this title at one of the rates provided by section 412 or 415 of the Foreign Service Act of 1946, shall receive basic compensation on and after the effective date of this title at the rate of their class determined to be appropriate by the Secretary of State: *Provided,* That staff officers and employees shall be transferred to the new staff classes established by this Act as follows:

"Present class under section 415 of the Foreign Service Act of 1946	Corresponding new class under section 415 of the Foreign Service Act of 1946, as amended
FSS- 1	FSS- 1
FSS- 2	FSS- 1
FSS- 3	FSS- 2
FSS- 4	FSS- 2
FSS- 5	FSS- 3
FSS- 6	FSS- 3
FSS- 7	FSS- 4
FSS- 8	FSS- 5
FSS- 9	FSS- 6
FSS-10	FSS- 7
FSS-11	FSS- 8
FSS-12	FSS- 9
FSS-13	FSS-10
FSS-14 and below	(1)

"[1] Remain at present class and salary rate until revised pursuant to new section 415(b).

"Conforming amendments

"SEC. 905. The heading of section 642 of the Foreign Service Act of 1946 is amended by deleting the words 'and longevity' and section 642 is amended by deleting '(a)' in the first paragraph and by deleting subsection (b) in its entirety.

"Effective date

"SEC. 906. Except as otherwise expressly provided in this title, this title shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

"Title VI—Miscellaneous salary provisions

"Revision of salary limitations for certain scientific and professional positions

"SEC. 1001. (a)(1) Section 2(b) of the Act of August 1, 1947 (Public Law 313, Eightieth Congress, as amended (75 Stat. 789; 5 U.S.C. 1161–1163)), relating to the rates of compensation of certain scientific or professional positions, is amended to read as follows:

"'(b) The per annum rates of compensation for positions established pursuant to the provisions of this Act shall not be less than the minimum rate of grade 16 of the General Schedule of the Classification Act of 1949, as amended, nor more than the highest rate of grade 18 of the General Schedule of such Act and shall be subject to the approval of the United States Civil Service Commission.'.

"(2) The first section of such Act is amended by adding at the end thereof the following new subsection:

"'(g) the Librarian of Congress is authorized to establish and fix the compensation for not more than eight scientific or professional positions in the Library of Congress, each such position being established to carry out research and development functions of the Library which require the services of specially qualified personnel. Section 2(a) shall not apply to positions established under this subsection.'

"(b) Section 1581(b) of title 10 of the United States Code, relating to the rates of compensation of certain scientific or professional positions in the Department of Defense, is amended to read as follows:

"'(b) Subject to the Civil Service Commission's approval as to rates, the Secretary may fix the compensation for positions established under subsection (a). However, the per annum compensation may not be less than the minimum rate of grade 16 of the General Schedule of the Classification Act of 1949, as amended, nor more than the highest rate of grade 18 of the General Schedule of such Act.'.

"(c) Section 4 of the Act of May 29, 1959 (73 Stat. 63; Public Law 86–36), as amended by section 204 of the Act of October 4, 1961 (75 Stat. 791; Public Law 87–367), authorizing scientific and professional positions in the National Security Agency, is amended by striking out ', as amended by paragraph (34)(B) of the first section of the Act of September 2, 1958 (72 Stat. 1456; Public Law 85–861)'.

"(d) The proviso contained in the first sentence of section 208(g) of the Public Health Service Act, as amended (42 U.S.C. 210(g)), relating to the rates of compensation of certain scientific, professional, and administrative personnel in the Public Health Service, is amended to read as follows: ': *Provided,* That the rates of compensation for positions established pursuant to the provisions of this subsection shall not be less than the minimum rate of grade 16 of the General Schedule of the Classification Act of 1949, as amended, nor more than the highest rate of grade 18 of the General Schedule of such Act, and shall be subject to the approval of the Civil Service Commission.'.

"(e) The proviso contained in the second sentence of section 12 of the Act of May 29, 1884 (62 Stat. 198 as amended and supplemented; 21 U.S.C. 113a), authorizing the Secretary of Agriculture to employ and fix the compensation of technical experts and scientists for research and study of foot-and-mouth disease and other animal diseases, is amended to read as follows: ': *Provided,* That the number so employed shall not exceed five and that the maximum compensation for each shall not exceed the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended.'.

"(f) Section 203(b)(2) of the National Aeronautics and Space Act of 1958 (72 Stat. 429; 42 U.S.C. 2473(b)(2)), as amended, authorizing the Administrator of the National Aeronautics and Space Administration to establish and fix the compensation of four hundred and twenty-five scientific, engineering, and administrative positions, is amended by striking out, in the second sentence, ', except that (A) to the extent the Administrator deems such action necessary to the discharge of his responsibilities, he may appoint and fix the compensation (up to a limit of $19,000 a year, or up to a limit of $21,000 a year for a maximum of thirty positions) of' and by inserting in lieu thereof ', except that (A) to the extent the Administrator deems such action necessary to the discharge of his responsibilities, he may appoint and fix the compensation (at not to exceed the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended, or, for a maximum of thirty positions, not to exceed $21,000 a year) of'.

"(g) That part of the proviso in section 161d. of the Atomic Energy Act of 1954, as amended (71 Stat. 613; 42 U.S.C. 2201), fixing a limit of $19,000 on the compensation of scientific and technical personnel, is amended by striking out the words 'up to a limit of $19,000)' and inserting in lieu thereof 'up to a limit of the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended)'.

"(h) Section 302(f) of the Federal Aviation Act of 1958 (72 Stat. 746; 49 U.S.C. 1343(d)), as amended, authorizing the Administrator of the Federal Aviation Agency to select, employ, and fix the compensation of 23 positions at rates not to exceed $19,500 per annum, is amended by striking out '$19,500 per annum' and inserting in lieu thereof 'the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended'.

"(i) Section 2 of the Act of June 14, 1948, as amended (62 Stat. 441; 66 Stat. 43; 22 U.S.C. 290a), relating to the compensation of the United States representative and alternate on the Executive Board of the World Health Organization, is amended by striking out 'Such representative shall be entitled to receive compensation at a rate not to exceed $12,000 per annum and any such alternate shall be entitled to receive compensation at a rate not to exceed $10,000 per annum', and inserting in lieu thereof 'Such representative and any such alternate shall each be entitled to receive compensation at one of the rates provided by section 412 of the Foreign Service Act of 1946, as amended,'.

"(j) Section 104(b) of the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 530; Public Law 87–256) authorizing the fixing of the compensation of not to exceed ten employees without regard to the Classification Act of 1949, is amended to read as follows:

"'(b) The President is authorized to employ such other personnel as he deems necessary to carry out the provisions and purposes of this Act, and of such personnel not to exceed ten may be compensated without regard to the provisions of the Classification Act of 1949, as amended, but not in excess of the highest rate of grade 18 of the general schedule established by such Act. Such positions shall be in addition to the number authorized by section 505 of the Classification Act of 1949, as amended.'

"(k)(1) Section 625(b) of the Foreign Assistance Act of 1961 (75 Stat. 449; Public Law 87–195), as amended, is amended by striking out 'and of these, not to exceed eight may be compensated at a rate in excess of the highest rate provided for grades of such general schedule but not in excess of $19,000 per year' and inserting in lieu thereof 'but not in excess of the highest rate of grade 18 of such general schedule'.

"(2) Section 625(c) of such Act is amended by striking out 'and of these, not to exceed three may be compensated at a rate in excess of the highest rate provided for grades of such general schedule but not in excess of $19,000 per year' and inserting in lieu thereof 'but not in excess of the highest rate of grade 18 of such general schedule'.

"(l) Section 7(b) of the Peace Corps Act (75 Stat. 615; Public Law 87–293) is amended by striking out 'and of these not to exceed two may be compensated at a rate in excess of the highest rate provided for grades of such general schedule but not in excess of $19,000 per year' and inserting in lieu thereof 'but not in excess of the highest rate of grade 18 of such general schedule'.

"Agricultural stabilization and conservation county committee employees

"SEC. 1002. The rates of compensation of persons employed by the county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) shall be increased by amounts equal, as nearly as may be practicable, to the increases provided by title II of this part for corresponding rates of compensation in the appropriate schedule or scale of pay.

"Assistant United States attorneys

"SEC. 1003. (a) The last paragraph of section 508 of title 28 of the United States Code is amended to read as follows:

"'Assistant United States attorneys and attorneys appointed under section 503 of this title—not more than $17,500.'

"(b) The rates of basic compensation of assistant United States attorneys whose basic salaries are fixed by section 508 of title 28, United States Code, shall be increased by 7½ per centum effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

"Employees in the judicial branch

"SEC. 1004. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed by or pursuant to paragraph (2) of subdivision a of section 62 of the Bankruptcy Act (11 U.S.C. 102(a)(2)), section 3656 of title 18 of the United States Code, the third sentence of section 603, section 604(a)(5), or section 672 to 675, inclusive, of title 28 of the United States Code, or section 107(a)(6) of the Act of July 31, 1956, as amended (5 U.S.C. 2206(a)(6)), are hereby increased by two amounts, the first amount to be effective for the period beginning as of the first day of the first pay period which begins on or after the date of enactment of this Act, and ending immediately prior to the first day of the first pay period which begins on or after January 1, 1964, and the second amount to be effective on the first day of the first pay period which begins on or after January 1, 1964, and thereafter, which reflect the respective applicable increases provided by title II of this part in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

"(b) The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by two amounts, the first amount to be effective for the period beginning as of the first day of the first pay period which begins on or after the date of enactment of this Act, and ending immediately prior to the first day of the first pay period which begins on or after January 1, 1964, and the second amount to be effective on the first day of the first pay period which begins on or after January 1, 1964, and thereafter, which reflect the respective applicable increases provided by title II of this part in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

"(c) Section 753(e) of title 28 of the United States Code (relating to the compensation of court reporters for district courts) is amended by striking out the existing salary limitation contained therein and inserting a new limitation to be effective for the period beginning as of the first day of the first pay period which begins on or after the date of enactment of this Act, and ending immediately prior to the first day of the first pay period which begins on or after January 1, 1964, and a second new limitation effective on the first day of the first pay period which begins on or after January 1, 1964, and thereafter, which reflect the respective applicable increases provided by title II of this part in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended.

"Employees in the legislative branch

"SEC. 1005. (a) Each officer and employee in or under the legislative branch of the Government whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946 shall be paid additional compensation at the rate of 7 per centum of his gross rate of compensation (basic compensation plus additional compensation authorized by law).

"(b) The basic compensation of each employee in the office of a Senator is hereby adjusted, effective on October 16, 1962, to the lowest multiple of $60 which will provide a gross rate of compensation not less than the gross rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before the fifteenth day following the date of enactment of this Act the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased such notice shall be deemed to have been given.

"(c) Notwithstanding the provision referred to in subsection (d), the rates of gross compensation of the elected officers of the Senate (except the Presiding Officer of the Senate), the Legislative Counsel of the Senate, the Official Reporters of Debates of the Senate, the Parliamentarian of the Senate, the Senior Counsel in the Office of the Legislative Counsel of the Senate, and the Chief Clerk of the Senate are hereby increased by 7 per centum.

"(d) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'SENATE' in the Legislative Appropriation Act, 1956, as amended (74 Stat. 304; Public Law 86-568), is amended to read as follows:

"'No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid basic compensation at a rate in excess of $8,880 per annum, or gross compensation at a rate in excess of $18,880 per annum, unless expressly authorized by law.'

"(e) The limitation on gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the Senate is hereby increased by 7 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) of this section shall not apply to employees whose compensation is subject to such limitation.

"(f) Each officer or employee of the House of Representatives, whose compensation is disbursed by the Clerk of the House of Representatives and is not increased automatically, or is not permitted to be increased administratively, by reason of any other provision of this section, shall receive additional compensation at the rate of 7 per centum of the rate of his total annual compensation in effect immediately prior to the effective date of this section.

"(g) The limitations on gross rate per thousand and gross rate per hour per person provided by applicable law on the effective date of this section with respect to the folding of speeches and pamphlets for the House of Representatives are hereby increased by 7 per centum. The amount of each such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

"(h) The additional compensation provided by this section shall be considered a part of basic compensation for the purposes of the Civil Service Retirement Act (5 U.S.C. 2251 and the following).

"(i) Notwithstanding any other provision of this section, no rate of compensation which exceeds $21,500 shall be increased by this section, and no increase provided by this section shall cause the gross rate of compensation (basic plus additional compensation authorized by law) or the total annual compensation of any officer or employee to exceed $21,500.

"(j) Insofar as the provisions of this section apply to officers and employees whose compensation is based on a monthly pay period which begins on the first day of the month, such provisions shall become effective on October 16, 1962.

"Saving provision

"SEC. 1006. Notwithstanding any provision of this Act, no rate of basic, gross, or total annual compensation or salary shall be reduced by reason of the enactment of this Act.

"Absorption of costs

"SEC. 1007. (a) The departments, agencies, establishments, and corporations in the executive branch shall absorb the costs of the increases in basic compensation provided by this Act to the fullest extent possible without seriously affecting the immediate execution of essential functions.

"(b) No request for additional or supplemental appropriations to meet the increases in basic compensation provided by this Act shall be transmitted to the Congress unless it is accompanied by a certification of the Director of the Bureau of the Budget that the amounts requested are necessary to provide for the continued execution of essential functions of the department, agency, or corporation concerned.

"(c) Pursuant to the objective of this section, heads of the executive branch activities concerned are directed to review with meticulous care each vacancy resulting from voluntary resignation, retirement, or death and to determine whether the duties of the position can be reassigned to other employees or whether the position can be abolished without seriously affecting the execution of essential functions.

"(d) Nothing contained in subsection (a) of this section shall be held or considered to require (1) the separation from the service of any individual by reduction in force or other personnel action or (2) the placing of any individual in a leave-without-pay status.

"Effective date

"SEC. 1008. Except as otherwise expressly provided, this title shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

"Ceiling provision

"SEC. 1009. Except as provided in section 1005, no rate of compensation which exceeds $20,000 per annum shall be increased or established by or pursuant to this Act and no increase made by or pursuant to this Act shall cause any rate of compensation to exceed $20,000 per annum.

"PART III—ADJUSTMENT OF ANNUITIES

"SEC. 1101. (a) The annuity of each person who, on the effective date of this section, is receiving or entitled to receive an annuity from the civil service retirement and disability fund shall be increased by 5 per centum of the amount of such annuity.

"(b) The annuity of each person who receives or is entitled to receive an annuity from the civil service retirement and disability fund commencing during the period which begins on the day following the effective date of this section and ends five years after such date, shall be increased in accordance with the following table:

"If the annuity commences between—	The annuity shall be increased by—
January 2, 1963, and December 31, 1963	4 per centum
January 1, 1964, and December 31, 1964	3 per centum
January 1, 1965, and December 31, 1965	2 per centum
January 1, 1966, and December 31, 1966	1 per centum

"(c) In lieu of any other increase provided by this section, the annuity of a survivor of a retired employee or Member of Congress who received an increase under this section shall be increased by a percentage equal to the percentage by which the annuity of such employee or Member was so increased.

"(d) No increase provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(e) The limitation reading 'or (3) the sum necessary to increase such annuity, exclusive of annuity purchased by voluntary contributions under the second paragraph of section 10 of this Act, to $2,160' contained in section 8(c)(1) of the Civil Service Retirement Act of May 29, 1930, as amended by the Acts of July 16, 1952 (66 Stat. 722; Public Law 555, Eighty-second Congress), and August 31, 1954 (68 Stat. 1043; Public Law 747, Eighty-third Congress), shall not be effective on or after the effective date of this section.

"(f) The limitation contained in the next to the last sentence of section 8(d)(1) of the Civil Service Retirement Act of May 29, 1930, as amended, as enacted by the Act of August 11, 1955 (69 Stat. 692; Public Law 369, Eighty-fourth Congress), shall not be effective on and after the effective date of this section.

"(g) The increases provided by this section shall take effect on the effective date of this section, except that any increase under subsection (b) or (c) shall take effect on the beginning date of the annuity.

"(h) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar.

"SEC. 1102. (a) Section 1 of the Civil Service Retirement Act is amended by adding at the end thereof the following new subsection:

"'(t) The term "price index"' shall mean the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.'

"(b) Such Act is further amended by redesignating section 18 as 19, and by inserting after section 17 the following new section:

"'Cost-of-living adjustment of annuities

"'SEC. 18. (a) After January 1, 1964, and after each succeeding January 1, the Commission shall determine the per centum change in the price index from the later of 1962 or the year preceding the most recent cost-of-living adjustment to the latest complete year. On the basis of such Commission determination, the following adjustments shall be made:

"'(1) Effective April 1, 1964, if the change in the price index from 1962 to 1963 shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2, 1963, shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"'(2) Effective April 1 of any year other than 1964 after the price index change shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"'(b) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

"'(1) Effective from the date of the first increase under this section, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 10(d)), which annuity commenced the day after the annuitant's death, shall be increased as provided in subsection (a)(1) or (a)(2) if the commencing date of annuity to the annuitant was earlier than January 2 of the year preceding the first increase.

"'(2) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 10(d)), which annuity commences the day after the annuitant's death and after the effective date of the first increase under this section, shall be increased by the total per centum increase the annuitant was receiving under this section at death.

"'(3) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 10(d), the items $600, $720, $1,800, and $2,160 appearing in section 10(d) shall be increased by the total per centum increase allowed and in force under this section, and, in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 10(d) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death. Effective from the date of the first increase under this section, the provisions of this paragraph shall apply as if such first increase were in effect with respect to computation of a child's annuity under section 10(d) which commenced between January 2 of the year preceding the first increase and the effective date of the first increase.

"'(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"'(d) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar.'

"SEC. 1103. (a) Section 9(g) of the Civil Service Retirement Act is amended to read as follows:

"'(g) The annuity as hereinbefore provided (excluding any increase because of retirement under section 7) for any married employee or Member retiring under this Act, or any portion of such annuity designated in writing for purposes of section 10(a)(1), shall be reduced by 2½ per centum of so much thereof as does not exceed $3,600 and by 10 per centum of so much thereof as exceeds $3,600, unless the employee or Member notifies the Commission in writing at the time of retirement that he does not desire his wife or husband to receive an annuity as provided in section 10(a)(1).'

"(b) Section 10(a)(1) of such Act is amended to read as follows:

"'(1) If an employee or Member dies after having retired under any provision of this Act and is survived by a wife or husband to whom the employee or Member was married at the time of retirement, such wife or husband shall be paid an annuity equal to 55 per centum of an annuity computed as provided in subsections (a), (b), (c), (d), (e), and (f) of section 9, as may apply with respect to the annuitant, or of such portion thereof as may have been designated in writing for such purpose by the employee or Member at the time of retirement, unless the employee or Member has notified the Commission in writing at the time of retirement that he does not desire his wife or husband to receive such annuity.'

"(c) Section 10(b) of such Act is amended by striking out '50 per centum' and inserting in lieu thereof '55 per centum'.

"(d) Section 10(c) of such Act is amended by striking out '50 per centum' and inserting in lieu thereof '55 per centum'.

"(e) Section 10(e) of such Act is amended by striking out '50 per centum' and inserting in lieu thereof '55 per centum'.

"(f)(A) Section 1(j) of the Civil Service Retirement Act is amended by substituting a comma for the period at the end thereof and adding the following: 'or such unmarried child between eighteen and twenty-one years of age who is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution. A child whose twenty-first birthday occurs prior to July 1 or after August 31 of any calendar year, and while he is regularly pursuing such a course of study or training, shall be deemed for the purposes of this paragraph and section 10(d) to have attained the age of twenty-one on the first day of July following such birthday. A child who is a student shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed four months and if he shows to the satisfaction of the Commission that he has a bona fide intention of continuing to pursue a course of study or training in the same or different school during the school semester (or other period into which the school year is divided) immediately following the interim.'

"(B) The third sentence of section 10(d) of the Act is amended to read as follows: 'The child's annuity shall commence on the day after the employee or Member dies, and such annuity granted under this Act or under the Act of May 29, 1930, as amended from and after February 28, 1948, or any right thereto shall terminate on the last day of the month before (1) his attaining age eighteen unless incapable of self-support, (2) his becoming capable of self-support after age eighteen, (3) his marriage, or (4) his death, except that the annuity of a child who is a student as described in section 1(j) shall terminate on the last day of the month before (1) his marriage, (2) his death, (3) his ceasing to be such a student, or (4) his attaining age twenty-one.'

"SEC. 1104. Notwithstanding any other provision of law, the benefits made payable under the Civil Service Retirement Act by reason of the enactment of this part shall be paid from the civil service retirement and disability fund.

"SEC. 1105. Section 1101 of this part shall take effect on January 1, 1963. The amendments made by section 1103 (except subsection (b)) shall not apply in the case of employees or Members retired or otherwise separated prior to the date of enactment of this Act, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if these amendments had not been enacted."

And the Senate agree to the same.

TOM MURRAY,
JAMES H. MORRISON,
ROBERT J. CORBETT,
Managers on the Part of the House.

OLIN D. JOHNSTON,
MIKE MONRONEY,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7927) entitled "An act to adjust postal rates, and for other purposes," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate with an amendment which is a substitute for both

the text of the House bill and the text provided by the Senate amendment and that the Senate agree to the same.

The text of the House bill related only to postal rates.

The Senate amendment to the House text consisted of three parts.

Part I of the Senate amendment, consisting of three titles, related to postal rates. Title I of part I covered postal rate increases. Title II of part I contained amendments to the postal policy provisions of the postal laws. Title III of part I contained certain miscellaneous amendments to the postal laws.

Part II of the Senate amendment, consisting of six titles, related to Federal salary reform. Title I of part II contained a statement of policy with respect to Federal salary reform. Title II of part II contained provisions revising the pay system of the Classification Act of 1949, as amended. Title III of part II revised the compensation schedules of title 39, United States Code, and contained certain related provisions, with respect to postal field service employees. Title IV of part II of the Senate amendment contained salary increases for physicians, dentists, and nurses, and other personnel of the Department of Medicine and Surgery of the Veterans' Administration. Title V of part II revised the salary rates for personnel in the Foreign Service under the Department of State prescribed by the Foreign Service Act of 1946, as amended. Title VI of part II contains certain miscellaneous salary provisions which, in effect, revise the compensation rates for the following groups of employees: (1) certain scientific and professional employees; (2) agricultural stabilization and conservation county committee employees; (3) assistant U.S. attorneys; (4) employees in the judicial branch; (5) employees in the legislative branch.

Part III of the Senate amendment contained provisions making adjustments in annuities under the Civil Service Retirement Act, as amended.

The conference substitute, with the exceptions to be noted, is in general the same as the Senate amendment. Except for technical and minor drafting changes, the differences between the text of the House bill and the conference substitute are discussed below.

A summary of the major provisions of the conference substitute follow.

SUMMARY OF MAJOR PROVISIONS OF CONFERENCE SUBSTITUTE

Increased postal revenue

Postal revenue will be increased by $600.3 million per annum when all of the postal rate adjustments provided by part I of the conference substitute are placed in effect. Such increased revenue and the public service policy provisions of the conference substitute will—when adjustment in rates and conditions of mailability of fourth-class mail for which the Postmaster General has petitioned the Interstate Commerce Commission (as required by law) shall be approved—eliminate the postal deficit.

Such increased postal revenue provided by part I of the conference substitute is approximately $20 million less than the aggregate annual increased postal revenue of $620 million which would have been provided by the postal rate adjustment bill recommended to the House of Representatives by the Postmaster General and presented for consideration by the chairman of the House Committee on Post Office and Civil Service on January 23, 1962.

A table comparing present and proposed postal rates follows:

Comparison of present and proposed postal rates (new revenues based on 1963 volume)

Mail class	Postage rate unit	Present rate	First year (1963)		Second year (1964)		Third year (1965)	
			Rate	New revenues	Rate	New revenues	Rate	New revenues
				Millions		*Millions*		*Millions*
First class:								
Letters	Per ounce	4 cents	5 cents	$409.6	5 cents	$409.6	5 cents	$409.6
Drop letters	do	3 cents	4 cents	1.8	4 cents	1.8	4 cents	1.8
Cards	Per card	3 cents	4 cents	26.4	4 cents	26.4	4 cents	26.4
Total				437.8		437.8		437.8
Airmail:								
Letters	Per ounce	7 cents	8 cents	16.0	8 cents	16.0	8 cents	16.0
Cards	Per card	5 cents	6 cents	.3	6 cents	.3	6 cents	.3
Parcel post	Per pound	By zones [1]	(1) (2)	4.9	(1) (2)	4.9	(1) (2)	4.9
Total				21.2		21.2		21.2
Second class:								
In-county:								
Free mail	Per pound	Free	1 cent (lb.)	.9	1 cent (lb.)	.9	1¼ cents (lb.)	1.5
Pound-rate matter	do	1 cent	⅛ cent (min.)		⅛ cent (min.)		⅛ cent (min.)	
	Minimum per copy	⅛ cent						
Per-copy-rate matter	Per copy	1 cent or 2 cents.	Present rates	.3	Present rates	.3	Present rates	.3
Outside county:								
Regular publications:					3 annual 4 percent increases			
Editorial	Per pound	2½ cents	2.6 cents (lb.)		2.7 cents (lb.)		2.8 cents (lb.)	
Advertising:					3 annual 10 percent increases (adjusted)			
Zones 1 and 2	do	3 cents	3.4 cents (lb.)		3.8 cents (lb.)		4.2 cents (lb.)	
Zone 3	do	4 cents	4.4		4.8		5.2	
Zone 4	do	6 cents	6.4	6.4	6.8	14.2	7.2	22.6
Zone 5	do	8 cents	8.4		8.8		9.2	
Zone 6	do	10 cents	10.4		10.8		11.2	
Zone 7	do	12 cents	12.0		12.0		12.0	
Zone 8	do	14 cents	14.0		14.0		14.0	
	Minimum per copy	½ cent	0.6 cent (min.) [4]		0.8 cent (min.) [4]		1 cent (min.) [4]	
Nonprofit publications	Per pound	1½ cents	1.6 cents (lb.)	.3	1.7 cents (lb.)	.6	1.8 cents (lb.)	.9
	Minimum per copy	⅛ cent	⅛ cent (min.)		⅛ cent (min.)		⅛ cent (min.)	
Classroom publications:								
Editorial	Per pound	1½ cents	60 percent of regular rates					
Advertising:								
Zones 1 and 2	do	1½ cents						
Zone 3	do	2 cents						
Zone 4	do	3 cents		.3		.6		1.0
Zone 5	do	4 cents						
Zone 6	do	5 cents						
Zone 7	do	6 cents						
Zone 8	do	7 cents						
	Minimum per copy	⅛ cent						
Transient rate	First 2 ounces	2 cents	4 cents	1.1	4 cents	1.1	4 cents	1.1
	Each additional ounce	1 cent	1 cent		1 cent		1 cent	
Fees:								
Original entry—circulation under 2,000		$25	$30		($30		($30	
Original entry—circulation 2,000–5,000		$50	$60		$60		$60	
Original entry—circulation over 5,000		$100	$120	.03	$120	.03	$120	.03
Reentry		$10	$10		$10		$10	
Additional entry		$10	$15 (zones 3–8, $50)		$15 (zones 3–8, $50)		$15 (zones 3–8, $50)	
News agent registry		$20	$25		$25		$25	
Total				9.3		17.7		27.4
Controlled circulation	Per pound	12 cents	12½ cents	.3	13 cents	.6	13½ cents	1.0
	Minimum per piece	1 cent	1 cent		1 cent		1 cent	
Total				.3		.6		1.0
Third class:								
Single piece	1st 2 ounces	3 cents	4 cents	34.5	4 cents	34.5	4 cents	34.5
	Each additional ounce	1½ cents	2 cents	10.3	2 cents	10.3	2 cents	10.3

See footnote at end of table.

Comparison of present and proposed postal rates (new revenues based on 1963 volume)—Continued

Mail class	Postage rate unit	Present rate	First year (1963)		Second year (1964)		Third year (1965)	
			Rate	New revenues	Rate	New revenues	Rate	New revenues
Third class—Continued								
Bulk rate:								
Regular:				*Millions*		*Millions*		*Millions*
Circulars, etc.	Per pound	16 cents	18 cents	3.1	18 cents	3.1	18 cents	3.1
	Minimum per piece	2½ cents	2⅝ cents	13.2	2⅝ cents	26.3	2⅞ cents	39.5
Books, catalogs, etc.	Per pound	10 cents	12 cents	3.9	12 cents	3.9	12 cents	3.9
	Minimum per piece	2½ cents	2⅝ cents	.5	2⅝ cents	1.0	2⅞ cents	1.5
Nonprofit:								
Circulars, etc.	Per pound	16 cents	9 cents	−1.7	9 cents	−1.7	9 cents	−1.7
	Minimum per piece	1¼ cents	1¼ cents		1¼ cents		1¼ cents	
Books, catalogs, etc.	Per pound	10 cents	6 cents		6 cents		6 cents	
	Minimum per piece	1¼ cents	1¼ cents		1¼ cents		1¼ cents	
Bulk mailing fee	Calendar year	$20	$30	2.6	$30	2.6	$30	2.6
Total				66.4		80.0		93.7
Fourth class:								
Educational materials	1st pound	9 cents	9½ cents	.5	10 cents	1.0	10 cents	1.0
	Each additional pound	5 cents	5 cents		5 cents		5 cents	
Library materials	1st pound	4 cents	Present rates		Present rates		Present rates	
	Each additional pound	1 cent						
Total				.5		1.0		1.0
Keys, etc.	Each 2 ounces	5 cents	6 cents	.1	6 cents	.1	6 cents	.1
Federal Government mail	Applicable class rates			20.5		21.0		21.0
Permit fees for mailing without stamps		$10	$15	.2	$15	.2	$15	.2
Mail mix adjustment				−3.0		−3.0		−3.0
Total new postal revenues, all classes				553.2		576.5		600.3
Estimated public service allowances				[3] 375.0		[3] 574.0		[3] 373.0

[1] Air parcel post law requires payment of not less than 1st-class rates for 1st class sent by air.

[2] Present parcel post schedule plus 8 cents per piece. First-class matter above 8 ounces, 64 cents for 1st 8 ounces plus 5 cents for each additional ounce or the published parcel post rate if higher.

[3] Consists of total loss on free and reduced rate mail, additional public service on incounty mail, and the amount deemed attributable to 3d- and 4th-class post offices and rural and star routes.

[4] When number of copies mailed for delivery outside the county is fewer than 5,000, the minimum per copy is ½ cent.

On magazines containing less than 5 percent advertising the minimum charge per copy is 0.55 of a cent during 1963, 0.65 of a cent during 1964, and 0.75 of a cent thereafter.

Salary increases

Part II of the conference substitute places in effect major provisions of the Federal statutory salary reform proposal submitted to the Congress by the President earlier in the current session. The essential requirements of comparability of Federal and private enterprise salary rates, internal alinement of Federal salary schedules, and annual review and adjustment of salaries recommended by the President are provided by part II of the conference substitute. The chief differences between such part of the conference substitute and the President's recommendations are (1) salary adjustments under the conference substitute are in two phases, spaced 15 months apart, instead of three annual phases as recommended by the President, and (2) the three highest grades of the Classification Act of 1949 and the three highest levels of the postal field service schedule receive only one upward adjustment, leaving the final determination of the appropriate salaries for such grades and levels for consideration in the next Congress.

The conference substitute also provides comparable salary adjustments for employees in the judicial branch, agricultural stabilization and conservation county committee employees, congressional employees, and employees whose rates of compensation are fixed by administrative action. This is in conformity with the policy adopted by the Congress in all recent salary increase legislation.

The conference substitute provides salary increases which, when all are in effect, will average 11.2 percent for postal field service employees and 9.6 percent for classified employees and certain others.

Cost of salary increases

The annual cost of the salary reform provisions of the conference substitute will be $1.049 billion beginning with the calendar year 1964, when the salary adjustments provided for therein become fully effective. The salary reform legislation recommended by the President would have cost $1.054 billion a year beginning in the calendar year 1965. The annual cost of Federal civilian salary reform provisions contained in H.R. 9531, as reported favorably by the House Committee on Post Office and Civil Service but not acted upon by the House, would have been $1.469 billion beginning with the calendar year 1964—a difference of $420 million savings under the conference substitute.

Civil service retirement annuities

Part III of the conference substitute—

1. Provides a 5-percent increase, effective January 1, 1963, in all annuities then payable from the civil service retirement fund which commenced on or before that date.

2. Applies the increase on a graduated reduction basis to all annuities which commence in the 4-year period following January 1, 1963, in keeping with the practice followed in the last previous enactment of this kind.

3. Provides that the proper proportion of the increase granted an annuitant will accrue to his survivors.

4. Excludes from the increase annuity amounts purchased by voluntary contributions.

5. Removes the ceilings on increases imposed by certain previous enactments.

6. Provides for future adjustments in the event the calendar year average of the monthly Consumer Price Index of the Bureau of Labor Statistics increases not less than 3 percent.

7. Raises from $2,400 to $3,600 the portion of annuity to which the reduction of 2½ percent applies when electing survivorship benefits.

8. Increases the ratio of survivorship benefits from 50 to 55 percent.

9. Reverses present procedure by providing that in the future survivorship benefits will be automatic unless an adverse election is made.

10. Extends the right of survivorship benefits for children to the end of any school year in which a child attains the age of 21 years so long as the child pursues full-time studies in a school, college, university, or comparable recognized educational institution. This change is in keeping with provisions of veterans' benefit laws.

DIFFERENCES BETWEEN THE TEXT OF THE HOUSE BILL AND THE CONFERENCE SUBSTITUTE

PART I—POSTAL SERVICE

Postal rates

Both the House bill and part I of the conference substitute provide increases in postal rates and certain changes in the public service features of postal policy under chapter 27 of title 39, United States Code.

First-class mail

Section 3 of the House bill and section 101 of the conference substitute both provide for increases in the rate on first-class letter mail from 4 to 5 cents for each ounce or fraction of an ounce, in the rate on drop letters from 3 to 4 cents for each ounce or fraction of an ounce, and in the rate on each post card and each postal card from 3 to 4 cents.

Airmail

The amendments made by section 4 of the House bill increase the postage rates on airmail letters from 7 cents to 8 cents for each ounce or fraction thereof and on airmail postal and post cards from 5 cents to 6 cents. The existing requirement of minimum first-class ounce rates for air parcel post first-class matter is retained, but the existing minimum rate of 3 cents an ounce on such matter is eliminated.

Section 102 of the conference substitute increases the postage rate on airmail letters from 7 to 8 cents for each ounce or fraction thereof, and on airmail postal and post cards from 5 to 6 cents.

In keeping with the increase of 8 cents on airmail weighing 8 ounces, the first pound rate for air parcel post (other than first-class matter) is increased 8 cents. Air parcel post rates for first-class matter will be the regular 8-cent-an-ounce rate for each of the first 8 ounces, and the regular first-class letter rate of 5 cents an ounce for each ounce or fraction thereof over 8 ounces, but in no case less than the air parcel post rate for other matter.

Second-class mail within county of publication

Section 5 of the House bill removes the requirement, in connection with free-in-county mail, that publications must be printed in the county in which published.

Section 103 of the conference substitute eliminates free-in-county mailings, and extends to all such within-county mailings for calendar years 1963 and 1964 the existing 1 cent per pound and one-eighth cent minimum charge now applicable to certain categories of within-county mailings. At the start of calendar year 1965, the pound rate would be increased to 1¼ cents. The minimum charge per piece would remain at one-eighth cent. Existing per-copy rates applicable to publications issued less frequently or more frequently than once a week when mailed for delivery by letter carrier at the office of mailing are left unchanged.

Second-class mail beyond county of publication

Section 6 of the House bill imposes a piece rate charge of one-half cent effective July 1, 1962, and a piece rate charge of 1 cent effective July 1, 1963, to be paid in addition to existing pound rates.

Section 104(a) of the conference substitute increases second-class pound rates and the minimum charge per piece of publications for delivery outside the county of publication except that the current minimum charge of one-half cent per copy is not changed in the case of publications mailing less than 5,000 copies per issue outside the county of publication. The increase in pound rates on the nonadvertising portion is in three annual increments of 4 percent each year. The increase in pound rates on the nonadvertising portion is in three annual increments of 4 percent each year. The increase in pound rates on the advertising portion is in three annual increments of 0.4 cent each. The schedule provides increases after 3 years of 40 percent in zones 1 and 2; 30 percent in zone 3; 20 percent in zone 4; 15 percent in zone 5; and 12 percent in zone 6. The existing rates of 12 cents and 14 cents in zones 7 and 8, respectively, are not changed.

Any issue of a publication the advertising portion of which does not exceed 5 per centum of the entire issue will pay 0.55 of a cent per piece when mailed after January 6, 1963, and prior to January 1, 1964, 0.65 of a cent per piece when mailed during calendar year 1964, and 0.75 of a cent per piece when mailed after December 31, 1964.

Subsection (a) except as noted above also increases the minimum charge on the above publications in annual increments over a 3-year period from one-half cent to six-tenths of a cent, eight-tenths of a cent, and 1 cent, respectively.

Subsection (a) also fixes the postage rate on classroom publications at 60 percent of the regular rate. The rate applicable to the total content of publications of qualified nonprofit organizations (advertising and nonadvertising portions alike) is maintained at 1 cent per pound less than the pound rate applicable to the nonadvertising portion of regular publications. This produces a rate for these publications of less than 50 percent of the pound rates described above and the minimum per piece rate is retained at the present one-eighth of 1 cent.

Subsection (b) of section 104 extends the nonprofit rate to publications of official State highway agencies which meet all requirements for second-class entry and which contain no advertising. However, only one such publication in any State could be mailed at this rate. Also, the nonprofit rate is extended to associations of rural electric cooperatives.

Subsection (c) repeals existing law to the extent necessary to give effect to the changes in rates discussed above.

Second-class transient mail

Section 105 of the conference substitute increases the postage rate on the first 2 ounces of transient mail from 2 to 4 cents.

The House bill has no comparable provision relating to transient mail.

Controlled circulation publications

Section 8 of the House bill increases the rate to be paid by controlled circulation publications from 12 cents a pound to 14 cents a pound.

Section 106 of the conference substitute increases the pound rate on controlled circulation publications from 12 to 12½ cents the first year, to 13 cents the second year, and to 13½ cents thereafter.

Third-class mail

Section 9 of the House bill provides increases in rates for third-class mail as follows:

1. The piece rate on single mailings is increased from 3 cents on the first 2 ounces or fraction thereof to 4 cents.

2. The pound rate on all matter mailed in bulk (except books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants) is increased from 16 to 21 cents. The pound rate on books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants is increased from 10 to 18 cents except in the case of mailings by qualified nonprofit organizations which remains at 10 cents. The minimum rate per piece for other than qualified nonprofit organizations is increased from 2½ cents to 3½ cents.

3. The minimum rate on pieces of odd size is increased from 3½ cents to 4½ cents.

Section 107 of the conference substitute provides increases as follows in rates for third-class mail.

1. The piece rate on single mailings is increased from 3 cents on the first 2 ounces or fraction thereof and 1½ cents on each additional ounce or fraction thereof to 4 and 2 cents, respectively.

2. The pound rate on all matter mailed in bulk (except books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants) is increased from 16 to 18 cents. The pound rate on books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants is increased from 10 to 12 cents. The minimum rate per piece in either instance is increased in three annual increments—first to 2⅝ cents, a year later to 2¾ cents, and a year following that to 2⅞ cents.

Section 107 continues in effect the present minimum per piece charge on bulk third-class mailings by qualified nonprofit organizations and provides that the pound rates for such mailings shall be 50 per centum of the regular pound rates for bulk third-class mailings as embodied in the conference agreement.

In addition to the foregoing, this section raises the fee for a third-class bulk mailing permit from $20 to $30 and increases the minimum weight requirement from 20 to 50 pounds. This should have been adjusted in 1958 when the weight for third-class mail was increased from 8 to 16 ounces. One of the requirements for the bulk third-class pound rates is that such mail be in quantities of 20 pounds or of not less than 200 pieces. When the weight limit was 8 ounces a minimum of 40 such pieces was necessary, but when the weight limit was raised to 16 ounces only 20 such pieces was necessary to comply with the minimum weight limit. This is entirely too small a number of pieces to justify the bulk pound rate. Thus, in the future, to obtain the bulk third-class rate, it will be necessary to mail a minimum of 50 pounds or 200 pieces.

Fourth-class mail

Section 108 of the conference substitute restores to the States of Alaska and Hawaii the benefits of certain provisions relating to the maximum size and weight of fourth-class parcels mailed at or for delivery at first-class post offices which they enjoyed prior to their admission as States. Under these provisions, such parcels could be as large as 100 inches in length and girth combined and could weigh as much as 70 pounds. These are the maximums which are already applicable generally to parcels mailed at or for delivery at second-, third-, and fourth-class post offices or rural and star routes, and to parcels mailed at or for delivery at Army, Air Force, or Fleet Post Offices. The conditions which led to the original extension of these maximums to Alaska and Hawaii while in territorial status have not been altered by statehood and those maximums should be restored.

