

conversation concerning medical care for the aged, the House committee responsible for the preparation of such legislation never cleared any bill for action by the House of Representatives. In the Senate an attempt was made by Senator JAVITS and Senator ANDERSON to gain passage of legislation to provide medical assistance for the aged, but it was rejected by that body and, therefore, was never presented to the House of Representatives for action. It is my personal opinion that some legislation is necessary to provide for the catastrophic illnesses of our aged coming at a time when they are least able to afford the financial burdens associated with such illnesses. It is generally agreed that this problem demands an early solution and it is my expectation that some legislation in this category will develop in the next Congress.

There was also a considerable discussion concerning Federal aid to education but no significant legislation was enacted by the 87th Congress. Bills pertaining to Federal aid to education were either disapproved in committee or rejected by either the House or the Senate. The college aid bill, the school construction bill, the public and private school aid bills all met the same fate and no education bill of any significance was enacted. In the field of education, aid for deserving and needy colleges throughout the country, together with plans for scholarship aid for deserving students, was likewise ignored. Furthermore, aid for the construction of medical schools, so vital throughout the Nation, was rejected.

One of the greatest omissions of the 87th Congress, in my opinion, was its failure to enact any constructive and equitable legislation in the field of civil rights. Although the need for adoption of further civil rights legislation is quite evident, the President did not recommend any specific civil rights bill and this conceivably is the reason that no action was taken. The only legislation in this field was the introduction of a constitutional amendment to eliminate the poll tax in the various States. Since only five States still have a poll tax and since this could have been accomplished, in my judgment, by statute as well as by constitutional amendment, it was in

effect an empty gesture in this important field.

Two other important subjects were neglected by this Congress. The problem of civil defense was postponed again and the important problem of mass transportation was rejected although the Congress voted to continue a study of the mass transportation problem for an additional 6 months.

With respect to legislation specifically affecting citizens of the First Congressional District, I am happy to report that the Philadelphia wage tax bill authorizing withholding of this tax from the wages of Federal employees was again defeated. The Delaware River and Bay Authority legislation which I cosponsored was approved by the Congress and signed into law by the President. This legislation had the approval of the Governors of New Jersey and Delaware as well as the legislatures of both States. It will, I believe, aid immeasurably in the further development of the south Jersey area providing as it does a means of financing the construction of additional crossings over the Delaware River.

I am also pleased that the Congress corrected an existing inequity concerning the importation of electron microscopes. This scientific marvel was pioneered and developed by the Radio Corp. of America some 30 years ago. In later years, Germany, Holland, and Japan began manufacturing the electron microscope. The legislation enacted by the House which I cosponsored restored tariffs on the importation of these microscopes thus permitting the domestically manufactured electron microscope a competitive position in the world market.

The First Congressional District is largely dependent for its economic stability and growth on the large industries located within the district. These industries have made great contributions to the national defense, national welfare, and the scientific achievements of our country. In many conferences with various Government agencies I have frequently emphasized the quality of work and the availability of experienced manpower in these industries and it is, therefore, satisfying to me to note that during this past year the New York Shipbuilding Corp. was awarded some \$80

million of contracts by the Navy Department for the construction of U.S. warships and that RCA, a giant in electronic pioneering and development, contributed to our national defense by processing some \$300 million of defense contracts.

Scores of other smaller industries were awarded defense and other governmental contracts and many of the smaller businesses were aided through the assistance provided by the Small Business Administration. All of this had as its end result the creation of more employment in the First Congressional District and the continuation of a normal economy.

Although the principal function of a Member of Congress is to devote himself to legislation benefiting the United States in general and his own district in particular, he also represents the constituents of his district in their relationship with the Federal Government.

During this session of Congress, my office has processed literally thousands of requests for assistance in this field. We have handled matters relating to social security, veterans' affairs, immigration, watershed problems, small business, area redevelopment, military academies, post offices, and farm problems—to mention but a few. I have been fortunate, too, in receiving expressions of opinion on pending legislation before the Congress from thousands of constituents. This has been most helpful in aiding me in obtaining the views of the citizens of the First District and in focusing my attention on matters of particular import to individuals, businesses, and corporations of the area.

An office has been maintained with a full-time staff in both Washington and Camden for the servicing of the constituency and the solution of the problems presented. Without exception, the correspondence addressed to either the Camden or Washington office has been answered and it is my hope that all citizens received efficient, prompt, and courteous attention.

In closing, this report, I wish to express my appreciation to the people of the First Congressional District for the honor of serving them as their Representative in both the 86th and 87th Congresses.

## SENATE

FRIDAY, OCTOBER 12, 1962

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our fathers' God and the God of their succeeding race: As the hour draws near when the last words will be said and this people's temple of governance will be left empty and silent, as the tumult and the shouting dies and the captains of legislative authority depart, we come with the fervent prayer in our hearts:

"Lord God of Hosts, be with us yet,  
Lest we forget—lest we forget!"

May those who here in the exercise of their public stewardship have spoken and acted according to their conscience and convictions, having followed flickering lights in darkened times, cling not to any vain regrets. As the sands of the session run out, we know that what is written is written, as there comes the final entry in another volume of the Republic's history.

Grant the deep desire of Thy servants that in Thy wisdom Thou wilt overrule what has been done unworthily or done amiss, and forgive for what has been left undone.

And now may the Lord bless you and keep you, may the Lord make His face to shine upon you and be gracious unto you, may the Lord lift the light of His countenance upon you and give you

peace—peace in your own hearts, peace in the dear land where still burns freedom's holy light, and peace throughout all the earth to men of good will.

In the Redeemer's name we ask it. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 11, 1962, was dispensed with.

### LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

#### AUTHORIZATION FOR INSERTIONS IN RECORD FOLLOWING AD- JOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the RECORD following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I had thought the Senate had acted yesterday on the nominations on the Executive Calendar. But if that was not the case, I now move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

#### POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

#### PRINTING OF COMMITTEE ACTIVITY REPORTS

Mr. HAYDEN. Mr. President, with reference to the printing of committee activity reports for the session, as chairman of the Joint Committee on Printing, I remind the chairmen of all committees that the Joint Committee on Printing has very properly ruled that the printing of such reports, both as committee prints and in the RECORD, is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in

the RECORD, since the Government Printing Office will be directed not to print them both ways.

#### TRIBUTES TO SENATOR BUTLER, SENATOR BUSH, AND SENATOR MURPHY

Mr. MANSFIELD. Mr. President, on the other side of the aisle three distinguished Senators are retiring this year. I should like to say a few words about each of them and I do so because of my respect and liking for them.

The distinguished senior Senator from Maryland [Mr. BUTLER] will have served 12 years in this body, when his term expires on January 3, next. He has been a most conscientious, most diligent, and most effective Senator for the interests of his State. It will be with sorrow that we shall see him depart, because we shall miss the many contributions he has made as a Member of this body.

The distinguished senior Senator from Connecticut [Mr. BUSH] is likewise retiring voluntarily, and is returning to his State to live—where, I am sure, he will still make many contributions, not only on behalf of the people of the Nation whom he has so ably represented during the years, but also on behalf of the State in which he resides. He has been an effective member of the committees to which he has been assigned. He has made many contributions to the welfare of his State, and has been a stalwart Senator in behalf of the best interests of the Nation. We shall miss him, when he leaves this body.

The third Member on the other side of the aisle who is retiring is the distinguished junior Senator from New Hampshire [Mr. MURPHY]. He has not been with us very long; but while he has served in this body, he has been effective and efficient; he has attended to his duties; and has tried to do the best he could—as all of us try—for the State he has so ably represented and for the Nation as a whole.

Mr. President, let me say that I, personally, will miss these three distinguished Senators, and I regret greatly their prospective departure. I wish them well in the years ahead, because they have served here well; their retirement is a loss to the Senate. They have earned the plaudits of all the Members of this body, because of the contributions they have made and because of the effectiveness of their work as Senators. The Senate wishes them the best of everything in the years ahead and we will always welcome their return.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING (for Mr. WILEY):  
S. 3807. A bill for the relief of Pericles Ioanis Zombolas; to the Committee on the Judiciary.

By Mr. JAVITS:  
S. 3808. A bill to amend title I of the Housing Act of 1949, to increase the maxi-

mum amount of relocation payments to be made to a business concern displaced by an urban renewal project and to provide a method for ascertaining the amount of such payments; to the Committee on Banking and Currency.

S. 3809. A bill to provide for the issuance of a special series of postage stamps in commemoration of the fiftieth anniversary of the original "Armory Show of 1913" of New York City, N.Y.; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under separate headings.)

By Mr. McNAMARA (for Mr. YARBOROUGH) (by request):

S. 3810. A bill for the relief of Filomeno B. Kasliag and Eriinda Lucero Kasliag; to the Committee on the Judiciary.

By Mr. JAVITS:

S.J. Res. 238. Joint resolution providing for the establishment of a Commission on the Revision of Federal Agricultural Laws and Programs; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

#### TWO-YEAR REVIEW OF LEGISLA- TIVE ACTIVITIES DURING 87TH CONGRESS

Mr. MANSFIELD. Mr. President, from now until November the achievements or failures of this Congress are likely to be measured by the inaccurate yardstick of partisan politics. A lasting evaluation will not come until history has sifted the record. That this record may be accurate, I ask unanimous consent that my statement be printed in the RECORD and a summary and digest be printed as a Senate document, as is customary.

I want to express, at this time, my deep appreciation to the Members of the Senate for the restraint, cooperation, and help which they have seen fit to extend to the leadership in these 2 trying years. The leadership has done what it could to secure a fair consideration of the administration's program and to lighten the immense burdens of the Presidency, bearing in mind at the same time the separate constitutional functions of the Congress. As I have said, the successes and failures of this Congress—and there have been both—will be seen in accurate perspective only through the lenses of history. But I am inclined to think, Mr. President, that whatever they may be, both might have been registered more expeditiously. It may well be that there is a need for some soul searching as to the efficacy of some of our procedures and the abuses to which they sometimes lend themselves. For we have, all of us, a responsibility to contribute to the preservation of the constitutional vitality of the Senate and the Congress and public confidence in the legislative branch of the Government of the United States.

The PRESIDING OFFICER (Mr. METCALF in the chair). Without objection, it is so ordered.

The statement presented by Mr. MANSFIELD is as follows:

#### STATEMENT OF MAJORITY LEADER MIKE MANSFIELD

The gavel is about to fall and the 87th Congress pass into history. For the first

time in 6 years both the legislative and the executive branches of the Government were controlled by the same political party. In addition, new leadership teams were chosen for both the Senate and the House.

If this Congress had passed no measure other than the Trade Expansion Act of 1962, it may well have won a role among the most significant Congresses of American history. This measure, passed with strong bipartisan support, opens the way for a more unified West. Senator COOPER, of Kentucky, had this to say: "The passage of the bill is a signal achievement of the administration and the Congress during the present session." Senator JAVITS, of New York, said: " \* \* \* The Congress is to be congratulated on producing a measure which \* \* \* represents the most signal achievement since the establishment of the European Economic Community. \* \* \* " As stated by Senator BYRD, of Virginia, passage of this bill marks "the prospect of the first meaningful partnership in history between the Old World and the New." Senator MCCARTHY, of Minnesota, described it as a "forward-looking and far-reaching bill which faces up to the challenges of a rapidly changing world, a world in which yesterday's formulas are no longer adequate for today's problems."

But this was not the only accomplishment. Not in many, many years has so much been asked of a Congress and so much delivered.

This is the Congress that made the decision, requested by the President, to embark upon the venture to the moon and voted a record budget of \$5.4 billion to get us on the way.

It did not neglect to keep a sharp eye on its domestic economy. At the same time, it sought to maintain a strong defense by voting the largest peacetime defense appropriation in our history.

This is the Congress that inaugurated the Peace Corps—a measure not only daringly new but of such promise that when it came up for renewal in the second session, Members who had opposed its creation were among its strongest supporters.

This Congress acted to strengthen the Defense Establishment. But it also revealed its farsightedness and its desire for a lessening of international tension by initiating a measure to establish a U.S. Arms Control and Disarmament Agency, to assume responsibility within the Government for directing and coordinating disarmament matters.

This Congress did more in the domestic field to meet the challenges posed by automation—particularly the problem of displacement of skilled workers by machines—than any other Congress in history. This is the Congress that enacted the area redevelopment bill so the skills of American men and women would not be wasted and their economic livelihood wrecked because of technological advances and social change. Area redevelopment is a means of avoiding this. America must not squander its most precious resource—its own citizens.

With the area redevelopment program underway, Congress then moved into the field of manpower retraining by authorizing a 3-year, \$435 million program of training unemployed workers in vocational schools or on-the-job retraining to help them develop new skills and trades.

This Congress raised the minimum wage level to \$1.25 an hour. It authorized a \$3 million Federal grant program to aid in establishing and operating family health clinics and special health projects for domestic migratory farm families.

A Democratic Congress ready to take action when a recession threatens the country recently authorized an appropriation of \$900 million to initiate and accelerate Federal public works projects, and to provide Federal assistance for a similar expansion of local public works, to relieve unemployment and

spur economic expansion in those areas of the country which have failed to share fully in the economic gains of the recovery from the 1960-61 recession. This measure will strengthen the economy and provide a greater measure of economic security to the unemployed.

This is the Congress that created three new national parks—Cape Cod National Seashore, Padre Island in Texas, and Point Reyes in California. There is a universal recognition of the need for more recreational facilities. The creation of these parks will help respond to this need.

This Congress has passed the most comprehensive housing bill in our Nation's history, keeping in mind, particularly, elderly and lower income groups.

With the enactment of the communications satellite bill, the 87th Congress moved quickly to maintain this Nation's lead in peacetime communications through space.

After six failures in previous Congresses, this Congress approved the proposition of a constitutional amendment to abolish the poll tax which has been submitted to the States for ratification.

This Congress, on the heels of the thalidomide tragedy, passed legislation to regulate—even more carefully—the manufacture, distribution, and use of prescription drugs in an effort to avert such tragedies in American homes.

This Congress has enacted an omnibus farm bill designed to curb wheat and feed grain surpluses by setting up pilot programs to find other income-producing uses for cropland and expanding the Government's authority to make long-term dollar loans to foreign countries to purchase our surpluses. The bill establishes the administration's system of two prices for wheat. Wheat for domestic consumption and export will be supported at \$2 a bushel; wheat for feed will be supported at a lower price, pegged in part on the support price for corn.

This Congress also responded to the long-felt need of professional groups and the self-employed to establish means of financial security upon retirement by passing H.R. 10, a bill granting tax deductions for contributions to pension funds.

Three more firsts in our resources area have been charted by establishing a long-term program of oceanographic and Great Lakes research to promote commerce and navigation; by Senate passage of a bill to promote Federal and State programs relating to outdoor recreation by authorizing \$50 million for grants to States over a 5-year period to assist them in a long-range planning program; and by Senate passage of a bill establishing the National Wilderness System to preserve our wilderness areas.

For the first time, this Congress enacted a long-range foreign aid program, and to meet the needs of the Western Hemisphere established the Alliance for Progress. The goals and purposes of the Alliance include an accelerated rate of economic growth, a more equitable distribution of national income, economic diversification, the elimination of adult illiteracy by 1970, and the provision of at least 6 years of schooling for each child, substantial improvement of health conditions, increase in low-cost housing, and progress toward economic integration. Broad bipartisan support by this Congress was given to the President by approving a joint resolution on Cuban policy.

In these 2 years the President has sent down 50 messages containing a hundred or more major legislative recommendations. During the 2 years we have taken action on all but a few of these.

There have been disappointments. We failed to create a Department of Urban Affairs and the growing demands and needs of the residents of America's cities cannot and will not be fulfilled until such a Department is set up.

Two other administration recommendations which met defeat in this Congress were the proposed medicare program for our aged throughout the 50 States, who must be, and will be, taken care of; and the literacy test for voters in Federal elections.

Below is a brief description of our 2-year review highlights.

#### ECONOMIC AREA Agriculture 1961

**Omnibus farm bill:** Enacted a major farm bill to reduce wheat and feed grain surpluses; authorized Secretary to consult with farmers, farm organizations, and other groups to develop new farm programs; extend the Agricultural Trade and Development Act to December 31, 1964; consolidated and modernized the Farmers Home Administration; extended the Wool Act for 4 years to March 31, 1965; extended Great Plains conservation program to December 31, 1971; authorized a 5-year extension of the school milk program to be paid by direct appropriations; and extended the Veterans' Administration and armed services milk program to 1964, with CCC furnishing the funds. Public Law 87-128.

**Feed grains:** Authorized a 1-year emergency price support for the 1961 crop of corn at \$1.20 a bushel with the other feed grains to be supported at fair and reasonable levels in relation to corn, in an effort to raise the incomes of feed grain producers and to reduce the mounting surpluses of feed grains in Government hands. Public Law 87-5.

**Drought relief:** Enacted a temporary 1-year program authorizing the sale of Government surplus corn and feed grains to needy farmers and ranchers in drought areas at 75 percent of Government price-support levels and permitting grazing of livestock on grasslands idled by the soil bank and other conservation programs, or moving hay on these lands in or near drought areas. Public Law 87-127.

**Farm loans:** Increased proportion of appropriated farm loan funds available for individual farms with debt over \$10,000 from 10 to 25 percent to help meet the rapid and increased cost of farming. Public Law 87-8.

**Mexican farm labor:** Extended and revised the Mexican farm labor program for 2 years, to December 31, 1963; prohibited infringement upon the rights of domestic workers. Public Law 87-345.

**Cotton farmers' relief:** Authorized emergency relief to cotton farmers where floods have made it impossible to plant. Public Law 87-37.

**Farm credit:** Liberalized farm credit laws to permit installment payments on Federal land bank loans to be scheduled more frequently than semiannually if desirable to the borrower; permit Federal land bank loans to be made to corporations set up by farming families (now restricted to persons); extend from 5 to 7 years the permissible maturity of intermediate-term loans; require in applying the earnings at the end of each fiscal year that one-half of 1 percent of the loans outstanding be held in reserve up to the accumulation of 3½ percent of the outstanding loans. Public Law 87-343.

#### 1962

Senate passed two farm bills during the 2d session of the 87th Congress. The first bill, S. 3225, with two exceptions was very much like the second farm bill which has been enacted into law. The two exceptions were the provisions relating to price supports and production controls for feed grains. (S. 3225—was killed in the House.)

**Second farm bill:** As enacted this bill has four major titles, which contain numerous innovations as aids to reducing farm surpluses and solving agricultural problems by providing for a new permanent supply-management wheat program, a 1-year ex-

tension of present feed grain program and replacing the 1958 corn law with a provision effective in 1964 permitting the Secretary to set price supports for corn between 50 and 90 percent of parity and expansion of surplus disposal under Public Law 480. Includes a new land-use-adjustment program to take land out of production and divert its use to recreational and public purposes. Public Law 87-703.

Sugar Act extension: Extended to December 31, 1966, the Sugar Act of 1948 and set new quotas for domestic and foreign sugar producing areas. Public Law 87-535.

Sugar—Western Hemisphere: Reserved 150,000 tons of premium-priced sugar for Latin American supplies for 1963 and 1964, and 75,000 for balance of 1962. Public Law 87-539.

International Wheat Act extension: Extends International Wheat Agreement of 1949 to implement the International Wheat Agreement ratified in 1962, by authorizing the President, acting through Commodity Credit Corporation, to make available wheat and wheat flour at prices necessary to exercise the rights, obtain the benefits, and fulfill obligations of United States. Public Law 87-632.

Farmers Home Administration loans: Raised the annual limitation on Farmers Home Administration insured loans from \$150 million to \$200 million. These farm ownership loans made to families with a farm background and experience or training to help them buy, enlarge, or develop farms and to refinance debts. Public Law 87-749.

Textile imports: Authorized the President, for the purpose of carrying out any agreement under section 204 of the Agricultural Adjustment Act of 1956, to limit imports of any agricultural commodity or product covered by such agreement from countries not participating in the agreement, if, in his judgment, such imports would seriously affect domestic producers. Public Law 87-488.

Migrant farmworkers' health clinics: Authorized a \$3 million a year, 3-year program in Federal grants to public or nonprofit agencies and organizations for paying part of the cost of establishing and operating family health clinics and special health projects for domestic migratory farm families. Public Law 87-692.

Wheat: Deferred the final date for the proclamation of the 1963 crop wheat-marketing quotas and acreage allotments and deferred the final date for the referendum on 1963 crop-marketing quotas until July 25, 1963. Public Law 87-485.

Wheat: Extended the above law for proclamation of the 1963 crop wheat-marketing quotas and acreage allotments and the referendum on the 1963 crop-marketing quotas from July 25, 1962, to August 31, 1963. Public Law 87-540.

Wheat: Enacted a measure correcting an inequity in the Agricultural Act of 1961 relating to the withdrawal of wheat stored to avoid penalty. Public Law 87-410.

Wheat: Extended to June 15, 1962, the time for proclaiming 1963 wheat-marketing quota and national acreage allotment. Public Law 87-450.

Cotton disposal: Provided for disposal of all extra-long-staple cotton in the strategic stockpile by transferring domestic cotton to the CCC for unrestricted use at not less than 115 percent of current support price plus reasonable carrying charges, and foreign cotton for export only at not less than the world price. Public Law 87-548.

Cotton farmers: Extended for 1 year an emergency measure enacted last year to bring relief to cotton farmers whose land has been and is unplantable because of recent floods or whose plantings have been washed out. Public Law 87-446.

Diverted acreage: Authorized production in 1962 of flax, castor beans, guar, sesame,

safflower, sunflower, and other annual field crops not surplus on acreage diverted from wheat and feed grains; authorized payment up to 50 percent of the amount the producer would receive if acreage were devoted to conservation uses. Public Law 87-451.

Feed grains: Liberalized requirements for participation in the 1962 feed grain program by permitting farmers to plant barley on land taken out of wheat production and make barley interchangeable with other feed grains. Public Law 87-425.

Rice acreage: Enacted a measure providing for the transfer of rice acreage history where the producer has withdrawn from rice production. Public Law 87-412.

Crop insurance: Increased from 100 to 150 the number of new counties in which crop insurance may be offered each year. (S. 2859—House Calendar.)

Wet lands—Drainage: Prescribed methods and procedures for approval of agreements to furnish financial and technical assistance for agricultural drainage. Public Law 87-732.

Forest management: Doubled the authorization under the Cooperative Forest Management Act which furnishes technical assistance to small forest and woodlot owners. Public Law 87-680.

Federal Extension Service: Authorized funds appropriated in excess of the 1962 funds to be distributed on the basis of an equalized formula for the first 20 percent. Public Law 87-749.

Forestry research: Authorized matching grants for forestry research to land-grant colleges, agricultural experiment stations, other colleges and universities offering graduate training in sciences basic to forestry and having a forestry school. Public Law 87-788.

Alaska: Authorized \$1,250,000 to aid agricultural producers in Alaska to carry out farmland development measures. (S. 2805.)

#### General economy

1961

Federal unemployment compensation: Authorized Federal advances to permit the States to extend unemployment benefits up to an additional 13 weeks for workers who have exhausted their regular benefits during the recession, thus providing an unemployed worker with benefits up to a total of 39 weeks—in an effort to ease the unemployment problem throughout the country. Public Law 87-62.

Aid to dependent children: Authorized a 14-month program, from May 1, 1961, through June 1962 of aid to dependent children—permitting States to aid needy parents and their children who are not now eligible for aid in which the Federal Government participates; and increased by \$3 the minimum amount to which the Federal Government will participate on a matching basis in State programs carrying out the special medical care provision for recipients of old-age assistance. Public Law 87-31.

Railroad unemployment compensation: Approved benefits of a similar nature for unemployed railroad workers under the Railroad Unemployment Insurance Act. Public Law 87-7.

Railroad retirees: To bring the railroad retirees in line with the beneficiaries of social security, this amendment to the Railroad Retirement Act permits men without 30 years' service to receive reduced annuities upon reaching age 62; and reduces from 3 to 1 year the required time which must elapse after marriage before a wife or husband, otherwise qualified, may receive the annuity. Public Law 87-285.

Minimum wage: Increased minimum wage to \$1.25 (from \$1) and extended coverage to 3.6 million additional workers. Public Law 87-30.

Area redevelopment: Established the Area Redevelopment Administration in the De-

partment of Commerce, and authorized a 4-year program of \$300 million in loans and \$94 million in grants for industrial plants and public facilities in economically distressed areas. Public Law 87-27.

Social security: Increased minimum old-age insurance benefits and benefits to widows under the Social Security Act; provided reduced benefits to men at 62; liberalized disability provisions; increased tax for workers and employers by one-eighth of 1 percent; increased (for 1 year) the amount of public assistance payments for old-age assistance, aid to the blind, and aid to the permanently and totally disabled. Public Law 87-64.

Housing Act of 1961: Enacted a housing program, authorizing \$4.9 billion in new funds. The act provides for a new 2-year experimental plan of low-interest rate, 35-year mortgage loans for middle-income housing (except in hardship cases the mortgages may be extended to 40 years); requires a 3-percent downpayment on low-income housing, with a permissive inclusion of settlement costs; authorizes \$75 million for mass transportation systems, and \$60 million for "open space" grants; and includes a reauthorization of approximately 100,000 public housing units. Public Law 87-70.

FHA: Increased by \$1 billion the mortgage insurance authorization of FHA. Public Law 87-38.

Federal Aid Highway Act: Enacted the Federal Aid Highway Act of 1961, revising the original estimated authorization for 41,000-mile, 13-year program of interstate highways by increasing the Federal Government's share from \$25 billion to \$37 billion; extended for 2 years the incentive bonus for States to enter into agreements for billboard controls. Public Law 87-61.

Federal Airport Act extension: Extended the Federal Airport Act for 3 years to June 30, 1964, and authorized a total appropriation of \$225 million, or \$75 million annually. Public Law 87-255.

Small business loans: Increased by \$20 million the amount that the Small Business Administration may commit for loans under their regular business loan program, which will enable SBA to continue its loan program without interruption for approximately 1 month. Public Law 87-198.

Small business amendments: Increased SBA's revolving fund by \$105 million which, in addition to the \$20 million approved in Public Law 87-198, increases the total SBA revolving fund to \$1,125 million. Public Law 87-305.

Small Business Investment Act: Increased limit on amounts Small Business Administration may lend small business investment corporations and on latter's investments in individual enterprises. Public Law 87-341.

ICC loans: Extended for 27 months (to June 30, 1963) authority of Interstate Commerce Commission to make loans to help ease the credit difficulties of railroads. Public Law 87-16.

Small towns and rural counties: Established a 20-member bipartisan Commission on Problems of Small Towns and Rural Counties to study and investigate Federal policies and programs relating to the economic needs and problems of these areas. (S. 1869.)

Water pollution control: Authorized an additional \$270 million to help communities construct sewage treatment plants to control water pollution, thus raising the annual limit on grants from \$50 million yearly to \$80 million for fiscal 1962, \$90 million for fiscal 1963, \$100 million for fiscal 1964, through and including 1967. In addition, this measure increased from \$3 to \$5 million the annual Federal matching grants to States to administer water pollution control programs and extended the program through June 30, 1968, and authorized \$5

million a year for the Secretary to use to develop demonstration program to treat sewage, to measure pollutants, and to evaluate the effects of sewage treatment. Public Law 87-88.

**Debt limit:** Increased the public debt limit by \$13 billion to \$298 billion through June 30, 1962. Public Law 87-69.

**Lead-zinc subsidy:** Aided the domestic lead-zinc industry by authorizing a 4-year program of stabilization payments for small mineowners—75 percent for lead and 55 percent for zinc of the difference between 14½ cents a pound and the market price whenever the market falls below 14½ cents. Public Law 87-347.

**Mid-State reclamation project, Nebraska:** Authorized construction of the Mid-State reclamation project in Nebraska and provided for its inclusion in the Missouri River Basin project. Estimated cost is \$81,467,000, repayable within the 40-year contract period. (S. 970.)

**Illinois River:** Authorized a \$58 million project to improve and deepen the channel of the Kaskaskia River in Illinois to enable coal producers to transport coal by barges at reduced rates to permit competitive market pricing. (S. 520.)

1962

**Manpower retraining:** Authorized a 3-year, \$435 million, program of training of unemployed in vocational schools or on-the-job retraining to develop new skills; first 2 years' cost to be paid with Federal funds, third year 50-50 matching with the States. Public Law 87-415.

**Work Hours Act:** Provided for a standard workweek of 40 hours with not less than time and a half for overtime after an 8-hour day or 40-hour week. Public Law 87-581.

**Accelerated public works program:** Authorized the President to allocate \$900 million for job-creating public works projects in areas where there is heavy unemployment, the funds to be allocated to Federal agencies for acceleration or initiation of authorized projects. Public Law 87-658.

**Public debt:** Enacted a \$2 billion temporary increase in the public debt—from \$298 billion to \$300 billion (to June 30, 1962). Public Law 87-414.

**Tax revision:** Enacted a major revision and reform of our Federal tax system which would (1) permit a business to claim a tax credit up to 7 percent (3 percent in the case of certain utilities) of the price of newly purchased business equipment, but requires a businessman to reduce his tax reductions for the depreciation of an item if he claims the investment credit at time of purchase; (2) tighten the allowable tax deductions on business expense accounts; (3) legalize tax reductions for lobbying expenses directly relating to appearances before and communications with any legislative body or individual legislator providing this affects the taxpayer's business; (4) continue the current deferral privileges for manufacturing subsidiaries of controlled foreign corporations, but would tax earnings of nonmanufacturing subsidiaries unless they were located in an underdeveloped country and their earnings put back into an underdeveloped nation; (5) impose on U.S. citizens who are bona fide residents of foreign countries a tax on income in excess of \$20,000 in the first 3 years of residence abroad and in excess of \$35,000 thereafter; (6) increase taxes on earnings of savings and loan associations and mutual savings banks, which are now largely tax exempt; and (7) require that corporations and financial institutions report to the taxpayer and to the Government any dividend, interest, or patronage dividend payments of \$10 or more. (H.R. 10650.) Public Law 87- .

**Tax changes:** Permitted an employer to claim tax deductions for his contributions

to employee pension plans which include medical care among their retirement benefits; broadened the allowable individual tax deductions for medical expenses; permitted oil companies, for 1962 only, to deduct drilling costs on tax returns in 1 year rather than claim them as depreciation over several years; and required a State or local government operating retail liquor stores to buy only one \$54 Federal liquor tax stamp a year instead of one for each store. (H.R. 10620.) Public Law 87- .

**Tax Rate Extension Act of 1962:** Extended for 1 year the existing corporate tax rate and certain excise tax rates, while reducing or eliminating taxes on the transportation of persons. Public Law 87-508.

**Senior Citizens Housing Act of 1962:** Authorized an additional \$100 million (to \$225 million) for the existing program of direct loans to provide housing for the elderly. Established a new program for rural areas and authorized \$50 million for loans to private nonprofit corporations, consumer cooperatives, and public agencies to build rental housing for the elderly and related facilities such as dining halls and infirmaries. The new plan to be administered by the Farmers Home Administration includes \$50 million loan fund to help elderly persons purchase an existing home or housing site. Public Law 87-723.

**Foreign bank deposits:** To help slow the U.S. gold outflow, removed for a period of 3 years the Federal Reserve Board's present ceiling—which ranges up to 4 percent, varying with the duration of a deposit—on interest rates paid by U.S. commercial banks on time deposits of foreign governments, their central banks or other monetary authorities, and international institutions of which the United States is a member. (H.R. 12080.) Public Law 87- .

**Federal-Aid Highway Act of 1962:** Authorized a total of \$2.3 billion for fiscal years 1963-65 to continue the Federal-aid highway program for the regular system; for additional amounts for roads on Federal lands; for completion of the Rama Road in Nicaragua, the Inter-American Highway in Central America and Panama; and for relocation payments for families and businesses displaced by acquisition or clearance of rights-of-way for Federal-aid highways. Authorized a new category of public lands development roads and trails for important roads on the public domain. Permits use of secondary highway funds for roads on that system located in urban areas. Promotes cooperative transportation planning in certain urban areas by Federal, State, and local authorities; and permits the use of additional Federal-aid funds for highway planning and research. (H.R. 12135.) Public Law 87- .

**Public debt limit increase:** Provided for a temporary debt limit of \$308 billion through March 31, 1963, and \$305 billion from April 1, 1963, through June 24, 1963, and \$300 billion for the remainder of fiscal 1963. Public Law 87-512.

**SBA amendments:** Increased the Small Business Administration's revolving fund ceiling to \$1,666 million. Of the \$1,666 million authorized, \$1,325 million will be used for regular business and disaster loans. Earmarks a separate fund of \$341 million for loans to small business investment companies. Public Law 87-550.

**Customs simplification:** Reclassified the U.S. tariff schedule to adapt the classifications to the changes which have occurred since 1930 in the character and importance of articles produced in and imported into the United States and in the markets in which they are sold. Public Law 87-456.

**Export controls:** Extended for 3 years the Export Control Act of 1949 which authorizes the President to prohibit or curtail exportation from the United States certain articles because of security reasons or because they

are in short supply. Strengthened the criminal provisions and provided for a fine of five times the value of exports involved in a willful exporting of certain materials with knowledge that it will be used for benefit of any Communist-dominated nation and/or 5 years' imprisonment. Public Law 87-515.

**Mobile trade fairs:** Authorized the Secretary of Commerce to provide technical assistance, as well as limited financial aid, to operators of mobile trade fairs which have value in promoting sale abroad of American goods and products. (S. 3389.) Public Law 87- .

**Self-employed voluntary pension plans:** Encouraged establishment of voluntary pension plans by self-employed professionals by permitting them to set aside up to \$2,500 or 10 percent of their income, whichever is lesser, in an approved retirement program and permits them to deduct from taxable income up to a maximum of \$1,250 in any one year for contributions to the fund. Public Law 87-792.

**Civil service retirees:** Provided a 5-percent increase, effective January 1, 1963, to all entitled annuitants on that date. Public Law 87-793.

**Retirement income credit:** Increased to \$1,524 from \$1,200 the maximum annual amount a retired person can subtract from his tax payment. (H.R. 6371.) Public Law 87- .

**District of Columbia police and firemen:** Provided for an average salary increase of 11.6 percent for policemen and firemen. (S. 3705.) Public Law 87- .

**Missouri River Basin project:** Authorized the Department of Interior to defer the collection of operation and maintenance charges due in 1962 from the Angostura Irrigation District to ease the financial problem in that area resulting from decreased crop production caused by droughts. Public Law 87-440.

**Federal Reserve banks:** Extended to June 30, 1964, the present authority of the Federal Reserve banks to purchase securities directly from the Treasury—up to \$5 billion outstanding at any one time. Public Law 87-506.

**Lumber research:** Enacted a bill designed to assist the domestic lumber industry by devoting half of the lumber import duties to Government research on lumber production and marketing. (S. 3517.)

**Metal scrap—Temporary suspension of duties:** Continues to June 30, 1963, the duty-free importation of certain metal scraps, including iron, steel, aluminum, magnesium, nickel, and nickel alloys. Public Law 87-514.

**Alumina and bauxite—Duty free:** Continued to July 16, 1964, suspension of duty on alumina when imported for use in producing aluminum, crude bauxite, and calcined bauxite. Public Law 87-567.

**Duty suspension—Shoe lathes:** Continues to August 7, 1964, existing suspension of duties on shoe lathes. Public Law 87-607.

**Spun silk—Suspension of duties:** Continues to November 7, 1965, existing suspension of duties on spun silk or schappe silk yarn. Public Law 87-602.

**Casein—Duty free:** Because of severe shortage in this country casein used in the manufacture of coated paper, adhesives, emulsions, plastics, paints, and fibers is transferred to the duty-free list. Public Law 87-606.

**Stained glass—Duty free:** Authorized Secretary of Treasury to admit duty free, stained glass, prefabricated panels and other items imported for use in certain churches. Public Law 87-572.

**Coconut and palm oils:** Suspended to June 30, 1966, the processing tax on coconut and palm oils. (H.R. 5260.) (Public Law 87- .)

**Bicycles:** Provided a more definitive tariff classification description for lightweight

bicycles to preclude middleweights from coming in as lightweights. (H.R. 8938.) Public Law 87- .

Corkboard—Duties: Provided a temporary suspension of duties on corkboard, water-proofed cloth, and other items. (H.R. 12213—in conference.)

Design protection: Granted protection against copying original designs. (S. 1884.)

Disasters: Authorized taxpayers in any disaster area declared as such by the President of the United States to charge off their casualty losses on the preceding year's tax return when the disaster happens after January 1 and before the time prescribed by law for filing their income tax returns. Public Law 87-426.

Unpatented mining claims: Granted Secretary of Interior discretionary authority to alleviate hardships by permitting persons who reside on mining claims and were in possession at least 7 years prior to July 23, 1962, to continue to maintain this residence as a home even though the claim has been invalidated or relinquished. (S. 3451.) Public Law 87- .

Copyright extension: Continued through December 31, 1965, the renewal term of any copyright subsisting on the date of approval of this measure where the renewal term would otherwise expire prior to December 31, 1965. Public Law 87-668.

War claims: Authorized payments to Americans who lost property abroad during World War II and permitted the Government to sell General Aniline & Film Corp. seized during the war as German owned. (H.R. 7283.) Public Law 87- .

Real estate loans: Increased the aggregate real estate loan limitation from 60 to 70 percent of a bank's time and savings deposits. Public Law 87-117.

Consumer finance companies: Excluded certain lending companies engaged in the consumer finance business from the personal holding company tax. Public Law 87-768.

Witness per diem increase: Increased per diem of witnesses in a court proceeding, or required to appear before a U.S. commissioner or before a person authorized to take a deposition from \$4 to \$6 a day; increased mileage fee to 10 cents and subsistence to \$10 a day. (S. 2949.)

Savings-and-loan loans on apartment houses: Authorized federally insured savings and loan associations to invest more of their assets in apartment buildings. Existing law requires these associations to include apartment loans with certain other loans in a group which cannot exceed 20 percent of their assets. This act allows the Federal Home Loan Bank Board to authorize them to invest up to 15 percent of their assets in apartment loans. Public Law 87-779.

#### Trade and communications economy 1961

Foreign trade: Expanded Commerce Department services to importers and exporters and accelerates programs to promote foreign trade. (S. 1729.)

Ship trade-ins: Liberalized the law regarding obsolete trade-ins by authorizing the Federal Maritime Commission to take trade-ins either when the owner signs the contract for construction or purchase of a new vessel or (at the owner's option) within 5 days of the delivery date of the new vessel. Public Law 87-401.

Dual-rate shipping: Permanently legalized the operation of steamship conferences and dual systems of contracts for shippers and strengthened the antimonopoly provisions. Public Law 87-34.

Steamship operators: Authorized steamship operators under subsidy contracts to use part of their required reserve for research and planning. Public Law 87-271.

Broadcasting: Liberalized antitrust law to validate certain contracts for television

broadcasting of professional sports games. Public Law 87-331.

Duty-free allowance: Reduced the duty-free exemption from \$500 to \$100 through June 30, 1963, to counter our unfavorable balance of payments. Public Law 87-132.

AEC sales: Accelerated property sales to stimulate the economic growth of atomic energy communities. Public Law 87-174.

Metal scrap: Extended to June 30, 1962, the existing suspension of import duties on metal scrap. Public Law 87-110.

Corporate excise extension: Extended for an additional year the existing 52-percent corporate income tax rate, excise tax rates on automobiles, liquor, and tobacco, and taxes on local telephone calls and passenger transportation, thus preventing a loss of revenue of some \$2.5 billion. Public Law 87-72.

Clay and shale—Tax treatment: Permits miners of clay and shale to include as a depletion allowance the process of manufacturing brick and tile. Public Law 87-312.

Income-tax returns: Curbed tax evasion by assigning identifying numbers of all taxpayers. Public Law 87-397.

Unemployment tax credits: Prevented double taxation in the case of Federal and State unemployment taxes arising as a result of a technical deficiency in the Federal tax law. Public Law 87-321.

Federal savings and loan: Strengthened the Federal Home Loan Bank Act and the National Housing Act by increasing the reserves and cutting the overcapitalization of the Federal Savings and Loan Insurance Corporation created as a reserve credit facility for savings and home mortgage credit institutions. Public Law 87-210.

#### 1962

Trade Expansion Act of 1962: Gave the President general authority to cut all tariffs as much as 50 percent over the next 5 years; empowered him to remove tariffs as much as he believes desirable on products in which the United States and Western Europe account for most of the world trade; permitted the President to negotiate tariff reductions on entire categories of commodities instead of item by item as at present; established a new program of subsidies to serve as a substitute for tariff protection for workers and companies hurt by import competition; prohibited the United States from granting tariff concessions to Poland and Yugoslavia and eliminated present concessions to these nations; and removed the peril-point provision of present law which empowers the Tariff Commission to recommend minimum safe tariffs on specific items prior to international trade negotiations, and authorizes the Commission only to advise the President on the probable economic effect of any proposed trade agreement action. Public Law 87-794.

All-channel television receivers: Authorized Federal Communications Commission to require all television receivers shipped in interstate commerce or imported into the United States must, at the time of manufacture, be capable of adequately receiving all TV channels. Public Law 87-529.

Supplemental air carrier: Authorized the CAB to limit the number of supplemental carriers, to require performance books, and prescribe the minimum service which must be provided under a supplemental certificate. Public Law 87-528.

Alaska highway study: Authorized \$800,000 for a study of Alaska highways with a report to Congress by May 15, 1963. (S.J. Res. 137—House Calendar.)

Alaska-Hawaii through routes: Established through routes and joint rates for carriers serving Alaska or Hawaii and the other States. Public Law 87-595.

Vessel loadlines: Established new loadline regulations for oceangoing and coastwise

vessels with increased penalties for violations. Public Law 87-620.

Gas rates: Granting Federal Power Commission authority to suspend changes in gas-rate schedules covering sales for industrial use only. Public Law 87-454.

Maritime medical care: Restored to self-employed U.S. fishermen eligible for medical care in hospitals, outpatient clinics, and other medical facilities of the Public Health Service in the event of illness and injury incurred while engaged in their hazardous but essential occupation. (S. 367.)

Western Union: Eliminated from the Communications Act the requirement that Western Union divest itself of its international telegraph operations. (S. 3646.)

Patent interferences: Requires that all agreements settling patent interference proceedings be filed with the Patent Office. (H.R. 12513.) Public Law 87- .

Civil aircraft: To ease aircraft financing, this bill provided for recording security conveyances of interests in civil aircraft and making these records valid throughout the United States. (S. 2773.)

Fishermen taxation: Permits fishermen to file their declaration of estimated tax and paying the estimated tax by January 15 after the end of the year in question. This privilege will begin after tax years beginning December 31, 1962. Public Law 87-682.

Aircraft accidents: Provided express authority in the Federal Aviation Act to facilitate the investigation of aircraft accidents. (S. 962.) Public Law 87- .

Aircraft loan guarantees: Extended the aircraft guarantee loan program an additional 5 years to September 7, 1967, and increased the amount of the loans from \$5 to \$10 million except for all-cargo carriers— which amount is \$15 million. (H.R. 10129—in conference.)

Railway Express: Exempted the Railway Express Agency, Inc. from the long- and short-haul rate provision of the Interstate Commerce Act. Public Law 87-707.

Intrastate motor carriers: Authorizes the Interstate Commerce Commission to grant the right to common motor carriers operating within a single State to engage in interstate, or foreign operations within the State. (S. 320.) Public Law 87- .

Vessel subsidy—Extension: Extended to July 7, 1965, authority to pay maximum of 55-percent subsidy for construction of vessels whose keels were laid after June 30, 1959. (H.R. 11586—in conference.)

Construction subsidized vessels: Permitted vessels built with construction differential subsidy to secure war-risk insurance coverage at their normal commercial value as determined by Secretary of Commerce. (S. 2829.)

Trademarks—Registration and protection: Broadened the provisions of the Trademark Act of 1946 relating to improper use of a mark to include instances where use would cause confusion; and clarified the administrative and court procedure. Public Law 87-772.

Contract carriers: Permitted contract motor carriers to be designated as carriers of bonded merchandise for purposes of the custom laws. (H.R. 5700.) Public Law 87- .

Railroads—Tax relief: Permitted any regulated transportation company to spread its net operating loss over 7 succeeding years in computing its taxable income. Public Law 87-710.

Potomac River compact: Granted congressional approval for the States of Maryland and Virginia to enter into the Potomac River compact which created the Potomac River Fisheries Commission to regulate taking seafood and fish from the Potomac between the District line and the Chesapeake Bay. Public Law 87-783.

Washington metropolitan transit compact: Granted congressional approval to four

amendments adopted by Maryland and Virginia to the Washington metropolitan area transit regulation compact between Maryland, Virginia, and District of Columbia. One amendment enlarges the metropolitan area to include Dulles International Airport; all cities incorporated with the metropolitan district subsequent to the effective date of the compact are to become part of the metropolitan district; limits the jurisdiction of the Transit Commission to the metropolitan district; and provides for the submission of the annual report on a fiscal year basis instead of calendar year. Public Law 87-767.

#### DEFENSE AND SPACE EXPLORATION AREAS 1961

**Ready Reserves:** Granted authority, requested by the President, to call to active duty up to 250,000 ready reservists, authority to continue until July 1, 1962; and to grant discretionary authority to the Secretary of Defense to extend enlistments, appointments, and other service obligations up to 12 months, which would otherwise expire on July 1, 1962. Public Law 87-117.

**Allen enlistment:** Authorized peacetime enlistments in the Army and Air Force by persons who have been lawfully admitted to the United States for permanent residence. Public Law 87-143.

**Military procurement:** Authorized \$12.4 billion procurement program for aircraft, missiles, and naval vessels for fiscal 1962. Public Law 87-53.

**Military:** Clarified the reemployment provisions of the Universal Military Training and Service Act. Public Law 87-391.