Section 109.—This section provides an increase in fourth-class postage rates on books, films, and similar educational materials from 9 cents for the first pound to 9½ cents during the first year and to 10 cents thereafter. The existing rate of 5 cents on each additional percent will continue without change.

The postage rates on fourth-class library materials would remain at 4 cents on the first pound and 1 cent for each additional pound.

The House bill contained no provisions comparable to section 108 or 109 of the conference substitute.

Fees for second-class entry and registration

The House bill made no change in fees for second-class mail.

Section 110 of the conference substitute provides increases as follows in second-class mailing fees:

	Existing fee	Proposed fee
Circulation:		
Not over 2,000	$25	$30
2,000 to 5,000	50	60
Over 5,000	100	120
Reentry	10	15
Additional entry	10	[1] 15 [2] 50
News agent	20	25

[1] Zones 1 and 2.
[2] Zones 3 to 8.

Permit fees for mailing without stamps

Section 111 of the conference substitute increases from $10 to $15 the permit fee for mailing without stamps.

The House bill contains no provisions on this matter.

Fixing of fees by Postmaster General

Section 112 of the conference substitute gives the Postmaster General the authority to adjust second-class entry and registration fees and permit fees for mailing with printed postage indicia in the future.

The House bill contains no provisions on this matter.

Keys and other small articles

Section 113 of the conference substitute increases from 5 cents for each 2 ounces to 6 cents for each 2 ounces the postage rate on keys and other small articles mailed without the prepayment of postage. The House bill contains no such provisions.

Method of determining gross receipts

Section 11 of the House bill and section 114 of the conference substitute both provide that increased revenues derived from the rate increases shall be excluded in determining compensation and allowances of postmasters and other employees and classes of post offices.

This is similar to the provision contained in the 1958 Postal Increase Act.

Qualifications of postmasters

Section 115 of the conference substitute requires the Civil Service Commission, in eval-

uating the qualifications of applicants for positions of postmaster, to give appropriate consideration to experience in the postal field service.

The House bill contains no provisions on this matter.

TITLE II—POSTAL POLICY

Section 2 of the House bill revises and strengthens the statement of congressional policy with respect to postal rates and fees originally enacted as the Postal Policy Act of 1958 and now contained in chapter 27 of title 39, United States Code.

Subsection (a) clarifies and strengthens the language of such policy with respect to the determination of postal expenses attributable to the performance of public service by the Postal Establishment.

Subsection (b) makes several important changes in the existing provisions of law with respect to identification of public services rendered by the Postal Establishment and the determination of the costs of such public services which shall be excluded from postal expenses for purposes of fixing postal rates and fees.

The first such change (sec. 2(b) (1) and (2)) provides that "the estimated calculated loss" from operation of third- and fourth-class post offices, star routes, and rural routes shall be held and considered to be an item of public service rendered by the Postal Establishment. Under present law, the "loss" on star routes and third- and fourth-class post offices is designated as an item of public service.

The second such change (sec. 2(b)(3)) supplies a needed clear definition of the terms "loss" and "total loss" as applied to revenues and expenses of the public service items specified in the law—a definition which was not included in the Postal Policy Act of 1958. This definitive language, coupled with the remaining provisions of section 2 of the bill, will provide standards and guidelines which are necessary for the Postmaster General to determine the amount of public service charges to be excluded from postal expenses each year for purposes of considering the need for adjustments in postal rates and fees.

The amendment made by section 2(c) requires the Postmaster General, on or before February 1 of each year beginning with the year 1962, to report to the Congress the amount by which costs of the public service items set forth in the postal policy provisions exceed revenues from such public service items and specifies, further, that the amount so determined and reported shall be excluded from the total cost of postal operations for purposes of adjustment of postal rates and fees. The last sentence of the amendment requires that the amount so determined and reported (and thus excluded from total operating costs for rate and fee purposes) shall be not less than 7½ percent of the total current budget of the Post Office Department.

The amendment made by section 2(d) is a technical amendment which conforms the table of contents of the appropriate chapter of title 39, United States Code, with the amendments made by the remainder of section 2 of the bill.

Section 201 of the conference substitute makes changes necessary to clarify and strengthen the statement of congressional policy with respect to postal rates and fees contained in chapter 27 of title 39, United States Code. Further, certain technical changes are made necessary by the elimination of free-in-county mailing under section 104. This section resolves a problem of long standing by providing a formula for use in determining the amount that shall be considered public service costs in the operation of star and rural routes and third- and fourth-class post offices. The conference substitute provides that 10 percent of the gross cost of the operation of third-class post offices and the star route system, and 20 percent of the gross cost of the operation of fourth-class post offices and rural routes shall be attributable to public service.

TITLE III—MISCELLANEOUS

Eligibility of certain organizations for second-class entry

Section 301 of the conference substitute adds publications of State industrial development agencies and public or nonprofit elementary and secondary schools to the list of those entitled to second-class entry without the necessity of having a bona fide list of regular subscribers.

The House bill contains no provisions on this matter.

Educational materials

Section 10 of the House bill makes certain technical changes in the preferential educational and library material rate listings to reflect the substantive changes made by Public Law 86-644, approved July 14, 1960. The subsection also supplies corrective language to clarify the purpose and intent of that part of section 4554(c) of title 39, United States Code, which extends the preferential library materials rates to scientific or mathematical kits, instruments, and devices, and catalogs and guides or scripts relating to their use. The existing preferential rates of 9 cents a pound for the first pound or fraction thereof and 5 cents for each additional pound or fraction thereof on educational materials and 4 cents a pound for the first pound or fraction thereof and 1 cent a pound for each additional pound or fraction thereof on library materials are retained.

Section 302 of the conference substitute provides corrective language to clarify the purpose and intent of that part of section 4554(c) of title 39 relating to the inclusion of guides, scripts, and catalogs with scientific or mathematical kits, instruments, or devices and sound recordings.

The conference substitute adds looseleaf pages, and binders therefor, consisting of medical information for distribution to doctors, hospitals, medical schools, and medical students to the educational materials category.

Reading matter and other materials for blind persons

Section 303 of the conference substitute revises sections 4653 and 4654 of title 39, United States Code, which relate to the mailing of reading and other materials for the use of blind persons. The changes made in these sections are designed to accomplish the following:

1. Existing law permits the free mailing to blind persons of books with raised type and recordings. This section would add books printed in sightsaving size type to this category. It would also make clear that the term "recordings" includes sound tapes.

2. Under present law public libraries and public institutions for the blind may mail free of postage books being loaned to blind persons. This section extends this privilege to any nonprofit organizations which lends books to the blind.

3. Extends the same free mailing treatment to reading materials mailed to nonprofit organizations for the use of blind persons as when sent directly to the blind persons.

4. Existing law permits magazines furnished to blind persons at cost to be mailed at the rate of 1 cent a pound. This section extends that rate to other reading materials furnished to blind persons at cost. It also makes it applicable where the materials are sent to nonprofit organizations for the use of blind persons.

5. Under present law sound reproduction devices owned by the United States which have been loaned to blind persons may be returned by those persons for repair at a postage rate of 1 cent a pound. The Postmaster General has authority to extend this rate to reproducers owned by States, public libraries, nonprofit agencies, and blind persons themselves. This section would eliminate the 1-cent-a-pound charge and permit free mailing of these devices. It also authorizes the Postmaster General, in his discretion, to extend free mailing privilege to the sending by State agencies, public libraries, private nonprofit agencies for the blind, and blind persons themselves, of paper, records, tapes, and other materials owned by them for use by the recipients for the production of reading matter in raised characters or sight saving size type, or in the form of recordings, for the use of blind persons. The House bill has no similar provision.

Repeals and technical amendments

Section 9(c) of the House bill and section 304 of the conference substitute repeal section 3 of the act of October 30, 1951 (Public Law 86-56). Also, paragraph (3) of the conference substitute repeals the following substantive provisions of law:

(1) Section 4361 of title 39, which authorizes publishers to mail proofs of advertisements at second-class zone rates applicable to advertising portions.

(2) Section 4652 of title 39, which permits public mailing of the CONGRESSIONAL RECORD from the District of Columbia at the rate of 1 cent per copy.

Communist political propaganda

Section 12 of the House-passed bill contains a provision which would amend section 505 of title 39, United States Code (international postal arrangements) for the purpose of excluding Communist political propaganda from the U.S. mails.

This section in the House bill also contains provisions designed to accomplish this purpose with respect to mail originating within the United States as well as mail originating outside the United States. Under these provisions mail matter determined by the Attorney General to be Communist political propaganda which is financed or sponsored by a Communist-controlled government is nonmailable within the United States, except as fourth-class mail.

During extensive hearings on section 12 of H.R. 7927, widely divergent views were expressed as to the need for such a provision and the form any such provision should take. Following extended deliberations in executive session, the committee has agreed upon what it considers to be an appropriate substitute which meets many of the objections expressed during the hearings, and which is designed to provide a workable solution to the problem of Communist political propaganda arriving for distribution in the United States.

Section 305 of the conference substitute consists of a modification of S. 2740, introduced by Senator BUSH on January 25, 1962, which would have had the effect of reinstating the program of screening Communist political propaganda substantially as that program was conducted prior to March 17, 1961.

Section 305 of the conference substitute provides for a program under which, with certain exceptions, Communist political propaganda coming into the United States from foreign countries would be intercepted and would be delivered only upon the request of the addressee within a reasonable time, which shall not exceed 60 days.

Section 305 specifically provides that mail matter, except sealed letters, originating in a foreign country and which is determined by the Secretary of the Treasury to be Communist political propaganda shall be detained by the Postmaster General upon its arrival for delivery in the United States, or upon its subsequent deposit in the U.S. domestic mails, and the addressee shall be notified that such matter has been received.

Such detention would not be required in the case of any matter which is otherwise ascertained by the Postmaster General to be desired by the addressee.

Exempted would be matter addressed to Government agencies, to libraries, or to colleges, universities, graduate schools, scientific or professional institutions for advanced studies, or any individual connected therewith. Likewise, material addressed for delivery in the United States pursuant to a reciprocal international agreement under which the U.S. Government mails an equal amount of material for delivery in a Communist country, would be exempted.

In order to furnish guidelines to the Secretary of the Treasury as to what constitutes Communist political propaganda, the entire definition of political propaganda contained in the Foreign Agents Registration Act of 1948 is incorporated by reference and related to matter issued by or on behalf of any country from which tariff concessions have been withdrawn under section 5 of the Trade Agreement Extension Act of 1951 or section 231 of the Trade Expansion Act of 1962, or which is denied assistance under section 620 (f) of the Foreign Assistance Act of 1961, as amended.

Effective date

Section 13 of the House bill provides an effective date of July 1, 1962. Section 306 of the conference substitute provides that, except as otherwise provided, the provisions of Part I—Postal Service shall become effective January 7, 1963.

Obscene matter distributed by mail

The House bill has no provisions on this subject.

Section 307 of the conference substitute authorizes the Postmaster General to detain and dispose of mail containing obscene, lewd, lascivious, or indecent matter.

PART II—FEDERAL SALARY REFORM

Part II of the conference substitute relates to Federal salary reform.

TITLE I—GENERAL POLICY

Title I of part II contains a statement of Federal salary policy.

Section 501 provides that part II may be cited as the "Federal Salary Reform Act of 1962."

Section 502 sets forth the policy of the Congress that pay of Federal civilian personnel shall be established upon the principles of equal pay for substantially equal work with pay distinctions maintained in keeping with work and performance distinctions; and that Federal salaries shall be comparable with salaries in private enterprise for the same levels of work

Section 503, pertaining to the implementation of the above policy, provides that the President shall have prepared and submitted to him an annual report comparing salary rates paid to Federal employees with rates paid for the same levels of work in private industry as determined through annual surveys of the Bureau of Labor Statistics of the Department of Labor. After seeking the views of employee organizations the President shall make an annual report to the Congress containing the comparison of Federal and private enterprise salary rates and such recommendations for revision of statutory salary schedules, salary structure, and compensation policy as he deems advisable.

In further implementation of the stated salary policy, section 504 provides that whenever the President or his designee finds that the salary rates in private enterprise for an occupation in any particular location are so substantially above the salary rates of Federal statutory pay schedules as to handicap significantly the Government in recruiting and retaining well qualified persons in positions under the pay systems of the executive branch covered by the conference substitute, the President, or his designee, may establish for such location higher minimum rates of basic compensation. Corresponding increases may be made in all step rates in the salary range for the applicable grade or level; however, the minimum salary rate established under this authority may not exceed the seventh compensation rate prescribed by law for the grade or level involved. The President may authorize the exercise of the authority conferred upon him by this section by the Civil Service Commission or, in the case of employees not subject to the civil service laws and regulations, by such other agency as he may designate.

Section 504 also provides that such rates may be revised from time to time and that such actions or revisions shall have the force and effect of law.

Section 504 further provides that any increase in basic compensation established under this section shall not be regarded as an "equivalent increase" in compensation within the meaning of section 701 (a) of the Classification Act of 1949, or section 3552 of title 39, United States Code.

Policies, rules, and regulations of the President

Section 505 further implements the salary policy by authorizing the President to prescribe policies, rules, and standards in order to carry out the policy and purpose of the conference substitute with respect to the several Federal salary systems covered by the conference substitute and in order to provide adequate supervision and control by the President over the functions, duties, and regulations of the respective authorities in the executive branch in connection with the administration and operation of the four major salary systems and the provisions of this title.

TITLE II—PAY SYSTEM OF THE CLASSIFICATION ACT OF 1949

Title II of part II of the conference substitute pertains to the pay system of the Classification Act of 1949, as amended.

Section 601 provides that title II may be cited as the "Classification Act Amendments of 1962."

Section 602 contains the compensation schedules for the General Schedule of the Classification Act of 1949, as amended, and the salary conversion rules for the two phases of the salary adjustment plan which would become effective on the first day of the first pay period which begins on or after the date of enactment (first phase) and on January 1, 1964 (second phase).

Section 602 (a) prescribes the compensation schedules. The schedule contains 10 regular steps in lieu of 7 scheduled and 3 longevity rates currently provided for GS–1 through GS–10; 9 rates for GS–11 through GS–14 in lieu of 6 scheduled and 3 longevity rates; 8 rates for GS–15 in lieu of 5 scheduled and 3 longevities; and 5 rates for GS–16 and GS–17 in lieu of the 5 rates currently provided by the Classification Act. Grade GS–18 continues to have a single rate. Because the number of regular step rates is increased, the current provisions for longevity step increases in title VII of the Classification Act of 1949 are no longer needed and are repealed in subsequent sections of the conference substitute.

Section 602 (b) specifies the rules adjusting existing pay rates to the rates of the new schedules. Employees generally are to retain the same relative place within the new grade range as they had within their former grade range.

Paragraph (10) of section 602(b) provides that service immediately preceding the effective date shall be counted toward not to exceed one step increase under the time in grade provisions of section 701(a) of the Classification Act of 1942, as amended by the conference substitute.

Paragraph (11) of section 602(b) applies to each officer or employee who is receiving immediately prior to the effective date of section 602, pursuant to paragraph (4) of section 2(b) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of compensation, determined under section 208(b) of the act of September 1, 1954 (68 Stat. 1111; Public Law 763, 83d Cong.), plus the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1955, by section 2 of the Federal Employees Salary Increase Act of 1958, and by section 112 of the Federal Employees Salary Increase Act of 1960. Such officer or employee will receive an aggregate rate of compensation equal to the sum of (1) his existing aggregate rate of compensation determined under the savings provisions of section 208(b) of the act of September 1, 1954, referred to above, and (2) the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1955, and (3) the amount of the increase provided by section 2 of the Federal Employees Salary Increase Act of 1958, and (4) the amount of the increase provided by section 112 of the Federal Employees Salary Increase Act of 1960, and (5) the amount of the increase made by section 602 under compensation schedule I in the maximum rate of his grade. This rate will remain in effect for such officer or employee until he leaves his position or until he is entitled to receive aggregate compensation at a higher rate by reason of the operation of the amendment or any other law. However, when the position becomes vacant, the aggregate rate of compensation of any later appointee thereto will be fixed in accordance with applicable provisions of law. Paragraph (11) of section 602(b) also contains a provision to the effect that, subject to the possibility that any such officer or employee may leave his position or may become entitled to aggregate compensation at a higher rate, the amount of the increase provided by section 602 is to be held and considered, for the savings purposes of section 208(b) of the act of September 1, 1954, to constitute a part of the existing aggregate rate of compensation of the officer or employee.

Step increases

Section 603 amends title VII, "Step increases" of the Classification Act of 1949. Title VII currently provides two types of step increases: (1) Periodic step increases under section 701, and (2) longevity step increases beyond the scheduled maximum rate of the grade under section 703. As amended the conference substitute, title VII provides for (1) periodic step increases, and (2) additional step increases to be granted in recognition of high quality performance.

Section 701 now provides periodic step increases, for employees below the maximum rate of the grade, for each 52 calendar weeks of service if the amount of the step increases is less than $200, or 78 weeks of service if the employee's position is in a grade in which the step increase is $200 or more. As amended, section 701(a) provides for periodic increases at all grades following the completion of (1) 52 calendar weeks of service in salary rates 1, 2, and 3, (2) 104 calendar weeks of service in salary rates 4, 5, and 6, and (3) each 156 calendar weeks of service in salary rates 7, 8, and 9.

Paragraphs (A) and (C) of section 701(a) which relate to eligibility for step increases are in existing law. Paragraph (B) requires, as a prerequisite to within-grade advancement, that the employee's work is of an acceptable level of competence in contrast with the present wording that the employee has a current performance rating of "satisfactory" or better.

Subsection (b) of the revised section 701 is present law.

The new section 702 of the Classification Act of 1949 in the conference substitute au-

thorizes, in subsection (a), additional step increases in recognition of high quality performance above that ordinarily found in the type of position concerned. Such additional step increases could be made in accordance with regulations prescribed by the Civil Service Commission and under subsection (b), would be limited to not more than one within any period of 52 weeks.

Current provisions of sections 703 and 704 of the Classification Act of 1949, relating to longevity step increases, are no longer needed since these steps have been included in the regular rate range for the respective grades. The provisions are therefore repealed. Section 703 of the amended title VII which is already in existing law (as section 705) provides that title VII shall not apply to persons appointed by the President, by and with the advice and consent of the Senate. Title VII currently does not have a section 702.

General compensation rules

Section 604(a) revises section 802(b) of the Classification Act of 1949 to provide that when an employee is promoted to a position in a higher grade he shall receive basic compensation at the lowest rate of the higher grade which exceeds his existing rate by not less than two step increases of the grade from which promoted. This subsection also specifies the action to be taken if there is no rate in the higher grade two step increases above the employee's existing rate, or if he is receiving a rate saved under section 507 of the Classification Act of 1949 on reduction in grade. Existing law provides only a one-step increase upon promotion or transfer to a higher grade. A similar proposal is included in H.R. 1010 which passed the House of Representatives on August 22, 1961.

Section 604(b) adds a new subsection (d) to section 802 of the Classification Act of 1949. There is no present authority for saving the basic compensation of an employee who, together with his position, is brought under the Classification Act from some other Federal pay system (such as the wage board system), if his salary rate is in excess of the maximum rate of the classification grade in which his position is placed. The new subsection would authorize the Civil Service Commission to issue regulations to permit the retention of salary in such instances. It includes special provisions applicable in case of subsequent demotion in grade.

Section 604(c) substitutes a new section 803 of the Classification Act of 1949. Because of the more comprehensive provisions in section 504 of title I, part II, of the conference substitute, the present provisions of section 803, authorizing advanced entrance rates of the grades for appointments in shortage occupations, are unnecessary and therefore are being deleted. Section 803, as amended, provides that under regulations of the Civil Service Commission, any employee under the Classification Act who regularly has responsibility for supervision, including technical supervision, over wage board employees may be paid a rate for his grade above the highest rate paid to any such prevailing rate employee.

Salary retention

Section 605 amends section 507 of the Classification Act of 1949 which provides for the retention of salary when an employee is demoted to a lower grade. The amendment in paragraph (1) extends application of the provisions of section 507 to employees in all grades of the Classification Act of 1949 by omitting the language of existing law which excludes application of the benefits to employees in grades GS–16, GS–17, and GS–18. The amendment in paragraph (2) strikes out "B in the same grade or in the same or higher grades;" in paragraph (4) of subsection (a) of such section 507 and inserts in lieu thereof "(B) in any grade or grades higher than the grade to which demoted;". This change in language will permit salary retention not now permitted under section 507 where there may have been a series of promotions followed by a demotion or a series of demotions.

Increase in number of top grade positions under the Classification Act of 1949

Section 606 amends section 505 of the Classification Act of 1949. Subsection (a) increases from 1,989 to 2,400 the limitation on the number of positions the Civil Service Commission, under section 505(b) of the Classification Act, may authorize to be placed in grades 16, 17, and 18 of the general schedule, and excludes from this limitation engineering research and development positions and positions in the physical sciences, natural sciences, and medicine. Subsection (b) excludes these same types of positions from the number of positions in grades 16, 17, and 18 now authorized for the Department of Defense in section 505(j) of the Classification Act.

Section 606(c) authorizes the Attorney General to place a total of 10 positions of warden in the Bureau of Prisons in grade 16 of the general schedule. This increases by four the number of such positions which may be assigned to GS–16. This subsection also authorizes the Attorney General to place a total of eight positions of member of the Board of Parole in grade 17 of the general schedule. Presently only one such position is in grade GS–17 and the other seven are in grade GS–16.

Section 607 repeals certain provisions of law authorizing (1) incumbency allocations to top Classification Act grades, and (2) certain positions to be placed in top grades of the act or to have an equivalent salary.

Section 608(a) provides that each position covered by a repeal provision in section 607 shall be placed in the appropriate grade of the general schedule of the Classification Act, in accordance with the provisions of that act.

Section 608(b) provides that positions in grades 16, 17, and 18 of the general schedule immediately prior to the effective date shall remain in such grades until appropriate action is taken under section 505 of the Classification Act.

SAVINGS PROVISION

Section 609 contains the usual salary savings provisions.

Effective dates

Section 610 provides that except as otherwise expressly provided the provisions of title II of part II shall become effective on the first day of the first pay period which begins on or after the date of enactment.

TITLE III—POSTAL FIELD SERVICE EMPLOYED

Section 701 cites this title as the "Postal Employees Salary Adjustment Act of 1962."

Employees under the postal field service schedule

Section 702 provides two postal field service schedules. Schedule I would be effective the first pay period after enactment and schedule II, the first pay period after January 1, 1964. The salary schedules for the postal field service follow the pattern established for other statutory pay systems in that they are based on the principle of industry comparability for levels of work.

The structure of the proposed schedules is generally similar to that of the Classification Act of 1949. It replaces both annual salary steps in the present PFS schedule and longevity rates which is accomplished by the addition of step increases to the PFS schedule.

Employees under the rural carrier schedule

Section 703(a) establishes two new schedules for determining rural carrier pay, the first effective on the first pay period after enactment and the second on the first pay period after January 1, 1964. It also combines the present salary steps and longevity steps into a single 12-step schedule.

Pay rates for the RCS schedule were determined by adding the amount of increase provided for PFS–4, step 7, to the present step 7 rate for the 42-mile route, and adjusting other rates for that route to the corresponding rates for PFS–4.

Section 703(b) amends section 3543(c) of title 39, United States Code, which authorizes payment of additional compensation to rural carriers on heavily patronized routes, by eliminating the existing provision permitting such payment only if the route does not exceed 61 miles in length, as well as the provision limiting the additional compensation to an amount which when added to the basic salary for the maximum step for the route would equal the basic salary for the maximum step for a 61-mile route.

Section 703(c) amends section 3543(f) of title 39, United States Code, to increase the equipment maintenance allowance for rural carriers from 10 cents to 12 cents a mile or from $3.50 to $4.20 a day, whichever is greater.

Section 703(c) changes the method of compensating substitute rural carriers. Under the present system these carriers are paid at the rate of the carrier in whose absence they are serving. Under the new provisions, substitute carriers will be paid on the basis of their own service in the same manner as regular carriers.

Postmasters under the fourth-class office schedule

Section 704 amends section 3544(a) of title 39, United States Code, the code to provide two new compensation schedules for postmasters in fourth-class post offices, one effective the first pay period after enactment and the other effective the first pay period after January 1, 1964.

The proposed schedules continue to relate compensation to receipts categories. The first schedule provides an increase of 10 percent above current salary rates. The second schedule adds another 5 percent or a total of 15 percent over existing rates. Subsection (b) extends to postmasters of the third- and fourth-class salary restoration rights now enjoyed by other postal employees.

Automatic advancement by step increases

Section 705 amends 39 U.S.C. 3552, which relates to advancement of employees by step increases.

Under subsection (a), 39 U.S.C. 3552, the schedule of advancement is established. The present schedule of advancement provides for increases based on 52 weeks of service in a step until the highest step in the level is reached. In levels PFS–1 through PFS–6 this form of advancement is continued for the first six increases; the next five increases are attained after a 156-week waiting period for each. In all levels above PFS–6, under the new schedule, the employee will be advanced to steps 2, 3, and 4, on the basis of 52 weeks of service in each step, to steps 5, 6, and 7, on the basis of 104 weeks of service, and to steps 8 and above, on the basis of 156 weeks of service. The conference substitute does not continue the limitation on the advancement of substitutes assigned to road duty. It has been the practice of the Post Office Department to credit service by such a substitute in step 4, PFS–5, and, upon placement in a position not subject to the limitation, the employee would be advanced in step in the new position on the basis of such service, if otherwise proper. The removal of such limitation will permit these substitute employees who were not advanced beyond step 4 of salary level PFS–5 by reason of the limitation, to be given credit for all their service in step 4 and given the appropriate step increases at the time of conversion.

Subsection (b), 39 U.S.C. 3552, codifies and makes permanent a provision of law common to salary increase legislation affecting postal employees. In effect, it provides that statutory increases in basic compensation are not equivalent increases for purposes of determining eligibility for advancement under subsection (a).

Subsection (c), 39 U.S.C. 3552, reenacts the last sentence of 39 U.S.C. 3552(a) as a separate subsection.

The current provisions of 39 U.S.C. 3552(b) are, in effect, repealed by this amendment. Under present service conditions, withholding of advancement by step increases from substitutes in PFS–5 assigned to road duty cannot be justified.

Temporary employees

Section 706 amends 39 U.S.C. 3554 by deleting the phrase "under the postal field service schedule" and inserting in its place the phrase "in the postal field service." The purpose of this change is to permit the payment of compensation to temporary rural carriers serving under limited appointments in the same manner as to other postal field service employees. In effect, this change will continue the present method of compensation of these carriers.

Promotions

Section 707 amends 39 U.S.C. 3559 in its entirety. The present method of promotion guarantees to each employee a minimum increase equivalent to the difference between step 1 of the level from which promoted and step 1 of the level immediately above. The new provision will guarantee to each employee promoted to a higher level a minimum increase equivalent to two step increases of the level from which promoted; if the employee is promoted to a level more than two levels above the level of his position, he will receive a minimum increase equivalent to three step increases.

Rural routes

The purpose of section 708 is to remove the limitation on the present authority of the Postmaster General with respect to the establishment or extension of star routes in areas previously served by rural routes. Under present law such substitution may not be made if a qualified rural carrier can be obtained. This change will permit the Postmaster General to exercise administrative discretion in the selection of the more efficient or economical service.

Miscellaneous provisions

The new salary plan abolishes longevity steps and provides for recognition of long service through addition of within-grade steps. Therefore, the distinction made in sections 3101(5) and 3101(6) of title 39, between basic salary and basic compensation, is no longer valid and section 709 eliminates this distinction.

Section 710 amends 39 U.S.C. 3541 to provide a method for determining the daily rate of compensation of substitute rural carriers. By using a factor of 304, the number of days of service on a rural route in a year, holiday pay is prorated throughout the year against the actual service of the substitute rural carrier. In this respect, pay treatment of these employees will be consistent with that afforded other substitute employees.

Conversion rules

Section 711 provides the rules for the conversion of existing salaries to the new pay schedules which would become effective on the first day of the first pay period after enactment. The conversion method generally will place each employee in the numerical step which he attains immediately prior to the effective date of the new pay plan, plus an additional numerical step for each longevity step attained immediately prior to conversion.

Credit is preserved toward the next within-grade or automatic step increase earned by employees prior to conversion if they were not given an additional step increase by reason of longevity steps attained prior to conversion. Such credit will be applied toward fulfillment of the requirements of the new advancement schedule. No credit earned toward longevity steps will be carried over. No employee's salary will be reduced on conversion.

In addition, to provide a greater salary increase for present employees, each employee in levels PFS–1 through PFS–4 or under the rural carrier schedule will be advanced one extra step on conversion.

Section 712 provides for the conversion of employees to the schedules to become effective in January 1964 according to the numerical step attained immediately prior to the date of conversion. Where existing compensation exceeds the rate for the numerical step, the existing compensation is retained if conversion cannot be made, to a scheduled step.

Section 713 amends section 3560 of title 39, United States Code, as added by section 201 of the act of September 21, 1961 (75 Stat. 569, Public Law 87–270), which provides, among other things, that employees in protected rates will be given statutory increases applicable to the salary standing from which reduced. The purpose of section 713 is to make clear that, inasmuch as the new salary plan involves basic structural changes for employees now under the PFS, RCS, and FOS schedules, this particular feature of 39 U.S.C. 3560 cannot be given application at the time of conversion to the new schedules. Salaries of employees in protected rates as of the date of conversion will be converted under sections 711 and 712 of the conference substitute, as appropriate.

Basic salary in cases of assignments of postal employees

Section 714 amends section 3335(b) of title 39, United States Code, so as to clarify the intent of Congress with respect to the authority of the Postmaster General to authorize higher level compensation. This amendment is required to remove objections of the Comptroller General, as stated in his decision of February 1, 1962 (B–138999), to the Department's application of the present statutory provision and to validate payments that have been made.

Salary protection

Section 715 extends existing salary protection provisions to all levels of the postal field service schedule and clarifies their application to certain situations.

Section 716 contains a new compensation rule which will permit the Postmaster General to make exceptions to the schedule of automatic advancement provided in 39 U.S.C. 3552 in recognition of exceptional competence. This provision will require implementation by regulations to be issued by the Postmaster General.

Top grade positions and Whitten amendment

Section 717 removes PFS–17 from the controlled position group and grants the postal field service a 10-percent exemption under the Whitten amendment.

Section 718 contains two conforming changes to the table of contents of title 39, United States Code.

Repeals

Section 719 repeals those provisions of Public Law 86–568 which contained salary increases for postal field service employees, effective July 9, 1960. It also repeals 39 U.S.C. 3558, which provides for the present system of longevity compensation; the new pay schedules supersede the longevity system in its entirety.

Effective dates

Section 720 specifies the effective dates of the various sections in title III.

TITLE IV—DEPARTMENT OF MEDICINE AND SURGERY IN THE VETERANS' ADMINISTRATION

Title IV relates to physicians, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration who are subject to a separate pay system prescribed by chapter 73 of title 38, United States Code. The revisions made by this title not only take into account the Bureau of Labor Statistics findings but also reflect the results of extensive studies of the Veterans' Administration concerning the need for a modernization of the entire grade and salary structure of the Department of Medicine and Surgery to recognize the numerous organizational and functional changes which have taken place in the Department since its inception in 1946.

In recognition of the nature of their occupations and the variability of assignments in a clinical setting, the grade and salary of physicians, dentists, and nurses in the Department of Medicine and Surgery are determined on the basis of an individual's qualifications and professional attainment. Notwithstanding this fact, comparison of the qualification and skill requirements for like occupations under the Classification Act corroborate extension to the Department of Medicine and Surgery schedules in the manner indicated in the conference substitute bill of the salary scale proposed for the Classification Act system. Appropriate differentiation in pay between recognized skill levels as well as executive and managerial levels is maintained. Internal relationships of pay between the D.M. & S. system and the Classification Act system are also continued.

Section 801 amends section 4103 of title 38 of the United States Code. It reduces the maximum number of Assistant Chief Medical Directors from eight to five and modifies the provisions pertaining to directors of service and chiefs of division. In lieu of these positions, a new position level of Medical Director is established. The salaries of the Assistant Chief Medical Directors, the Director of Nursing Service, the Chief Pharmacist, and Chief Dietitian are appropriately adjusted in line with other increases proposed by the conference substitute. The statutory positions of the Deputy Director of Nursing Service, Chief Physical Therapist, and Chief Occupational Therapist are eliminated. The duties of the first-named position will be filled by a nurse of the Assistant Director grade. The salaries for the positions of Chief Physical Therapist and Chief Occupational Therapist will be set in the future under the Classification Act of 1949.

Section 802 amends section 4107 of title 38, United States Code. In subsection (a) of section 4107, the former schedules entitled "Medical Service" and "Dental Service" have been combined and retitled "Physician and Dentist Schedule." The existing schedules have provided identical grades and pay scales and their continued separation serves no purpose. The junior grade of the former schedules has been eliminated and, two new grades—the director grade and executive grade—have been established. The schedule now titled "Nursing Service" has been retitled "Nurse Schedule." Two new grades—the assistant director grade and chief grade—have been established, and the former grades of assistant director and senior grade have been retitled "senior grade" and "intermediate grade," respectively.

The amendment also provides the pay scales for the physician and dentist schedule and the nurse schedule to be effective on the first day of the first pay period after enactment and after January 1, 1964.

The amendment of section 4107 of title 38 of the United States Code specifies the intended use of the two new grades—director and executive—in the physician and dentist schedule.

Section 803, which amends section 4108 of title 38 of the United States Code, repeals the present provision providing for an allowance equal to 15 percent of the pay of persons rated as medical, surgical, or dental specialists under the provisions of that section, since the latitude which will be afforded within the pay range of each grade will permit appropriate recognition of specially qualified individuals. The current subsection (b) of 4107 of title 38, without change, has been redesignated as section 4108 for purpose of greater clarity and as a matter of drafting convenience.

Subsection (b) of section 803 is a perfecting amendment to the table of contents at the head of chapter 73 of title 38, to reflect the change in the catchline of section 4108.

Section 804 amends section 4111(b) of title 38 to provide that the per annum salary rate of a director of a hospital, domiciliary, or center who is not a physician in the medical service shall not be less than the rate of salary he would receive if such service as a director had been as a physician in the director grade. Except with respect to change in rate of salary, the subsection does not affect the allocation of any such position to any grade of the Classification Act or the application of the Performance Rating Act of 1950 to any individual.

Section 805 provides that title IV shall become effective on the first day of the first pay period after enactment except as otherwise expressly provided.

TITLE V—THE FOREIGN SERVICE ACT OF 1946

Section 901 provides that title V may be cited as the "Foreign Service Salary Reform Act of 1962."

Section 902 amends section 412 of the Foreign Service Act of 1946 by adjusting upward the per annum salary rates for the eight classes of Foreign Service officers. No change is made in the number of classes and, with the exception of class I, which has two salary rates, the general pattern of seven rates for each class is continued. As in other sections of this title, the schedules of per annum salary rates, provided by this section, are to be effective in two phases at the beginning of the first pay period after enactment and after January 1, 1964.

Section 903 amends section 415 of the Foreign Service Act of 1946 by revising the structure of the Foreign Service staff salary schedule and embodying certain changes directly comparable to those made in the revision of the Classification Act of 1949.

There are at present 22 classes in the Foreign Service staff schedule. The proposed schedule of 10 classes would eliminate the unnecessary and seldom-used classes in the current schedule. Since custodial, maintenance, and the most routine clerical functions are performed almost exclusively by alien employees at Foreign Service posts, there is little need for U.S. citizen employees at the level of duties represented by classes 14 through 22. Since classes 14 through 22 are to be abolished, it will be necessary to give the Secretary the authority contained in proposed section 415(b) in order that persons in such classes may continue to be employed at appropriate rates. The new section 415(b) would give the Department all needed flexibility in this respect, should it be desirable in unusual circumstances, to employ American personnel at lower rates for duties less difficult than those of FSS–10. Within the proposed Foreign Service staff salary schedule, 10 salary rates are proposed for the lower 6 classes, and 9 for the upper 4. This conforms with Classification Act of 1949 salary ranges proposed at similar salary levels. Section 903 prescribes two schedules of per annum salaries for staff officers and employees to be effective the first pay period after enactment and after January 1, 1964.

Section 904 provides for the conversion of Foreign Service personnel from their present salary rates to those established by the conference substitute.

Section 905 repeals section 642(b) of the Foreign Service Act relating to longevity step increases for Foreign Service staff officers and employees and makes minor conforming changes in the heading and identification of the section in the Foreign Service Act. Since the new Foreign Service staff schedule provides 9 or 10 rates for within-class increases, this section is no longer needed.

Section 906 provides that, except as otherwise expressly provided, title V shall become effective on the first day of the first pay period after enactment.

TITLE VI—MISCELLANEOUS SALARY PROVISIONS

Section 1001 increases the salary limitations for certain scientific, professional, and other positions to accord with the salary ranges of the general schedule of the Classification Act of 1949. In most cases the salary range stated in the laws which are amended has a $19,000 maximum. The amendments proposed would tie the maximum to grade 18 of the general schedule.

Subsection (a) of section 1001 revises the salary range in section 2(b) of Public Law 313, 80th Congress, as amended, from $12,500 to $19,000, to a range from the minimum salary of grade GS–16 to the highest rate of grade GS–18, and authorizes eight such positions in the Library of Congress.

Subsection (b) amends section 1581(b) of title 10 of the United States Code, relating to certain scientific or professional positions in the Department of Defense, to provide a minimum rate for such positions as the minimum rate of GS–16 and a maximum rate equivalent to GS–18 pay.

Subsection (c) extends the new range to positions now paid at $12,500 to $19,000 in the National Security Agency.

Subsection (d) amends the proviso in the first sentence of section 208(g) of the Public Health Service Act, as amended, which relates to compensation rates of certain scientific, professional, and administrative personnel in the Public Health Service to provide a minimum rate of grade GS–16 and a maximum at the pay of grade GS–18.

Subsection (e) establishes a maximum rate, equivalent to the pay of grade GS–18 for five positions of technical experts in the Department of Agriculture engaged in research in foot-and-mouth and other animal diseases.

Subsection (f) amends section 203(b)(2) of the National Aeronautics and Space Act of 1958 to provide that the Administrator may fix the rates for certain excepted positions at not to exceed the pay of grade GS–18 of the Classification Act of 1949. Thirty of these positions may continue to be paid up to $21,000.

Subsection (g) amends the proviso in section 161(d) of the Atomic Energy Act of 1954, as amended, to permit the fixing of salaries of scientific and technical personnel up to a limit of the pay of grade GS–18 of the General Schedule of the Classification Act of 1949. The present limit is $19,000.

Subsection (h) substitutes the GS–18 rate in place of $19,500 as the top salary for 23 positions in the Federal Aviation Agency.

Subsection (i) authorizes use of Foreign Service salary rates for paying the U.S. representative and alternate on the Executive Board of the World Health Organization in place of present maximum salaries of $12,000 and $10,000.

Subsection (j) sets the GS–18 rate as the maximum salary for certain positions established under the Mutual Educational and Cultural Exchange Act, now authorized to be paid up to $1,000 more than the rate of GS–18.

Subsection (k) fixes the GS–18 salary as the maximum rate for certain positions under the Foreign Assistance Act which may now be paid up to $19,000 a year.

Subsection (l) fixes the GS–18 salary rate as the top salary for certain Peace Corps positions now paying up to $19,000 a year.

Agricultural stabilization and conservation county committee employees

Section 1002 extends to agricultural stabilization and conservation county committee employees the salary increases provided by the conference substitute for corresponding Classification Act of 1949 salary levels.

Assistant U.S. attorneys

Section 1003 raises from $15,000 to $17,500 the maximum amount which can be paid to assistant U.S. attorneys and provides for an increase of 7½ percent in their existing rates of compensation.

Employees in the judicial branch

Section 1004 authorizes, for employees of the judicial branch, salary increases corresponding to those proposed in the statutory salary systems in the executive branch.

Officers and employees in the legislative branch

Section 1005(a) provides an increase of 7 percent to officers and employees in or under the legislative branch.

Subsection (b) provides for the automatic adjustment, effective October 16, 1962, of the compensation of employees in the office of a Senator to the rate nearest that being received by such employees immediately preceding such effective date unless the disbursing office of the Senate is notified to the contrary within 15 days after the date of enactment. Such notice, when given, would give effect to the increase.

Subsection (c) provides an increase of 7 percent in the rates of basic compensation of the elected officers of the Senate (not including the Presiding Officer) the Parliamentarian of the Senate, the legislative counsel and senior counsel in the Office of the Legislative Counsel of the Senate, the Official Reporters of Debates of the Senate and the Chief Clerk of the Senate, except that no such salary may be raised to an amount above $21,500.

Subsection (d) increases the limitation fixed by law on the compensation of employees of the Senate by the amount necessary to pay the additional compensation provided by the conference substitute.

Subsection (e) provides that the provisions of subsection (a) shall not apply to employees engaged in folding speeches and pamphlets whose compensation is subject to the new limitation.

Subsection (f) covers elected officers of the House of Representatives (other than Members) and certain other officers of the House of Representatives who are not covered by other provisions of the conference substitute. Subsection (f) covers the following officers and employees of the House of Representatives:

1. The Assistant Parliamentarian No. 1 of the House of Representatives, whose total rate of per annum compensation is now prescribed by House Resolution 339, 84th Congress, section 103 of the Legislative Branch Appropriation Act, 1957 (70 Stat. 370; Public Law 624, 84th Cong.), and section 117(g) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 304; Public Law 86–568).

2. The following elected officers of the House of Representatives, whose total rates of per annum compensation are now prescribed by House Resolution 486, 84th Congress, section 103 of the Legislative Branch Appropriation Act, 1957 (70 Stat. 370; Public Law 624, 84th Cong.), section 4(k) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 209; Public Law 85–462), and

section 117(g) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 304; Public Law 86–568): the Clerk of the House, the Sergeant at Arms of the House, the Doorkeeper of the House, and the Postmaster of the House.

3. The chief of staff of the Joint Committee on Internal Revenue Taxation, whose total per annum compensation is now prescribed under authority of section 302(c) of the act of October 4, 1961 (75 Stat. 793; Public Law 87–367).

4. The legislative counsel of the House of Representatives, whose total per annum compensation is now fixed in accordance with a provision relating to the legislative counsel of the Senate in the Legislative Branch Appropriation Act, 1958 (71 Stat. 251; Public Law 85–75) (as modified by secs. 4(c) and 4(m) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 208 and 209; Public Law 85–462)), and section 117(g) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 304; Public Law 86–568).

5. The coordinator of information of the House of Representatives, whose total per annum compensation is now fixed under House Resolution 183, 80th Congress, section 105 of the Legislative Branch Appropriation Act, 1948 (61 Stat. 377; Public Law 197, 80th Cong.), section 2(e) of the act of October 24, 1951 (65 Stat. 612; Public Law 201, 82d Cong.), section 4(c) of the Federal Employees Salary Increase Act of 1955 (69 Stat. 176; Public Law 94, 84th Cong.), section 4(l) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 209; Public Law 85–462), and section 117(g) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 304; Public Law 86–568).

6. Two printing clerks, one for the majority caucus room and one for the minority caucus room, whose total per annum compensation is now provided for on a present incumbency basis in the paragraph under the heading "House of Representatives" and the subheading "Special and Minority Employees" in the Legislative Branch Appropriation Act, 1958 (71 Stat. 247; Public Law 85–75), as modified by a comparable provision in each annual appropriation act for the legislative branch, the latest such provision currently being the paragraph under the heading "House of Representatives" and the subheading "Special and Minority Employees" in the Legislative Branch Appropriation Act, 1962 (75 Stat. 325; Public Law 87–130).

7. Four minority employees of the House in positions referred to in House Resolution 486, 84th Congress, whose total per annum compensation is now fixed under such resolution and section 103 of the Legislative Branch Appropriation Act, 1957 (70 Stat. 370; Public Law 624, 84th Cong.), section 4(r) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 209; Public Law 85–462), and section 117(g) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 304; Public Law 86–568).

The above list of officers and employees within the purview of subsection (f) is not necessarily all-inclusive.

It may be noted, in connection with House officers and employees in the categories covered by subsection (f), that three employees in comparable categories are granted increases in compensation under section 1005 (a) rather than subsection (f). These employees are as follows:

1. The Chaplain of the House of Representatives, whose present rate of total per annum compensation consists of a per annum basic rate prescribed by section 6 of the Legislative Appropriation Act, 1956 (69 Stat. 508; Public Law 242, 84th Cong.), and additional compensation provided by the various pay increase laws covering legislative branch employees generally, including section 117(a) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 303; Public Law 86–568).

2. The Assistant Parliamentarian No. 2 of the House of Representatives whose present rate of total per annum compensation consists of a per annum basic rate provided by House Resolution 277, 82d Congress, and section 277 of the Legislative Branch Appropriation Act, 1953 (66 Stat. 478; Public Law 471, 82d Cong.), and additional compensation provided by the various pay increase laws covering legislative branch employees generally, excluding the Federal Employees Salary Increase Act of 1958 but including section 117(a) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 303; Public Law 86–568).

3. The clerk to the House Parliamentarian, whose present rate of total per annum compensation consists of per annum basic rate fixed under House Resolution 486, 85th Congress, and section 103 of the Legislative Branch Appropriation Act, 1959 (72 Stat. 453; Public Law 85–570), and additional compensation provided by the various pay increase laws covering legislative branch employees generally, excluding the Federal Employees Salary Increase Act of 1958 but including section 117(a) of the Federal Employees Salary Increase Act of 1960 (pt. B of title I of the act of July 1, 1960; 74 Stat. 303; Public Law 86–568).

Subsection (g) increases the limitations on gross rate per thousand and gross rate per hour per person payable to employees of the House of Representatives engaged in folding speeches and pamphlets by an amount equal to the increases granted to legislative employees under the conference substitute.

Subsection (h) makes clear that the increases provided by section 1005 are to be considered part of basic compensation for the purposes of the Civil Service Retirement Act.

Subsection (i) provides that notwithstanding any other provision of section 1005, no rate of compensation which exceeds $21,500 shall be increased by such section, and no increase provided by such section shall cause the gross rate of compensation (basic plus additional compensation authorized by law) or the total annual compensation of any officer or employee to exceed $21,500.

Subsection (j) provides that, insofar as the provisions of section 1005 apply to officers and employees whose compensation is based on a monthly pay period which begins on the first day of the month, such provisions shall become effective on October 16, 1962. The purpose of subsection (j) is to insure that officers and employees in the legislative branch will receive pay increases at approximately the same time as other officers and employees covered by the conference substitute.

Saving provision

Section 1006 provides, in effect, that no provision of the conference substitute shall operate to reduce any rate of salary, pay, or compensation of any officer or employee covered by the conference substitute.

Absorption of costs

Under section 1007, the departments and agencies are directed to provide for absorption of the costs of salary increases from available funds of the executive departments, but this section is not to be considered to require any employee to be separated from the service or placed in a leave-without-pay status.

Effective dates

Section 1008 provides that title VI, except as otherwise expressly provided, is to become effective on the first day of the first pay period after enactment.

Ceiling provisions

Section 1009 makes it clear that, except as provided in section 1005, this act will not cause any rate of compensation to exceed $20,000 per annum.

PART III—ADJUSTMENT OF ANNUITIES UNDER CIVIL SERVICE RETIREMENT ACT

The House bill contained no provisions such as are contained in the conference substitute under Part III, Adjustment of Annuities.

An explanation of Part III of the conference substitute is set forth below.

Section 1101 (a) provides a 5 percent increase, effective January 1, 1963, in all annuities then payable from the fund which commenced on or before that date.

Subsection (b) extends this initial increase on a graduated percentage basis to all annuities which commence in the 5-year period following January 1, 1963, in accordance with the following schedule:

Are increased from commencing date by—

Annuities commencing between—

Jan. 2 and Dec. 31, 1963	4 percent
Jan. 1 and Dec. 31, 1964	3 percent
Jan. 1 and Dec. 31, 1965	2 percent
Jan. 1 and Dec. 31, 1966	1 percent

Subsection (c) provides that the percentage increase granted a retiree under subsection (a) or (b) will apply to the annuity subsequently granted his survivor.

Subsection (d) excludes from the 1963 increase annuity amounts purchased at retirement by voluntary contributions.

Subsections (e) and (f) remove the ceilings on increases to retirees imposed by the 1952 and 1955 annuity increase laws. Under the annuity increase act of July 16, 1952, as amended by the act of August 31, 1954, no retiree's annuity (exclusive of that purchased by voluntary contributions) could be raised beyond $2,160. The act of August 11, 1955, similarly provided that no regular annuity could be increased under its terms beyond $4,104. These increase ceilings are repealed and made no longer effective on and after January 1, 1963. Each retiree affected by one or both of these ceilings who is still on the annuity rolls will be entitled to have his annuity rate reestablished as of January 1, 1963, as though these ceilings had never existed. This reestablished rate, plus a 5-percent 1963 increase, will be payable from and after January 1, 1963.

Subsection (g) states effective date provisions for increases.

Subsection (h) provides that monthly annuity rates after adjustment will be fixed to the nearest dollar.

Section 1102(a) adds a new subsection to section 1 of the Civil Service Retirement Act to define the term "price index" as the calendar year average of the monthly Consumer Price Index published by the Bureau of Labor Statistics.

Subsection (b) renumbers present section 18 of the Civil Service Retirement Act as section 19 and inserts a new section 18. New section 18 embodies an automatic annuity adjustment plan.

The new section 18 of the Retirement Act provides for future adjustment of annuities as follows:

Subsection (a) directs the Civil Service Commission to annually determine, after January 1, 1964, and each succeeding January 1, the percentage change in living costs from 1962 or from the year preceding the most recent cost-of-living adjustment to the latest complete year. Depending on the price index change, adjustment actions ensue.

Subsection (a)(1) provides that if the price index change from 1962 to 1963 equals a rise of at least 3 percent, an increase will be allowable, effective April 1, 1964. All annuities which began before January 2, 1963,

will be increased by the percentage rise in the price index, adjusted to the nearest one-tenth of 1 percent.

Subsection (a)(2) provides for automatic increases in annuities effective April 1 of any later year after the percentage change in the price index has equaled a rise of at least 3 percent. All annuities payable from the fund as of April 1 which commenced earlier than January 2 of the preceding year will be increased by the percentage rise in the price index, adjusted to the nearest one-tenth of 1 percent.

Subsection (b) states the general rule that eligibility for an increase is governed by the commencing date of each annuity payable as of the appropriate April 1 effective date, but with these exceptions to the rule:

Under subsection (b)(1), a retiree's survivor (other than a current act child survivor) on the roll as of the first cost-of-living increase, whose annuity started the date after the retiree's death, will receive the initial increase provided the retiree's commencing date of annuity was earlier than January 2 of the year preceding the first increase.

Under subsection (b)(2), the annuity of a retiree's survivor (other than a current act child survivor), which starts the day after the retiree's death and after the effective date of the first cost-of-living increase will be increased from commencing date by whatever percentage increase the retiree was receiving at death.

Under subsection (b)(3), a special method is provided for increasing annuities of child survivors under the current act. These annuities are unique in that they are not the product of years of service times percentage of average salary. The child's rate is the lesser of (i) a set percent of average salary or (ii) a dollar amount which cannot reflect living cost salary increments. Thus, for these annuities, the cost-of-living annuity adjustment must be built into the benefit formula. The following provisions are made for child-survivor annuities which commence after the effective date of the first cost-of-living increase:

Existing formula		Increase provided—proposed increase
Spouse surviving	No spouse surviving	
40 percent of average salary divided by number of children.	50 percent of average salary divided by number of children.	Cumulative cost-of-living percent granted after commencing date of retired parent's annuity. Inapplicable to children of employee, because his average salary includes living cost adjustments which pass on to children.
$1,800 divided by number of children.	$1,160 divided by number of children.	Cumulative cost-of-living percent currently authorized. Applicable to children of retiree and employee alike, because salary living cost adjustments can never pass on to children.
$600	$720	Cumulative cost-of-living percent currently authorized. Applicable to children of retiree and employee alike, because salary living cost adjustments can never pass on to children.

Provision is made for applying these formula changes to any child's annuity which commenced in the 15-month period before the effective date of the first increase as if such initial increase had been in effect. Resulting rate adjustments would start on the effective date of the initial cost-of-living increase.

Subsection (c) excludes from cost-of-living increases annuity amounts purchased at retirement by voluntary contributions.

Subsection (d) provides that monthly annuity rates after cost-of-living increase will be fixed at the nearest dollar.

Section 1103 amends sections 1(j), 9(g), and 10(a)(1) of the Retirement Act to revise and liberalize provisions for children survivors and election of reduced annuity with benefit to widow or widower.

The present section 9(g) of the act permits a married person retiring for any reason to irrevocably elect, in lieu of single life annuity, a reduced benefit carrying with it a survivor annuity to spouse, the choice to be made at time of retirement. The retiring individual may designate all or any porton of the single life annuity (excluding any increase because of disability retirement) as the base for annuity to spouse. To partially support the added survivor protection the retiring individual accepts, for life, his or her annuity reduced by 2½ percent of the first $2,400 and by 10 percent of any amount over $2,400 designated as the base for survivor annuity. Under the present section 10(a)(1), the named spouse becomes entitled to 50 percent of this base amount as widow's or widower's annuity, starting the day after the retiree's death and continuing until remarriage or death.

Under the conference substitute, section 9(g) of the act is amended to accord the retiring married employee a reduced benefit carrying with it a survivor annuity to spouse, unless he affirmatively elects to receive in lieu thereof the single life annuity. In the absence of the life annuity election, the total annuity (excluding any increase because of disability retirement) or such lesser portion as may be designated at time of retirement will be used as the base for annuity to spouse, and the individual will receive, for life, his or her annuity reduced by 2½ percent of the first $3,600 and by 10 percent of any amount over $3,600 which serves as the base for annuity to spouse. Section 10(a)(1) of the act is amended to accord the named spouse 55 percent of the amount used for the survivor base as widow's or widower's annuity, which would start the day after the retiree's death and continue until remarriage or death.

Subsections (c), (d), and (e) similarly amend subsections (b), (c), and (e) of section 10 of the act to uniformly accord a named survivor or a spouse survivor 55 percent, instead of 50 percent, of the annuity in respect to the deceased former employee or Member.

Under existing law survivorship benefits paid to a child cease when the child attains the age of 18, marries, or dies except that such benefits may continue past the age of 18 if the child is incapable of self-support due to a disability incurred before attaining the age of 18.

Subsection (f) of section 1103 of the conference substitute amends section 1(j) of the Retirement Act. The substitute retains all present termination provisions but adds the further exception that benefits may continue to the end of the school year in which the child attains the age of 21 only so long as the child pursues a full-time course of study in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution.

This change in the Civil Service Retirement Act is in keeping with veterans' benefit laws which provide for the continuance of benefits between the ages of 18 and 21 to unmarried children while taking an approved course of instruction.

Section 1104 provides that benefits made payable under the Retirement Act by enactment of the conference substitute shall be paid from the retirement fund. This is necessary because of the restriction contained in the paragraph headed "Civil Service Retirement and Disability Fund" in section 1 of title I of the act of August 28, 1958.

Section 1105 specifies January 1, 1963, as the effective date for section 1101 and provides that amendments made by section 1103, except subsection (f) will not apply to employees or members retired or otherwise separated prior to date of enactment.

TOM MURRAY,
JAMES H. MORRISON,
ROBERT J. CORBETT,
Managers on the Part of the House.

LEGISLATIVE PROGRAM FOR TOMORROW AND THE BALANCE OF THE WEEK

Mr. BARRY. 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 New York?

There was no objection.

Mr. BARRY. Mr. Speaker, may I ask the majority leader the program for tomorrow and the balance of the week?

Mr. ALBERT. Mr. Speaker, first of all, if the gentleman will yield for this purpose, we are hoping to clear everything that is ready tomorrow, and for that reason I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

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

Mr. GROSS. Mr. Speaker, reserving the right to object——

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, I have consulted with the minority leader on this matter.

Mr. GROSS. That may be true.

Mr. BARRY. I can say it is true. I was here when the majority leader spoke to the minority leader.

Mr. GROSS. I do not question that part of it. But how much longer do we go on this evening?

Mr. ALBERT. We have finished the legislative business for the evening.

Mr. GROSS. There is some limit to endurance if this is going to be the order every day. I may say to the gentleman I do not mind taking one more whirl at it early tomorrow morning, but I remember all too well the days, weeks, and even months that we did all too little in this Congress earlier this year when we might have saved this endurance contest now. This is what I protest.

Mr. ALBERT. We did not have the kind of program we have today.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, the Ways and Means Committee will call up five bills by unanimous consent. These bills are as follows:

H.R. 3985, import duty on certain bread.

H.R. 9414, imported electron microscopes to be subject to regular customs duty.

H.R. 12030, statistical studies.

H.R. 12109, certain grasses, duty-free entry of.

H.R. 12470, child care deduction for deserted wives.

In addition to that, the following bills will be called up, with Senate amendments, and agree to the Senate amendments:

H.R. 5260, coconut oil.

H.R. 5700, contract carriers.

H.R. 8952, constructive sale price rule.

Following that H.R. 11970 conference report on Trade Expansion Act of 1962.

H.R. 12648, conference report on agriculture appropriation bill.

H.R. 7927, conference report on Postage Revision Act of 1961.

S. 1552, conference report on antitrust laws regarding drugs.

Then following that, the bill S. 1123, Child Labor Provisions, Fair Labor Standards Act, will be considered, with 1 hour general debate.

Then following that, H.R. 11665, conference report, on the School Lunch Act.

I will advise the gentleman that I am not prepared to announce the program for the following day. We will program conference reports and other matters as they come up.

Mr. BARRY. I thank the gentleman.

THE INDICTMENT OF EICHMANN BY ISRAEL FOR MASS MURDER

Mr. LANE. 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 Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, at the installation ceremonies conducted by the Chelsea Zionist District of Massachusetts, held at the Shurtleff Street Synagogue in Chelsea, on Sunday, February 12, 1961, it was my honor to be the principal speaker. I took for my subject the Eichmann case, and as you know, Mr. Speaker, Adolf Eichmann was one of the major Nazi criminals who were responsible for the murder of over 6 million Jewish civilians, men, women, and children.

The address that I delivered at the installation is as follows:

Mr. Chairman, Mr. President, at the very outset let me applaud the outgoing administration and congratulate the incoming officers for work well done and for confidence well placed. The Chelsea Zionist District has long been active in supporting the cause of Israel and urging its support by others. That its efforts have been rewarded is obvious. That its continued efforts are necessary is certain.

In 1947, on a very grim occasion, I visited this wonderful city of Chelsea. I was your speaker at the high school auditorium. The occasion was a welcome-home and a well-done to a brave Chelsea lad who was wounded by a pistol shot while resisting a boarding party from a British gunboat that intercepted a vessel running displaced Jews into Palestine past the British blockade. His name was William Millman, and he was a member of that gallant crew bringing a precious cargo of human souls to Palestine.

I told you then, in those horrible days, when the land of Israel was barred to the children of Israel, not to be dismayed, there will be a State of Israel. There was.

I told you that President Truman will speedily recognize that State. He did.

I also told you that the State of Israel will be readily admitted to the United Nations. It was.

I did not then, as I do not now, lay any claim to powers of prophecy. My predictions of things to come was based solely on thing that went before. I knew then, as I know now, that a people who refused to perish through 2,000 years of travail and exile and the indescribable horrors of Hitler will not perish; that the spirit of faith and devotion to the moral principles of their forefathers, having been so tried, must eventually serve the purpose for which it was being tested.

I can now proudly state that my reasoning was correct. What I anticipated would happen, did happen. I also knew that a State of Israel will be a shining light in the gloomy world that followed World War II, because I knew it would be a democratic government in an area that was ruled by despots, backward and illiterate, and thus bring light where light was badly needed.

I am not disappointed. The State of Israel, founded on those virtues of liberty, equality, and faith, democratic and free, is not only an outpost for democratic institutions but is an example for all new nations, now appearing, to consider and emulate. The State of Israel is the strongest rebuff the reactionary, enslaving, soul-crushing doctrines of communism have so far received. It is no wonder that Russia wants to see Israel obliterated because the forces of darkness must always flee before the power of light.

Let the new nations of the world compare. Compare a new state, founded on democratic principles, the State of Israel, with other states weighted down under the despotism of communism. I ask, Where do you find greater freedom of expression, thought and soul; greater opportunity for spiritual expression, cultural development, and economic progress—in the democratically governed State of Israel or in Communist-dominated Hungary, Poland, Rumania, and even Russia itself?

By example alone, the State of Israel has demonstrated the simple and eternal truth that he who lives by the sword shall perish by the sword and that it is not by might and not by strength but by spirit that man endures.

Therefore, when U.S. marine shipping was barred from the international Suez Canal because of having been used in trade with Israel; when foreign powers dared to dictate to us and classify our citizens and insist on which of our citizens they will allow in their countries and which they will not, and we submitted; when they professed to be peace loving yet refused to sit down and discuss peace terms with Israel, the nation which defeated them; when they asserted a serious refugee problem but did nothing to help their own for admittedly political reasons; when they caused our Navy Department to insert cancellation clauses in all its contracts with its suppliers whose supply ships are blacklisted by the United Arab Republic; and, when in the face of all this, the State Department permitted the U.S. Executive Director of the World Bank to vote for a $56 million loan to the United Arab Republic for widening the Suez Canal, I brought this to the attention of Congress on February 4, 1960.

I informed Congress that this affront to the United States, this insult to our people, to our principles, and to our professed sense of morality, was induced only because our Government, at that time, resorted to the use of platitudes and the comfort of temporary expediency for positive action. True facts and moral realities were swept under the rug.

I warned the administration that the pile of sweepings was so great that the administration itself would trip over it. The recent election proved how correct I was. I said that the debris must be cleaned out without delay or else in the eyes of the nations of the world we shall be considered not only weak in arms and technology but also in enforcing moral issues. You who have heard or read the inaugural address of President Kennedy know that you can expect the debris to be cleaned out without much delay.

A few weeks from today, a great and wonderful event will take place in Jerusalem.

Just as thousands of years ago there was brought down from Mount Sinai and given to the children of Israel a new moral code for all men to heed and use as a guide for civilized living (we call it the Ten Commandments), so in a few weeks, in Jerusalem, the State of Israel will open the eyes of the world to the realization that there can be no exceptions to the commandment "Thou shalt not kill." I refer to the Eichmann case.

Rarely, since the framing of our Constitution and the writing of the Declaration of Independence has the concept of natural law been raised, as it will be raised in the coming trial of Adolf Eichmann.

As a lawyer, lawmaker, and human being, the issues of jurisdiction and venue greatly interest me. We are aware of the accusations against Eichmann, his apprehension, his delivery to the State of Israel and the diplomatic hauling and pulling that ensued.

There are many pros and cons offered relative to the trial of Eichmann in Israel. The arguments range all the way from those induced by anger to those advanced by thinkers, philosophers, and would-be philosophers and some not worthy of classifying.

During the course of argument the State of Israel will be the target of hatemongers, Communists, and assorted cranks.

There will also be true students of jurisprudence, dispassionate thinkers and analysts who will dissent from what I am about to say by reason of their sincere beliefs. For such I have sincerest respect because our common purpose is to see justice done. We may merely differ as to the means of accomplishing that purpose.

I make no brief for the State of Israel, it certainly needs none from me. I advance no arguments for the prosecution for it will certainly prove its competence without my assistance. My remarks are intended to let the Israel Government know that there are non-Jews who can find nothing wrong, morally or legally, in bringing before the bar of justice an accused who, if those who oppose my views were to prevail, would never be brought to trial. Eichmann would never have been brought to trial because no government went to seek him out. In fact there is a question whether or not he was given shelter from apprehension. Except for those who spent 15 years searching for him no individual or private group went to search for him. Now, however, the cry is over the right to try him.

Let us proceed to ask a few questions and offer a few answers.

The crime of murder is reprehensible. The sanctity of human life must never be violated. These are premises and assumptions to which all will agree. Now why do we agree to these simple assertions? Because there is a law on the books? Because the state will punish for such crime? Is that why we agree? Let us look closer. Assume there were no laws against murder or punishment for murder on the books, would the crime be less reprehensible? The answer of course is "No."

Therefore, whence comes this knowledge that murder is wrong, even without a law on

the books saying so? It comes from the existence in man of a capacity to know some things with certainty, a God-given endowment. Such origin of law is commonly referred to as natural law and because of it we can assert certain truths such as described in the Declaration of Independence that all men are endowed by their Creator with certain unalienable rights among which are life, liberty, and the pursuit of happiness.

There are some legal philosophers who do not subscribe to that school of thought. They hold that the real source of law springs from reason alone and not from any divine source. Parenthetically, may I ask, whence comes reason?

However, it is not my purpose to give a dissertation on legal philosophy. It is my purpose to state my views, with the concept of natural law always in mind, dealing as we are with a case where there are no precedents, because never have there been similar facts and situations.

The question is asked whether the Eichmann trial, held in Israel, will contribute to the growth of international law and justice. The answer is comparatively simple. Where is the international tribunal to try this man? The International Court of Justice has no jurisdiction over the trial of individuals. The Nuremburg tribunal is no longer in existence. At best it was an imperfect court because in the words of Justice Robert H. Jackson, "We cannot await a perfect international tribunal or legislature." Down through the years there is still no perfect international tribunal for handling cases such as Eichmann; there are no officers of the law, policemen if you prefer, to ferret out other Eichmanns and bring them before the court. What court is there to handle this case? Another imperfect international tribunal? Eichmann will be safer before an Israel court which is determined to do impartial justice, and stand forever on its record, rather than before a temporary body convened to dispose of him and then disband.

It is argued that he should be returned to the scene of his crime on the general principle of law that a man is entitled to be tried where his offense is charged to have been committed. The short answer is that the crime charged against Eichmann is murder, not of an individual as an individual, but of individuals as belonging to a common foe, the Jew. Viewed in that light I see no difference in bringing Eichmann to stand trial in the land of the foe than it was to return Ezra Pound to the United States to stand trial in this country for acts of treason committed overseas in Germany, except possibly the fact that Ezra Pound was a U.S. citizen.

It is argued that when a crime is committed it is not against the individual who suffered the wrong, but against the community. To that I agree, and that is why I assert that the community of Jews against whom the crime was committed is now in Israel, and there is where Eichmann should be tried.

It is argued that Eichmann is charged with crimes against the Jewish people. How else should he be charged? In this State a criminal charge is the Commonwealth against defendant; in some States it is the State against defendant; in other States it is people against defendant. This is no great issue, because in law it is always substance and intent that is important rather than form.

It is argued that Eichmann will be tried before a hostile court, or at least a court that will be subject to criticism for lacking impartiality, and that no Israel lawyer was willing to undertake his defense. I will point out that Israel has already indicated its tendency toward impartial justice. Witness the temperament of a people who would spend 15 years unceasingly scouring the corners of the earth to apprehend an accused charged with such a shocking, revolting crime, and when they found him did not kill him on the spot. The accused is entitled to a lawyer of his own selection. He has that lawyer, and Israel is paying him a much larger sum than our own courts customarily pay appointed counsel. The fact that no Israel lawyer is defending the accused is good, because then it can never be said that the defense was not whole, complete, and diligent. The full glare of publicity will permit no deviation from fairness both to the defendant and to the people whom he offended.

It is argued that the trial should be held in Germany for the opportunity it would give to enlighten the public and especially the postwar generation. It is also argued in the same breath that he should not be tried in Israel because the trial would be merely a spectacle. Justice Jackson said that he was preparing a record of the Nuremberg trial—a record on which the defendants were being judged and on which history will judge us tomorrow. He made a vast record, volume after volume, depicting and describing the most horrifying activities of depraved men ever known in the annals of a sordid world. The record contains the names of Goering, Goebbels, Hitler, and the rest of that ignoble assembly of humanity's curse. The record is still there—gathering dust—a collector's item, while swastikas are being painted on walls and anti-Semitic outbursts appear from time to time in Germany.

If it is truly enlightenment that is sought for postwar Germany, and for that matter the rest of the world, then the Eichmann trial in Israel will highlight the workings of history and morality. It will cause every one to wonder how, from the remnants of a defenseless people, who were to be obliterated, arose a free and proud nation; where crime will not go unpunished; where the guilty will not go free; and, where God is still the judge, the father, and the protector. It is His will that must be served, and not the will of the depraved and the powerful.

I must refute the argument that the State of Israel has no jurisdiction in the Eichmann case because it was not a State at the time of the alleged crime. I declare that the State of Israel never ceased being a State from the time its people were exiled by Rome in the year A.D. 70. All through the ages Palestine was merely a possession of different temporary conquerors who held the land, but not the people. The people of Israel never surrendered. They were exiled from it but never surrendered their claim to it, their hope and dream of returning to it. They persevered and studied, and observed wherever possible, its laws, its customs, its traditions, and its history. There was a land that mourned for its people even as its people mourned for it. The land refused to bear fruit, it became waste and dry and desert and nobody could make it bloom. Only upon the return of its people did the desert begin to bloom, and the groves begin to blossom and bear fruit. Never, since and during the exile, has Palestine shone with intellect, sang with freedom, and hummed with industry as it has since the State of Israel once again returned to her bosom, 12 years ago.

The legalist, however, may not care to view it from this historical and sentimental light. He will insist on more proof.

Hitler waged war against Jews not as French Jews, or Dutch Jews, or Polish Jews, or Hungarian Jews, but simply as Jews. Hitler did not recognize them as citizens of the countries he invaded. He recognized them only as a people separate, distinct and apart from all other nations and for whom he had a special plan—extinction. Hitler himself laid the ground rules for Eichmann's trial in Israel and as lawyers would say: "This is now the law of the case." He formed and grouped the Jews as a distinct people, and his crimes were committed against the Jewish people and were aimed and intended for the Jewish people wherever they were—including Great Britain and the United States should he have gotten over here.

Still more proof is asked? The Balfour Declaration asserted, long before Hitler, a recognition of Palestine as a homeland for Jews. After World War I, Palestine was mandated to Great Britain to be held in trust by her, and not to be annexed or to make its inhabitants her citizens.

The Balfour Declaration was still in effect and force. After World War II the State of Israel received de jure recognition.

During the time of Eichmann's alleged misdeeds there were governments in exile which we recognized, and who fought beside us. There was the French Government in exile, the Polish Government in exile, and the Dutch Government in exile, to name just a few, and they placed their forces in the field. The Jews of Palestine did likewise. The gallantry of her troops in Italy and north Africa, in Syria and wherever the enemy could be found is a thrilling story of bravery and glory.

Therefore, I conclude with the thought that it is not Eichmann alone who is to stand trial, but all mankind and its juridical system. If nature abhors a vacuum then why should it be in the nature of things that a crime go unpunished; that an accused go untried? If that be so, then we have discovered a vacuum in morality which must be abhorred and eliminated or else mankind perishes.

So I return to my earlier reference to natural law, first conceived by Socrates, elaborated upon by Aristotle, explained by St. Thomas Aquinas, and appearing in our own Declaration of Independence asserting the unalienable rights of man.

Upon that law, if there be no other, I support those who insist that the Eichmann case be tried in Israel. Maybe new law will be written because the old law did not hold, and if new law is to be written based on the principles of natural law then let it be written in Israel because the Prophet Isaiah said "From out of Zion shall go forth law," so, from out of Zion shall go forth new law to be an example and a guide for all men, for all nations, for all time.

THIRD CHOICE IN CUBA

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DULSKI. Mr. Speaker, there is growing concern among the American people as the Russians extend their sphere of influence in the Western Hemisphere through a military buildup in Cuba. Harsh experiences of the past have taught us that the colonizing tactics of the Russians, directed at any part of the world, are a threat to peace. The tensions which now divide the world and deny freedom-loving people the benefits of a just peace are caused by a Russian empire—reaching from the Baltic Sea to the Pacific Ocean. Shackled within that empire are more than a score of once free and independent nations—

defined by an act of Congress as captive nations.

Within all those captive nations the common man longs for a return of his freedom, and national independence for his counrty. In that vast area covered by the Russian captive empire the multitudes await the tidal wave of self-determination, so well described by President Kennedy in his address before the United Nations last year. Thwarting those great human aspirations by terror and tyranny, we see a relative handful of addicts of Russian imperialism who are otherwise identified as Communists or "Soviets." It is those few who hold the reins of power and oppression which bind the masses against their will within the captive empire. The tactics of total state power developed by Lenin, and first applied to the Russian nation, have been extended to a total empire. All this evil work has been accomplished in the course of some 40 years. And Khrushchev has made it clear that the Russians will not rest until they have colonized the entire world. It is this conflict between the enslaved who want to be free and their Russian oppressors who want to keep them in bondage, together with the determination of the free to remain free in the face of Russian determination to colonize the world, which causes the dangerous tensions that grip the world today.

That is the background against which we must evaluate the Cuban crisis. Cuba is now a captive nation. Cuba is now controlled by a relative handful of addicts to Russian imperialism. That handful of addicts has seized total power in Cuba and they are now trying to establish total tyranny over the people of Cuba. Imperial Russia is, at grave risk, supporting its Cuban regime with all manner of weapons, manpower, propaganda, and international blackmail. Castro and company alone are incapable of securing and holding total power over the people of Cuba. The Cuban people have been robbed of the just desserts of their revolution and they know it far better than the people of the outside world. Failure after failure and deceit upon deceit by the Castro regime is ripening the spirit of revolt among the Cuban people. In these circumstances, the Soviets are rushing to the aid of their agents in Cuba to save them from certain disaster and, at the same time, to win for themselves a strategic base of military, propaganda and subversive operations in the Western Hemisphere.

The resolution on Cuba adopted by Congress makes several basic points clear. The first is that the American people will prevent the Russians from using their Cuban base of operations to spread their colonial system in the Western Hemisphere. Congress does not define how this shall be done but it does conclude that President Kennedy has all the authority necessary to act in order to accomplish that objective. The second point is that our country is determined to return self-determination to the people of Cuba and to support the Cuban people in their struggles for self-government. Congress does not define how this objective is to be accomplished but it does call for action by our Government to attain that objective. The congressional resolution on Cuba expresses the intent of the American people but the specific action or actions necessary to implement that intent must be determined by President Kennedy.

The Washington Post carried a thoughtful and well-reasoned editorial concerning Cuba on September 29, 1962. "Third Choice in Cuba" was the title of the editorial. The third choice proposed is a war of national liberation in which the people of Cuba would be encouraged to rise up against the Russian occupation of their homeland with the understanding the United States and other Republics of this hemisphere would go to the assistance of such a popular revolt. This proposal makes more sense than standing idly by while the Russians build a fortress Moscow in the Caribbean, or using our troops in a straight military operation.

A few days before the debate in the House on the Cuban Resolution, our colleague from Ohio and my good friend [Mr. FEIGHAN] proposed a six-point action program to remove the seeds of Russian aggression and war from the Western Hemisphere. His proposal called for the "third choice" advocated by the Post editorial; to be executed in a manner calculated to make maximum use of the aspirations of the Cuban people, at home and abroad; to place the power and prestige of the United States behind the aspirations of the Cuban people; to put the Communist Castro regime in proper diplomatic perspective; to provide opportunity for all the Republics of the Western Hemisphere to take part in our common defense; and, to give the United Nations a useful role as the instrument of justice in the affairs of nations.

I have long held that the power of the free press is a potent weapon in the cold war. The editorial of the Washington Post, outlining a course of effective action in the Cuban crisis, speaks for a large body of informed Americans.

Under leave to extend my remarks, I include the editorial which follows:

THIRD CHOICE IN CUBA

Discussions of what to do about Cuba are invariably couched in alternatives. The first is to tolerate the Soviet arms buildup but to contain the Castro regime—a course that can have disastrous consequences in Latin America if it is interpreted as a sign of weakness and irresolution. The second is to intervene militarily through an invasion or blockade. Besides risking Soviet retaliation in Berlin or other vulnerable areas, an invasion would also bring the tragic prospect of prolonged and bloody American occupation and of riots in virtually every Latin-American capital.

Curiously, a third course has received little apparent official attention—the course of deliberately and skillfully encouraging an internal uprising within Cuba that could immediately be assisted by outside arms. The lack of discussion here is especially odd since the Kennedy administration came to power with a determination to develop a capacity in unconventional warfare and to broaden the spectrum of military response.

Evidence from Cuba indicates that there is considerable latent disaffection among officers and officials in the Castro regime. Leo Sauvage, a shrewd French correspondent writing in The Reporter, maintains that the Soviet forces in Cuba are a clear indication that Castro can no longer rely on his own army and militia. "A national uprising within Cuba * * *," he writes, "might well succeed, especially if the CIA gave up playing politics and at last decided to do something useful by supplying insurrectionary forces inside the country with the weapons and the technical assistance they need."

No one outside the Government can speak with real assurance about a question of palpable strategic secrecy. Yet the testimony of informed Cubans is that U.S. policy has been not to encourage such an indigenous uprising. Rather, the emphasis is on exile politics. The result is to disarm psychologically those inside Cuba who might be tempted to take a chance on insurrection. Their feeling is that those who are living in safe exile would reap the benefit and would indiscriminately punish as "Communists" anybody who had not broken openly with the regime. They have no awareness that an alternative is available to them.

Any policy aimed at promoting internal change would have to begin by altering the overall climate by making clear that the United States does not regard all who are in the Cuban Army and Government as Communists by definition. This would have to be followed by calculated political appeals intended to divide Castro from his followers. Plainly, such an approach would entail risks and would take time and patient effort.

It would involve the United States in fostering a war of national liberation on an island where national tradition and logistic fact would enable a true spirit of resistance to develop. One proposal the hemisphere foreign ministers might consider when they gather in New York is a declaration expressing the intent of the American Republics to come to the assistance of any uprising that takes place on Cuban soil against the Soviet occupation.

As it stands, North Americans are frustrated and Cubans of all shades of opinion are angry with Washington. Luis Aguilar Leon, writing in the New Leader, speaks for many free-minded Cubans in remarking acidly:

"Of all the lessons Fidel Castro has taught us, the bitterest and most obvious is this: He who proclaims himself a Communist can count on help from the Soviet Union even though he is 9,000 miles away from its borders, while he who proclaims himself a democrat can fight and die 90 miles from the shores of the United States and no one will come to his aid."

This is a reproach that may be cruel and unfair, but the only satisfactory response to it would be effective action.

SPECIAL ORDER VACATED—AMERICAN-PORTUGAL AFFAIRS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. O'NEILL. Mr. Speaker, I have a special order myself which was originally scheduled to follow the gentleman from South Carolina [Mr. RIVERS] to discuss at that time American and Portugal affairs, and particularly American policy on Angola.

Mr. Speaker, in view of the fact that the gentleman from South Carolina [Mr. RIVERS] is going to take his complete hour in honoring our colleague, the gentleman from Alabama [Mr. BOYKIN]—and I know that there are 16 or 17 Members of Congress who had intended to

participate with me—I ask unanimous consent that I be permitted to address the House for 1 hour on tomorrow following the official business of the House and any other special orders heretofore entered.

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

There was no objection.

TRIBUTE TO THE HONORABLE FRANK BOYKIN

The SPEAKER. Under previous order of the House, the gentleman from South Carolina [Mr. RIVERS] is recognized for 60 minutes.

Mr. RIVERS of South Carolina. Mr. Speaker, at the outset I ask unanimous consent that all Members who are desirous of inserting their remarks with respect to our beloved colleague, the gentleman from Alabama [Mr. BOYKIN], be given 5 days in which to do so.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield to me at this point?

Mr. RIVERS of South Carolina. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I appreciate very much my dear friend from South Carolina yielding to me before he starts his formal remarks.

Mr. Speaker, I have just heard that the gentleman was going to make remarks in relation to our distinguished friend, the gentleman from Alabama [Mr. BOYKIN]. I must leave immediately for an important conference. I would feel very much disturbed if I did not participate on this occasion in expressing the very high regard that I have for FRANK BOYKIN.

Mr. Speaker, FRANK BOYKIN and I have been very close friends during the period of years in which we have served together in the House of Representatives. Frank and Mrs. Boykin have lived, as have Mrs. McCormack and I, for many years at the Washington Hotel. Between Frank and Mrs. Boykin and John and Harriet McCormack there is a close friendship of many years, a friendship that we value very, very much.

Mr. Speaker, FRANK BOYKIN has been one of the hardest working Members of Congress during his many years of very important service to this body. He has certainly brought to Alabama and to the people of his district, industry, credit, and honor. He is a man with an understanding mind which is without limitation, a man whose generosity and whose cheerfulness is known everywhere; a man who is universally respected by everyone who knows him.

Mr. Speaker, I am very happy to join with my friend, the gentleman from South Carolina [Mr. RIVERS] and his colleagues from Alabama in honoring this great man whose services in this body will no longer continue in the next Congress, but who, during his years of service, has made his mark in contributing to the legislative history of our country. He has always been prominent in nature, progressive in character, permanent and lasting in the legislative history of our country.

Mr. Speaker, I wish for FRANK and Mrs. BOYKIN every happiness and success in the years that lie ahead for them, and express the hope that those years will be countless in number.