**Additional military procurement authorizations:** As requested by the President, authorized additional funds to provide for additional equipment primarily to improve the nonnuclear defense capabilities of our ground forces and of the Navy and Air Force; to provide increased air and sea lift; and to expand our antisubmarine warfare program. The overall request for additional authorization for procurement of weapons, equipment, and ammunition was for \$1,753 million; however, of this amount, additional authorizations are required only for \$958,570,000. Public Law 87-118.

**Military construction:** Authorizes \$831 million for construction and improvement projects at military bases at home and abroad, including missile sites and nuclear submarine bases. Public Law 87-57.

**Aeronautics and Space Council:** Reactivated and strengthened the usefulness of the Aeronautics and Space Council, and provided that it be administered by the Vice President. Public Law 87-26.

**NASA authorization:** Authorized \$1,784,300,000 for the National Aeronautics and Space Agency. Public Law 87-98.

**Civil aviation insurance:** Extended until 1966, for 5 years, title XII of the Federal Aviation Act of 1958, to provide that in the event of war the Nation's civil air fleet would have adequate insurance coverage for war risks. Public Law 87-89.

**War hazards:** Increased monthly disability and death compensation payable under the War Hazards Compensation Act. Public Law 87-380.

**Military:** Amended the Uniform Code of Military Justice to provide specific authority for prosecution of bad check offenses. Public Law 87-385.

**Marine Corps:** Improved the combat effectiveness of the Marine Corps by providing for the expanded assignment of supply-duty-only officers to unrestricted duty. Public Law 87-123.

**Emergency evacuation:** Provided for advances in pay to Armed Forces personnel in cases of emergency evacuation of dependents from overseas areas. Public Law 87-188.

**Coast Guard—Temporary appointments:** Extended to January 1, 1964, the authority of the President to make temporary ap-

pointments in the Coast Guard, or until such time as the Secretary of the Treasury determines that the number of officers holding permanent appointments on the active list of the Coast Guard is equal to 95 percent of the number authorized by law. Public Law 87-257.

**AEC authorization:** Authorized \$270,440,000 for a total of 40 new AEC projects including the Stanford linear electron accelerator and electric generating facilities. Public Law 87-315.

**AEC omnibus amendments:** Enacted numerous amendments to the AEC Act designed to provide a better framework and to help us keep pace with emerging developments in atomic energy. Amendments included the transfer of 3 kilograms of plutonium and 500 grams of uranium 233 to the International Atomic Energy Agency to aid in the prestige of the LAEA as a center for distribution of special nuclear materials, and the transfer of 8 additional kilograms of plutonium and 30 kilograms of uranium 233 to Euratom for research purposes and to help start an experimental plan for reprocessing fuel elements. Public Law 87-206.

**Air Force promotions:** Provided a temporary program through June 30, 1963, for promotion for all active duty Air Force officers below the grade of colonel. Public Law 87-194.

**Reserves:** Provides more flexible regulations regarding terms of enlistment in the National Guard to make service in that unit more attractive, and other changes include making ROTC graduate training program run from 3 to 6 months at the discretion of the service Secretary. Public Law 87-378.

#### 1962

**Ready Reserves:** Gave President standby authority to call 150,000 military reservists to active duty if an international crisis should require it. Public Law 87-736.

**Berlin resolution:** Approved a concurrent resolution putting Congress on record for any action, including the use of military force, needed to uphold Western rights in Berlin. Adopted unanimously by both Houses.

**Cuban resolution:** Approved a resolution on Cuba stating the United States will use force if necessary to halt the spread of communism in this hemisphere. Public Law 87-733.

**Military procurement:** Authorized \$12,969,300,000 for the procurement of aircraft, missiles, and naval vessels during fiscal 1963. Public Law 87-436.

**Military construction authorization:** Authorized \$1,455,672,500 for construction and related authority for the military departments and the Department of Defense. Public Law 87-554.

**Space authorization:** Authorized \$3.7 billion for National Aeronautics and Space Administration for fiscal 1963. Public Law 87-584.

**Communications satellite system:** Established Communications Satellite Corporation, subject to Government regulation, to plan and operate with foreign governments and businesses a commercial communications satellite system. Public Law 87-624.

**AEC authorization:** Authorized appropriations of \$242,695,000 for AEC construction projects; of this amount \$159,415,000 was authorized for 42 new projects; authorized AEC to contract with Washington Public Power Supply System for sale of byproduct steam under certain conditions and for construction of electric generating facilities in connection with AEC's atomic reactor in Hanford, Wash. Act stipulates that sale of Hanford steam must provide a substantial financial return to the Treasury, any modification of the reactor for utilization of the steam must be paid by the purchaser of the steam, and the Senate-House Atomic Energy Committee must be given an opportunity to review the contract before the Government

signs it. If these and other conditions are not met, the steam cannot be sold. Public Law 87-701.

**AEC amendments:** Amended Atomic Energy Commission Act of 1954 by authorizing establishment of one or more atomic safety and licensing boards; provided Government indemnity coverage for oversea nuclear accidents involving contractors or subcontractors of AEC and limited oversea coverage to \$100 million. Public Law 87-615.

**Armed services procurement:** Amends the Armed Services Procurement Act of 1947 controlling procurement of property and services by the Armed Forces and NASA—to encourage procurement by formal advertising; to obtain more competition in negotiated procurement; and to provide safeguards for the Government against inflated cost estimates in negotiated contracts. Public Law 87-653.

**Quarters allowance for the military:** Increased the basic quarters allowance for military career people, from corporal to general, in order to meet the increased cost of housing in the civilian market; and increased the housing allowance for dependents of temporary military personnel. Public Law 87-531.

**Armed Forces travel expenses:** Increased to \$16 (now \$12) a day the maximum per diem allowance in lieu of subsistence for members of the Armed Forces. Public Law 87-500.

**Southern interstate nuclear compact:** Granted congressional consent to southern interstate nuclear compact which will establish a regional agency, the Southern Interstate Nuclear Board, to develop and control peaceful uses of nuclear energy throughout the compact area. Public Law 87-563.

**Army reorganization:** Approved plan to reorganize the command and management structure of the Army. Effective February 17, 1962.

**Public facility loans:** Makes certain federally impacted areas in which there is located a research or development installation of the National Aeronautics and Space Administration eligible for a loan under the public facility loan program. Public Law 87-634.

**Amorphous graphite:** Extended to June 30, 1964, the present suspension of duties on amorphous graphite; the extension is necessary because the United States is dependent entirely upon imports of this type graphite for certain strategic items required by the Air Force. Public Law 87-497.

**Defense production extension:** Extended to June 30, 1964, the remaining powers of the President under the Defense Production Act of 1950, to establish priorities for defense contracts; power to allocate materials for defense purposes. Public Law 87-505.

**Renegotiation Act extension:** Extended to June 30, 1964, the authority of the Government to recapture excessive profits on certain Government contracts. Public Law 87-520.

**Civil defense emergency authorities extended:** Extended to June 30, 1966, the provision of title III of the Civil Defense Act which authorized the President to declare a national emergency for civil defense purposes and to assume emergency powers during such an emergency. Public Law 87-501.

**Reserves—Lump-sum payments:** Equalized the treatment between "Reserves" and "Regulars" by increasing the readjustment payments to 2 months' basic pay for each year of active duty for a Reserve member released after 5 years' active duty; and authorized maximum readjustment of 2 years' basic pay or \$15,000, whichever is lesser. Public Law 87-509.

**Armed Forces—Educational opportunities:** Permitted qualified members of armed services and Public Health Service to accept, from nongovernmental sources, competitive fellowships, scholarships, or grants for educational purposes. Public Law 87-555.

World War I emergency officer retirement: Reopened the emergency officers' retirement program to permit a limited group of former World War I emergency officers to apply for and receive the benefits of that program. (H.R. 8517.) Public Law 87-

Retired officers: Repealed the law which imposed a lifetime ban on retired Navy and Marine Corps officers selling supplies and war materials to the Navy Department. Public Law 87-777.

Service academies: Authorized Secretaries of Army and Air Force to appoint up to 250 additional cadets under the qualified alternate system; 95 percent to come from congressional sources. Purpose is to permit cadet corps at each academy to be at full strength at end of academic year immediately prior to graduation. (H.R. 7913—in conference.)

Nonjudicial punishment: Amended article 15 of the Uniform Code of Military Justice to give increased authority to designated commanders in the Armed Forces to impose nonjudicial punishment; the increased authority will enable them to deal with minor disciplinary problems and offenses without resort to trial by court-martial. Public Law 87-648.

Diplomatic radio stations: Granted authority to license a foreign government to operate low-power point-to-point radio stations in the District of Columbia to transmit messages to points outside the United States whenever the President considers it to be in the interest of national security. (H.R. 11732.) Public Law 87-

#### INTERNATIONAL AREA 1961

Foreign assistance authorization: Authorized a total appropriation of \$4,253,500,000 for fiscal 1962; a long-term (5 year) Development Loan Fund program authorizing an appropriation of \$1.2 billion for fiscal 1962 and \$1.5 billion for each fiscal year from 1963 to 1966; and established a new foreign aid agency. Public Law 87-195.

Latin American aid: Appropriated \$600 million for Latin American aid program, which includes \$100 million in disaster relief for Chile, \$394 million for loans by the Inter-American Development Bank, \$6 million for social and economic programs of the Organization of American States, and \$100 million for loans and grants by the International Cooperation Administration. Public Law 87-41.

OECD: Ratified the creation of the Organization for Economic Cooperation and Development consisting of 18 European member nations, the United States, and Canada, to promote economic stability and an orderly growth of the economies of the member states.

OECD—Permanent representation: Authorized the President to appoint, subject to Senate confirmation, a permanent representative of the United States to the Organization for Economic Cooperation and Development, and provided for the cost of U.S. participation in OECD including salaries of the American representative and his staff. (U.S. share is 25 percent of the OECD budget which will run to about \$5 million annually.) (S. 2423.)

Battle Act revision: Strengthen U.S. policy abroad by authorizing the President to permit economic aid to Iron Curtain countries, except the Soviet Union and Communist-held areas of the Far East, when he considers it important to U.S. security. (S. 1215.)

Foreign bank tax exemption: Exempted foreign central banks from payment of taxes in this country on interest accrued from ownership of U.S. Government securities not used or held for commercial purposes. Public Law 87-27.

Peace Corps: Carried out the President's recommendation to establish a Peace Corps of American volunteers to carry America's

skills and talents and idealism abroad to help other peoples to help themselves. The Peace Corps is designed to provide the framework through which America's idealism, her humanitarianism, and her generosity can find a personal expression in the task of helping to build with our own hands a better world for our mankind. Public Law 87-293.

Disarmament: Established a U.S. Arms Control and Disarmament Agency to deal with the problem of reduction and control of armaments looking toward ultimate world disarmament. Public Law 87-297.

U.S. Travel Service: Established a U.S. Travel Service in the Department of Commerce to promote and encourage tourist travel from abroad. Public Law 87-63.

Surplus as aid: Authorized disposal of additional \$2 billion in surplus commodities under the Agricultural Trade Development and Assistance Act. Public Law 87-27.

Sugar Act: Extended the Sugar Act of 1948 for 15 months to June 30, 1962, fixing quotas of domestic and foreign producers; and continuing the President's authority to exclude Cuban sugar imports and reallocate its quota. Public Law 87-15.

Agricultural aid: Authorized the administration to continue and expand the use of our agricultural abundance in helping needy people in the less-developed countries through development programs under title II of Public Law 480, Agricultural Trade Development Act. Public Law 87-92.

Alien Orphan Adoption Act: Made permanent and expanded the Alien Orphan Adoption Act which permits orphans adopted or to be adopted by U.S. citizens to enter the country on nonquota visas. Public Law 87-301.

Repatriation assistance: Enacted an emergency 1-year repatriation assistance program to provide temporary assistance to U.S. citizens and dependents of U.S. citizens returning from abroad without available resources. Aid can consist of money payments, medical care, temporary billeting, or other goods or services needed for the health and welfare of the recipients. Public Law 87-64.

Caribbean Organization: Authorized the President to accept on behalf of the United States the agreement establishing the Caribbean Organization; the participation of Puerto Rico and the Virgin Islands in the Organization; made available to the Organization the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act; and authorized the Secretary of State to appoint a U.S. observer to the Organization. (Organization is to concern itself with social, cultural, and economic matters of common interest to the Caribbean area.) Public Law 87-73.

Fulbright Act: Authorized legally classified American nationals to qualify and receive financial assistance under the Fulbright Act for advanced education abroad. Public Law 87-153.

Cultural exchange: Consolidated all cultural and educational exchange programs in an effort to promote these programs to a more important position in our foreign relations. The exchange programs combined are the Fulbright Act, the Smith-Mundt Act, the Finnish Debt Payments Act, the Mutual Security Act of 1954, as amended, the Agricultural Trade Development and Assistance Act of 1954, and the International Cultural Exchange and Trade Fair Participation Act of 1956. Public Law 87-256.

U.S. food reserve: Expressed an interest in exploring with other nations the possibility of establishing an international food and raw materials reserve under the United Nations and related international organizations to acquire and store in appropriate countries raw or processed farm products and other raw materials exclusive of minerals. (S. Res. 128.) Adopted June 1, 1961.

Export-Import Bank: Authorized Export-Import Bank to guarantee and insure U.S. exporters and importers against political and credit risks of loss in foreign countries. Public Law 87-311.

Red China: Expressed as the sense of the Congress that—

1. The United States should continue to support the Government of the Republic of China as the representative of China in the United Nations;

2. The United States shall continue to oppose seating of the Chinese Communist regime in the U.N. so long as that regime persists in defying the principles of the U.N. Charter; and

3. The American people support the President in not according diplomatic recognition to the Chinese Communist regime.

International Finance Corporation amendment: Amended the charter of the IFC to allow purchase of capital stock to encourage private investment in underdeveloped countries by creating a wider flexibility of financing to meet the varying needs of private enterprise. Public Law 87-185.

Mercy fleet: Supported the establishment by the President of a White Fleet—a force of mercy ships to assist in disaster areas in any coastal region of the world, as well as to carry on a regular program of logistics support in the public health field and other works of technical assistance.

Inter-American Children's Institute: Continued U.S. participation in and contributions to the Inter-American Children's Institute. Public Law 87-365.

NATO: Extended through June 30, 1962, the life of the U.S. Citizens Commission on NATO, a Commission established to explore means of increasing cooperation and unity of purpose among NATO countries. Public Law 87-116.

United States-France: Provided immediate effectiveness for atomic cooperation for mutual defense purposes between the United States and France. Public Law 87-363.

Loans to friendly nations: Authorized loan of naval vessels to certain friendly nations. Public Law 87-387.

#### 1962

Foreign aid authorization: Authorized \$1.2 billion in foreign aid for fiscal 1963 for development grants, investment guarantees, investment surveys, international organizations and programs, supporting assistance and the contingency fund, and \$2.4 billion over a 4-year period for the Alliance for Progress, which includes \$600 million for fiscal 1963. Public Law 87-565.

International Monetary Fund: Granted the Secretary of the Treasury standby authority to lend up to \$2 billion to the International Monetary Fund so that 10 industrialized nations, including the United States, can participate in a special lending program. Public Law 87-490.

Peace Corps: Authorized \$63,750,000 to finance the operations of the Peace Corps during fiscal 1963. (Forty million dollars was authorized last year but only \$30 million appropriated.) Public Law 87-442.

U.N. bonds: Authorized an appropriation of \$100 million for a loan to the U.N. on a dollar-for-dollar matching basis with other nations for the purchase of U.N. bonds to ease the financial crisis caused by the Congo. Public Law 87-731.

Migration and Refugee Assistance Act: Assists in the resettlement of refugees and escapees by authorizing the President to participate in three programs: contributions to the Intergovernmental Committee for European Migration (ICEM); contributions to the U.N. High Commissioner for Refugees (UNHCR); and the U.S. escapee program (USEP). Establishes specific authority to assist Cuban refugees who have come to the United States. Public Law 87-510.

Philippine war damage claims: Authorized an appropriation of \$73 million for unpaid

balance of awards made to claimants under the Philippine Rehabilitation Act of 1946; payments to be made only to claimants or their successors in interest; no new claims will be allowed. Public Law 87-616.

Naval Academy: Authorized admission of two citizens of Belgium to the Naval Academy on a reimbursable basis. Public Law 87-463.

Air Force Academy: Authorized admission of a citizen of Thailand to the Air Force Academy on a reimbursable basis. Public Law 87-462.

Military academies: Authorized appointment of a person from Guam, Virgin Islands, or American Samoa to each of the three military academies. Public Law 87-663.

Inter-American Development Bank: Authorized domestic insurance companies to invest in bonds, notes, or other evidences of indebtedness of the Inter-American Development Bank. Public Law 87-739.

Ryukyu Islands: Increased from \$6 to \$12 million the authorization of funds for economic development in the Ryukyu Islands. Public Law 87-746.

World Food Congress: Authorized up to \$300,000 to defray the expenses of organizing and holding a World Food Congress in the United States in June of 1963, to help combat the international problem of hunger and malnutrition. (S. 3679.) Public Law 87-746.

Foreign Service Buildings Act: Authorized an appropriation of \$53.9 million for a 2-year Foreign Service building construction and rehabilitation program abroad. (H.R. 11880—in conference.)

Copyrights-trademarks-films: Copyrights and trademarks vested under Trading With the Enemy Act authorized to be returned to entitled persons subject to certain vested rights; authorized transfer of vested motion picture films of Library of Congress. (H.R. 9045.) Public Law 87-746.

#### Treaties

1961

Belgium treaty: Ratified a commercial treaty with Belgium to provide protection for property and interests of American citizens and companies in Belgium and to assure fair and nondiscriminatory treatment in commercial, industrial, and financial activities, in return for like assurances in the United States.

Brazil: Ratified a treaty of extradition with Brazil.

Columbia River: Ratified a treaty between the United States and Canada for cooperative development of the Columbia River.

Geneva radio regulations: Ratified the Geneva radio regulations containing a number of provisions relating to the international regulation of radio communication to assist the United States in carrying out its scientific efforts in radio astronomy and space research.

German war bonds: Ratified a second agreement with Germany for the validation of East German dollar bonds to enable owners of these bonds to establish they were acquired from legitimate sources and not through Soviet sources in Berlin at close of World War II.

International Telecommunications Convention: Ratified Executive J which continues in effect the principal provisions of the International Telecommunications Convention to maintain and extend international cooperation of the improvement and rational use of telecommunications of all kinds.

Loadline: Ratified a modification to the International Load Line Convention.

Oil pollution: Ratified the International Convention for the Prevention of Pollution of the High Seas by Oil.

Vietnam treaty: Ratified a commercial treaty with Vietnam to provide protection for property and interest of American citi-

zens and companies in Vietnam and to assure fair and nondiscriminatory treatment with respect to engaging in commercial, industrial, and financial activities, in return for like assurances in the United States.

Pollution of sea by oil: Implemented the International Convention for the Prevention of the Pollution of the Sea by Oil, which prohibits discharge of oil from tankers and imposes fines and penalties for violations. Public Law 87-167.

1962

Ratified a 3-year extension, to July 31, 1965, of the wheat agreement: The agreement, which supersedes a pact due to expire July 31, embraces 25 wheat importing countries and 10 exporters including the United States. (July 9, 1962.)

ICAO: Ratified an amendment to the International Civil Aviation Convention increasing the size of the ICAO Council from 21 to 27 members. (January 31, 1962.)

IAEA: Ratified amendment enlarging the Board of Governors of the International Atomic Energy Agency from 23 to 25 members. (March 13, 1962.)

WMO: Ratified amendments to the World Meteorological Organization increasing the membership of the Executive Committee of the Organization and eliminating an inconsistency relative to voting on membership. (March 13, 1962.)

Tax treaty: Ratified a tax convention between the United States and Canada. (January 31, 1962.)

NAFC: Ratified a declaration of understanding to the Northwest Atlantic Fisheries Convention. (January 31, 1962.)

SOLAS Convention: Ratified the 1960 Safety of Life at Sea Convention which was signed by our Government and 39 other governments to promote maritime safety. (April 12, 1962.)

Luxembourg: Ratified a commercial treaty between the United States and Luxembourg to provide an agreed basis for protection of property and interests of American citizens and companies in Luxembourg with reciprocal rights for Luxembourg's citizens in the United States. (September 19, 1962.)

#### HEALTH AND SOCIAL PROBLEMS

1961

National Advisory Council on Migratory Labor: Established a 15-member Council to advise the President and Congress on the operation of Federal law, regulations, programs, policies, and all other matters relating to migratory agricultural labor to provide a better understanding of conditions, needs, and long-range solutions of this problem. (S. 1132—House Calendar.)

Community health services: Expanded and improved community health services and facilities for the health care of the aged, construction of nursing homes, and training of public health personnel. Public Law 87-395.

Mass transit: Authorized a new \$75 million program to help overcome commuting problems in cities; \$25 million is authorized for demonstration grants (covering up to two-thirds of project cost) for projects to explore ways of overcoming mass transit problems; \$50 million is authorized for low-interest loans to public bodies for acquiring, constructing, and improving transportation facilities and equipment. Public Law 87-70.

1962

Drugs: Strengthened Federal regulation under the Federal Food, Drug, and Cosmetic Act to provide consumers with better, safer, and less expensive drugs. Public Law 87-781.

Vaccination Assistance Act of 1962: Authorized a 3-year program of special project grants to States and, with State approval, to local communities to pay part of the cost of intensive vaccination programs against four contagious diseases—polio, diphtheria, whooping cough, and tetanus. (H.R. 10541.) Public Law 87-70.

Major disasters: Authorized assistance to be given by the Federal Government to Guam, American Samoa, and the Trust Territory of the Pacific Islands in case of a national disaster. Public Law 87-502.

Community facilities: Increased from \$7.5 to \$15 million the appropriation authorization for the Trust Territory of the Pacific Islands to permit construction of needed hospitals, utility systems, and school buildings as well as the political and economic development of the area. Public Law 87-419.

Public facility loans: Provided eligibility to Indian tribes for assistance under the public facility loan program, title II of the Housing Amendments of 1955. Under present law, eligibility for loans under the public facility loan program is limited to "municipalities and other political subdivisions and instrumentalities of States." This provision has been interpreted as not including Indian tribes which resulted not only in discrimination but an inconsistency since all tribes are eligible for low-rent public housing, housing for the elderly, and assistance under the Area Redevelopment Act. (S. 2454.) Public Law 87-746.

American Samoa: Extended to American Samoa the application of our laws relating to agriculture, vocational training, school lunch, public health, and library services—to promote the welfare of the territory. Public Law 87-688.

Air pollution control study: Extends to June 30, 1966, and authorizes up to \$5 million annually in appropriations for a continuation of the present study being conducted by the Surgeon General of the Public Health Service and the Secretary of the Department of Health, Education, and Welfare, in conjunction with various State agencies into the causes, effects, and ways to abate air pollution with special emphasis on the effects of automobile exhaust fumes. Public Law 87-761.

National school lunch funds: Revised the formula for apportioning cash assistance funds to States in the school lunch program to base it on the number of lunches served the previous year plus the assistance-need-factor instead of the present system of number of children aged 5 to 17 plus the assistance-need factor. (H.R. 11665.) Public Law 87-746.

Public health: Authorized establishment within PHS a National Institute of Child Health and Human Development and a National Institute of General Medical Sciences. (H.R. 11099.) Public Law 87-746.

Children of migrant workers: Authorized an annual grant of \$750,000 to States having large number of migratory farmworkers to help provide day-care facilities for the children. (H.R. 12213—in conference.)

Migratory health services: Authorized \$3 million annually in Federal grants to public or nonprofit agencies and organizations for paying part of the cost of establishing and operating family health clinics and special health projects for domestic migratory farm families. Public Law 87-692.

Anthracite coal resources: Broadened the Federal-State program to include filling or sealing abandoned anthracite coal mines as a safety and public health device. (H.R. 4094.) Public Law 87-746.

Nonquota immigrant status: Provided non-quota status for certain first preference quota immigrants needed urgently in the United States because of their education, training, experience, skills, and abilities and also for certain fourth preference quota immigrants such as brothers, sisters, married sons, or married daughters of citizens of the United States including spouses and children. (S. 3361—in conference.)

#### CRIMINAL LAWS STRENGTHENED

1961

Circuit judges: Created 73 additional U.S. district and circuit court judgeships to help

ease the present workload and overcrowded court calendars. Public Law 87-36.

Tax Court judges' widows and dependent children: Provided a system of annuities for the surviving widows and dependent children of judges of the Tax Court of the United States. Public Law 87-370.

Judgment and compromise settlement: Provided for the swift payment of judgments and compromise settlements against the U.S. Government won by State and foreign claimants. Public Law 87-187.

Jury commissioners: For the first time since 1884, increased the fees of jury commissioners in the U.S. district courts from the present \$5 to \$10 per diem for each day employed in the performance of duties. (S. 1899.)

Agency investigations: Prohibits obstruction of any lawful inquiry or investigation by the Department of Justice or Treasury and strengthens prohibitions against injuries to persons furnishing information in connection with the inquiry. (S. 1665.)

Racketeering enterprises: Prohibits the use of the mail or any transportation in interstate or foreign commerce for the purpose of distributing the proceeds of any unlawful activities (business enterprises involving gambling, bootlegging, narcotics, etc.) Public Law 87-228.

Transmission of bets: Forbids the use of wire communications (telephone, telegraph, or any other means of interstate wire communications) for gambling. Exempts information carried for use of the press and wireless communication. Public Law 87-216.

Wagering paraphernalia: Prohibits interstate transportation of wagering paraphernalia for bookmaking, wagering pools, numbers games, or similar games carried by means other than common carrier in the usual course of its business, but allows transportation of equipment from a State where it is manufactured into a State where parimutuel betting is legal. Public Law 87-218.

Felons: Extended Fugitive Felon Act to all felonies. Public Law 87-368.

Espionage: Extended laws against espionage and censorship to acts committed anywhere in the world. Public Law 87-369.

Tax stamps: Made it a Federal crime to transport fraudulent State tax stamps in interstate commerce. Public Law 371.

Plane hijacking: Made airplane hijacking a Federal crime subject to a possible death penalty. Public Law 87-197.

Aircraft claims: Authorized immediate payment of up to \$1,000 to anyone who might suffer injury or personal damages as a result of an accident involving military aircraft or missiles. Public Law 87-212.

#### 1962

Gambling devices: Broadened the definition of gambling devices to cover additional types of machines manufactured for gambling purposes, and requires detailed records of all such devices shipped in interstate commerce. (S. 1658.) Public Law 87- .

Antitrust: Authorized Department of Justice to demand the records of business firms under investigation for possible use in antitrust cases. Public Law 87-664.

Smith Act amendment: Defines and clarifies the term "organize" as used in the Smith Act of 1940 to make it apply to continuing as well as original Communist activities. Public Law 87-486.

Juvenile delinquents: Requires juveniles adjudged delinquents be committed to the custody of Attorney General for observation and study and that a full report be submitted within 60 days by the Bureau of Prisons. Public Law 87-428.

Guam: Extend to Guam power to enter into interstate compacts to enforce criminal laws and policies of the States. Public Law 87-406.

Vending-machine slugs: Broadened the Federal criminal law dealing with the manufacture and sale of slugs and similar devices which could be used in lieu of coins in vending machines. Public Law 87-667.

District court jurisdiction: Makes it possible to bring actions against Government officials and agencies in U.S. district courts outside the District of Columbia which, because of certain limitations on jurisdiction and venue, could formerly be brought only in the U.S. District Court for the District of Columbia. Public Law 87-748.

Torts: Provided for the recovery by the Government of the value of hospital care furnished to an individual tortiously injured by a third party. Public Law 87-693.

Sports—Bribery: Made it a criminal offense to influence by bribery the outcome of sports contests through schemes which make use of interstate or foreign commerce facilities. (S. 2182.)

Federal-State law enforcement: Authorized further cooperation with the States in administering and enforcing Federal laws. Public Law 87-718.

Adoption of minors: Imposing criminal penalties on persons trafficking for profit in interstate commerce in placing, or in arranging for placement of, children for adoption or permanent free care. (S. 654.)

Trafficking in phonograph records: Provided a criminal penalty for counterfeiting phonograph records and labels. Public Law 87-773.

#### WELFARE AND GENERAL GOVERNMENT AREAS

##### Education and training

#### 1961

Aid to education: Enacted a \$2,550 million 3-year Federal-aid-to-education program for school construction and increasing teachers salaries. (S. 1021.)

Impacted areas—NDEA extensions: Enacted bill which extends for 2 years, until June 30, 1963, Federal assistance to help build schools in districts burdened with substantial increases in their school memberships due to Federal activities, and authorizes an additional \$20 million for this purpose. Also, extended for 2 years, until June 30, 1964, the provisions of the National Defense Education Act, passed in 1958, to stimulate a nationwide effort to strengthen instruction in science, mathematics, and modern foreign languages. Public Law 87-344.

College housing: Increased the loan authorization by \$300 million for each of the 4 years beginning July 1, 1961, through 1964. Public Law 87-70.

Educational opportunities for migratory farm families: Authorized a 5-year program to aid in educating children of migratory workers. The Federal Government is to pay 100 percent of the program the first 2 years and the States and Federal Government will match costs for the next 3 years. (S. 1124.)

Freedmen's Hospital: Transfers Freedmen's Hospital to Howard University as its teaching hospital. Public Law 87-262.

Juvenile delinquency: Authorized a program of Federal grants to communities and nonprofit agencies of \$10 million a year for 3 years to aid in financing projects to combat juvenile delinquency. Public Law 87-274.

Geodetic Survey: Improved and expanded the Coast and Geodetic Survey Act of 1948 to induce qualified scientists and mathematicians to join the service. Public Law 87-233.

Nurses scholarships: Extended for 4 years (to June 30, 1965), \$5 million a year program for grants and scholarships for training of practical nurses under Vocational Education Act. Public Law 87-22.

Vocational teacher training: Authorized two 1-year programs of Federal grants for training teachers of the deaf, and advanced training of speech pathologists and audiologists. Public Law 87-276.

#### 1962

Higher education: Authorized a 5-year program of higher education for construction and improvement of classrooms, libraries, and laboratories, and scholarship aid for college students. (H.R. 8900—in conference.)

Educational television: Authorized a 5-year, \$32-million program of grants to the States, the District of Columbia, and Puerto Rico, to establish or improve the educational television broadcasting facilities in our public schools, colleges, and in adult training programs. Grantees may be any nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage educational television broadcasting and which is eligible according to the rules and regulations of the Federal Communications Commission in effect on April 12, 1962, to receive a license from the Commission for a noncommercial educational broadcasting station. Public Law 87-447.

NDEA—Student loan payments: Clarified the forgiveness provisions of the National Defense Education Act of 1958 providing Federal loans to college students. Existing law permits canceling repayment up to half of a loan if the recipient becomes a full-time teacher in a public elementary or secondary school. This bill extends this cancellation privilege to students who become teachers in private nonprofit elementary or secondary schools or in colleges or universities. (S. 3326.)

Surplus personal property to schools: Clarified the provisions of existing law permitting disposal of surplus Federal property for activities providing educational or occupational training for mentally retarded children, schools for the physically handicapped, educational television stations, and public libraries. Public Law 87-786.

War orphans education aid: Raised the present ceiling-age of 23 to 31 when a war orphan must have completed his education provided the suspension was due to conditions beyond his control. (H.R. 9737.) Public Law 87- .

NDEA—Student loans: Authorized an increase in the fund that finances Federal loans to college and university students by raising the ceiling on the fund for the 1963 and 1964 fiscal years to \$125 million a year from the present \$90 million. In addition, it would raise the limit on student loan funds for each participating college or university to \$500,000 from \$250,000. (S. 3760.)

University Extension Act of 1962: Established a publicly supported program of general extension education, at the college level or above, to be operated by State universities and land-grant colleges. Authorized an annual appropriation of \$9,020,000 for fiscal year 1963 and for each of the 3 succeeding years. (S. 3477.)

Federal educational assistance for the District of Columbia: Broadened the provisions of existing law to include the District of Columbia within the areas to receive payments for current operating expenses of public schools because of losses in revenue due to the existence of tax-exempt, federally owned property. (S. 2830.)

District of Columbia teachers' salary increase: Provided an overall increase of approximately 10 percent for District teachers and a 5-percent increase in annuities. (S. 1447.) Public Law 87- .

Flood disaster study: Directed HHFA to make a study of possible programs to financially assist flood disaster victims, to report and make recommendations within 9 months. (S. 3066.)

Research costs: Authorized Federal agencies, when awarding research and development contracts to education institutions, to provide for payment of a fixed percentage of the direct research or development cost

to cover the indirect overhead costs associated with the work. Public Law 87-638.

**Safety standards for hydraulic brake fluid:** Improved highway safety by requiring hydraulic brake fluid sold or shipped in commerce for use in motor vehicles must meet certain specifications prescribed by Secretary of Commerce. Public Law 87-637.

**State taxation—Interstate commerce income:** Extended to July 1, 1963, the reporting date of the congressional studies on all matters affecting State taxation of income derived from interstate commerce. Public Law 87-435.

**Alexander Hamilton:** Established the former dwelling of Alexander Hamilton as a national shrine in New York. Public Law 87-438.

**Bob Hope:** Authorized the President to present Bob Hope, in the name of the people of the United States, a gold medal in recognition of his service to his country and to the cause of world peace. Public Law 87-478.

**Sagamore Hill National Historic Site:** Established Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York. Public Law 87-547.

**Capitol Commission:** Established a Commission on Art and Antiquities of the Capitol. (S.J. Res. 195.)

**Religious articles—Duty free:** Broadened coverage of certain duty-free imports to include cemeteries, schools, hospitals, orphanages, and similar nonprofit activities staffed and controlled by corporations or associations organized and operated for religious reasons. Public Law 87-604.

**MacArthur Medal:** Authorized the President to award a gold medal to General of the Army Douglas MacArthur. Public Law 87-760.

**Social Security Amendments of 1962:** Extended and improved public assistance and child welfare service programs of the Social Security Act. Public Law 87-543.

**Pension plans:** Strengthened the 1958 Welfare and Pension Plans Disclosure Act by providing additional enforcement procedures and imposing criminal sanctions. Public Law 87-420.

**School lunches:** Authorizes appropriations for school lunches for all needy elementary and secondary public school children in the District of Columbia. (S. 3314.)

**Depository libraries:** Increased total of depository libraries from 594 to 1,174. Public Law 87-579.

**Captioned films for the deaf:** Strengthened and improved the existing program of providing captioned films for nonprofit purposes to groups of deaf persons, by authorizing the production and distribution of training films for the deaf, research in the use of educational and training films and training persons in the use of these films for the deaf and raised the established loan ceiling of \$250,000 to \$1,250,000. Public Law 87-715.

**Du Pont:** Enacted into law the so-called Du Pont bill providing that a distribution of stock made to an individual, or certain corporations, pursuant to an order enforcing the antitrust laws shall be treated as a return of capital; and that the amount of such a distribution made to a corporation shall be the fair market value. Public Law 87-403.

**Payments in lieu of taxes:** Extended to December 31, 1964, the period in which payments in lieu of taxes may be made to State and local taxing authorities by the Federal Government. Public Law 87-787.

**National Cultural Center Week:** Proclaimed the period from November 26, 1962, through December 2, 1962, as National Cultural Center Week. (S.J. Res. 214.)

**Sam Rayburn Medal:** Authorized the Secretary of Treasury to strike and present to the estate of Sam Rayburn a gold medal "for services rendered to the people of the United States." Public Law 87-702.

**National Science Foundation amendment:** Eliminated the non-Communist disclaimer affidavit required in the existing National Science Foundation Act; made it a crime for any member of a Communist organization to apply for or to use any scholarship or fellowship awarded under section 10 of the act; required each applicant for scholarship or fellowship to provide the NSF with a full statement of the crime of which he has been convicted and information regarding any criminal charges punishable by confinement of 30 days or more. (H.R. 8556.) Public Law 87- .

**Pay reform:** Enacted a two-step pay-reform measure for the classified, postal, Foreign Service, and Veterans' Administration employees in an effort to lessen the discrepancies between industry and the Federal worker. Public Law 87-793.

#### Resource buildup 1961

**Saline water conversion program:** Extended the saline water conversion program, enacted in 1952, from 1962 through 1967 and authorized a total appropriation of \$75 million, but does not limit the annual appropriation to a pro rata share of the total amount. Public Law 87-295.

**National fuels study:** Approved a resolution authorizing the Senate Interior Committee to make an investigation and study of the current and prospective Government policies, to determine changes for an effective national fuels policy. Report of the findings to be submitted by January 31, 1961. (S. Res. 105.)

**Wabash River Commission:** Established a Wabash Basin Interagency Water Resources Commission to coordinate Federal, State, and local plans for developing the water and land resources in the Wabash River Basin. (S. 811.)

**Cape Cod Park:** Established Cape Cod National Seashore Park to preserve for public enjoyment the scenic, scientific, and historic features of the cape. Public Law 87-126.

**Migratory waterfowl conservation:** Authorized a 7-year migratory waterfowl conservation program permitting advances to States to purchase necessary lands. Public Law 87-383.

**Shoreline areas:** Authorized the Department of Interior to study mean and costs of acquiring and preserving 14 ocean, lake, and river shoreline areas appropriate for recreational parks. Authorized the Department of Agriculture to study appropriate shorelines within the Nation's 186 million acres of national forests. Each Department is to report its findings and recommendations within 2 years. Authorized \$400,000 for each survey and a grand total of \$25 million of matching funds to assist the States in acquiring State shoreline areas. (S. 543.)

**Wilderness bill:** Established a National Wilderness Preservation System providing that any time within 10 years, the President may recommend to Congress the permanent inclusion within the wilderness system areas totaling approximately 54 million acres. (S. 174.)

#### 1962

**Point Reyes National Seashore:** Authorized an appropriation of \$14 million to acquire land to preserve, for public recreational purposes, Point Reyes National Seashore in California. Public Law 87-657.

**Padre Island:** Established Padre Island National Seashore as a seashore recreational area. Public Law 87-712.

**Oceanography:** Established a national 10-year program of oceanographic and Great Lakes research to promote commerce and navigation, to secure the national defense, to expand ocean, coastal and Great Lakes resources and to enhance the public health and general welfare. (S. 901.) Public Law 87- .

**River and harbors and flood control:** Authorized \$3.5 billion for 86 rivers and harbors

projects and 119 flood control projects. (H.R. 13273.) In conference.

**Navajo-San Juan-Chama projects:** Authorized \$221 million in appropriations to construct the Navajo Indian irrigation project and the San Juan-Chama project to supplement water supplies for domestic and industrial uses, and to provide recreation and fish and wildlife benefits. Public Law 87-483.

**Fryingpan-Arkansas project, Colorado:** Authorized Department of Interior to spend up to \$170 million to construct facilities for the diversion of water from the Colorado River Basin in western Colorado to the Arkansas River Basin. Water will be used for irrigation, flood control, power, and to meet the municipal water needs of Colorado Springs and other cities. Public Law 87-590.

**Great Basin National Park:** Established the Great Basin National Park in Nevada to provide additional recreational facilities. (S. 1760.)

**Rogue River Basin project, Oregon:** Authorized Federal construction of the Agate Dam and Reservoir as an addition to the irrigation works of the Rogue River Valley Irrigation District in Oregon at a total cost of \$1,802,000. Public Law 87-727.

**Elephant Butte-Caballo Reservoirs:** Provided for establishing additional facilities at Elephant Butte Reservoir and at Caballo Reservoir—cost limited to \$607,000. Public Law 87-542.

**Pacific Northwest power preference:** Guaranteed permanent priority on Pacific Northwest power to consumers of electricity from Bonneville Power's marketing area, whether public or private users. Permits Bonneville to sell surplus power outside its marketing area but subject to recall when power is needed in the Northwest. Areas given priority include Oregon, Washington, Montana, and, on determination by Secretary of Interior, parts of Nevada, Utah, Wyoming, and Idaho. (S. 3153.)

**Arbuckle reclamation project, Oklahoma:** Authorized Federal construction of multiple-purpose Arbuckle project in south-central Oklahoma to provide municipal, domestic, industrial water supplies, and flood control at a cost of \$13.3 million, of which \$10.5 million is reimbursable. Public Law 87-594.

**Spokane Valley project:** Modified earlier legislation to enlarge the present irrigation plant at an estimated cost of \$7,232,000 to furnish more water for irrigation purposes. Public Law 87-630.

**Outer Continental Shelf:** Extends the authority of the Secretary of Interior to permit the Geological Survey to perform certain of its work in areas outside the continental limits of the United States. Public Law 87-626.

**Forest survey authorization:** Increased from \$1.5 to \$2.5 million the authorization for keeping current a survey of the Nation's forest resources. Public Law 87-685.

**World Conference on National Parks:** Authorized the Secretary of Interior to cooperate with the First World Conference on National Parks to be held in Seattle in July of this year. The Conference is sponsored by the International Union for the Conservation of Nature, an international body of nations and organizations concerned with conservation of the world's resources. Public Law 87-504.

**Flathead Indian irrigation project, Montana:** Authorized appropriations of \$6.2 million for completion of irrigation and power distribution system of Flathead Indian irrigation project in northwestern Montana. (S. 1912.)

**Mann Creek reclamation project, Idaho:** Authorized \$3.4 million for Federal construction of Mann Creek Federal reclamation project in Idaho for irrigation and recreational purposes. Public Law 87-589.

**Waurika reclamation project, Oklahoma:** Authorized \$25 million for Federal construc-

tion of the multipurpose Waurika reclamation project in Oklahoma to furnish water supplies, irrigate land, flood control, and recreational purposes. (S. 114.)

Oysterbeds—Delaware Bay: Authorized \$100,000 for grants to five States presently involved in rehabilitating oysterbeds in Delaware Bay—grants to be used for research and related activities necessary in developing and propagating disease-resistant strains of oysters. Public Law 87-580.

Sport fish study: Authorized an annual appropriation of \$2.5 million for Department of Interior to make a genetics study of sport fish to develop new strains by selective breeding and to generally rehabilitate fishing resources. (S. 1542.)

Delaware-New Jersey compact: Granted congressional consent to States of Delaware and New Jersey to enter into a compact to establish the Delaware River and Bay Authority for developing the border areas. Public Law 87-678.

Fish and wildlife: Authorized the use of national fish and wildlife conservation areas for public recreation. Public Law 87-714.

Outdoor Recreation Act of 1962: Establish Bureau of Outdoor Recreation in Department of Interior with overall responsibility for leadership of a nationwide effort by coordinating various Federal programs and assisting other levels of government to meet demands for outdoor recreation. (S. 3117.)

Minerals study: Authorized a comprehensive 2-year study of the efficacy of modern metallurgical methods including electrometallurgy on ores found in the United States. Study to be made under direction of Secretary of Interior in cooperation with other agencies of the Federal Government, with the States, and with private industry. (S.J. Res. 136.)

Quincy Columbia Basin contract: Approved the execution of an amended repayment contract with the Quincy Columbia Basin Irrigation District and with either or both of the other two Columbia Basin project districts. Amended contract is to increase the average construction charge from \$85 to \$131.60 per irrigable acre and extend the repayment period to 50 years. Public Law 87-728.

Baker reclamation project, Oregon: Authorized Federal construction of a \$6,168,000 multipurpose reclamation, flood control, and recreational project in northeastern Oregon. Public Law 87-706.

National Fisheries Center and Aquarium in District of Columbia: Authorized Federal construction and operation of a \$10 million National Fisheries Center and Aquarium in the District of Columbia. Public Law 87-758.

Oil shale reserves: Authorized Secretary of Navy to take possession of and administer the naval oil shale reserves, and authorized Secretary of Interior to take possession of and administer the experimental mine and plant located on Naval Shale Reserves Nos. 1 and 3 near Rifle, Colo. (H.R. 5423.) Public Law 87-

Chief Joseph Dam project, Washington: Authorized \$3,210,000 for construction of control works and a pumping plant at Palmer Lake to enlarge the facilities to irrigate an additional 1,500 acres and supply about 3,650 acre-feet of supplemental water annually to the remaining irrigable area. Public Law 87-762.

#### Veterans' aid

1961

Disabled veterans' compensation increase: Provided increases in rates of service-connected disability compensation (to reflect cost-of-living increases since last compensation raise in 1957) ranging from 2.6 to 16.7 percent, depending upon degree of disability; restores for 2 years after January 1, 1962, the eligibility of veterans who served between October 8, 1940, and April 24, 1951, to apply

for national service life insurance. (H.R. 879.)

Disability benefits: Increased weekly disability benefits for longshoremen and harbor workers to \$70 (from \$54); provided comparable increases in death cases from \$81 to \$105; and increased statutory maximum compensation payable for all injuries other than cases of permanent total disability or death from \$17,280 to \$24,000. Public Law 87-87.

Veterans' widows: Increased payments to veterans' widows. Public Law 87-268.

Veterans' home loans: Extended direct and guaranteed home loan programs for World War II veterans to July 26, 1967, and for Korean conflict veterans to February 1, 1975; authorized an additional \$1.2 billion for direct loan program through fiscal 1967. Public Law 87-84.

1962

Disability compensation increase: Provided for increases from 5.3 to 11.1 percent for veterans disabled 10 to 100 percent, retroactive to July 1, 1962. Public Law 87-645.

Veterans' Administration: Appropriated an additional \$55 million for readjustment benefits payments to Korean war veterans attending school under the GI bill of rights; and provided for a \$115,247,000 increase, by transfer, in the VA loan guarantee revolving fund to enable the Federal Government to repossess homes on which GI home mortgages have been foreclosed. Public Law 87-404.

Veterans: Extended the time during which individuals affected by Public Law 87-117 may pursue and complete a program of education or training under the Korean GI bill or the War Orphans' Education Act. The individuals affected served an additional tour of duty because of the war threats in 1961. (S. 2697.) Public Law 87-

VA pensions—Hospitalization: Continue pensions for married veterans while hospitalized in veterans' hospitals. Public Law 87-556.