Mr. RIVERS of South Carolina. Mr. Speaker, I thank the Speaker of the House of Representatives for his very kind remarks in behalf of our friend, the gentleman from Alabama [Mr. BOYKIN].

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

Mr. RIVERS of South Carolina. I yield to the gentleman from Oklahoma, the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I appreciate the gentleman from South Carolina [Mr. RIVERS], yielding to me following the remarks of our distinguished speaker.

Mr. Speaker, I am glad that my friend and colleague, the gentleman from South Carolina [Mr. RIVERS] has taken this time to pay tribute to one of the most lovable characters I have ever known. "Everything is made for love" is the best known motto in this House. It is appropriate that FRANK BOYKIN should use that motto because he loves everybody. It has been said, Mr. Speaker, that the world loves a lover. Everybody loves FRANK BOYKIN because he loves everybody and he helps everybody. I have never heard of anyone going to FRANK BOYKIN for help when he did not get it. He is a big man, and he is all heart. He is one of the most generous, charitable men I have ever known.

No Member has worked harder, or more effectively, for his district and his State than the gentleman from Alabama [Mr. BOYKIN]. In all his endeavors he has been resourceful, energetic, and successful. He is a great man. He has been a wonderful colleague and friend and outstanding legislator. We will all miss him. As he leaves us, we wish him great happiness and success in the years ahead.

Mr. Speaker, at this point in the RECORD I am going to insert along with my remarks several items:

One from the Sunday Star of June 10, 1962, entitled "BOYKIN Departure Ends Era of Love" and also an article from the New York Times dated May 31 by Arthur Krock entitled "In the Nation," the subtitle of which is "A Sad Memorial Day for Boundless Love."

The articles referred to are as follows:

[From the Washington Star, Sunday, June 10, 1962]

BOYKIN DEPARTURE ENDS ERA OF LOVE

(By John C. Davies)

Old Capitol hands, usually torpid about the comings and goings of Representatives and Senators, had their nonchalance jarred a fortnight ago when Alabama voters decided against returning Representative FRANK W. BOYKIN to the House for a 15th consecutive term.

Sentimentalists, who often forget the impermanent nature of politics, had begun to believe that the 77-year-old multimillionaire and the Nation's No. 1 exponent of superabundant life was as secure as the Capitol dome and twice as expansive. But cynics, whose hindsight is invariably 20-20, insist that Mr. BOYKIN's number was up when all Alabama's nine Congressmen had to run at large for the eight seats available after a reapportionment squeeze. Whatever the cause, the man who became legendary for his 30-year, four-square stand for love ended up a very low man on Alabama's political totem pole.

His battle cry—"Everything's Made for Love"—made the Congressman famous and is shouted, declaimed, and whispered at the drop of one of his countless hats in which the shibboleth is inscribed on the inside. Huge banners proclaiming the motto hung at every one of his meetings, and it is virtually impossible not to notice its inescapable prominence in Mr. BOYKIN's office.

No matter the time of day or night, the chances are that FRANK BOYKIN will greet stranger and friend alike with a gregarious approach that makes a Rotarian greeting resemble a deep-freeze snub, and one can be certain that "Everything's Made for Love" will find its way into the conversation at least once.

Even in defeat, the 77-year-old Alabama politician still puts in days that would exhaust most 20-year-olds. He usually starts with a tremendous roar for coffee at 5 a.m. and then proceeds to dictate a few 20-page letters on an infinite variety of subjects.

AS A LETTER WRITER

Each letter is usually charged with prolix invitations to his 17,000-acre hunting preserve in Alabama, casual references to the problems of the day, a lengthy word picture on the beauty of womanhood and verbose regrets on not being able to communicate with the addressee in person. And, of course, sprinkled liberally is the ubiquitous "Everything's Made for Love."

At the end of perhaps a dozen letters, Mr. BOYKIN is ready, willing and able to take on breakfast—an unbelievable exercise in fruits, eggs, hot cakes, grits, ham, biscuits and more coffee. He is now prepared to go forth, to hail everyone whether he knows him or not, expressing good will, good luck, fine health and hearty assurances that all will go well if one remembers that "Everything Is Made for Love."

It has been said that when FRANK BOYKIN enters a room, it is as though a thousand butterflies were turned loose. He is nearly 6 feet and weighs more than 200 pounds. He dresses elegantly and clamorously in the garb of a storybook statesman, making him the only Member of the House or Senate who actually looks like a Congressman or Senator. He still has a well-thatched mane of white hair flowing back from a full face.

POLITICAL NOAH'S ARK

Mr. BOYKIN's office might best be described as a large, economy-size McGee's closet or a political Noah's Ark, for the rooms seem to contain one or two of every thing known to man. On all four walls is a solid cover of photographs of the famous and near-famous, all endearingly dedicated to the Congressman. In the small spaces not allotted to photographs, Mr. BOYKIN has managed to wedge in two huge rattlesnake skins, five mounted deer heads, a 9-foot wolfhide, old campaign posters and snapshots of hound dogs at work.

The tables and cabinet of his so-called private office are loaded with curios, trophies, antiques and mementos. Included are such oddities as an egg of the extinct Greak Auk, precursor of the penguin, a gargantuan cuckoo clock from Germany's Black Forest, two six-shooters that once belonged to Jesse James, a machete, assorted rifles and a chastity belt.

As a party giver, the gentleman from Alabama was famous long before the Mesdames Mesta and Cafritz saw the black of the sturgeon's eggs. In 1949, he gave a party at the Carlton in honor of Speaker

Rayburn. Nearly a thousand friends and freeloaders showed up to sip gallons of Scotch and bourbon and munch on salmon, elk, venison, bear steaks, turkey, antelope and opossum.

Mr. BOYKIN made few speeches on the House floor but his annual orations on the practicality of widening the Tombigbee River in his native Alabama to accommodate oceangoing vessels are memorable. He never had difficulty getting unanimous consent to talk on and on, even though the House may have been operating under the 5-minute rule.

At one point in a Tombigbee speech, he recalled that Aaron Burr had courted a girl successfully on the banks of the river. This, he pointed out, was proof that the Tombigbee, like everything else on earth, was made for love.

A CONSERVATIVE CONSERVATIVE

During his 28 years in the House, Mr. BOYKIN was a conservative conservative, never having truck with the New or Fair Deal. He fathered very little legislation and that which he did sponsor was minor.

He was born in Choctaw County, Ala., and at the age of 8 left school to work on a railroad as a construction gang waterboy. The railroad was operating on the end of a shoestring, a circumstance which gave young BOYKIN an opportunity to become train dispatcher and conductor at the age of 12. He also took orders for a commissary while riding the train. At 15 he became the commissary's manager.

At 18, he was the owner of a sawmill set up to cut railroad ties. Then, he built a store and became prosperous enough to take on a wife. BOYKIN's fortunes have been on the rise ever since.

There are a number of reasons advanced for FRANK BOYKIN's defeat in last month's primary election. "He was too rich." "He was too old." "He was too conservative." "He was too flamboyant." "His political ways are a thing of the past."

Others say that, having to race statewide rather than in his own safe little district, his eccentricities and the publicity on various business schemes, such as savings and loan associations in Maryland, hurt him.

But whatever the reason or combination of reasons, the day when the moving van pulls up to the Old House Building to move the BOYKIN museum will be sad. He and his "love" will be talked about for a long time.

[From the New York Times, May 31, 1962]

A SAD MEMORIAL DAY FOR BOUNDLESS LOVE

(By Arthur Krock)

WASHINGTON, May 30.—Eros still aims his arrows from his pedestal in Piccadilly Circus, but in Alabama his bow has been broken forever. There, by the elimination of Representative FRANK W. BOYKIN from Congress, ambition once again has proved itself "the only power that conquers love," as when the great Julius tore himself from Cleopatra's arms and voyaged back to Rome to mend his political fences and smash Pompey's.

Until BOYKIN ended in this week's Alabama Democratic primary as the low man among nine claimants for eight seats in the next Congress, he had been elected 14 successive times on the slogan "everything is made for love." Framed on the walls of his specious quarters in the House Office Building, roared in the tones of a basso suckling dove to the voters of the First Alabama District in 14 campaigns, bawled to any passerby in the Capitol's corridors as the Representative moved—glowing pink—from relaxing hours in the barber's chair to his offices or to the august House Chamber he adorned, murmured to females encountered at parties with the occasional dividend of a chaste embrace, this slogan and FRANK W. BOYKIN had become inseparable.

With this tender motto proclaimed as his lifetime guide, the Member from the First Alabama District nevertheless has managed to amass a large store of worldly goods that once he was overheard to comment on the deduction that his wealth could be counted in millions with the amendment that he actually may be a "billionaire." This earnest of an acquisitive capacity, rarely won in the marts of Mammon by one consecrated to the spirit of brotherly (and sisterly) love, was made possible by many material activities, among them:

Manufacturer of railroad crossties. Enterprises in real estate, farming, livestock production, timber, lumber, naval stores, and in politics. This last vocation he helped to make enduringly successful by inviting to barbecues of bear and venison steaks, guests who at various times have consisted of all of Congress, public officials in charge of Federal financial handouts and the whole population of the First Alabama District.

THE GIFT OF AN EARTHLY HEAVEN

When love seemed to the Representative to require a more solid expression than the mere devotional words he emits in divers tones on all occasions, there never was anything niggardly about the choice. It was BOYKIN, and BOYKIN alone, who amplified the news (apparently imparted to him from on high) that Comdr. Alan B. Shepard would be rewarded for his pioneer cosmic flight with a seat in heaven, by offering the commander as a free gift what love's votary in Congress described as "a heaven on earth." This was a $25,000 house, with a swimming pool and all the fixin's, in a new development at Waldorf, Md.

Cynics, who habitually question acts done in the name of pure altruism, were beastly enough to point out that Shepard's presence would give much-needed publicity to this housing project. And they noted that this publicity would accrue also to the benefit of a citizen who, before buying the land from the Representative, had served a prison term for mail and security frauds. Even when the Member from Mobile explained that in trying to help this citizen he was only pursuing his dedication to prove that everything is made for love, and could not have been more surprised than to learn of this citizen's sojourn in stir, these cynics sneered anew. And the sadness that brought to the overflowing Boykin heart suffused both its ventricles, not to mention the aorta, when his suggestion that President Kennedy arrange to clear the offer to Shepard was ignored by the President, and when this and other acts of the Representative's compulsive generosity were used to pry him out of his seat in Congress.

So, as the poet recorded, thus "Love and sorrow both were born/On a showery summer morn" in the Alabama Democratic primary. And, come next session, the pleasingly corpulent, nonsmoking, nondrinking, jolly BOYKIN, with a heart as big as Minnie the Moocher's, but with millions or a billion in the bank just the same, will be absent from the chambers, the corridors and the House barbershop of the Capitol.

The scene will be quieter. But who would rather have quiet than a continuous and thunderous assurance of universal love? Some kind of a nut or something?

Mr. RIVERS of South Carolina. Mr. Speaker, along with the articles above, I would like to insert a letter from the chairman of my committee, the Honorable CARL VINSON to the President of the United States, dated June 11, 1962, and also, Mr. Speaker, to insert with my remarks a letter from myself to the President under date of June 11, 1962. Both my letter and Mr. VINSON's letter relate to our distinguished colleague.

The letters are as follows:

JULY 11, 1962.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: I should like to take this opportunity to suggest to you a worthy successor to the very able Secretary of Health, Education, and Welfare, who is leaving your Cabinet to seek public office in the State of Connecticut.

Twenty-seven years ago, on July 30, 1935, the people of the First District of Alabama elected FRANK W. BOYKIN to the 74th Congress to fill a vacancy caused by the resignation of his predecessor.

For 27 years this very capable, outstanding man has energetically and devotedly represented his constituents in the House of Representatives.

FRANK BOYKIN is an "old line" Democrat who has consistently and conscientiously placed the interest of his Nation and his party above all other objectives.

He is a living example of the opportunities that are available to all Americans who are willing to work.

He has been an employee and an employer.

He knows from firsthand experience the problems of the employee, and the problems of the employer.

He has engaged in numerous business activities from real estate to lumber to livestock to shipbuilding.

But he has also been a farmer.

He knows what it is to work from early in the morning to late in the evening.

He is the Horatio Alger of our day.

He did not have the advantage of higher education; thus he is fully aware of the importance of education.

As a youth, he knew the problem of the poor; as a wealthy man, he knows the obligations of the well-to-do.

He has befriended literally thousands of his fellow Americans. His reputation as a humanitarian is unparalleled.

He fights for what he thinks is right; but he also understands and accepts the indispensability of teamwork.

I am thoroughly convinced that he would bring to your Cabinet, as Secretary of Health, Education and Welfare, the maturity of his vast experience, the imagination of unbounded energy, an unsatiable drive for a better America, and a dignified respect for your outstanding leadership.

As you study the backgrounds and accomplishments of the many names that will be suggested to you to fill this vital position in your Cabinet, I commend to you FRANK W. BOYKIN, of Alabama. He is a man of intelligence, competence, loyalty, endearing personality, and dedicated to the expansion of a greater America.

I am convinced that FRANK BOYKIN is a man who would be a dedicated and outstanding member of your official family.

Very respectfully yours,

CARL VINSON, *Chairman.*

JULY 11, 1962.

The Honorable JOHN F. KENNEDY,
The President,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: I have just talked with my distinguished chairman, your friend, the Honorable CARL VINSON, who has advised me that he has written you warmly recommending our beloved colleague, FRANK BOYKIN, for your consideration as the successor to the Honorable Abraham Ribicoff, who is seeking public office in his own State of Connecticut.

It is impossible to portray the character of FRANK BOYKIN in a written memorandum. Mr. VINSON and others have told you in more profound style than I possess of the attributes of this inimitable American who is the everlasting image of the opportunities which exist only in America.

FRANK BOYKIN has been my closest friend during my 22 years in the Congress of the United States. I would venture the assertion that I know him as well as any person in the United States. He knows firsthand poverty and preeminence. He knows rags and he knows riches. He understands the annoying pains of the hungry, the desires of the poor and the responsibilities of the wealthy. Mr. BOYKIN has befriended countless thousands of Americans in every walk of life. His charity and his hospitality know no bounds. As one of the largest landowners in the State of Alabama, he has cared for every conceivable need of countless hundreds of the less fortunate in his beloved State. He is an extraordinary administrator, executive and businessman.

His personality, which has no parallel in the Congress of the United States, would add dignity, prestige and influence to your official family.

I heartily recommend the Honorable FRANK W. BOYKIN for your consideration when you decide on the successor to Mr. Ribicoff.

Sincerely yours,

L. MENDEL RIVERS,
Member of Congress.

Mr. RIVERS of South Carolina. Mr. Speaker, I came to the Congress 22 years ago. My first good fortune was to meet FRANK BOYKIN. The distinguished gentleman from Florida [Mr. SIKES] was one of the freshmen in that 77th Congress. By the stroke of good luck and good fortune we met FRANK BOYKIN. A close friendship has ensued from that day to this. It never occurred to me, nor has it occurred to you that FRANK BOYKIN would ever be defeated in the Congress of the United States, because he should not have been defeated. By the sad stroke of fortune, by the unpredictable turn of fortune's wheel, he was defeated. But he is really not defeated. He just did not make the grade under the conditions imposed by the State legislature.

Mr. Speaker, already his departure from the Congress of the United States has cast a blight on this venerable body. When the 88th Congress convenes, and FRANK BOYKIN is not here, this place will not be the same. His exuberance, his enthusiasm, his love, his friendliness for all his colleagues and for his fellow man pervades and pervaded and has permeated the loftiest rafter of this ageless parliamentary body.

Mr. Speaker, FRANK BOYKIN—it is not possible to use the English language and describe the character of this man. He is unique among men. He is unique among public servants. When he will have left this Congress and departed this life, he will have been unique among all men. His kind flashes across the scene of life's stage only once in a thousand years. His impression will last as long as men of good will tread the venerable Halls of this institution. FRANK BOYKIN will never be forgotten as long as there is a Congress of the United States or as long as the archives of this country contain the efforts of men for their people.

Mobile, Ala., will certainly not be a desert in the field of representation so long as FRANK BOYKIN is there to voice her needs. As the distinguished gentleman from Florida has said, FRANK BOYKIN has made Mobile the city it is. Without FRANK BOYKIN there would be no Mobile, and without FRANK BOYKIN a lot of Mobile would never have been heard from. You know this and I know this.

He helped all people. He is known in your district and he is known in mine because he had the time to help his colleagues. Our friendship, you know and I know, is as full as possible. Our love and regard for each other will be as lasting as the sun in her journeys across the horizons.

The memories of times I have had with FRANK BOYKIN and the pleasure he has brought to this Hall with his cheer and his joy will remain as long as these walls stand. To know FRANK BOYKIN was to love him.

As has been said here today, he took time to do the little things. This marks a man of magnificent and astronomical stature. These are the things of which FRANK BOYKIN is composed. Countless millions of deeds too numerous to recall and which I am too feeble to describe mark this great American. I shall never forget him. My life will not be the same and my activities will not be the same without him, because he helped me all the time. He was an institution, he was an inspiration to everybody who wants to work for the interests of the people and the Nation he loves.

It has also been said that he will represent Alabama here after he will have departed. I am sure that he will make an imprint in this representation along with the rest of the Members of the Alabama delegation, an imprint that will last as long as the memory of man is allowed to exist on this earth.

FRANK BOYKIN was one who could take his winnings and risk it all on one pitch-and-toss, and lose and start again at the beginning and never breathe a word about his loss.

FRANK BOYKIN can dream and not make dreams his master;
He can think and not make thoughts his aim,
He can meet with Triumph and Disaster
And treat those two impostors just the same:

He can make one heap of all his winnings
And risk it on one turn of pitch-and-toss,
And lose and start again at his beginnings,
And never breathe a word about his loss:

FRANK BOYKIN could talk with crowds and keep his virtue,
Or walk with kings—nor lose the common touch,
Neither foes nor loving friends could hurt him.
All men count with him, but none too much.

All mankind loved him.

This is FRANK BOYKIN. It is a sad and tragic recollection on the fortunes of politics.

As Sir Thomas Gray said in his "Elegy":

The boast of heraldry, the pomp of power,
And all that beauty, all that wealth e'er gave,
Awaits alike the inevitable hour:
The paths of glory lead but to the grave.

This is politics. Regardless of my stature and of yours, regardless of your prestige here today, the time will come when your glory will lead to the political grave. This is a fact of life.

Edward Markham in his magnificent poem about Lincoln, the man of the people, had this to say, and I like to think of FRANK BOYKIN in these terms:

He held his place—
Held the long purpose like a growing tree—
Held on through blame and faltered not at praise.
And when he fell in whirlwind, he went down
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills,
And leaves a lonesome place against the sky.

In this Congress, FRANK BOYKIN's departure, Mr. Speaker, leaves a lonesome place against the sky, and it will be there. Never will he be replaced in this Congress. Never will this awesome and lonesome void which exists on the sky of public service be removed because FRANK BOYKIN will not be in the Congress of the United States.

I, along with you, wish for him in the days when his memories will be his main occupation, peace. I wish for him content. I wish for his family the same peace and happiness, because FRANK BOYKIN is entitled to it and his family merits it.

Mr. Speaker, God bless this great American. There will never be another in the Congress of the United States.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BECKWORTH] 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. BECKWORTH. Mr. Speaker, in the time I have been in Congress, no man has impressed me more than our colleague, Hon. FRANK BOYKIN. I came to Congress years ago and one of the first men I met was FRANK. He was as good to me as a father is good to his son. He was always kind, courteous, considerate, and his advice was sincere and most worth while. Along with all of the Members of the House I shall miss FRANK as a Member here, but I shall not forget him and his wonderful family. I wish for him and his wife and each member of his family the greatest of joy and happiness throughout the years.

Mr. RIVERS of South Carolina. Mr. Speaker, at this time I yield to the distinguished dean of the Alabama delegation, the gentleman from Alabama, GEORGE GRANT.

Mr. GRANT. Mr. Speaker, FRANK BOYKIN was born in Bladon Springs, Choctaw County, Ala.; it makes no difference as to the date of his birth because anyone who is privileged to know FRANK knows that he is young in spirit and in heart and will forever remain so regardless of the passage of calendar years.

I know of no man who is more capable of hard work than he. FRANK BOYKIN came up the hard way. When quite young, he worked as a water boy for a railroad construction gang at the rate of 25 cents a day. When a fellow water boy gave up his job, Frank went to the foreman and told him that if he would not hire another boy to take his place that he would do the work of both boys for

the doubled rate of 50 cents a day. The foreman was amused at this and wondered how it could be done. With FRANK's ingenuity, he got a yoke to place across his shoulders on which he could hang a bucket on either side and thus performed most ably the work of two water boys.

FRANK had to leave school in the third grade but due to his hard work, he helped educate his brothers and sisters—even to providing a college education. Through his indomitable will and his genuine desire to succeed, he slowly but surely built a small fortune which finally pyramided into vast timberlands—one of the world's largest salt domes.

Although denied the opportunity of a formal education, he has graduated with honors from the university of hard knocks. No one is more widely read than FRANK nor has a better grasp of local, State, national, and international issues than he.

Numbered among his many personal friends are those in high places, including Presidents, the former Prime Minister of Great Britain, Winston Churchill, General of the Army Douglas MacArthur, Generalissimo and Mrs. Chiang Kai-shek, and many other world leaders too numerous to mention. It can truly be said that, "He walks with kings yet keeps the common touch." He has many faithful colored employees on his hunting reservation in Alabama who dearly love him. After their retirement, they do not have to worry about social security or other benefits as "Mr. FRANK" looks after their every need. A friend in need is a friend indeed; he has been just that type friend to many people.

There is a lot of good in a person who loves the great outdoors. FRANK BOYKIN is never happier than when he is entertaining some of his many friends at his hunting lodge. This man dearly loves dogs and hates to see them mistreated. For many years he has in the early morning hours visited the Washington pound, claimed dogs, and shipped them to friends all over the country.

I have never known a man more devoted to his family than FRANK BOYKIN. Someone has wisely said that the success of every man depends upon some good woman. FRANK's helpmate, Ocllo Boykin, has been, so to speak, the power behind the throne.

No one in Congress is better known than he. With his jovial smile and waving arms as he goes happily along, saying a cheerful "hi" to everyone he meets, one cannot help but he charmed by his outgoing, friendly manner.

Several times on the floor of the House in private conversation, I have heard FRANK say, "Isn't it a shame that we have so much bickering and misunderstanding and wouldn't it be a wonderful thing if we could have a lighted cross on the wall above the Speaker's rostrum?" So, I know that it was gratifying to him when the House just a few days ago passed a resolution authorizing that the inscription, "In God We Trust" be placed over the Speaker's desk.

Congressman BOYKIN can point with just pride to the 27 years of devoted service to his District, State and Nation. He carries with him the respect, the admiration, and the sincere best wishes of the Congress of the United States, and he will always find a warm welcome with his old colleagues and friends.

In closing, may I quote this poem, which I think embodies FRANK BOYKIN's philosophy of life:

THE HOUSE BY THE SIDE OF THE ROAD

(By Sam Walter Foss)

There are hermit souls that live withdrawn
In the peace of their self-content;
There are souls, like stars, that dwell apart,
In a fellowless firmament;
There are pioneer souls that blaze their paths
Where highways never ran;—
But let me live by the side of the road
And be a friend to man.

Let me live in a house by the side of the road
Where the race of men go by—
The men who are good and the men who are bad,
As good and as bad as I.
I would not sit in the scorner's seat,
Or hurl the cynic's ban;—
Let me live in a house by the side of the road
And be a friend to man.

I see from my house by the side of the road,
By the side of the highway of life,
The men who press with the ardor of hope,
The men who are faint with the strife.
But I turn not away from their smiles nor their tears—
Both parts of an infinite plan;—
Let me live in the house by the side of the road
And be a friend to man.

I know there are brook-gladdened meadows ahead
And mountains of wearisome height;
That the road passes on through the long afternoon
And stretches away to the night.
But still I rejoice when the travelers rejoice,
And weep with the strangers that moan
Nor live in my house by the side of the road
Like a man who dwells alone.

Let me live in my house by the side of the road,
Where the race of men go by—
They are good, they are bad, they are weak, they are strong,
Wise, foolish—so am I.
Then why should I sit in the scorner's seat,
Or hurl the cynic's ban?—
Let me live in the house by the side of the road
And be a friend to man.

This is FRANK BOYKIN's philosophy of life, to live by the side of the road and be a friend to his fellow man.

Mr. RIVERS of South Carolina. I thank the gentleman from Alabama.

I know the Alabama delegation knows why I wanted to do this. This is not to deprecate the magnificent efforts of this distinguished delegation. What I shall say in my having done this I hope will in no wise indicate that I reflect at all upon your magnificent dedication to your duties and your fine work as Members of Congress. I am sure that no one who is close to FRANK BOYKIN would have that feeling. When you understand that, you understand why I do this.

Mr. Speaker, I yield now to the distinguished gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Speaker, on occasion there serves in the Congress of the United States a man whose image is intensified upon his departure—a man who endows his colleagues with some indefinable euphoria for which he will always be remembered; indeed, a man about whom it can be said, "It will never be the same without him."

Such a man is FRANK BOYKIN.

Who among those of us who have served any length of time with the affable gentleman from Alabama can imagine this chamber without him. When he leaves at the end of the present session after 27 years service in the House of Representatives, Congressman BOYKIN will take with him a little bit of the overall character of this House. He will be sorely missed, but he will leave with us a rich remembrance of pleasant associations.

Thousands of words have been written or spoken about our colleague over the past half century in which he has distinguished himself both in business and in government.

Predominant among them have been descriptions such as "colorful", "industrious", or "vigorous". These are no misnomers, for it is a fact that few men of our time possess such scintillating wit, such savoir-faire, such determination. Nevertheless, they constitute only a fragmentary characterization.

The key that unlocks the most outstanding segment of FRANK BOYKIN's personality is brotherly love. A sound truth it is that he loves his friends with boundless faith and devotion and, if there be any enemies, he loves them with an enviable capacity for charity. Still, it is virtually impossible to depict by mere words this extraordinary facet of a great man's character. Superficially, it may be said that those who have known him are better off for having had this privilege.

All of us who are acquainted with him know that he is capable of instilling a special buoyancy in the most morose of men. No matter how discouraging the news or critical the issue, he can be depended upon for an encouraging word. His cheerful optimism is inborn, and it is indeed contagious. His understanding of human frailties is unsurpassed, as is his compassion for all humanity.

Although I had met FRANK BOYKIN on numerous occasions prior to my election to Congress, I did not know him well until I came to Washington 10 years ago. In the ensuing decade our friendship deepened as we worked together for our State of Alabama. Particularly in the field of waterway development have our ties been extremely close.

The significant strides made in the modernization of Alabama's great waterways have been due in a large part to Congressman BOYKIN's diligent efforts to win the support, the authorizations, and the appropriations necessary for these development programs. He has never faltered in his determination to see that Alabama's waterways take their rightful place among the valuable river systems of the United States. His foresight and dedication in this connection deserve lasting commendation.

Working closely with FRANK in the field of waterway development and other mutual endeavors, I have never ceased to be amazed at his unlimited energy and fortitude. Undoubtedly these traits have prevailed throughout his lifetime,

as he has tackled many seemingly impossible tasks with such vigor and enthusiasm that success has been inevitable. In getting things done, he has no equal.

Legislator, businessman, humanitarian—FRANK BOYKIN is all of these. It would be impossible to recount every one of his accomplishments.

But despite a strenuous schedule that would defy the efforts of most people, FRANK always has time for his friends; and his friends are countless. To them, he is a solver of problems, an antidote for depression, a well of strength.

Alabama and the Nation will miss FRANK BOYKIN—a servant but also a leader of his people—in the Congress of the United States.

Even more so will he be missed by those of us in this chamber who look forward to our day-to-day contacts with him. However, there is solace in the knowledge that he never forgets his friends. We trust we can continue to reap the benefits of his wise counsel and his good humor for many years to come.

I am certain everyone in the House of Representatives joins me in paying heartfelt tribute to the inimitable FRANK W. BOYKIN.

We borrow one of his own valedictions in saying to him, "May God bless you and yours."

Mr. RIVERS of South Carolina. Mr. Speaker, I yield to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Speaker, Alabama during its history has been blessed with the services of illustrious sons here in the halls of Congress. To name a few, we have had such men as John T. Morgan, Edmund Pettus, Oscar Underwood, William B. Bankhead, Henry Steagall, and Fighting Joe Wheeler. FRANK BOYKIN is to be numbered among these outstanding men who have served in the House of Representatives.

It has been my pleasure to know FRANK BOYKIN for a period of better than 30 years. FRANK and his lovely wife, Ocllo, have been almost lifelong friends of my family; as a matter of fact, when FRANK first came to Congress in 1935 and was brought to the floor of this House to be presented to the Members of Congress, my father was making a speech in the well of the House. My father yielded to Congressman LISTER HILL, who is now the senior Senator from Alabama, in order that he could introduce FRANK to the Members of Congress.

My relationship with FRANK since that time has been warm and close. When I came to Congress in 1955 FRANK was serving as dean of the Alabama delegation, and it was my privilege to consult frequently with FRANK as I undertook my new job in the House. I always found his advice to be sound, intelligent, and fruitful.

All of us here in the House of Representatives will miss FRANK BOYKIN as one of our Members. I am reminded of the well-known poem:

> Lives of great men oft remind us
> We can make our lives sublime,
> And departing leave behind us
> Footprints in the sands of time.

FRANK BOYKIN has made his mark on the history of this Nation, but more than that, FRANK BOYKIN has left his mark in the hearts of all of us who have been privileged to serve here with him.

Mr. RIVERS of South Carolina. Mr. Speaker, I yield to the gentleman from Alabama [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I want to thank the gentleman from South Carolina for making it possible for us to pay our respects to the great FRANK BOYKIN.

Mr. Speaker, on Sunday, March 20, 1944, I arrived in Washington as the newly elected Representative in the Congress of the United States from the old third district of Alabama. The first man I met at the Washington Hotel was FRANK BOYKIN. From that time on FRANK BOYKIN has been my friend—I love him.

No man in the history of Alabama has ever served more effectively in the Congress of the United States than has FRANK BOYKIN. His untiring efforts, over a period of a quarter of a century have resulted in great benefits for our State. Millions upon millions of dollars have been invested in great industrial plants in Alabama as a result of FRANK BOYKIN's energy and ability. Hundreds of thousands of people are today working as a result of his efforts.

FRANK BOYKIN is one of the kindest men I have ever known. His heart is as big as all outdoors. The acts of kindness shown by him to men of all classes are too numerous to recall. He really loves his fellow men.

FRANK BOYKIN has made a great and creditable record in Congress during his years of service. I have never heard a colleague say he did not like and love FRANK BOYKIN.

FRANK BOYKIN is not leaving us. He will continue to be with us in Washington as the representative of Governor-elect George Wallace and there is no doubt in my mind but that he will have and exert more influence in the halls of Congress than the entire Alabama delegation. If and when the legislature of Alabama ever creates congressional districts, FRANK BOYKIN will surely return to the House as a Representative from the Mobile district. Until that day I wish for FRANK the best of everything and I hope he enjoys a well earned rest.

Mr. RIVERS of South Carolina. Mr. Speaker, I yield to the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Speaker, in this era of conformity and a demand for orthodoxy in manner and even thinking, FRANK W. BOYKIN towers as a supreme individualist.

Mr. BOYKIN has earned many nicknames, all of which were complimentary. My own nickname for him is "Mr. Sunshine."

He is an unfailing fountain of good cheer, optimism, and sunny outlook, and he has the rare gift of being able to lift the spirits of anyone who encounters him even briefly. His passage through the halls of the Capitol left smiles in his wake.

FRANK BOYKIN came to the House of Representatives in 1935. This was the depths of the economic depression. Many a congressional veteran from those days has told me that BOYKIN's buoyant spirit was infectious and that he made a genuine contribution to the morale of the House.

He will be remembered fondly in Congress for his debonair manner, but his accomplishments for the people of his congressional district, Alabama, and the Nation were solid and lasting in their effects. His easygoing manner often concealed the fact that he was a prodigious worker.

By sheer pluck and enterprise, FRANK BOYKIN was a business success early in life. He made and lost several fortunes, but undismayed he achieved another. Born and bred in Choctaw County, Ala., he had intimate knowledge and sympathy with the struggles of rural and farm people attempting to better their lot, but often thwarted by politics, economics, and policies which they were unable to control. He never lost this sympathy and it was reflected in his legislative record.

He brought to the Congress thorough, firsthand knowledge of many fields through his extensive business operations. He has intimate knowledge of farming and its problems, as well as livestock ranches. He is an authority on lumber and timber conservation and his own experience in naval stores as a dealer made him invaluable on the Merchant Marine and Fisheries Committee. Also he was a shipbuilder and outfitter and was unequalled in his knowledge of ports and shipping.

The port of Mobile today is what it is largely through the efforts of FRANK BOYKIN in the Congress.

FRANK BOYKIN and his sunny disposition will be missed in Congress. Tempering our regret at his leaving is the surety that wherever he chooses to use his talents in the years ahead he will do so with skill, but above all, with joy in what he is doing.

Mr. RIVERS of South Carolina. Mr. Speaker, I yield to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, it is a privilege to pay my respects this evening to FRANK W. BOYKIN one of Alabama's foremost citizens, one of Alabama's outstanding leaders, one of her most active and aggressive men.

FRANK BOYKIN did not have the benefits of formal education that some have had, but he overcame that handicap and made his way to accomplish greatly for his State and his people. He educated himself, in the school of hard knocks, in the college of experience. Always at his side, giving encouragement and inspiration were his wonderful wife, Ocllo Gunn Boykin, and their fine children, several of whom I have been privileged to know.

Mr. Speaker, FRANK BOYKIN's knowledge in many fields was almost unbelievable. He brought his great knowledge to bear on the deliberations of this body. Now, in this little break in his career, he can appraise the fact that he served in the U.S. House of Representatives with but few exceptions longer than any other Alabaman.

Mr. Speaker, we can appraise his service as being shot through with ambition for his people; his service was characterized by activity for his people and for his State.

Mr. Speaker, I can think of no greater accomplishment than that of being able to spur forward the economic development of a great State and of a great port city, as FRANK BOYKIN was able to do.

Mr. Speaker, his energy was boundless, his ambition for his people was great, his activity was unsurpassed. His service was colorful and extraordinary, and marked with a love of his fellow man such as few people have.

Mr. Speaker, with it all FRANK BOYKIN had a great compassion and a great understanding of the strength and of the weaknesses of men. He never for long held a grudge, and never for long was angry, FRANK BOYKIN loved his colleagues in the House of Representatives, and they returned that love. FRANK BOYKIN has a great career ahead of him. He hears a new call to service. I know he will approach it with the courage that he has always shown and with the realization that there is no greater endeavor than the service of the people of Alabama.

God speed FRANK BOYKIN as he goes forward to new victories.

Mr. RIVERS of South Carolina. I thank the gentleman from Alabama [Mr. ELLIOTT] very much.

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

Mr. RIVERS of South Carolina. I yield to the distinguished dean of the Mississippi delegation, the gentleman from Mississippi, [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I am grateful to my friend MENDEL RIVERS for permitting me to join with him and others here in paying our respects to our beloved friend, FRANK BOYKIN. I am also grateful to my friend MENDEL RIVERS for arranging this little token of esteem and respect for our dear friend.

Mr. Speaker, he has been most gracious here, not only in arranging this, but in permitting the rest of us to take so much of his limited time.

Mr. Speaker, I shall not trespass at length upon his time, but I do want to say that FRANK BOYKIN came to this House 2 years after I did.

Our districts adjoin. We live within 35 miles of each other, and it has been my distinct privilege and pleasure to know him, to associate with him, to be associated with him possibly as closely as anyone with the exception of the distinguished gentleman from South Carolina [Mr. RIVERS], whose relation with him has been somewhat similar to that of Damon and Pythias.

Mr. Speaker, every man has some virtues. Nature is a great equalizer of virtues. She does not give one man all of them. But I suspect that nature was more generous with our friend, FRANK BOYKIN, than with most of us. His story reads something like that of the Horatio Alger boys. He has been a success as only in this great country a man could be successful. But the one outstanding virtue above everything else that my friend, FRANK BOYKIN, possesses and that nature has so boundlessly bestowed upon him is his love of his fellowman. His favorite slogan: "Everything is made for love" is characteristic of him.

Mr. Speaker, we are going to miss this beloved character who is quite an institution in this House. Frankly, I am glad that he is going home. He has done enough for his people. He is entitled to live a normal life and to enjoy some of the benefits that have accrued to him.

Mr. Speaker, I wish for him, his devoted wife whom he loves so dearly, and his family many more years of happiness.

Mr. RIVERS of South Carolina. Mr. Speaker, I thank the distinguished gentleman very much. At this time I yield to the distinguished dean of the Florida delegation, the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I regret that the time has come to bid farewell to the scintillating, the fruitful, the outstanding services in the Congress of FRANK W. BOYKIN, one of the most popular men ever to serve in the Congress of the United States, but to me more like a close and beloved brother. Few have served here with stronger purpose, few with more significant results, none with greater vigor. He has been a great champion for Alabama and the Nation.

Mr. Speaker, it has been a lesson in dramatic accomplishment to watch his activities. He is perennially young, amazingly vigorous. His friends are legion, and no one is a better or more loyal friend than he. It is a privilege to claim membership in that legion of friends of FRANK BOYKIN.

He is a strong and effective advocate of any cause which he champions. The record which he leaves will not soon be matched. He has done more to keep Mobile in the forefront of progress than any other person in modern times. And his magnificent contributions as a Member of Congress will be sorely missed by those who live in what is now his district and by his State and by the Nation.

FRANK is blessed in many ways, personality, ability, contagious enthusiasm, and these are but a few of his outstanding attributes. But today I take particular pleasure in pointing to one particularly valuable asset, his family. In his lovely and charming and gracious wife, Ocllo, his daughter, his sons, and their families, he is indeed a fortunate man.

We are proud of the gentleman from Alabama, FRANK BOYKIN, proud of his family, proud of his accomplishments, and his accomplishments are legion both in business and in Government. We shall miss him here, but we can be glad indeed that he will not be far from us and that we shall continue in other capacities to enjoy his leadership, his service, his friendship, and his ability.

I am glad to join my distinguished friend from South Carolina [Mr. RIVERS] and others in the Congress in paying this tribute to the service of a great American. What I say is inadequate to express my feelings and my appreciation and my esteem for FRANK BOYKIN. But, it is genuine and it comes from the heart.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. Speaker, I yield to the distinguished gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, I appreciate the thoughtfulness of our good friend from South Carolina in giving to all of us, the friends of the gentleman from Alabama, FRANK BOYKIN, the opportunity to pay our respects to him. I welcome this opportunity to join in a most deserved tribute to a great Alabaman and a great American, the Honorable FRANK BOYKIN.

Every Member of this body who has been privileged to know FRANK BOYKIN has grown to love him. With his lovely wife, he has been one of the genuine sources of warmth and friendly inspiration in the Nation's Capital. It has been a great privilege to serve with him in the House and to be his friend.

To FRANK and to his gracious wife go my sincere wishes for a full and happy life in the years ahead. I am sure he will continue to render outstanding and patriotic service to his country for many years to come.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. Speaker, I yield to the distinguished gentleman from New York [Mr. PILLION].

Mr. PILLION. Mr. Speaker, the gentleman from Alabama, FRANK BOYKIN, is a man of great sincerity, a loyal friend, a dedicated public servant, a citizen with a deep sense of gratitude. This Congress and this Nation will suffer a great loss in his retirement from this House. His many Republican friends in this House join the members of the Alabama delegation and his other colleagues in wishing him the long, healthy, and happy life that he so much deserves.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. Speaker, I yield to the distinguished gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Speaker, I am glad to have this opportunity to join in tribute to a great American. I think also we should give tribute to MENDEL RIVERS, who is leading this discussion and giving us this opportunity.

When I first came here I found myself a next-door neighbor in the Old House Office Building of FRANK BOYKIN. I do not think a more fortunate thing ever happened to me because I soon, almost the first day, got to know real well one of the most friendly, one of the most lovable, one of the most dedicated men I have ever met. He often went out of his way to speak to friends of mine who happened to visit me. He often gave me an opportunity to meet friends of his, and they were real friends. My life has been enriched immeasurably as a result.

He has many Republican friends because he is a friendly man, and because he is a friendly man he could do so much for his people and for his Nation. His characteristics are needed around this place, and we need more people with the friendly characteristics of this friendly man.

I want to join with all in wishing him well in his retirement, and voice the hope that he will be among us many, many years and that he will come back to visit

us often. It will do us good, and I am sure he will enjoy it.

It has already been mentioned that he has a wonderful family. I want to underscore that by saying Amen. I never met finer people or more sincere people, a group who had greater desire to assist him in his great object of service to his people.

Mr. Speaker, I know of no tribute that is a finer tribute than to say a man will be missed. Frank will be missed by so many, many people who knew him on a favorable basis and who loved him so much. I join with his many colleagues on this side and on the other side and I join with all to wish him well and Godspeed and trust and hope that he will come back often to see us.

Mr. RIVERS of South Carolina. I thank the gentleman very much.

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

Mr. RIVERS of South Carolina. I yield to the gentleman from New York.

Mr. BARRY. I think those of us who heard the gentleman's address and the address of other Members of this body have been deeply impressed by the warm friendship that our colleague had for us all.

In view of the lateness of the hour and the necessity of the Minority Leader to depart before the close of business today, and the consequent need for many of the Members of the minority to be away, may I ask the gentleman if he will not seek five legislative days so that many of the minority may extend their remarks and pay the high tribute that is due this distinguished son of Alabama.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the life and character of FRANK BOYKIN.

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

There was no objection.

Mr. FULTON. Mr. Speaker, FRANK BOYKIN has a fine personality and is a wonderful friendly man. Future generations should know of his friendliness with everybody and his warmhearted generosity.

As a Republican from Pennsylvania, I want to record my deep appreciation for his friendship, his kindliness, and his wonderful sense of humor and cheery laughter.

His high good humor is equal to his optimism, and he has certainly been a man I have admired and whose friendship I have valued.

Mr. DINGELL. Mr. Speaker, I rise to join my colleagues in tribute to one of the great and charming men who have served their country in this distinguished body.

We will miss FRANK BOYKIN, whom we all love and we wish him happiness and contentment on his leaving us.

His good counsel and rich well of stories, his concern for the people he served all will be missed.

Having served under him on the Subcommittee on Fish and Wildlife of the Merchant Marine and Fisheries Committee, I can attest to his great efforts for conservation of our precious natural resources, wildlife and their irreplaceable habitat.

Great strides in conservation have been made during his chairmanship and milestone conservation legislation, much bearing his name and the mark of his character, is now law for the benefit of all our people and for the generations yet to come.

His assistance to me as a new Member I shall remember with fondness, and the warmth of his friendship I shall cherish always. I join my colleagues in prayer that God will bless FRANK BOYKIN in his future endeavors and that he will return to visit us, his friends and colleagues, from time to time.

Mr. LIBONATI. Mr. Speaker, when the Holy Spirit breathed the spark of life in the palpitating heart of FRANK BOYKIN, He gave to humankind one of the most gentle and considerate souls that ever lived.

His buoyant air and jolly manner of good fellowship reflect the happiness of a man who loves humans and understands their problems and sacrifices in life. He, himself, after a youthful life of poverty and misery, forged forth with a tremendous human urge to seek affluence and position in life.

He gained his goal blessed with success after success in the business world. But with greater wealth, he never forgot the poor and carried his charities in expanding programs as his worldly goods increased.

His community blossoms with the sparkle of his good deeds and civic improvements for community progress

FRANK BOYKIN is a typical southern gentleman; he personifies the true culture and hospitality of the Old South.

His popularity in the House of Representatives is due to his considerate attitude to further the interests and political fortunes of his colleagues regardless of geography. In legislation he was ever ready to give of himself to influence other Members to support the bill of a friend.

He was dedicated in his work—he had a good word for everyone and complimented Congressman after Congressman in the presence of their constituents. He had a pat on the back for every man he ever had any contact with.

He was active and aggressive in everything that he undertook or assumed responsibility to do.

He was of inestimable value in services to his State and district. He was powerful among the membership on matters touching the interests of his people.

It is unfortunate that we must bid him adieu. He takes with him the love, admiration, and respect of every Member of the House. The Halls of the Congress will be cold and lifeless without his hearty laughter and spirited personality. We will miss our dear friend—there is a void in our distinguished body—the most interesting character in our legislative group is gone. May the good Lord bless him and his beautiful wife Ocllo and wonderful children. And give him the one opportunity in these many years a chance to enjoy in retirement the love and attention of his family. We salute him a goodbye with sadness in our hearts.

Mr. BONNER. Mr. Speaker, I want to take this occasion to associate myself with the many generous, warm and glowing tributes to our dear friend and distinguished colleague, FRANK BOYKIN, of Alabama, who has served his State and his Nation so well for so many years.

As chairman of the Committee on Merchant Marine and Fisheries, it has been my privilege to be closely associated with this splendid southern gentleman on that committee since I first came to Congress in 1940.

FRANK BOYKIN was assigned to the Committee on Merchant Marine and Fisheries in the 74th Congress, and except for a brief period when he transferred from us to another committee, has served continuously until the present time.

In his many years on the committee FRANK has devoted his great energy to all the varied aspects of the committee's jurisdiction. Shipping and shipbuilding have been close to his heart, with special emphasis on the maritime activities in Alabama and other Gulf States. His great personal interest in sportsmanship and conservation have made him an invaluable Chairman of our Subcommittee on Fisheries and Wildlife Conservation.

FRANK BOYKIN's enthusiasm, unlimited energey and contagious good humor will be sorely missed in this body, but will be long remembered along with his faith in humanity, expressed by his famous slogan, "Everything is made for love."

God bless you FRANK.

Mr. JOHNSON of Maryland. Mr. Speaker, I am happy to join my good friend from South Carolina [Mr. RIVERS] in paying tribute to an outstanding Congressman and friend, the Honorable FRANK W. BOYKIN.

Since being elected to Congress at a special election on July 30, 1935, FRANK was elected to successive Congresses through the 87th Congress. At the convening of the 82d Congress, FRANK was selected as the dean of the Alabama delegation.

FRANK has had more than a distinguished career as a legislator, he has stood out as one of the Nation's leading businessmen. He adopted Maryland as his second home and has worked tirelessly for its economic improvement.

In World War I, he was one of the leading officials in shipbuilding companies which built 52 percent of all ships built on the gulf coast prior to the Armistice.

I have had the privilege to serve with FRANK on the House Committee of Merchant Marine and Fisheries. As a newcomer to this committee he not only inspired me by his leadership but assisted me time and time again. To FRANK BOYKIN I say, as all Members will say, "Everything is made for love," and we all love the distinguished gentleman from Alabama.

Mr. ROBERTS of Alabama. Mr. Speaker, I would like to associate myself with the other Members of this body in paying tribute to the dean of the Alabama delegation in the Congress, the Honorable FRANK W. BOYKIN.

As you know, my good friend and colleague has served in the House of Representatives since 1935, a period of some 27 years. During that time he has ably represented the First District of Alabama and has done much for the benefit of all Alabamians and the Nation.

Due to the fact that Alabama will lose one seat in the 88th Congress the State legislature passed a bill known as the nine-eight plan. This legislation required each member of the delegation to run in a primary in his own district and winning in his own district he then had to run State at large and the one receiving the least number of votes would be dropped from the slate in the general election. I regret that anyone had to be the loser in this contest—but as we all know, it must be someone.

Regretfully our distinguished colleague, FRANK BOYKIN, was the loser in the contest and we will certainly miss him both as a Representative of Alabama but as an individual who I believe has more vitality than most men years his junior. He has constantly strived to assist all of us in whatever problem we may have had and has willingly given of his time to any Member of this House that has called upon him for assistance. FRANK BOYKIN is a legend, it is unbelievable that a man with his capabilities and energy exists. His coined expression, "everything is made for love," is carried out in all of his undertakings as he has put his heart and soul in these undertakings as if they were his love.

We in the delegation will miss him on the floor of the House, but I am certain we will not only remember him but will seek his counsel on many of the problems that arise in the future. I am also sure that he will continue to remain in this area, which will enable us to consult with him at any time, for FRANK has always been one to have the time, regardless of his busy schedule, to make himself available to anyone at any time if they were in need of assistance.

Yes, I, and I am sure our entire delegation, will miss FRANK; and while his success is a legend to us, we nevertheless wish him every continued success in the years ahead.

Mr. BENNETT of Florida. Mr. Speaker, as Congressman FRANK BOYKIN leaves active service as a Member of Congress, I join my colleagues in expressing deep appreciation for his friendship and for his service to our country. For a while I served under him on the Merchant Marine and Fisheries Committee. There I saw in him a great knowledge of the subject matter of that committee; and an enthusiasm for doing what is best for our country at all times. Although I admire his able leadership, I treasure even more highly the friendship and affection in which I hold him. May God bless him and his lovely wife and family.

Mr. WHITENER. Mr. Speaker, the retirement of our colleague, Hon. FRANK BOYKIN, brings to me a feeling of regret. All who know FRANK BOYKIN enjoy and appreciate his companionship and warm personality.

Not only will we be deprived of a great personality in Congress; we will lose the services of a great leader at a time in our Nation's life when fine leadership is so sorely needed. But, Mr. Speaker, we have a ray of sunshine piercing through the clouds of gloom upon the occasion of the retirement of our friend since he has assured us that his plans involve frequent future visits to the Capitol City. These visits will be pleasantly anticipated by all who have served with him.

So, Mr. Speaker, I join in expressing regret that FRANK BOYKIN is leaving the official duties that he has so ably performed as a Representative of the people of Alabama. And, I extend my best wishes to him as he returns to private life.

Mr. McMILLAN. Mr. Speaker, I want to join thousands of Congressmen BOYKIN's friends in praising him for the fine service he has rendered the people of Alabama, the people of the entire United States, and the world during the 28 years he has served as a Member of the U.S. House of Representatives.

I do not know of any man who has served in the U.S. House of Representatives during my 24 years of service who has more unanimous respect than Congressman BOYKIN. I remember when I was a freshman Congressman he was helpful to me on many occasions and I have noticed since that date that he is always considerate to new Members of Congress.

The Nation has lost one of its greatest legislators. However, we hope that the U.S. Government will continue to use him in a consultant capacity as he is an authority on practically every segment of our Government and country. Congressman BOYKIN is well preserved and can be of great assistance to our Nation and country in a consultant capacity if he will agree to further give his valuable time in this capacity to his country.

We are in great need of men of his stature in the United States at the present time. Capitol Hill just will not be the same place after Congressman BOYKIN moves his office from the House Office Building on December 30, 1962. However, I hope that we can persuade him to make this community his permanent home so that we can all have the benefit of his company and advice.

Mr. Speaker, I could speak hours on the good things Congressman BOYKIN has done for practically every Member of Congress and for the poor people throughout the country by giving large donations to practically every worthy charity and assisting Members who were in poor financial circumstances in defraying their campaign expenses.

I shall greatly miss Congressman BOYKIN here on Capitol Hill and hope that I will have the opportunity of seeing him often after he retires.

Mr. DOWNING. Mr. Speaker, I rise to pay tribute to a great man—a man that every Member knows and respects—the Honorable FRANK W. BOYKIN, of Alabama, a Member of this great deliberative body since 1935, and a man who has worked for his congressional district, his beloved State, and his Nation every day of that long period of service.

As a young Member of the House, I have been deprived of the pleasure of knowing FRANK BOYKIN for the length of time that so many of my colleagues have known him, but even in the short period of time that I have been associated with him I have grown to love him.

When I first came to the 86th Congress, FRANK BOYKIN was one of the first men to welcome me. I will never forget the deep sense of gratitude that I felt when an experienced and highly regarded Member offered both his help and his hand in friendship. And, as a matter of fact, FRANK BOYKIN's first words to me were not just welcoming politeness. He has helped me many times in the past 4 years.

As you know, Mr. Speaker, FRANK BOYKIN and I are both members of the Merchant Marine and Fisheries Committee. He, of course, serves as chairman of the Subcommittee on Fisheries and Wildlife Conservation, and although I am not personally a member of that subcommittee, I have been working closely with its chairman because the district which I am privileged to represent here is vitally concerned with virtually all fisheries legislation.

I know that recently passed legislation of vast benefit to the shellfisheries industries in my district, and elsewhere throughout the Nation, would never have been possible without FRANK BOYKIN. For example, his wise counsel and friendly guidance contributed immeasurably to the success of measures like H.R. 7336 and H.R. 946—both of which have been received with gratitude by our Nation's hard-pressed shellfisheries industries.

No member has a greater depth of feeling for our Nation's shellfisheries industries than FRANK BOYKIN and no Member has worked harder for them. His vast energy and his great capacity for work have enabled him to make contributions to the shellfisheries industries that would simply not have been possible for any other Member. I will never forget his help on my district's shellfisheries' problems, and I know that the industries generally will never forget his help.

Of course, no man can truly be measured by his contributions in just one area of activity and this would certainly be truer of FRANK BOYKIN than any other man. FRANK BOYKIN has no double; he is an unique being and his accomplishments in many fields, with the accomplishments in the fisheries and conservation areas being only representative, are similarly unique.

For my part, Mr. Speaker, I simply cannot imagine a Congress without FRANK BOYKIN. But it is a harsh reality that he will not be here when the 88th Congress convenes. Yet, in a very real sense, FRANK BOYKIN will be here. He will be here in the memory of every one of us. Perhaps that will be a fitting tribute to his service.

CREATION OF A NEW CABINET POST KNOWN AS THE DEPARTMENT OF NATIONAL SECURITY AND INTERNATIONAL AFFAIRS

The SPEAKER pro tempore. (Mr. LIBONATI). Under previous order of the House, the gentleman from New York [Mr. PILLION] is recognized for 60 minutes.

Mr. PILLION. Mr. Speaker, the life of every man, woman and child in this Nation is at stake in the present climactic phase of the total war being waged by the Soviet-Communist forces.

Our U.S. soldiers are now engaged in an undeclared guerrilla war in South Vietnam.

In Europe, Soviet and United States nuclear artillery are poised for action.

In Cuba, the Soviet is now constructing land, air and sea nuclear missile weapons systems designed to menace the people of the United States. This Soviet nuclear complex will be completed within 6 months to 1 year.

If the United States resigns itself to the completion of this triple nuclear threat, by our failure to act, then our people, thereafter, will live under constant nuclear blackmail.

The American people are uneasy and fearful of the future. They have a foreboding of Khrushchev's plannel doom for this Nation.

STATE DEPARTMENT FANTASIES

The polyanna explanations and humbug emanating from Washington can no longer conceal, from our people, the grim realities and the imminence of our dangers.

The falsity of the "we cannot lose" theory, the vague hope that Soviet-communism will evolve into a nonaggressive society, the irrelevance of the statements claiming that the Marxist-Leninist ideologies has failed, the strained attempts to transform retreats into advances, and defeats into victories by words alone, can no longer lull the American people.

SOVIET-COMMUNIST VICTORIES

Today's ominous events clearly contradict these gross self-deceptions.

In Latin America, Cuba, and British Guiana are now Communist controlled. Communists are prepared to take advantage of events for the prompt takeover of Haiti and the Dominican Republic. Brazil, the largest country of Latin America, is on the brink of anarchy with the Communist Party of Brazil ready for an opportune moment to seize political power. In every country Communists are intensifying their attacks against pro-American governments.

In Asia, Laos has been handed over to a Communist-controlled coalition government. Soviet-armed Communist guerillas in South Vietnam are fighting to undermine the free world position in all of southeast Asia. North Korean Communists are constantly threatening the existence of the independent South Korean government.

In Africa and the Middle East, the position of the United States and the free world has been undermined and weakened, while Communist power has been strengthened.

The Soviet seized the captive nations of east-central Europe.

It has integrated them into the Soviet Empire.

The Soviet continues to exploit the labor of these 100 million people to expand and fortify the Soviet war machine.

Khrushchev is actively instigating the Berlin crisis. His objectives are—

First. To neutralize West Germany.

Second. To destroy our only significant military ally, the North Atlantic Treaty Organization.

Third. To break up the European Common Market.

Fourth. To disintegrate the political, military, and economic unification of West Europe in order to remove this barrier to Soviet world conquest.

The Soviet-Communist forces are steadily increasing and consolidating their politico-military power throughout the world.

The prestige, the position, the power of the United States and the free world is steadily declining.

SOVIET-COMMUNIST FORCES AND APPARATUS

Mr. Speaker, world events make it obvious that the balance of power is shifting toward the Soviet-Communist forces.

Effective countermeasures to the Soviet-Communist surge cannot be generated without an accurate analysis and a full comprehension of the goals, principles, strategic and tactics of the world Communist movement.

Of equal or greater importance is the need to identify and understand the scope and magnitude of the massive, dedicated and highly disciplined organization of Communist Parties and associated sympathizers.

The hard core of this apparatus consists of 40,000,000 member agents strategicaly placed in every nation of the world.

The operations of this world apparatus are directed and coordinated out of Moscow by the Soviet-Communist Party leadership.

This army is waging a new form of total war, applying military principles and techniques for the seizure of political power.

An integral element of the Soviet-Communist war is its propaganda and agitation apparatus. Its agents permeate national consciousness with Soviet world designs, and mislead millions of people all over the world to support and even work for Communist objectives.

The open Communist and the crypto-Communist propaganda apparatus utilizes a force of 500,000 people directly engaged in mass communications media and involves the annual expenditure of $2 billion.

Soviet economic warfare is politically and militarily oriented. Trade and aid to underdeveloped countries is intended only to win popular support and political power for the Soviet.

As part of the economic cold war, the Soviet seeks to weaken and destroy the economic base of Western Europe and the free world by invading and dominating the raw materials and markets of the underdeveloped and former colonial areas.

The decisive factor in Soviet-Communist successes is the understanding and skillful use of various forms of nonmilitary war, military power and the exercise of force to attain political objectives.

We can no longer deny the obvious truth. The power and the prestige of the United States has been declining, year after year, since the end of World War II.

UNITED STATES LACKS INTERNATIONAL POLITICAL GOALS

Our failures in the field of international politics are reducing this Nation to a second-class power, if we have not already reached that lower level.

The decline of this Nation's world position cannot be attributed wholly to Communist strategies. The drifting away of Latin American, African and Asian peoples from the world community of free nations is not entirely Communist caused.

The absence of a clear and accurate conception of this Nation's role in world relations and a lack of a sense of national purpose are fundamental causes for this Nation's protracted crises.

UNITED STATES LACKS NATIONAL GOALS AND OBJECTIVES

Our Government has failed to convey to the people of the world a full understanding of the blessings of liberty.

Nor has this Nation properly presented to the people of the world the spiritual satisfactions that flow from the political freedoms of a representative democracy.

Nor has our Government adequately portrayed to the people of the world how and why a free and private economy can produce a material abundance and the highest possible standard of living.

We cannot hope to resolve the constant crises confronting us without transforming our aspirations into national goals that can be implemented by practical policies and programs.

Without national goals or objectives, we are unable to develop effective international policies for extending the area of freedom into the world.

Nor can we effectively meet the Soviet-Communist surge without effective strategies.

The United States and the free world bear a double guilt not only for our own losses but also for Communist victories.

The United States has failed to provide the free world with sufficient inspiration, goals, policies, and programs to match the rallying cries, the organization, the strategies, and tactics of the Soviet directed world Communist total war.

PRESIDENTIAL POLITICAL LEADERSHIP NEEDED

The President of this great Nation bears a heavy responsibility for the clarification and the initiation of national goals. His political leadership is needed to unite our people upon acceptable definite national goals.

The acknowledged leadership of the United States requires of the President the highest degree of statesmanship to mesh our national goals with the aspirations of the people of the free world for our common defense and our mutual benefit.

The President has a prime role in the formulation of policies and the execution of laws and policies relating to the defense of this Nation and the security of our people.

NATIONAL SECURITY COUNCIL NONFUNCTIONING

Mr. Speaker, the U.S. Constitution has entrusted to the Congress the responsibility of providing for the common defense of our people.

Pursuant to this duty, Congress has delegated to the National Security Council the vital function of advising the President with respect to the integration of the policies of this Nation involving national security.

The National Security Council is not discharging the vital functions of securing the safety of this Nation, as envisioned by Congress:

As a collective body it cannot develop bold new ideas or translate them into effective action.

Its commission membership form inherently fosters debate and indecision.

Its large and varied membership distracts from the central function of national security.

Its form is not adapted to immediate decisive judgments or to a sustained followthrough of purpose or action.

As a mere interagency committee it cannot provide the essential qualities of leadership.

It lacks recognizable individual pinpointed accountability for its assigned functions.

It lacks the prestige, the authority, and the structural form necessary to discharge its statutory functions with respect to the integration and the coordination of domestic, foreign, and military policies relating to the national security.

The Central Intelligence Agency is responsible to the National Security Council.

The CIA is primarily an intelligence information gathering Agency. Its reports are fragmentized to various governmental departments.

The organization weakness between the CIA and the National Security Council prevents the translation of intelligence information into effective foreign policies and implementing action.

The President has recognized the grave defects and consequent malfunctioning of the National Security Council.

Today, the National Security Council is a nonfunctioning agency so far as its national security responsibilities are concerned.

Due to a lack of practical national goals, our people and our responsible officials lack an agreement as to what our national objectives are and their relative priorities.

These absences of clear national direction have resulted in our present lack of coherent, consistent, sustained policies in the upper echelon of our Government. This condition has led to the self-evident drift, confusion, vacillations and inconsistencies which divide and weaken this Nation in its confrontation with the Soviet Communist politicomilitary war machine.

STATE DEPARTMENT INCAPABLE OF RESPONSIBILITIES

Mr. Speaker, today, the State Department is, in fact, the prime adviser to the President on foreign policy.

The State Department is also the prime agency for the execution of foreign policy.

By a process of accretion, the State Department has become, almost exclusively, the sole and dominating general staff for the development and execution of objectives, strategies and tactics to counter the Soviet-Communist world politicomilitary offensive.

The State Department organization is built around the diplomat. It is designed for traditional diplomacy, foreign representation, negotiation and reporting.

The exacting and extensive requirements for waging a successful political, diplomatic, economic, psychological, paramilitary, and military conflict with the highly organized Soviet-Communist forces is far beyond the intended function and capabilities of the Department of State.

DEFECTS OF STATE DEPARTMENT

Here are the grave defects of the State Department organization in respect to our total confrontation with the Soviet-Communist world:

First. It is wedded to a philosophy of only reacting to problems as they arise.

Second. It lacks anticipatory planning and action for Soviet-Communist aggressions.

Third. Its policies and modus operandi are wholly defensive and never offensive.

Fourth. Its foreign policies are characterized by vaccillations, conciliation, appeasement, and retreat.

Fifth. Its foreign policies are, very often, contradictory and thus self-defeating.

Sixth. Its foreign policies are not focused or coordinated within nations, or in world areas toward defined and specific political objectives.

Seventh. Its foreign policies are not integrated for a total global effort to effectively engage the Soviet-Communist forces.

Eighth. The State Department's committee discussion system of formulating and producing judgment actions on policies, strategies, and tactics is organizationally defective.

It produces excessive compromises on vital issues. It stagnates timely actions and counteractions. The diffusion of responsibility prevents effective correctional remedies for error, misjudgments and incompetence.

Ninth. Elaborate, cumbersome, irresponsible interdepartmental development, coordinating and executing committees are waging a bureaucratic war for interdepartmental power and prestige. There are more than 160 such committees in the field of international affairs alone.

This interdepartmental system produces confusion in place of coordination, indecisions in place of determinations, delays instead of action.

Tenth. The State Department has deliberately undermined and vitiated the following findings and basic policies established by the U.S. Congress for confronting the Soviet-Communist world aggressions: First, there exists a world Communist movement which is a worldwide revolutionary movement to establish a Communist totalitarian dictatorship throughout the world through a worldwide Communist organization; second, the direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country—the Soviet Union.

Eleventh. The State Department, in its efforts to maintain its own primacy in foreign relations, has consistently opposed virtually all efforts of the Congress to commit the United States to a more firm and realistic action to combat world communism.

Twelfth. A highly influential minority of the upper echelon of State Department officials continuously obstruct the formulation and the execution of effective policies and programs, strategies, and tactics to eliminate the Communist menace.

Thirteenth. A complete coordination of this Nation's foreign policies and military power is critical to achieving our national security goals. There exists only a minimum of coordination and action between the State Department and the Defense Department in this respect.

While the State Department performs adequately in its diplomatic negotiating and reporting functions, it has completely failed in this Nation's most critical basic survival and security needs.

DEFENSE DEPARTMENT NOT SUITED FOR SOVIET-COMMUNIST NONMILITARY WAR

Mr. Speaker, as much as we respect the Department of Defense, it must be conceded that the Defense Department is not empowered, organized or staffed to wage political, psychological, economic, and diplomatic war. Nor can it coordinate these forms of war with paramilitary and military war.

PRESIDENT LACKS COLD WAR ORGANIZATION

Mr. Speaker, the President carries a most heavy burden of responsibilities in both the foreign and domestic areas. These are time consuming.

The Soviet-Communist aggressions are conducted in more than 100 nations around the world. The battles and the skirmishes take place in the form of political, psychological, economic, diplomatic, and paramilitary thrusts and counterthrusts.

The President, as Commander in Chief, cannot carry the additional, all-absorbing burdens of being a field general for each of these battles.

The President needs, and must have, a competent general staff. He must have at his command a suitable and reliable organization to mobilize the forces of this Nation and of the free world to engage and to defeat the Soviet-Communist nonmilitary forces of 40 million agents and provocators.

The President must have an organization to make accurate assessments and judgments of the capabilities of the enemies' politico-military forces; an organization which can anticipate and act promptly to prevent Communist offensives; an organization to establish targets, and develop necessary strategies and tactics.

CREATION OF DEPARTMENT OF NATIONAL SECURITY AND INTERNATIONAL AFFAIRS

Mr. Speaker, I have introduced, today, a bill to establish a new department in the executive branch of our Government.

This new Cabinet post is to be known as the U.S. Department of National Security and International Affairs.

The basic purpose of this Department is to provide the organizational structure required to assist the President and the Congress in formulating national objectives and developing an integrated strategy to defend against the international Communist political, psychological, economic, diplomatic, and military conflict being waged against the free world; and for the defeat of the Communist forces.

TO COORDINATE, CARRY OUT U.S. RESPONSE TO WAR

This bill proposes to centralize into one agency the responsibility of coordinating and overseeing the execution of this Nation's efforts in the prosecution of the politico-military war in which we are engaged.

This department would be empowered to create a suitable organizational structure to provide a national unity of purpose and effort at the highest level.

It will be entrusted with the crucial task of assuring the survival of this Nation.

Mr. Speaker, the Secretary of this Department will assume awesome responsibilities.

This great Nation has a number of citizens who have the insight to and the overall comprehension of the nature of the Soviet-Communist war upon us.

Three men, who, I believe, are eminently qualified to assume and faithfully discharge the responsibilities of this office are the Honorable Robert F. Kennedy, the Attorney General of the United States; the Honorable Thomas E. Dewey, the former Governor of the State of New York; Brig. Gen. David Sarnoff, chairman of the board of the Radio Corp. of America.

Mr. Speaker, I would like at this time to publicly commend Senator HENRY M. JACKSON, the members, and the staff of the Senate Subcommittee on National Policy Machinery.

This committee recently published a most comprehensive analysis of the glaring weakness and defects of our national security and foreign policy machinery.

THE HOUSING CRISIS IN NEW YORK CITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. LINDSAY] is recognized for 30 minutes.

Mr. LINDSAY. Mr. Speaker, from time to time I have addressed myself to the housing crisis in New York City—a problem of vast proportions encompassing urban renewal, title I, middle- and low-income housing, park and playground needs, and the general requirements of families in big cities.

During the last 4 years I have consistently supported Federal programs designed to enable localities and States with Federal assistance to attack urban blight, to lift the standards of living of urban dwellers, and to better the administration of housing programs by local governments.

I have introduced legislation aimed at meeting some of the critical needs in this area. An example is the Lindsay public disclosure amendment to title I of the Housing Act of 1949, an amendment—now law—which was designed to lift the veil of secrecy from the administration of the title I program in New York.

If the amendment to the Housing Act that I proposed in this Congress had been adopted, I believe that middle income apartment housing in New York City would be less of a problem than it is today. The bill would have established a Federal Limited Profit Mortgage Corporation, self-financed, which could finance about 160,000 moderate income family units at a rate of 40,000 units a year. The Corporation would provide 90-percent, 50-year loans. I believe it is a sound approach, and I shall continue to press for its enactment.

In past years I have spent endless hours cruising the avenues and streets of Manhattan—examining the new construction wave that has demolished a sizable portion of Manhattan, talking with families who are being displaced, and with distraught parents looking for a place to live that is both within their means and large enough for their children.

Weekend after weekend I have come up to my district from Washington and listened to the frightening, oft-repeated tale of people who bear the burden and hardship of inadequate housing.

Two years ago I set up a volunteer housing board, consisting of dedicated, intelligent young men in the 17th Congressional District, who have generously contributed their time and energy to assist constituents of mine who are in trouble on housing—who need a place to live, who are being choked by the rent squeeze, who are caught up in the entanglements of landlords, lawyers, and local rent administrators, who are being forcibly relocated in the name of urban renewal, and who have no one to turn to for help. I am very grateful to these volunteers, especially to the able young lawyer who has organized and informally chaired the group, my valued friend and Greenwich Village constituent, Richard Stewart. We have all learned from our experience.

Mr. Speaker, there is a new construction boom going on in New York City whose consequences are far reaching and drastic.

Some of it comes under the heading of "Urban Renewal," assisted by Federal and local tax money, but most of it is private. In both cases new construction is marked by the razing of old structures and the erection of new apartment dwellings, or other buildings or complexes such as Lincoln Square.

We have had trouble enough in New York with that portion of urban renewal known as title I. Here we have seen faulty administration—at times approaching corruption—appallingly bad planning or no planning at all, unimaginative construction, and high rents—this at the taxpayers' expense. Title I housing is supposed to be for middle-income families. Middle income in New York City is generally defined as a mean ranging between $25 to $40 per room per month. And yet Greenwich Village South has rents three times this figure, and Kips Bay is twice the figure.

I say all this in spite of the fact that I have and will continue to vote for Federal aid to housing because I know that private money, without governmental concessions by way of tax relief or low interest borrrowing, cannot alone meet the housing needs in the great cities of this country.

The least that should be done is for the Federal establishment to take a look at this problem in a careful, detailed, firsthand way. For a long time I urged the appropriate committee of the House of Representatives, which is the Subcommittee on Housing of the Committee on Banking and Currency, to hold public hearings on urban renewal problems in New York. Letter after letter was ignored by that subcommittee. Then I asked my friend, Robert Weaver, Administrator of HHFA, to look into it, without much more success. Mr. Speaker, under unanimous consent, I include in the RECORD at this point a letter that I wrote to Mr. Weaver on February 21, 1962, and the reply that I received dated March 7, 1962:

FEBRUARY 21, 1962.

The Honorable ROBERT C. WEAVER,
Administrator, Housing and Home Finance Agency, Washington, D.C.

DEAR MR. WEAVER: As you know, I have long advocated a reorganization of the executive department in order to give both greater coordination and greater status to urban problems. The Federal Government has many diverse responsibilities in urban areas which ever become more complex rather than less complex. In order to improve the administration of Federal laws that relate to cities, I and others have long advocated the collection of existing agencies into a single Department of Urban Affairs with Cabinet rank.

One of the largest areas in which the Federal Government participates in a very substantial way is through the urban renewal program. In almost all of our great cities the Federal urban renewal program has in general met with success. In New York City, however, in past years, there occurred a series of errors both of omission and commission, in connection with title I housing which too often resulted in high-priced luxury housing being constructed, sometimes in the wrong neighborhoods and sometimes with unusual benefits to the sponsors. At times there were problems over undisclosed sponsors. An amendment that I offered to the housing bill of 1959, which was adopted and written into law, has corrected a good deal of this. The fact remains, however, that public confidence in New York in title I housing remains at a low level, which is traceable in large part to some of the glaring errors of the past.

Fortunately, the old slum clearance commission in New York City has been abolished and a full-time housing board with competent members now exists. Despite these improvements, however, questions are raised as to the city's administration of title I. More recently it has been argued that inordinate delays in decisionmaking have occurred and that there are inadequate time tables for projects. It is most important that a thorough examination be made of the past policies, or lack of policies, that led to some of the past errors in title I in New York, and that all matters pertaining to the administration of title I be reviewed in detail.

I should like to know whether you consider it one of the duties of the executive branch to undertake an examination of practices and policies in New York City that led to some of these difficulties. I have long pressed for an examination of this subject by the Congress, but for various reasons the Congress has failed to act. There are large amounts of Federal taxpayers' money at stake and I think it would be within the province and duties of the executive branch to take a look.

I would appreciate it if you would give me your views in this regard.

Sincerely yours,

JOHN V. LINDSAY,
Member of Congress.

MARCH 7, 1962.

Hon. JOHN V. LINDSAY,
House of Representatives,
Washington, D.C.

DEAR MR. LINDSAY: This is in reply to your letter of February 21 having to do with the administration of the renewal program in New York City.

I am cognizant of some of the administrative difficulties experienced by the New York City program, and we have already taken steps to assist the city wherever we can in improving its operations. In this respect, you may be interested in knowing that we have just worked out with the city a procedure whereby the Housing and Redevelopment Board will submit annual budgets to the Federal agency rather than budgets based upon undertaking each individual project. You will also be interested in knowing that New York City is undertaking a community renewal program. This program is producing an analysis of the areas that need remedial treatment and also the kind of housing that is necessary to meet New York's needs. The information that is being produced is in the process of being applied in the evaluation of New York City's proposed renewal projects.

My urban renewal commissioner, William L. Slayton, has spent considerable time with members of the Housing and Redevelopment Board discussing administrative procedures, and he is going to be meeting with the board again in New York on March 9. In short, our Agency is working very closely with the Housing and Redevelopment Board. With the new reorganization of the Housing and Redevelopment Board, I feel that considerable improvements can be made and want to assure that we will do everything we can to facilitate greater speed in the processing of applications, the completion of projects, and the reaching of decisions on particular projects.

I appreciate your interest and concern in the renewal program in New York City and appreciate your writing me about it.

Respectfully yours,

ROBERT C. WEAVER,
Administrator.

Mr Speaker, I would now like to focus my attention on the problem of private construction in New York City. This, after all, includes most housing in New York City. And here, I regret to say, something has gone radically wrong, and it cannot be allowed to continued.

For example: Up and down First, Second, and Third Avenues in Manhattan all New Yorkers have seen the introduction of new, high-rise apartment buildings, usually red brick in color, rapidly built, dull looking. Most of the units in these buildings are one and one-half or two rooms, small rooms at that. The maximum size usually is four rooms—in some limited cases, five or five and one-half rooms. One and one-half or four rooms is the most common. And what is the rental? On First and Second Avenues in the seventies and eighties, a new one and one-half room apartment begins at $150 a month; a two room apartment—one bedroom—ranges from $200 to $250. An apartment with two small bedrooms begins at $315. There is no space for families; these apartments are not built for children.

Many of these units are occupied by childless couples where both husband and wife work. If there are children, there can hardly be room for more than one. Between 50 and 75 percent of the family income goes into rent. The turnover is huge. Couples or small family units find after a period of time that they have overcommitted themselves for the rent. The result is that there is a large turnover with a great many families moving out in less than a year. A high residency turnover does not promote sound community relations. If the exodus becomes extreme, it creates widespread dislocation, which, of course, is one of the prime breeders of slums, delinquency and crime.

Casual observers sometimes say to me, "One would think that you would have a stronger economy in these neighborhoods where existing tenements have been removed and new buildings put in their place." Nonsense—just ask the local merchants and shopkeepers. They will tell you that so much money has gone into rent that there is no cash left over for spending. An electrical repairman, who is a specialist in kitchen appliances, told me that as he goes into kitchen after kitchen in these new buildings, he finds the refrigerators empty except for three eggs, a little salami, two cans of beer, and a quarter pound of butter. The cash is not there for a family to load up with a full larder. The grocers confirm this.

Another aspect of this picture is the sad tale of the family groups that have been dislocated to make room for these buildings. There are families who have lived in the neighborhood for decades, some for two or three generations. Living conditions have not been good. The buildings are old. Too often there has been an unsympathetic landlord; the city's administration has been patently neglectful in enforcing housing and building code violations. But, at least they have had homes in neighborhoods which are their neighborhoods—in which they grew up—and when their building comes down there is neither sufficient space in the new one nor sufficient income to pay the high rent. The shopkeepers were better off before. There was a neighborhood quality in the block before the bulldozers came in. That quality does not exist now. And good people who live in the new buildings find themselves in a worse squeeze than their predecessors.

It is difficult to see the full answer to this problem. A problem that is growing all over New York City. I was once severely criticized for saying that housing in a city like New York City should be regarded as a public utility. Real estate men said this was a socialistic statement. I am the first to admit that I am not always right, but how can it be argued that housing in the city of New York is not a public trust? We already have zoning laws, building codes, health laws and rent laws. It is agreed that it is impossible to build multiple housing units in New York City in the nonluxury range without tax or other governmental assistance. Senator Robert Taft understood this years ago. He advocated, by his authorship of the Taft-Ellender housing bill, that the Federal, State, and local governments attack the problem of housing in our cities.

That argument is even more valid today. Programs must be devised to reduce the cost of building and to that end, the "cost of money." Because there is taxpayers' money involved, there will necessarily be a degree of regulation. Quasi-public facilities, like public facilities, always need protection against plunder.

I for one like to see minimum Government intervention—intervention which can lead to bureaucratic methods and redtape. I will oppose excessive Federal entry into any program. At the same time, I insist that Government procedures be written in order to insure the protection of taxpayers' money and to provide the most with available resources.

In my judgment, Government-assisted housing must be expanded by all levels of government. Otherwise, the needs cannot be met—for the private system cannot possibly do it alone. When I say Government assistance, I do not mean necessarily direct grants-in-aid. Much can be done indirectly through tax concessions. Even more can be done indirectly by making available "cheap money"—long-term loans at low interest rates. The Government does not lose by this.

The big problem, however, still remains and that is private housing for private profit. Here, as I said a moment ago, the chief problem in communities such as Yorkville in New York City is the new construction wave and its effects on families and community life.

It seems to me that the only solution is a drastic one. Therefore, I recommend and urge that the city administration in New York enact a relocation program that will require any private builder to make available at least comparable space to that which he has destroyed at the same rental with not more than a 5 percent upward adjustment in each of the first, second and third years of the project's existence. This may strike one as being an arbitrary standard. It is. But I defy anyone to propose a standard or procedure that is less arbitrary.

What will this do? It will force greater concessions on the part of the city administration to builders and owners in order to make possible the construction and rental of facilities that will meet these requirements. It will force greater State and Federal participation in housing programs. It will most certainly compel more long-range planning to attack what presently appears to be an insoluble problem.

It will be argued that this proposal attacks the problem at the wrong end, because ceilings, like any wage or price control, are not consistent with a free and easy moving economy. But you cannot have a free and easy moving economy in housing in the city of New York any more than you can have a freely operating marketplace in the distribution of gas for heating and cooking, when the gas is controlled by an oligarchy and needed and used by a great many. And unless action is taken, we can look forward only to a compounding of the evils that now exist—mass destruction of existing properties and the creation of high rent buildings that only a few can afford. We will see a continued exodus from the city by our young families with children, the future strength of the city. And eventually we may see a collapse in the real estate market in New York that would shake the economy more basically than anything we have seen in recent months.

Why do I insist that this be an action on the part of the city administration? The reason is simple. There is no Federal jurisdiction in the private arena where there is no Federal money involved.

In order to deal with the problem where there is Federal jurisdiction—title I housing—I am introducing legislation today to amend title I of the Housing Act of 1949 to provide more equitable procedures for the relocation of persons displaced from their homes or places of business by urban renewal projects. The bill will also increase the amount of the relocation payments authorized to be made to such persons.

This bill can serve as a model for local action in the private areas. If enacted, it will force a new look at all future programs for title I housing in New York, including the practice by which the city administration relieves itself of planning and operational responsibility by turning over to private sponsors the responsibility—and the profit—for acquiring land, relocating tenants, removal of existing structures and new construction.

Mr. Speaker, adequate housing goes to the root of most urban problems. Safety, delinquency, narcotics, and health are directly affected by the housing conditions of the neighborhoods. Recently, I have had occasion to spend time with the residents of West 65th Street in the district which I represent. Housing conditions in that street—west of Central Park—as in many other streets in the sixties, seventies, and eighties west of the park, have led to vandalism, open narcotics peddling and usage, muggings, prostitution, and race tensions. My investigation has established that there is total city neglect in these areas—even minimum services are not provided. Police foot patrols are only provided when someone makes enough noise about it, and then after a few days the situation reverts to what it was. For West 65th Street the building department listed less than 10 violations. On the basis of first-hand inspections, I picked out over 100 in one building alone. Slums breed crime and crime breeds crime. The slum conditions must be eliminated by proper housing policies and programs and it is the mayor's chief responsibility to see to it that this is done.

Mr. Speaker, the problems of our great cities, and particularly those concerned with the most basic essential of all—adequate shelter—cannot be neglected, and no public officer can pretend that they do not exist. Those of us who hold public trust are elected because we are expected to be leaders, and if Government has any function at all it is to step in and take action when needs arise which cannot be met by the individual acting on his own. Housing needs in New York City and in Manhattan particularly are beyond the capability of the average person to cope with in a free-swinging, free-grabbing real estate market. My job is to help find the best solutions for the greatest number, and that I am pledged to do.