Disability compensation: Increases compensation for certain veterans disabled by blindness or kidney involvements. Public Law 87-610.

National Service Life Insurance—Assignments: Broadened assignment provisions of national service life insurance available to World War II veterans and maturing on or after date of enactment of this bill. Public Law 87-557.

War Orphans' Educational Assistance Act: Permits eligible beneficiaries under the War Orphans' Educational Assistance Act to attend foreign educational institutions. Public Law 87-546.

VA—Hospital and medical care: Furnished hospital and medical care, including outpatient treatment, to peacetime ex-servicemen for service-connected disabilities on same basis as care and treatment is furnished war veterans. Public Law 87-583.

Deceased veterans' benefits: Permits payment of compensation, retirement, or pension benefits withheld from deceased veterans during VA hospitalization only to spouse, children, or dependent parents. Public Law 87-544.

Prosthetic research—VA: Removed the \$1 million ceiling on funds for research in the fields of prosthesis, prosthetic appliances, orthopedic appliances, and sensory devices. Public Law 87-557.

Endowment at age 96: Permits veterans holding U.S. Government life insurance to exchange for a policy providing death protection only—with reduced premiums. Public Law 87-549.

Blind veterans: Vocational rehabilitation.—Permits World War II or Korean veterans blinded by reason of a service-connected disability to obtain vocational rehabilitation training up to June 30, 1975. Public Law 87-591.

GI insurance: Reopened GI insurance program to millions of World War II and Korean war veterans, and makes the insurance available at premiums varying with the veteran's age. (S. 3597—in conference.)

VA—Prosthetic appliances: Broadened the provisions of existing law by authorizing the Veterans' Administration to repair or replace a prosthetic or other appliance (other than dental appliances) if the appliance is damaged or destroyed in a fall or other accident caused by a compensable service-connected disability. (H.R. 6190.) Public Law 87-

#### Elections and the White House

1961

Federal election laws: Passed a clean-elections bill to strengthen our electoral system, provide more realistic ceilings on campaign expenses, make available at the State level information on campaign financing, and provides for a tax credit for political contributions to candidates for Federal office or to political committees acting for such candidates. (S. 2426.)

National conventions: The Senate adopted unanimously a resolution expressing as the sense of the Senate that the party conventions held every 4 years to nominate candidates for President and Vice President should not be commenced prior to the first Monday in September of the year in which the election is to be held. (S. Res. 141.)

District of Columbia elections: Implements the 23d amendment to the Constitution giving the residents of the District of Columbia the right to vote for President and Vice President; retains the voting age at 21 and provides for a 1-year residency requirement. Public Law 87-389.

White House: Established the White House as a national monument. Public Law 87-286.

1962

Poll taxes abolished: Congress approved a constitutional amendment barring the requirement of a poll tax as a qualification for voting in Federal elections and primaries. The amendment, if ratified by three-fourths of the States within 7 years, will become the 24th amendment to the Constitution. There are only five States with such a requirement: Alabama, Arkansas, Mississippi, Texas, and Virginia. (S.J. Res. 29—submitted to States.)

White House Police force: Created a permanent White House Police force under the supervision and control of the Secretary of the Treasury to protect the Executive Mansion and grounds in the District, any building in which White House offices are located, and the President and members of his immediate family. Increased the force from 170 to 250. Public Law 87-481.

#### Reorganization and Government aids

1961

Government reorganization: Restored the authority of the President to submit plans for the reorganization of the Government. Public Law 87-18.

Civil Rights Commission: Extends the life of the Commission for 2 years, or until September 30, 1963. Public Law 87-264.

HEW: Authorized two additional Assistant Secretaries—one to handle international affairs, the second to handle medical and scientific matters. (S. 2073.)

Labor: Authorized an additional Assistant Secretary to perform functions relating primarily to the employment and effective utilization of women in our labor force. Public Law 87-137.

FTC reorganization: Provided for the reorganization of the Federal Trade Commission to expedite the present workload (plan No. 4). Effective July 9.

CAB reorganization: Authorized the reorganization of the Civil Aeronautics Board to provide greater flexibility and a more expeditious handling of CAB cases (plan No. 3). Effective July 3.

Maritime reorganization: Authorized reorganization of Maritime Board (plan No. 7). Effective August 12.

ICC reorganization: Authorized reorganization of Interstate Commerce Commission. Public Law 87-247.

FCC reorganization: Authorized FCC to delegate functions in adjudicatory cases to expedite and improve the administrative process. Public Law 87-192.

SEC investigation: Authorized \$750,000 for the Securities and Exchange Commission to conduct a special investigation of the adequacy of its rules, for the protection of the investor, governing stock exchanges and over-the-counter securities trading. SEC is to report its findings to Congress by January 3, 1963. Public Law 87-196.

Internal revenue employees: Appropriated funds for an additional 4,265 Internal Revenue Service employees. Public Law 87-159.

Alien employment: Removed the prohibition against Department of Commerce employing alien scientists and technicians in an effort to relieve a general shortage of personnel in scientific, engineering, and technical areas. (S. 2236.)

Travel expenses: Increased the allowances of Government employees for traveling expenses when on official business. Increases include from \$10 to \$16 per diem allowances and from 10 to 12 cents a mile by private automobile. Public Law 87-139.

Interstate commerce—Property destruction: Strengthened existing Federal law by making it unlawful to destroy, injure, set fire to, or otherwise damage goods moving in interstate or foreign commerce, break into or enter any railroad car, vessel, aircraft, truck, or other vehicle for such purpose. Public Law 87-221.

Rural carriers: Increased equipment allowance for rural mail carriers to 12 cents a mile. (S. 189.)

Postal employees: Extended to employees in the postal field service the same salary retention protection in cases of reduction in grade as provided under the Classification Act since 1956. Public Law 87-270.

Scientific and supergrades: Authorized an additional 480 supergrade positions and 280 additional scientific positions for the executive branch. Public Law 87-367.

NSLI special dividend: Authorized the payment of a special insurance dividend averaging from \$100 to \$150, for those veterans who have RS or W insurance. The RS insurance is entirely term insurance and the premium increases at the end of each 5-year period. The W insurance is both term and permanent, with the increased rate at the end of each 5-year period. Public Law 87-233.

1962

Reorganization Plan II: Established Office of Science and Technology as a new unit within the Executive Office of the President—capable of and designed to keep the President informed and advised on national policy matters relating to science and technology. (Plan went into effect June 8, 1962.)

Science and Technology Commission: Creates a 12-member Commission on Science and Technology to strengthen American Science and Technology. (S. 2771.)

SEC reorganization: Permits Securities and Exchange Commission to lighten its workload by delegating certain functions to individual commissioners or staff members; gives rulings or decisions made by a single commissioner or staff member the same force and effect of judgment by the full commission. The commission, however, can review any decision and would be required to do so on the request of a single commissioner. Public Law 87-592.

Postal-rate increase: Raised postal rates to produce an estimated \$600 million in additional revenues to cut the large postal deficit. Increased first class from 4 to 5 cents an ounce, airmail from 7 to 8 cents effective

next January 7; with graduated increases for second- and third-class mail. (H.R. 7927.) Public Law 87-

Federal Reserve System: Authorized the Federal Reserve System to spend an additional \$30 million to build branches and other facilities. Public Law 87-622.

Census reports—Confidential status: Specifically provided that company-retained copies of reports submitted to the Census Bureau be kept confidential. (S. 3631.)

Equal pay for women: Prohibited an employer from discriminating on the basis of sex in paying wages to men and women for equal work on jobs requiring equal skills. (H.R. 11880—in conference.)

Conflicts of interest: Enacted a measure making major revisions in Federal Government conflicts-of-interest laws to make uniform and bring up to date existing laws aimed at preventing present and former Government employees from improperly mixing private interest with their public office. (H.R. 8140.) Public Law 87-

FCC: Added a new section to the Communications Act of 1934 to grant authority to the Commission to impose monetary forfeitures for violation of the Commission's rules and regulations by radio stations operating the common carrier and safety and special radio fields. It also provides for the remission or mediation by the Commission of such forfeitures if warranted. Public Law 87-448.

Federal Power Commission: Authorized the FPC to delegate certain matters pending before it to an individual commissioner, commissioners, or to one or more officers or employees of the Commission; however, the Commission retained a discretionary right of review of any action taken under a delegation of authority by a vote for review of two of the five member commissioners. (S. 1605.)

Commerce: Enacted into law authority for an additional Assistant Secretary of Commerce to provide an effective review of the expanding scientific activities within the Department. Public Law 87-405.

FCC—Station license: Authorized the Federal Communications Commission to renew a license in the safety and special radio services field more than 30 days prior to the expiration of the original license. Public Law 87-439.

FCC—American Samoa: Authorized the Federal Communications Commission to issue radio operator licenses to natives of American Samoa who are nationals of the United States and owe allegiance to it, but to whom full citizenship has not been extended. Public Law 87-445.

FCC documents: Repealed the requirement that, prior to submission, all annual and certain other reports, applications for construction permits, station licenses, modifications, or renewals must be notarized. Public Law 87-444.

Music for blind: Establishes in the Library of Congress a library of musical scores and other educational materials for blind persons. Public Law 87-765.

Household and personal effects under Government orders: Extends to July 1, 1964, free-entry provisions for personal and household effects brought into the United States under Government orders. (H.R. 12180.) Public Law 87-790.

Government Training Act: Restored travel authority to attend training meetings to Foreign Service employees of Department of State, Tennessee Valley Authority, and Presidential appointees. Public Law 87-566.

U.S. Park Police: Provided for the creation of trial boards for the U.S. Park Police as a means of assuring better discipline and more equitable treatment. (H.R. 8567.) Public Law 87-

Government employees—Pacific islands: Extends benefits of the Federal Employees'

Compensation Act to employees who perform services for the Government of the Trust Territory of the Pacific Islands under an appointment from the Department of Interior or any other Federal agency. (S. 3319.)

Coast and Geodetic Survey: Restored permanent authority for retired vessel employees of the Coast and Geodetic Survey and their dependents to receive treatment at Public Health Services facilities. Provides for an eventual transition to medical care coverage under the Federal Employees' Health Benefits Act of 1959, rather than under the Public Health Service Act, for retired vessel employees and for dependents of all vessel employees, active or retired. (S. 3318.)

U.S. marshals' fees: Increases fees for U.S. marshals' services to private litigants. Public Law 87-621.

Hatch Act: Liberalized the provision requiring the Civil Service Commission to impose a minimum penalty of 90 days' suspension for violations of section 9 of the Hatch Act by reducing the suspension period to 30 days. Public Law 87-753.

Trust territory: Removed ceiling on authorization for government of Trust Territory of the Pacific Islands. Public Law 87-541.

Guamanian benefits: Provided benefits under War Claims Act for Guamanians killed or captured by Japanese at Wake Island. Public Law 87-617.

Lake Ontario water level: Authorized investigation of citizens' claims resulting from artificial raising of Lake Ontario water level by Canada. Public Law 87-587.

One-cent piece: Eliminated tin in the alloy of the 1-cent piece. Public Law 87-643.

Home loan bank directors: Extended to the Commonwealth of Puerto Rico a status comparable to that of a State in the nomination and election of directors of the Federal home loan bank of the district in which Puerto Rico is located. Public Law 87-676.

U.S. real property: Permitted executive agencies to grant easements over real property under the control of the agency, provided the easement will not be adverse to U.S. interests. (H.R. 8355.) Public Law 87-

#### ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:

Letter by him to the Attorney General on the case of Nicolae Malaxa, and his relationships with former Vice President Richard M. Nixon.

By Mr. METCALF:

Letter dated October 10, 1962, from Attorney General Robert F. Kennedy to Senator Church, of Idaho, commending him for his work in anticrime legislation.

#### COLUMBUS DAY

Mr. KEATING. Mr. President, about 470 years ago, the brave Italian sailor, Christopher Columbus, set sail under the Spanish flag to discover the Spice Islands, to seek the wealth of the Indies. He died believing he had accomplished his goal. Little did Columbus know that the land on which he set foot was the sprawling, sparsely settled land of America—a country with a future of greatness and prosperity. Four hundred and seventy years ago today, this brave Italian opened the door to the future of a great country and continent.

Mr. President, every child's textbook, every American history book, describes the harrowing adventures of this great Italian seaman: the tossing seas, the fierce winds, the shipboard plagues and turmoil. But out of struggle oftentimes comes greatness—and, to be sure, this old maxim proved true. Columbus discovered a land which was to offer not only vast resources and riches to the world, but also was to stand as a symbol of hope and promise to the world's oppressed.

America has attracted people from many lands, from all walks of life. To them, it has offered new hope and new lives. In turn, these people have brought to America gifts, skills, and abilities. And from Italy, the homeland of Columbus, have come many great and gifted citizens: Doctors, lawyers, singers, actors, craftsmen—people who over the years have made America great. Mr. President, America is proud of the Italians who have come to this country. They have added to the culture of America; they have contributed to the industrial growth and economic prosperity of this great land. Beginning with Columbus, our Nation owes a debt of gratitude to the millions who have braved the vast expanse of the Atlantic to find new opportunity in the land Columbus discovered. Today we pay them tribute and congratulate them all on their rich contributions to the American way of life.

#### DRINK MILK, EAT PLENTY OF BUTTER TO BE HEALTHY, AMA SAYS

Mr. PROXMIRE. Mr. President, this year our Wisconsin farmers have been in trouble. Their income has already been slashed 10 percent because the Government has cut price supports. And why did they? Not because of overproduction by the farmers, but because of a decrease in consumption, not only on a per capita basis, but also in total volume. This drop in milk drinking was in spite of a rising population—2 million bigger than the year before. The people of the United States as a whole are consuming smaller amounts of dairy products. Why?

Here is why: There has been a suspicion or a rumor or a feeling on the part of many Americans that dairy products cause cholesterol, and result in early death through heart disease.

For these reasons I am delighted to find that the American Medical Association—certainly the outstanding authority in this field—spoke out yesterday in very definite terms. It pointed out that "The anticholesterol 'food fad' is a wasted, dangerous effort"—"not just foolish and futile; it also carries some risk." The American Medical Association proceeded to indict not only the food faddists but the advertisers of anticholesterol foods, including the producers of margarine and other substitutes for butter, who have said that butter can be dangerous to health.

The association states that the following diet is the best the American people can have: milk, cheese, ice cream, beef, veal, lamb, pork, poultry, eggs, fish, but-

ter—and I stress butter—margarine, fats, and oils.

Mr. President, I earnestly hope that the story to which I refer, which was published on the front page of the New York Times, is being reported by newspapers throughout the country. I also hope the American people will realize that there is no better authority on diet than the American Medical Association, and will recognize that all the talk to the effect that dairy products are potentially harmful has no support whatever by the outstanding authority on this subject in the country.

I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 12, 1962]

#### ANTIFAT FOOD FAD ASSAILED BY AMA

(By Austin C. Wehrwein)

CHICAGO, October 11.—The anticholesterol food fad is a wasted, dangerous effort, the American Medical Association said today.

The association had in mind widespread fears linking animal fats to heart attacks.

"The antifat, anticholesterol fad is not just foolish and futile; it also carries some risk," the group said.

Its five-page statement was designed as a warning both to what is called "do-it-yourself Americans" and to food processors who have built advertising campaigns on cooking oils, margarine and other foods derived from vegetable oils.

Few medical subjects have aroused more interest among laymen than discussion of the connection between dairy and meat products and heart trouble. Both the meat and the dairy industry have been up in arms about the antifat campaign for some time.

Today's statement was a sequel to a report in the August 4 issue of the Journal of the American Medical Association. That report was issued by the 12-member AMA Council on Foods and Nutrition headed by Dr. William J. Darby of the Vanderbilt Medical School.

That report suggested that only physicians ought to consider altering the diets of patients with hardening of the arteries. However, at least one vegetable oil company used portions of the report in a national advertising campaign.

Today's statement, prepared under the supervision of Dr. Philip L. White, executive secretary of the council on foods, said:

"Dieters who believe they can cut down their blood cholesterol without medical supervision are in for a rude awakening. It can't be done. It could even be dangerous to try."

#### CHOLESTEROL IS DEFINED

Cholesterol is a white, fatty crystalline alcohol. Produced by the body, it coats the inner surface of arteries somewhat as a pipe would be clogged by minerals in water. This coating tends to restrict blood flow.

The report said that only laboratory tests could show whether an individual had excessive cholesterol in his blood and whether a change of diet would raise or lower the level.

"Willy-nilly substitution of a few food items without overall control of the diet accomplishes little if anything in reducing cholesterol," the report said, continuing:

"What is more important, the elimination of certain foods of proven nutritional value could be detrimental to health."

Success in reducing blood cholesterol by diet has been achieved only in strictly con-

trolled experimental groups, the report said.

The experiments are not yet of "practical importance to the general public," it said.

"There have been few investigations," the report said, "on the effect of different types of fat in the normal diet over a long period of time. It is not known what type of fat, if any, may be beneficial in preventing heart disease, nor is it known that certain fats are harmful."

Generally, it continued, the American diet provides all the nutrients essential to health and a varied diet, is the best rule for health.

"Any changes in a diet of such proved worth must await much more study and experience," the report warned.

The statement said that the council of foods recommended this diet: milk, cheese, ice cream, beef, veal, lamb, pork, poultry, eggs, fish, butter, margarine, fats and oils.

"Even those on weight-reduction regimens need food from all these groups," the statement said.

"Although someday science may come up with a diet that can prevent heart disease, such a development appears to be well into the future," the statement said.

Although science is seeking ways to reduce cholesterol, and drugs may turn out to be the best way, high blood cholesterol is only one of the factors in heart disease, the statement said.

The danger is that when an individual omits certain foods, he runs the risk of depriving his body of essential nutrients, it said. It concluded:

"The current concern about diet reflects a healthy interest on the part of the public. This interest should be directed away from hopeless pursuits to a worthwhile goal that can be attained by most individuals—maintaining normal weight. Overweight plays the villain in many diseases, and overweight can be avoided by not eating more calories than the body needs."

The August report had recommended a reduction in the consumption of saturated fats, contributed chiefly by dairy products and meat, and substitution of polyunsaturated fats, found in such vegetable oils as those made from corn, cottonseed, soybeans and safflower.

In laymen's terms, saturated fats are solid at room temperature, as in the case of lard, whereas the other kind are liquid, as in the case of corn cooking oil.

The council report said, however, that there was no clear proof that hardening of the arteries was caused by concentrations of fat in the blood.

#### INCORPORATORS OF COMMUNICATIONS SATELLITE CORPORATION

Mr. PASTORE. Mr. President, I make the following statement on behalf of the distinguished Senator from Oklahoma [Mr. KERR], chairman of the Senate Space Committee, and myself, as chairman of the Subcommittee on Communications of the Senate Commerce Committee.

On October 4, 1962, the President of the United States, pursuant to section 302 of the Communications Satellite Act of 1962 (Public Law 87-624, 87th Cong.) referred to the Senate 13 names to be incorporators. Section 302 of such act stated that—

The President of the United States shall appoint incorporators, by and with the advice and consent of the Senate, who shall serve as the initial board of directors until the first annual meeting of stockholders or until their successors are elected and qualified. Such incorporators shall arrange for an initial stock offering and take whatever other

actions are necessary to establish the corporation, including the filing of articles of incorporation, as approved by the President.

The names submitted by the President were Edgar F. Kaiser, David M. Kennedy, Philip M. Graham, Sidney J. Weinberg, Bruce Sundlun, A. Byrne Litschgi, Beardsley Graham, Leonard Woodcock, Sam Harris, George Feldman, Leonard Marks, John T. Connor, and George L. Killion. These incorporators were referred by the Senate to the Senate Space Committee and the Commerce Committee.

It would be extremely difficult and almost impossible to conduct hearings and report the nominations in time for action by the Senate during this session of the Congress. Therefore, because of the time element involved and the anticipated adjournment of the Congress, it has been suggested to the President that he offer recess appointments to the nominees so that the business of proceeding with the establishment of the corporation can proceed without delay and the Senate can act on his nominations after our return in January.

These incorporators will arrange for an initial stock offering and take whatever actions are necessary to establish the corporation, including the filing of the articles of incorporation as approved by the President. The permanent directors will be chosen subsequent to the issuance of stock and will be elected by the stockholders of the corporation. At the time of such election the President will appoint, subject to the advice and consent of the Senate, three directors to the corporation.

For the benefit of the Members of the Senate I am submitting for the RECORD, and ask unanimous consent to have printed in the RECORD, the biographies of the nominees selected by President Kennedy as incorporators of the Communications Satellite Corporation.

There being no objection, the biographies were ordered to be printed in the RECORD, as follows:

#### RÉSUMÉ CONCERNING MR. EDGAR F. KAISER

Vital statistics: (1) Edgar F. Kaiser, son of Henry J. Kaiser and Bessie Fosburgh Kaiser, was born July 29, 1908, at Spokane, Wash.; (2) he married Sue Mead Kaiser in August 1932 (though born in Australia, Sue Mead Kaiser is a citizen of the United States by reason of the U.S. citizenship of her parents.)

Education: (1) high school, Oakland, Calif.; (2) University of California, 1927-30—majored in economics.

#### Early career:

1. Engaged in part-time work for a predecessor of the present Henry J. Kaiser Co. while attending school.

2. Construction superintendent for a predecessor of the present Henry J. Kaiser Co. on pipeline installation in Kansas and Montana from 1930-32.

3. Years 1932-33—shift superintendent on Hoover Dam, Nev., constructed by Six Companies, Inc., in which a predecessor of the present Henry J. Kaiser Co. was a stockholder.

4. Years 1934-38—administrative manager, Bonneville Dam, Oreg., constructed by Columbia Construction Co., in which a predecessor of the present Henry J. Kaiser Co. was a stockholder.

5. Years 1938-41—administrative manager of Grand Coulee Dam, Wash., constructed

by Consolidated Builders, Inc., in which a predecessor of the present Henry J. Kaiser Co. was a stockholder.

6. Years 1941-45—vice president and general manager of Oregon Shipbuilding Corp. (in which a predecessor of the present Henry J. Kaiser Co. was a stockholder) and Kaiser Co., Inc. (now Kaiser Steel Corp.). These companies operated three shipyards in the Portland, Oreg., area which built merchant ships during World War II for the Maritime Administration and baby aircraft carriers for the Navy.

7. In 1946 Mr. Kaiser became vice president and general manager of the Kaiser-Frazier Corp. (now Kaiser Industries Corp.) which manufactured automobiles and he later became president of that corporation and also of Willys Motors, Inc., upon acquisition by it of the Jeep vehicle and passenger car business of Willys-Overland Corp.

#### Current activities and interests:

1. President and director of Kaiser Industries Corp. which is engaged in the production of aircraft and missile components and electronic devices and is also engaged in radio and television broadcasting. Also, Kaiser Industries Corp. is the owner of all of the stock of Henry J. Kaiser Co. (engaged directly or indirectly through subsidiaries in engineering and construction on a national and international scale, sand and gravel operations in the San Francisco Bay area and land and community development in Hawaii, California, and Oregon). Kaiser Industries Corp. is also the owner of all the common stock of Willys Motors, Inc., which is engaged directly or indirectly through subsidiaries or affiliates in the production and sale of Jeep vehicles and other vehicles in the United States and abroad.

2. Attached as exhibit A is a list of all of the corporations in which Edgar Kaiser is an officer or director or both. Except for the Bank of America, N.T. and S.A., and the corporations designated as nonprofit corporations on exhibit A attached, Kaiser Industries Corp. is directly or indirectly a stockholder of all such corporations in which Mr. Kaiser is listed as an officer or director on said exhibit A.

3. Attached as exhibit B is a chart showing the principal corporations in which Kaiser Industries Corp. directly or indirectly owns an interest; namely, Henry J. Kaiser Co. and Willys Motors, Inc. (whose principal businesses are described above), Kaiser Steel Corp. (engaged primarily in the manufacture and sale of iron and steel products and the fabrication of steel products), Kaiser Aluminum & Chemical Corp. (engaged primarily in the manufacture and sale of aluminum, refractories and chemical products), Permanente Cement Co. (engaged primarily in the production and sale of cement and through its wholly owned subsidiary, Kaiser Gypsum Co., in the manufacture of gypsum and acoustical products), and Kaiser Community Homes (engaged primarily in land and community developments). All of such principal corporations own interests in other corporations in many of which Mr. Kaiser is an officer or director or both as shown on exhibit A attached hereto.

#### Memberships, honors, and degrees:

1. Principal groups and other organizations with which Mr. Kaiser is associated are as follows:

Alameda County United Fund, Oakland, Calif., board of governors.

Allen-Chase Foundation Eaglebrook School, Deerfield, Mass., trustee.

AMA Automotive Safety Foundation, Detroit, Mich., trustee.

American Freedom from Hunger Foundation, Inc., trustee.

American Ordnance Association, Washington, D.C., member.

American Society of Civil Engineers, New York, member.

Association of the U.S. Army, Washington, D.C., member.

Automobile Old Timers, New York, life member.

Business Council for International Understanding, New York, member policy board.

The Beavers, Los Angeles, Calif., senior vice president, 1960; president, 1961; member.

California Committee for the Eisenhower Presidential Library, member.

Carnegie Endowment for International Peace, New York, member board of trustees.

Chi Psi Fraternity, member.

Claremont Country Club, Oakland, Calif., member.

Commonwealth Club of California, San Francisco, Calif., member.

Committee on Latin American Business Advisory Council, member.

Detroit Club, Detroit, Mich., member.

Community Health Association, Detroit, Mich., board of governors.

The Kaiser Foundation (a charitable trust) president and director.

National Council of Boy Scouts of America, member at large.

National Industrial Conference Board, Inc., New York, member.

Newcomen Society of England, American Branch, member.

Northern California World Trade Group, San Francisco, Calif., member.

Pacific Union Club, San Francisco, Calif., member.

Pan American Society of United States, council member, lifetime member.

President's Committee on Equal Employment Opportunity, Washington, D.C., member.

President's Missile Sites Labor Commission, Washington, D.C., member.

President's Committee on Status of Women, Washington, D.C., member.

The Recess Club, New York, member.

San Francisco Bay Area Council, San Francisco, Calif., president, 1958-59, 1960; chairman, 1960; director.

Society of Automotive Engineers, Inc., New York, member.

Society of Naval Architects and Marine Engineers, member.

Stanford Research Institute Menlo Park, Calif., board of directors.

West Virginia Society of the District of Columbia, life member.

2. Mr. Kaiser holds honorary LL.D.'s from the University of Portland and Pepperdine College.

#### Exhibit A

List of corporate offices held by Edgar F. Kaiser:

Bank of America, National Trust and Savings, Association, San Francisco, Calif., director.

Kaiser Industries Corp., director and president.

Henry J. Kaiser Co., director and president.

Foothill Electric Corp., director and president.

Gilpin Construction Co., Ltd., Vancouver, British Columbia, Canada, chairman of the board of directors.

Hawaii Kai Community Services Co., director and president.

The Kaiser Co., director and president.

Kaiser Engineers and Constructors, Inc., director and president.

Kaiser Engineers International, Inc., director and president.

Kaiser Engineers Overseas Corp., director and president.

Kaiser Engineers Pakistan, Inc., director and president.

Kaiser Hawaii Kai Development Co., director and president.

Kaiser-Teleprompter of Hawaii, Inc., vice chairman of the board.

Kaiser International, Ltd., director and president.

Kaiser Office Corp., director.

Henry J. Kaiser Co. (Canada), Ltd., Westmount, Quebec, Canada, chairman of the board of directors.

National Steel & Shipbuilding Co., chairman of the board of directors and president.  
Kaiser Electronics Corp., chairman of the board.

Kaiser Fleetwings, Inc., vice chairman of the board of directors.

Kaiser Metal Products Co., vice chairman of the board of directors.

Willys Motors, Inc., Toledo, Ohio, chairman of the board of directors.

Willys-Overland Export Corp., Toledo, Ohio, chairman of the board of directors.

Kaiser Engineers International Corp., president and director.

Industrias Kaiser Argentina Sociedad Anonima Industrial, Comercial y Financiera, Buenos Aires, Argentina, director.

Kaiser Aluminum & Chemical Corp., chairman of the board of directors.

Kaiser Aluminum & Chemical Sales, Inc., chairman of the board of directors.

Kaiser Aluminum International Corp., chairman of the board of directors.

Kaiser Bauxite Co., chairman of the board of directors.

Kaiser Exploration Co., chairman of the board of directors.

Permanente Cement Co., chairman of the board of directors.

Glacier Sand & Gravel Co., chairman of the board of directors.

Kaiser Gypsum Co., Inc., chairman of the board of directors.

Gypsum Carrier, Inc., chairman of the board of directors.

Permanente Steamship Corp., chairman of the board of directors.

Permanente Trucking Co., chairman of the board of directors.

Kaiser Steel Corp., chairman of the board of directors.

Kaiser Community Homes, vice president.

Kaiser Center, Inc., vice chairman of the board of directors and president.

Kaiser Foundation Hospitals,<sup>1</sup> director and president.

Kaiser Foundation Health Plan, Inc.,<sup>1</sup> director and president.

Kaiser Foundation Health Plan of Oregon,<sup>1</sup> director and president.

Dapite, Inc.<sup>1</sup> (wholly owned by Kaiser Foundation Health Plan, Inc.), director.

Kaiser Foundation School of Nursing,<sup>1</sup> director and president.

The Utah Permanente Hospital,<sup>1</sup> director and president.

Sequoia Corp., Nassau, Bahamas, director.

Hindustan Aluminium Corp., Ltd., Bombay, director.

Mysore Cements, Ltd., Bangalore, director.

NOTE.—Unless otherwise indicated the mailing address of the above-listed companies is 300 Lakeside Drive, Oakland, Calif.

**DAVID M. KENNEDY**

Born: Randolph, Utah, July 21, 1905.  
Education: 1928, A.B. Weber College, Ogden, Utah; 1935, A.M. George Washington University, Washington; 1937, LL.B.; 1939, grad., Graduate School Banking, Rutgers University.

Marital status: Married.

Experience: Years 1930-46, member of staff, Board of Governors, Federal Reserve System, serving successively as technical assistant, director, bank operations, economist, division research and statistics and as special assistant to Chairman, Board of Governors; 1946, became vice president, bond department, Continental Illinois, National Bank & Trust Co., Chicago; 1954-56, vice president; 1956-59, director-president; 1959, chairman of board, chief executive officer; 1953-54, assistant to Secretary, U.S. Treasury, director, International Harvester Corp., Commonwealth Edison Co.; trustee, Equita-

ble Life Insurance Co. of Iowa; director, Abbott Laboratory; director, U.S. Gypsum, Swift & Co.; trustee, Sears, Roebuck & Co., pension and profit sharing trust fund.

Clubs: Bankers University; Union League, Chicago; Old Elm Country; Glenview Country.

Home: 33 Meadow View Drive, North Field, Ill.

Office: 231 S. LaSalle Street, Chicago.

BIOGRAPHICAL DATA—PHILIP L. GRAHAM

Address: Office, the Washington Post, 1515 L Street NW., Washington, D.C.; home, 2920 R Street NW., Washington, D.C.

Date and place of birth: Terry, S. Dak., July 18, 1915; family moved to southeast Florida, 1921.

Career: Attended public schools of Miami, Fla., and the University of Florida (A.B., 1936), and was graduated from Harvard Law School in 1939 (LL.B.); was president of the Harvard Law Review.

Served as law secretary for 1 year each under Justice Stanley Reed (1939-40) and Justice Felix Frankfurter (1940-41) of the Supreme Court of the United States.

In 1941 joined the General Counsel's Office of the Lend-Lease Administration and the Office of Emergency Management.

Entered the Army Air Force as a private in 1942. Commissioned in 1943. Served with Military Intelligence and later attached to Headquarters, Far East Air Forces in Southwest Pacific. Discharged as major. Legion of Merit.

Became associate publisher of the Washington Post, January, 1 1946, and publisher in June of the same year. Now president of the Washington Post Co., which publishes the Washington Post, Newsweek, Art News & Portfolio; own and operate WTOP-TV, AM and FM in Washington, D.C., and WJXT in Jacksonville, Fla. Chairman of the board of Newsweek which was purchased by the Washington Post Co. in March of 1961.

In June 1940 married Katharine Meyer. Four children: Elizabeth Morris, Donald Edward, William Welsh, and Stephen Meyer.

Director, National Press Building Corp.; director, the Advertising Council, Inc.; director, American Council To Improve Our Neighborhoods; trustee, Committee for Economic Development; trustee, University of Chicago; trustee, Rand Corp.

Member, National Press Club, Metropolitan Club, Washington, D.C., Burning Tree Club, Bethesda, Md.

BIOGRAPHICAL SKETCH, SIDNEY JAMES WEINBERG

Born: New York City, October 12, 1891.  
Education: 1906, graduated, public school No. 13, Brooklyn; 1907, Browne's Business College, Brooklyn; 1946, LL.D. Trinity College.

Marital status: Married.

Experience: 1907, began business career with Goldman, Sachs & Co., partner since 1927; director Cluett, Peabody & Co., Inc., Continental Can Co., Inc., General Cigar Co., General Electric Co., General Foods Co., B. F. Goodrich Co., Ford Motor Co., McKesson & Robbins, Inc., National Dairy Products Corp., Champion Paper & Fibre Co., Van Raalte Co., Inc.

Military experience: 1917, enlisted as seaman U.S. Navy; became special agent, Navy Intelligence Department; special agent, War Trade Board; and deputy collector of customs at Norfolk, Va.; demobilized December 1918; honorable discharge, June 5, 1921.

Memberships: Business Advisory Council for U.S. Department of Commerce; member, Industrial Advisory Board, N.R.A.; governor, New York Stock Exchange; governor, Investment Bankers Association of America; awarded Medal for Merit by President Truman, 1946.

Clubs: Bond, Century Country, Recess, Madison Square Garden (New York City), Town (Scarsdale).

Home: 8 Reimer Road, Scarsdale, N.Y.  
Office: 30 Pine Street, New York City, N.Y.

BRUCE SUNDLUN

Address: 2713 35th Street NW., Washington, D.C.; and 23 Half Mile Road, Barrington, R.I.

Age: 40 years.

Occupation: partner, Amram, Hahn & Sundlun, attorneys, Washington Building, Washington D.C.

Education: Tabor Academy, Marlon, Mass., 1938; Williams College, bachelor of arts 1946 (class 142); Harvard Law School, bachelor of law, 1949; Air Force Command & Staff School (associate course), 1948.

Experience: (a) Legal: Assistant U.S. Attorney, District of Columbia, 1949-51; Special Assistant to U.S. Attorney General, Civil Division, Department of Justice, 1951-53; trial attorney, Court of Claims section, Department of Justice, 1953-55; partner, Hahn & Sundlun, 1955-57; partner, Amram, Hahn & Sundlun, 1957 to present; member, American, Federal, District of Columbia, and Rhode Island Bar Associations; rating, average by Martindale-Hubbell.

(b) Military aviation: World War II, pilot, 384th Bomb Group (H), ETO, 1942-43; shot down, Solingen, Germany, December 1, 1943, evaded capture through Belgium and France to Switzerland, May 6, 1944. Rejoined USAF, September 9, 1944, and flew in the Pacific until September 1945.

Assistant wing operations officer, 3d Bomb Wing (L), (Res.), Bedford, Mass., 1946-49.

Member, 5-man Civilian Operations Analysis Team sent to United Kingdom in 1950 by General Vandenberg to determine defensibility of SAC United Kingdom bases. Wrote report thereon.

Commander, 30th Troop Carrier Squadron (Res.), Bedford, Mass., 1949-51.

Office, Secretary of the Air Force, legislative liaison, 1952-54.

D/Ops, 459th Troop Carrier Wing (Res.), Andrews AFB, Md., 1955-57.

Commander, 756th Troop Carrier Squadron (Res.), Andrews AFB, Md., 1957 to present.

Decoration: Distinguished Flying Cross, Purple Heart, Air Medal with one cluster.

(c) Civil aviation: Private pilot's license, 1940; commercial pilot's license, 1946; single and multiengine rating, 1946; instrument rating, 1958 (U.S. Air Force green card and senior pilot rating); 3,500 hours flying time; owner, Cessna 310C, now flown personally 300 hours a year; member, AOPA, 1946; member, National Pilots Association, 1960.

(d) Business: Director, secretary, and general counsel, the Outlet Co., Rhode Island's largest department store, television, and radio station; director, Ariguanabo Co. of Jamaica, Ltd., Jamaica largest cotton manufacturer; cofounder, the Northern Virginia Sun, daily newspaper, Arlington, Va.

(e) Political: Campaign director, District of Columbia, Kefauver for President, 1956; codirector, Advance Men, Democratic National Committee, 1956; campaign consultant, Senator-elect CLAIBORNE PELL, 1960; chairman, Inaugural Medal Committee, 1960; vice chairman for 1960 parade organization; Inaugural Parade Committee, 1960; various District of Columbia and Rhode Island fund committees.

Family: Married, Madeleine Schieffer, November 10, 1949; children, Tracy, 8; Stuart, 8; Peter Bruce, 6.

Religion: Jewish.

BIOGRAPHICAL SKETCH OF A. BYRNE LITSCHGI, TAMPA, FLA.

Personal: Born December 31, 1920, Charleston, S.C.; married, two children.

Education: Bachelor of science in business administration, University of Florida, 1941, with major in accounting; member Florida Blue Key leadership fraternity; bachelor of laws, Law School of Harvard University, 1948; winner, Ames Competition, business manager Harvard Law School Record.

<sup>1</sup> Charitable or nonprofit corporations.

**Military service:** Presently commander, U.S. Naval Reserve; 1941-45, naval combat sea duty in all war theaters.

**Professional career:** Presently a partner in the firm of Coles, Himes & Litschigi, of Tampa, Fla. Practice consists chiefly of work in Federal income, estate, gift, and excise tax fields.

Year, 1952-60, member of the firm of Hedrick & Lane, Washington, D.C. Practice involved Federal income, estate, gift, and excise tax matters and cases before regulatory agencies. Represented number of large national corporate clients in tax matters. Prepared and implemented tax legislative programs involving overall revision of Federal tax laws and those of narrower scope. General counsel for the Federal Excise Tax Council, Inc., whose membership is composed of major appliance manufacturing companies and major national retailing organizations. Practice required constant contact with the Internal Revenue Service, the Treasury staff, and Members of Congress. Enjoyed excellent working relationships with service and Treasury personnel as well as with a number of the members of the Committee on Ways and Means, Senate Committee on Finance and their staffs.

Year 1953, legislative assistant to Senator GEORGE A. SMATHERS, of Florida, 1949-52, attorney in the Office of the General Counsel of the Treasury Department; 1949-51, assigned to legal staff for the Office of International Finance and Bureau of the Mint where work covered following areas—

1. Legal work for National Advisory Council on International Monetary and Financial Problems in areas involving Export-Import Bank, International Bank for Reconstruction and Development and International Monetary Fund.

2. Member interdepartmental committee preparing point 4 technical assistance program and implementing legislation; member similar committee handling policy questions arising during operation of ECA (Marshall plan).

3. Policy development for and support of U.S. representative to GATT meetings.

4. Creation of foreign assets control and blocking of financial transactions with Communist China.

5. Various custom duty matters.

Years 1951-52, attorney in the Office of the Tax Legislative Counsel. Advised on development of tax policy and participated in drafting and reviewing Treasury regulations issued under the Internal Revenue Code. Worked with congressional committees and staffs on tax legislation. Responsible for handling problems on taxation of foreign income and interdepartmental relationships concerning foreign tax problems. Tax adviser to the U.S. representative, United Nations Fiscal Commission.

Member of bars of Florida and of the District of Columbia. Admitted to practice before Supreme Court of the United States, various lower Federal courts and Federal regulatory agencies.

**Professional associations:** American Bar Association, chairman, committee on excise and miscellaneous taxes, tax section, 1956-59; presently adviser to this committee. Active in work of tax section in preparing recommendations to the Congress and the Internal Revenue Service on the Federal tax laws; member of the National Council of the Harvard Law School Association which supervises all Harvard Law School alumni and fundraising activities; trustee, University of South Florida Foundation; writer of various articles on tax subjects for American Bar Association Journal, Tax Executive, and other publications; member of planning committee for 16th Annual Institute on Federal Taxation, New York University, and directly responsible for institute panel on Federal excises; member of several District of Columbia and Florida bar organizations;

presently chairman, Committee on Unauthorized Practice of Hillsborough County (Fla.) Bar Association.

**Business activities:** director and general counsel for G-L Electronics Co., Inc., and related companies; member and former head of General Realty Ventures partnership, Washington, D.C.

**Democratic Party activities:** served as advance man for Governor Stevenson during 1956 presidential campaign and again for President Kennedy during 1960 campaign; member, committee for 1960 presidential kickoff dinner and for later fundraising dinner.

**Club memberships:** University Club of Washington, D.C.; Kenwood Golf and Country Club, Washington, D.C.; Tampa Yacht and Country Club; National Capital Democratic Club; National Association Executives Club.

BEARDSLEY GRAHAM, PRESIDENT, SPINDLETOP RESEARCH, INC., LEXINGTON, KY.

**Education:** B.S., College of Chemistry, 1935, University of California, Berkeley; graduate study, electrical engineering and physics, 1935-40, University of California, Berkeley; completed all requirements for E.E. degree and M.S. degree except theses; graduate study, electrical engineering, 1942, Columbia University, New York.

**Experience:** 1962, Spindletop Research Inc., Lexington, Ky., president, responsible for planning, development, staff, and operations of new industrial research center; 1957-62, Lockheed Missiles & Space Co., Palo Alto, Calif.; 1960-62, special assistant, communication satellites, responsible for development and coordination of Lockheed Aircraft Corp.'s communication satellite system activities. Manager of satellite research planning and commercial satellite systems organization; 1958-60, manager, satellite systems planning, responsible for reviewing operational requirements and providing concept and design parameters for systems under development or expected to evolve in the Air Force satellite systems program. Developed, established, maintained, and modified the satellite systems development plan; 1957-58, special assistant to the manager, KA weapon system branch. Carried out special assignments for the manager and aided in administration of the weapon system research and development program; 1957, manager, specialty sales department.

**Commercial communication satellite activities:** Recognizing in 1959 that the technical feasibility of commercial communication satellites was clearly established, Graham conceived of the joint venture plan and initiated, implemented, and directed all Lockheed commercial satellite activities until December 1961.

Early in-house studies indicated economic feasibility and focused attention on business and regulatory problems. To investigate these aspects, Booz, Allen & Hamilton and Pierson, Ball & Dowd were engaged early in 1960.

During the last half of 1960 and in 1961 the results of these studies were presented at high corporate levels to A.T. & T., I.T. & T., RCA, G.T. & E., Time, Inc., and to various governmental and legislative agencies, including FCC, OCDM, Department of Justice, Department of Defense, Department of State, Department of Commerce, National Aeronautics and Space Administration, Senate and House Interstate and Foreign Commerce Committees, Senate Aeronautical and Space Sciences Committee, House Science and Astronautics Committee, and Senate Judiciary Committee.

A railroad release was obtained from Justice, and RCA and G.T. & E. elected to join Lockheed in further studies refining the joint venture concept.

Certain refinements were presented, and original studies were made public in response

to various FCC dockets and legislative hearings.

Lockheed's (and Graham's) commercial communication satellite activities essentially ended with a presentation to the FCC Ad Hoc Carrier Committee on September 7, 1961.

#### Communication satellite bibliography

LMSD-895069: "Telecommunication Satellite Business Planning Study," volume 1, October 1960; volume 2, January 1961.

FCC Docket No. 11866: "In the Matter of Allocation of Frequencies in the Bands Above 890 Mc." (July 1960).

FCC Docket No. 14024: "In the Matter of an Inquiry Into the Administrative and Regulatory Problems Relating to the Authorization of Commercially Operable Space Communications Systems" (May 1961).

FCC Docket No. 13522: "In the Matter of Allocation of Frequency Bands for Space Communications" (March, June 1961).

House hearing of Committee on Science and Astronautics: L. E. Root, president, Lockheed Missiles & Space Division, accompanied by Beardsley Graham.

Senate hearing of Subcommittee on Monopoly, Committee on Small Business Administration: Courtlandt S. Gross, president, Lockheed Aircraft Corp., accompanied by Beardsley Graham.

Ad Hoc Carrier Committee report: Beardsley Graham, accompanied by D. Sailor.

Years 1956-57: Sequoia Process Corp., Redwood City, Calif., executive vice president. Directed and administered electronic wire and cable development and manufacturing program.

Years 1951-56: Stanford Research Institute, Menlo Park, Calif., assistant director of institute; 1953-56 assistant director and manager, Mountain States Division, Phoenix, Ariz.—opened, directed and developed new research division of institute; 1952-53, assistant director, responsible for development of industrial research program and acquisition of project support; 1951-52, assistant director, engineering research—directed development of automation and large-scale computer program.

Years 1946-51: Bendix Aviation Corp., Detroit, Mich.; 1949-51, technical consultant to vice president for research—responsible for development of BAC nuclear and computing machine programs; 1947-49, chief engineer, research laboratory—in charge of all electronic, physical and chemical research; 1946-47, chief engineer, department head of Special Products Development Laboratories, Eclipse—Pioneer Division and Pacific Division—in charge of groups developing missile systems and components.

Years 1944-46: Lewyt Corp., Brooklyn, N.Y., senior project engineer; responsible for production of microwave radar equipment and components.

Years 1942-44: Massachusetts Institute of Technology, radiation laboratory, Cambridge, Mass.; staff member; engaged in research, development, design, fabrication, installation, and operation of microwave radar equipment.

Years 1940-42: National Broadcasting Co., New York, N.Y., and Hollywood, Calif., development engineer. Engaged in development, operation and maintenance of television equipment in the studio and in the field.