There are wider ranging problems connected with urban living that have to do with city planning as a whole and the coordination of Federal and State programs as they affect urban centers. On other occasions on the floor of the House, I have discussed this, particularly in the context of the debate on a Department of Urban Affairs—a proposal which I have pressed for 4 years. I am not going to repeat what I have said on those occasions in the limited time that I have available on the floor today. Urban problems must be thought of in proper context. We have a long way to go toward achieving their solution.

AMERICA LAGS DANGEROUSLY IN AIRCRAFT DEVELOPMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, in a recent speech before an audience of knowledgeable scientists and laymen Sir Roy Dobson, president of the Society of British Aircraft Constructors, was discussing some of the goals of the British Aircraft Industry. In one short sentence he summed up the philosophy which he felt should guide the industry:

> We should be spending money to achieve something which I believe we cannot afford to do without.

This would be a useful guide to any country which aspires to be first. The United States must be first and therefore we must decide what we cannot afford to do without.

All over the world today we see progress. In some instances we see the British, French, and Russians coming out with new air and space vehicles which surpass the best the United States can offer. And, we then realize that we are not, in fact, first in all things. The Russians can hurl far greater payloads into space with their advanced rockets—and thus they set a challenge which I realize we are rising to. The British have developed the first tactical VTOL airplane capable of performing a real mission in today's battle environment. And again, I understand, we are trying to catch up. The French are ahead of us in developing an advanced tactical jet—and further the French and British have displayed a surprising willingness to spend money on high-risk approaches or techniques in their efforts to be first—I cite their current work on a civil supersonic transport as an example. Here again we in the United States are behind; seeking to catch up.

This leads me to the main point I am trying to make. We, as the most powerful country in the world should not be in the embarrassing position of trying to catch up with England, France, and Russia; economically, they are our little brothers.

We should be setting the standards. The other countries of the world should be emulating us. They should be worried about what we have and what we are going to do next.

If we are to be the pacesetter, we must do two things: First, we must catch up; second, we must surpass everyone else. If we are to catch up, there are certain things "we cannot afford to do without." If we are to surpass everyone else there are many more additional things we must do and many, many more things we cannot afford to be without.

To catch up to the British and French in VTOL we have to build a greater variety of aircraft and engines. This means a far greater expenditure of money on a large number of techniques, equipment, components, and supporting items than we are now doing. There are at least a half-dozen unique ways of achieving VTOL capability. We should be building and testing aircraft in each of these techniques. More experimental hardware is required. Each time we think about all the money this is costing, we should ask ourselves if we can afford to be second to other countries even if they are our friends.

To surpass the British and French in VTOL we must spend even more money. We must support basic and applied research. We must take risks and test new ideas—for how else will we get to be first.

The same kind of argument could be presented for our catching up to the Russians where they surpass us in space systems. I will not belabor this thought because I believe you have my message well in mind.

Now I want to turn to another facet of my theme. I have already stated that we first must catch up and then we must surpass other countries and become the world leaders ourselves. I have suggested that to do these two things is going to require far greater expenditures of money than we are now spending. I would like to go a bit further and suggest how this money should be spent.

As you all know, today we have the greatest aviation industrial base in the

world. But, I worry. I worry that we are allowing it to die on the vine. I occasionally drive by one of the biggest air bases in the United States. And what do I see? I see large numbers of time-honored World War II aircraft still sitting on the ramp. They are still being used. How long does anyone think these aircraft would last in a modern war against a determined enemy? We all know the answer to this. I also see some modern aircraft. But how many types? Not many—not enough, in fact.

If we keep reducing the number of aircraft and missile types, on some day in the not too distant future we will find that we have just one tactical fighter, and just one tactical missile, and just one strategic transport, and just one strategic missile, and so on.

And I ask you with only a few major systems how can we keep our great aviation industry healthy and responsive? Its potential must be exploited fully. We must keep it big, broad, and busy. We must undertake a wide variety of projects. We must project our thinking ahead and worry not just about the next generation of needs—but we must start to pursue far more aggressively the definition and feasibility determination of second generation ahead systems and equipments.

By doing these things we accomplish two things which we cannot afford to do without.

We assure ourselves that we are expending far greater efforts than we are now doing to catch up and surpass all other nations in military strength. And, we assure ourselves that we will have the greatest, most vigorous, and responsive aviation industry on earth.

We cannot afford to be without either.

WIRETAPPING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. RANDALL] is recognized for 30 minutes.

Mr. RANDALL. Mr. Speaker, in the last week of the 87th Congress, it now appears certain that neither H.R. 10185—CELLER—nor S. 2813—MCCLELLAN—on wiretapping will become law. Since we did not have the opportunity to appear at hearings before our Judiciary Committee, we take this means to express our views on these bills and to submit some suggestions which we hope might be usable or of some merit if and when the subject is further considered in the 88th Congress.

Some kind of wiretapping bill has been before the Congress each session since the middle 1920's. The wiretap and the telephone share an almost identical birth date. But it was not until 1928 that wiretapping became an issue of national consequence. In that year, the U.S. Supreme Court by a decision of 5 to 7 found wiretapping a constitutionally acceptable police procedure. The four dissenting Justices, about whom we will have more to say later, were Justices Oliver W. Holmes, Louis D. Brandeis, Harlan F. Stone and Pierce Butler. These four lost to their five colleagues who stuck to a strict interpretation of the fourth amendment, holding it applied only to physical invasion of privacy and not to projected voices.

But 6 years later, the Congress enacted the Federal Communications Act of 1934, and its section 605 prohibited without the consent of the sender the interception and divulgence of telephone conversations. In the Nardone decision of 1937, section 605 was construed and approved holding that the prohibition applied to police officers as well as private citizens and found that law enforcement wiretapping was unlawful holding also that evidence from wiretapping was inadmissible in Federal courts. There is a lot more legal history connected with wiretapping, but the next important move was that of Attorney General Jackson who on his own, and without the assistance of any court, construed 605 as requiring both an interception and a divulgence before there was a violation. And it was this interpretation submitted by memo to President Roosevelt—which memorandum was never made public—that led to the Executive order by the President just before our entry into World War II, allowing wiretapping by the FBI as a war measure. Mr. Jackson said wiretapping was all right as long as the results were not divulged, and yet he did some more legal construction on his own and came to the conclusion that as between employees of the Justice Department interchange of information was not a divulgence under 605, and thus would not constitute a violation of the law. This interpretation proved to be very handy during World War II. But despite the end of war in 1945, every President since Roosevelt has authorized FBI wiretapping. We can sum up the present situation as follows: Police wiretapping does not violate the Constitution—Olmstead case—but it does violate Federal law—section 605—and the fruits of such activity cannot be used in Federal courts. Wiretapping continues under Presidential authority, based upon an Attorney General's personal interpretation that wiretapping alone—no divulgence—does not violate section 605.

We will not take the time to enumerate the efforts of each Congress to either authorize wiretapping or prohibit it, but there have been many unsuccessful attempts to get congressional action. The closest squeeze was in 1938, when a bill allowing wiretapping was passed by both the House and Senate and returned for Conference of an amendment on the last day of the 76th Congress.

A big flurry in wiretapping legislation followed the Judith Coplon spy case in 1950 to 1951, and resulted in 1954 in an attractive label being given to a bill called the antitraitor bill, which was approved by the House, but failed in the Senate. Not much more happened until 1960, when the Senate Judiciary Committee, in the summer of that year, approved a bill which would have allowed State law enforcement wiretapping, but not Federal. The 86th Congress adjourned without acting on this proposal.

In 1961, the Senate Subcommittee on Constitutional Rights approved a bill similar to the one in 1960, authorizing State wiretapping. Senator CARROLL and my good friend and colleague, Senator LONG of Missouri, dissented, but the bill was placed on the Judiciary Committee agenda.

That was the situation when in February 1962, Attorney General Kennedy recommended a comprehensive wiretapping bill including both Federal and State wiretapping—H.R. 10185 and S. 2813.

These bills contain more procedural safeguards than previous measures and provide, first, an Attorney General could without a court order, authorize wiretapping in cases involving national security, espionage, sabotage, treason, subversive acts, and disclosure of atomic secrets; second, the Attorney General could seek court orders for wiretapping in cases involving murder, kidnaping, extortion, bribery, transmission of gambling information, and narcotic offenses; and, third, the Attorney General and local prosecutors could seek court orders for wiretapping in connection with the offenses of murder, kidnaping, gambling, and narcotics—if authorized to do so by State law.

The issue will not be up for decision before this session of the Congress, but the real issue is the conflict existing between the principle involved in wiretapping and two historic documents that we hold dear, the Declaration of Independence and our Bill of Rights. Thomas Jefferson expressed it so simply and eloquently when he said that all men are "endowed by their Creator with certain inalienable rights." Our Bill of Rights is the first 10 amendments to our Constitution. It is this Bill of Rights which translates the ideals and principles of the Declaration of Independence into a practical statement of law.

In this country, we value highly the right that we can speak freely. But if a bill which contains all the provisions of those proposed by the Senate and House bills should become law, the spirit of the cartoon drawn by Herblock of the Washington Post back in 1950 would apply nationwide when it showed a man sitting at his desk talking on the phone to his wife saying, "Hello, dear, and all you boys on the wiretap." This fine and strong cartoon by Herblock just could become a national reality if the present bills become law.

The fourth amendment to our Constitution gave birth to the idea that within his four walls, a citizen is safe from the heavy hand of the state. This is the origin of the statement that "A man's home is his castle," and we have learned to believe that we will be safe from unreasonable search and seizure.

The fifth amendment following next in the Bill of Rights provides that no citizen shall be forced to testify against himself or incriminate himself, and this dovetails with our concept of the English common law that an individual is innocent until proved guilty, which is such sharp contrast to Soviet laws and and other systems of jurisprudence.

I cannot believe it is an exaggerated statement to make when I say that today this right of privacy and the right to be free from self-incrimination, is in the balance. Now we are being told these rights must be weighed against the cost of crime and problems of internal se-

curity. But the truth is that unless there is a constant vigilance, these precious privileges may be outweighed in the balance, and be lost. It is true that the cost of crime is high. The FBI says it may cost as much as $200 million annually—exclusive of or counting illegal gambling. Improved law enforcement is certainly in order, but does it have to dilute our civil liberties? There is no evidence that those six States which permit wiretapping have a lower rate of crime than those which prohibit it, and when it is all said and done, most law-enforcement officers will quite frankly admit that wiretapping is nothing but a convenience. Evidence can be obtained from other means by active, hard-working enforcement officials.

Many comments, some now classic, have been made about this business of wiretapping, but perhaps the best known of all is that of Justice Holmes, who referred to it as being dirty business and who was also responsible for holding that evidence obtained by tapping was inadmissible because it was the "fruit of the poisonous tree."

Justice Brandeis, in his dissent, I believe, was just about right when he said:

> Writs of assistance and general warrants are but puny instruments of tyranny and oppression when compared with wiretapping.

FBI Director J. Edgar Hoover said several years ago that he thought wiretapping was "unethical, inefficient, and archaic." But about a year ago he changed his mind and has done a complete right about face apparently as he is now for wiretapping.

Justice Roberts in the Nardone case said:

> Wiretapping is inconsistent with ethical standards and destructive of personal liberty.

In 1940 the U.S. Senate passed a resolution authorizing an investigation of wiretapping and dictographing and referred to these as "reprehensible methods."

Senator McCarran once said, "There is no graver invasion of privacy than wiretapping." Our present Attorney General, Robert Kennedy, only this year said, "Wiretapping involves a greater invasion of privacy than does a search."

But tapping proceeds uninterrupted. The debate on wiretapping goes on but so does the tapping. Attorney General Kennedy is most correct when he says anyone can monitor a private telephone conversation without breaking the law, because the present law prohibits only the divulgence of information by the listener. The pity of such a law and the state of affairs under it is that a person victimized has almost no way to prove that the information was passed on by a wiretapper. Our telephones make us the easy prey of blackmailers. By our failure heretofore to pass a strong measure outlawing wiretapping, we have thoughtlessly been throwing our priceless privacy away.

It seems to me there are two fronts or two particular battle lines that should be drawn in the new Congress next year: First, the present draft or version of the bill asked for by the administration should not be enacted into law without a lot of changes, and, second, there should be enacted a law to make it a criminal offense for all wiretapping by unauthorized persons and then only in cases of national security.

Returning to the changes which should be made in the administration's proposal, we believe tapping should be strictly limited to matters involving national security which spelled out means only cases of treason, espionage, sedition, subversive activities and disclosures of atomic energy information. There would not be included, for example, "agitation" by a few reservists demanding to be demobilized which certainly should not be defined as treason.

We think there should be careful specifications of the requirements for obtaining a court order and that orders be permitted only by Federal courts. We believe further that giving authority to tap at the discretion of the Attorney General is going too far. One of the worst things about section 5(a) of this proposed bill which gives the Attorney General authority without a court order and in his sole discretion to maintain a wiretap, is that there is no method by which this discretion could subsequently be reviewed.

This vesting of such absolute power is subject to no control, either before or after the implementation of the tap and no responsibility to report the existence, number or nature of such taps to any other authority.

We believe this is an unwise provision. Our civil liberties are just too precious to be left to the caprice of any official and particularly an appointed official. We are sure the present incumbent Attorney General would use the power sparingly—if at all, and never overstep his authority, but in the future we might get the wrong kind of an Attorney General, who might abuse this power.

Certainly any law to be enacted should have provision for the maintenance of records and provide that wiretapping statistics be maintained. It should also provide for reports to be given to the Congress.

Further, we believe that even when limited only to matters of national security, there should be some termination date—say, 3 to 5 years—in order that the Congress could have a chance to review the act in the light of the international scene and determine how the law has been operating.

Lastly, any new measure should clearly and without equivocation spell out in no uncertain terms that all tapping other than for purposes of national security is a criminal offense at all levels of government. Here in the city of Washington, last spring there were newspaper stories of wiretapping over at the Mayflower Hotel. More precisely it may have been called bugging and the only consolation of bugging over wiretapping is that to install a bug there must be an illegal breaking and entry. Not so long ago, the yellow pages of the telephone directory of Washington carried such advertisements as "Discreet Use of Electronic Equipment" and some ads in former years had the gall to state "Specialized Service Handling Problems of Business, Competitors, and Relationships Between Business and Government." We cannot take the time to go into the matter now, but a whole new business has recently developed for the sole purpose of espionage against business competitors. One of the best ways to nip this in the bud and to limit it or minimize it is to outlaw wiretapping.

My fellow Missourian, Senator EDWARD V. LONG, in a recent speech in opposition to wiretapping said that under present state of affairs now in effect, that as to wiretapping, the Government itself could be construed to be a lawbreaker which has a tendency to breed contempt for law and invites every man to become a law unto himself. To hide behind the proposition that the end justifies the means, which encourages the Government to wink at wiretapping by unauthorized persons, is a pernicious doctrine.

Proponents for wiretapping advance the argument that a criminal can today use his telephone for criminal purposes and laugh at the law. We think it is seldom possible to reform a criminal, but for wiretapping to continue when its legality is questioned most certainly has a lot to do with a law-abiding citizen's attitude toward the law. I cannot tell you how many persons over the years have been charged with illegal wiretapping, but as far as I have been able to find out, only one person back in 1941 was ever given a sentence and served that sentence for illegal wiretapping. This sort of thing gives confidence to the illegal tapper to ply his trade in business, politics, and in the private lives of those plagued with marital discord.

Wiretapping, no matter how you try to dress it up, is nothing more or less than an electronic invader. It is a furtive practice. Like a bullet, it is impersonal and indiscriminate—affecting alike the guilty and the innocent. Unless we can be sure our telephone lines are free from tappers, the key to our front door means very little because entry into our homes can be made by other means.

In this complex society of ours, forces are continually circumscribing individual freedom. The individual has few places now where he can be free from some restraint or observation. One remaining instance is the use of his telephone. On the phone, a person can be as personal as if talking face to face. The individual citizen believes that according to law his conversation cannot be monitored.

Wiretapping takes away our sacred right of privacy which is the cornerstone of our society. When the time arrives that the individual citizen begins to realize that under the law his phone is subject to being tapped, there could be created a climate of fear that could extend down to every person who uses a telephone. If such a fear psychology were to saturate our entire population, could we then really call ourselves free?

The issue in this whole thing is that of our privacy and freedom. Will our Bill of Rights and the fourth amendment guarantee us our privacy and freedom from electronic invasion? If used at all, and note we say "if," wiretapping should be used only under strict Federal

court supervision and then only for the detection of treason, sabotage and espionage. All other uses must be outlawed.

PROJECT HOPE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, Project Hope—Health Opportunity for People Everywhere—has proved itself a tremendous success from every point of view. First of all, during the SS *Hope's* maiden voyage to southeast Asia in 1960 to 1961 her medical staff provided care for more than 28,000 patients and performed more than 1,800 major operations, making it possible in many cases for "the blind to see and the lame to walk." Since June 1 of this year when the SS *Hope* began its mission in Peru, 10,000 patients have been examined; 1,000 major operations performed; 8,000 X-ray procedures completed; and almost 100,000 immunizations against polio, diphtheria, typhoid fever, and whooping cough given. Outpatient clinics have also been organized to provide maternal health and child welfare services. And the list could go on and on.

These achievements alone would make Project Hope worthy of commendation, but healing is only one part of this great humanitarian, people-to-people program. Perhaps most significant is the teaching mission of the SS *Hope*. Dr. William B. Walsh, founder and President of Project Hope, has commented that the medical needs of southeast Asia, Africa, and South America are so great that one hospital ship could do very little good if it only cared for the sick. Therefore, the principal objective of each visit of the SS *Hope* to a new port is to teach local doctors, nurses, midwives, and technicians improved techniques for treating the sick and combating disease.

In order to make this teaching program effective, an advance team of members of the medical profession visits the host country to work out plans for classes, seminars, and clinics in which the U.S. medical personnel will share their skills and knowledge with their counterparts in that country. When the ship arrives, local medical people work side by side with the U.S. doctors and nurses and learn by observing and doing. Because it is a teaching ship as well as a hospital ship, SS *Hope* is equipped with closed circuit television so that many doctors and nurses can observe each operation while they are given detailed explanations of each step of the procedure. Native doctors then have an opportunity to practice these techniques under the supervision of the *Hope* staff.

I have been fortunate enough to have an opportunity to talk with Dr. Fernando Cabieses, founder and president of the Peruvian-North American Medical Association and director general of the Peruvian National Foundation for Health and Social Development, who arrived in this country just this week. Dr. Cabieses, who is also chairman of the Peruvian Hope Committee, stressed repeatedly the importance of the *Hope's* teaching mission. By the time the *Hope* leaves next spring, she will have provided intensive training for the complete staff—doctors, nurses, orderlies, cooks, laundrymen—of the new government hospital in Trujillo. Dr. Cabieses emphasized:

> Project Hope is a great success. It has really been very good in every way, but it is especially successful as a training program. And the training program has been good at all levels—not just for our doctors.

In Peru, as in Indonesia and South Vietnam, there are very few doctors to care for vast numbers of people. Although these doctors strongly desire additional training, in most cases they are reluctant to come to the United States for that training because it means leaving their already severely overworked colleagues with an even greater load. Therefore the doctors and dentists in these countries have welcomed Project Hope, and the medical professions along with other citizens have contributed funds to help carry out the work of the SS *Hope*.

We can be assured that after the SS *Hope* leaves a country she will not soon be forgotten. She leaves such tangible gifts as a 3,000 volume medical school library in Peru where formerly there were fewer than 100 such books. Incidentally, these books were donated by U.S. doctors, dentists, and publishing houses. Most of the drugs for Project Hope are donated by our pharmaceutical companies, and many other industries have contributed their time, energies, and know-how as well as materials to provide such unique services on the *Hope* as the "iron cow" which produces up to 1,000 quarts of milk per day to be given to children to combat malnutrition and tuberculosis.

There should be no doubt in our minds that Project Hope has been a wonderful force in building good will toward our country. When the SS *Hope* visited Indonesia, the editors of the Indonesian Observer wrote:

> In this world where good will is usually entwined in a never-ending length of string and redtape, the simplicity and goodness, the impact and the quality that the visit this hospital ship offers places this good will visit tops on the list of mankind's hopes.

President Sukarno expressed his gratitude for the work of the *Hope*, and she has been urged to return to both Indonesia and South Vietnam. *Hope* has received countless other invitations including those from South Korea, Pakistan, and several South American countries. As for the feeling in Peru today, Dr. Cabieses told me that:

> The response to Project Hope is really terrific. The people are carried away by it.

In view of our massive foreign aid program, the cost of Project Hope is almost insignificant. Moreover, the good will it has built far exceeds what we have been able to do through other, more lavish programs. Again, the teaching mission seems to be the key. Other countries—Russia, for example—can give money for local hospitals, but the presence of our doctors and nurses, all outstanding men and women in their specialities and all volunteers, as teachers is most important. As the Times of Indonesia pointed out:

> The East forgets many things but never, never loses its reverence for a teacher. Those on the Hope will linger long in our memory.

I think it is most important that we go on record as commending and supporting the work of Project Hope. We are pleased that Project Hope is receiving favorable notice from other countries and that Britain, West Germany, and the Scandinavian countries plan to try to emulate it. However, let not all the praise and admiration come from abroad. By our commendation today we can publicly and formally express our gratitude to the hundreds of members of the medical professions who have given their time and energies to Project Hope. We will also thus express our appreciation for the contributions of the outstanding men and women who have served as advisors to Project Hope and to the representatives of labor and industry who have also played a significant role in this people-to-people program. Our appreciation also goes to every man, woman, and child who has helped make Project Hope a reality. By our commendation today we would also reaffirm our own belief in Project Hope and demonstrate to all our citizens who have supported Hope that it has been and continues to be worthy of his support.

Dr. Walsh tells me that the American people are supporting Project Hope and that a number of service organizations have adopted the project as their national philanthropies. However, Project Hope is eager to grow. The need is so great and the requests for help so numerous that Hope directors are anxious to outfit several more hospital-training ships. It is my belief that by our official commendation of Project Hope and by our continued support we can make it easier to raise the necessary funds from the American people. We want Hope to remain a people-to-people project since that is the most wonderful aspect of it, and it is that very feature which convinces other nations that we care about their people because they are people—not because we want their votes or their natural resources. I reiterate—let Hope remain a people-to-people project, but let us, the Congress of the United States, go on record as commending Project Hope for the good it has done and we hope will continue to do in bringing the people of all nations together in a bond of mutual trust, friendship, and cooperation.

To this end, Mr. Speaker, I urge the adoption of my bill, House Concurrent Resolution 498.

THE CUBAN ISSUE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have noticed, with alarm, the position taken by the U.S. Senators from the State of New York with relation to the Cuban issue.

One would expect moderation on the part of these two gentlemen in view of the important position they hold in our Government.

A very timely editorial appeared in the New York Times of October 2, 1962, making reference to the suggestion above-made. I think that the editorial is a very salutary one and I bring it to the attention not alone of the Members of the House but also of the Senators from New York, mentioned therein.

SHADOW OF 1956?

Congressional election campaigns are occasions for candidates to air their views on national and international affairs; but, in their zeal to win, rival candidates are frequently unable to resist the temptation of overdramatizing and oversimplifying the most critical issues. The one-dimensional approach is, unfortunately, effective with many voters.

If it is naive to expect candidates to refrain from injecting the Cuban issue into the current congressional campaign, it is still reasonable to suggest that they measure up to the responsibilities of the offices they are seeking.

A growing number of Members of Congress, including JACOB K. JAVITS, the senior Senator of New York, his colleague, Senator KENNETH B. KEATING, and Senator STROM THURMOND, Democrat of South Carolina, are among those who are urging President Kennedy to take unilateral action against Cuba that could easily lead to war.

Senator KEATING has proposed an immediate economic and military blockade. He has indicated he would approve shooting, if required, to halt the flow of weapons and technicians from the Communist bloc. Senator JAVITS urged the President to warn the Soviet Government to cease the shipment of weapons and technicians. He said it would be "the President's duty as Commander in Chief to stop the shipments by whatever means he deems appropriate" if the Soviet Government did not accede to his request.

We do not like the present situation in Cuba, a Communist, Soviet-supported state on our very borders. Castro's political orientation is without question a potential danger to this hemisphere. But we are not at war with him. The proposals being put into circulation for public consideration by home-grown advocates of "unilateralism" can only have the most damaging effect on our world position and the ability of the administration to deal safely with a hornet's nest.

The advocates of unilateral action against Cuba could profitably recall that it was the Suez Affair in 1956 that diverted world attention to the point of enabling the Soviet Premier to crush the Hungarian rebellion without risking any physical reaction from the Western Powers. We must not fall into the trap of creating another Suez out of Cuba, to distract the world while Russia makes another Hungary out of Berlin.

THE 87TH CONGRESS, 2D SESSION

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, the curtain is about to fall on the last act of the 87th Congress, ending a 2-year run more noted for its histrionics than its historical achievements.

There have been some successes here in Congress to be sure, but most of these successes were in spite of, rather than because of, the executive branch of our Federal Government.

On far too many issues in which the administration took part, action was too little, too late, or missed the target.

PLANNING LACK

One of the main reasons for this failure, most certainly, was a notable lack of advance planning and adequate followthrough by the executive branch.

Somewhere, somehow, the administration has acquired the impression that making a speech, drafting a resolution, or issuing a press release is the answer to any problem, whether it be foreign or domestic.

All of us here realize that statements are merely preludes to action. They do not and cannot replace effective, efficient deeds to match words. Without effective action the brave words are meaningless.

CUBAN FAILURE

Never was this more apparent than the failure we have experienced to date in regard to Cuba.

After an abortive attempt at invasion by free Cuban forces, doomed to failure because of the withdrawal of necessary air support, we now find that Soviet Russia and its Red satellites are assisting Cuba in a vast military buildup.

Whether these arms are "defensive" in nature, or the Red troops are "military technicians," as claimed by the administration, is really a moot point.

What must be realized by the executive branch is that conferences, speeches, and paper promises are not going to stop this direct threat to our Nation or other nations of the Western Hemisphere.

During the debate on the floor of the House on the Cuban problem, I introduced a change in the administration's resolution which would have further freed the hands of the President in dealing with Castro, Khrushchev and company. This change would have given the President the unquestioned right to take whatever steps he deemed necessary to cope with this obvious breach of the Monroe Doctrine, one of the basic tenets of our foreign policy for more than a century.

WATERED DOWN

However, this change was defeated because the administration regarded it as "too strong." Instead, Congress approved a weak-kneed, watered-down version which said little or nothing.

The inaction, the apparent lack of decision on Cuba, Castro, and the Soviet arms buildup, and how to meet this problem, is having repercussions far beyond our shores.

Neutral nations, which were beginning to switch to the side of freedom and democracy and turn their backs on communism, are now having second thoughts.

If the United States cannot cope with the menace of a small island close to its shores, they ask, how can they hope to depend upon us to give them a hand should they be menaced by the Communists, which in many cases are only a few miles away from their borders?

EARLY WARNING

If this buildup of Soviet forces in Cuba could not have been foreseen, then there could have been an excuse for it. But many of us warned, more than a year ago, of the threat of Soviet military moves in Cuba.

Evidently these warnings were not heeded and plans were not prepared to meet this threat.

It is the hope of all of us in Congress, and of the American people, that the President will successfully conquer this problem and take firm action.

One of America's great poets, Robert Frost, recently returned from a trip to Russia. He is reported to have been told by Khrushchev that he does not believe the United States will fight for its rights because we are too liberal.

If liberal means a lack of backbone, an unwillingness to face up to a direct challenge to our Nation in our own backyard, then I think history will prove to Khrushchev that the vast majority of Americans are not this sort of person.

But, to date, Khrushchev's view of the will of our Nation to defend itself gives the appearance of being all too true.

BAD RECORD

Unfortunately, the record of our actions in West Berlin, in Laos, in New Guinea, is not much better.

In Laos, our State Department hailed as a major victory the fact that an agreement had been reached with the new central government to withdraw all United States and Communist military support.

We withdrew our forces. The Communists have not, despite the agreement, and every indication we have is that they will not, despite their promises.

After more than two decades of negotiations with the Communists, this administration and the State Department have failed to realize that Reds believe "promises are like pie crusts—made to be broken."

WALL UP

In West Berlin, the wall went up while our troops stood by and watched, waiting for the orders to tear it down, which never came.

West Berlin Mayor Willy Brandt has stated that "the West does nothing but wait for Khrushchev's moves."

Meanwhile, there is growing concern in France and West Germany that we will "make a deal" with Khrushchev and give up vital free world rights in West Berlin in exchange for a promise of a "hands off" policy by Russia in Cuba.

Our President has stated emphatically that this will not occur, that no such "deal" will be made, and all of us, I am sure, back him in every way in this decision.

DESERT FRIENDS

In the Far East, we deserted a long-time friend, the Netherlands, and handed over Dutch New Guinea to Indonesia without protest.

The Dutch are not at all pleased with this treatment by our Nation of a NATO

ally. They point out that we have absolutely no reason to believe that the people of New Guinea want to be part of Indonesia, nor that they would be any better off under this Government.

We watched India invade Goa and take it away from the Portuguese who had held this enclave for more than 400 years. Our answer was a mild verbal slap on the wrist and the promise of an acceleration of aid to India.

These actions are making our friends wonder whether we know where we are going in the world, much less know how to get there.

Lack of clear-cut policy, planning, and followthrough has also seriously hampered our relations with Latin American nations.

ALLIANCE FALTERS

It is no secret that the Alliance for Progress program, instituted with such brave words and promises, is in for a rough time ahead.

In all fairness, I think Mr. Teodoro Moscoso, who heads the Alliance program for our Nation, is making a good attempt to do a good job under the most trying circumstances.

But as well as fighting to win the acceptance of Latin American governments to much-needed reforms, he also must fight off the State Department, the White House, and officials in the Agency for International Development.

Firm guidelines were given by Congress for our aid programs to Latin America. But the Alliance for Progress is not making progress, and the reason it is not is because there has been no insistence that these guidelines really mean something.

AID ANYWAY

Leaders of some nations, where graft and dipping into the public till are national sports, know they will get American aid whether they clean up their operations or not.

It is no wonder, under such conditions, that the amount of money flowing out of Latin America each year almost exactly matches the amount we are lending or giving to Latin America. South Americans see little stability ahead and they doubt our programs will succeed.

What must be realized by the administrators of these programs is that they must be based upon reality, upon direct help to the people who need help. They must realize that only by insisting upon internal reforms can these programs succeed.

None of us wants to see failure by our Nation. Most of us realize the value of these programs, the vital part they play in our own security and well-being.

We wish with all our hearts that these programs and policies were succeeding. But they are not, and they cannot until such time as we have sounder administration of them.

NOT GAINING

We are still ahead of the Russians in the battle for the minds of men. But we are not gaining, we are not pulling away as we should be.

To a large degree, the reasons for the failure of the administration in winning approval of its domestic programs are similar to the reason why we are not getting all we should out of our overseas assistance programs.

The majority of our citizens realize that Uncle Sam is not Uncle Sugar. They realize that the Federal Treasury is not a bottomless cornucopia from which eternally springs our material needs and wants.

Yet, there are those in this administration who seem intent upon creating this impression.

DEBT RISES

As a consequence, our national debt limit was first raised to $300 billion and this past year to $308 billion, the highest in peacetime history.

The amount which must be paid by every man, woman, and child in our Nation to pay for the increased cost of Federal Government is now $650 a year.

To illustrate, residents of such communities as Royal Oak and Pontiac in my congressional district will have to pay some $32,500,000 into the Federal Treasury every year, not counting amounts they will have to pay for State and local taxes.

LOCAL USE

If a sizable portion of this staggering total could be kept in these communities for local use, there would be no difficulty in financing public improvements at the local level.

Further, it is estimated that the Federal Government will spend some $10 billion more than it receives during the current fiscal year, an amount which will add fuel to the fires of inflation and further dilute the purchasing power of the dollar.

Certainly, a great deal of the Federal budget deficit is going to be caused by the wave of New Frontiersmen which has descended on Washington, swelling Federal payrolls by the addition of 158,188 new Government employees in 18 months.

UNNECESSARY

If these new employees and these new programs were to strengthen our Nation's ability to resist attack, few of us would quarrel with the decision.

But this has not been the case.

Compared to an increase of 15 percent in defense expenditures, general Government costs have gone up 33 percent; agriculture, 20 percent; natural resources, 35 percent.

The Agriculture Department alone has one employee for every 37 farms in our Nation. We have seen the shocking results of such sprawling bureaucracy in this Department when men such as Billie Sol Estes have made millions, not from what they know about farming but from whom they know in the Agriculture Department.

One of the great victories for the forces of freedom, reason, and economy was the defeat of the administration's farm bill in the House of Representatives.

RULE OR RUIN

In a bill which in essence called for a regimentation or ruin approach to our mounting farm problems, Congressmen showed their disgust of this plan by rejecting it completely.

They realized that the bill would mean higher prices for the housewife for food and clothing. They realized that it would tie farmers hand and foot with needless regulation and that it would mean higher taxes and a higher Federal deficit.

Because of intraparty squabbles and lack of leadership, one of the most dismal failures of the 87th Congress was its inaction on assistance to education.

First, a school aid bill which mixed teacher salary supplements and school construction became entangled in a religious issue which prevented any bill from clearing through the House Rules Committee, previously packed to insure smooth passage.

Next, a giveaway amendment was tacked onto a college facilities bill which would have assisted universities in preparing for the expected enrollment of thousands of new students by supplying the buildings, the bricks and mortar, the physical facilities, many institutions of higher education need so badly.

WRECK LOANS

This amendment called for nonreimbursable loans (in other words, giveaways) which would have wrecked the effectiveness of the student loan program under the National Defense Education Act, a program designed to increase the numbers and quality of the scientific talent we will need to meet the growing technological threat from Russia.

The House, properly, rejected this amendment and instructed its conferees to stand by their original bill. Now, because of delay, inaction, poor scheduling, and near chaos in the closing days of Congress, this original bill appears to be doomed to die, delaying an attack on a critical problem until next year.

Medical care for the aged, a problem which is vastly complex, simply did not get anywhere in Congress. Because the administration refused to compromise and because many chairmen of Senate committees did not approve of the take-it-or-leave-it approach, the bill was defeated in the Senate and never reached the House of Representatives for a vote.

Once again Congress will have to tackle this knotty issue next year, and it is hoped that the administration will be more willing to listen to all sides of this problem before making its recommendations.

MISSED MARK

The administration missed the mark with its minimum wage bill. Its effects have meant almost nothing to the underpaid worker who was hoping for fatter paychecks under these new regulations.

To win votes, bloc after bloc of employees from low pay industries, such as the tobacco industry, were exempted from its provisions. In other words, those workers who had the most legitimate cause for complaint, because of substandard pay scales, were simply not covered.

Meanwhile, the Federal Government intruded into the area of State responsibility by not limiting its provisions to those businesses engaged in interstate

commerce, thereby supplanting Federal law for State law, despite the Constitution.

As a result, many States are hesitant to revise their own minimum wage laws as they have a "what's the use" feeling that complete Federal regulation of wages is inevitable.

RURAL BILL

A so-called depressed areas bill was passed, a bill which seemed to take it for granted that the only significant areas which are suffering from chronic unemployment are rural areas, as the bill was aimed at assisting them the most.

Because the administration of this law was so mishandled, Congress finally approved another bill which came closer to the mark, the Manpower Retraining Act. The administration's proposals were so ill-conceived that Republican Members of Congress totally rewrote this bill through amendments which were accepted by the majority as valuable additions.

Training in new skills and technology are provided to those workers who have suffered loss of jobs, and I am happy to report this appears to be one of our most substantial weapons in winning the battle to eliminate chronic unemployment.

SIGNIFICANT

There were some other significant actions by Congress, the most important of which was passage of the Trade Expansion Act.

Approval of this bill by Congress clearly demonstrates that this Nation is going to take a backseat to no one in foreign trade.

In its own way, this bill and the European Common Market almost match our missile might as a weapon against communism. Prosperity throughout the United States and the free world is something which Communist dogma insists can never happen.

But it is happening, and we will continue to see significant advances for the workingman through freer trade between ourselves and our friends.

FLEXIBILITY

Free trade will mean flexibility, not only for our own Nation and our businesses and industries but for the rest of the free world.

Our citizens will have the advantage of the world for their shopping center, while our businesses will not be tied by tariff walls to our own shores in their search for new markets for their goods.

Some in our Nation are going to suffer for a short time while this drastic change toward a worldwide marketplace is made, but there are provisions in the bill which will ease the transition for both workers and industry. The overall long-range effect of this new trade act can only work to the benefit of our Nation and its citizens.

In other areas of the domestic front, solid legislation is more difficult to find.

BENEFITS

Technical changes were made in the social security system which extend benefits to many thousands of persons and bring benefits into line with living costs.

Men age 62 and over may now receive social security benefits if they so choose. Aged widows' benefits were increased by 10 percent. The amount that can be earned and still be eligible for social security benefits was increased under a sliding formula to $1,500, but the amount is still not sufficient.

Amounts for Federal assistance to help communities control water pollution were raised to $100 million, an amount I consider less than adequate in view of the vast pollution problem which faces the waterways of our Nation.

FOREIGN AFFAIRS

The House Committee on Foreign Affairs, of which I am a member, has sponsored a great deal of important legislation in the past 2 years, and I am happy to have had a part in its development and final passage.

One of these acts was the creation of the Agency for International Development. This Agency, which is responsible for our foreign aid programs, has had difficulty in getting off the ground since its inception. But I feel sure that if it solves its administrative problems, AID can become a prime force in our fight for freedom.

The Peace Corps, which started off as an experiment and has developed into a full-fledged program, has been a success. It has a practical, down-to-earth approach to problems it is attempting to solve overseas, and its members are not afraid to work or get their hands dirty.

Creation of an Arms Control and Disarmament Agency has finally given our negotiating teams the technical staff they need in carrying out the seemingly endless discussions with the Russians. Although progress has been slow, we are preparing for the day when some sort of agreement will be reached which will include adequate inspection.

At least 10 nations have the capability of designing and manufacturing nuclear weapons within the next few years, and one of these is Communist China.

The Philippine war claims bill was finally approved by Congress after two tries. I was happy to have been cosponsor of the final bill. This $73 million settled a war claim we owed to the Filipinos since the end of the World War II.

U.N. BONDS

Passage of the provision to permit up to $100 million in United Nations bond purchases by the Federal Government finally was won after amendments which limited the total of our purchases to an amount equal to purchases by other nations.

This will help keep the United Nations a going concern for the foreseeable future. It is hoped that our delegation to the United Nations will now press, in the General Assembly, for passage of a resolution which would cut off the voting rights of any nation more than 2 years delinquent in its dues and special assessments.

The Subcommittees on the Far East and National Security, of which I am a member, have been in close touch with the State Department and the Department of Defense in regard to the battle now being waged in South Vietnam against the Communists.

CHANCE OF SUCCESS

Now that our Federal Government has decided to use a grassroots approach with this assistance, I think our chances of eventual success are improved considerably.

Congress gave the President the power to call up 150,000 Reserves while Congress is out of session, should the necessity arise.

In view of the many mistakes made in the callup last year and the inadequate training and misplacement of personnel, it is hoped that should the necessity again arise for a callup these mistakes will not be made again.

With congressional sessions running later every year, many of us in the House and the Senate have a difficult task in attempting to find out the views of those we represent in our home districts.

QUESTIONNAIRE

One means which I have found to be very effective in the past has been the use of an annual congressional questionnaire in which I give my constituents an opportunity to express their views on vital issues before Congress.

Not only do I find the answers valuable in themselves, but I also find that a great many take the time to write additional comments on matters concerning the Federal Government affecting their lives and those of their families.

I am happy to note that this year, on a number of key issues, my vote on issues coincided with those expressed by the majority of those who answered the questionnaire.

Following is a list of the questions, and what—if any—action was taken by the Congress:

First. Should the Federal Government have the power to regulate the prices and testing of medical drugs?

Drug regulation bill approved by Congress.

Second. Should a Sleeping Bear Dunes Recreation Area be created by the Federal Government in Traverse City area?

Plan died in House Interior Committee with no action taken.

Third. Should tax reform include incentives for the expansion of plants and the purchase of more modern equipment?

Executive order altered depreciation schedules and Congress passed tax incentive plan.

Fourth. Medical care for the aged?

No vote in the House after Senate turned down King-Anderson plan.

Fifth. Federal budget of $93.5 billion.

Budget approved with an anticipated $3 billion deficit, which could go to $7 billion because of loss of tax revenue.

Sixth. Continuation of food for peace program to Iron Curtain countries such as Poland and Yugoslavia?