Years 1939-40: RCA Manufacturing Co., Exhibit GGIE, San Francisco, Calif., engineer in charge. Supervised installation, operation, and maintenance of television, facsimile, and public address equipment.

1936-37: Pacific Telephone & Telegraph Co., San Francisco, Calif., frameman; worked on operation, testing, and maintenance of automatic switching central office equipment.

1935-36: Techna Corp., San Francisco, Calif., chemical engineer; worked on design

and installation of chemical laboratory to maintain control in electric recording equipment manufacturing.

Special activities: Consultant, President's Joint Disarmament Committee, 1959-60.

Professional societies: Institute of Radio Engineers (senior member); American Rocket Society (senior member); Association for Applied Solar Energy (member, board of directors).

Listed in: American Men of Science, Who's Who in Engineering, Who's Who in the West, Registered Professional Engineer, State of California, State of Arizona.

#### LEONARD WOODCOCK

Address: Home, 950 Pemberton Street, Grosse Point Park, Mich., business, 8000 East Jefferson Street, Detroit, Mich.

Present position: vice president, UAW (International Union, United (AFL-CIO) Automobile, Aircraft & Agricultural Implement Workers of America).

Born: Providence, R.I., February 15, 1911; son of Ernest and Margaret Freel Woodcock.

Education: St. Wilfred's College, England, 1920-23; North Hampton Town and Country School, England, 1923-26; Walsh Institute of Accountancy, Detroit, Mich., 1928-30; Wayne State University, Detroit, Mich., 1928-30.

Marital status: Married Loula Martin, March 28, 1941; three children.

Employment: UAW, 1940-; where he has been successively: 1947-50, staff representative, administrative assistant to the international president, regional director; international vice president, 1951-UAW; Muskegon Aviation & Engineering Co., Muskegon, 1947.

Member of board of governors, Wayne State University, 1959; board of directors, Metropolitan Detroit, YMCA; Greater Detroit Hospital Council, Inc., American Civil Liberties Union, NAACP (National Association for the Advancement of Colored People), American Public Health Association.

#### SAM HARRIS

Born: Pennsylvania, July 17, 1912.

Education: 1933, graduated from UCLA with highest honors—elected Phi Beta Kappa; 1933-36, attended the Yale Law School on scholarships and was graduated cum laude—comment editor of Yale Law Journal, Order of Coif.

Marital status: Married, two sons, ages 14 and 16.

Experience: 1936, admitted to the California bar; 1936, joined the general counsel's staff on the SEC; 1939, appointed chief of the opinion section of the SEC; 1940, as a result of experience at the SEC, was invited to join the staff of the trustees of the Associated Gas & Electric Corp. in New York; 1942-46, Army, served in Judge Advocate General's Department. Chief of economic section at Nuremberg trial, discharged as captain; received Bronze Star and commendation ribbon; 1947, admitted to New York bar and joined present firm (Strasser, Spiegelberg, Fried & Frank), currently a director of Rio Algom Mines, Ltd., Callahan Mining Co., and the Energy Fund Registered Investment Co.; chairman, American Bar Association Committee on Securities Regulation; New York County Lawyers Association; American Judicature Society.

Clubs: Yale Club, New York City; Bankers Club of America; Century Country Club.

Residence: 14 East 75th Street, New York City, N.Y.

#### GEORGE J. FELDMAN

Address: Residence, 1010 Fifth Avenue, New York, N.Y.; business, 350 Fifth Avenue, New York, N.Y.

Date and place of birth: November 6, 1904, Boston, Mass.

Marital status: Married, two children.

Military service: Army Air Corps, 1942-45.

Profession: Lawyer—admitted to practice in the States of Massachusetts, New York, and in the District of Columbia.

Current: Private practice of law. Counsel, vice president, and member of the board of directors of the Mastan Co., Inc., 350 Fifth Avenue, New York, N.Y. (commercial finance company); member, executive committee and board of directors of Columbia Mills, main office, Syracuse, N.Y. (manufacturers of coated fabrics, etc.); member, U.S. Citizens Commission to NATO (current); member, U.S. Delegation to the United Nations 14th Assembly; member, U.S. Delegation to Second United Nations Conference on the Law of the Sea, Geneva, Switzerland (March and April 1960); consultant to Legal Adviser, State Department (1959-60); consultant, Committee on Science and Astronautics, U.S. House of Representatives (current); Director and Chief Counsel, Select Committee on Astronautics and Outer Space, House of Representatives (1958).

Previous experience: Administrative assistant, U.S. Senator David Walsh, 1927-30; attorney, Federal Trade Commission, April 1930-September 1932; lecturer, Boston University Law School (trade regulation and Federal antitrust law); practiced law with the firm of Walsh & Walsh, Boston, Mass., September 1932-June 1935; litigation counsel, NRA, June 1934-June 1935; formed law firm of Feldman, Kittalls, Campbell & Ewing; engaged in private practice of law from 1935 to 1942 and acted as general counsel to Great Atlantic & Pacific Tea Co., New York, N.Y., October 1937-May 1942 until entry into military service; private practice of law from 1946 to date.

Principal clients represented: Great Atlantic & Pacific Tea Co., New York, N.Y.; Diamond Watch Co., New York, N.Y.; Excello Corp., Detroit, Mich.; Lerner Shops, New York, N.Y.; Dictograph Products, Inc., New York, N.Y.; Avco Corp., New York, N.Y.; Columbia Mills, Syracuse, N.Y.; American Greetings Corp., Cleveland, Ohio; The Mastan Co., Inc., New York, N.Y.; D.C.A. Corp., New York, N.Y.

Author of the following books:

"Does Trade Need Antitrust Laws," published by Long & Smith, 1932.

"Antitrust Laws and Unfair Competition," an NRA study published in book form (NRA Work Materials No. 1), 1935.

"Business Under the New Price Laws," a book dealing with the Robinson-Patman Act and State price laws, by Burton A. Zorn and George J. Feldman, published by Prentice-Hall, 1937.

"Advertising and Promotional Allowances," deals with advertising and promotional allowances and demonstrator services under the Robinson-Patman Act, published by the Bureau of National Affairs, 1948.

Author of the following articles:

"The New Federal Securities Act," in the Boston University Law Review, January 1934.

"Legal Aspects of Federal and State Price Control," in the Boston University Law Review, June 1936.

"Legal Aspects of Resale Price Maintenance," an NRA study (NRA Work Materials No. 57, at p. 298), 1935.

"Administrative Hearings and Due Process of Law," in the U.S. Law Week, June 16, 1936.

"The Federal Trade Commission and the Robinson-Patman Act," in the U.S. Law Week.

"Burden of Proof Under the Robinson-Patman Act," for Prentice-Hall, Trade Regulation Service, October 14, 1936.

"Legislative Opposition to Chain Stores and its Minimization," Law and Contemporary Problems, Duke University, Vol. VIII, No. 2, Spring 1941 (p. 334).

"Antitrust Paradoxes," in the Journal of Marketing, Vol. 6, No. 2, October 1941.

"Basing Points and the O'Mahoney Bill," in Fortune magazine, September 1949.

"An American View of Jurisdiction in Outer Space" (First Colloquium on the Law of Outer Space, The Hague, 1958), 1959.

"The Report of the United Nations Legal Committee on the Peaceful Uses of Outer Space: A Provisional Appraisal" (Second Colloquium on the Law of Outer Space, London, 1959), 1960.

"Current Developments in the Law of the Sea and Outer Space," U.S. Government Printing Office, 1960.

"Communication Satellites," missiles and rockets, May 22, 1961.

As Director and Chief Counsel of the Select Committee on Astronautics and Space Exploration, was responsible for the publication of the following staff reports:

"The International Geophysical Year and Space Research," December 22, 1958.

"Survey of Space Law," December 22, 1958.

"Summary of Hearings, Astronautics and Space Exploration," December 22, 1958.

"The National Space Problem," May 21, 1958.

"Space Handbook: Astronautics and Its Applications," December 29, 1958.

"The United States in Outer Space," January 3, 1959.

"The Next 10 Years in Space, 1959-69," February 3, 1959.

"International Cooperation in the Exploration of Space," February 3, 1959.

Other activities: Collaborated with Bernard Baruch in the drafting of the so-called wage and hour law; assisted Senator Walsh and Congressman Healey in the drafting of the so-called Walsh-Healey Act; counsel for Democratic platform committee and drafting committee, Democratic Convention, Chicago, 1952; vice chairman, national Democratic committee's finance committee, 1960.

Clearances: "Q" clearance with the Atomic Energy Commission, "Top Secret" with the Department of Defense.

Clubs: Sands Point Golf Club, Sands Point, N.Y.; National Democratic Club, New York, N.Y.; City Athletic Club, New York, N.Y.; American Legion.

"World TV by Satellite," Show Business Illustrated, September 19, 1961.

"Communications Satellite Legislation and International Cooperation," Federal Bar Association, May 25, 1962.

#### LEONARD H. MARKS

Education: University of Pittsburgh, B.A., 1935; University of Pittsburgh Law School, LL.B., 1938.

Teaching: Faculty fellow, University of Pittsburgh Law School, 1938-39; assistant professor, University of Pittsburgh Law School, 1939-42; assistant professor, National University Law School, Washington, D.C., 1943-50.

Governmental positions: Assistant to the General Counsel, Federal Communications Commission, 1942-46; member of, or adviser to, various U.S. delegations to International Broadcast Conferences, Mexico City, 1948; Montreal, 1949; Mexico City, 1952; Geneva, 1960; appointed by Department of State to lecture on constitutional administrative law in India in 1958; national defense executive reserve, 1959 to date.

Legal experience: Admitted to bar in Pennsylvania, 1938; admitted to bar in District of Columbia, 1946; admitted to practice before various courts in Pennsylvania and District of Columbia, including U.S. Supreme Court; president, Federal Communications Bar Association, 1959-60; member, house of delegates, American Bar Association, 1961-63; partner, Cohn & Marks, Cafritz Building, Washington, D.C., 1946 to date.

Miscellaneous: Has written articles on legal matters in various professional and trade journals throughout the years.

#### JOHN THOMAS CONNOR

Address: Home, 49 Prospect Hill Avenue, Summit, N.J.; business, Merck & Co., Inc., Rahway, N.J., president.

Occupation: Lawyer, business executive.

Born: Syracuse, N.Y., November 3, 1914; son of Michael J. and Mary V. (Sullivan) Connor.

Education: A.B. magna cum laude. Syracuse University, 1936; LL.B., Harvard University, 1939.

Marital status: Married Mary O'Boyle, June 22, 1940; children—John Thomas, Geoffrey, Lisa Forrestal.

Experience: Admitted to New York bar, 1939; associate, Cravath, De Gersdorff, Swaine & Wood, New York City, 1939-42; general counsel, Office Science Research and Development, Washington, 1942-44; general attorney, Merck & Co., Inc., Rahway, N.J., 1947; secretary, counsel 1947-50, vice president, 1950-55, president, director, 1955-; director Fidelity Union Trust Co. (Newark). Board Health Information Foundation, Commission Economic Development, National Industrial Conference Board, Overlook Hospital, Summit.

Member, New Jersey Water Resources Advisory Commission; chairman, New Jersey Commission for Improving Science and Mathematics in Secondary Schools; member, board trustees Pingry School, Elizabeth, N.J.; trustee, Thomas Alva Edison Foundation, Inc.; Pharmaceutical Manufacturers Association (director, member, executive committee), Phi Beta Kappa, Phi Kappa Psi, Phi Kappa Phi, Phi Kappa Alpha, Beta Gamma Sigma (honorary).

Clubs: Beacon Hill (Summit, N.J.); Economic, the Pinnacle, Harvard (New York City); Morris County Golf (Convent, N.J.); Essex (Newark); Baltusrol Golf.

Military service: Served from second to first lieutenant, USMC, 1944-45, retired captain, USMCR, counsel, Office Naval Research and special assistant to Secretary of Navy, 1945-47.

Miscellaneous: Mr. Connor received the 1962 Jefferson Medal of the New Jersey Patent Law Association for outstanding services to the cause of the American patent system. In 1959, he was awarded an honorary doctor of science degree by the Philadelphia College of Pharmacy and Science and also received the New Jersey Brotherhood Award of the National Conference of Christians and Jews.

Religion: Roman Catholic.

Present affiliations:

The Business Council, Washington, D.C., member.

Council on Foreign Relations, Inc., member.

Committee for Economic Development, member, board of trustees.

American Management Association, member, board of directors.

Pharmaceutical Manufacturers Association, member, board of directors.

National Commission on Community Health Services, member.

Second Citizens Advisory Committee, Food and Drug Administration, member.

Syracuse University, trustee.

Johns Hopkins University, member, visiting committee for school of hygiene and public health.

Seton Hall University, member, board of advisers to the president.

Pingry School, Elizabeth, N.J., member, board of trustees.

Economic Club of New York, member, board of directors.

General Foods Corp., member, board of directors.

Sperry & Hutchinson Co., member, board of directors.

Research Analysis Corp., trustee.

Phi Beta Kappa Associates, member.

Former affiliations:

Manufacturing Chemists' Association, Inc., chairman, board of directors, 1959-60. Crusade for Freedom Committee, New Jersey chairman for 1957.

Fourth Annual Rutgers Pharmaceutical Conference, 1955, chairman.

Fidelity Union Trust Co., member, board of directors.

National Industrial Conference Board, member, board of directors.

New Jersey Committee for Improving Science and Mathematics in the Secondary Schools, chairman, 1959-60.

New Jersey Association for Mental Health, 1954 fund campaign, chairman.

New Jersey State Chamber of Commerce, member, board of directors; member, executive committee.

New Jersey State Water Resources Advisory Committee, member.

Overlook Hospital, Summit, N.J., member, board of trustees.

Tenth Annual Business Conference at Rutgers, May 15, 1958, general chairman.

Seton Hall College of Medicine and Dentistry fundraising campaign, head of chemical industry subcommittee.

Thomas Alva Edison Foundation, member, board of trustees.

Business Council for International Understanding, member, policy board.

National Advisory Heart Council of the National Institutes of Health, member.

#### GEORGE KILLION

Place and date of birth: Steamboat Springs, Colo., April 15, 1901.

Parents: father, James Abraham Killion, rancher, druggist; born Springfield, Ill.; mother, Lydia Jane Harris, born Chattanooga, Tenn.

Education: Attended Grand Valley, Colo., public schools; attended University of Southern California and University of California.

Career: president and member of the board of directors, American President Lines, 601 California Street, San Francisco (1947 to present); chairman of the board of directors of Metro-Goldwyn-Mayer, Inc., 1540 Broadway, New York, N.Y. (1957 to present); member of the board of directors of American Mail Line, Seattle, Wash. (1954 to present); member of the board of directors, Pacific National Bank, San Francisco (1960 to present); member of the board of directors, Natomas Co., Sacramento (June 1956 to present); special assistant to the Petroleum Administrator for War, Washington, D.C. (1943-44); major, U.S. Army (staff of Allied Military Government) (1943); director of finance, State of California, in charge of all financial, budget and business affairs of State Government (1940-43); Secretary to the Governor of California (1939); commissioner, Golden Gate International Exposition, San Francisco (1939-40); executive, Safeway Stores, Oakland, Calif.; consultant on public relations, advertising, legislation and business development (1935-39); owned and directed a public relations firm engaged in handling tax, financial and political campaigns (1930-35); engaged in newspaper work, California, as reporter, city editor, managing editor and editorial writer (1922-30).

Clubs:

American Bureau of Shipping (member of board of managers).

Commonwealth Club of California.

Stock Exchange Club.

Propeller Club of the United States (national executive committee).

India House, Inc., New York.

Olympic Club, San Francisco.

Pacific Maritime Association (director, passenger line group).

Pacific American Steamship Association (member, advisory board and board of directors).

Press & Union League Club.

San Francisco World Trade Center Authority (member, May 1959 to present).

Governor's Business Advisory Council, State of California (member, January 1959 to present).

World Trade Club (president, April 1957 to present).

The Burning Tree Club, Washington, D.C. The Metropolitan Club, Washington, D.C. United Seamen's Service (vice president, July 1959 to present).

Association of the U.S. Army.

The Bohemian Club.

American Freedom From Hunger Foundation, Inc. (member of board of trustees).

National Defense Transportation Association (life member).

National Export Expansion Council (member).

Eleanor Roosevelt Cancer Foundation (member, board of governors); honors, Italian Government conferred "Night in the Order of Merit to the Republic of Italy."

#### WHOSE CIVIL RIGHTS?

Mr. WILLIAMS of Delaware. Mr. President, in today's issue of the Wall Street Journal there appears an editorial entitled "Whose Civil Rights?"

The editorial should be read by Members of Congress, and particularly it should be read by the Attorney General of the United States.

I ask unanimous consent that the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### WHOSE CIVIL RIGHTS?

Former General Walker and new heavyweight champion Sonny Liston don't have too much in common, but each of them ought to have a little sympathy for the other. Both of them have recently been the victims of some strange encounters with Federal police authorities.

To be sure, the Federal tax authorities had reasonable grounds for suspicion that the Government might not get its due share of the receipts from the Liston-Patterson fight unless it stepped in and grabbed them first. Fight managers and promoters are not noted for their scrupulous accounting or for being pillars of society, and the IRS has had trouble before with the fight promoters.

Nonetheless, the new champion is not involved in this past dispute. Moreover, the internal revenue agents didn't pause long enough to give anybody a chance to make an accounting in good faith. Nor did they content themselves with putting a tab on some reasonable proportion of the fight take. They moved almost as fast as Sonny Liston moved on Patterson, and just as thoroughly. They seized the money first and talked about it afterwards.

Possibly also General Walker's speeches contributed to the riots in Mississippi; that is a matter for the courts to decide. But when he was arrested some of the niceties of civil rights got lost in the rush.

He was arraigned without benefit of counsel, and then without even going through the motions of a proper hearing the authorities had him hustled off for psychiatric examination. His bail was set at the unusually large figure of \$100,000, the same figure used for the late Dr. Soblen, a man duly convicted in open court of having spied for the enemies of his country.

We'll leave the lawyers to debate the legal points in these two cases, as they are now doing. Subsequently General Walker's bail was cut in half and he is now out of jail. Doubtless in the end Sonny Liston will receive his proper share of the fight proceeds. But there is something more disturbing here than legal technicalities.

One of these cases puts aside the concept that a man is punished only for crimes committed; here is punishment for tax evasion—certainly seizing all a man's pay is punishment—merely on the policeman's suspicion

that taxes might be evaded. The other puts aside the doctrine that a man charged with a crime is entitled to the protection of certain ancient processes of the law, including the right to counsel.

The reply of the policeman in each case is that haste was necessary. If the revenue agents hadn't acted then it might have been too late. The Justice Department had to move swiftly against General Walker to teach a lesson to other people.

Perhaps so; yet it's an argument become all too familiar. A Justice of the Supreme Court makes a ruling, as Justice Black did in the Mississippi school case, by concluding from conversations what the full court might decide—because everybody was too impatient to wait a few weeks. A corporation angers the Attorney General, as United States Steel did by trying to raise prices, and the next day its offices are crawling with Government agents, hustling to find evidence for an indictment not yet drawn.

It may be hard to drum up much sympathy for General Walker or Sonny Liston. But if we are going to set aside all the due processes of law every time the policeman is in a hurry, then no man can be safe from the scowl of the tax collector or the Attorney General.

#### ACTIVITIES OF RED REGIME IN CZECHOSLOVAKIA — ADOPTION AND REPORT BY CONVENTION OF CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA

Mr. LAUSCHE. Mr. President, I wish to discuss a resolution adopted at the convention of the Czechoslovak National Council of America several days ago. The resolution sets forth that there has been a scarcity of food and consumers' goods in Czechoslovakia, and that in the past American citizens have been sending gift packages containing American goods, food, and other necessities to their relatives and friends in Czechoslovakia.

According to the resolution, the Czechoslovak Government was not pleased with Americans sending these packages into their country, and it proceeded to adopt a program that would dissuade relatives in our country from helping their relatives in Communist Czechoslovakia.

The program of dissuasion began first by restricting the sending of canned goods; second, requiring a disinfection certificate accompanying the goods; third, the number of gifts packages to a recipient each year was limited; fourth, likewise, the number of items contained in the package was limited; fifth, in 1961 the Czechoslovak Government imposed duties upon goods going into Czechoslovakia that were so large as to make the receipt of the goods prohibitive. Finally, custom duties on used clothing were increased over those imposed in 1961.

An American citizen might well ask, "Why did the Czechoslovak Government impose restrictions which made it impossible for Americans to send food and clothing to needy Czechoslovaks?" The answer is that the Czechoslovak Government wanted the Americans to send dollars to Czechoslovakia and have those dollars used to buy food and consumer goods in Czechoslovakia.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask unanimous consent that I may have 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. The Czechoslovak Communist Government has quite well achieved its objective. American food, clothing, and other necessities are prohibited. American dollars are permitted to be received. Goods and clothing are bought in Czechoslovakia, and the Czechoslovakia Government is receiving American dollars.

Czechoslovaks in the United States see a wrong in that course, and I concur with them. I think our State Department ought to look into the subject. In addition to Czechoslovakia, the same plan is taking place in Hungary and other Communist countries.

I ask unanimous consent that the resolution to which I referred earlier be printed at this point in the RECORD; and I suggest that the State Department take a look at the subject with the view of ascertaining why humane Americans cannot send to needy Czechoslovaks and Hungarians food and clothing, but, instead, have agreed to send American dollars there, increasing the draft on our dollars and causing an imbalance in our international accounts.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

#### RESOLUTION ADOPTED AT THE CONVENTION OF THE CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA, CHICAGO, 1962

##### REVIEW OF CZECHOSLOVAK COMMUNIST POLICY *Tuzex*

Under Communist rule, there has been a continued scarcity of food and consumer goods in Czechoslovakia. In the past, a flood of American gift packages with American goods brought relief to grateful Czechoslovak relatives and friends. However, the freedom of entry for such merchandise has been gradually restricted by the following Czechoslovak regulations: (a) First sending of canned goods was prohibited; (b) a disinfection certificate was required; (c) the number of gift packages to a recipient per year was limited; (d) likewise the number of any item contained in the package was limited to one; (e) in 1961, customs duties on all items were raised to prohibitive rates, especially on such items as wool, nylon, coffee. For instance, the duty on an ordinary pullover amounts to 180 crowns (hourly wage of an average worker is 8 crowns); (f) finally, customs duties on used clothing were increased to 50 crowns a kilogram (2.2 pounds). With duties raised sky-high, the recipient cannot possibly pay for a gift package. On a package valued at \$15 the customs duty equals a weekly wage.

Through these measures, the Czechoslovak regime has forced American citizens either to stop their aid to needy relatives or else to deposit dollars with the Czechoslovak State Office Tuzex, established for the purpose of collecting abroad highly desirable dollars and other hard currencies, in exchange for goods made in Czechoslovakia that are sold to Czechoslovak citizens, the recipients of the dollar remittances. The dollars are retained by the Czechoslovak Government and the beneficiaries of the remittances receive only Czechoslovak goods. Thus the export of U.S. produced goods has been stopped and the outflow of U.S. dollars has increased, thereby damaging doubly

our economy. Moreover, the U.S. currency thus acquired is available to the Czechoslovak Government for the financing of Communist subversive activities, espionage and other action against the free world, the United States in particular.

Americans of Czechoslovak descent feel that such a monopoly should not be allowed to operate on American soil. We not only tolerate the advantages which the Czechoslovak Government derives from the operations of the Tuzex agency, but also accept without protest the disadvantages inflicted upon our country. Instead, we should at least insist on the following: That for each \$15 deposited with Tuzex for Czechoslovak merchandise, American senders be allowed to send a 20-pound gift package of American goods; moreover, that no excessive customs duties be levied on the American goods.

It is our considered opinion that the Czechoslovak Government needs the U.S. dollars collected by the Tuzex agency badly enough to be willing to make concessions if faced with the possibility of a ban on Tuzex monopoly operations by appropriate action of the Department of State or the Department of Justice.

##### *Other hostile acts against Americans*

1. The Czechoslovak regime blackmails American citizens who intend to obtain a Czechoslovak emigration visa for a member of their immediate family into paying large amounts of money;

2. Czechoslovak authorities collect amounts in U.S. dollars from American citizens purported to cover maintenance, installment payments, or interest on loans on property in Czechoslovakia, although such property has already been confiscated and is now the property of the Czechoslovak State;

3. By arranging conducted tours with a propaganda slant for Americans visiting Czechoslovakia, by offering them free medical care and hospital services, the Communist regime tries to turn them into Communist agents or fellow travelers upon their return to the United States;

4. The Czechoslovak regime reduces pension payments to persons related to American citizens who are active anti-Communists in this country, threatening them with annulment of pension benefits and other persecution. In this way the Czechoslovak Government extends its influence on Americans on American soil, curtailing their lawful rights and sometimes even obstructing them in fulfilling their duties as American citizens.

These methods and means by which the present Government of Czechoslovakia misuses, disregards, and restricts—unchallenged—the normal conduct of Czechoslovak American relations is a matter of grave concern to us.

The Czechoslovak National Council of America is not arguing for a restriction of contacts with Czechoslovakia and other Communist countries. On the contrary, such contacts should be enlarged upon in order to reduce international tensions, promote understanding, and inspire hope for freedom everywhere. This, however, cannot be accomplished by permitting one party to erect more and more artificial barriers, to enforce more and more restrictions, to impose more and more limitations upon such contacts.

We consider it inadmissible that an anti-democratic government be allowed to enforce, by devious means, obedience from American citizens on American soil. This cannot be the meaning and purpose of our desire to multiply contacts between the United States and Communist countries. Quite the contrary, it is in the very interests of international peace and understanding to oppose such detrimental policies of a Communist regime.

**NOMINATION OF JOHN G. GREEN,  
OF WISCONSIN, TO BE COLLECTOR  
OF CUSTOMS**

Mr. MORSE. Mr. President, I should like to have the attention of the junior Senator from Wisconsin [Mr. PROXMIRE].

Last night I read the CONGRESSIONAL RECORD for the day before yesterday, containing the discussion as to the problem with regard to the collector of customs in Wisconsin, which involves a controversy between the junior Senator from Wisconsin and the senior Senator from Wisconsin [Mr. WILEY].

I should like to have the RECORD show that in my judgment it is most regrettable that steps were not taken early enough in this session to obtain the confirmation of the nomination of Mr. Green to be collector of customs in the State of Wisconsin. I feel that the position which the junior Senator from Wisconsin [Mr. PROXMIRE] has taken in this matter, as reported in the CONGRESSIONAL RECORD, is unanswerable; and that the senior Senator from Wisconsin is completely wrong in the position he has taken on this issue. I shall state my reasons.

The senior Senator from Wisconsin, so the RECORD shows, alleges that the appointment of Mr. Green really was requested by the Senator from Massachusetts [Mr. SMITH]. As a lawyer accustomed to looking for proof, evidence, and documentation of allegations, I wish to say I think the senior Senator from Wisconsin "fell flat on his face," so to speak, in respect to that argument, for the correspondence placed in the RECORD by the junior Senator from Wisconsin [Mr. PROXMIRE] leaves no room for doubt that the correspondence itself shows that the appointment was at the initiation of the junior Senator from Wisconsin and had his approval and enthusiastic support from the very beginning.

The second point I wish to make is that this issue involves each one of us. It may be the junior Senator from Wisconsin today, but it may be the majority leader tomorrow, or the senior Senator from Oregon the next session, or any other Senator at some time in the future. These matters of historic tradition and precedent in the Senate in regard to such subjects as nominations are of concern to each of us when we find a situation such as has developed in the State of Wisconsin over the appointment of the collector of customs.

I note in the RECORD that the senior Senator from Wisconsin has not been willing to declare the nominee personally obnoxious. The long history of the Senate makes perfectly clear that unless a Senator is willing to declare a nominee personally obnoxious, that Senator loses his standing in the Senate by way of raising an objection to a nominee.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. The RECORD is perfectly clear that the senior Senator from Wis-

consin has taken the position that he really does not have anything against the nominee personally. I can only reach one conclusion; he must have something against the junior Senator from Wisconsin. At least, he is not in a position to cooperate with his colleague in regard to the nomination. I think that is regrettable and reflects discredit upon the senior Senator from Wisconsin and not the junior Senator from Wisconsin.

Third, I point out that we are dealing with a matter of patronage. The position of collector of customs is a patronage position. That is our system. So long as it is the system, the majority party has the traditional right to make the appointment and, in the absence of any showing of disqualification on the part of the nominee, on the basis of the four historic criteria which have always been applied under the advise and consent clause, the nomination should be confirmed.

As the Senator from Wisconsin knows, the senior Senator from Oregon has applied those historic criteria ever since the famous fight in 1945 involving the nomination of Henry Wallace to be Secretary of Commerce, when, as a Republican, I defended that nomination by a Democratic President because there was no showing on my side of the aisle that Henry Wallace violated any of the four historic criteria.

I say, on the basis of those four historic criteria, that patronage positions should automatically be filled, unless the opposition can show that the nominee does not fulfill one or more of those criteria.

There is not a scintilla of evidence in this record as to the nomination to be collector of customs in Wisconsin which raises any question as to the nominee's qualifications under those criteria. Therefore, in my judgment, the senior Senator from Wisconsin has no meritorious standing in opposition to the nomination.

After all, this is a patronage job. So long as we have the patronage system, the majority party ought to have the right to fill the position, and it should not be necessary to wait, as we shall now have to wait, to have a matter such as this cleared up because of a technicality, merely because the Committee on Finance reported the nomination by way of a poll rather than a vote in the committee.

I close by saying that I sincerely hope the President of the United States will make an interim appointment. It is my understanding the President can make an interim appointment. In view of the objection raised by the senior Senator from Wisconsin, which, in my judgment, has no merit on the record, I think the President of the United States owes it to the junior Senator from Wisconsin to appoint Mr. Green on an interim basis to be collector of customs. Then, when the Congress comes back into session in January, we can proceed to take the nomination from the Finance Committee and place it before the Senate.

The senior Senator from Wisconsin ought to be made to answer the question now as to whether he has changed

his mind and wishes to raise a point of objection to the nomination on the ground that the nominee is personally obnoxious.

Mr. PROXMIRE. Mr. President, I thank the senior Senator from Oregon from the heart. I deeply appreciate what the Senator has said. It is very helpful, indeed.

John Green was nominated on March 1. On March 26 I wrote to the senior Senator from Wisconsin and urged him to return an approval slip. He wrote back the next day, and said that he would look into the question.

I again wrote to the Senator on March 30, and I asked him once again to indicate his approval.

It was obvious then that I was not going to get much action from the senior Senator from Wisconsin, so I started working on the Finance Committee. I asked the distinguished chairman of the Finance Committee to hold hearings on the nomination. He said he was holding the hearings up until the senior Senator from Wisconsin would consent to have a hearing.

Eventually there was a hearing on June 13.

The reason the nomination was never reported was that at the request of the distinguished senior Senator from Wisconsin, a Democratic member of the committee objected to having the nomination taken up. The committee is a very busy committee, as the Senator from Oregon realizes. If I have called the chairman of the committee once on this issue, I have called him at least a dozen times. I talked with members of the committee, with the distinguished senior Senator from Illinois, and with the Senator from Tennessee. They cooperated and did all they could. We tried everything we could think of to have the nomination reported from the committee. It was impossible to get the nomination from the committee until the closing days of the session, when a quorum of the Finance Committee could not be obtained. The chairman of the committee tried a number of times to get a quorum. He could not get a quorum. This was the only way to have the nomination reported.

I am glad that the senior Senator from Oregon has raised this point. This could be a very bad precedent, indeed. It might mean that any time a minority Senator wishes to block an appointment all he will have to do is to persuade one member of the committee to stall the appointment to death. If he can stall it until the end of the session, he can then make a point of order as to polling the committee, and nothing can be done. I think this is a precedent we should not permit to be established.

I am delighted the senior Senator from Oregon has raised his voice against this procedure. I am very grateful to him for doing so.

I ask unanimous consent that I may proceed for 3 additional minutes on another subject.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Wisconsin? The Chair hears none, and the Senator from Wisconsin is recognized for 3 additional minutes.

## PRESIDENT TRADE BAN CRACKS DOWN ON CASTRO

Mr. PROXMIRE. Mr. President, I speak as the Senator who led the fight on the floor of the Senate against weakening the language of the House in the foreign aid appropriation bill, which would have prohibited aid to any country whose ships were bringing military cargoes from the Iron Curtain countries to Cuba. In this connection, I think that what the State Department has done in recent days has been far more effective than could have been done if we had won that fight on the floor of the Senate. Incidentally, the fight was won in the conference.

What the President and the State Department has done should be recognized and praised by Americans all over the country. Recent developments have made crystal clear how effective the State Department has been in this regard.

The President will next week close American ports to all ships from any country whose vessels are carrying military supplies to Cuba. Incidentally, that is what we tried to provide in the foreign aid bill. We have done it now, and I believe we have done it more effectively. But that's just the beginning.

Second, he will close American ports to any ships that seek to come here during a voyage in which that ship engages in trade of any sort between a member of the Communist bloc and Cuba.

Also, we have prevented any U.S. shipowner from taking part in the Cuban trade.

Most important of all—we have denied U.S. Government cargoes to any shipping company whose vessels are used for trading between Cuba and the Communist bloc.

Mr. President, the blow to Castro in this action can be appreciated when it is recognized that most of the trade between Cuba and the outside world was with our country until our embargo in February of this year. Since then the trade has shifted to Russia. Of course, the total foreign trade of Cuba has dropped considerably because Russia cannot possibly supply what we supplied.

Seventy percent of the trade of Cuba with the outside world is with Russia. Two-thirds of that trade is being carried on in ships of allied countries or free countries of the world. The action the President will take will cut off virtually all of that trade. Anyone who doubts this will have much effect has only to note the British reaction. British shipowners are protesting the President's Executive order vehemently. I ask unanimous consent that an article entitled "British Shipowners Oppose Bars to Cuba Trade," published in this morning's issue of the New York Times, emphasizing that protest, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### BRITISH SHIPOWNERS OPPOSE BARS TO CUBA TRADE

LONDON, October 11.—British shipowners insisted today that they would accept no restriction on their trade with Cuba.

They agreed at a meeting that they had to rely on British diplomacy if the United States carried out its proposed sanctions against shipping engaged in carrying cargo from Communist countries to Cuba.

The meeting, called by the Council of the British Chamber of Shipping, was held to discuss U.S. plans for a shipping boycott of Cuba.

After the meeting, David M. Robinson, the Chamber's president, said that British shipowners intended to retain their right to trade throughout the world.

This was the first formal pronouncement from the Chamber since United States proposed to bar from American ports all ships of any country if even a single ship of that country's registry carried arms to Cuba, and to forbid the picking up of return cargoes in the United States by ships that had unloaded nonmilitary Communist freight in Cuban ports.

Mr. Robinson also condemned a suggestion by American shipowners' organizations that owners throughout the world should agree voluntarily to cease trade with Cuba.

Mr. Robinson said that a British Government request to the chamber that British concerns should not carry arms or military equipment to Cuba had been passed on to shipowners.

He added that there was no evidence that British shipowners were involved in such trade.

He said he "did not quarrel" with a U.S. statement that 78 British ships carried cargoes to Cuba between January 15 and August 31.

### PEIPING SAID TO SEEK SHIPS

LONDON, October 4.—Shipping sources said today that Communist China had appeared on the London market as a bidder for chartered shipping for the first time in more than a year.

The Chinese were reported to be seeking to charter vessels for 4 to 7 months.

According to a report today in the Financial Times, a British business newspaper, the Chinese want to stipulate that chartered ships must call at Cuban ports.

In the past, Communist China has made a substantial number of charters in London, the newspaper said, and its absence in the last year had been one factor in the low freight rates in recent months.

London has told the United States that the British Government has no power to interfere with the chartering or to ships to carry goods to Cuba.

The United States has proposed a series of reprisal measures to halt Western shipping from engaging in the Cuban trade. The U.S. measures are causing some owners, who would otherwise have accepted the Chinese offers, to hesitate, the Financial Times said.

### SWEDES BALK AT U.S. PLAN

STOCKHOLM, October 11.—Sweden indicated disapproval today of a U.S. plan to try to bar non-Communist shipping from carrying nonmilitary cargoes to Cuba from the Soviet bloc.

The Government announced that the Swedish Embassy in Washington had communicated Sweden's "anxiety" over measures abridging "the possibilities of freedom of the seas."

The Government said it had also told the United States that "as far as we know, no Swedish ships have been carrying arms to Cuba."

Mr. PROXMIRE. Norwegian shipowners are protesting the action, but they are agreeing to go along with it. The West German, Greek, and Turkish Governments have agreed to comply and to go along with us. I ask unanimous consent that an article by Frank

Porter entitled "United States Ignores Outcry on Cuba Shipping Ban," published in the Washington Post of recent date, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### UNITED STATES IGNORES OUTCRY ON CUBA SHIPPING BAN (By Frank C. Porter)

British and Norwegian shipowners yesterday attacked drastic American plans to retaliate against free world ships carrying Communist bloc cargoes to Cuba.

At the same time, there were indications that the United States intends to take a tough line, no matter what opposition develops overseas.

"It comes down to this: Do they want to trade with Cuba or do they want to trade with us?" one Government source said.

State Department and other Government officials spent most of yesterday hammering out details of the four-point program, which is expected to go into effect early next week.

The program provides for—

Closing American ports to all ships from any country whose vessels carry military supplies to Cuba.

Closing American ports to any ship which seeks to come here during a voyage in which it engages in trade of any sort between the Communist bloc and Cuba.

Preventing any U.S. shipowner from participating in Cuban trade.

Denying U.S. Government cargoes to any shipping company whose vessels are used for trading between Cuba and the Communist bloc.

Questions on putting these policies into effect, enforcing them, and clearing away any obstacles were reportedly discussed at yesterday's sessions at State. One trade official said unofficially that the Trading With the Enemy Act will undoubtedly be invoked and that the program may be administered by the Division of Foreign Assets Control of the Treasury Department.

Government spokesmen say they believe no free world ships have as yet carried arms to Cuba.

In Oslo yesterday, the Norwegian Shipowners Association said it "viewed with concern any development where shipping is being used as an instrument of foreign policy." But it said that its annual convention fully endorsed a request that members refuse to carry goods to Cuba.

British shipowners were more adamant. Their trade group, the Council of Shipping, decided unanimously to oppose any restrictions on their trade with Cuba, United Press International reported. "It is a matter of gravest concern to owners engaged in trade that they could be involved in sanctions," the council said.

The British Government has advised shipowners not to carry strategic goods to Cuba but it has no legal power to prevent them from doing so.

West Germany has endorsed a decree expected to cut off almost all its shipping trade with Cuba. Greek shipowners have approved a Cuban boycott. The Turkish Government has agreed to prohibit state-owned vessels from engaging in Cuban commerce and has asked private shippers not to haul Soviet cargoes there.

As explained by American officials, the embargo is designed to make the Soviet commitment to sustain Cuba economically and militarily as expensive and difficult as possible.

It has also been pointed out that any added hardship suffered by Cuba as a result of withdrawing free world shipping would serve as an example to other Latin American

nations which might be tempted to follow the Castro road.

About 70 percent of Cuban trade presently is with the Soviet Union and other Communist-bloc nations. But more than two-thirds of total Cuban trade has been carried in free world ships.

Thus, 35 percent of Communist cargoes have been transported by vessels under charter of nonbloc nations.

A recent Maritime Administration report indicates that free world ships made 571 calls at Cuban ports from January 1, through August 31. No vessels flying the U.S. flag visited ports other than the naval base at Guantanamo Bay.

Ships from Greece, the United Kingdom, West Germany and Norway accounted for 60 percent of the total. Following is a breakdown by country:

Greece, 125 trips; United Kingdom, 109; Norway, 55; West Germany, 50; Denmark, 33; Spain, 30; Lebanon, 29; Italy, 22; Japan, 20; Yugoslavia, 20; Sweden, 19; Liberia, 18; Netherlands, 14; Panama, 8; France, 5; Belgium, Finland and Chile, 3 each; Morocco, 2; and Honduras, Switzerland and Turkey, 1 each.

**Mr. PROXMIRE.** Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "United States Tries To Make Soviet Support of Cuba as Expensive as Possible," written by Chalmers M. Roberts and published in the Washington Post of recent date.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**UNITED STATES TRIES TO MAKE SOVIET SUPPORT OF CUBA AS EXPENSIVE AS POSSIBLE**

(By Chalmers M. Roberts)

A new phase in the Kennedy administration's policy toward Cuba is now coming into focus. But there are still some blurry aspects.

In the first place, the administration is leaving on the shelf the possibility of a frontal U.S. military assault to topple Fidel Castro's regime, as President Kennedy said publicly a month ago. Up to now nothing has occurred to alter this view and no change is now in sight unless Castro by some new move threatens American security or interests more than he does today.

In the second place, the United States is trying to make support of Cuba by the Soviet Union as expensive as possible.

It is doing this by putting an economic squeeze on Cuba. Both Latin American and Western European nations are being asked and cajoled into trimming or eliminating their trade ties to Cuba. This policy has had some success recently, but the administration has not gone to the point of preemptive buying of goods which other nations sell to Castro. However, it may come to that.

Nobody doubts that the Soviet investment in Cuba now is considerable enough both in terms of prestige and money, nor that Soviet Premier Nikita S. Khrushchev will keep on doing what is necessary to keep Castro afloat. The United States hopes the cost will continue to mount.

One hope here is that worsening economic conditions and increasing diplomatic isolation will further known current differences inside Cuba between the hard-core Communist Party leaders and Castro's other supporters who are not Communists. But so far there is more hope than hard fact in this line of reasoning.

Official sources do believe, however, that Castro himself daily walks in fear of internal enemies.

What all this type of policy amounts to is a hope that at some point something will give inside Cuba.

The blurry part of the picture of U.S. policy on Cuba has to do with sub rosa activities involving Cuban refugees and other non-U.S. citizens who might be willing to help in harassment of the Castro regime.

American officials are chary of using the term "harassment," to describe this aspect of U.S. policy. There is much talk of how difficult some of them have bungled various clandestine attacks inside Cuba. And it is said that Castro's internal security forces have grown more efficient, thus making such things as sabotage more difficult.

Whether this is just alibi talk for inaction is not totally clear but there are reasons for thinking so. On the other hand, the administration can hardly be expected to talk out loud about clandestine operations. The problem is whether any American hand in such operations can be kept secret. Refugees are notoriously gabby and Cubans are at the top of the list.

The net of all this is that the administration, in part under political pressures to "do something about Cuba," is doing about all it can do through normal diplomatic channels. But there is no more than a vague hope that this sort of thing can someday topple Castro.

What more can or will be done at the covert level is fuzzy. Cuban refugee groups are full of complaints of lack of cooperation.

On one point there is a clear administration policy line. There is no link between the Berlin problem and the Cuban problem susceptible of any sort of "deal" with the Soviet Union. There are differences of opinion as to what Khrushchev would do if there were a full-scale American assault on Cuba, but no one in authority seems to doubt that short of that the Soviet boss will do everything necessary to hold his Latin American beachhead.

And between Berlin and Cuba, U.S. sources are positive that Berlin is the major league problem, however much Cuba arouses American anger.

**Mr. PROXMIRE.** Mr. President, one of the most outstanding writers of financial news, Sylvia Porter, commented last night in the Washington Evening Star on this subject. In the conclusion of the article she said:

The "kicker" is No. 2—for what it does is give the free world's shippers a choice between making short-term profits on Soviet-Cuban trade or long-term profits on hauling U.S. cargoes—and we offer the world's largest total of cargoes of all sorts. The choice, experts believe, is almost certainly to be what we want it to be.

Russia will, of course, be able to replace the ships. But it'll be far more expensive, far tougher, far more burdensome for her to push the Cuban buildup. From an economic-commercial standpoint, this is truly drastic action against the Soviet satellite 90 miles from our shores.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**SOVIET-CUBA TRADE FACING CURBS**

(By Sylvia Porter)

As the United States proposes to curb free world shipping, carrying cargoes from Russia to Cuba, two obvious questions arise: How big has the Soviet bloc's trade with Cuba become? How lucrative has carrying these cargoes from Russia to Cuba been to non-Communist shipping nations?

The answers to both questions are: The Soviet bloc's trade with Cuba has grown at an enormous rate in the past 2 years and carrying the cargoes has been exceedingly lucrative to shipowners in the free world's maritime nations, including our closest allies.

Soviet trade with Cuba this year will reach \$750 million, according to a study published in Geneva on the Iron Curtain economies by the Economic Commission for Europe. The ECE is a United Nations organization with headquarters in Geneva.

This represents a 40-percent jump over Russian-Cuban trade in 1961 and this trade in 1961 was in turn 300 percent above 1960.

Poland's sales to Cuba more than tripled from 1960 to 1961, rising from \$4 million to \$23 million, while her purchases from Cuba more than doubled, rising from \$10 million to \$24 million.

**U.S. TRADE REDUCED**

Rumania's sales to Cuba climbed from next to nothing in 1960 to \$11 million in 1961. Czechoslovakia's trade followed a similar course, is scheduled to increase another 20 percent this year.

While our trade with Cuba has been reduced from 4.3 million tons in 1959 to 75,000 tons in 1961 (mostly medicines), the Soviet bloc nations have taken our place.

Implicit in the statistics on the tremendous rise in Soviet Russia's trade with Cuba is the answer to the second question about its financial value to nations whose ships are transporting the millions of tons of food, materials, machinery. The estimate is shipping fees on the traffic are now running at over \$100 million a year—a welcome bonanza at a time of world-wide maritime recession.

Between January 1 and the end of August, a total of 433 ships carrying free world flags docked at Cuban ports.

In the 3 months of June, July, and August, the U.S. Maritime Commission reports, owners of 169 ships of free world nations made 185 trips in and out of Cuban ports, with ships of such countries as Greece, Britain, West Germany, and Norway accounting for more than 60 percent of the trade.

Under mounting pressure from us, though, the nations have begun to act. Turkey has banned all shipments; West Germany and Italy are blocking the trade via licensing policies; Denmark has told shipowners she doesn't approve of the shipments; Norway has asked shipowners to "reconsider" hauling cargoes; Britain is "considering" our request for restrictions; Greece is asking shipowners to cancel chartering agreements.

**ACTIONS OUTLINED**

And now the United States, on its own, is taking action to tighten the trade noose around Russia's new satellite.

1. We're going to close all U.S. ports to all ships of any country if any of that nation's ships carry arms to Cuba.

2. We're going to withhold any U.S.-owned or financed cargoes from a foreign shipowner if any of that shipowner's vessels are used to carry Soviet cargoes to Cuba after the crack-down goes into effect.

3. We're going to bar from all U.S. ports any ship which delivers even clearly non-military Soviet cargoes to Cuba and then tries on the same continuous voyage to come to our ports to pick up cargoes to carry home.

4. We are forbidding all U.S. flagships or U.S.-owned ships to carry goods to and from Cuba.

The kicker is No. 2—for what it does is give the free world's shippers a choice between making short-term profits on Soviet-Cuban trade or long-term profits on hauling U.S. cargoes—and we offer the world's largest total of cargoes of all sorts. The choice, experts believe, is almost certainly to be what we want it to be.

Russia will, of course, be able to replace the ships. But it'll be far more expensive, far tougher, far more burdensome for her to push the Cuban buildup. From an economic-commercial standpoint, this is truly drastic action against the Soviet satellite 90 miles from our shores.

Mr. PROXMIRE. In conclusion, this is not an act of war. It is not an act of war, but it will be singularly effective. The President and the State Department deserve a great deal of credit for this ingenious action.

#### PUBLIC KEPT IN DARK ON LOBBYING BY LOOPHOLES IN LAW

Mr. PROXMIRE. Mr. President, I have been inserting in the RECORD a series of articles on the lobbying problem by James McCartney of the Chicago Daily News, who is an outstanding Washington correspondent.

This morning I have before me the fifth and final article in the McCartney series. The article shows how loopholes in the lobbying law prevent any kind of effective enforcement. Mr. McCartney dramatically describes how a top lobbyist for the American Medical Association took advantage of the loophole. Certainly that organization was exceedingly effective in killing the President's medicare proposal.

Yet, as the writer points out, the effort of the AMA does not show in the lobbying expenses that the AMA has reported under the Nation's 16-year-old Regulation of Lobbying Act. This is so, although the AMA has been conscientious in reporting its expenses and reports more than any other lobby working Washington.

For example, Paul R. M. Donelan, a top AMA lobbyist reported some expenses for the first three months of the year. The expenses he reported, however, in April, May, and June, the period when the battle over care for the aged reached a climax were nil. He reported no expenses at all in April, May, and June for travel, food, lodging, entertainment, or for anything else.

Mr. McCartney has shown that in the case of the AMA and the U.S. Savings and Loan League, a lobby which won a smashing victory over the President this year, and in other cases, the lobbyists can report or not report, pretty much depending on how they want to operate, with the result that the public is kept in the dark. The present lobbying regulation law serves virtually no purpose whatsoever.

I ask unanimous consent that this thoughtful article, entitled "Loopholes in Lobbying Law Prevent Enforcement," by James McCartney, published in the Chicago Daily Times on October 11 be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOOPHOLES IN LOBBYING LAW PREVENT ENFORCEMENT—SIXTEEN-YEAR-OLD ACT KEEPS CONGRESS, PUBLIC IN DARK

(By James McCartney)

WASHINGTON.—The American Medical Association has been credited with one of the

great lobbying campaigns of modern times with its drive this year to kill hospital care for the aged under Social Security.

But it doesn't show in the lobbying expenses the AMA has reported under the Nation's 16-year-old Regulation of Lobbying Act.

One of the AMA's six registered lobbyists, Paul R. M. Donelan, for example, has listed his total expenses for the first 3 months of this year for travel, food, lodging, and entertainment at 50 cents—one-half a dollar.

This would be in a period when the medical issue was much in doubt and AMA efforts intense.

Even then, Donelan spent more for those purposes in the first 3 months of the year, according to the report, than he did during April, May, and June—the period when the battle over care for the aged reached a climax.

He reported no expenses at all in April, May, and June for travel, food, lodging, entertainment—or for anything else.

These expenses are not far out of line, however, with those reported by some other lobbyists engaged in big campaigns.

A lobbyist for the U.S. Savings & Loan League—which staged one of the largest mail campaigns in history this year—reported \$9.50 as his total expenses for the first 3 months of the year.

But neither Donelan nor the savings and loan lobbyist should be blamed if the figures appear to be somewhat ludicrous.

The fault lies not with them but with an act that has been labeled as ineffective by almost everyone who has taken the time to study it—including both the American Medical Association and the Savings & Loan League.

An AMA spokesman as long ago as 1957 described the act as "full of ambiguities" and suggested that it would be "a great service to the country to see the laws cleared up."

As the act stands now, no one knows who is supposed to register or how expenses are supposed to be listed.

And because the writers of the act failed to set up an administrative or an enforcement agency there is no one around to provide answers. The Justice Department abandoned serious enforcement efforts years ago because of the law's vagueness.

The last congressional group to study the problem, a Senate committee headed by Senator JOHN McCLELLAN, Democrat, of Arkansas, in 1957, said the law needed a major overhaul.

The report was signed by Senator John F. Kennedy, since promoted.

But Congress—never anxious to crack down on lobbyists—has never moved.

The result of the peculiar, unenforced law is to create the impression that lobbying is regulated, while, in fact, it is not.

The National Association of Manufacturers has a Washington office of about 40 persons and the stated goal of acting as the "spokesman for American industry."

But the NAM does not register under the Regulation of Lobbying Act.

Americans for Democratic Action, at the opposite political pole from the NAM, was formed to voice liberal, independent views.

It doesn't register under the act either.

The General Dynamics Corp., is the Nation's largest defense contractor with more than \$1 billion in Government contracts.

It maintains an office of 35 to 40 persons in Washington to service the contracts and, often, to see what can be done to get more.

Its representatives roam the corridors of the Pentagon.

It has no registered lobbyists. But then, neither, apparently, does any other of the Nation's top defense contractors.

More than 6,000 individuals or groups have registered since the law went on the books but no one knows what that means. If someone had registered in 1946 and died the next day his name would still be on the lists, and will presumably stay there through eternity.

But other groups among the most influential in the country and very much alive aren't on the lists at all.

Ridiculous situations arise, too, in reporting lobbying expenses by organizations.

The American Medical Association campaign against hospital care for the aged has been estimated on the floor of the House to have cost more than \$7 million.

The AMA's reported lobbying expenses have been much less than \$200,000.

The fact is that the present lobbying law doesn't cover the kind of grassroots lobbying campaign that the AMA has waged—by far the most common kind of major campaign today.

Most lobbying authorities, including the McClellan committee in 1957, have noted the trend toward massive letterwriting campaigns, but the lobby law completely overlooked them.

There are other important areas the lobby registrations law does not touch, too.

It does not, for example, cover lobbying with the executive branch of the Government—either to enlist the support of administrative officers for a legislative program or to influence rule and regulation making.

The president of E. I. du Pont de Nemours, Crawford M. Greenewalt, who came to Washington many times to visit top Government officials about the "Du Pont bill" did not register under the Lobby Registration Act.

The attorney who planned the campaign, however, registered fully.

Former Senator Majority Leader Scott Lucas, of Illinois, now a lobbyist, estimates that he spends more than 95 percent of his time working with executive agencies. He is no exception.

Nor does the law cover "groups or corporations" which do not solicit or collect money—a large category indeed.

The law was passed in 1946 almost as an afterthought as part of the Legislative Reorganization Act, which "streamlined" Congress.

It has been existing as an afterthought almost ever since. It was dealt a crippling blow in 1954 when the Supreme Court ruled, among other things, that it covered only groups with the principal purpose of influencing legislation.

Many groups—like the NAM and the ADA—say this is not their "principal purpose" and thus they need not register. No one is around to say they must.

The Supreme Court, however, did not mean to kill the effectiveness of the law, which many lawyers believe was poorly drawn in the first place.

Said Chief Justice Earl Warren in rendering the Court's opinion:

"A full realization of the American ideal of government by elected representatives depends to no small extent on their ability to properly evaluate \* \* \* pressures.

"Congress has not sought to prohibit pressures. It has merely provided for a modicum of information from those who for hire attempt to influence legislation or who collect or spend funds for that purpose.

"It wants only to know who is being hired, who is putting up the money, and how much."

Congress today does not have that information. Nor do you.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

## BERLIN

Mr. KEATING. Mr. President, I was very glad to learn that the President and the Secretary of State are seriously concerned over the up-coming crisis expected on Berlin. I rejoice that this subject is now being discussed at length with our allies and others throughout the world. It is perhaps the most important problem which our Nation faces. But more effective than any words at this point would be some decisive action on our part, a move that would show the Communists that we do not intend to be pushed around or taken by surprise in Berlin. So far we have seen no deeds at all, only words, even though there are clearly steps within our power which we can take now that would better prepare us to meet a new threat in Berlin that would warn the Communists that we are serious in our determination there.

My purpose today—because I assume we are bringing the Congress to a close—is to propose one constructive step that we can take now in that direction, and that is the consolidation of Allied authority in Berlin, at least temporarily, so that there will be one Allied commander to meet the crisis expected within the next few months, so that action can be fast and decisive without lengthy consultation at every step. That is the kind of leadership which in my judgment the United States must strive to produce at this point if we are really to convince the world of our determination in Berlin. If our allies do not agree on that, we may have to go it alone. But, first of all, a strenuous effort must be made to set up a single supreme Allied commander, as we had in World War II, at the critical point.

The Communist refusal to permit a British ambulance to come to the aid of a West German injured person last weekend by East German police was a bitter rebuff to Western rights of access throughout the city. It is an ominous sign of what we can expect from the East Germans if a peace treaty is ever signed.

Yet what was the allied reaction to this clear violation of our rights? After 24 hours of consultation, we decided to send a note of protest, which the Soviet Ambassador in East Berlin promptly rejected. Frankly, I am not at all surprised. Why should he continue to take these futile slips of paper that come out of our diplomatic mills with increasing frequency, full of sound and fury, but signifying, in terms of policy or action, absolutely nothing? No doubt the rejection of the note required another 24 hours of consultation between the allies before we came up with another statement, protesting the rejection of the note and publishing it in the press. Perhaps next time, for variety's sake, we might try to deliver our protest in Moscow instead of Berlin. To all intents and purposes, note-passing is the extent of our firm and determined Berlin policy at the moment.

Mr. President, a review of published sources indicates that between last August 13, when the Wall of Shame first went up, and the end of August 1962, 39 notes of protest were sent by the Western

Allies to the Soviets. These include Big Three joint protests, parallel notes of protest by all the powers separately, and individual protests by the United States, Britain, and France independently. These protests covered such flagrant violations of allied rights as the building of the wall, the stepped up harassment in the air corridors, and the persistent Soviet massacre of unarmed refugees trying to make their escape; they also included protests over mistreatment of individual allied servicemen. So far as can be determined from the published reports not one of the Big Three protests was satisfactorily answered, and the great majority were rejected entirely, like our latest protest over the ambulance.

None of these protests have had any effect whatsoever. Note-passing is no substitute for effective action, and I for one think that it is time we prepared ourselves to anticipate the next Soviet move ahead of time and try to block it instead of protesting when it is too late to change the facts.

Furthermore, Mr. President, of even greater concern than the ease with which the Soviets have gotten away with this latest slap at our rights, are the reports that no attempt will be made to force access to East Berlin for any allied vehicle, whether it be on an errand of mercy or a military patrol. This report, prominently featured in the press and not subsequently denied in any source that I have seen, indicates that the Western nations have apparently agreed among themselves not to insist on their rights in East Berlin. At the same time, we have not demanded or asserted any other rights in retaliation. In effect, we are accepting the status quo while leafing desperately through the protocol books to find a new Soviet representative to whom we can deliver our unending spate of diplomatic protests.

Mr. President, as I have said before, it would be disgraceful to trade the freedom of West Berlin in any kind of a deal. It has been denied that any deal is under consideration. It is even more disgraceful simply to give it away without even mentioning a quid pro quo. This appears in fact to be what we may be in danger of doing.

I speak today in the hope that it will be one small voice in protest against this, and one small voice which will try to prevent this action from being taken.

Furthermore, Mr. President, another trial balloon seems to be lofting up into the harassed Berlin skies, the plan for internationally controlled access authority. The indications are that pressure is again being put on the Bonn government to go along with a plan that, in my judgment, can have no justification whatsoever. The plan to set up an international control authority as originally suggested several months ago was to have included the United States, Britain, France, the Soviet Union, Poland, Czechoslovakia, Sweden, Switzerland, Austria, West and East Germany, and West and East Berlin. Originally there were strong West German objections, as well there might be. Now we are led to believe that some of those objections

have disappeared, a report which I for one find very difficult to believe.

It is being reported from authoritative official resources. They are always very careful never to use names in these cases.

I am deeply puzzled, Mr. President, to understand the predilection of our officials for the establishment of international agreements, guarantees, and authorities to settle matters which are basically beyond the scope of genuine international agreement. Surely the course of the much-vaunted settlement in Laos, which was to guarantee the exodus of foreign troops and provide for a neutral nation under international agreement, should have awakened us to just what we can expect from the Communists. Our troops have left; the Communists are still there. We have kept the agreement. They have, as usual, paid no attention to the agreement.

Do we never learn? How much further do we have to go in Berlin, how much more do we have to yield, before we recognize that our position in Berlin, eroding steadily as it is, will be weakened, not strengthened, by any kind of hydraheaded international control authority?

Surely, Mr. President, if we have learned anything in the 17 years of tangled negotiations, deadlines, and crises over Berlin, we must have recognized that one of the great weaknesses of the Western position vis-a-vis the Soviets in Berlin is that we are three whereas they are one. They can act quickly and decisively.

We always have to confer for 3 days first. They can in fact erect an entire wall around their part of the city without any responsible person in allied circles having any idea that they were going to do it. Whether we blame ourselves for incredible blindness or the Soviets for incredible skill, it is clear that such efforts are completely out of the question for the Western Allies when the simple matter of access for an ambulance has to be discussed for 24 hours before a note of protest can be drafted.

Moreover, after 17 years of experience with Soviet harassment in Berlin air corridors, there is no indication to this day that we have devised effective methods for protecting the lives of air travelers in and out of Berlin or the security of the Berliners themselves who are consistently subjected to Soviet buzzing. Meanwhile the Communists are now lining up fighters, to harass even more viciously. All we have thus far devised, after lengthy conferences, is the threat that, should harassment in the air corridors become unbearable, we would use fighter escort—not a very satisfactory approach in my judgment.

What is more, there have been virtually no measures to meet the Soviet trick of flying low over the city, buzzing houses, and thus trying to lower morale and build up new anxiety in West Berlin. I know only too well, from my own experiences and from the steady flow of letters from New Yorkers who live around the larger airports, what an ordeal continued airplane noise can be. In 1948 and 1949 this sound meant freedom and survival to Berliners. Someday

again we may have to resort to such measures. But in the meantime, I should not think it would be beyond the ability of our forces, in cooperation with the West Berlin government, to provide some kind of protection against this wanton provocation and harassment by the Soviets. Mere notes of protest will not solve the problem. Some effort, imagination, and enterprise on our part might.

All those who have tried to act decisively in Berlin, and in particular Gen. Lucius Clay, who has rightly won the confidence of the people of Berlin for his appreciation of what firm action can accomplish, have emphasized again and again the great handicaps and problems of three-power control. Even though this status was inevitable and does reinforce the united support of Western Europe for the freedom of West Berlin, it has been a serious tactical disadvantage.

Yet despite this lesson, which is very evident to anyone who has been on the spot, we are now apparently prepared to move even further in this direction and to tie our hands, not only to 2 other powers, but to 12 others. Our position in West Berlin under such an arrangement would be like Gulliver in Lilliput: we would be tied down by a maze of threads. Our every move would be restricted by the lines of multilateral commitments, each one small in itself, but taken as a whole quite sufficient to immobilize even the giant power of the United States.

Why should our Government deliberately draw up plans to try to hamper its freedom of action in this way? Everywhere in the world, from Cuba, to Berlin, to Laos, we are bound by the requirements of consultation and deliberations with our allies before we can take action. Cooperation among allies is fine, and I am all for it under existing treaties. It is essential to have cooperation among allies. But I see no valid reason for deliberately creating new organizations for consultation when, so far, we have not yet succeeded in getting any effective action out of the organizations we already have. Moreover, any such organization, with Communist membership, could be driven into deadlock—or worse—as easily as the United Nations.

Let us also not forget, in assessing a possible role for neutrals, that India's Prime Minister Nehru stated right after the wall was built that the East Germans had a perfect right to seal their border and that the allies were in Berlin, not by right, but as a Soviet concession. He was wrong—dead wrong; but that was his position. That is what we can expect from neutrals. On Berlin as on the question of Soviet nuclear testing, the neutrals at their Belgrade conference right after the wall went up generally refused to condemn Communist acts and preferred to look the other way.

There is only one condition under which I believe an international authority for access to Berlin could be successful—and that is if the authority really were "authority"; if it really had power; if it were headed by someone who had the right to make on-the-spot decisions and carry them out. But let us not fool

ourselves. It would be difficult enough to get the United States, Britain, and France to delegate such authority to anyone. The Communists would never do so. Certainly I cannot conceive that any 13-member body, particularly with neutrals and Communists as members, would ever agree to a strong, effective central authority, especially since the main purpose of that authority would be the defense of the access routes necessary to preserve the freedom and independence of West Berlin from communism.

Let me conclude by making these three points:

First, after the successful refusal of the Western Powers to permit Soviet armored vehicles into West Berlin and the demonstration of the value of firmness, we have once again reverted to our previous pattern in the ambulance incident. We accepted the new restrictions imposed. We sent a note of protest. We complained. We reaffirmed our determination to stand fast. And we did nothing more.

Mr. President, in my judgment, every action of the Soviets must be met by a reaction on the part of the West, and I do not mean a reaction of pen on paper. I mean a tangible, evident, physical reaction in Berlin such as refusing admittance to Soviet guards for the Soviet memorial, or detaining of Soviet troops within West Berlin, or best of all, insisting even against the point of a gun that the ambulance be admitted on its errand of mercy. The principle laid down by General Clay is valid for all such incidents: So act that the Communists, not the West, must be the first to use force to accomplish their objectives. I cannot believe the Communists would have been prepared to fire on a British military ambulance for trying to help a wounded man; but if they were, then the burden of responsibility would have been on them beyond all shadow of doubt, and world opinion would have backed up the position of the Western Powers, not the Soviets.

Mr. President, several weeks ago I denounced the possibility of a deal on Berlin. After the latest events, I think that I may have been overly optimistic. There is no sign of a deal. All I see now is a giveaway. We are asking nothing at all, and we are getting nothing in return, except perhaps a new set of Communist pledges which are not worth the paper they are written on, as the events in Laos have most recently demonstrated.

Second, what we must aim for in Berlin is not a further diminution and dispersion of power and authority in a 13- or even a 5-power agreement, so that whenever a crisis comes up it will take 2 weeks to confer and reach a decision. Twenty-four hours is too long as it is. We need a consolidation of power and authority in Berlin, a strengthening, not weakening, of decisionmaking power. Any action which would make it more difficult to reach rapid and firm decisions is an action which in the long run will aid the Soviets, not the West. That point must never be forgotten.

Third, and most important, in preparation for the serious crisis which is anticipated later this year, we cannot afford to continue the present bureaucratic

channels of responsibility. We must be ready, not only with stacks of documents and policy-planning alternatives stacked in the basements of Washington, D.C., but with an enterprising, imaginative, and competent person on the spot who has the authority to make an immediate decision and enforce it. Only when we have stationed in Berlin—not in Bonn, or Geneva, or Paris, or Washington, but right in Berlin—one person who can speak for all three powers in a voice that will carry instant weight will we be in a position to meet the next Soviet move.

Mr. President, over the last few years we have been taken by surprise around the globe—first, by Castro's turn to the left in Cuba; second, by the erection of the wall of shame in Berlin; third, by the great influx over the last few months of Soviet men and munitions into Cuba. The mistakes have been bipartisan, I freely admit; but all of us can learn from them. When, oh when, Mr. President, are we going to be ready? How much longer can we afford to shilly-shally? When are we going to take the necessary steps to defend our interests? In my judgment, in spite of such sweeping measures as the reserve callup authority bill, and the latest, somewhat overdue, restrictions on shipping for Cuba, we still are not ready for the next Soviet step. The ambulance incident clearly shows that. We do not know what will happen next, or where, or how to cope with it.

By the way, Mr. President, the restrictions on shipping for Cuba are not, in my judgment, as effective as some have thought them to be, although they do have some effect, and I commend the Secretary of State for moving in that direction.

Mr. President, there is no time to waste. At this point we have nothing to gain by tossing about nebulous plans for international agreements. We must quickly get our own house in order, so that the right hand will know what the left hand is doing. I am very deeply concerned that as yet we have not done this where the danger has been greatest and still is greatest—in Berlin.

Mr. President, the resolution adopted on Wednesday is undoubtedly a plus; but it contributes very little, one way or another, to effective action in Berlin. If I may paraphrase one of the great American orations of all time: The world will little note nor long remember what we say here, but it can never forget what they did there—in Berlin. If the city of Berlin is not again to become a graveyard, a place where another generation of youth will have to give their lives for the freedom and self-determination they hold dear, we must do more than talk. If this resolution can awaken the Government of this country and the governments of the countries of Europe to the threat we face, it may serve a useful purpose. But if it does not, our strongest words today will be as idle as all the notes of protest over Berlin that during the last 17 years we have conveyed to the Soviet Union.

Finally, Mr. President, I have one additional suggestion to make: I think it would be an important and worthwhile act of solidarity between the people of

the United States and the people of Berlin if the original text of this resolution could be officially conveyed to the people of Berlin, for permanent exhibition and display in that city, as a continuing sign that the United States recognizes and stands by its international obligations. It will do more good in Berlin, where it can be seen by friend and foe alike, than to be buried in the cellars of the National Archives, where its existence would soon be forgotten.

In sum and substance, Mr. President, I am sincerely convinced that the way to peace lies in firm action, not just words; whereas the way to war is through concessions and retreats, to a point where one's back is against the wall, and there is nothing to do but fight. It is to avoid such a situation that I urge firm action. It is for that purpose that I have spoken today, in making what I hope are some constructive suggestions.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PROXMIER in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE HEARINGS THAT CHANGED TELEVISION

Mr. KEFAUVER. Mr. President, more than 5 years ago, as chairman of the Subcommittee To Investigate Juvenile Delinquency, I investigated the overemphasis on crime, violence, and lurid sex on our Nation's television screens. At the conclusion of those hearings, the television industry promised to clean things up, to police itself, to establish standards of practice that would bring about more wholesome types of television shows, particularly during the hours when millions of children are among the viewing audience.

Performance, however, is not always up to the promise. Over the last 15 months, under the inspired chairmanship of the Senator from Connecticut [Mr. Dobb], the television industry's performance was reexamined, to see how well its pledge was kept. It was at once obvious that not only was the industry's pledge to police itself and to improve the quality of programing not kept, but the programing had deteriorated in almost every category.

In that 5-year interim, television programing that many experts in human behavior consider undesirable for children, increased from 15 percent of the prime program time to 50 percent of prime time. More killings were portrayed per show, and the killings were more vicious. Senator Dobb found that more than half the programs broadcast during prime time were devoted to shows glorifying sex, violence, and antisocial behavior in general—shows that tended to give children the impression that life's problems are solved with the knife, the fist, and the gun.

Since Senator Dobb adjourned the television hearings earlier this year, there has been a noticeable change in television programing, and I am convinced that further changes and improvements are imminent.

Mr. President, an excellent summary of Senator Dobb's long months of investigation and hearings were published in the fall issue of *Telefilm* magazine. The article is taken largely from the records of the hearings, and is authoritative in detail. I commend it to the attention of my colleagues, and ask that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### THE HEARINGS THAT CHANGED TELEVISION

As congressional investigations go, few have been more useful than the one just completed by the Senate's Juvenile Delinquency Subcommittee. The investigators did not document precisely the amount of juvenile delinquency which can be charged to TV, but they certainly succeeded in dramatizing the sterility and deadliness of the sex-and-violence cycle which dominated TV in recent years.

Beyond that, however, the investigation was unusually successful in demonstrating that the networks are exercising immense power over the kind of programs that go into the air, and that this concentration of power can be readily abused.

The investigation came at a time when networks were in unusually good standing in Washington. Recent increases in the volume of public service programing pleases many of the Washington critics who have been demanding "better TV." It seems to confirm the claim that networks need a free hand to plan their programing so that the public gets a "balanced" selection.

In its investigation of sex and violence, however, the Juvenile Delinquency Subcommittee found a situation where competition among networks led to disturbing results, with "bad" programing on one network driving out "good" programing on others. The process was able to go unchecked, largely because a few people at the top have so much to say about the programs that get the prime time.

Senator THOMAS DOBB, Democrat, of Connecticut, the subcommittee chairman, emphasized the fact that the three network programing executives—Oliver Treyz, then of ABC, James Aubrey, Jr., of CBS, and Robert Kintner of NBC—were all high officials of ABC in the embryonic development of ABC's concept of how to entice the viewing audience.

"This concept emphasized crime, violence, and sex," he said. "When these three men eventually became the operating heads of our giant networks, the race for ratings was on."

By digging deep into the industry's most intimate interoffice correspondence, the investigators were able to strip away the platitudes which smother most investigations in Congress or the FCC, and to provide the outside world for the first time with authentic vignettes of the scurrying that occurs in Hollywood and even in the ad agencies when the network bosses swing into action.

The subcommittee estimated that the crime-detective action-adventure, western type eventually accounted for fully 50 percent of total prime time, compared with only 15 percent in 1955. To demonstrate the danger of such a situation, it noted that fully 20 million children watch during these hours and that as many as 5 to 8 million children under 17 watch such shows as "The Untouchables," "Route 66," "Malibu Run," "Whispering Smith," etc., every night of the week.

The subcommittee drew on industry files to show that networks knowingly stepped up the sex and violence in programs which were favorites among children and teenagers.

#### "BUS STOP" AND "ROUTE 66" EPISODES MADE TO APPEAL TO TEENAGERS

Perhaps the best publicized example involved an episode of "Bus Stop" starring Fabian, the teenage idol. This particularly sadistic episode drew protests from sponsors and affiliates, but it went on the air on the personal insistence of ABC President Oliver Treyz.

The subcommittee record showed that ratings of "Bus Stop" had been sluggish at the time the Fabian episode was offered, and the future of the program was in doubt. The subcommittee also showed that special promotional arrangements were used to call attention to the forthcoming program.

In the end, the record showed the Fabian episode scored a substantially higher arbitron than preceding "Bus Stop" episodes. The increase was particularly sharp in children under 13, with 1.1 million tuned in for Fabian, compared with an average of 0.5 million during the preceding month.

During his appearance before the subcommittee, Mr. Treyz was asked: "Were you not aware of Fabian's special appeal to 10- to 14-year-olds?" He replied: "I was aware of his appeal to teenagers."

In the view of the subcommittee, ABC wasn't the only network to knowingly inject sex and violence into programs with big followings of teenagers. From the files of "Route 66" the subcommittee staff turned up a continuing hassle between CBS and Screen Gems, with CBS protesting that the program was too "downbeat," lacking romantic interest. The Screen Gems version, in the same documents, was that CBS was demanding more "broads, bosoms, and fun."

Wherever the responsibility rested, a subcommittee chart showed that there was continuing increase in the number of protests lodged by CBS program continuity department over sex in the program. In April 1961, W. H. Tankersley, director of program practices, Hollywood, spelled out his misgivings in a letter to Selmer Chalif, of Screen Gems.

He started by pointing out that TvQ showed "Route 66" to be particularly popular with young people, tied for second in the 12 to 17 age group, down to 6th for 18 to 34, and 14th for the 35 to 49 age group. "The appeal of this program to teenagers precludes such fare as 'The Newborn,'" Mr. Tankersley wrote. "Because of its time slot and built-in appeal to youth, this program cannot be regarded as a peripatetic 'Playhouse 90'; and it is hoped that Bert Leonard and Sterling Silliphant will cooperate with us in trying to avoid extremes which will be resented by parents."

#### "BROADS, BOSOMS, AND FUN," SHOW BUSINESS VERNACULAR

The industry files proved to be fully as titillating as any of the sexpots and hennens who were written into the programs. In fact the networks contended that the very validity of the memos was discredited by the extravagant language, and that such phrases as "broads, bosoms and fun" should be discounted as the normal vernacular of show business.

"The word 'broad', for example," Mr. Aubrey told the subcommittee, "is commonly used by show business people to refer to any woman." A memo by Howard G. Barnes, a CBS west coast executive had referred to an Aubrey "dictum" to put "broads, bosoms and fun" into "Route 66," but the CBS TV president assured the subcommittee these couldn't be his words, since he does not make a practice of using the word "broad."

There was a great deal of "torturing" of the English language—trying to avoid the connotations and meanings of simple words. The words "broads, bosoms and fun" were

not accepted as being the jargon of Hollywood by the subcommittee.

The investigators have not, of course, achieved any revolution in the character of network programming. But they undoubtedly contributed to the dismissal of at least one network head; they supplied valuable ammunition to those who hope to put some curb on the power exercised by network heads; and they strengthened the hands of those in the continuity acceptance branches of the networks and the code authority of the National Association of Broadcasters who must resist the efforts to hypomediocre programs with injections of material to stir the libido of the teenagers, and the deprived imagination of those who crave violence.

#### CREATIVITY HAMPERED UNDER NETWORK DICTATES

The concentration of power in the networks has been a matter of controversy in Washington for fully half a dozen years. Initially it was denounced as a bad thing, with independent creativity crushed under the harsh dictates of the networks. By the time the FCC organized its massive public hearing on TV programing early this year, however, networks were no longer discounting their power, but were insisting that they need—and ought to have—the final authority to dictate what goes onto the air.

Even the FCC attitude on option time has softened under the most recent network blandishments. For the networks, basking in the popularity in Washington of their new "public service" programs, have successfully "sold" the idea that the affiliates—if left to themselves—would surely reject all "quality" programing in order to put on programs with "mass appeal."

The ability of networks to control the programs that go into prime time, and the tendency of the programing executives to pick the programs that have high ratings had been fully demonstrated nearly 3 years ago, when the House Committee on Legislative Oversight, under Representative OREN HARRIS, was looking into TV quiz shows. But the Harris subcommittee was content to merely blast the quiz shows off the air. Far from levying scorn on the networks, or the network executives for tolerating the rigged quiz shows, the Harris subcommittee willingly advanced the idea that the networks had been "victimized" by outside producers whose affairs the networks were powerless to control.

It is interesting to note that the TV network executives called to Washington on the earlier TV quiz scandals were the same men called before the Dodd subcommittee on "sex and violence" charges.

In the early stages of the juvenile delinquency probe in mid-1961 the network testimony seemed to be following the same course that it took before the Harris subcommittee. Networks argued that the increase in sex and violence simply reflected the taste of the American people, or the paucity of imagination of writers and producers.

Networks pictured a continuing tug-of-war in which the producers are at least as adamant as the networks. While they readily conceded they attempted to influence the content of programs, the networks wanted the subcommittee to believe they exercise only a benevolent influence which seeks to assure "quality" programing, rather than the sordid material which the subcommittee questioned.

#### SEX AND VIOLENCE; A MATTER OF ECONOMIC SURVIVAL

It was indeed a discouraging prospect. Producers and writers were putting sex and violence into programs as a matter of economic survival, the networks argued. Even where network personnel were parties to the decisions, the decisions were group decisions, so no one man could be regarded as responsible.

If it were not for the skepticism of the subcommittee staff, the juvenile delinquency investigation might have ended—as so many other investigations by Congress and the FCC have ended before—with the conclusion that the country gets just about the kind of TV it wants and demands. But the investigators—led by Carl Perian—dug behind the oral testimony into the written files, and the documents which were placed on the public record demonstrated—according to Senator DODD—that networks are in a position to, and do control program content, and this control is not necessarily exercised with a sense of responsibility.

Whether the network bosses are as venal as some of the documents imply continued to be a matter of dispute. But the existence of such vast power necessarily represents a serious problem, the Senator believes, and some form of regulation is indicated to assure that the networks exercise their power in the public interest.

#### AUDIENCE RESEARCH NOT FOLLOWED

The subcommittee also examined at length "Whispering Smith," a half-hour western series. "Whispering Smith" was produced by Revue Productions, a divisor of MCA-TV, Inc., in 1959 and 1960 for NBC and was held by NBC in inventory until May of last year. The first episode appeared on May 15, 1961, at 9 p.m. on the east coast. In March 1960 NBC had submitted the "Hemp Reeger" episode to Communication & Media Research Services, Inc., of Peekskill, N.Y., an independent testing organization, to conduct a study of audience reaction to the "Whispering Smith" series. The "Hemp Reeger" episode was viewed by 262 men, women, and children on March 28 and 30, 1960. The test findings of Communication & Media Research Services are summarized in a memorandum from Mr. Willis Grant, an NBC employee, to Mr. H. M. Beville, Jr., NBC's director of research. Among the detailed findings was the following:

"The sexual implications of the show were disliked by men and children as well as by women. Nearly all (97 percent) of the people felt there was too much emphasis on sex. The scene with Flo in Smith's room was disliked by 63 percent of the people. Three-quarters of the people (men, women and children) felt that this show was unsuitable for children."

On July 17, 1961, the "Hemp Reeger" episode was shown on the home TV screen—apparently with no regard to this audience reaction test.

ABC and CBS were less successful in defending "Bus Stop" and "Route 66." After Oliver Treyz had been removed as head of ABC, Leonard Goldenson testified that he regarded the broadcasting of the Fabian episode as a mistake in judgment as soon as he saw it on the air. CBS argued vehemently, but not entirely successfully, that its sole interest of "Route 66" was to insist that it be less "downbeat."

#### ADVERTISING AGENCIES' POINT OF VIEW CITED

Documents turned up by the investigators showed that three out of the six advertising agencies which viewed a pilot of "Route 66" in April 1959 warned the network that they were concerned about the amount of violence, and the report showed that Leo Burnett of the Burnett agency made a mighty—but unsuccessful—effort to persuade Philip Morris that it should not be associated with a show featuring so much "violence and morbidity."

When the show was enmeshed in rating troubles the producers and the network huddled in November 1960. Later, William Dozier, vice president in charge of west coast operations for Screen Gems, wrote Herbert B. Leonard, head of Lancer Productions: "There is not enough sex in the programs. Neither lead has gotten involved for a single episode with the normal wants of a young man,

namely, to get involved with a girl or to even kiss her.

"Jim Aubrey made the concrete suggestion that the boys settle down for a period of weeks in one location and get involved with a locale, the people in it, and some one or both might get a job for a while in some kind of transient-type business."

But CBS west coast officials remained uneasy. In a memorandum dated January 5, 1961, Howard G. Barnes, of CBS, reviewed for Guy della-Cioppa, his superior (both have subsequently left CBS), four episodes of "Route 66" written or filmed since the November crisis. "As a one-line critique of the stories," he wrote. "I should like to say that they are a far cry from Jim Aubrey's dictum of 'broads, bosoms and fun.'" The subcommittee found some juicy reading in his memorandum:

At the meeting in your office, he recalled, Mr. Aubrey had laid down "in quite clear and unmistakable terms" to Mr. Leonard and other Screen Gems people "the direction in which he felt the series should go" to "gain strength on the air and attract considerably larger audiences."

"You will recall at the end of this meeting there could be little misunderstanding on the part of anyone as to what was expected to materialize. You will, I am sure, further recall that Mr. Leonard's response to all this ultimately was, in essence, 'I like success as well as anyone, and if you feel this is the way to achieve it, I'll do what you say.' Further," he reported, "you'll recall that Mr. Dozier expressed his agreement and assured us that what we wanted would be forthcoming; Mr. Chalf sagely nodded in agreement."

"The Quick and the Dead," a story about autoracing, which was the first to follow from the conference, "seemed to have the lush, fun atmosphere we wanted," he wrote. But the casting of Susan Kohner as the daughter resulted in a "psychologically downbeat" situation. "Her sharp-featured, somewhat bug-eyed, neurotic countenance, along with the direction of Doug Heyea, left little question that this girl was a sick one indeed."

"The Clover Throne," he reported, "is the story of an older man—a date rancher—in love with his ward, a hypersexy 'Baby Doll' character who is on the make for every pair of pants that comes by." She eventually becomes involved with a neurotic convict, "who is planning to murder the rancher in conspiracy with 'Baby Doll,' but who takes his eye off the ball long enough to attempt to rape the kid."

The setting of this episode in the stark, hot, perspiration-producing bleak countryside around Indio, Calif. (a far cry from the Be. Air Hotel swimming pool), worried Mr. Barnes. "However," he added, "in defense of their spirit of cooperation, I must acknowledge that 'Baby Doll' has a more than generous share of bosom, amply displayed, and wears over a pair of very high spiked heels the tightest pair of slacks ever to be entered by womankind without mechanical assistance."

The Barnes comment on "The Clover Throne" was not the only evidence that the producer made some attempt to comply with "The Aubrey dictum," Senator DODD later said. A staff analysis of CBS-TV continuity acceptance reports on "Route 66" indicated a definite increase in the number of objections based on sex by continuity acceptance officials.

A January memo from Dancer-Fitzgerald-Sample reported: "Numerous recent stories have included an almost standard character in the shapely form of a sexpot—usually young—whose aim in life is to stir the libido of (a) the villain; (b) Buz; (c) male viewers just anywhere. This tightpants type, with variations, has turned up in 'Three Sides,' 'Layout at Glen Canyon,' 'The Beryllium

Eater, 'The Quick and the Dead,' 'The Clover Throne' and 'Fly Away Home.' In some of the episodes the part was well handled; in 'Layout' and 'Quick and the Dead,' it was an embarrassing and gratuitous display."

#### PROPER APPROACH FOR SERIES DISCUSSED

By April the program was in trouble again, and a letter from Mr. Aubrey warned that "we will be forced to take into consideration the possibility of discontinuing our association" if the production team "continues to disregard our repeated and emphatic suggestions on the proper approach for this series."

Mr. Aubrey complained that stories were too "downbeat," but a response from Herbert Leonard, cocreator and owner of the series, to William Dozier complained that Mr. Aubrey was trying to change the character of the show "and make it nothing more than an hour situation comedy or an ordinary action show."

The sponsors—Sterling Drug and Chevrolet—are asking, he wrote, "What has happened to the hardhitting show they both bought based on the pilot?"

"Where is the reality?" they are asking. "Where is the drama? Where is the movement? For God's sake get rid of those baby doll sexpots and the rather obvious and cliché characters."

In his comments on these memos, Mr. Aubrey took the position that his problem was "to lighten up the show," to "take the violence out" and make the backgrounds "more recognizable." He favored "normal, attractive girls," rather than "neurotic broads."

"Unless we continue to apply pressures constantly," he complained to the subcommittee, "there is a tendency by the people who create these programs to do things they term 'box office.'"

#### ADVERTISING AGENCY ACCEPTANCE WAS A FACT

Critical material by continuity acceptance personnel, or by advertising agencies was based on pilots or unedited episodes for the most part, he contended. As proof of the propriety of the material that actually went on the air he pointed out that the sponsors—Chevrolet, Sterling Drug and Philip Morris—were all going into their third season. "These are companies of high integrity. They sponsor it and merchandise it. If they felt that it was in any way bad taste they would have nothing to do with it."

Thomas W. Moore, now head of ABC-TV, came under fire for "sanctioning and actively supporting"—while head of programming for the network—"the high level and types of violence that were the hallmarks of 'The Untouchables.'" It was late in the afternoon; and he was dismissed after only a brief appearance. The September 1959 removal of Norman Retchin, as producer for the program, was not his doing, he declared. But he made no apology for the violence in "The Untouchables." It was an era of violence. Action was a necessary and proper element in the program.

#### NETWORK HEADS DENY ALL

At a final summing up session in mid-May, the subcommittee heard Frank Stanton of CBS, Robert Kintner of NBC and Leonard Goldenson of ABC all deny there was any conscious effort to introduce unnecessary sex and violence into programs.

Asked to comment on the memos which reported that Jim Aubrey called for broads, bosoms, and fun in "Route 66," Dr. Stanton snapped, "It never happened." Mr. Kintner declared, "There is absolutely no truth in any statement that I have directed the inclusion of any improper elements of sex and violence in any NBC program." Yet the subcommittee has direct testimony to the contrary and supporting documentation. Mr. Goldenson deplored the fact that ABC let the Fabian episode of "Bus Stop" go out on

its network, but he insisted that the writers of "The Untouchables" are merely trying to portray the prohibition era as it actually was.

In his verbal jousting with Senator Dodd, Dr. Stanton took the position that it was not necessary that he be informed of every controversy that arises over programs since it's his job "to study overall network policy, not keep track of individual incidents." "Even a situation where a sponsor protested that there was too much brutality on a "Route 66" episode which showed a man beaten with a chain?" Senator Dodd asked. "Even an episode like that," Dr. Stanton replied.

At the hearing, the dialog between the Senator and the network heads was often sharp. After Dr. Stanton denied he can be expected to watch everything, the Senator snapped, "If you are going to take the attitude that your head is in the clouds I don't think there is any hope for us." When Mr. Kintner and Mr. Goldenson proved equally nonresponsive he complained, "This fascinates me. It is a frustrating thing to have witness after witness from the television industry deny that a concentrated effort has been made to emphasize sex and violence" in view of the programs which the subcommittee has screened and the evidence it has reviewed.

Even the attractive NBC presentations with promises of better programming to come seemed to fall flat with Senator Dodd. "The abortive attempt to create children's programs and keep them on the air are all too frequent," he commented. "I refer to such programs as '1-2-3 Go' and 'National Velvet.' 'National Velvet,'" he recalled, "was awarded the 'Children's Show of the Year' award in 1961. But neither of these two fine programs is returning to the air next season."

#### REGULATORY CLIMATE FOR BROADCASTERS IN SEASON

While the network executives may have stalked indignantly away from the subcommittee hearings, there is no escaping the impact that the investigations have made on the regulatory climate for the broadcasters.

From a Government standpoint, there is not much that can be done in relation to the writers, the producers, the advertising agencies, and the sponsors, Senator Dodd recognizes. But there are actions to be taken by the industry, by Congress, and by the Federal Communications Commission to insure that the networks adhere to responsible programming standards.

Senator Dodd is proposing legislation to increase the power of the FCC over networks. Since he is not a member of the committees that handle Communications Act legislation, it hardly seems likely that his legislative proposals will go far.

Meanwhile, however, the factual information collected by his subcommittee has already been turned over to the Federal Communications Commission, where the whole subject of network responsibility in the field of programming is under consideration. From this voluminous study—including its own lengthy public hearing in January and February—the FCC is expected soon to consider new regulations or legislation to make networks accountable in some form for the power they exercise.

Network appearances at the publicly televised FCC hearings reflected the polish and self-assurance of a power group confident that its position is unassailable. The documents supplied to FCC as a result of the efforts of the staff of the Juvenile Delinquency Subcommittee caused some uncomfortable moments, and tended to erase some of the gloss from the network case.

In one respect, the subcommittee has already scored an extensive victory. From the start, it wanted to know about the achievements of the NAB's code staff. Largely as a

result of the pressure generated by the subcommittee's disclosures, the industry now seems prepared to take the code activity more seriously.

#### NETWORK POWER AGAIN DEMONSTRATED

The subcommittee's most telling blow was struck as a result of its investigation of the "Bus Stop" episode called "A Lion Walks Among Us," starring the teenage idol, Fabian. The determination of former ABC president Oliver Treyz to put that episode on the air despite the misgivings of sponsors and affiliates and his refusal to let NAB prescreen the program demonstrated conclusively the immense power held by network heads, and the great danger that such power can be abused.

During his appearance before the Dodd committee in January, Mr. Treyz was uncompromising in his determination to make the programming decisions without interference from anyone, including the NAB. Shortly afterward when the same evidence was reexamined before the FCC's public hearing on programming, he was ready to admit that perhaps he had made a bad judgment. It was shortly after that that ABC decided the time had come for Mr. Treyz to leave.

ABC's successful defiance of NAB shocked Senator Dodd and embarrassed the industry. "At our earlier hearings," he said, "you insisted that if we would give you a chance, you would police your own industry. But here you are," he told Mr. Treyz, "confronted with a request for NAB to screen one of your programs and you turn them down."

#### POWER TO CENSOR BY NAB REFUSED

His determination that NAB have power to prescreen programs became a matter of considerable controversy in the industry. NBC was ready to comply. But CBS, like ABC, continued to take the position that it was not going to let any outside authority see its programs before they went on the air.

All agreed, however, that the code was meaningless unless there was a serious effort to apply it. As an initial move, the code board was broadened to include representatives of each of the networks. Arrangements were worked out for the code board staff to get advance information which is supposed to provide an opportunity to spot questionable program practices before the programs go into production.

Seizing the opportunity presented by the "Bus Stop" episode, NAB President LeRoy Collins and Code Authority Director Robert Swezey have continued to press for other changes to breathe real life into the code. The staff is being expanded. Stations are to submit their logs for review. Closer contacts are being developed at the working levels in Hollywood and New York.

More recently, the FCC has said it may make the NAB Code applicable as a rule, if the networks continue to defy or ignore or evade the code.

In one further respect, the industry will continue to be reminded of its obligations in the field of juvenile delinquency. By mutual agreement of the industry and the subcommittee, some extensive studies are to be conducted to try to determine "the effect of television on children." The Department of Health, Education, and Welfare is to coordinate the work, with much of the "guidance" and financing provided by the broadcasting industry, and much of the actual research under the direction of Dr. Ralph Garry of the College of Education, Boston College, a member of the subcommittee staff.