Aid to Red countries cut off except where President declares it is in "vital interest of the United States."

Seventh. "Strings" on foreign aid?

Congress has approved policy change which requires reforms, but has not been implemented completely by AID.

Eighth. Should our oversea aid be based more on strengthening economies of known friendly nations?

We still need to pay more attention to our friends abroad.

NEXT CONGRESS

Because of the substantial list of uncompleted tasks during the 87th Congress, the new Congress convening in January will have a formidable task ahead of it.

Some of the main problems it will face will be:

First. More anti-inflationary policies to keep the cost of living from getting out of hand. Deficit financing and the outflow of gold from our shores threaten to undermine confidence in the dollar.

Second. Overall tax reform and possible tax reduction if Federal expenditures can be cut substantially. Our present outmoded tax system is acting as a brake on economic recovery. It puts a penalty on efficiency and a premium upon standing still. Further, high Federal income tax rates are crippling customer demand and slowing growth. There is plenty of room for a substantial reduction of Federal expenditures without curtailment of essential services.

Third. A program for medical care for the aged to cover all those who really need help in meeting high medical and doctor bills. Such assistance should not be limited to those on social security, as experience has shown us that those without social security are those who are most in need. Perhaps an entirely new approach will have to be considered, such as reinsurance of private premiums or tax credits to pay for medical and hospital insurance.

TOUGHER POLICY

Fourth. A tougher, more realistic policy toward Russia and the Iron Curtain countries. While foreign policy largely rests in the hands of the President and the Secretary of State, Congress can supply the authorization and the funds for programs which will place us on the offensive rather than our present policy of simply reacting to Red initiative.

Whether programs are domestic or foreign, there should be much more efficient administration and concentration of effort on finding and following through with workable solutions.

TOO BIG

Part of the reason for the present confusion and the ineffectiveness of our Federal programs is because Federal responsibility has simply grown too big for efficient management and human comprehension.

If the Federal Government would concentrate on defense, foreign affairs, the space race, interstate commerce, and its other clear-cut responsibilities, then the tax savings would give our State and local governments the revenues they need to solve their own problems.

As it is, the Federal Government has almost drained local communities dry of tax sources and has stretched Federal areas of responsibilities close to the breaking point.

Only by concentration of effort by the Federal Government, only by a firm hand at the helm, can we strengthen our Nation's economy, insure our freedom, create the new jobs we need and hold our present lead over the forces of communism which make no bones about the fact that we are No. 1 target slated for eventual destruction.

Only by a Federal Government of quality, as well as quantity, can we solve our problems with dispatch and without despair.

REVIEW OF 87TH CONGRESS, 2D SESSION

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. FRELINGHUYSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, as this 2d session of the 87th Congress nears an end, it is appropriate that all of us take a look back at what has been accomplished. We can all agree that much has been done, yet few would disagree that even more could have been done.

A review of this session is of particular interest to me, in part because of the amount and nature of the legislation which has been considered by the two committees on which I have had the honor to serve, the House Committee on Education and Labor and the Committee on Foreign Affairs. The adjournment of the 87th Congress, furthermore, marks the 10th year of my service in Congress. I had the privilege of coming here at a time when President Eisenhower first assumed responsibility for leading this Nation. To my mind he was a truly great leader, uniting all of us during a most trying period.

As part of this lookback at the past 10 years, one of the members of my staff has prepared a recapitulation of my activities here. I should like to submit it for the RECORD at this point:

THE 10-YEAR RECORD OF PETER FRELINGHUYSEN, JR., MEMBER OF CONGRESS, REPUBLICAN, FIFTH DISTRICT, NEW JERSEY, IN THE 83D, 84TH, 85TH, 86TH, AND 87TH CONGRESSES

BRIEF BIOGRAPHY

Representative PETER FRELINGHUYSEN, JR., of the Fifth Congressional District of New Jersey, was born January 17, 1916. He married Beatrice S. Procter on September 7, 1940. They have five children.

Mr. FRELINGHUYSEN graduated from Princeton University in 1938, magna cum laude in history. He obtained an LL.B. from Yale Law School in 1941, and later (1946 and 1947) did graduate work in history at Columbia University.

During the war the Congressman served in the Office of Chief of Naval Operations (Naval Intelligence) from September 1942 to December 1945. He was released to inactive duty with the rank of lieutenant.

In 1941 and 1942 Mr. FRELINGHUYSEN was with the law firm of Simpson Thacher & Bartlett, of New York City. He is a director of the Trust Co. of Morris County.

In 1948 he served as a staff member of the Hoover Commission, with the Foreign Affairs Task Force. He was elected to the U.S. House of Representatives in November 1952 and has served in that body since January 3, 1953.

Active in community work, Congressman FRELINGHUYSEN is presently a trustee of Morristown Memorial Hospital and chairman of the 1962 Hope Chest Appeal of the Upper New Jersey Chapter of the National Multiple Sclerosis Society. He is a former vestryman of St. Peter's Episcopal Church in Morristown, N.J. The Congressman serves as chairman of the Jersey Jetport Site Association.

ACTIVITIES AS A MEMBER OF CONGRESS

Committees

For 10 years (83d, 84th, 85th, 86th, and 87th Congresses) Congressman FRELINGHUYSEN has been a member of the Education and Labor Committee. He is the ranking Republican member of the General Subcommittee on Education and a member of the Ad Hoc Subcommittee on Integration in Federally Assisted Public Education Programs. He was appointed to membership on the Foreign Affairs Committee at the beginning of the 87th Congress in 1961 and serves as ranking Republican member of the Subcommittee on Europe. He is also a member of the Subcommittee on International Organizations and Movements. During the 83d Congress Mr. FRELINGHUYSEN was a member of the Veterans' Affairs Committee.

Legislative activities

Representative FRELINGHUYSEN has been a leader in the fields of both education and labor. Long prior to the Soviet's launching of their sputniks, FRELINGHUYSEN was emphasizing the relationship between education and national defense. In the labor field he was one of the first to push hard for a congressional investigation of racketeering in the labor-management area. Mr. FRELINGHUYSEN was a floor leader during the passage of the labor reform bill (Landrum-Griffin), designed to protect the rights of laboring men and women.

Since his appointment to the Foreign Affairs Committee, Congressman FRELINGHUYSEN has become a leading Republican spokesman on foreign policy. He has sought a bipartisan approach to foreign affairs while at the same time adding his voice in constructive criticism in areas where he believes the Kennedy administration has erred.

As the elected Representative of the Fifth District in Congress, Congressman FRELINGHUYSEN has constantly sought to keep the district informed regarding developments in Washington and to discover sentiment at home on issues before Congress.

Washington Newsletter—issued weekly to the press: This letter has become one of the most widely read letters of any Member of Congress. It is used as a vehicle for transmitting Congressman FRELINGHUYSEN's views to his constituents and as a commentary on the Washington scene. Some issues of the newsletter have been published in newspapers from Maine to California, and many wire service stories have originated as the result of it. The Congressman also sends a monthly newsletter and final report to thousands of constituents directly.

District office hours: The district office, staffed by Mrs. Wilma Herbert, is open from 9 a.m. to 3 p.m. daily except Saturday and Sunday. In addition, the office often is open Saturday mornings; location, 10 Park Place, Room 342, Morristown, N.J., Jefferson 8–7267.

Congressman FRELINGHUYSEN holds frequent Saturday morning office hours in his Morristown office and schedules additional visits to other cities and towns. From time to time Congressman FRELINGHUYSEN makes inspection trips to various parts of his dis-

trict. He regularly visits such facilities as the Veterans' Administration Hospital at Lyons, Picatinny and Raritan Federal Arsenals, and veterans' housing projects.

These frequent office hours and visits have given residents of the Fifth District an excellent opportunity to meet their Congressman, to question him on public issues, and to present their own views and problems.

Washington office: Mr. FRELINGHUYSEN maintains a congressional staff in Washington composed of highly trained experts ready to assist the Congressman in handling the problems of constituents. Every mail brings many requests for assistance with such Federal departments as the Social Security Administration, Small Business Administration, the Veterans' Administration, Immigration and Naturalization Service, the Armed Services, and the Post Office Department, to name only a few. The Congressman handles every request as expeditiously as possible and a great majority are brought to successful conclusions.

Constituents also write requesting free Government publications such as the famous one entitled "Infant Care" which has aided thousands of new mothers in the Fifth Congressional District.

His office handles an average of 10,000 letters a year.

During the 10 years since Representative FRELINGHUYSEN has been a Member of Congress he has appointed many young men of the Fifth District to the service Academies.

Constituents visiting Washington are urged to visit the office to obtain gallery passes for the House Chamber. Much useful information on sightseeing, hotels, restaurants, and transportation is available at the Washington and Morristown offices.

The Congressman encourages groups such as Scouts, senior classes, Sunday schools, etc., to inform him of their visits to Washington so that group pictures can be taken at the Capitol.

Mr. FRELINGHUYSEN is always available for appointments with constituents in Washington during congressional sessions.

Questionnaire: Congressman FRELINGHUYSEN regularly conducts an informal public opinion survey of the Fifth District by means of questionnaires. At such times, fuller expression of constituent views is actively solicited.

National activities: In addition to his frequent local appearances, Congressman FRELINGHUYSEN has made speeches as far afield as California, has published articles in magazines of nationwide circulation, and has appeared on a number of radio and television programs.

In 1956 Redbook magazine picked FRELINGHUYSEN as 1 of 10 outstanding men in the House and Senate.

In 1958 he was elected to the Young Republican Hall of Fame.

In 1960 a Newsweek magazine poll of 50 Washington correspondents picked FRELINGHUYSEN as one of the 17 "most able" men in Congress.

Congressman FRELINGHUYSEN was twice chosen as a delegate to the NATO Parliamentarians Conference, representing the House.

The port authority jetport proposal

In late 1959 when Mr. FRELINGHUYSEN learned of the Port of New York Authority's proposal to turn a vast section of southern Morris County into the world's largest jetport, he dispatched telegrams to 50 government officials in a 5-country area, inviting them to attend a meeting to discuss the proposal. As a result of this gathering, officials and citizens joined together in the Jersey Jetport Site Association, with the Congressman as chairman.

This organization enlisted volunteers, raised money and hired technical aviation experts. The group is given wide credit for convincing the New Jersey Legislature and the present Governor that Morris County is wholly unsuitable for such a project.

The Congressman also called a meeting of New Jersey's 14 Representatives and persuaded that group to go on record unanimously opposing the Morris proposal and urging a study.

Voting participation

In 10 years Representative FRELINGHUYSEN has voted "yea" or "nay" on almost 800 recorded votes on the House floor. His 10-year voting participation average up to September 1962 stands at slightly over 90 percent. His yearly averages are listed below:

Congress (years)	Number rollcall votes	Frelinghuysen average	Average, all members
83d (1953–54)	147	97	86
84th (1955–56)	149	91	88
85th (1957–58)	193	83	87
86th (1959–60)	180	89	89
87th (1961)	116	93	89
87th (to October 1962), 2d sess	94	90	----------

NOTE.—During the 85th Cong., Mr. FRELINGHUYSEN was granted a short leave of absence because of death in the family.

The percentages reflect only votes cast and do not take in account "on the record" votes such as pairings for or against measures which are arranged in a Congressman's absence. If these are taken into account, the averages are close to 100 percent.

During the years that President Eisenhower occupied the White House, Mr. FRELINGHUYSEN was rated his firm supporter. For instance, during 1959–60 in the 86th Congress, the Congressman supported Mr. Eisenhower's legislative proposals 80 percent of the time. In contrast to this, during last year's session of Congress Mr. FRELINGHUYSEN supported President Kennedy's proposals 46 percent of the time and was found in opposition 46 percent of the time.

VOTING RECORD

With respect to domestic legislation Congressman FRELINGHUYSEN in general maintained a moderate, middle-of-the-road record. In foreign affairs he has regularly supported this country's commitments abroad, and he has voted in favor of liberalizing our foreign trade laws. Foremost among these were the Eisenhower resolutions on Formosa and the Middle East and the Kennedy Alliance for Progress to aid Latin America.

Congressman FRELINGHUYSEN has voted for carefully-defined emergency legislation to aid the Nation's secondary schools and colleges. He supported and cosponsored the National Defense Education Act and aid to federally impacted areas.

Mr. FRELINGHUYSEN has consistently voted against increased price supports for agriculture. He has supported civil rights legislation and labor measures aimed at curtailing abuse of power and protecting pension and welfare systems.

All of the bills cannot be listed here. However, the following should present a good picture of the general position Mr. FRELINGHUYSEN has taken on major national issues.

Foreign affairs and national defense: Congressman FRELINGHUYSEN voted "yea" on the following:

1. Reciprocal Trade Agreements Extension Acts of 1953, 1954, 1955, and 1958 (for a 5-year extension).

2. Mutual Security Act extension and appropriations of 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, and 1962.

3. Transfer of 1 million tons of price-support wheat to Pakistan (1953).

4. Issuance of 240,000 special immigration visas to refugees (1953).

5. Resolution expressing the sense of Congress that the United States should reaffirm its support of the Caracas Declaration of March 1954, and should take all necessary steps to support the Organization of American States to prevent Communist interference in Western Hemisphere affairs (1954).

6. Resolutions expressing the sense of Congress that Communist China should not be seated in the United Nations (1953).

7. Formosa policy: Authorize the President to employ the U.S. Armed Forces for protecting the security of Formosa, the Pescadores, and related positions and territories of that area (1955).

8. Atomic energy: Revise the Atomic Energy Act of 1946 to permit exchange of atomic information with U.S. allies and to develop peacetime uses of atomic energy with the aid of private industry (1954).

9. Middle East policy: Resolution authorizing the President to undertake economic and military programs in cooperation with certain countries in the Middle East to oppose Communist aggression and infiltration (1957).

10. Draft bill extension: Extension of the draft for 4 years (1959).

11. Sugar Act extension: A bill extending for 1 year the Sugar Act of 1948 allocating quotas to various states and foreign nations and reducing the Cuban quota (1960).

In addition, Congressman FRELINGHUYSEN was in favor of the following:

1. Foreign information services reorganization and creation of the U.S. Information Agency. Voted "nay" on the motion to disapprove (1953).

2. Emergency famine relief authority: Making $100 million worth of agricultural surplus commodities available to the President for famine and other urgent relief requirements in countries friendly to the United States. Voted "nay" on the motion to recommit (1953).

3. Latin American aid program (1961).

4. U.S. Arms Control Agency (1961).

5. Peace Corps (1961); expansion (1962).

6. The New Trade Expansion Act (1962).

7. Authorization to buy United Nations bonds (1962).

8. Reserve callup in national emergencies (1961 and 1962).

9. Cuba resolution (1962).

Financial: Congressman FRELINGHUYSEN voted "yea" on the following:

1. Excess profits tax extension (1953).

2. Excise tax reduction of 1954.

3. Internal Revenue Code of 1954, making general revisions in the internal revenue laws so as to correct inequities and to close loopholes in the Federal tax laws, and extending the 52-percent corporate tax for another year.

4. Revenue Act of 1955: extending the 52-percent corporate tax to April 1, 1956, and extending excise tax rates of certain items.

5. Tax rate extension extending for 1 year existing corporate normal tax rate and certain excise tax rates (1956–57).

6. Public debt limit increase providing for a temporary increase in the public debt limit (1958).

7. Savings bond interest rates increasing the interest rates on E and H savings bonds (1959).

8. Highway financing: Passage of a bill increasing the Federal tax on gasoline by 1 cent (1959).

9. Voted "nay" tax revision bill: A provision of this bill would have subjected taxes on interest and dividends to withholding. Voted in favor of tax bill conference report, with withholding provision deleted (1962).

Education: Congressman FRELINGHUYSEN voted "yea" on the following:

1. Creation of the Department of Health, Education, and Welfare (1953).

2. Increase of appropriation for federally affected school areas by $6 million (amendment to the Health, Education and Welfare Appropriations for 1954).

3. Authorization of up to $400,000 a year on cooperative arrangements with colleges and universities for joint studies of educational problems (1954).

4. Authorization of the White House Conference on Education (1954).

5. Establishment of a National Advisory Committee on Education to advise the Secretary of Health, Education, and Welfare on educational problems. This was Congressman FRELINGHUYSEN's own bill (1954).

6. Federal assistance to the States for the construction of schools (1956–57).

7. National Defense Education Act (1958); extension of act (1961).

8. Federal aid to education for school construction of elementary or secondary public school facilities (1960).

9. Extension of Federal aid to schools in federally impacted areas (1961).

10. College aid authorizing matching grants and long-term loans for construction of academic facilities (1962).

Health and welfare:

1. Social security amendments (1954) extending coverage under old-age and survivors rights to approximately 10 million persons, and increasing the amount of earnings permitted without loss of benefits. Voted "yea." Social security amendments (1955) providing disability insurance benefits for certain disabled individuals of 50 or over, reducing to 62 the age on basis of which benefits are payable to certain women, providing for continuation for insurance benefits for children who are disabled before attaining the age of 18, and extending coverage. Voted "yea." Social security amendments (1961), "yea."

2. Medical Care Plan (1960): Approving a modified plan of Federal assistance to the States for medical care for the aged.

3. Health Service Prepayment Plan Reinsurance Act: President Eisenhower's health program. Voted "nay" on the motion to kill the bill by returning it to committee (1954).

4. Vocational rehabilitation to promote and assist in the extension and improvement of vocational-rehabilitation services. Voted "yea" (1954).

5. Antirecession:

(a) Temporary unemployment benefits for individuals who exhaust their benefit rights under existing unemployment compensation laws, and for individuals who were employed in noncovered employment. Voted "yea" (1958).

(b) Military construction, favoring the acceleration of military construction programs for which appropriations have been made. Voted "yea" (1958).

(c) Civilian construction, favoring acceleration of civilian construction programs for which appropriations have been made. Voted "yea" (1958).

(d) Temporary unemployment benefits (1961) "yea."

(e) Aid to dependent children (1961) "yea."

6. Welfare revision (1962) "nay."

7. Water pollution bill (1961) "yea."

Civil rights:

1. Congressman FRELINGHUYSEN voted "yea" on bill to establish a Civil Rights Commission. He opposed moves to weaken the Commission's powers (1957).

2. Civil rights bill of 1960 to provide Federal Government with machinery to handle violations of American constitutional rights, guarantee voting rights of all citizens. Voted "yea."

3. Extension of Civil Rights Commission (1961) "yea."

4. Antipoll tax amendment (1962) "yea."

Small business: Congressman FRELINGHUYSEN voted "yea" on bill to give permanent status to the Small Business Administration and increase its lending authority.

Labor: Congressman FRELINGHUYSEN voted "yea" on the following:

1. Legislation aimed at preventing misuse of labor welfare funds (1958).

2. Legislation aimed at preventing abuse of power by some union officials—Kennedy-Ives bill (1958).

3. Landrum-Griffin labor reform bill to curtail corruption or abuse of power in the labor-management field and protect the rights of laboring men and women (1959).

4. Manpower Retraining Act (1962). A 2-year training program for unemployed workers displaced by automation or plant removal.

5. Welfare and Disclosure Act (1962): Amendments designed to safeguard welfare and pension plans.

Other legislation of general interest:

1. Statehood for Hawaii. Voted "yea" (1953).

2. Statehood for Alaska. Voted "yea" (1958).

3. Tidelands: To establish the titles of the States to lands and natural resources beneath navigable waters within State boundaries, as well as resources of the outer Continental Shelf. Voted "yea" (1953).

4. Air Force Academy. Voted "yea" (1954).

5. St. Lawrence Seaway. Voted "yea" (1954).

6. Highway program 1955 "pay-as-you-go" bill calling for new gasoline and other taxes to finance a long-range national highway program. Voted "yea."

Congressman FRELINGHUYSEN also voted "yea" on the Withrow motion to recommit the bill with instructions to substitute the Eisenhower-endorsed proposal to finance the program by 30-year bonds (1955).

Legislation authorizing appropriations for the continued construction of highways: Congressman FRELINGHUYSEN voted "nay" on motion to recommit the bill (1958).

Highway financing program (1961) "yea."

7. Housing redevelopment: 1954 act to aid in the provision and improvement of housing, the elimination of slums, and the development of urban communities. Voted "yea."

Congressman FRELINGHUYSEN also voted "yea" on the Bolling motion to recommit with instructions to authorize 35,000 units of public housing annually for 4 years (the Bolling amendment incorporated the Eisenhower recommendations) (1954).

Housing amendments of 1955. Permitting 45,000 public housing starts to be made before July 31, 1956. Voted "yea." Congressman FRELINGHUYSEN voted "nay" on the Wolcott amendment which removed all public housing provisions from the bill (1955).

Opposed omnibus housing bill of 1961.

8. Wiretapping: To authorize the admission as evidence in court of information obtained by wiretapping in national security investigations in prosecuting alleged traitors, saboteurs, and spies. Voted "yea" (1954).

Congressman FRELINGHUYSEN also voted "yea" on the Willis amendment, the "court order provision," requiring prior authorization of such wiretapping by Federal court order as well as by the Attorney General (1954).

9. Farm price supports: On the Harrison amendment to the Agricultural Act of 1954 providing flexible price supports from 82.5 percent to 90 percent of parity for five of the six basic commodities. Voted "yea." (The bill itself was passed by a voice vote.)

Congressman FRELINGHUYSEN voted "nay" on the 1955 bill to restore rigid (or fixed) supports at 90 percent of parity. Voted "nay" on 1961 feed grains bill, omnibus farm bill (1962) "nay."

10. Natural Gas Act: A bill to amend the natural gas act to exempt producers and gatherers of natural gas from Federal regulation (pipeline and distributors to continue to be regulated). Voted "nay" (1955).

11. Minimum wage of $1 per hour. Voted "yea" (1955).

Minimum wage of $1.15 per hour and increased coverage. Voted "yea" (1960).

Minimum wage bill (1961). Voted "yea" on substitute motion to increase minimum to $1.15 immediately. Voted "nay" on final passage which granted a two-step increase.

12. Upper Colorado River project. Voted "nay" (1956).

13. Defense reorganization. Promoting the national defense by providing for reorganization of the Department of Defense. Supported amendments incorporating President's suggestions, supported bill (1958).

14. Government organization. Providing for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations. Voted "yea" (1958).

15. Wheat programs of 1959 and 1960. Voted "nay" on both.

16. To cite Port of New York Authority officials for contempt of Congress. Voted "yea" (1960).

17. Area redevelopment bill (1961 "nay". Voted "yea" on Republican substitute.

18. Postal rate increase (1962) "yea."

19. Public works bill (1962) "nay."

20. Creation of Department of Urban Affairs (1962) "nay."

21. Communications satellite program (1962) "yea."

LEGISLATION INTRODUCED

Congressman FRELINGHUYSEN, an active legislator, has introduced various bills and resolutions in areas reflecting his committee work and interests.

Many of the Congressman's bills have sought to implement the recommendations of the Hoover Commission. Mr. FRELINGHUYSEN has been particularly concerned with the problem of Presidential inability and succession. He has also introduced legislation calling for a study of the electoral college.

Because of his 10-year membership on the Education and Labor Committee, the greatest number of Mr. FRELINGHUYSEN's bills are concerned with these subjects. Chief among these were his bills on the National Defense Education Act and aid to federally impacted areas, both of which are now signed into law. He was also a sponsor of the Library Services Act and legislation which would grant tax credits to parents and others who pay college tuition.

The detailed list of Representative FRELINGHUYSEN's proposals are listed below.

Government organization:

1. To establish a Commission on the Office of the President. (H.R. 7900, 84th Cong., 2d sess.; H.R. 1135, 85th Cong., 1st sess.)

2. To propose an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office. (H.J. Res. 442, 84th Cong., 2d sess.; H.J. Res. 38, 85th Cong., 1st sess.)

3. To provide for the establishment of the Office of Administrative Vice President. (H.R. 7901, 84th Cong., 2d sess.) (This bill would implement the suggestion of former President Herbert Hoover.)

4. To provide for a Joint Committee of the Organization of the Congress, etc. (H. Con. Res. 51, 84th Cong., 1st sess.; H. Con. Res. 185, 83d Cong., 2d sess.; H. Con. Res. 14, 85th Cong, 1st sess.)

5. To establish a Joint Committee on Internal Security having exclusive jurisdiction in Congress to investigate all subversive and un-American activities. (The bill prescribes rules for the committee guaranteeing the witness protections comparable to those of a court of law.) (H.J. Res. 328, 83d Cong., 2d sess.; H.J. Res. 167, 84th Cong., 1st sess.)

6. To establish a Commission on Internal Security. (H.R. 2590, 84th Cong., 1st sess.)

7. To create a Presidential Commission to study U.S. foreign intelligence activities and the security of intelligence agencies from penetration by subversives. The Commission would have members both from Congress and from the Executive, and would report both to Congress and to the President. (H.R. 9660, 83d Cong., 2d sess.; H.R. 7780, 84th Cong., 1st sess.)

This suggestion was followed by the President's appointment of a special Hoover Commission "task force" to make such a study.

8. To establish a Joint Committee on Foreign Intelligence (H.R. 7730, 84th Cong., 1st sess.; H.R. 12533, 85th Cong., 2d sess.; H.J. Res. 352, 87th Cong., 1st sess.).

9. To provide for a Federal Advisory Council of Health, in the Executive Office of the President in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government (H.R. 7532, 84th Cong., 1st sess.; H.R. 2435, 85th Cong., 1st sess.).

10. To amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States (H.R. 2395, 84th Cong., 1st sess.).

11. To provide for improving accounting methods in the executive branch of the Government and for other purposes (H.R. 7209, 84th Cong., 1st sess.).

12. To establish a Commission on Presidential Inability (H.R. 6836, 85th Cong., 1st sess.; H.R. 8544, 87th Cong., 1st sess.).

13. To provide for research into problems of flight within and outside the earth's atmosphere, for development, testing and operation for research purposes of space vehicles, for creation of civilian agency to control such research (H.R. 4961, 85th Cong., 2d sess.).

14. To increase the scope of the activities of the National Advisory Committee for Aeronautics, to establish a Joint Committee on Astronautics (H.R. 11188, 85th Cong., 2d sess.).

15. Proposing an amendment to the Constitution of the United States relative to disapproval and reduction of items in general appropriations bill (H.J. Res. 669, 87th Cong., 2d sess.).

16. To establish a U.S. Arms Control and Disarmament Agency (H.R. 8613, 87th Cong., 1st sess.),

Health, Education, and Welfare:

1. To provide for emergency Federal financial assistance to the States and territories in the construction of public elementary and secondary school facilities urgently needed because of overcrowding, and to encourage full and efficient use of State and local resources in meeting school construction needs, and for other purposes (H.R. 10149, H.R. 9841, 83d Cong., 2d sess.).

2. To authorize Federal assistance to States and communities to enable them to increase public elementary and secondary school construction (H.R. 3770, 84th Cong., 1st sess.). (This bill incorporated proposals of the Eisenhower administration.) (H.R. 11530, 85th Cong., 2d sess.)

3. To amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education (H.R. 4568, 84th Cong., 1st sess.; H.R. 7002, 85th Cong., 1st sess.; H.R. 86, 87th Cong., 1st sess.).

4. To establish a program of financial assistance to students in higher education, and for other purposes (H.R. 8779, 84th Cong., 2d sess.; H.R. 2802, 85th Cong., 1st sess.).

5. To promote the further development of public library service in rural areas (H.R. 3310, 84th Cong., 1st sess.).

6. To strengthen and improve State and local programs to combat and control juvenile delinquency (H.R. 3771, 84th Cong., 1st sess.; H.R. 5339, 85th Cong., 1st sess.).

7. To establish a National Library of Medicine (H.R. 7528, 84th Cong., 1st sess.).

8. Federal Advisory Council of Health in Executive Office of the President (see Government organization).

9. To authorize a 4-year program of Federal assistance to States for school aid (H.R. 1130, 85th Cong., 1st sess.).

10. To provide for registration and reporting of welfare and benefit plans (H.R. 7802, 85th Cong., 1st sess.).

11. To provide for the establishment of a U.S. Foreign Relations Academy (H.R. 5306, 85th Cong., 1st sess.).

12. For educational development—for the early identification of student aptitudes, strengthening of counseling and guidance, services, provision of scholarships, strengthening of science and mathematics instruction in public schools, expansion of modern foreign language teaching; and improving State educational records and statistics, and other purposes (H.R. 10279, 85th Cong., 2d sess.).

13. To amend the National Defense Education Act of 1958 by repealing section 1001 (f) thereof (H.R. 2332, 86th Cong., 1st sess.).

14. To assist institutions of higher education to market and retire bonds issued by them to finance the construction of college facilities (H.R. 4267, 86th Cong., 1st sess.; H.R. 951, 87th Cong., 1st sess.).

15. To authorize a 5-year program of assistance to school districts in meeting the debt service on loans for construction of urgently needed elementary or secondary public school facilities, and for other purposes (H.R. 4268, 86th Cong., 1st sess.; H.R. 11122, 86th Cong., 2d sess.).

16. Designating the 7-day period beginning on the third Monday in October of each year as Patriotic Education Week (H.J. Res. 343, 86th Cong., 1st sess.; H.J. Res. 458, 87th Cong., 1st sess.).

17. To provide for Federal grants and contracts to carry out projects with respect to techniques and practices for the prevention, diminution, and control of juvenile delinquency (H.R. 7403, 86th Cong., 1st sess.).

18. To amend the Library Services Act in order to extend for 5 years the authorization for appropriations (H.R. 11569, 86th Cong., 2d sess.).

Labor:

1. To provide for assistance to States in their efforts to promote, establish, and maintain safe workplaces and practices in industry, thereby reducing human suffering and financial loss, and increasing production through safeguarding available manpower. (Industrial Safety Act) (H.R. 5740, 84th Cong., 1st sess.).

2. To amend the Fair Labor Standards Act of 1938 as amended, to increase the minimum hourly wage from 75 cents to 90 cents (H.R. 5739, 84th Cong., 1st sess.). This bill incorporated proposals of the Eisenhower administration. (H.R. 8413, 85th Cong., 1st sess.)

3. To establish a Commission on Labor Racketeering (H.J. Res. 138, 85th Cong., 1st sess.)

4. To require labor organization reports, to insure disclosure of certain labor organization information, to define certain duties and responsibilities of labor organizations and employers, and to provide further safeguards for workers against improper activities in the conduct of labor organizations (H.R. 10272, 85th Cong., 2d sess.).

5. Providing further safeguards against improper practices in labor organizations and in labor-management relations. (Bill incorporates President Eisenhower's recommendations.) (H.R. 3543, 86th Cong., 1st sess.)

6. To amend the Welfare and Pension Plans Disclosure Act, and for other purposes. (H.R. 7489, 86th Cong., 1st sess.)

7. To amend the Fair Labor Standards Act of 1938, as amended. (H.R. 7490, 86th Cong., 1st sess.)

8. To amend the Fair Labor Standards Act of 1938, as amended, to provide more effective procedures for enforcing the provisions of the Act (H.R. 8059, 86th Cong., 1st sess.).

9. To amend the Federal Employee's Compensation Act, as amended, to make benefits more realistic in terms of present wage rates (H.R. 11493 and H.R. 12386, 86th Cong., 2d sess.).

10. To amend the Railway Labor Act so as to authorize the President to establish boards to resolve jurisdictional disputes in the air transportation industry (H.R. 12894, 87th Cong., 2d sess.).

Civil rights: To establish a Commission on Civil Rights (H.R. 8350, 84th Cong., 2d sess.; H.R. 1134, 85th Cong., 1st sess.).

Immigration: To make certain changes in Immigration and Nationality Act (to liberalize the McCarran-Walter Act) (H.R. 8805, 83d Cong., 2d sess.; H.R. 3311, 84th Cong., 1st sess.).

Equal rights: Proposing an amendment to the Constitution of the United States relative to equal rights for men and women (H.J. Res. 142, 86th Cong., 1st sess.; H.J. Res. 352, 87th Cong., 1st sess.).

District of Columbia:

1. To provide for the District of Columbia an appointed Governor and Secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes. (H.R. 4634, 86th Cong., 1st sess.)

2. To amend the Old Georgetown Act (H.R. 9510, 87th Cong., 2d sess.).

3. To establish a park on the Georgetown waterfront (H.R. 10015, 87th Cong., 2d sess.).

National flood insurance: To provide for national flood insurance and reinsurance, and for other purposes (H.R. 8795, 84th Cong., 2d sess.).

Foreign trade:

1. To increase the amount of articles which may be brought into the United States without payment of duties (H.R. 1132, 85th Cong., 1st sess.).

2. To extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, for 5 years (H.R. 10370, 85th Cong., 2d sess.).

Post office: To provide additional opportunity for certain postal field service employees to obtain career appointments under the act of July 30, 1956, who lost opportunity for such appointments because of administrative error (H.R. 12492, 86th Cong., 2d sess.).

Electoral college reform: To create and prescribe the duties of a Commission to Investigate Electoral College Reform (H.R. 3653, 87th Cong., 1st sess.).

Military closings: To direct the Secretary of Commerce to undertake studies of the economic effects of deactivating certain permanent military installations situated in areas of substantial unemployment (H.R. 7158; 87th Cong., 1st sess.).

New Jersey problems:

1. To grant the consent of Congress to the Waterfront Commission Compact between the State of New Jersey, and the State of New York (H.R. 6456, 83d Cong., 2d sess.—Public Law 252).

2. To provide for intensified research into the causes, hazards and effects of air pollution, and the methods for its prevention and control, and for other purposes (H.R. 2129, 84th Cong., 1st sess.).

3. Granting the consent of Congress to the States of New York, New Jersey and Connecticut to confer certain additional powers upon the Interstate Sanitation Commission, established by said States pursuant to Public Resolution 62, 74th Congress, Aug. 27, 1935 (air pollution) (H.J. Res. 470, 84th Cong., 2d sess.).

4. Granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency (H.J. Res. 381, 86th Cong., 2d sess.).

Other: To establish a Presidential Civilian Achievement Medal (H.R. 8365, 85th Cong., 1st sess.).

To authorize the creation of a Commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson (H.J. Res. 574, 86th Cong., 2d sess.; H.J. Res. 236, 87th Cong., 1st sess.).

DR. AND MRS. YANG

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I have today introduced legislation for the relief of Dr. Jae H. Yang and his wife, citizens of Korea who now reside in the St. Louis, Mo., area. This legislation is the normal private relief bill for aliens resident in the United States who wish to adjust their status. I am offering it so that Dr. Yang, a medical doctor, can obtain his citizenship and thus qualify for the practice of medicine in the State of Missouri. Without this legislative help, Dr. Yang would have to wait some 7 or 8 years before he could become a citizen and his medical talents would be wasted to his adopted country during this time.

I understand that general legislation is pending to cover situations such as that of Dr. Yang. I believe that this matter can be handled better through such legislation, as has been introduced by the chairman of the Immigration and Nationality Subcommittee of the Committee on the Judiciary, the gentleman from Pennsylvania [Mr. WALTER]. The process of private legislation in this area could continue, but, as the very able assistant to this subcommittee, Walter Bestermann, has noted, all of those who need help do not know a Congressman. I hope that some action can be taken on general legislation in this area; however, since this action is only speculative, I am offering private legislation to help Dr. and Mrs. Yang.

PRESIDENT'S TRADE PROPOSAL WILL RUIN STEEL AND SHOE INDUSTRIES

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HARSHA. Mr. Speaker, I strongly urge that Congress reject the conference report on President Kennedy's reciprocal trade bill for 1962 and that it be sent back to conference with instructions to provide tariff measures to protect the steel and shoe industry.

Over 800 employees of Detroit Steel in my congressional district alone have already been laid off because of cheap steel imports and the remaining jobs of Detroit Steel employees are in jeopardy. The steel industry cannot possibly compete with foreign products until there is an adjustment in our tax structure and higher wages paid foreign workers.

On top of this, the Government is purchasing foreign-made steel for ships and foreign-made military trucks and vehicles. We are taking care of everybody but our own.

A comparable situation exists in the shoe industry. Foreign imports have increased phenomenally, far beyond predictions, and unless some measures are taken to limit these imports, approximately 2,000 jobs in the shoe industry in Portsmouth alone will be lost—these jobs are in serious jeopardy right now.

This Government has raised tariffs recently on the importation of bread and lowered quotas on textile imports, yet nothing has been done to protect the steel and shoe industries. Why this discrimination?

The pattern of this country's exports and imports of steel and shoe products has drastically changed in the last few years. The foreign nations with the help of our foreign aid, derived from taxing the same American people who will be thrown out of their jobs, have constructed modern factories and now have the same facilities as the United States. Their productive capacity is as good as the United States; our technical experts have taught them how. The United States for the first time in over half a century has been a net importer of steel tonnage in the last few years. At the increased rate of shoe imports the same thing will occur in this industry within the immediate future.

Our total U.S. exports of civilian goods fell 8 percent in July of this year to the lowest point since March. Already our tariffs are as low if not lower than any in the world; yet, American exports must compete against higher tariffs in foreign countries and we have not, up to date, received reciprocal tariff reductions.

These workers do not want retraining benefits and relocation payments, they merely want their right to work in a job of their choosing, and the right to earn their own livelihood. To pass this bill now under these circumstances will deprive them of that. Do not turn these people out to enlarge the armies of unemployed. Further lowering of tariffs and reductions of import quotas will gut the economy of Portsmouth, Ohio and make it a ghost town.

It is for this reason, Mr. Speaker, I strongly urge that Congress hold up the approval of the reciprocal trade bill until a more equal competitive status can be established so the jobs will be protected.

CONGRESSMAN BOW'S REPORT

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOW. Mr. Speaker, the people of the 16th District of Ohio are accustomed to receive from me at the close of each Congress a message entitled "Congressman Bow's Report," a summary of the legislation of the Congress and of my activities here.

There has been a lot of loose talk lately about the cost of keeping a Congressman in Washington, and some of those who would like to become Congressmen as a result of the elections next month have been most vocal. For example, there have been attacks upon the use of franked mail to deliver reports to the people and this historic method of communication between an elected Representative and his constituents has been criticized as being "political."

This is my report to the people of my district. Like the reports I have sent to them at the end of each other Congress, it will be mailed in franked envelopes. I have a duty as a Congressman to report on my stewardship during the term for which I am elected. The people of the district have a right to hear such a report from me. I hope that day will never come when the people of this country do not demand an accounting of the activities of their Representatives, and I hope that day will never come when a Representative is so lacking in responsibility to the electors that he refuses to offer such a report.

I regret that this report will reach the people almost 2 months later than usual, because the Congress has been held in session long past the usual date of adjournment.

GUARDIAN OF LIBERTIES

It seems to me, Mr. Speaker, that unreasoning attacks upon the operation of the Congress are dangerous to the American system of government. This House of Representatives is the guardian of the liberties of the people. Anyone who belittles this House and its Members undermines the system of government. And it is incumbent upon everyone here to exercise his independent judgment, to study each measure in the light of its effect upon our historical freedoms, and to so conduct himself as to reflect credit on this House. I do not understand the candidate for Congress whose campaign belittles the office he seeks.

Mr. Speaker, some of the criticism to which I have referred is directed against the new Rayburn House Office Building. A newspaper reported the total cost of constructing this building as a part of the annual cost of maintaining the Congress and came up with ar astronomical figure. This is like saying that a man who has a $30,000 home must include $30,000 as a part of his cost of living each and every year. All of us know that the new building was the project of our late and beloved Speaker Sam Rayburn, and that it will serve the requirements of this Republic as long as we have a representative system of government. How long we have a representative system of government, which is to say how long we enjoy the traditional liberties of the self-

governed, may depend upon how successful are those who undermine public esteem of the Congress.

PRESIDENT'S PROGRAM

We have had a long and difficult session and there will be little agreement upon whether we have done too much or too little. A few weeks ago the press was calling this a do-nothing Congress, reporting the President's program had failed. Now, with no significant change, most of the press is reporting that the President's program has a new lease on life. Perhaps it is good political strategy, or good newspaper copy, to speak always in terms of the President's program and whether votes are "for" or "against" the President.

It seems to me that it is more important for the House to work out its own program. We have refused on many occasions to adopt precisely what the President recommends. We have rejected entirely some of his proposals. We have enacted others. For the most part, we have hammered out a congressional program which, as the Constitution intended, represents the will of the people, expressed by their elected representatives, perhaps at times imperfect but certainly much better than if a rubberstamp Congress simply accepted the decision of the man in the White House.

It is well known that President Kennedy's program has been characterized by the single objective of increasing his power. On many occasions Congress has wisely refused to grant him the broad, new power he seeks. This is good, for regardless of who may be in the White House, Americans will have lost their liberty and we may as well close the doors of Congress on the day when Representatives forget their responsibilities and become rubberstamps for the Executive.