The longer the research goes on, the longer the industry will find that TV's role in juvenile delinquency will be in the headlines. With Senator Dodd in the picture, it is not something that will be quickly forgotten, or swept under the rug.

**POULTRY RESEARCH FACILITIES,  
EAST LANSING, MICH.**

Mr. McNAMARA. Mr. President, I know all Members of the Senate are aware of the valiant fight waged by the distinguished senior Senator from Georgia [Mr. RUSSELL] in behalf of a sound appropriation measure for the Department of Agriculture.

As chairman of the Senate Appropriations Subcommittee, he was charged with heavy responsibility.

At this time, I want to extend my personal thanks, and the thanks of my State of Michigan, for his efforts to restore to the final bill \$450,000 for poultry research facilities at the Department of Agriculture research laboratory in East Lansing, Mich.

On August 25, when the bill first came before the Senate, the Senator from Georgia promised me on the floor of the Senate that he would do everything he could to see that the funds were appropriated.

As always, the Senator was just as good as his word. The \$450,000 for the laboratory is in the bill now awaiting the President's signature.

Mr. President, I ask unanimous consent that a letter I have received from the director of the East Lansing facility, describing the work done there, be printed in the RECORD at the conclusion of my remarks.

Again, my sincere thanks to the Senator from Georgia for his assistance.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,  
AGRICULTURAL RESEARCH SERVICE,  
East Lansing, Mich., August 31, 1962.

Hon. PATRICK V. McNAMARA,  
U.S. Senate, Washington, D.C.

DEAR SENATOR McNAMARA: On page 17562 of the CONGRESSIONAL RECORD of August 25, I note that Senator RUSSELL referred to the additional information you provided on the support and work of this laboratory.

I am listing below the grants that have been received in support of this research. This financial aid is in addition to funds allocated by our administrative agency, the Agricultural Research Service of the U.S. Department of Agriculture.

Donor	Amount	Fiscal year
Swift & Co.....	\$28,000.00	1947
Do.....	6,600.00	1951
National Cancer Institute.....	3,000.00	1948
Do.....	16,750.00	1949
Do.....	8,800.00	1950
Do.....	9,400.00	1951
American Poultry & Hatchery Federation.....	20,000.00	1951
Atomic Energy Commission.....	12,667.50	1951
Do.....	29,648.00	1952
Do.....	26,873.00	1953
Do.....	20,612.00	1954
American Cancer Society.....	23,968.00	1960
Do.....	76,749.00	1961
Do.....	54,881.00	1962
Do.....	69,164.00	1963

These funds have accentuated greatly the work we have been able to do.

Research at this laboratory is designed to bring about control measures for leukosis among chickens and turkeys. This disease complex is a malignant disease and causes a higher mortality and a higher financial loss (\$65 million annually in United States) than any other poultry disease.

This laboratory has shown it is caused by a virus and may be spread through hatching eggs, fecal material, incubator debris and by "carrier" hens which are clinically normal in appearance. We are now pursuing leads that we hope will result in an effective vaccine. Even though avian leukosis is a cancerous disease, there is no indication that it is transmissible to man.

The grants mentioned above by the National Cancer Institute and the American Cancer Society indicate that these organizations directly interested in human cancer not only follow closely the results of our research but lend financial support to it. This is also emphasized by the fact that just recently the National Cancer Institute requested this laboratory to produce hatching eggs from its inbred line of highly susceptible chickens for use by all of its scientists engaged in the study of leukosis and related tumors. Their previous use of small lots of such eggs from our laboratory stock has given a more favorable response than from any other source. We regret that our present facilities will not permit this laboratory to engage in this cooperative effort. However, there is a possibility that we may be able to locate nearby facilities that can be altered to meet requirements.

On behalf of this laboratory, I want to express to you our sincere appreciation for the timely support you gave recently in making it possible for us to continue uninterrupted, the research program. We hope the service rendered now and in the future will warrant your confidence and continued support.

Sincerely yours,

BERLEY WINTON,  
Director.

**THE CONGO**

Mr. DODD. Mr. President, at the time when the extremist elements in the United Nations are again threatening military action in the Congo, it is more than ever imperative that we all try to understand what is going on in this remote area of central Africa.

There has been some excellent newspaper reporting from the Congo, but it has suffered from the inevitable weakness of all such reporting. By its very nature, newspaper accounts are piecemeal—they are fragments of a mosaic which must be seen whole before the situation can be truly understood. In a situation that is as complicated as the Congo, this is something that requires nothing less than book length treatment.

Two months ago there was published in the United States a book on the Congo which I would commend, in all earnestness, to my colleagues and to the American people.

The title of the book is "Rebels, Mercenaries, and Dividends."

The author is Mr. Smith Hempstone, correspondent in Africa for the Chicago Daily News and New York Post, author of "Africa—Angry Young Giant," and a winner of the Sigma Delta Chi Award for foreign correspondence. Mr. Hempstone has lived and worked in Africa since 1956. He has probably spent more time in the Congo and certainly spent more time in Katanga than any other American correspondent. He is a man, in short, who represents the profession of foreign correspondent at its very best. He was an eyewitness to both the Sep-

tember and December fighting in Katanga.

Mr. Hempstone is not an extremist. On the contrary, he is disturbed by the evidences of extremism that have characterized the support of United Nations policy in the Congo. Speaking about this situation, Mr. Hempstone said in his introductory remarks:

It is a commentary on America today that I should feel compelled to say that I do not belong to the American Committee for Aid to Katanga Freedom Fighters, am not a member of the John Birch Society, am not in the pay of the Katangan Government or Union Miniere, and really could not care less about the fluoridation of water. I am a registered Republican, although I did not vote Republican in the 1960 presidential election. I do believe that the United Nations has a role to play in the world today—I had the privilege of fighting in a just war under its banner in Korea—and I believe the United States should remain in the international organization. I do not believe, however, that the U.N. is, or should be, regarded as a sacred cow endowed—through the laying on of political hands—with a supranational infallibility. When it becomes sacrilege to criticize the U.N. (or the U.S. Government, for that matter), the organization has lost its usefulness. The U.N. is not, to my mind, automatically a power for good in the world. It was created primarily to provide the machinery for the peaceful solution of international problems. If it is to be used for the adjudication of domestic disputes by majority verdict, only international anarchy can result. The U.N. has an immense capacity for good or evil, depending entirely on how it is used. If it is to be used to implement or condone aggression, as it has been in Katanga and in Goa, then it is a power for evil. It cannot, of course, act more morally or more effectively than the nations which constitute it. When the U.N. abandons the rule of law and permits the unbridled pursuit of national passions, no matter how popular these passions may be, it becomes worthless as an instrument for world peace. The United States, in this regard, bears a heavy responsibility, both because of its membership in the Security Council and its heavy financial support.

I state all this only because spokesmen of the present administration have found it convenient to tar with the brush of neo-fascism all those who find the position of the U.N. and the United States in Katanga to be morally and practically indefensible. Some administration spokesmen apparently find dissent intolerable. I would have thought that we, as Americans, would have had quite enough of that sort of thing with Senator McCarthy. You do not have to be white supremacists or to favor the impeachment of the Chief Justice of the U.S. Supreme Court, to have a feeling of revulsion and sadness about what the U.N. and the United States have done and are doing in Katanga. One serves neither one's country nor the U.N. by saying they are right when they are wrong.

Nor is Mr. Hempstone an unconditional hero-worshiper of President Tshombe. Again quoting from his introduction, Mr. Hempstone said:

This is not intended as an apology for President Moise Tshombe or his regime. I am probably more aware of the weaknesses of the man and his government than many of those who criticize him most vociferously. I know Tshombe personally. My life has been threatened by his gendarmes. I have few illusions about him or about Katanga. Yet I also know his good qualities, his intelligence, bravery, and racial tolerance. I know

that his government, with all its faults, has the one essential characteristic of any administration and one too seldom encountered in Africa: the capacity to govern. I remember Katanga as it was in happier days, with mines working, shops open, children in school, churches full. I remember it as the U.N. and United States made it in December, with mortar shells falling in the parks where people used to walk, machineguns stuttering in the deserted, smoke-filled streets. If you listened hard then, you could hear a thigh-bone beating on that tinpan gong.

I have serious reasons for believing, Mr. President, although I cannot now reveal the details, that the Department of State over the past several months has been endeavoring to reestablish a friendly relationship with President Tshombe and to pursue a policy of conciliation, rather than passively supporting the U.N.'s tragically misguided policy of force in the Congo.

I have reason for believing that the State Department has been seeking to restrain the U.N. in recent months.

I have reason for believing that, while the Department approved the general terms of U Thant's proposals for the federation of the Congo, it was distinctly unhappy over the fact that U Thant saw fit to couple this proposal with a crude 10-day ultimatum, and with the threat that economic sanctions would go into effect automatically if the proposal were not accepted within that time.

I have reason for believing that the State Department was equally unhappy over the U.N.'s decision to move Léopoldville troops into Katanga under the U.N. umbrella, on the very day that Tshombe stated his acceptance in principle of the proposed federation; that it did not approve the irritating and pointless aerial blockade which the U.N. imposed on Katanga at the request of the Léopoldville Government; that it has not approved of some of the provocative military actions of the U.N. forces in Katanga in recent weeks and of the incredible rudeness of the U.N.'s official communications with Tshombe.

As an example of this rudeness, I want to read to my colleagues the text of the letter written by Mr. E. W. Mathu, U.N. representative in Elisabethville, to President Tshombe on August 29:

MR. PRESIDENT: I have the honor to acknowledge receipt of your letter of August 28, 1962 (reference No. SR/106/ ) relative to the delay in accepting the plan for national reconciliation.

Mr. R. K. Gardiner has instructed me to advise you that the word "reply" which he employed in his accompanying letter of August 24, 1962 (KAT-133/62), should be interpreted as signifying "acceptance or refusal of the plan" and does not allow of any commentary or discussion.

Mr. Gardiner instructed me, among other things, to make it clear that if the Katangan authorities have recourse to such quibblings (in an effort) to avoid a frank decision, we shall consider such an attitude as a rejection of the plan.

Please accept, Mr. President, the expression of my very high esteem.

E. W. MATHU,  
Representative of the United Nations  
in Elisabethville, September 2.

The State Department is endeavoring to pursue a policy of conciliation in the Congo. But the U.N. unfortunately is still pursuing the old, discredited policy

of force; and this policy undercuts and subverts our policy of conciliation.

This indeed was the theme of a column by the distinguished commentator, Mr. Arthur Krock, in the New York Times yesterday, October 11. I quote the opening paragraph of this column:

Not until Under Secretary of State McGhee returns from the Congo, and his report on his efforts to unify the factions there is published, can the puzzle created by the timing of a statement issued yesterday by the U.N. Secretariat be fully dispelled. The puzzle is why, while McGhee was still in Léopoldville, after conversations with Moïse Tshombe in Katanga that imbued him with "guarded optimism," Acting U.N. Secretary General Thant decided to resume his war of words with Tshombe and make another show of U.N. armed force at Elisabethville.

I ask unanimous consent, Mr. President, that the full text of this article be incorporated into the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### WHO THREW A ROCK AT OUR PEACEMAKER?

(By Arthur Krock)

WASHINGTON, October 10.—Not until Under Secretary of State McGhee returns from the Congo, and his report on his efforts to unify the factions there is published, can the puzzle created by the timing of a statement issued yesterday by the U.N. Secretariat be fully dispelled. The puzzle is why, while McGhee was still in Léopoldville, after conversations with Moïse Tshombe in Katanga that imbued him with "guarded optimism," Acting U.N. Secretary General Thant decided to resume his war of words with Tshombe and make another show of U.N. armed force at Elisabethville.

In the earlier chapters of the U.N.'s procedure to end Katanga's secession by military force interspersed with a recurrent series of ultimatums, the Kennedy administration, represented by the Departments of State and Defense, was a full partner. This Government supplied the materiel and the air transport without which the troops of the U.N. and the central Congo regime at Léopoldville could not have fought the war in Katanga. And the Department of State was as busy as the U.N. Secretariat in producing official statements designed to picture Tshombe to the world as solely responsible for every obstruction to a peaceful settlement in the Congo.

But, with the dispatch of Under Secretary McGhee, the Department returned to the policy of getting the Congo unified by diplomatic measures in which Tshombe would get solid assurances, previously lacking, that the constitutional compromise plan worked out by the United States, Great Britain and Belgium (though it is "still being drafted by the U.N. authorities at Léopoldville," according to our dispatch today) would be executed in good faith. The Under Secretary was a good choice, because he has a special gift for difficult negotiation.

What happened in the McGhee-Tshombe conversations, except that the Under Secretary is understood to have left Elisabethville for Léopoldville with guarded optimism, is not yet public property. But McGhee was still engaged in his mission when the U.N. issued the new bellicose statements.

It may develop that he previously had reported a failure of his mission to Katanga, and therefore the sponsors of the compromise decided that the only recourse was a public reversion to strong-arm measures.

Certainly that describes the U.N. announcements yesterday. These were that Tshombe is engaged in a major military buildup, com-

plete with fresh drafts of "mercenaries," and that Thant will urge prompt approval by the Security Council of his proposal for the economic boycott of Katanga. And certainly another strong-arm measure was the provocative show of U.N. military force at the Elisabethville post office this week.

#### MERCENARIES IN THE CONGO

But, if this assumption of the cause of the U.N. actions is not borne out, then U Thant's immediate publication of the report of a major military buildup in Katanga that he received from the U.N. representative in the Congo, and U Thant's announcement of renewed activity for his economic boycott of the Province, were heavy and deliberate handicaps of the Under Secretary's mission while he was still engaged in it. If so, the feuding spirit of U Thant's procedures with Tshombe and his ministers continues as a chief obstruction to peaceful unification of the Congo.

It is also in this spirit that the foreign aids, without whom Tshombe could not possibly obtain the measure of Katangan autonomy he has been promised, are constantly and exclusively identified as "mercenaries" by a U.N. whose foreign aids, military and civilian, in the Congo are on hire, too.

Until McGhee's report of his mission is published, another odd aspect of the U.N. sudden reassertion of belligerence against Tshombe will have to await explanation. In the compromise plan sponsored by the U.N. the United States, the United Kingdom, and Belgium the promise was made that the "National Government" of the Congo, "after consultation with the provincial governments and interested political groups, will present a Federal Constitution to the Parliament in September." Since that is still being drafted, the question is whether more evidence than the military buildup report caused the Acting Secretary General to arraign Tshombe on October 9 for noncompliance with a constitution that doesn't yet exist.

Mr. DODD. Mr. President, what worries me most about the present situation is the fact that the bulk of the U.N. Army in Katanga owes its loyalty and obedience not to the Secretary General and the Security Council, but to the Indian Minister of Defense, Krishna Menon—a man who has supported the Soviet Union on every major foreign policy issue, who during World War II openly contributed articles to the official organs of the British Communist Party and of the Communist International, and who, since taking over command of the Indian armed forces, has compelled the retirement of General Thimaya and many others of the most respected Indian military leaders.

Theoretically, the Indian Army forces in the Congo are under the control of the Secretary General. But the officers in command of these forces owe their careers and their future not to U Thant but to Krishna Menon. The significance of this should be crystal clear.

I am convinced that Krishna Menon does not want any settlement in the Congo. I am convinced that Khrushchev and Krishna Menon want to see Tshombe destroyed rather than see the differences between Tshombe and Adoula peacefully composed. And the fact that it is this man who commands the bulk of the U.N. contingent in Katanga is, in my opinion, a reason for the gravest concern.

I believe that if all my colleagues in the Senate and House could find the time to read "Rebels, Mercenaries, and Divi-

dends," by Smith Hempstone, there would be such an outcry of indignation that even the extremists in the United Nations would be compelled to moderate their position.

Because I consider this one of the truly great works of current history published in this decade, I ask unanimous consent to insert in the RECORD at this point several of the most significant excerpts from Mr. Hempstone's book.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM "REBELS, MERCENARIES, AND DIVIDENDS—THE KATANGA STORY," BY SMITH HEMPSTONE

#### IX. THE DECEMBER WAR

"Let Katangan fighters arise at the given moment in every street, every lane, every road, and every village" (Moïse Tshombe, speaking to the people of Katanga on November 26, 1961).

The ink of the cease-fire agreement was not yet dry when the Central Government made it clear that it was intent on war in Katanga. On September 22, 1961, Adoula stated in Léopoldville that the Central Government would resort "to its own means to put an end to the secession of Katanga." The Congolese Prime Minister wrote to Linner expressing extreme reserve about the agreement concluded between Tshombe and the U.N. Earlier, Adoula had stated that the Congolese troops were "ready to answer force with force in Katanga." Also on September 22, Mobutu broadcast an appeal to the Katanga gendarmerie to refuse to obey its white officers.

On the face of it, any invasion of Katanga by Central Government troops would constitute civil war, an event the U.N. officials in the Congo were bound to prevent under the terms of the Security Council's resolution of February 21 "by use of force, if necessary, in the last resort." Yet both Linner and Khiari, again indulging in curious mental and semantic gymnastics, declared that, in their opinion, such a move would be only a police action and hence could not be stopped.

On September 23, the Congolese cabinet unanimously approved the House of Assembly's motion, carried the previous day in secret session, that Katanga should be attacked. Gizenga, now Vice Premier in Adoula's government, was the prime mover in these maneuvers. Central Government troops on the Katangan border were alerted to be ready to attack and reinforcements were flown into Luluabourg, the capital of Kasai. On September 27, Tshombe appealed to Adoula for negotiations "with the shortest delay and on neutral territory," a suggestion Adoula quickly rejected. If Tshombe wanted to talk, said Adoula, he must come to Léopoldville. Since he had spent 2 months in detention after his last visit to territory under Central Government control, Tshombe's unwillingness to come to Léopoldville certainly was understandable.

Meanwhile, relations between Tshombe and the U.N. had not improved. Katanga and the U.N. repeatedly charged each other with violating the cease-fire agreement. O'Brien denied Tshombe's charge that he was flying in reinforcements, but said that the U.N. had flown in additional armored cars 4 hours before the signing of the cease-fire agreement. Bars, cafes, laundries, and breweries in Elisabethville refused to do business with U.N. personnel, either voluntarily or out of fear of reprisals from the CONAKAT Jeunesse. No one had much confidence in the permanence of the cease-fire, and 431 white civilians, mostly women and children, took advantage of the truce to flee from Katanga. Four Ethiopian F-86's, the first of 14 Ethiopian, Swedish, and Indian jets, flew

into Léopoldville. Meanwhile, O'Brien kept up constant pressure on Tshombe to expel his remaining 104 white mercenaries. On October 1, Tshombe formally released these men, although few apparently left the Katangan forces. On October 5, Khiari complained that Katanga had refused to let the four-man cease-fire commission visit the Katangan strongholds of Kipushi, Kolwezi, and Jadotville. Mercenaries and war materials, the Tunisian said, were entering Katanga through Kipushi.

Tshombe would have been a great fool had he not, under the circumstances, been bringing in reinforcements. As Khiari pointed out, neither the Central Government nor the U.N. in Central Government territory were bound by the cease-fire agreement. As the Tunisian put it, the Central Government was free to "arm itself to the teeth" for action against Katanga but Tshombe, under the terms of the cease-fire, had no right to reinforce his troops to defend Katanga against such attacks. By the same token, while it could not bring jets into Katanga, the U.N. could bring them to Luluabourg, 30 minutes' flying time away. Yet it was clear that the jets were for future use against Katanga.

On October 20, 5,000 Central Government troops (including 4,000 former Force Publique mutineers who had served in Katanga) crossed from Kasai into Katanga and were engaged by Katangan gendarmes. Adoula stated that the troops were carrying out a police action against outlaws and added that the operation was part of a plan to end Katanga's secession. Norman Ho, a U.N. spokesman in Léopoldville, stated the same day that Katangan planes had made air strikes in the area of the Kasai-Katanga border. The raids, he said, were "a serious breach of the cease-fire in Katanga" and six U.N.-Swedish jets in the future would give aircover to Mobutu's troops. Ho had nothing to say about the civil war nature of the Congolese offensive.

The Congolese troops, however, did not act much like liberators. They put villages to the torch, slaughtered women and children, and sent an estimated 10,000 families fleeing to the south. On November 1, another 1,500 Gizengist troops under the command of General Lundula were flown into Kivu, presumably in U.N. aircraft, to attack Katanga from that direction.

Mobutu announced on November 2, that he had ordered the offensive and that his troops had captured 72 villages within a 30-mile belt inside Katanga. But Kimba (Tshombe at the time was in Geneva for medical treatment) denied Mobutu's claim of victory and said Katangan troops had thrown back the Congolese at both Kaniama on the Kasai front and at Kongolo on the Kivu front.

The following day, Linner, in a report to the Security Council, made the remarkable statement that the activities of the Katangan Air Force "represent offensive civil war action" prohibited under the resolution of February 21. He thus conveniently ignored the stipulation in the cease-fire agreement between the U.N. and Katanga which allowed the gendarmerie to reply to an attack from beyond Katanga's frontiers. Khiari with a straight face then stated that the Congo was not considered as "beyond Katanga's frontiers." Perhaps he thought Katanga feared an invasion from Angola or Rhodesia.

It soon became clear that Kimba was closer to the truth as regards the military situation than Mobutu. On November 5, Léopoldville admitted that Katangan gendarmes had defeated and inflicted heavy losses on the Congolese troops north of Kaniama, taking many prisoners and much equipment. Tshombe, speaking in Geneva, once more stated his willingness to negotiate a settlement with Adoula. Said he: "We want to come to an agreement with

our brothers in the Congo but there must be no coercion or repression. We will defend ourselves when attacked."

But if Mobutu's troops could not fight very well, they had other talents that were revealed only on November 6, when 10 white refugees reached Brussels from Luluabourg. It was revealed then that, enraged at their defeat, Congolese soldiers had arrested 400 whites, raped 15 women including some nuns, and beaten up 18 missionaries. Linner and Ho, so quick off the mark with information about the Katangan air attacks on Congolese troops, were surprisingly slow in hearing about this sort of thing or about announcing it to the world. About the only creditable aspect of the whole nasty incident was the fact that Mobutu had the courage to arrest 123 of the soldiers involved and to send them back to Léopoldville. The fact remains that the U.N. was directly responsible for what happened at Luluabourg because it encouraged the Léopoldville government to move against Katanga. This was to be far from the last time that innocent men and women were to pay a bitter price for the U.N.'s actions.

Things were not going so well on the Kivu front either for Tshombe or for anyone genuinely interested in the maintenance of law and order. The Katangan gendarmes pulled out of Albertville on the approach of a large body of Baluba warriors backed up by Gizengist troops who quickly captured the lightly held towns of Kabalo, Nyunzu, Manono, and Nyemba. Only in Kongolo did 1,600 gendarmes stand firm.

The Congolese troops immediately distinguished themselves in their usual fashion. At Kindu (in Kivu Province) they seized and brutally beat 13 Italian U.N. airmen. The Italians had flown some Malayan Ferret armored cars into Kindu. Drunken Congolese soldiers accused them of being Belgian mercenaries, beat them, shot them all, and then dismembered their bodies. According to witnesses, parts of the bodies were thrown into the Congo River. Others were sold in the marketplace and a human hand was presented to a World Health Organization doctor by a giggling Congolese soldier. Colonel Alphonse Pakassa, the commanding officer of the Gizengist unit, who refused either to withdraw his troops from the airport or to punish the murderers, when questioned by General Lundula on the subject of the massacre, came up with the quote of the week: "You know how soldiers are." Linner, however, managed to top this one by stating later that it was "inopportune" to disarm the Congolese troops at Kindu. These same troops were later to slay 22 Belgian priests at Kongolo. One began to wonder just how many men and women were going to have to die because of the criminal stupidity of U.N. officials and the political bias of some member states of the United Nations. It was, or should have been, clear from the beginning that the Congolese invasion of Katanga amounted to civil war. It was, or should have been, clear from the beginning that the U.N., by allowing half-savage Congolese troops to enter Katanga, was signing the death warrants of hundreds of innocent civilians, black and white. Yet the U.N. preferred to carp about Tshombe's violations of the cease-fire agreement. Certainly he violated the cease-fire by reinforcing his troops and bringing in military supplies. And more civilians, white and African alike, would be dead today if he had not done so.

In Albertville, the activities of the Congolese troops were slightly less dramatic. Demonstrating admirable restraint, they restricted themselves to looting white homes, stealing cars, and arresting whites and Africans identified by Balubakat Jeunesse as pro-Tshombe. All but about 30 of Albertville's 1,200 whites fled across the lake to Tanganyika, as drug-crazed Balubas emptied

the prison. In Léopoldville, U.N. Spokesman George Ivan Smith primly described "the behavior" of the Congolese troops as "impossible."

Meanwhile, Tshombe reiterated his recognition of Kasavubu as the head of a confederal Congo and repeated that he was "always ready" to negotiate with Adoula. He asked only that the U.N. should end its "subversive" acts in Albertville and that the Central Government should halt hostilities in northern Katanga. But neither Léopoldville nor the U.N., despite the tragedies of Luluabourg, Kindu, and Albertville, were in a mood for negotiations. Adoula declined the offer and demanded Katanga's unconditional reintegration into the Congo.

The Security Council met on November 13, in an air of mixed anger, frustration, and quiet desperation. Tshombe's white soldiers, military successes, wealth, and defiance had raised the antagonism of the Afro-Asian bloc to an almost hysterical pitch. The United States and the Western Powers were anxious that the U.N. should not fall in Katanga. On the other hand, it was clear that they had nothing really positive to suggest.

Bomboko, speaking for the Léopoldville Government, made three main points: Léopoldville expected the U.N. to give it "direct assistance" in maintaining law and order; it wanted all of Tshombe's white mercenaries turned over to it for punishment for their "dastardly crimes against the Congo" (in November, the Belgian Government withdrew the passports of its nationals still serving in the Katangan forces); and it wanted a new and clear U.N. mandate on the Congo.

What Bomboko was asking for, obviously, was a new U.N. military offensive against Katanga to replace that of the Central Government which had ended in defeat. In view of the happenings at Kindu, turning over the mercenaries to Léopoldville would have been the equivalent of murdering them in cold blood.

The one draft resolution before the Security Council contained no more wisdom and balance. Sponsored by Ceylon, Liberia, and the U.A.R. (the Security Council's three Afro-Asian members) it authorized U Thant, the new Acting Secretary General, to take vigorous action, including the use of the requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of all foreign mercenaries and hostile elements.

The resolution strongly deprecated the secessionist activities illegally carried out by the provincial administration of Katanga. The three powers also attacked the Katangan regime for resisting the U.N.'s attempt to topple it by force.

That such a resolution, a clear violation of the U.N.'s charter forbidding interference in the internal affairs of a member nation, should even be debated seriously must some day be recalled with astonishment, regret, and perhaps amusement. The "hostile elements" phrase could in fact quite easily be interpreted to mean that the U.N. had the right to deport any Katangan not in agreement with it, including Tshombe, his entire government, his 11,600 gendarmes, and every member of CONAKAT.

But not only was the resolution debated, it was accepted virtually as written. The U.S. State Department, perhaps becoming vaguely aware of the nature of the monster it had helped to create, made a feeble attempt to expand the resolution to cover Gizengist activity as well as that of Katanga. U.S. Delegate Adlai Stevenson also proposed that negotiations should be urged upon the Katangan and Congolese Governments and that the Congolese Army should be reorganized, retrained, and equipped with a small air force. These amendments Soviet Delegate Valerian Zorin promptly vetoed. He let pass a Stevenson amendment rejecting

Katanga's independence. Unlike Britain and France, the United States lacked the moral courage even to abstain from the resolution, much less to veto it. It passed by a vote of 9 to 0 and the U.N. found itself in a virtual military alliance with the Congolese Government, with U Thant holding carte blanche to end Katanga's secession in any way he saw fit.

The Security Council resolution of November 24 amounted to an obvious declaration of war against Katanga. Tshombe was quick to realize this.

Addressing 8,000 cheering Africans in Elisabethville on November 26, Tshombe told them that the U.N. would soon "undertake war on our territory." Said the Katangan President:

"Tomorrow or the day after, there will be a trial of strength. Let us prepare for it. Let Katangan fighters arise at the given moment in every street, every lane, every road, and every village. I will give you the signal at the opportune time. You will not be able to have guns and automatic weapons but we still have our poisoned arrows, our spears, our axes."

Meanwhile, U Thant had conferred with his 18-nation Congo Advisory Commission composed of delegates from Malaya, India, Pakistan, Senegal, Canada, Ethiopia, Ireland, Liberia, Sweden, Nigeria, Ghana, Guinea, Indonesia, Morocco, Sudan, Mali, Tunisia, and the U.A.R., all nations that had, or had had, military units in the Congo (the last 8 had withdrawn their troops). The Acting Secretary General appealed to them for more troops and transport. The U.N.'s military strength in the Congo at the time amounted to 15,418 men, a force clearly inadequate to both crush Tshombe and maintain order in the remainder of the country. About two-thirds of the U.N.'s troops were deployed in Katanga. I cabled to my paper in late November that the "military subjugation of Katanga which is, after all, larger than Portugal, cannot be undertaken with any prospect of success unless a minimum of 25,000 troops are placed at the disposal of the United Nations." To undertake Tshombe's overthrow with fewer troops would be doubly criminal since it clearly could not succeed and hence the lives lost on both sides would be wasted. But the U.N. was intent on war. U Thant's only concession to Tshombe and the West was to replace O'Brien (already recalled to New York "for consultations") with Brian Urquhart, a Briton, as special representative in Elisabethville.

Katanga's fortunes unquestionably had suffered at the U.N. through the publication on the eve of the Security Council meeting—the timing can hardly be considered coincidental—of the commission of Inquiry's findings concerning Lumumba's death. At this critical moment, a second event occurred that was to blacken Tshombe in the eyes of many of those otherwise not ill-disposed toward him.

U.S. Senator THOMAS J. DODD, of Connecticut, a man sharply critical of the State Department's position regarding Katanga, was visiting Elisabethville. On November 28, a private dinner party to which U.N. officials and members of the consular corps were invited was given for Senator Dodd at a private home in Elisabethville. Katangan paracommandos guarding the nearby home of gendarmery Commander General Norbert Moke became suspicious at the number of cars arriving at the villa. A car bearing U.N. plates arrived. In the car was Urquhart with his assistant, 46-year-old Australian-born George Ivan Smith. When the paracommandos recognized the pair, they chased them into the house, dragged them out into the street, beat them up, and threw them into a truck. A Belgian employee of the Banque du Congo tried to intervene on their behalf and was himself beaten and thrown into the truck. At this moment, Senator

and Mrs. Dodd, accompanied by the U.S. consul in Elisabethville, Lewis Hoffacker, and preceded by a motorcycle escort of Katangan gendarmes, arrived on the scene. Hoffacker, sizing up the situation at a glance, jumped from the car and, with the assistance of the escort, dragged Smith and the Belgian from the truck and drove immediately to Tshombe's residence. Urquhart, meanwhile, was driven away to the Katangan army camp by the half-crazed paracommandos. Three hours later, Urquhart was released on the personal intervention of Tshombe, Munongo, and Kimba. He had suffered cracked ribs and a broken nose from his beating. A Gurkha driver and a Sikh major were killed while searching for Urquhart. Tshombe later "abjectly apologized" for the incident.

It is necessary to pause for a minute to give credit to Lew Hoffacker. Hoffacker is everything that a State Department official should be and seldom is: intelligent, courteous, resourceful, courageous, unpretentious, and well-informed. In the days to come (he was a newcomer to Katanga) we were to see a great deal of each other. During the fighting that followed, he always made it his business to get about (at some danger to himself), to find out what was going on, and to do everything he could to ease tension. Had we more men like him in Africa (and in the higher echelons of the State Department), it is unlikely that the United States would have made the major errors it did make in Katanga.

It is difficult to evaluate the effect that the brutal and stupid beating of Urquhart and Smith had on the U.N.'s actions. It would be silly to imply that the U.N. later waged war against Tshombe because of the incident. U Thant already had his mandate and his plans were laid. But the incident did go a long way toward exacerbating relations in Elisabethville between the Katangan Government and the U.N., and it did provide Tshombe's foes with a potent propaganda weapon. Urquhart's broken nose seemed to wipe out the memory of the 13 Italians slaughtered at Kindu by the Congolese troops.

The situation in the north had not improved. A force of about 3,000 Congolese troops, including the Kindu murderers, was pressing south against Kongolo while Baluba warriors edged in from the east and west. Cotanga, the textile company that operates in Kongolo, ordered the evacuation by air of its employees. Sendwe arrived in Albertville to set up a Baluba government. Kongolo's 1,500-man gendarme garrison, running short of ammunition, dispatched a request for arms and munitions to Elisabethville. But the U.N. refused to let a Katangan plane fly the war materials into the beleaguered town. Under the circumstances, Tshombe had no alternative but to order Kongolo's evacuation. One month later, 22 Belgian priests were murdered by the same troops whom Linner had found it "inopportune" to disarm after the Kindu massacre. And so there were 22 more murders on the head of the U.N.

Meanwhile, Tshombe had not given up hope of a negotiated settlement with Léopoldville. On November 29, he dispatched a message through Welensky, suggesting the appointment of a distinguished statesman from an uncommitted independent African country to act as mediator between Katanga and the Central Congolese Government. The following day, Tshombe flew to Brazzaville, across the river from Léopoldville, in the hope that he might personally be able to arrange a meeting with Adoula on neutral territory. His overture was rejected. The Katangan President then flew on to Paris.

But the die was already cast and the U.N.'s own propaganda drums were beating. On December 1, a report from Linner was published in New York which alleged that Tshombe's regime was "approaching the

point where it cannot control the forces it has unleashed, and where it cannot change the direction of its policy away from violence and toward peaceful collaboration with the U.N."

"Unless the regime alters its course immediately," Linner continued, "neither Mr. Tshombe nor his associates may be able to control its direction, and elements of their military forces and of the civil population may initiate further hostilities against the United Nations."

The report, capitalizing on the Urquhart-Smith incident, was a clear attempt to develop the thesis that no peaceful solution was possible in Katanga. Tshombe, as he was to show within a fortnight, was in full control of both his army and his people. He was quite capable of changing his policy to one of "peaceful collaboration" with the U.N., had there been any point in so doing. But to expect Tshombe to quietly lie down and lick the U.N.'s boots while it was openly preparing for war against him was expecting rather much. Over the last 10 months, the U.N. had done everything possible, including resorting to arms and unleashing the Central Congolese troops, to overthrow Tshombe's regime and subjugate Katanga to Léopoldville. Under the circumstances, collaboration with the U.N. was out of the question. Tshombe's reply to Linner was more realistic than the Swede's charge:

"When I put my people on guard against the danger the U.N. represents for Katanga, I am said to be conducting a campaign of incitement. If I understand things correctly, Katanga is not only being forced to let itself be strangled but must also permit this to happen in silence."

On December 2, while Tshombe was in Brazzaville, the situation in Elisabethville deteriorated sharply. It is difficult to apportion the blame but each side seems to have been at fault. The initial incident took place at Elisabethville Airport when Indian troops arrested and disarmed 32 Katangan gendarmes who allegedly had drunkenly molested an African woman. Within hours, other gendarmes had set up roadblocks, arrested 11 United Nations personnel, fired on a U.N. aircraft, killed 1 Swedish soldier and wounded 2 others when they tried to force their way through a roadblock. The U.N. moved all its civilian personnel within its Elisabethville defense perimeter as U Thant directed Linner and Smith "to act vigorously to reestablish law and order and protect life and property in Katanga." Smith tersely ordered Kimba to have the roadblocks removed or face the consequences.

On December 4, Smith announced that Kimba had threatened to shoot down U.N. aircraft flying over Katanga and added that he regarded this as "a very grave statement." Kimba denied this, asserting that his statement applied only to unannounced and unscheduled aircraft. Kimba added that he had agreed that U.N. personnel should have freedom of movement in Elisabethville when engaged in their normal duties. But the Katangan roadblock across the highway leading from the city to the airport 10 miles away remained in position, although Kimba agreed (Smith said) to remove it.

Speaking in Paris, where he allegedly had gone to see his 17-year-old son before continuing to a Moral Rearmament Conference in Brazil, Tshombe sounded a grave note:

"If the United Nations forces undertake fresh armed intervention in violation of the cease-fire," he said, "the Secretary General will bear heavy responsibility for the hostilities. This time I give a solemn warning to the United Nations and its executives: Any new conflict would today be a major one, because since September 13, and since the attack of the Congolese National Army, the people of Katanga have realized that they are a free nation, determined to preserve their liberty."

Those of us stationed in other parts of Africa packed our bags and bought our airplane tickets to Ndola (Northern Rhodesia), the jump-off point for Elisabethville.

We had not long to wait. On December 5, Urquhart (who was U.N. Special Adviser in Katanga; Smith's title was U.N. Chief Representative) charged that "in a final act of bad faith," Katangan gendarmes were infiltrating through the bush toward the airport. Within a matter of minutes, Gurkha troops had assaulted the main roadblock on the airport road, held by a company of paracommandos led by three white officers and supported by three armored cars and some 60-millimeter mortars. When the smoke cleared, 38 gendarmes lay dead. The Indians had suffered one dead and four wounded. It was war. And this time there was nothing phony about it.

With Tshombe away in Paris (was it coincidence that the fighting began then or did the U.N. command believe that its chances of success would be improved by Tshombe's absence?), Munongo took charge. Said he, replying to false press reports that the Katangan Government had fled:

"We are all here, resolved to fight and die if necessary. The United Nations may take our cities. There will remain our villages and the bush. All the tribal chiefs are alerted. We are savages; we are Negroes. So be it. We shall fight like savages with our arrows."

The first fighting centered in the air and along the road connecting U.N. headquarters with Elisabethville Airport. The U.N. air force of 15 jets (6 Swedish Saabs, 5 Indian Canberras, and 4 Ethiopian Sabres) took off from Luluabourg and swept south over Katanga. The jets attacked bridges, cannoned the railway between Jadotville and Elisabethville, strafed trucks, and, by destroying four Katangan planes on the ground at Kolwezi, quickly established U.N. air superiority in the skies over Katanga. If this did not insure the U.N. of victory, it at least made its defeat impossible, since control of the skies meant that it could move and reinforce its troops at will, while Tshombe could not.

At the northwestern end of the highway linking U.N. headquarters and the airport, 29 Seventh-day Adventist missionaries (including 19 women and children), most of them Americans, found themselves pinned down by gunfire in their mission buildings, which lay between the opposing lines. They managed to flee to safety only after Seventh-day Adventist World Secretary-General Chester Torrey, an American, had been wounded. There was heavy fighting at the old airport (proposed site of Elisabethville University), near the traffic circle where the initial clash had taken place. Elsewhere, firing was sporadic but indiscriminate enough for Georges Olivet, Swiss International Red Cross representative in Elisabethville, to cable an appeal to his Geneva office to call on the U.N. to stop firing on Red Cross vehicles. Meanwhile, in New York, U Thant authorized George Ivan Smith to take counteraction on the ground and in the air against the Katangan gendarmes.

Having smashed the threat of the Katangan Air Force, Brigadier K. A. S. Raja began to build up his forces to sufficient strength to enable him to take the offensive. Washington put U.S. Air Force Globemasters at the U.N.'s disposal (one was damaged by Katangan ground fire as it came in for a landing at Elisabethville) and these giant planes (a total of 27 U.S. aircraft was employed) began bringing in troops, artillery, and armored cars. This resulted in the Katangan authorities placing Lewis Hoffacker under house arrest. Anti-American feeling spread throughout the city. Meanwhile, heavy fighting broke out around the railway underpass connecting the industrial section with the center of the city. Swedish troops, who initially had occupied the underpass,

were forced out again after an attack by an all-white Katangan unit.

Tshombe quickly returned by air from Paris to Ndola, stopping at Brazzaville for a hasty conference with his ally, President Fulbert Youlou. From Ndola, escorted by a small body of gendarmes and accompanied by Joseph Lambroschini, the French Consul in Elisabethville, he drove by car to his embattled capital. In the north, heavy fighting between gendarmes and U.N. troops broke out at the tin-mining center of Manono.

As the U.N. jets stepped up their air attacks on December 7, and U.N. armored cars hammered gendarmes dug in on the fringes of Elisabethville's northern residential sector, the Rhodesian Railways dispatched a 10-car mercy train to Elisabethville to evacuate white women and children.

The situation was becoming increasingly unpleasant. Fifty U.N. mortar shells rained down on the Prince Leopold Hospital one night as African patients crawled screaming into the corridors. A terrified African woman about to give birth jumped from the operating table and disappeared into the night. The U.N. at first denied mortaring the hospital but later admitted it, stating that the hospital adjoined Camp Massart, the gendarme headquarters. It was, in fact, more than 800 yards from Camp Massart. This was the first of many incidents that led one to believe that the U.N. had both unskilled gunners and less than candid spokesmen.

On the same day, Union Minière described as unfounded and entirely untrue accusations by U Thant that the company had built armored cars and bombs for the Katangan gendarmerie and shielded mercenaries with cover jobs. Union Minière suggested that the U.N. was making these accusations to justify attacking Union Minière's installations, an eventually that came to pass a few days later.

The U.N. jets next turned their attention to the center of the city. Screaming in at treetop level while excited gendarmes and white civilians popped away at them with anything from .22 pistols to submachine guns, they blasted the post office and the radio station, severing Katanga's communications with the outside world. It is difficult to see how this had any connection with insuring the safety of the U.N.'s lines of communications and the security of its personnel, the avowed purposes of the U.N. attack. One came to the conclusion that the U.N.'s action was intended to make it more difficult for correspondents to let the world know what was going on in Katanga, since the only way press dispatches could be filed was to drive them 150 miles to Northern Rhodesia over a road studded with tribal roadblocks and subject to U.N. air attack. This did not always work to the U.N.'s advantage, however, since the U.N. command in Elisabethville had direct communications with Léopoldville and New York; there was at least one occasion when it denied atrocity charges before these had appeared in the press. Meanwhile, the U.S. airlift of troops and war materials into Elisabethville continued.

On December 10, General McKeown, speaking in Léopoldville, asserted that if the U.N. had fired on cars with Red Cross markings, it was because these vehicles were carrying mercenaries (nobody thought to ask McKeown if a white civilian doctor serving with the Katangan forces was considered a mercenary by the U.N.). The General stated that the Red Cross had only 10 vehicles in Elisabethville but 50 had been spotted with Red Cross markings. There is a possibility that mercenaries did use cars marked with red crosses for reconnaissance. It is also true, however, that many civilians placed their cars at the disposal of the Katangan Government for use as ambulances, which

explains the presence of more Red Cross vehicles than those officially registered.

U.N. air attacks continued with strikes against Union Minière's Kolwezi fuel dump which set 750,000 gallons of diesel oil afire. Two hundred youths of the Conakat Jeunesse stoned and partially looted the American Consulate in protest against the U.S. airlift. The Association of Enterprises of Katanga (chamber of commerce), a grouping of 80 companies giving work to 60,000 Katangans and supporting 240,000 others, filed a protest to "the civilized countries of the world" against "the systematic and willful destruction of the economic potential of Katanga." Late on the 10th, the first refugees train bringing 360 white women and children to safety reached Northern Rhodesia.

On December 11, Youlou cabled Kennedy beseeching him "in the name of peace and humanity, to intervene in Katanga to arrange a cease-fire." On the following day, U Thant denied that the purpose of the U.N.'s Elisabethville operation was "to force a political solution of the Katanga problem by smashing the military strength of the present political leadership, and also the political leadership itself." He said that the goal was to "regain and assure our freedom of movement, to restore law and order, and to insure that for the future U.N. forces and officials in Katanga are not subjected to attacks."

One of the worst atrocities of the war occurred on December 12. Indian-piloted Canberra jets, safe in the knowledge that the daylight skies were theirs (the Katangan Air Force's few remaining propeller-driven light planes were able to make night attacks only), roared in over Shinkolobwe and shot up the former uranium mine's hospital, leaving two children and two men dead. Four pregnant women were wounded, as were 44 other Africans. The hospital was clearly marked with a huge red cross on its roof and was more than 1,500 yards from the nearest building. The previous day, while U Thant was still talking, U.N. jets had attacked the Le Marinel hospital, without, however, causing any casualties. Shinkolobwe was known to be an important Katangan military base. Putting the best possible interpretation on this tragic incident, one can only surmise that the Indian pilots did not see the red cross on the roof and thought they were attacking a military camp. However, far too many hospitals, churches, and other civilian installations were hit by U.N. air and ground fire to accept this as plausible. Even granting that, as the U.N. charged, Katangan gendarmes often fired from the shadows of churches or hospitals, the U.N. record in this respect left much to be desired. By December 12, the end of the first 8 days of fighting, Katangan losses amounted to about 100 killed and 179 wounded (75 gendarmes and the rest civilians of both races). An estimated 1,500 whites were homeless. The U.N. set its own losses at 10 dead, 34 wounded, and 13 missing.

Later in the day, U.N. jets attacked the Jadotville railway, strafed the Mulungwishu post office, cannoned an ore train in Kolwezi railway station, damaged a processing factory at Luluu, knocked out an electric generator at Luena, and destroyed a locomotive north of Elisabethville. It is not clear what bearing these attacks had on the re-establishment of the U.N.'s communications or the safeguarding of its personnel. The whole operation was beginning to look very much like an old-fashioned imperialistic punitive expedition. All that was missing was the gunboat.

By December 12, Raja had nearly 6,000 troops at his disposal to attack 3,000 Katangan gendarmes reinforced by 250 (at the very most—some estimates ran as low as 50) white mercenaries and perhaps 100 local white volunteers. Mortar shells hailed

down on the center of the city as the softening-up process began. Again, the gunnery was either disgracefully amateur or totally indiscriminate. Among the military objectives hit: a beauty shop, the apartment of the French Consul, Sabena Airways office, the Roman Catholic cathedral, Elisabethville's museum. A car pulled up in front of the Grand Hotel Leopold II, where all of us were staying. "Look at the work of the American criminals," sobbed the Belgian driver. "Take a picture and send it to Kennedy." In the backseat, his eyes glazed with shock, sat a wounded African man cradling in his arms the body of his 10-year-old son. The child's face and belly had been smashed to jelly by mortar fragments. The war—and life—were over for him. His mother, also wounded, sat wordlessly beside her husband.

On the same day that this child died, Britain, France, Greece, the Malagasy Republic, and the former French Congo were all pressing for a cease-fire. But U Thant did not want one, the 18-nation Congo Advisory Committee did not want one, the United States did not want one. Or rather they did not want one until Tshombe had been taught a lesson and was prepared to accept conqueror's terms from Adoula.

There was never much doubt about the U.N.'s ability to storm Elisabethville. It had absolute control of the air, numerical superiority in men, and better equipment (the U.N. had Ferret armored cars, heavy mortars and 108-millimeter guns; the biggest gun the Katangans had was 75-millimeter and they were equipped only with light mortars). The only real questions were how much human misery the U.N. was going to inflict before capturing the city and whether, once its troops jumped off, they would complete their offensive quickly enough to prevent large-scale looting by the city's African civilian population.

The attack on the city continued as U.N. jets blasted the Lido Hotel near the zoo in the northwestern part of the city, traversed the city with mortar barrages, set aflame a large fuel dump, and captured the tallest building in the city, the so-called "new hospital," which contained no medical equipment, patients, or medical personnel and was being used by the Katangans as an observation post. The U.N. was far from being alone in being less than candid about the conduct of the war.

The propaganda battle continued as Union Minière asserted that "it is evident that the objective pursued by the U.N. troops is the complete destruction of the economic potential of Katanga, a policy aggravated by total disregard for human life." U Thant countered this by publishing the names of 200 mercenaries serving in Katanga, although this would seem to have little to do with the moral right of the international organization to kill innocent Africans (Belgian Foreign Minister Paul-Henri Spaak later revealed that of these 200, 1 was dead, 5 were not Belgians and 48 had not been in the Katangan service for "several months"). In Elisabethville, George Ivan Smith flatly denied that the U.N. had hit any industrial installations. This was obviously untrue. He could have read his statement by the flickering light of the burning railway fuel dump.

On December 13, the U.S. Globemaster flew a battalion of 700 Ethiopian troops and large quantities of war material into Elisabethville. U.N. jets destroyed a small Katangan transport plane on the ground at Ngule, 125 miles from Elisabethville, and knocked out two armored cars. In Elisabethville, U.N. ground forces lobbed more than 200 mortar shells into the center of the city, blowing up two fuel dumps, jets blasted gendarmes dug in at the Lido Hotel near the American Consulate and hit targets of opportunity in the center of the city. The Katangan Government announced

in the day that Olivet, the Red Cross representative, had disappeared while on a mercy mission to U.N. headquarters to arrange for the evacuation of civilians from the part of the city subjected to the heaviest fire. Ten days later, Olivet's wrecked ambulance was found in the combat area. The vehicle apparently had been hit by a U.N. bazooka. A shallow grave nearby contained Olivet's body, that of a Dutch Red Cross representative, and that of a Belgian woman ambulance driver.

Tshombe, meanwhile, had appealed to Pope John and to President Kennedy ("as a free man and a Christian") to arrange a cease fire. To his people he said: "Whatever happens, all Katangans, black and white, will fight to defend their country. Resistance will be total and not 1 inch of ground will be yielded without a fierce fight to the last man, to the last drop of blood." While Tshombe was awaiting a reply from the American President, the U.N. long-awaited offensive got underway. On the 14th, the air and mortar attacks were intensified. Gendarmes with quart bottles of beer strapped into the baggy pockets of their combat fatigues fired back at the planes from the streets and hurried forward to reinforce the Katangan positions. Later the same day, Tshombe repeated his willingness to negotiate with Adoula anywhere on neutral ground. He suggested the Malagasy Republic as a suitable site for such a meeting, or some other point in former French Africa and called on his African brothers to assist in arranging such a meeting. Tshombe also directed a public appeal to "the free and civilized world to end this barbarous and useless carnage." In an obvious reference to the United States, Tshombe charged that "a great power that itself prizes liberty" was encouraging and financing the United Nations intervention in Katanga. On December 15, there was heavy fighting around the railway underpass and the mortar barrage continued to rain down on the center of the city. At 10:30 that night, fresh Ethiopian troops waded across Kiboko ("Whip") Creek and attacked in strength Katangan troops entrenched on the golf course to the northwest of the city, in an attempt to slash Elisabethville's communications with Kipushi on the Rhodesian border. To the east, Swedish and Irish troops moved up to the railway line and began their assault on Camp Massart, which guarded the other route to Rhodesia. In the north, Gurkha troops supported by armored cars blasted their way to within five blocks of the heart of the city. G. C. Senn, the International Red Cross replacement for Olivet, accused Swedish troops of firing on two of his ambulances.

Everybody had been expecting a frontal assault from the north, if only because the U.N. fire had been concentrated there and it obviously had the strength to storm the center of the city. Raja's pincer attack would have been a brilliant move, had he made it in sufficient strength to seal off the city quickly. Had he done this, he would have seized Tshombe and Munongo, captured most of the mercenaries, and destroyed or captured half the gendarmerie in the city. This would have ended Katanga's secession forever.

As it was, the Swedes and the Irish moved so cautiously and so unskillfully that their intention soon became obvious. The Ethiopians, although they attacked with great courage, found themselves opposed by gendarmes and white volunteers possessed of an equal bravery and tenacity. Three times the white-led gendarmes counterattacked and threw the Ethiopians off the golf course. Eventually, the U.N. seized the course. But it had taken them 8 hours to do so. By then, Tshombe and his government had withdrawn to Kipushi on the Rhodesian border behind a shield of mercenaries and gen-

darmes. Most of the gendarmes had been withdrawn from the center of the city and were busy digging in to protect the road junction to the south of the city. There was still a gap several thousand yards wide through which General Moke (or Major René Faulques, if you prefer—this thin, ascetic Frenchman, winner of the Legion of Honor and veteran of Indochina and Algeria, was the mercenary who commanded and was responsible for most of the gendarmerie's staff work) could evacuate his somewhat battered and depressed by largely intact army.

During those last days of the fighting, the atmosphere in Elisabethville had a dreamlike quality of unreality. The streets were filled with rubble and lined with blasted palm trees and shattered cars, their tires flat and their windows broken. Four trainloads of white women and children—about 1,100 people all together—had been evacuated to northern Rhodesia. Perhaps another 100 had made the risky road trip to safety. This left Elisabethville, which before independence had had a white population of 14,000, with about 3,000 white males and perhaps 1,000 women. Many of these—nearly a quarter—had been driven from their homes by the fighting. Perhaps 200 were huddled in the Grand Hotel Leopold II, sleeping 8 to a room and on mattresses in the lobby and in the corridors. During the fighting, the Leo Deux had been fairly gay. There was whisky but no beer or soda. The restaurant always managed to produce something in the way of food. This and Michel's were the only places in town where you could get anything to eat. At the latter it was still possible to munch a chateau-briand bernaise and enjoy a modest bottle of beaujolais by candlelight, while machineguns chattered in the darkened streets and mortar shells whistled overhead. Both places were hangouts for gendarmes and Les Affreux ("the Terrible Ones"), the mercenaries, who ate in their camouflaged battle-dress with their floppy jungle hats on their heads and their rifles slung over their shoulders. We got to know some of the mercenaries pretty well.

All of us will remember Luigi, who in many ways was a typical mercenary. Luigi, despite his nickname (many mercenaries, for obvious reasons, preferred to use a *nom de guerre*), was a Pole. Like most Poles, he was a Catholic. Like almost every Pole outside Warsaw's orbit, he nurtured an abiding hatred of communism which, as is natural, he associated with Russia, his country's ancient foe and present conqueror. The Poles, because of their geographical position on the eastern marches of Western European civilization, have had to develop certain martial qualities. They've had to fight to preserve their national identity since the days when Genghis Khan swept over the treeless steppes from Central Asia. When they haven't had a nation of their own to fight for (and this has been the rule rather than the exception down through history), they've been perfectly willing to fight for other people, as long as the cause seemed just. Kosciusko, for instance, served as a "mercenary" in another separatist movement—that of the Thirteen American Colonies. Luigi had been a part of this great martial tradition. He'd fought with the Polish Legion against the Italians and Germans in the Western Desert and at Monte Cassino. When he was wounded in Italy, nobody thought to call him a "mercenary." Then he was a patriot, as were those American "mercenaries" who served in the RAF before America entered the war against fascism. After the war, Luigi, deprived of a homeland, wandered around from continent to continent performing, like most men, a series of not very interesting jobs that furnished him with food for his belly but gave him little satisfaction. His most recent job had been as chef to a high British official in a nearby African territory. Then Luigi's wife ran off with a man he described

as "a glamorous person." Luigi, always restless, decided he would become "a glamorous person." At the time Katanga was under attack from anti-Western Congolese elements and troops from a bunch of nations which, Luigi noted, had done nothing to help Poland when it was assaulted simultaneously by Russia and Nazi Germany.

The pay was good (when it came—the mercenaries were often unpaid for as long as 3 months at a time), and Luigi settled for a captain's commission. However, to describe him as a mercenary is to ignore Luigi's religious faith, his political convictions, his character, Poland's national history, and his people's "soldier of fortune" tradition. Luigi was a mercenary only in the sense that he was paid for his services, as was every U.N. soldier in Katanga. But was Luigi, after all, more a mercenary than the Swedish soldier who had no real interest in Katanga, religious or otherwise, yet who received double pay for fighting the local inhabitants of the region? And what of the Gurkhas of the Indian Army in Katanga? Nepal had no U.N. contingent in Katanga, yet these were Nepalese. The Gurkhas, mercenaries in the purest sense, had served first imperial Britain and now republican India with equal impartiality, ferocity, and skill. Finally, since the most vicious assaults on the motives and characters of the whites serving Katanga comes from the left, let us ask this question: Whatever one may think of their politics, were those Americans who served in the International Brigade during the Spanish Civil War "mercenaries?" Of course they were not, and to suggest that they were is to dishonor the dead. The same holds true for the majority of the whites who fought for Katanga. Some were nothing more or less than paid killers. Many others were emotional cripples of one sort or another. But the majority of them fought for a variety of reasons, only one of which was money.

Luigi was always a jaunty figure around the Leo Deux or Michel's in his camouflaged battledress festooned Ridgway-style with hand grenades, Bren gun slung over his shoulder, a red silk scarf at his throat, and a helmet on his head. He was very Polish in appearance, short and barrel chested with sandy hair, high cheekbones, and gray eyes that glittered with splinters of light when he laughed. He laughed a lot. Sometimes it would be an old joke from the last war, or something about the railway underpass (which he commanded)—how his mixed force of whites and Katangans had thrown back an Irish attack or how he'd taken a pratfall when surprised by an exploding mortar shell. He was only solemn when the talk drifted around to Poland, the native land he knew he'd never see again.

The U.N. badly wanted Luigi's tunnel because it provided direct and covered entry into the center of the city for their Ferret armored cars. So they gave it considerable attention. In the daytime, Saabs or Canberras would come hedgehopping in at rooftop level to blast Luigi's boys with cannons and machineguns, and the Irish would lob mortar shells at the tunnel. At night, there would be more mortar barrages and probing attacks. We used to squat on the balconies of the Leo Deux with all lights extinguished, listening to the dull roar of explosions and the chattering of machineguns from the tunnel while tracer bullets burned across the night sky. Somebody would say "Luigi's catching hell tonight" or "Luigi'll have a thirst tomorrow." We never talked about the tunnel except in terms of Luigi. It was his personal real estate, his own small slice of Poland. Luigi had neither wife, nor home, nor nation of his own but the tunnel was his. In the tunnel with the ricochets whining like angry bees and the ground shaking from exploding mortar shells, Luigi was somebody. He was Kosciusko. He was

the Polish barons standing up against the Huns and the Mongols. The tunnel made Luigi real and gave him meaning and he loved it as only a Pole could love his mistress. He was definitely "a glamorous person." Without the tunnel, Luigi was just a squat little man who used to cook other people's meals, a fellow who couldn't keep his wife in line. I often wished the errant lady could have seen him in all his glory.

We almost lost Luigi on the 13th. When he came into the bar the next day, there was a bloody bandage wrapped around his head where a shell fragment had taken a hunk out of his skull. He was dirty, unshaven, tired, and the going had obviously been pretty rough. But Luigi could still laugh, a great rumbling thunder of a laugh that began somewhere down by his belt buckle and gathered strength as it bounced up through his chest.

On Friday evening, Luigi did not come in for his usual period at the Leo Deux and we knew that things must be bad at the tunnel. There was heavy firing from that direction and from the north. Away off to the west we could hear muffled explosions and the angry stutter of automatic weapons from the Lido area, through which the Ethiopian conquerors of the golf course slowly were pressing. There were few mercenaries or gendarmes in the bar and most of those who were there were wounded. In the early days of the fighting, the bar had been packed with journalists, soldiers, and local white volunteers who spent their days in their normal civilian occupations and then went "moonlighting" with Tshombe's troops. These, again, could hardly be termed mercenaries. They were bitter men whose friends or relatives had been killed or wounded by U.N. fire, whose homes had been smashed into rubble, whose businesses had been ruined. They had an odd assortment of weapons and even odder attempts at uniforms. Nobody paid them. They fought because Katanga was their country and they hated the U.N.

Now there were few of them around the hotel. There were plenty of civilians but none with arms. The Katanga police came through checking the identity cards of the Africans in the hotel, a bad sign because it meant things were falling apart and the authorities were looking for deserters and traitors.

The night of the 15th was bad. U.N. mortar shells rained down on the center of the city all night long, bracketing the hotel and sending fragments humming into the rooms and rattling off the walls. At first I'd had to content myself with two chair cushions on the floor as a bed. But as the U.N. edged closer and the shelling became more intense, one of my more fortunate colleagues had vacated his bed and gone back to Rhodesia. So I had a place to sleep. The other bed was occupied by a former British mercenary. Things were not so good for him. If (or rather when) the U.N. captured the city, he stood a good chance of being turned over to the Léopoldville Government. If he tried to get out of Katanga, the gendarmes might well shoot him as a deserter. As the night wore on, we became quite skillful at rolling off our beds onto the floor in the split second given one between the time one heard the whistle of an incoming mortar shell and the explosion. Finally, we gave up and dragged our mattresses onto the floor and slept there. All night long the mortars came down and fragments rattled off the roof like acorns falling in the autumn.

In the morning there was no food, water, or electricity in the hotel. The lobby was jammed with taut-faced Belgians talking quietly in little knots. Mortars peppered the streets outside and the acrid smoke poured into the hotel. Dogs ran about barking crazily. Wounded gendarmes, sullen and tired, streamed south toward the one remaining

gap in the U.N.'s pincers. One hard-looking mercenary in battledress with his Bren gun slung over his shoulder and a suitcase inconspicuously in one hand came into the hotel and disappeared upstairs. Minutes later he reappeared unarmed and in civilian clothes. There were still a few gendarme mortar crews in the area and one went into action in front of the hotel, which indicated that the U.N. was no more than a few hundred yards away. There were no more white mercenaries in evidence except for a single French officer who careened around the streets in a jeep on which a heavy machinegun was mounted. The tunnel was ominously quiet and it was rumored that it had fallen. When fire began to come into the city from the tunnel, we knew that this was the case. Luigi was gone, probably dead or captured, although there was always a chance that he'd pulled out and headed for Kipushi. I was sorry that I had not had a chance to say goodby but glad that he had had his red scarf, his few months of recapturing the brittle gaiety of World War II, of being a glamorous person.

We knew the end was near. The Katangan Information Office, which had had its headquarters in the Leo Deux and had supplied us with much propaganda and, occasionally, a bit of news, had pulled out before dawn for Kipushi, where Tshombe was with his government. These officials most ungalantly had neglected either to inform or to provide transportation for a South African woman colleague of theirs. She awoke on the morning of December 16, to find her employers gone and U.N. Indian troops within 4 blocks of the hotel.

Incredibly enough, Elisabethville did not fall on the 16th. This was less the result of the tenacity of the Katangan gendarmes than the extreme cautiousness of Raja. In the center, or northern front, his Gurkhas, Dogras (Indians), and Ethiopians had taken the Victory Stadium and pushed forward to the Avenue de Ruwe. There they were held up by scattered pockets of resistance. In a military sense, this was no front at all. Five or six gendarmes with a machinegun would barricade themselves into a house. There would be snipers scattered on the rooftops and in the gardens. Here and there an occasional civilian armed with a shotgun or a sporting rifle would fire a round or two. The U.N. soldiers would edge up slowly, clearing a street house by house. When their pressure became too great, a flying squad of gendarmes or mercenaries equipped with bazookas or recoilless rifles would roar up, establish a base of fire, and force the U.N. troops to halt. Then the flying squad would pull out and rush to some other threatened point. The Katangan mortar batteries operated in the same fashion. Both to avoid counterbattery fire and to create the impression of having far more guns than they did, they shifted their positions constantly. During all this, there would be a steady flow of refugees streaming out of the embattled area. All this fighting was in the white section of town. The native quarters to the south of the city were hit by U.N. mortars and air strikes but there was no ground fighting there until the very end. Most of the whites had fled but there were always a few who had stayed because they had no place else to go. With them were a few African servants. As the U.N. moved up, these scurried down the street in the pouring rain carrying a few belongings with them. Always there was the crazy barking of the dogs.

It was the flanks upon which Raja, attempting to complete his encircling movement, was placing the most pressure. In the west, his Ethiopians fought their way across the golf course against heavy resistance from gendarmes and mercenaries. They cleared the Les Roches district (machinegunning to death Guillaume Derricks,

an advisory director of Union Miniere, his 86-year-old mother, and their African servant), recaptured the Lido Hotel, and skirmished through the wooded dells surrounding the zoo. The Ethiopian right flank reached Karavia Creek, interdicting by fire one of the two routes to Kipushi. From their positions they began to fire on the Union Miniere compound. On the western front, the Irish and Swedes had cleared the industrial area and seized Luigi's tunnel, occupied the main railway station, and were fighting their way into Camp Massart (called Camp Tshombe by the Katangans), which was only lightly held by a rearguard of gendarmes. The Katuba and Kenya native quarters to the south were a scene of chaos. War drums were throbbing, people were rushing about aimlessly, long straggling columns of gendarmes were pulling out to the south. White civilians trying to escape by this route were arrested or turned back by the gendarmes. About the only ones able to get out were journalists, all of whom had permits from the Katangan government. But even these often failed to satisfy the excited soldiery, although bribery usually worked.

The U.N. mortar attack on the center of the city continued on the 18th, again in a pouring rain that was a blessing because it furnished the battered city with drinking water. In the center, the Gurkhas continued their slow, methodical advance. To the west, the Ethiopians were unable to move forward because of stiff resistance in front of them. The U.N. then launched a heavy air attack against the Union Miniere works, claiming (after first denying the attack) that heavy firing had been directed on their troops at the Lido from the mining company's compound. A U.N. spokesman also claimed that Indian soldiers had discovered a map showing that Union Miniere's telecommunication center was the headquarters for the entire Katangan resistance. Union Miniere denied the allegation as "false and ludicrous," stating that only mining company employees were sheltered in its offices and mill. Both sides were wrong and both right in this case. Union Miniere's telecommunications had been used by the Katangan government, but not, to my knowledge, for military purposes. Katangan gendarmes and mercenaries certainly were firing from the mining company's property but again, to my knowledge, not from its buildings.

On the west, the Swedes had captured Camp Massart, as we discovered when they fired on a car carrying three civilians out of Elisabethville. The driver of the car, Jean-Claude Cornaz, a Swiss employee of the Katangan Ministry of Economics, was killed. His two passengers, Rhodesian Federal Broadcasting Corporation newsman James Biddulph and New York Herald Tribune correspondent Sanche de Gramont (a Harvard-educated Frenchman), were seriously wounded. A Swedish lieutenant said his men fired on the car with a machinegun when it failed to halt at a roadblock. There was no roadblock, however. The Swedes were simply dug in on one side of the road, the Katangans on the other, a fact of which the travelers were unaware. And the battered state of the vehicle indicated that it had been hit with either a bazooka or a 20-millimeter cannon, not a machinegun. The facts of the incident that matter are that U.N. troops fired with a highly lethal weapon on an ordinary passenger car with Rhodesian license plates in which three unarmed civilians were heading away from the combat zone. In a similar incident, the U.N. machinegunned Katangan Health Minister Jean Mwema's car, killing his wife. These incidents were typical of the type of total war waged by the United Nations, an organization dedicated to peace, in a city jammed with civilians.

While armored cars and mortars duelled in the smoke-filled streets, word came from

the north that the U.N. was facilitating the advance of 1,800 Congolese troops on Kongolo, who were being resisted by the Katangan garrison. It was these Congolese troops who 2 weeks later were to slaughter the Kongolo missionaries. U.N. losses were unofficially put at 20 dead in Elisabethville and about 50 wounded. Katangan sources said that 20 gendarmes had been killed and 117 wounded in the last week of fighting. The city's hospitals, one of which now found itself between the opposing lines and the other exposed to Swedish fire, reported 8 white civilians dead and 35 wounded, 15 African civilians dead, and 121 wounded. The U.N., which declined to call its action a general offensive, reported that 12 Baluba refugees had been killed and 119 wounded in their camps by Katangan mortar fire.

Meanwhile, on the 17th, U Thant, meeting with his Congo Advisory Committee in New York, stated that he was willing to consider "reasonable" proposals for a cease-fire. This was, in effect, a denial of the five-nation plea for an unconditional cease-fire. U Thant told the committee: "For us to stop short of our objectives at the present stage would be a serious setback for the U.N." The committee agreed. There was no cease-fire.

But other negotiations were underway. Kennedy (with U Thant's approval) had agreed that U.S. Ambassador to Léopoldville Edmund Gullion should act as conciliator and arrange for talks between Adoula and Tshombe, provided the latter agreed not to rule out the reintegration of Katanga into the Congo. On the 17th, Tshombe cabled Kennedy:

"I wait your Ambassador in Elisabethville. I am ready to hold discussions with Mr. Cyrille Adoula. Please arrange an immediate end to hostilities. Thanks to your intervention, we believe calm will be restored in the former Belgian Congo before Christmas."

It is not known whether Kennedy's overtures to Tshombe contained the promise that, if he did come to terms with Adoula, Gizenga would be dealt with by the Central Government. This may well have been the case. That other secessionist and fair-weather friend of Tshombe's, "King" Albert Kalonji of the "Mining State," was also arrested in late December. At any rate, in Léopoldville, Ralph Bunche, Linner, and Ghana's able Robert Gardiner (who was to succeed Linner as chief of the U.N.'s Congo operation) parleyed with Adoula to get him to agree to negotiate with Tshombe.

Finally, late on the 18th, Tshombe and Kibwe drove to the Northern Rhodesian town of Kitwe, where they were met by Gullion. The next day, a "suspension of fire" took effect in Elisabethville as Gullion and the Katangan delegation flew off in the American Presidential Constellation *Columbine* to the U.N.-held military base of Kitona at the mouth of the Congo River to negotiate with Adoula. Katanga's red, white, and green flag still flew over Elisabethville. The December war was over.

#### X. KITONA AND ITS AFTERMATH

"The President of the Province of Katanga recognizes the indivisible unity of the Republic of the Congo." (Article II of the Kitona agreement signed by Tshombe on December 21, 1961.)

"The word 'Congolese' is a Belgian invention. First, I am always Katangans." (Albert Nyembo, Katangan Minister of Information, addressing the Congolese National Assembly on December 30, 1961.)

On his departure from Léopoldville to meet Tshombe at Kitona, Adoula stated that "reconciliation is possible only if Mr. Tshombe accepts his responsibilities under the *loi fondamentale*" and ends his "rebellion" against the Central Congolese Government. In short, Adoula was going to Kitona not to negotiate but to accept the unconditional surrender of Katangan sovereignty. The only

concession Adoula made to Tshombe then or later was to agree to meet him at Kitona rather than at Léopoldville. Tshombe had, of course, frequently stated his willingness to negotiate with Adoula on neutral ground, since his arrest at Coquilhatville had made it impossible for him to put much faith in a Congolese guarantee of safe conduct. Adoula, for his part, had been unwilling to meet Tshombe on neutral territory because he regarded him as only a provincial leader. Adoula was able to accept Kitona because it was in Central Government territory. Tshombe agreed to go there only because the base was under control of U.N. forces and because he had U.S. and U.N. safe-conduct guarantees.

This statement by Adoula greatly reduced the chances of any permanent settlement emerging from Kitona. Adoula had a fair legal case in demanding that Tshombe adhere to the loi fondamentale since this instrument had been created at the Brussels conference which Tshombe had attended and the Katangan leader had then accepted it. The fact remained, however, that the loi fondamentale was only a provisional constitution which had never been ratified. But far more important than the legal question was the actual political and military situation. Katanga had been independent in fact if not in law for nearly a year and a half. Although the Katangan gendarmerie had been mauled in the December fighting, it was still an effective fighting machine. While the U.N. at the time of the suspension of fire had almost encircled Elisabethville and certainly could have captured the city within a few days, the great majority of the gendarmerie and the remaining mercenaries had extricated themselves from the city and were resting and regrouping at Kipushi. The important centers of Kolwezi and Jadotville were still firmly in Katangan hands. Even had these been lost, the gendarmerie had the strength to carry on the war from the bush for months.

To expect Tshombe to surrender abjectly under these conditions was unrealistic. Even if the Katangan President had been willing to accept such terms, Tshombe knew (and Adoula, Kennedy, and U Thant must have known, unless they were woefully misinformed by their agents on the spot) that the hard core of Conakat, led by Munongo, would never agree to such an unconditional capitulation. Nevertheless, Adoula made his statement and flew to Kitona accompanied by Ralph Bunche, Mahmoud Khiri, and Robert Gardiner of the U.N., and by three of his ministers, Foreign Minister Justin Bomboko (an old enemy of Tshombe's), the Gizengist Interior Minister Christophe Gbenye (whom Adoula appointed Deputy Prime Minister on February 14, replacing him as Interior Minister with Cleophas Kamitatu, President of Léopoldville Province), and Justice Minister Remy Mwamba.

Tshombe, looking tired and drawn, had arrived at Kitona an hour and a half before Adoula's plane landed. With him were Gullion, Finance Minister Jean Baptiste Kibwe, and Odilon Mwanda, Katangan delegate to Brussels.

It was the first meeting between Tshombe and Adoula since the latter's rise to power in August. The talks between the two leaders on December 19, held in a hospital waiting room, were informal and friendly. The big stick was very much in evidence, however, for on the same day Ethiopian U.N. troops in Elisabethville occupied the entire Union Minière compound. Both sides remained edgy, their troops still dug in facing each other.

The Congolese and Katangan delegations closeted themselves in the hospital waiting room for formal talks on the 20th, while the U.N. officials and Gullion hovered anxiously outside in the corridors. Whisky and sandwiches flowed into the room and angry voices

flowed out of it. On several occasions, both Adoula and Tshombe appeared ready to break off the talks. Each time, Bunche, Gullion, Khiri, or Gardiner soothed their ruffled feathers and shepherded them back into the conference room.

Finally, in the early morning hours of December 21, after 17 hours of almost continuous discussions, Tshombe signed an eight-point agreement officially ending Katanga's secession, although he stipulated that his action would have to be ratified by his cabinet and by the Katangan legislature. The Kitona agreement reads as follows:

"The President of the Province of Katanga—

"I. Accepts the application of the loi fondamentale of May 19, 1960.

"II. Recognizes the indivisible unity of the Republic of the Congo.

"III. Recognizes President Kasavubu as chief of state.

"IV. Recognizes the authority of the Central Government over all parts of the Republic.

"V. Agrees to the participation of representatives of the Province of Katanga in a government commission to prepare a new constitution.

"VI. Agrees to take all measures to permit senators and deputies of Katanga Province to exercise the national functions (that is, to sit in the national legislature).

"VII. Agrees that the gendarmerie of Katanga shall be placed under the authority of the President of the Republic.

"VIII. Agrees to see that the resolutions of the U.N. Security Council and General Assembly are respected and to facilitate their execution."

After signing the agreement, Tshombe flew back to Elisabethville and Adoula to Léopoldville. The Kitona document, which Gullion termed a "statesmanlike agreement" and not "punitive in any way," was not the fruit of negotiation but an unconditional surrender. On his arrival home, Tshombe shrugged when asked if he was satisfied with it. Kibwe murmured "not so good, not so good." Why did Tshombe sign such an agreement? There are two possibilities. The first is that Adoula gave him a secret oral assurance to the effect that the commission agreed to under article V of the agreement would rewrite the Congolese constitution to provide for a federal form of government with considerable local autonomy. Adoula may also have promised Tshombe substantial Conakat representation in his cabinet. Nothing has taken place in the months since the meeting, however, to indicate that this was the case.

The second possibility is more likely—that Tshombe signed under duress and never intended to implement the Kitona agreement. This duress could have taken two forms: fear for his personal safety at Kitona or the threat that the U.N., if he did not sign, would immediately end the suspension of fire, launch a new offensive, and carry through its operations until Katanga's secession was ended and Tshombe handed over to Léopoldville for punishment.

It is unlikely that the United States or the U.N. would have allowed its safe conduct guarantee to be violated to the extent of handing Tshombe over to the Congolese at Kitona. It is quite likely, however, that the U.N. and U.S. representatives did warn Tshombe he would be overthrown by force if he did not accept Adoula's terms. The U.N. was on record by the Security Council resolution of November 24 as rejecting the claim that Katanga is a sovereign independent nation. Illegal as this resolution may have been under the terms of the U.N.'s own charter, it gave the international organization the power and the authority to overthrow Tshombe's government by force if necessary. There can be little doubt that this was exactly what it planned to do.

Had Tshombe been less wise and more honorable, he would have refused to sign the Kitona agreement and flown back to Elisabethville to face a renewed United Nations offensive. He is, however, just as shrewd, tough, and unprincipled as the men with whom he has to deal. Tshombe was well aware that world public opinion was by no means solidly behind the United States and the U.N. He was well aware of the fact that the U.N. was deeply in the red over its Congo operation and that many member states wanted the operation ended as quickly as possible. He was aware that his gendarmerie, although still capable of putting up a fight, badly needed a rest. Under the circumstances, it was to his advantage to play for time, as he had frequently done before. Hence, he signed the Kitona agreement, in my opinion, with no intention whatsoever of implementing it in any real sense.

Tshombe can be charged with duplicity on this count and the charge rings true. But was it wise of Adoula and his U.N. and U.S. advisers to insist upon an unconditional surrender which they must have known Tshombe would not and could not accept? It can be argued that Adoula's government was so weak that anything less than insistence on Katanga's complete surrender would have caused its fall. But in the long run Adoula's position could only be weakened by bringing home an agreement that could never be implemented. If the purpose of the Kitona agreement was to give Adoula's government a short-term boost or to provide the U.N. with a future propaganda weapon to hold over Tshombe's head, then the meeting at the mouth of the Congo was a success. If its purpose was to provide a reasonable and workable means of reconciliation which both Léopoldville and Elisabethville could accept with honor, then it was a miserable failure. The Kitona agreement was not worth the paper it was written on because it failed to take into account the fundamental structure of power in Katanga and the Congo.

It was fairly clear that the U.N. understood this. No sooner had Tshombe left Kitona than the international organization began to apply heavy pressure on him to implement the agreement at once. The U.N. immediately rejected Tshombe's contention that the agreement would have to be ratified by the Katangan cabinet and legislature, asserting that "as far as we are concerned, it is signed, sealed, and delivered; there is no question of ratification."

On the 21st, U.N. vehicles patrolled into the heart of Elisabethville to establish their right of free movements. This failed, however, to properly police the areas already under their control. Behind the U.N. lines, white residents were placed in the position of having to defend their property as best they could against rampaging Balubas who had broken out of their U.N. refugee camps and were after revenge, food, and loot. The U.N. had failed to keep the Balubas, whom they had invited into the camps, supplied with food, or to maintain any discipline. An estimated 15 to 20 people were being killed each day within the camps in faction fights, and some of these were being eaten. It was calculated that about 4,000 Balubas had moved into homes abandoned by whites in the Bel Aire section alone. Most of the city continued without electricity or water.

When Tshombe reiterated that he was "only the spokesman of my people and it is up to them to decide" as to the validity of the Kitona agreement, Adoula warned that the Central Government would use force against Tshombe again to end Katanga's secession if the Kitona agreement was not implemented. On December 22, the Katangan cabinet decided that it was not competent to rule on the Kitona agreement and passed the matter on to the legislature for a ruling.

The atmosphere continued tense in Elisabethville as Gurkha troops arrested 53 gendarmes and the U.N. admitted that the Baluba refugees were "widening their arc of pillage and loot" around their camps. The U.N. finally agreed to investigate two cases of rape against Ethiopian troops and several of pillaging by the same soldiers.

On the day after Christmas, U.N. spokesman Norman Ho made a statement in Léopoldville that sent a thrill of horror up the spines of all Katangans, black and white: 90 Congolese soldiers, the first of a force of 900, would join the U.N. forces in Kamina. The Congolese troops would wear the blue helmet of the U.N., serve with Indian, Swedish, and Norwegian troops at Kamina on an equal footing, and come under U.N. command. Such a move was certainly legal under the Kitona agreement. But was it wise? Had Linner already forgotten the 13 Italians murdered at Kindu? If he had, he was soon to be reminded of them by an even more horrible massacre. In fact, the movement of the Congolese to Kamina never took place (the Congolese troops showed that they disliked the U.N. as much as the Katangans did when they refused to wear the blue helmets). But the fact that the U.N. command even considered using Congolese troops showed how little it understood the situation in Katanga, how little it cared for the welfare of the territory's white population, and what little respect it had for Tshombe's pride.

The following day, the first group of Katangan representatives flew from Elisabethville to Léopoldville in U.N. planes to take part in the meeting of the Congolese Legislature in accordance with the Kitona Agreement. Diplomatic relations between Belgium and the Congo were reestablished on the same day, after a break that had lasted 17 months. The first group of three senators and an equal number of deputies was led by the Katangan Information Minister, Albert Nyembo. On December 28, a second group of nine Katangan representatives arrived in Léopoldville. Tshombe made it quite clear, however, that his representatives had gone to Léopoldville to bargain for a change in the *loi fondamentale*, not to participate in the National Assembly. In Paris, Kimba, the Katangan Foreign Minister, said that Katanga was prepared to make concessions, but on the condition that "such concessions were not unilateral." Actually, the Katangan delegates did take their seats, but only after Nyembo had emphasized that they would expect concessions in return when a new constitution was framed.

The situation in Elisabethville had not improved much. On December 28, Tshombe charged that U.N. troops were preparing a new offensive against Katanga. Tshombe said it was his understanding that the U.N. would jump off if the Katanga legislature did not meet on January 3 to ratify the Kitona agreement. Tshombe added that U.N. troops had ringed the town and were preventing gendarmes from entering the African townships. Urquhart, now senior U.N. civilian official in Katanga (the Frenchman Georges Dumontet, perhaps the ablest of the long succession of U.N. officials to serve in Elisabethville, now became Urquhart's assistant), said the townships had been sealed off to prevent looted goods from white areas reaching them and to stop looting within the townships themselves. In an incident in one of the townships, two Katangan gendarmes were killed by a Swedish patrol. Katangan Justice Minister Valentin Ilunga was arrested by U.N. troops but later released.

On the following day, Tshombe charged that central government troops with the support of U.N. forces had unleashed a new attack against northern Katanga. A U.N. spokesman in New York denied that U.N. forces were supporting such an attack (they

were correct in this) and admitted that they had received reports of minor skirmishing in the area in recent days. Tshombe asserted that the main attack, launched by nearly three battalions of Congolese, was aimed at Kongolo, 40 miles south of the Katanga-Kivu border. Tshombe added that other Congolese troops were attacking Kaponna, southwest of Baudouinville. On New Year's Day, Tshombe repeated his charge that Congolese troops were killing and burning in the Kongolo district and added that he had been forced to order his gendarmes to evacuate the town. The tin-mining town of Manono had also fallen to Baluba irregulars. At Kaponna, he said, gendarmes had repulsed the Congolese attacks.

Now it was too much to expect that the U.N. would make any attempt to send troops to Kongolo to separate the Congolese and Katangan troops in accordance with their mandate to prevent civil war. The U.N. had already made it quite clear that a Congolese attack on Katangans was to be considered as a police action and hence not a matter for the U.N. to concern itself with. One might have thought, however, that the U.N. could have sent a small body of troops to maintain the safety of local civilians, dispatched a few observers, or at least made an aerial reconnaissance. It took none of these steps, despite the fact that it was well aware (or should have been) that these 1,800 troops were Colonel Pakassa's rabble that had murdered the Italians at Kindu. One comes to the conclusion that the U.N., if it did not welcome any diminution of Tshombe's authority in northern Katanga, at least did not care what happened in the area. Twice it had been quick enough to kill white and black civilians alike in an effort to impose a political solution on Katanga; seldom had it been willing to go out of its way to maintain law and order in remote and dangerous areas.

The first reports of the Kongolo massacre were not released until January 16, more than 2 weeks after Tshombe's charge that the district was being devastated and his troops were withdrawing. An African seminarian staggered into Bukavu in Kivu Province after a journey of hundreds of miles through the bush to report that 19 Roman Catholic missionaries (most of them Belgians) at Kongolo had been beaten with bicycle chains, shot, and dismembered by the invading Congolese. Parts of the bodies were eaten. Many civilians, the seminarian said, had also died in the massacre. The blood bath had taken place, he said, on New Year's Eve at the Mission of the Holy Spirit.

What was the response of the U.N. to this terrible tale? Urquhart said he had no information. The U.N. in Léopoldville admitted that it had no troops within 150 miles of the area and bleated about the "almost insuperable difficulties" in investigating the massacre (yet it had always been able to find the troops to attack Tshombe). The best the U.N. was able to do was to offer every possible assistance to the Central Congolese Government in finding the riotous troops and in preventing further incidents. In effect, all the U.N. did was to send jets swooping over the area at a safe height. These confirmed a Red Cross report from Elisabethville (the Red Cross intelligence apparently was better than Urquhart's) that the murderers of Kongolo were preparing to attack a mission run by White Fathers and Franciscan Sisters at Sola, just north of Kongolo. Pilots of the U.N. jets reported Congolese soldiers at Sola, huts in the village afire, and little sign of life around the mission. The idea of bringing U.N. troops into Kongolo by helicopter was rejected as extremely hazardous.

It was not until January 23, more than 3 weeks after Tshombe's warning and a week after the announcement of the massacre, that a 37-year-old British major named

Richard Lawson, a man of great courage, demonstrated that the difficulties of getting into Kongolo were not as insuperable as the U.N. had led the world to believe.

Lawson, armed only with a swagger stick, jumped with a Congolese major from a light U.N. aircraft as it touched down at Kongolo, rolled across the field and took off again without stopping. The Congolese major promptly ran away into the bush and has not been seen since. Lawson, a blond and boyish former tank officer serving with a Nigerian battalion, was left alone to face the skin- and feather-clad savages of the Balubakat Jeunesse. Although one of these patriots stabbed him in the back with an arrow (and drew a punch in the nose for his pains), Lawson was able to make an assessment of the situation in Kongolo and to rescue the one survivor of the massacre, a Belgian, Father Jules Darmonth, who flew out with him when his aircraft returned. Lawson established that 22 missionaries had been murdered at Kongolo by 5 doped-up and drunken Congolese soldiers, that half the town had been burned and the rest looted so thoroughly that "there was nothing left to pillage." Most of the population had fled into the bush to avoid Jeunesse cannibals but 3 Congolese priests and 30 Congolese nuns had remained at the Holy Spirit Mission.

Lawson made a second trip into Kongolo, accompanied by a Nigerian officer, Maj. Conrad Nwawo. From there they drove 30 miles to Mbulula where they found three nuns and eight priests. The missionaries were part of a group of seven nuns and nine priests who had fled through the bush from Sola to find refuge with a small unit of the Katangan gendarmerie. Four nuns and one priest had already been flown out to Baudouinville by the Katangan Air Force. Lawson and Nwawo were beaten by the villagers of Mbulula whom, since the pair were U.N. officers, they associated with the murderers of Kindu and Kongolo. Lawson and Nwawo, rescued by the Katangan gendarmes, offered to arrange for the evacuation of the remaining nuns and priests. But these, fearing that they would be killed if they associated themselves with the U.N., refused to go. They were later evacuated to Baudouinville on Tshombe's orders. U Thant said that the U.N. was unable to give protection to the 33 Congolese priests and nuns remaining in Kongolo. So ended this tragic and disgraceful episode.

In Washington, the State Department asserted that it was deeply distressed by these atrocities. Well might it have been, since they were the direct result of a U.N. policy to which the United States gave its full support. By waging war against Tshombe in the south, the U.N. had made it impossible for northern Katanga to be properly policed. The U.N. had compounded the error by airlifting savage Congolese troops to the area. It then refused to undertake any sort of police operation in these zones which it had left open to barbarism. When the inevitable atrocities occurred, it refused to move troops in by helicopter because that would be extremely hazardous. Lawson and Nwawo had shown that even a small group of U.N. soldiers possessed of moral and physical courage could have done a great deal to safeguard the local civilians. There were either too few such men among the U.N. forces or their political leaders were too timorous to permit them to do what most of them must have recognized as their duty—to protect lives and preserve law and order.

Meanwhile, the diplomatic pressure on Tshombe intensified. On December 30, Kasavubu called on the Katangan Legislature to meet at Kamina on January 3, a move which Tshombe rejected as a grave violation of constitutional law. The legislature, Tshombe asserted, would meet in Elisabethville on the 3d. Kasavubu's proposal apparently was designed to encourage the anti-Tshombe Balubas to attend (many

were afraid to come to Elisabethville) so that Tshombe's lack of support in northern Katanga could be exposed.

U.N. spokesmen had repeatedly accused the Federation of Rhodesia and Nyasaland of supplying Tshombe with mercenaries and war materials, an allegation Federal Prime Minister Sir Roy Welensky had frequently and heatedly denied. Both sides were right and both wrong in this instance. One is inclined to accept Welensky's assertion that his Government had at no time given Tshombe military assistance of any sort. On the other hand, white volunteers for Tshombe's forces repeatedly had passed through Rhodesia on their way from Europe to Katanga. As transit passengers, only a few of specified nationalities required visas. A few Rhodesians had volunteered as private citizens to serve Tshombe. In addition, paramilitary commodities such as gasoline, lubricants, and vehicles had legally been exported to Katanga by Rhodesia. Unquestionably, some arms and ammunition had been smuggled across Rhodesia's 1,200-mile-long border with Katanga, which was guarded by only five customs posts.

U Thant now sought to stop this by requesting that U.N. observers be posted at Rhodesian airports and roads leading into Katanga. A similar request was made to Portugal in respect to areas of Angola bordering on Katanga. Neither Portugal nor Rhodesia have any reason to love the U.N. The request to Portugal was particularly ironic, since that same month the Security Council had refused to take any action in a clear case of Indian aggression (recognized even by the U.S. Government) against Portuguese Goa. Portugal and Rhodesia rejected the requests, although Rhodesia agreed to strengthen its border posts and invited U Thant to come to Salisbury for discussions on the question, an invitation he declined.

On January 3, the Katangan Legislature met for exactly 7 minutes before adjourning because there was no electricity and Tshombe had not arrived. On the following day, the assembly met again with 35 of its 60 members (a bare quorum) present. Absent were all the Balubakat deputies and several tribal representatives who had been unable to reach Elisabethville because of disturbed conditions in the north. Tshombe told his deputies: "I leave to you the task of determining how far our concessions can go and which articles of the (Kitona) agreement should be modified." He went on to accuse the Central Government of having several times violated the loi fondamentale that it requested Katanga to accept. Tshombe concluded: "Katanga must be unified with its brothers in the Congo but remain sufficiently free so that its fate will not be finally sealed on the day the shadow of communism spreads over this country." Obviously, Tshombe was intent on keeping considerable local autonomy for Katanga and had small faith in the future of the Congo.

While Nyembo was dickering with Adoula in Léopoldville and the Katangan Assembly was debating in Elisabethville, two top State Department officials launched a new attack against Katanga. Assistant Secretary of State G. Mennen Williams, speaking in Detroit, accused the Katangan Government of fabricating horrendous tales of indiscriminate mayhem by United Nations troops during the December war. Unquestionably, the Katangan Information Service had played up U.N. atrocities, real and imagined, for all they were worth. Williams might have been in a better position to judge, however, had he spent some time in Elisabethville's Leo Deux while the U.N. mortar shells rained down during those last days before Christmas. Every newsman there had seen civilians shelled with his own eyes. Each of us had seen Red Cross vehicles destroyed by U.N. fire. Or were all of us ly-

ing? Georges Olivet, the Swiss Red Cross representative, lay in his shallow grave in testimony that we were not. Sanche de Gramont of the New York Herald Tribune might well have sent Williams a few pieces of the shrapnel picked from his body after Swedish troops shot up the civilian car in which he was leaving Elisabethville.

On the same night that Williams made his speech, Carl T. Rowan, Deputy Assistant Secretary of State for Public Affairs, made an even more vitriolic attack on Katanga in a Philadelphia speech. Rowan charged that Katanga was waging a "clever big-money campaign" to dispense "a string of myths" designed to gain American support. Rowan directed his attack primarily against Michel Struelens, a New York-based Belgian publicist who Rowan said had spent \$140,000 in 15 months in an attempt to put Katanga's point of view across. Rowan also strongly implied that Union Miniere was behind the whole problem in its attempt to create "a safe little kingdom" for its financial interests. Rowan acted as if it was a crime for Union Miniere to make a profit and tried to smear American supporters of Tshombe by asserting that they numbered among them "arch conservatives, people who oppose the income tax, avowed defenders of racial segregation, opponents of fluoridation of water, those who want to destroy the Supreme Court."