I can report to my constituents that I have supported Mr. Kennedy's program on some occasions, opposed it on many others, and tried always to be constructive and to offer solutions to the problems of the district and the Nation. In so doing, I represent not only my own political philosophy, which I have discussed on hundreds of occasions in Stark, Wayne, and Tuscarawas Counties, but also the feelings of the majority of my constituents who write to me and answer my annual questionnaires.

BOW SAVES ON APPROPRIATIONS

As you know, my principal legislative responsibility is on the Appropriations Committee, having control of all bills providing tax funds for the operation of Government. I am the senior Republican member of the subcommittee handling funds for the Departments of Commerce, State and Justice, the Judiciary, the Civil Rights Commission and many other agencies, and serve as well on the legislative and deficiencies subcommittees.

The subcommittees of which I am a member voted this year to save the people of this country $520,053,935, more than one-half billion dollars. Last year our savings amounted to $518,891,152. This is money that would have been spent by Federal agencies if the House were not the guardian of the public purse.

Let me add that our savings on these few agencies amounted to more than three times the entire cost of operating the legislative branch of this Government.

Total savings by the full Committee on Appropriations, of which I am now a ranking member, were $2,367,520,975 in 1961 and $4,133,105,435 as of the date of this report in 1962.

We should save more. The American people are bearing an unreasonable tax burden. But no matter how large the Government's revenue, those in charge of the executive branch can always think of ways to spend the money. There is a lot of talk about the New Frontier, but the only obviously New Frontier is a spending budget pushed over $100 billion for the first time in history and a national debt pushed past the $300 billion mark, higher even than in the wartime years.

OHIO PROJECTS

The past 2 years have seen the completion of many projects in Stark, Tuscarawas and Wayne Counties which were begun with my aid and encouragement in previous years.

The new Akron-Canton airport terminal building was dedicated this summer, a project that came about as a result of my work on the Appropriations Committee. This facility makes the Canton airport one of the best equipped in the Nation.

Work has begun on Interstate Route 77 in Tuscarawas County, another project I was able to initiate largely because of Appropriations Committee activities. This route was added to the Interstate System at my insistence after it had been overlooked in the original planning.

Though it is slower than I had hoped, work is continuing on two studies by the Corps of Engineers, that I initiated. One should be completed soon, proposing a plan of action to maintain water levels for recreation in Berlin Dam. The other, which still has some months to go, is the flood control survey in Stark County.

We have dedicated new post office buildings at Brewster, Dundee and Uniontown, and another is under construction at Mineral City.

The Chippewa Watershed program is progressing in Wayne County.

The Federal Government has played a part in construction of new facilities at the College of Wooster and Mount Union College.

All of these are developments with which your Congressman can be helpful, and it has been my pleasure to help.

NEW PROJECTS

A new $3,275,000 addition to the post office in Canton is the most important new project I have secured in this session of Congress. It will combine under one roof, all Federal agencies in Canton, saving considerable in annual rentals. We are working on similar projects in Massillon and Wooster.

We hope that the new public works program can be used to help with the water problem at Dennison-Uhrichsville and other projects in the district.

INDUSTRIAL DEVELOPMENT

Nothing is more important to me than the development of industrial and business activities in Ohio to provide jobs for the several thousand who have been chronically unemployed for some time. Nothing the Federal Government has done has contributed to solution of this problem; some of its activities have made things worse.

It was encouraging in 1962 to have one of our Stark County firms win a Department of Commerce E, among the first in the Nation. The award was made to the Alliance Machine Co. in recognition of its increased export sales. Increased exports are precisely what we need to stimulate business. Imports of competitive products including china, steel, toys, textiles, motors, autos, flatware and many other 16th District products have put men out of work and will put more out of work if something is not done quickly to counteract the effects of the President's proposed new foreign trade program.

Several Government contracts in which I was interested have helped maintain employment in our industry. In addition, we have been working closely with local leaders and Government agencies to try to develop new potentials.

Victor Roterus, assistant administrator of the Area Redevelopment Administration, visited Tuscarawas County in September at my request to discuss possibilities for increasing employment, particularly in the hard-hit southern end of the county. I believe his report and the work we will do to follow through may be very helpful.

INDIVIDUAL PROBLEMS

As in other sessions of Congress, I have had many requests for assistance from individuals who have dealings with the Federal Government.

The difficulties faced by some older people who endeavor to qualify for social security are often more than an individual can cope with. I have helped hundreds to find birth records, marriage records, and other necessary data. Workers who look forward to social security retirement would be wise to prepare in advance.

Veterans, recent immigrants, and others have similar problems which a congressional office can help to solve if the Congressman knows Government operations and where to go to get the answers, as I do, thanks to the confidence of the voters who have given me six terms in office and the prestige and seniority that are so important in Washington.

PRINCIPAL BOW BILLS

My proposal to provide medical care for the aged on a voluntary, free enterprise basis, without Federal control and with the cost distributed over the entire population is the most important bill I introduced in this Congress.

The Bow medical care bill grew out of my dissatisfaction with all of the other proposals to help retired people bear the cost of illness. The others are too limited both in benefits and coverage; they are the subject of violent arguments which means that they cannot pass; and they place the burden on those least able

to pay, the young working people of this country.

Throughout the United States, a majority of the people believe that some special effort must be made to provide health care for people over 65. It became obvious last year that no major plan that had been proposed could win acceptance. The fact that the Bow bill, introduced last winter, has been received with enthusiasm by citizens throughout the country is proof that Americans are seeking a better solution. The fact that 33 other Representatives have introduced the bill and it has served as the basis for the Saltonstall and Morton proposals is further evidence that it has real merit. I believe that it will be the basis for solving this issue in 1963.

Two other Bow bills received nationwide support. Both provided for increasing financial support of the school system without Federal control. The first would have diverted 1 percent of the Federal income tax revenue to the States to use as they wished for education. The second would have diverted 25 percent of the cigarette tax revenue. Either would have provided more money for education than the pending Federal aid to education bills, but would have done so without Federal interference in the rights of the States and local school districts to control education.

OTHER BOW PROPOSALS

Foreign trade: The Bow bill would preserve and strengthen the escape clause and peril point provisions of our old foreign trade laws, thus protecting the jobs of American workingmen and at the same time giving the President ample authority to make mutually beneficial trade agreements with the Common Market. I believe that this measure was far superior to the Trade Development Act which has now been enacted. President Kennedy and his supporters admit that his trade bill will cost thousands of workers their jobs. I think this is too high a price to pay. Furthermore, the bill gives the President unlimited personal power to control American industry.

Nonessential expenditures. The Bow bill would reduce Government spending through reducing Federal employment. The Federal payroll has increased tremendously in the past 20 months, and costs taxpayers $14 billion per year.

Clay depletion allowance. Through my efforts members of the Ways and Means Committee introduced legislation which prevented undue tax hardship on our clay industry, a hardship which might have resulted in closing many clay factories with resultant unemployment. This bill became law.

Captive nations. Bow resolutions provide for a special committee to call attention to Soviet domination of the captive nations and to promote observance of their national holidays.

Equal rights amendment. The amendment to the Constitution provides equal rights for men and women.

Status of forces agreement. This resolution would set aside the international agreements under which American servicemen may be denied their constitutional rights and tried in foreign courts.

House prayer. This resolution calls for continuing the practice of a daily prayer as part of the opening ceremonies of the House of Representatives.

Interoceanic Canal Commission. This bill creates a Commission to study the feasibility or necessity of a new canal to supplement the Panama Canal.

Aid to education. Two Bow bills provide aid to education without Federal control by diverting a share of Federal tax revenue to the States.

Foreign aid amendment. The Bow amendment to the foreign aid bill provided that the United States could not spend money on foreign aid unless the budget for the preceding year was in balance. We should not borrow money to give it away. This won nationwide support in the press and among the people, but was not successful in the House because of the pressure of the administration.

POSITION ON MAJOR ISSUES

I have been present and voted on all major issues in the 87th Congress.

Agriculture legislation was a principal subject of debate again this year. No major legislation was enacted. The feed grain bill of the first session was a failure, piling up surpluses while at the same time costing the taxpayers more than ever before and creating real hardship on small farmers.

The new Secretary of Agriculture increased dairy support levels, resulting in a surplus so great that the Government is worried about finding storage space for future purchases.

The 1962 farm legislation continues the 1961 feed grain program, but established for 1963 a new wheat program which will be unfair to Ohio farmers. I voted against this bill. Earlier, the Congress flatly rejected the Kennedy-Freeman farm proposal which would have brought about the most complete regimentation of farmers in our history.

TAX LEGISLATION

Early this year the House considered President Kennedy's proposal to revise the tax schedule, including a provision calling for withholding of taxes on interest from savings and on dividends. Congress rejected this provision, but accepted other features of his proposal in a modified form.

The promise of major tax reductions next year was in the news in late summer. I think major tax reductions are long overdue, but so are major reductions in Government spending. I have already mentioned the size of the national debt. The House twice voted to increase the debt ceiling. I voted "no" both times. We received over $45 billion worth of new spending proposals. These are the things that make tax reduction unlikely, for tax reductions without reductions in spending can only bring inflation, economic hardship to those of small and moderate income, and financial upsets that would make the recent stock market crash look mild in comparison.

OTHER ACTIVITIES

On the personal side, I should mention that I have received an honorary degree of doctor of laws from Ohio Northern University. I continue to serve as a Regent of the Smithsonian Institution, one of the great museums of the world as well as an outstanding scientific agency.

Though it has been a long and arduous session with very few opportunities to return to Ohio, I have once again enjoyed the privilege of serving the people of our three counties. I have been present in the House for more than 92 percent of the quorum calls and rollcall votes. I believe my votes have represented the position of my constituents on the important issues of the past 2 years. I hope to continue to serve them with dignity and honor, so that they may be proud to have a representative in this legislative body whom they can respect.

FEDERAL MUTUAL SAVINGS BANKS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MULTER. Mr. Speaker, I have again introduced a bill, H.R. 13318, to authorize the establishment of Federal mutual savings banks.

I have long been interested in legislation designed to accomplish this purpose, as evidenced by my introduction of similar bills in the 85th, 86th, and 87th Congresses. The most recent bill on this subject was introduced by me on September 11, 1961 (H.R. 9122). Similar bills were introduced at that time by the gentleman from Alabama [Mr. RAINS] (H.R. 9197), the gentleman from Pennsylvania [Mr. BARRETT] (H.R. 9124), and the gentleman from New Jersey [Mr. ADDONIZIO] (H.R. 9123), the gentleman from New York [Mr. FINO] (H.R. 9125), and the gentleman from New York [Mr. HALPERN] (H.R. 9195).

In 1960 the ideas expressed in this proposed legislation received favorable comment from the Housing and Home Finance Agency and the Veterans' Administration. At that time the Board of Governors of the Federal Reserve System noted that the proposal deserved careful consideration. The Federal Home Loan Bank Board as then constituted expressed the fear that the 1960 bill might result in a decrease in funds flowing into the mortgage market. Since then, however, the Chairman of that Board has announced his advocacy of the proposed legislation in its revised form and has also indicated that a general task force appointed by him also favors the legislation. The National Association of Home Builders, which would not be likely to favor any legislation that would discourage construction of housing, has added its endorsement to the

idea of authorizing Federal charters for mutual savings banks. The Commission on Money and Credit, a private group of experts on finance that devoted intensive study to the Nation's monetary and credit structure unequivocally added its voice to those favoring Federal chartering of mutual savings banks.

In his 1962 economic report, President Kennedy asserted that the findings and recommendations of this public-spirited commission deserve the careful consideration of the Congress, the executive department, and the public. In furtherance of that declaration, the President created a Committee on Financial Institutions composed of high-ranking officers in the executive department and charged it with the task, among others, of reviewing recommendations of the Commission on Money and Credit as a prelude to recommending such changes in Federal policy as will promote the stability, growth, and efficiency of private financial institutions.

In addition to these several groups that have given careful attention to the idea of Federal charters for mutual savings banks, study of this legislative proposal is also underway in other appropriate Federal agencies. Among them are the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and the Bureau of the Budget.

Particularly intensive study to the successive bills has been given by individual savings and loan leaders whose interest is understandably drawn to the subject because the bill presents a possibility of a two-way conversion between savings and loan associations and Federal mutual savings banks. Coupled with recommendations from the mutual savings bank industry and suggestions from several other sources, the ideas of these savings and loan leaders have found expression in the revision of the bill being introduced today.

These are designed to make the resulting Federal thrift institutions better vehicles for service to the public, to depositors, to borrowers, and to management. At present, all 512 mutual savings banks in the United States are State-chartered institutions. No authority presently exists for chartering these highly useful financial institutions under Federal law. This bill will grant such authority.

The principal differences between the present bill and H.R. 9122 may be summarized as follows:

First. Each Federal mutual savings bank must have its deposits insured by the Federal Savings Insurance Corporation, successor to the Federal Savings and Loan Insurance Corporation, just as all national commercial banks are now required to be insured in FDIC. FSIC will also insure savings in Federal savings and loan associations and eligible State-chartered savings and loan associations and State-chartered mutual savings banks that choose to apply for such insurance. The earlier bill required each Federal mutual savings bank to have deposit insurance with FDIC.

Second. When a State-chartered mutual savings bank having deposits insured by FDIC converts to a Federal mutual savings bank, it will carry with it to FSIC a pro rata share of FDIC insurance reserves.

Third. FSIC, instead of FDIC, is to act as guardian of the soundness of Federal mutual savings banks and as receiver, where necessary. New provisions governing appointment and operations of conservators and receivers are added.

Fourth. A Federal mutual savings bank may be formed either with or without "members"—otherwise known as corporators or trustees—and have policymaking officials known as directors. In a Federal mutual savings bank operating without members, policy is set only by directors.

Fifth. Directors are subject to a general fiduciary duty as well as to the express duties stated in this bill.

Sixth. No Federal mutual savings bank or any official of such a bank may require a borrower to do business with any specific company, agency, or individual. This supplants a former provision barring profit to a Federal mutual savings bank trustee—called director in this bill—for property sold to or services performed for the savings bank he serves or from a loan by that institution. Also removed is the power of the Federal supervisory board to make special or general exceptions to rules concerning self-dealing by officers with their savings banks.

Seventh. Mandatory reserve provisions in the earlier bill have given way to a provision allowing title IV of the National Housing Act to govern on this point as it does now for savings and loan associations insured by FSLIC.

Eighth. Provisions for issuing certificates of deposits are deleted and provisions allowing acceptance of bonus accounts are added.

Ninth. Eligible investments for funds in Federal mutual savings banks are expanded to include home improvement loans under title II of the National Housing Act; World Bank and Inter-American Development Bank obligations; participations in conventional loans outside the geographical lending limit of the State or 100 miles from any office of the institution; shares, accounts, and obligations of thrift institutions subject to supervision by a Federal or State agency; and promissory notes conforming to Federal Home Loan Bank Board regulations. That Board is also empowered to increase the amounts lent to a single mortgagor or under a single mortgage. The former 80-percent limit on loan-to-value ratio for conventional loans on one- to four-family homes has been raised to 90 percent.

Tenth. The "two-way street" provision applicable to conversion, merger, and consolidation has been removed, so that powers in this field granted by the bill do not depend on reciprocal power under State laws. FSIC, instead of FDIC, approval is generally required for conversion under the bill.

Eleventh. Federal mutual savings banks are authorized to rent out portions of property used to conduct their banking business.

Twelfth. Federal mutual savings banks are empowered to act as agents for others in any transaction incidental to operation of their business.

Thirteenth. Annual examinations of Federal mutual savings banks are required instead of at least three examinations every 2 years. The Federal Home Loan Bank Board is authorized to require more frequent examinations. Assessments are to be designed to cover costs of examination instead of being levied according to asset size of the institution examined.

Fourteenth. General regulatory power is granted to the Federal Home Loan Bank Board subject to the Administrative Procedure Act. General supervisory power is also vested in the Board.

As an original sponsor of this legislation, I believe that a major stride forward toward reaching maximum economic growth can be accomplished by the Federal chartering of mutual savings banks, providing the Nation with a major source of capital to finance home purchases, industrial development, and public works.

Support for this type of legislation has been growing in many quarters. It is appropriate that this revised version be introduced at this time so that it will be available for close study during the interim between the adjournment of this Congress and the commencement of the next.

I am sure that as a result of such study and the hearings on the bill, a good workable statute will be enacted.

Following is a summary and section-by-section analysis of the bill:

SUMMARY OF FEDERAL MUTUAL SAVINGS BANK ACT

The declaration of policy asserts that to increase the savings necessary for capital formation within the dual banking private enterprise system, Federal charters should be authorized for mutual savings banks. Thereby the vitality of State-chartered mutual savings banking will be maintained and strengthened. Home financing and business enterprise in the area where Federal mutual savings banks are located will be encouraged through new sources of long-term credit. Efficiency requires insurance of savings in Federally chartered thrift institutions by a single Federal agency.

Title I provides that 5 to 21 members (who may be designated corporators or trustees) may apply to the Federal Home Loan Bank Board for a charter. The Federal Home Loan Bank Board will issue a charter upon finding that the savings bank will serve a useful community purpose, have a reasonable expectation of financial success, and will not unduly injure existing savings institutions. Federal mutual savings banks must belong to the Federal Home Loan Bank System and have savings insured by the Federal Savings Insurance Corporation. Members of a Federal mutual savings bank elect the board of directors, or a board of directors may be elected by applicants for a charter in a savings bank without members. Directors manage the savings bank. Statutory restrictions control any self-dealing by directors with the savings bank.

Savings bank borrowing is controlled by the Federal Home Loan Bank Board. A savings bank may issue passbooks or other

evidence of savings, and provide for bonus accounts.

Investments authorized include among others Federal obligations, municipal obligations, real estate mortgages under specified restrictions, and corporate securities under the prudent man rule. A savings bank may also make consumer loans. It may establish branches to the extent that State-chartered financial institutions accepting funds from savers on deposit or share accounts enjoy such privilege.

State-chartered mutual savings banks and State or federally chartered savings and loan associations may convert to Federal mutual savings banks and vice versa. Federal or State-chartered mutual savings banks may merge or consolidate with one another. Among other general powers, a Federal mutual savings bank may exercise in its State of location all powers of a State-chartered mutual savings bank in such State. Savings banks must be examined at least annually. The Federal Home Loan Bank Board has general regulatory authority. Provisions against discriminatory State taxation are set forth. Conservators and receivers may be appointed as provided in the bill.

Title II creates the Federal Savings Insurance Corporation out of the FSLIC and constitutes the Federal Home Loan Bank Board its board of trustees. Insurance premiums are the same as for FSLIC. A State-chartered savings bank insured by FDIC shall take with it a pro rata share of FDIC insurance reserves if it should become a Federal mutual savings bank, and thereafter ceases to be insured by FDIC.

Title III requires an annual report by the supervisory board to the President for transmission to the Congress.

SECTION-BY-SECTION ANALYSIS OF THE FEDERAL MUTUAL SAVINGS BANK ACT

Section 1. Title: Federal Mutual Savings Bank Act.

Section 2. Declaration of Policy: To encourage increased savings to finance new housing and other capital formation, privately managed, federally supervised mutual savings banks should be authorized to be chartered by a single agency of the Federal Government. Accounts in such savings banks should be insured by a Federal agency. Such savings banks will aid in executing the constitutional duty of the Federal Government to regulate the value of money and will provide a depositary for public money.

TITLE I

Section 101. Definitions: The following terms are defined: Board, conventional loan, doing business, financial institution, first mortgage, first deed of trust, first lien, savings bank, State, State of domicile, domiciliary State, and thrift institution. "Thrift institution" includes Federal and State-chartered mutual savings and loan associations and like organizations, and Federal and State-chartered mutual savings banks. "Financial institution" includes thrift institutions as so defined, commercial banks, trust companies, and insurance companies.

Section 102. Chartering: Five signers from 21 or more individuals acting as members (usually known as corporators or trustees in the mutual savings bank system) may apply to the Federal Home Loan Bank Board for a charter. The Board will issue a charter when it finds the savings bank will serve a useful community purpose, enjoy reasonable expectation of financial success, and in operation will not unduly injure thrift institutions or commercial banks accepting savings deposits. Savings banks so chartered must have the words Federal, Savings, and Bank in their titles. Each must become a member of the Federal Home Loan Bank System, and have deposit insurance with the new Federal Savings Insurance Corporation, successor to Federal Savings and Loan Insurance Corporation.

Section 103. Members: Qualifications for members are prescribed. They serve for staggered terms of 10 years. (They elect directors.)

Section 104. Directors: Qualifications for directors, who manage and control the savings bank, are prescribed. They number from 7 to 25 and hold office for staggered terms of 3 years. Controls over self-dealing by directors with the savings bank are specified.

Section 105. Commencement of operation: Savings banks must qualify as insured banks in FSIC before commencing operations, and must maintain such status to continue operations. Before operating, a cash expense fund satisfactory to the Board must be raised by sale of transferable deferred payment certificates.

Section 106. Reserve fund: Before obtaining a charter, a savings bank must also have in cash an initial reserve fund of at least $50,000, evidenced by transferable deferred payment certificates. The reserve fund can be used only to meet losses. The savings bank may retain additional reasonable amounts for any corporate purpose.

Section 107. Borrowing: A savings bank may borrow funds subject to Board regulation.

Section 108. Deposits: A savings bank may handle usual passbook savings accounts and bonus accounts. It may decline or repay deposits at any time. Interest on savings may be paid as approved by directors. The savings bank may invoke up to a 90-day advance notice of withdrawal. The board may extend this period in an emergency. FSIC may take action necessary to make a savings bank sound and solvent either before or after closing.

Section 109. Investments: A savings bank may invest in Federal obligations, municipal securities, property improvement loans, certain Canadian obligations, World Bank obligations, Inter-American Development Bank obligations, first mortage loans on real property under specified restrictions of dollar amounts, class and loan, maturity, loan-to-value ratio, and geographical limits. Broad participation powers are granted. Savings banks may also invest in bankers' acceptances, corporate securities under the prudent man rule plus stated restrictions, obligations of mutual savings banks, and certain promissory notes, both secured and unsecured.

Section 110. Branches: With Board approval, a savings bank may establish in-State branches only to the extent any State chartered savings institutions can, or in chain or group banking States that otherwise permit no branch banking. The Board must first make findings required for issuance of a charter. A savings bank resulting from conversion, consolidation or merger may retain existing offices and unexercised branch rights.

Section 111. Conversion: With Board approval and subject to new charter provisions, any thrift institution may convert into a Federal mutual savings bank, under specified procedure, but not in contravention of the laws under which the converting institution is organized. Minimum requirements for members and directors are excused for a savings bank formed by conversion. The board must find the converting institution can observe the duties and restrictions of Federal mutual savings banks, and conform to this act's requirements. A converted savings bank may retain and service all accounts and assets lawfully held on the date of conversion.

A Federal mutual savings bank may convert into any thrift institution, with approval of the authority regulating the resulting institution, and consent of FSIC. Any resulting savings and loan association shall have its share accounts automatically insured by FSIC.

Section 112. Merger and consolidation: Federal mutual savings banks may merge or consolidate with each other or with in-State, State-chartered mutual savings banks. State approval is required if the resulting bank is State chartered; Board approval if the resulting bank is federally chartered. The Board must consider the act's purposes, the prospects for financial success, and ability to meet the duties of and restrictions on a Federal mutual savings bank. Corporate existence of the combining institutions continues in the resulting one, and rights and obligations are transferred to it pursuant to terms of the merger or consolidation agreement.

Section 113. General powers: Express operational powers are granted to Federal mutual savings banks. Included is authority to exercise all powers of State-chartered mutual savings banks in the same State. Powers reasonably incident to express powers are also conferred.

Section 114. Examination: Annual examinations by the Board are required, with expenses assessed to cover costs. The Board may conduct additional examinations.

Section 115. Regulatory authority: The Board is granted general regulatory authority and supervision over Federal mutual savings banks.

Section 116. Taxation: No State shall tax Federal mutual savings banks more than the least onerous tax on any other local financial institution. No State other than the domiciliary State shall tax such savings banks for transactions in the State that do not constitute doing business, but foreclosed properties are subject to ad valorem or income-on-receipts taxes.

Section 117. Conservators and receivers: The Board by resolution shall state any alleged violation of law or regulation and notify the Federal mutual savings bank involved. The bank has 30 days to cure the defect, else the Board shall give 20 days notice of charges and of a hearing by an examiner as provided by the Administrative Procedure Act. The Board is given subpena powers enforceable by the U.S. district court. Appeal lies from the Board decision, with court review based on the weight of evidence.

When notice of the alleged violation is given, the Board or the savings bank may within 30 days apply to the U.S. district court for declaratory judgment and injunctive relief. The court may enforce Board orders on request. The Board is made subject to suit and may be served through any of its agents and registered mail at its District of Columbia headquarters.

On giving notice of an alleged violation, the Board may issue a cease and desist order effective until the end of the hearing and enforceable by the U.S. district court. The Board can't bring charges on an act over 2 years old or known to the Board over 1 year. Charges must be dismissed if the Board doesn't adjudicate them within 1 year after they are filed.

Grounds for conservatorship or receivership are violation of an order or injunction final because time to appeal has expired or an unappealable order or impairment of capital. On such a ground the Board shall petition the U.S. district court for a conservator or receiver. With savings bank consent, the court may name either one without notice or hearing.

In any event, the court may appoint a conservator after notice and hearing. The person appointed as temporary or permanent conservator must be a Board officer or agent.

If liquidation seems necessary, the FSIC shall be named receiver, and may liquidate the savings bank in addition to having all powers of a conservator.

A temporary conservator may operate the savings bank as in normal course of business,

subject to court limitations. A conservator may also reorganize the bank or organize a new savings bank or merge the bank with another savings bank or sell its assets.

Remedies in this section are exclusive. Orders or injunctions expire within 3 years unless extended for cause. Savings banks in custody continue to make reports and the Board must give Congress detailed reports of seized savings banks and of general enforcement under this section. Savings bank officials may contest any proceeding and be reimbursed from bank assets.

In an emergency, the U.S. district court ex parte and without notice, upon Board petition, may name a temporary conservator. The petition under oath must allege facts requiring prompt action to prevent irreparable injury. The Board must promptly proceed to correct the alleged defects or move to appoint a conservator or receiver. The temporary conservator must be removed when the defect is cured or the motion for a conservator or receiver has been adjudicated.

TITLE II

Section 201. Federal Savings Insurance Corporation: The name of the Federal Savings and Loan Insurance Corporation is changed to the Federal Savings Insurance Corporation. The Federal Home Loan Bank Board, as the board of trustees for FSIC, is given power to manage its affairs, and the chairman of the board of trustees has the same type of powers he has as chairman of the Board. Federal- and State-chartered mutual savings banks are made eligible to apply for FSIC insurance, and shall pay the same insurance premiums as do savings and loan associations insured by FSLIC. Federal mutual savings banks cannot voluntarily withdraw from insured status with FSIC.

Section 202. Transfer of funds from Federal Deposit Insurance Corporation. When a State-chartered mutual savings bank insured by FDIC converts to a Federal mutual savings bank and becomes insured by FSIC, it takes with it a pro rata portion of FDIC insurance reserves calculated according to a formula based on assessments the savings bank has paid to FDIC. Amounts so transferred go to the Primary Reserve fund in FSIC. With the transfer the savings bank ceases to be insured by FDIC, but outstanding obligations to all parties are protected. The same procedure applies to a State-chartered mutual savings bank choosing to change deposit insurance to FSIC from FDIC.

Section 203. Miscellaneous: FSIC is made subject to Budget Bureau control, as is FSLIC.

TITLE III

Section 301. Annual report: The Board must submit an annual report of its operation to the President for transmission to Congress.

Section 302. Separability: The rest of the act stays valid even though a provision or its application to any person or circumstance is held invalid.

Section 303. Right to amend: Congress reserves the right to alter, amend, or repeal this act.

CREATION OF JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HALPERN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I have been priviliged to join with a bipartisan group of colleagues of both bodies in sponsoring a concurrent resolution to set up a Joint Committee on the Organization of the Congress and for the modernization of congressional procedures.

I urge that serious evaluation and study be given to this proposal, the need for which has been so eloquently presented by our distinguished colleague, the gentleman from Wisconsin [Mr. REUSS] in an address before this House on September 17.

I heartily concur in this call for the overhauling of the present rules of Congress in order to make for more effective legislation processes.

Mr. Speaker, I cannot emphasize enough that the improvement of congressional procedures is a vital and urgent national need.

General procedural and organizational problems have not been considered by the Congress since the La Follette-Monroney Act. That act, useful as it was, fell short of many needed reforms to effectuate truly democratic action on legislation. What is more, some of the reforms it achieved have been weakened or repealed.

The volume and complexity of Federal legislation has mounted tremendously in the last 16 years. Science and technology have involved the Congress in subjects unheard of in 1946—or even in 1956. Two new States and 50 million additional persons are now represented in Washington. The responsibilities of the Federal Government have grown substantially.

Adjournment has come at progressively later dates in recent years. More and more serious legislative proposals have failed to receive consideration.

Hearings that should be held are not. Old traditions of seniority rule still prevail.

It is increasingly evident to all serious students of Congress that the rules, procedures, and customs under which both Chambers now operate must be modernized. Until this happens, Congress will not be able to meet effectively its constitutional responsibilities.

Specific reforms will be urgently needed at the opening of the 88th Congress. A broad scale general review and reform of our procedures is also overdue. Together with my colleagues who united in this endeavor, I urge that the membership of both bodies of Congress join in this bipartisan effort and that widespread public attention be given to the need for Congress to put its own Houses in order.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WHALLEY (at the request of Mr. HALLECK), on account of illness.

Mr. MACGREGOR (at the request of Mr. JUDD), for the balance of the week, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. REUSS, for 30 minutes, tomorrow, and to revise and extend his remarks.

Mr. JAMES C. DAVIS, for 30 minutes, on Friday, October 5, 1962.

Mr. PILLION (at the request of Mr. BARRY), for 1 hour, on Friday, October 5, and also for 1 hour on Saturday, October 6.

Mr. HALPERN (at the request of Mr. BARRY), for 10 minutes, today.

Mr. MOORE (at the request of Mr. BARRY), for 1 hour, on Thursday, October 4.

Mr. FARBSTEIN (at the request of Mr. EDMONDSON), for 15 minutes, today, and to revise and extend his remarks.

Mr. RANDALL, for 30 minutes today, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. Bow to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. ASHBROOK to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. MEADER to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. COLMER and to include extraneous matter.

Mr. SCHWENGEL asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include an article.

Mr. EDMONDSON.

(The following Members (at the request of Mr. BARRY) and to include extraneous matter:)

Mr. FENTON.

Mr. WILSON of Indiana.

Mr. SHRIVER.

Mr. JOHANSEN.

(The following Member (at the request of Mr. EDMONDSON) and to include extraneous matter:)

Mr. JOHNSON of California and to include tables.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1696. An act to authorize the Secretary of the Interior to conduct a survey of federally owned lands for the purpose of locating minerals and mineral fuels; to the Committee on Interior and Insular Affairs.

S. 2344. An act for the relief of Miloye M. Sokitch; to the Committee on the Judiciary.

S. 2639. An act to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes; to the Committee on the Judiciary.

S. 3041. An act to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris; to the Committee on Government Operations.

S. 3370. An act to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District; to the Committee on Agriculture.

S. 3394. An act for the relief of Lt. Col. William A Carter, U.S. Air Force; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker.

H.R. 1616. An act for relief of Rickert & Laan, Inc.;

H.R. 4094. An act to amend the Act of July 15, 1955, relating to the conservation of anthracite coal resources;

H.R. 8113. An act to amend the act of August 9, 1955, for the purpose of including the Southern Ute Indian Reservation among reservations excepted from the 25-year lease limitation;

H.R. 8567. An act to authorize the Secretary of the Interior to create trial boards for the U.S. Park Police, and for other purposes;

H.R. 8983. An act to authorize the Secretary of the Interior to participate in financing the construction of a bridge at Cape Hatteras National Seashore, in the State of North Carolina, and for other purposes;

H.R. 9747. An act to amend section 514(1) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended;

H.R. 10613. An act to eliminate the requirements for certain detailed estimates in the annual budgets;

H.R. 10652. An act to amend the Administrative Expenses Act of 1946 to provide a more reasonable allowance for transportation of house trailers or mobile dwellings by certain governmental officers and employees upon their transfer from one official station to another;

H.R. 11049. An act to amend the Mineral Leasing Act of February 25, 1920;

H.R. 11378. An act to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus personal property to schools for the mentally retarded, schools for the physically handicapped, radio and television stations licensed by the Federal Communications Commission as educational radio or educational television stations, and public libraries;

H.R. 11543. An act to authorize the Secretary of the Interior to convey certain lands adjacent to the Suitland Parkway in Prince Georges County, Md., to Suitland Lodge No. 1856, Loyal Order of Moose;

H.R. 11551. An act to authorize the Secretary of the Interior to convey certain lands in the State of Maryland to the Holy Cross Lutheran Church, Greenbelt, Md., and for other purposes;

H.R. 11590. An act to provide for the disposition of judgment funds of the Cherokee Nation or Tribe of Indians of Oklahoma;

H.R. 11793. An act to provide criminal penalties for trafficking phonograph records bearing forged or counterfeit labels;

H.R. 12164. An act to provide for the establishment of the Fort St. Marks National Historic Site;

H.R. 12688. An act to authorize the Secretary of Agriculture to encourage and assist the several States in carrying on a program of forestry research, and for other purposes;

H.R. 13044. An act to amend the Home Owners' Loan Act of 1933 and the Federal Home Loan Bank Act; and

H.J. Res. 659. Joint resolution granting consent of the Congress to a compact entered into between the State of Maryland and the Commonwealth of Virginia for the creation of the Potomac River Compact of 1958.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On October 2, 1962:

H.R. 6682. An act to provide for the exemption of fowling nets from duty, and for other purposes; and

H.R. 12180. An act to extend for a temporary period the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders, and for other purposes.

On October 3, 1962:

H.R. 8567. An act to authorize the Secretary of the Interior to create trial boards for the U.S. Park Police, and for other purposes.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 29 minutes p.m.) under its previous order, the House adjourned until tomorrow, Thursday, October 4, 1962, at 10 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2608. A letter from the Comptroller General of the United States, transmitting a report on a review of selected activities of the Federal-aid highway program of the Bureau of Public Roads, Department of Commerce, in the State of Idaho; to the Committee on Government Operations.

2609. A letter from the Chairman, Federal Power Commission, transmitting a copy of a publication entitled "Typical Electric Bills, 1962"; to the Committee on Interstate and Foreign Commerce.

2610. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 16, 1962, submitting a report, together with accompanying papers and an illustration on a letter report on Havre de Grace (Oakington Channel), Harford County, Md., authorized by the River and Harbor Act, approved May 17, 1950; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TRIMBLE: Committee on Rules. House Resolution 824. Resolution for consideration of H.R. 4999, a bill to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes; without amendment (Rept. No. 2519). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 825. Resolution for consideration of House Joint Resolution 636, joint resolution to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; without amendment (Rept. No. 2520). Referred to the House Calendar.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 776. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; with amendment (Rept. No. 2521). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report on operation and effect of consent decree in west coast oil case; without amendment (Rept. No. 2522). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. House Concurrent Resolution 570. Concurrent resolution expressing the sense of the Congress with respect to the situation in Berlin; with amendment (Rept. No. 2523). Referred to the House Calendar.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 13307. A bill authorizing an appropriation to enable the United States to extend an invitation to the Food and Agriculture Organization of the United Nations to hold a World Food Congress in the United States in 1963; without amendment (Rept. No. 2524). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee of conference. H.R. 7927. A bill to adjust postal rates, and for other purposes (Rept. No. 2525). Ordered to be printed.

Mr. ROBERTS of Alabama: Committee of conference. S. 1552. A bill to amend and supplement the antitrust laws with respect to the manufacture and distribution of drugs, and for other purposes (Rept. No. 2526). Ordered to be printed.

Mr. DOWDY: Committee of conference. H.R. 4670. A bill to amend the law relating to indecent publications in the District of Columbia (Rept. No. 2527). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KEOGH:

H.R. 13313. A bill to amend the Tariff Act of 1930 so as to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 13314. A bill for the relief of the Wetzel County Hospital, New Martinsville, W. Va.; to the Committee on the Judiciary.

By Mr. PILLION:

H.R. 13315. A bill to establish a Department of National Security and International

Affairs, and for other purposes; to the Committee on Government Operations.

By Mr. PUCINSKI:

H.R. 13316. A bill to amend title II of the Social Security Act to provide a more realistic definition of "disability" for purposes of the disability freeze, and to liberalize the coverage requirements for such freeze and for disability insurance benefits; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 13317. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education; to the Committee on Education and Labor.

By Mr. MULTER:

H.R. 13318. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. BARRETT:

H.R. 13319. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 13320. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 13321. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. RAINS (by request):

H.R. 13322. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. FULTON:

H.R. 13323. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 13324. A bill to amend title I of the Housing Act of 1949 to provide more equitable procedures for the relocation of persons displaced from their homes or places of business by urban renewal projects, to increase the amount of the relocation payments authorized to be made to such persons, and for other purposes; to the Committee on Banking and Currency.

By Mr. O'HARA of Michigan:

H.R. 13325. A bill to amend section 4063 (a) of the Internal Revenue Code of 1954 to provide an exemption from tax in the case of mobile homes; to the Committee on Ways and Means.

By Mr. DOWDY:

H.J. Res. 900. Joint resolution to amend the act of April 29, 1942, establishing the District of Columbia Recreation Board, to provide superior cultural programs for children and young people by the establishment of a National Children's Theater and Art Center; to the Committee on the District of Columbia.

By Mr. PUCINSKI:

H. Con. Res. 582. Concurrent resolution expressing the sense of the Congress with respect to the situation in Berlin; to the Committee on Foreign Affairs.

By Mr. WALTER:

H. Res. 826. Resolution to provide for the printing of 185,000 copies of the Constitution of the United States and the amendments thereto; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Massachusetts:

H.R. 13326. A bill for the relief of Bahman Naghshineh; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 13327. A bill for the relief of Christos Hondronastas; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H.R. 13328. A bill for the relief of Dr. Jae H. Yang and Mrs. Jeong S. Yang; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 13329. A bill for the relief of John William Horling; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 13330. A bill for the relief of Iwen Hsiao; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 13331. A bill for the relief of Mr. George Gabourel and four of his children, Marie Elizabeth, Dorothy Ann, Alice Louise, and Kathleen Florence; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 13332. A bill for the relief of Mrs. Loretta Chiu-Ning Tung and her minor daughter, Hsia May Tung; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 13333. A bill for the relief of Luis De Canto Viveiros; to the Committee on the Judiciary.

H.R. 13334. A bill for the relief of Maria Trinidade Lopes and Gabriel da Silva Lopes to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 13335. A bill for the relief of Stella Marie Kim; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 13336. A bill for the relief of Gaetano Bracco; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 13337. A bill for the relief of Theresita L. Montalan; to the Committee on the Judiciary.

H.R. 13338. A bill for the relief of Zaida F. Tardicella; to the Committee on the Judiciary.

SENATE

WEDNESDAY, OCTOBER 3, 1962

The Senate met at 10 o'clock a.m., and was called to order by the Vice President.

Rev. John Tierney, evangelist, Southern Baptist Convention, Greenville, S.C., offered the following prayer:

Almighty God, we praise Thee that we live in a great land in a day of unusual opportunities. Bless our space flight today.

Give the Members of this distinguished body liberty of speech and freedom of thought, and make them flexible in Thy hands.

Help them to see that the door to success swings on the hinges of opposition, that the test of a man's character is what it takes to stop him, that it is not a sin to fail, but that to do less than our best to keep from failing is unspeakable.

We pray in the name of Jesus Christ, our Saviour. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 2, 1962, was dispensed with.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On September 28, 1962:

S. 273. An act for the relief of Hratch Samuel Arukian;

S. 2511. An act to provide for the production and distribution of educational and training films for use by deaf persons, and for other purposes;

S. 2760. An act for the relief of Yuk-Kan Cheuk;

S. 3475. An act to provide further for cooperation with States in administration and enforcement of certain Federal laws; and

S. 3580. An act to amend the Atomic Energy Community Act of 1955, as amended, to provide for the disposal of federally owned properties at Los Alamos, N. Mex., and for other purposes.

On October 1, 1962:

S. 1023. An act to amend the act of August 20, 1954 (68 Stat. 752), in order to provide for the construction, operation, and maintenance of additional features of the Talent division of the Rogue River Basin reclamation project, Oregon;

S. 1037. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities; and

S. 3529. An act to amend the Manpower Development and Training Act of 1962 with regard to reimbursement of the railroad unemployment insurance account.

On October 2, 1962:

S. 149. An act for the relief of the estate of Gregory J. Kessenich; and

S. 2768. An act to promote the foreign policy of the United States by authorizing a loan to the United Nations and the appropriation of funds therefor.

REPORT OF OFFICE OF MINERALS EXPLORATION—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Eighth Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States,