The Washington Star, in an editorial on December 29, dismissed Williams' speech as "a rehash of the familiar State Department-U.N. line, with all of the distortions and omissions, plus a few characteristic Williams-ish embellishments." Rowan's address it saw as "filled with fascinating contradictions and McCarthy-like innuendoes." Finally, the Star concluded, if Struelens could get so much mileage out of \$140,000, the State Department should hire him, since it achieved so much less at a cost so much greater. In the end, there were few who would agree that because one thought Tshombe had some merit to his case, one must, by definition, oppose the fluoridation of water. These two speeches could only be taken as an attempt by the administration to muzzle opposition to its Katanga policy by smearing those who supported Tshombe through guilt by association. It failed, perhaps because Americans had experienced quite enough of these tactics under Senator McCarthy.

Back in the Congo, Adoula moved against other secessionists. On December 29, the National Assembly voted to revoke "King" Albert Kalonji's parliamentary immunity. He was arrested and placed under detention in Léopoldville. On January 8, the Assembly ordered Gizenga to return from Stanleyville to face charges of secessionist activity. Gizenga, who had been holed up in Stanleyville since October, refused to return. He was arrested after a battle between his bodyguard and Lundula's troops in which 14 were killed, and later transferred to Léopoldville. Gizenga was censured by the National Assembly, dismissed from his post of Vice Premier, transferred to a new place of detention near the mouth of the Congo River, and legal proceedings were instituted against him.

On January 10, Linner charged in a report published by the U.N. in New York that a hard core of mercenaries was still at large in Katanga and responsible for the continued uncertainty of the military situation there. In addition, Linner charged that 35 French-speaking mercenaries 2 days before had reached Brazzaville en route to Elisabethville. Of these, 26 Frenchmen and a Spaniard were sent back to Europe by the Rhodesian immigration authorities because their visas were not in order. Five Belgians, an Italian, a Frenchman, a Spaniard, and a Briton, who had valid visas, were allowed to proceed to Katanga. Nearly 3 tons of camouflaged uniforms carried by their aircraft were returned to Europe.

The importance of the incident was that it clearly demonstrated that Tshombe had no intention of implementing the Kitona agreement. He might send deputies to sit in the Congolese National Assembly, he might negotiate about a constitution, he might recognize Kasavubu until he was blue in the face; but Katanga was in fact if not in law independent and he intended to keep it that way. While the Katangan Legislature approved seven points of the Kitona agreement but haggled over the one calling for it to respect and facilitate the execution of the Security Council's resolutions, Tshombe fortified Kipushi and built up his army. Said U Thant: "It is our hope that he (Tshombe) will keep his promise; I must add, however, that our plans and preparations for further operations to achieve total elimination of mercenaries are going forward without delay."

Finally, on January 12, the U.N. agreed to an International Red Cross request for an investigation into Olivet's murder. The Katangan Government had been conducting an investigation but had not been allowed to extend this to territory under U.N. control, which included the spot where Olivet's ambulance was shot up. The U.N. lamely stated that it had not instituted its own investigation because it did not possess "adequate legal or technical resources." Or was the international organization in fact afraid that such an investigation, despite "Soapy" Williams, might well reveal that its troops had been guilty of atrocities?

On January 24, Tshombe met with Urquhart, Jose Rolz-Bennett, a Guatemalan who has since replaced Urquhart as chief U.N. representative in Katanga, and Dumontet to discuss the question of mercenaries. Tshombe gave Urquhart a list of French officers who, he said, "have just been paid off with thanks." Tshombe asserted that no foreign officer held any post of command in the Katangan gendarmerie. This may well be the case. However, there is little doubt that white officers still serve as instructors and tactical advisers. On the same day, Lundula sent 160 Congolese troops to Kongolo in an attempt to apprehend the murderers of the missionaries.

After another meeting with the U.N. representatives Tshombe announced on January 27 that he was "resolutely determined to put an end to the problem of mercenaries." With this in mind, he added, he had demanded a month to seek out "those individuals who could be suspected of being mercenaries." At the end of this month, he suggested the establishment of a joint U.N.-Katangan commission to supervise the removal of mercenaries. Tshombe also stated that the gendarmerie was commanded by Katangans and must remain so, adding that "in no case would Katangan soldiers accept being under the command of European officers of any nation." It was obvious that Tshombe had no intention of handing over his gendarmerie to either Congolese or U.N. officers for retraining.

Several days before this, Tshombe had written to American Consul Lewis Hoffacker, asking for a visa to enable him to visit the United States in March, where he had been invited by his American supporters to address several public meetings. Hoffacker referred the request to Washington. Washington's reply was to ask Tshombe to file a formal application for a visa, to give details about his passport, and to state the length and purpose of his visit. Eventually, Tshombe was denied a visa on grounds that he did not have a valid (i.e., Congolese) passport. Said State Department spokesman Joseph Reap on February 15: "We believe that a visit to the United States by Mr. Tshombe at this time would interrupt and jeopardize progress towards common objectives; this is also the view of the Central

Government of the Congo." The State Department's position, while technically correct, obviously was yet another infringement of the right of the American people to hear Tshombe's side of the situation. While the United States could not admit the legality of a Katangan passport since Washington recognized the Léopoldville Government and not that of Elisabethville, there are many ways around such a situation. For instance, political refugees fleeing from South Africa have traveled on laissez-passers issued by the Indian Government. If the United States had wanted to avoid the embarrassment caused by allowing Tshombe to enter America on a Katangan passport and yet wanted to be fair in allowing him to state his case, it had only to suggest that the Katangan President apply for a laissez-passer from one of his allies, such as ex-French Congo or Malagasy. It did not, however. It simply turned down his visa application.

Meanwhile, a Union Minière team from Elisabethville was negotiating with the Central Government in Léopoldville on how its operations could be reintegrated into the Congo's fiscal plans. Adoula had warned the mining company that he would appropriate it unless it stopped making payments to the Katangan Government. On February 14, the Congolese Prime Minister stated that legally Union Minière owed the Central Government back taxes to August 1960. He added: "We are going to recover the money by all means at our disposal; it is up to us to decide whether to demand retroactivity." It was not until February 20 that the Ethiopian troops which had occupied the mining company's Elisabethville plant shortly before Christmas evacuated the works and allowed production to resume after a stoppage of nearly 2 months.

On January 30, the U.N. announced that eight Congolese soldiers responsible for the Kongolo massacre had been arrested by Lundula's troops and flown to Stanleyville, presumably for court-martial proceedings. On the same day, Linner since replaced as chief U.N. representative in the Congo by Ghana's Robert Gardiner) announced that he had rejected the 1-month delay suggested by Tshombe to enable him to expel the remaining mercenaries from Katanga. The Swede said he had ordered Tshombe to expel his remaining mercenaries immediately and added that if the Katangan authorities did not "take urgent steps to eliminate the mercenaries, the U.N. will not hesitate to take all necessary measures to do so." It all sounded familiarly like the propaganda barrage necessary before the U.N. could launch another offensive to topple Tshombe by force.

On February 2, Adoula flew to New York where he called on the U.N. General Assembly to provide greater military assistance to end Katanga's secession. "From the beginning," Adoula said, "my government announced its absolute will to do away with the Katanga secession." He added: "We are not carrying out a war against Katanga. It is our responsibility to defend our unity and our integrity against separatist maneuvers who take their orders from abroad. Our victory over the mercenaries will be a victory of all of civilization over barbarism." Again, it appeared likely that a new U.N. attack was in the wind.

On February 5, Adoula lunched with Kennedy in Washington and was promised that the United States would continue to provide his government with all necessary assistance.

On February 15, the Katangan Assembly finally approved with a considerable number of conditions and reservations the eight-point Kitona agreement. While the assembly toned down the original statement submitted by its Foreign Affairs and Political Committee—which demanded the repeal of the loi fondamentale, a radical decentraliza-

tion of power in the Congo, and the guarantee of ministerial posts for Katanga in the Central Government—it stipulated that it accepted the Kitona agreement only "as being able to serve as a base" for discussion between the Congo and Katanga. In its motion, the assembly called on the Katangan Government to solve disputes between it and Léopoldville through negotiations. Tshombe, addressing the Assembly, made a new appeal to Adoula. "The two of us, without any foreign interference—which was not the case, alas, at Kitona—will apply an African program, reserved to Africans and decided by Africans. The result will be peace for our people and peace for Africa," he said. Five days later, 75 tribal chiefs from all parts of Katanga published a communique in which they "disapproved of the conduct of the United Nations toward the Katangan people" and alleged that the U.N. was in the Congo to help the United States appropriate for itself Katanga's copper and south Kasai's diamonds. In late February, the gendarmerie retook Kongolo and Kabalo and fanned out against Baluba terrorist gangs in the north.

By March, 1962, although the last nine mercenaries had officially left Katanga 3 weeks before, it was clear that the Kitona agreement was a dead letter. Adoula had made no concessions to Tshombe and the Katangan leader was still too strong to accept an unconditional surrender. While the arrests of Gizenga and Kalonji unquestionably strengthened the central government, these moves gave Tshombe pause: What was to prevent Adoula, once Katanga had been reintegrated into the Congo, from arresting him?

Despite his fears, Tshombe, accompanied by Kibwe and Public Works Minister Gabriel Kitege, flew to Léopoldville on March 15, after first obtaining ironclad safe-conduct guarantees from the U.N. Tshombe told reporters that the purpose of his visit was not to capitulate but to try by means of frank and sincere discussions to save a country that has suffered for almost 20 months. Reconciliation between the Congo and Katanga, he said, was necessary "both for ourselves and for the whole of Africa."

Adoula, in a deliberate snub to Tshombe, flew to Coquilhatville for discussions with the Congo's other five provincial leaders, before talks between the two began on March 18. After a week of secret discussions, during which the tightest security precautions were observed, the talks were suspended when Tshombe asserted, as he had at Kitona, that no new agreement could be binding until approved by the Katanga Assembly.

Said Adoula: "The Katanga crisis has never been more serious." The Congolese Prime Minister asserted that while Tshombe was stalling for time, his colleagues in Elisabethville were buying arms and hiring mercenaries. Calling the talks a comedy, Adoula said his government would use "all the means in our power" to end Katanga's secession. He added that he was linking his government's life to the question.

On March 27, U Thant took the occasion of the appointment of Lt. Gen. Kebede Gebre, Ethiopian Chief of Staff, to replace McKeown as U.N. military commander in the Congo to assert that the U.N. had plans "for the next stages" if the talks broke down. He denied, however, that the use of force was contemplated.

The talks between Tshombe and Adoula were reopened in Léopoldville, where they dragged on into April without making noticeable progress.

The United States and the U.N. were by now more firmly than ever committed to intervention in the Congo and the crushing of the secessionist movement in Katanga. The only factors delaying such a move appeared to be financial considerations and some political pressure from Britain, France, and

Belgium, all of which had grave doubts about the U.N.-U.S. policy in the Congo. Union Minière, anticipating a third and perhaps final U.N. attack on Katanga, was dickering for terms with Adoula.

Tshombe, meanwhile, was reorganizing and building up his forces for a third test of strength with the U.N. The financial problems of the international organization appeared to be playing a major role in delaying U.N. action against Tshombe. Should the American Government agree, as Kennedy proposed it should, to buy half of the \$200 million U.N. bond issue, and should at least a portion of the rest be subscribed to by other nations, it appears likely that the U.N. will again attack Tshombe.

Since Kitona, Tshombe has acted on the assumption that the U.N. will run out of funds and withdraw from the Congo before it has ended Katanga's secession. With this in mind, he has done everything in his power to play for time, to prevent a clash between his forces and the U.N., to persuade Adoula that he intends to reintegrate Katanga with the Congo.

It remains to be seen who will win this waiting game.

#### EPILOGUE: MYTH AND REALITY

"To save succeeding generations from the scourge of war \* \* \* to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights \* \* \* of nations large and small. (From the Charter of the United Nations.)

"The United Nations died in Katanga." (Moise Tshombe, Dec. 16, 1961.)

Only a fool would deny the desirability of union between the Congo and Katanga. The arguments for this are both political and economic. Union is desirable politically because the African states want it and because both the United States and the United Nations have staked their prestige on the establishment of such links. If Katanga is not reunited with the Congo, both the U.N. and the United States will suffer crushing psychological defeats. This, of course, is the fault of the U.N. and the United States, not of Katanga. The international organization and the Kennedy administration have placed themselves in this position because they have followed a policy of expediency that is both shortsighted and unethical. More of this later.

There is more substance to the economic argument. We have seen that Katanga is the richest of the six provinces that once constituted the Belgian Congo. We have seen that its fabulously wealthy mines once supported the colonial budget to the extent of more than 30 percent of its total. Apologists for U.S. and U.N. policy maintain that the Congo without Katanga will never become solvent. They may be right. But even a superficial examination of the country's economy reveals that the Congo will be in deep financial trouble even if Katanga's secession is crushed.

During the first 6 months of last year, the revenues and expenditures of the Congolese Central Government and of the six provincial governments including Katanga were as follows:

[In millions of dollars]

	Revenue	Expenditure	Deficit
Central Government.....	27.0	40.8	13.8
Léopoldville Province....	8.4	28.8	20.4
Oriental Province.....	.18	24.0	23.82
Equateur Province.....	.42	7.8	7.38
Kivu Province.....	.....	2.4	2.4
Kasai Province.....	.....	4.2	4.2
Katanga Province.....	42.0	42.0	.....

These statistics, provided by Belgium's Center for Socio-Political Research and Information, indicate that the integration of Katanga with the Congo would not solve the

latter's financial problems. They also go a long way toward showing why, in an economic sense, Katanga has no desire to be affiliated with the Congo. For the first 6 months of 1961, the Central Government and the five Provinces ostensibly under its control had a combined income of \$36 million and combined expenditures of \$108 million, a total deficit of \$72 million.

Nor, of course, could the Congo extract all of Katanga's revenues from her even if she were integrated with the Congo, since Léopoldville would then become responsible for the administration of Katanga. Under the colonial regime, half of Katanga's contribution to the Central Government was returned to her. Even if this proportion were halved again—and Katanga could not possibly be administered for anything less than this—Elisabethville's subsidy to the Central Government and the other five Provinces over the 6-month period in question would amount to only \$31.5 million. This would still leave a combined deficit of \$40.5 million. In short, Katanga would be impoverished and the rest of the Congo not significantly enriched.

Even this rather unpromising situation would not come about unless Katanga's industrial complex was captured intact. It is unlikely that this would be the case. The U.N.'s military action in December caused considerable damage to Katanga's economy. Any further attempt to forcibly reintegrate Katanga into the Congo could only result in the implementation of the scorched earth policy that the Katanga Government has threatened. In addition, further fighting in Katanga, particularly any attempt to introduce Central Government troops, would result in the almost total exodus of Katanga's whites. The U.N. and the U.S. may be able to wash the Kindu and Kongolo massacres out of their memories. But Katanga's whites, reduced in number from 35,000 to about 8,000 by the U.N.'s policies, have not forgotten. They are the ones who would have to live under the unstable conditions created by the U.N. The vast majority of them would leave if Central Government troops were brought in. Their departure would delay the reactivation of Katanga's economy if not irreparably damage it.

Thus it is clear that the Congo's economic health depends less upon the reintegration of Katanga than upon the reestablishment of order and productivity in the other five Provinces and the adoption of a policy of fiscal responsibility by the Central Government. Under the Security Council's resolution of August 9, 1960, the U.N. certainly had the authority to assist the Central Government in doing this. Although it did its best in this regard, it failed miserably.

The excuse used by the U.N., the United States, and the Central Government to cover this failure has always been that it was impossible to accomplish these ends before terminating Katanga's secession. This simply does not hold water, as events have proved. The United States has always underlined the point that Léopoldville could not smash Kalonji and Gizenga until it had dealt with Tshombe. The falseness of this claim was demonstrated by the ease with which each of these leaders was taken into custody at a time when Katanga's secession was just as real in fact if not in name as it was a year before. Gizenga was always a paper tiger with whom the State Department was fond of conjuring. Lumumba's heir never had a real base of power in Stanleyville because it was not his tribal homeland. As the Central Government discovered when it finally moved against him, his support was limited to a personal guard of less than 200 troops backed by a few hundred members of the Lumumbist Youth Movement. His arrest and imprisonment cost exactly 14 deaths. Linked to this question was the U.N.'s and the State Department's fear that if action was taken

against Gizenga, Russia would intervene unilaterally in the Congo and central Africa would become another Korea. A small knowledge of logistics and a cursory glance at the history of direct Communist military intervention elsewhere in the world would have taught these nervous gentlemen that this was nonsense.

Where has direct Communist military intervention taken place? In Korea, East Germany, Indochina, Hungary, and Tibet. Each of these countries is contiguous to a Communist-controlled land mass. Khrushchev would no more have launched massive military intervention in the Congo than he did in Egypt during Suez or in Lebanon during the American landing there. The logistics of the Congo's geographical position are such that he would have taken a severe beating had he done so. He, if not the United States, obviously realized this. Khrushchev let Gizenga go without a murmur. So much for the paper tiger Gizenga and the threat of Russian intervention. Kalonji in fact was a far more formidable opponent because his regime in South Kasai is based on his own Baluba tribe. This problem was solved by arresting him while he was in Léopoldville, far out of the reach of his supporters.

The fact remains, however, that it would be desirable for Katanga to be a part of the Congo. There are many things that are desirable but are not possible. To confuse the two is to prepare the ground for serious psychological defeats. We have already explored the factors in the Katangan situation—historical, linguistic, tribal, geographic, economic, and political—that militate against such unity. A return of Katanga to the Congo immediately after its secession could only have been possible (and then not probable) had some sort of order and stability been reestablished in the Congo. Paradoxically, the U.N., which was unable to accomplish this task itself, prevented the one group who might have done so from returning to the Congo: the Belgians.

The Congo was Belgium's creature. It had neither ethnic nor geographical meaning. It was one territory only because the Belgians carved it out of Africa's heart 77 years ago. The Belgians provided the essential link that gave all the parts of the territory at least the semblance if not the reality of unity. Most of them fled from the Congo during the unhappy events of the mutiny. As the situation quieted, many of them wanted to return. The U.N. in general and Dayal in particular opposed this. The Belgian Government itself, under the terms of the treaty of friendship, assistance, and cooperation attached to the loi fondamentale, had both the right and the obligation to supply the Congo with the technicians and advisers necessary to keep the new nation orderly and productive. Many of the Congolese themselves favored the return of these Belgian civil servants who had forgotten more about the Congo than the most brilliant U.N. civil servant will ever know. The U.N. was unable to provide the Congo with doctors, teachers, technicians, or administrators in anything like the number or the quality necessary. Yet the international organization adopted a hostile attitude toward a member nation that had been instrumental in the creation of the United Nations and erected every obstacle against the return of Belgians as either private citizens or as government employees. By so doing, the U.N. made a difficult job almost impossible and delayed perhaps by years the recovery of the Congo. Both New York and Washington must bear a heavy responsibility for this.

The U.N. having destroyed the Belgians as a possible factor in the reintegration of Katanga into the Congo, then proceeded to place obstacles in the path of reconciliation between the various Congolese leaders. Tshombe's secession was never absolute. The Katangan constitution stipulates that "The State of Katanga adheres to the prin-

ciple of association with the other countries of the ex-Belgian Congo on condition that they are themselves politically organized in an atmosphere of law and order." Secession took place only because Tshombe and other federalists were unable to obtain a realistic constitution. From start to finish, he has asserted his willingness to negotiate on the subject. He played a leading role at the Tananarive Conference that laid the first foundations for a reconstituted Congo. He showed his good faith by attending the Coquilhatville Conference, where he was arrested after U.N. representatives had made it clear to the Central Government that they could get a better deal by working through the international organization. The Congo envisaged at Tananarive had many weaknesses. The U.N. and the United States didn't like it because it didn't happen to fit doctrinaire theories of political science. But it had two great advantages: It was a Congolese solution to a Congolese problem and it recognized the fact that political power in the Congo now and for the foreseeable future rests not in Léopoldville but in the Provinces. In any case, Tananarive was only a beginning. Had it been properly nurtured, a more unified and stable Congo might have grown from it. But the U.N. was never able to face the fact that if a solution to the Katanga problem was difficult with Tshombe, it was impossible without him.

The U.N.'s plan, despite frequent disclaimers, has been and is to forcibly compel the reintegration of Katanga into the Congo. This was shown by O'Brien's statement in September, when he said Katanga's secession was ended. It was shown when the U.N. flew Bochely-Davidson, the Central Government's gauleiter, into Elisabethville a few hours later. It was demonstrated again in the Security Council resolution of November 24, 1961, which rejected Katanga's secession. This plan was and is unworkable, for the simple reason that the U.N. lacks the military forces necessary to implement it. The present U.N. force in Katanga of 9,000 men is barely large enough to secure Elisabethville. But Jadotville and Kolwezi, the country's two most important cities, are still firmly in Katangan hands. Even if the U.N. were to receive sufficient reinforcements to enable it to capture the principal cities and towns, the war would be far from over. What the U.N. and the United States have never been able to understand is that when you make war on Tshombe, you make war not on a government or on a political party but on the Lunda, one of the largest tribes in central Africa. In addition, each of Tshombe's cabinet ministers has the support of his own tribe. Even if the U.N. troops had the skill and the stomach to pursue the gendarmerie into the bush and destroy it, they would still have the problem of dealing with the rebellious tribes. In any event, a political solution created by force would not survive the departure of the bayonets that imposed it. The U.N., already deeply in the red on its Congo operation, cannot keep troops in Katanga forever. Some time this year, they will have to be withdrawn. Once they are gone, Katanga will rebel again. The Central Government probably could not keep Katanga within the Congo by force. If it did succeed in doing so, the bloodshed and misery caused in the process would be immense.

Chief U.S. Delegate to the U.N. Adlai Stevenson expressed his shock at the Security Council's decision when he said that "we have witnessed tonight an effort to rewrite the (United Nations) charter to sanction the use of force in international relations when it suits one's own purposes. This approach can only lead to chaos and to the disintegration of the United Nations." In an emotion-charged speech, Stevenson pointed out that "the League of Nations died, I remind you, when its members no longer resisted the use

of aggressive force." Yet it was the Security Council's reliance on the use of force in Katanga which made possible if not certain the decision on Goa. By its actions in Katanga, the U.N. invalidated international law and substituted for it the theorem that it is better to be popular than to be just. If that is the sort of world which we—meaning the United States and the U.N., for the latter still has a role to play—are building, then we are going back to the jungle. Dutch New Guinea may provide the final test. If the United States fails to stand up for the rights of the Papuans, a small and unimportant people, then there is no hope either for us or for the world, and we might as well start digging.

Loyal Americans and supporters of the United Nations are doing neither their Government nor the International Organization any favor if they support them when they are wrong. It was right for the United States and the U.N. to condemn British and French aggression at Suez. It was equally wrong, both morally and legally, for the U.N. and the United States to intervene aggressively in Katanga.

The story of Katanga is a doleful tale bristling with false morality and injustice. It is still an unfinished story. Let us hope that it is a story that will not be repeated in other times and other places.

In addition, Katanga should be compelled under the terms of the secession agreement to remit 740 million per year (roughly its contribution under the Belgians) to the treasury of the central government for a term of 10 years. Other powers which do a considerable trade with Katanga, such as Britain, Belgium, and the United States, should be signatory to such an agreement to make sure that these funds are paid over and to guarantee the borders of both Katanga and the Congo. A customs union should be established between the two countries and a nonaggression treaty signed. For a stipulated period of perhaps 5 years, provision should be made for regular discussions between the Congo and Katanga in an effort to recreate unity. To allay fears that Katanga might become an outpost of white supremacy allied with the Federation of Rhodesia and Nyasaland, Katanga should waive her right to amalgamate with any nation other than the Congo, and immigration of whites into Katanga should be strictly controlled. A small U.N. observer force on the Katanga-Congo border might be desirable to reduce the probability of a clash between the two countries. Such a solution would be far from ideal. No compromise is ever perfect. But it would at least recognize the reality that the Congo is unable to prevent Katanga's secession by force. At least it would be better than the state of hatred, illegality, and near chaos that exists today.

The implications of what the U.N. has done go far beyond Katanga. By breaking its own charter, the U.N. has not only compromised its usefulness but placed in question its very future existence in an explosive world that needs its potential power for peace. The first fruits of this evil seed flowered in December, while firing was still going on in Elisabethville, when India invaded Goa and the Security Council turned down a Western bid for a cease-fire.

As far as the situation in Katanga itself is concerned neither the United Nations nor the United States is capable of playing a constructive role as long as they follow their present policies. The blue helmet and armband of the United Nations have become symbols not of hope but of oppression. The sight of an American plane produces not cheers but fists shaken in rage. It takes a big man, nation, or organization to admit it has been wrong. But to continue to follow a wrong policy rather than admitting to error is only to compound a wrong.

It is easy enough, especially in a case where ethics have been so flagrantly violated and the practical aspects of the problem so completely ignored, to show where the United Nations and the United States have gone wrong. What can be done to make the situation right, to deal justly with Katanga and at the same time reestablish the reputations of the United Nations and the United States? The U.N. must first recognize that it acted illegally (through the Security Council resolution of November 24, 1961) by "completely rejecting" Katanga's declaration of independence. The right of Katanga to self-determination—after nearly 2 years of autonomy—must be recognized. It is, after all, larger, more populous, wealthier, and just as stable as a good proportion of the members of the United Nations. Having done this, the U.N. should make every effort possible to demonstrate to both Adoula and Tshombe the advantages to both of a Congo federation or confederation. The Kitona agreement cannot be the starting point of such an agreement. Adoula must be made to realize that concessions are necessary to bring Katanga into the Congo. After every possible avenue of negotiation has been exhausted and a reasonable period of time has elapsed (say, 6 months or a year), if Tshombe does not then agree to bring Katanga back into the Congo, a plebiscite should be held on the matter in Katanga. Such a plebiscite should be supervised by the United Nations, preferably by a commission made up of French Africans. During the balloting, both the U.N. force and the Kantangan gendarmery should be confined to their barracks. Such a plebiscite should be conducted on the basis of Katanga's eight Provinces, the only condition being that no Province should be allowed to secede unless it is contiguous to the other secessionist Provinces. Such an arrangement would give the Balubas of Grands Lacs, Luvua, and Tanganyika Provinces the opportunity to rejoin the Congo if they so desired.

This unfruitful conversation ended quickly. If it was representative of official American thinking—as it appeared to be—there was little profit in further talk. Nor can there be much of a future for America when its Government would rather be popular than just. It is obvious that the United States hopes its position on the Katanga question will generate enough support among the Afro-Asian nations to forestall Russian moves to establish a troika system in place of the office of the U.N. Secretary-General and to delay Red China's admission to the International Organization. Yet the Afro-Asian nations following the Communist line have given no indication that they intend to alter their position on these questions. Nor is there anything to indicate that the conservative African nations (such as the ex-French republics) had any intention of shifting to the left in this regard. In point of fact, the United States has alienated two of these, ex-French Congo and the Malagasy Republic, who are supporters of Katanga.

United States and U.N. intervention in Katanga might have been justified—if one assumes, as the Communists do, that the end justifies the means—had it produced reunion with the Congo on a workable basis. This it has not done. By allowing Adoula to impose unacceptable terms amounting to unconditional surrender, the U.N. and the United States have only made it certain that Katanga will revolt again. The U.N., deeply in the red on its Congo operation, cannot stay in Katanga forever. Tshombe's policy now appears to be to attempt to comply with the form but not the substance of the Kitona Agreement, to send delegates to Leopoldville, to expel most of his white mercenaries, and to pay lip service to Kasavubu, the *loi fondamentale*, and the unity of the Congo. But as surely as night follows day, when the U.N. withdraws from Katanga,

Tshombe will recall his deputies, new mercenaries will fly in, and the standard of revolt will be raised again. Had the U.N. and the United States convinced Adoula of the necessity of granting Tshombe liberal terms, it might have been possible to reunite Katanga and the Congo. This opportunity was missed. Consequently, the U.N.-United States Katanga policy is doomed to failure. It is unethical and it won't work. The Congo's chaos will be prolonged and differences between America and her allies exacerbated. Nobody wins by this except the Communists.

The United States clearly adopted its strong and illegal position regarding Katanga's secession in the hope of pleasing the Afro-Asian nations. In December, when flying to Katanga, I found myself in the company of a high, Washington-based State Department official with considerable responsibility for making American policy (he was not going to Katanga, but continuing on to Salisbury). Our conversation went something like this:

Question. "Why are we as a Nation supporting the suppression of Katanga?"

Answer. "The President has questioned almost every African leader who has visited Washington as to his views on Tshombe; all of them regard him as a stooge."

Question. "Have any of them ever visited Katanga or met Tshombe? Do any of them have any real knowledge of the situation?"

Answer. "Most of them don't know much about the situation, but they feel strongly about it."

Question. "What you're saying is that it's better for America to be popular than to act either morally or intelligently?"

Answer. "I wouldn't put it that way. We just feel that America should be in the mainstream on questions such as this."

Question. "But surely Washington must realize that there is no alternative to Tshombe in Katanga, that if you remove him and allow Leopoldville to set up a Baluba regime under Sendwe or to install a gauleiter, thousands will die?"

Answer. "Maybe. But that would be Africans killing Africans."

Question. "And that's desirable, is it?"

Answer. "It's better than white mercenaries killing Africans."

The role and responsibility of the United States in the situation is clear and heavy. The United States gave the U.N. its full diplomatic and financial support and it intervened in a military sense by providing air transport to bring U.N. soldiers from Léopoldville to Elisabethville during the fighting. It is customary for U.S. Government spokesmen to disavow responsibility for the U.N.'s acts in Katanga, to say that it does not make U.N. policy but loyally tries to carry it out. Yet during the December fighting, the United States made it quite clear under what terms a cease-fire could take place in Katanga. When Tshombe complied with those terms, he was flown to Kitona in an American plane and accompanied by an American diplomat. Obviously, the United States was calling a good percentage of the shots.

Why was the United States so eager to involve herself in the military suppression of Katanga, an act it must have known was illegal under international law? We have already mentioned the spurious fear of Gizenga and Russian intervention. It is worthwhile to ask why, if Katanga's independence so strengthened the Red puppet Gizenga and threatened a pro-Western Léopoldville government, Russia not only did not veto Security Council resolutions aimed at Katanga but vociferously supported them? The answer to this would seem to be that Russia realized from the start that a Red Congo was neither possible nor desirable. Marxist theory and Congolese realities do not coincide. As the London Times once put it, "the Russian debut in Léopoldville was unhappy, and the exile in Stanleyville little

better." What was both possible and desirable was chaos in the Congo, preferably prolonged for as long as possible. By refusing to pay for the U.N.'s Congo operation while encouraging the attack on Katanga, Russia was placed in the pleasant position of seeing the most stable and pro-Western portion of the Congo blasted by the U.N. at a cost of \$51 million a year to the United States and at none to herself. From the Russian point of view, this policy was infinitely successful in a larger sense in that it drove a wedge between the United States and the other 14 NATO powers, which, with the exception of Canada and Norway, either entertained serious reservations about America's Congo policy or were frankly antagonistic to it. This is not to imply, of course, that America's foreign policy should be dictated by its European allies. However, particularly in questions relating to Africa, an area where they have had so much more experience than we, virtually unanimous NATO disapproval of U.S. policy should have given Washington pause for serious thought.

Should Hammarskjold have insisted on the entry of U.N. forces into Katanga? Legally it appears that he should not have done so. The United Nations was invited into the Congo by the Léopoldville Government. Tshombe repeatedly stated that he did not want the United Nations in Katanga, which by then had seceded from the Congo. To bring U.N. troops into Katanga on the basis of an invitation from the Congo was a clear violation of international law since it constituted intervention in recognizing that Katanga was part of the Congo. If it was necessary for reasons of world politics to break international law, then the United Nations should have established only a nominal presence in Katanga in the form of a small military force and a few advisers. In fact, the United Nations poured its military forces into Katanga, the only peaceful portion of the Congo, with the obvious intention of either overthrowing the lawfully elected regime or of imposing a political solution by force. The Security Council resolution of November 24, 1961, which rejected the independence of Katanga, was both a violation of the United Nations own charter and illegal under international law. In addition, U.N. representatives in Léopoldville and Elisabethville stretched even these mandates to the breaking point in their attacks on Katanga.

The September attack, badly managed and made in bad faith, was particularly indefensible. If the object was to arrest mercenaries, what purpose could be served by attacking and killing Katangan troops defending public buildings? Why were U.N. troops sent to arrest Katangan cabinet ministers, who could hardly be described as white mercenaries? As has been mentioned earlier, Linner apparently had no knowledge of the United Nations plan to attack, and it appears likely to O'Brien that Hammarskjold did not. Why then did Khiri order the offensive? Since the United States pays about a third of the United Nations running costs (in 1961, \$22.3 million of \$64 million), finances half of the Congo operation (\$77.5 million paid or pledged so far; in contrast, only 88 of 104 members of the United Nations have paid their assessed share of the cost of the Congo operation), and is considering the purchase of \$100 million worth of U.N. bonds, the American people have a right to know the answer to this question. The United Nations, assuming that it had exhausted all avenues of negotiation, had more justification for attacking in December than in September since the freedom of movement of its forces was severely threatened by Katangan roadblocks. But once these roadblocks were cleared and freedom of movement between its various strong points reestablished, why did it feel compelled to launch air and mortar attacks on the center

of a city crammed with civilians and to attack industrial targets? Obviously, the only intention was to punish Tshombe and to force Katanga's political reintegration into the Congo, a goal achieved on paper at Kitona.

Yet last year a U.N. spokesman said the U.N. force had acted to end Katanga's secession on the request of the Central Government. On several occasions, the U.N.'s legal position was reaffirmed and explained to Tshombe by various U.N. representatives, including Ralph Bunche, who told Tshombe, in July 1960, that the U.N. force "has received strict instructions not to intervene in the internal policies of the country." Had Tshombe not trusted the sacrosanct nature of the Security Council's resolution and the statements of the international organization's representatives, he unquestionably never would have allowed the U.N. to enter Katanga.

The U.N. was right, both morally and legally, to come into the Congo. It had a great task to perform there, the successful completion of which would have reflected great credit on the organization. This was, first, to restore order, second, to secure the withdrawal of the Belgian forces from their Congolese bases (since their presence there, although legal, was no longer politically possible), third, to encourage the return of Belgian technicians and to replace those who would not return, and, fourth, to see that the economy and the social services continued to function. The U.N. was totally successful in the second instance and partially so in the first. It accomplished little in either the third or the fourth instances.

The U.N. recognized Katanga's position under international law in the Security Council's resolution of August 9, 1960. This asserted that the United Nations "reaffirms that the United Nations forces in the Congo will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise." The resolution of February 21, 1961, authorizing the "use of force, if necessary, in the last resort" to prevent civil war, does not and cannot affect this fundamental principle. Thus an action taken to secure the expulsion of white mercenaries cannot legally be used to impose a political solution on Katanga.

This was undeniably Hammarskjold's interpretation of the situation. In a 4,000-word summary of the situation leading up to the entry of U.N. troops into Katanga in August, 1960, Hammarskjold had this to say about Katanga's secession: "This is an internal political problem to which the United Nations as an organization obviously cannot be a party. Nor would the entry of the United Nations force in Katanga mean any taking of sides in the conflict to which I have just referred. Nor should it be permitted to shift the weight between personalities or groups or schools of thought in a way which would prejudice the solution of the internal political problem. I believe all this can be avoided if the United Nations maintains firmly its aim and acts with clarity and tact."

Unfortunately, the U.N. did not maintain its aim. It acted with neither clarity, nor tact, nor honesty.

On August 12, 1960, Hammarskjold made an even more explicit statement when he said that the United Nations could "not be used on behalf of the Central Government to force the provincial government of Mr. Moïse Tshombe to a specific line of action."

How is it that a couple of hundred ill-trained and loud-mouthed soldiers of fortune of a dozen nationalities have been able to achieve so much more than thousands of American "mercenaries" have been able to accomplish in Laos?

In any case, the presence of mercenaries, military advisers, or whatever you choose to

call them, does not, in international law, constitute inspiration or support of rebellion by external powers. International law is quite clear on one point: When foreign assistance (in this case, United Nations troops) is obtained for the purpose of imposing a political solution by force that could not be reached by normal democratic means (elections or a plebiscite), such intervention is illegal. There can be little doubt in any competent observer's mind that a plebiscite in the portion of Katanga under Tshombe's control would overwhelmingly confirm secession. This does not mean that a feeling of Katangan nationality is widespread. Most Katangans, like most Congolese, still think of themselves primarily as members of a tribe. But there has been a growth of Katangan nationalism in recent months. Paradoxically, it is the U.N.—in seeking to destroy this—which has largely created it. The fighting in September and December of 1961 did more to create a Katangan nation in the minds of those simple tribesmen than a hundred Tshombes. Katangans—black and white—have fought and died in defense of their homes against the white and brown soldiers of the United Nations. Out of this suffering and blood and passion has been born a Katangan nation. It is ironic to think that if Tshombe is the father of Katanga, Conor O'Brien, Ivan Smith, and U Thant have been its midwives.

International law, which we claim is the foundation of our society and the only hope for a peaceful world, is quite clear on the question. It establishes that once rebels or secessionists have established themselves firmly in a definite portion of territory and have acquired a reasonably stable government of their own, a duty of nonintervention arises in their favor. These rights are not dependent on diplomatic recognition. Once the proscribed situation exists, the rights exist.

There is one important exception to this canon of international law. This is that the central government of a nation may request and receive assistance from other nations against its rebels if it can prove that the rebellion itself has been inspired or is being supported by external powers. This was the reason invoked by the U.N. when it went to the assistance of South Korea when it was invaded by North Korea in 1950. Eight years later, the United States again invoked this clause to move into Lebanon.

Although the U.N. has never formally stated that its intervention in Katanga is based on the supposition that Tshombe's rebellion is inspired from abroad, it has strongly implied this by the issue it has made of the presence of foreign mercenaries. Tshombe unquestionably made an important political mistake in recruiting mercenaries from South Africa and the colonial powers. This act damned him in the eyes of most African nationalists and gave substance to the allegation that he was no more than a white man's puppet. More recently, he has been equally unfortunate in the support given him by farout reactionaries and neofascists in Africa, America, and England. The U.S. Government, in particular, has used this fact to tar all those opposed to the U.N.'s actions in Katanga with the same brush. But Tshombe had no alternative to the former and he has no control over the latter. In August 1960, having dismissed the mutinous Force Publique, Katanga needed to create a new army. Had the U.N. not exerted immediate pressure on him to end Katanga's secession, the regular Belgian army officers on duty in Katanga would have been sufficient to train his gendarmerie. As it was, Tshombe was faced with the task of defending himself almost immediately. As a rebel, he was fighting not only for his own life but for his nation's existence. For this, he needed a trained force of men. So he hired mercenaries. Under the circumstances, he had to take them where he could get

them. As a result, he ended up with an army composed at least partially of white supremacists and neo-fascists. The fact that Tshombe's need for an effective military force coincided with the hatred of these men for the U.N. should not conceal the fact that Tshombe's support in Katanga, particularly the southern half of the country, is immense. He is, after all, the lawfully and popularly elected leader of Katanga. Had his regime been propped up only by the mining interests and a group of mercenaries which never even in the wildest dreams of the U.N. exceeded 500 and seldom in actuality amounted to more than a fifth of that figure, surely it would have toppled of its own weight under assault by U.N. troops in September and December of 1961.

As well as being unworkable, a solution imposed by force is unethical. Tshombe's government is far from an ideal one. But it does rule. It has maintained reasonable order, created a workable multiracial society, and kept the wheels of economic and social progress turning. In the 2 years of its existence, it has acquired most of the characteristics of a nation as understood by international law. The mere fact that Katanga seceded from the Congo gave the U.N. no right to crush it. The unity of the Congo was never more than a myth created and maintained by the Belgians. The *loi fondamentale*, setting forth the unity of the Congo, was only a provisional constitution that has yet to be ratified by the Congolese National Assembly. Most of its other clauses have been violated by the Congolese themselves, so it seems strange that the U.N. should insist that the clause referring to the unity of the Congo is sacrosanct.

In addition, the secession of any one of a nation's parts from the whole is recognized by international law as the internal affair of the nation involved. Had the U.N. existed two centuries ago, would it have been right for it to prevent the secession of the Thirteen American Colonies from Britain or that of the South American nations from Spain and Portugal? More recently, would it have been right to prevent Norway's secession from Sweden and the excision of Northern Ireland from Eire? What about the division of Imperial India into Pakistan and the Indian Union? Was Syria wrong to secede from Egypt? Were France and the Indochinese wrong to split Indochina into four nations? In Africa itself, were France and the Africans wrong in 1958 to divide two great territories, French West Africa and French Equatorial Africa, into 12 separate and independent nations? Was Senegal wrong to secede from the Mall Federation in 1960? Should U.N. troops have been used in each of these instances to impose an unwanted and impossible unity? The answers to these questions must be in the negative. Were the U.N.'s actions in Katanga just and logical? Were they calculated to promote the establishment of law and order locally or to preserve world peace? Equally certainly, the answer to these questions must be in the negative.

#### ANNIVERSARY OF DEATH OF CASIMIR PULASKI

Mr. DODD. Mr. President, during this week, the 187th anniversary of the death of Casimir Pulaski will be observed throughout the Nation. It is fit and proper that this day be noted in the Senate of the United States which owes so much to the devotion, self-sacrifice, and idealism of that great Polish patriot in the American Revolutionary War.

It is not without significance that the Pulaski family gained its first fame as revolutionaries against the Russian oppressors of Poland. Initially successful

in his uprising against Russian brutality, Pulaski eventually was defeated; he was stripped of his position, wealth, and future. Looking about the world for other places where the fight for liberty could be taken up again, he saw the American Revolution. He came to America where he offered his services to General Washington.

He was substantially responsible for the formation of the first cavalry units during the Revolutionary War, commanding the cavalry during the winter of 1777 at Trenton and later at Flemington. Acting in unison with Gen. Anthony Wayne, he scouted for supplies to feed the starving troops at Valley Forge.

Pulaski's exploits in the field were not always successful. Often deprived of victory by betrayal, insuperable difficulties, and unforeseen circumstances, he yet made an invaluable contribution to the cause of American independence.

Pulaski gave his life for our country when he was killed while leading a charge of cavalry against enemy lines during the siege of Savannah.

There is no record to show where he was buried; some reports say that he was interred beneath the oaks of St. Helena's Island; others claim that he was buried in Greenwich, Ga., or at sea, from the cruiser *Wasp* where he had been carried after he was wounded.

In the perspective of history, it does not matter where his body lies, for his memory is firmly enshrined in the hearts of all who love freedom. To those Americans who are of Polish ancestry, Casimir Pulaski will always be a symbol of Polish and American gallantry and patriotism; to those whose ancestors came here from other countries, Pulaski is a reminder that once men came from the Old World to the aid of the New, to help establish the greatest of all democracies and the hope of all mankind.

#### COLUMBUS DAY OBSERVANCE

Mr. DODD. Mr. President, since the 400th anniversary of the arrival of Columbus was celebrated in America 70 years ago today, the custom of observing Columbus Day has spread to an increasing number of our States; indeed, Columbus Day is observed not only in the United States, but also in many of the Latin American Republics, and in a number of cities and towns in Italy and Spain which can claim some historical association with the great discoverer.

The observance of Columbus Day on October 12, of course, is more than the mere commemoration of the arrival of Columbus on the shores of the New World. In a larger sense, Columbus Day reminds us of the arrival of Western civilization on this side of the Atlantic Ocean, of the continuation of Europe in the New World, rejuvenated and infused with new ideas of justice and liberty which found receptive ground in the virgin soil of America.

Those Americans who are of Italian ancestry will, of course, take special pride in Columbus, because he brought much of what was best in Europe to these shores. Yet it is important to remember that his dreams of an *eldorado* encompassed all mankind; that his

visions of a great adventure were justified by the centuries.

For in the 470 years that have elapsed since Columbus set foot on this continent, America has been a great adventure for all who came here. Liberty is an adventure; democracy is an adventure; hard work to build a future is an adventure.

Today, our way of life, our experiment in the art of peaceful cooperation between men and nations, face the challenge of a new tyranny, more powerful and more dangerous than the tyrannies of old. Thus the seeds of liberty which were brought to these shores must be returned to the Old World, to take root, to bloom once more where the great adventure of democracy has been abandoned.

It is in this sense that we observe Columbus Day this year. Let us hope that the plant of liberty which so well flourishes here may in God's own time thrive wherever men of good will live on this earth.

#### THE FORGOTTEN PEOPLE

Mr. DODD. Mr. President I commend to the attention of my colleagues and of the American people a book that has recently been published under the title "The Forgotten People."

The book tells the story of the hundred million people in Central and Eastern Europe who have been enslaved by Soviet imperialism since the close of World War II. It is written by Seymour Freidin, executive editor for foreign news at the New York Herald Tribune, who reported on Eastern Europe for nearly 20 years for his newspaper and who was an eyewitness to the Soviet takeover in these countries and to the total destruction of human freedom under the Soviet quivering regimes.

Mr. Freidin has been called "one of the most honest and perceptive of all foreign correspondents"—a description, in my opinion, which he has amply merited.

It is appropriate that we should read this book because it was largely because of the blundering politics of the great Western Powers that the peoples of Eastern Europe are today in thrall to Soviet despotism.

It is imperative that we restudy this tragic period in history and learn the lessons of the past, because only in this way will we be able to avoid repetition of the blunders that led to the enslavement of the Central European peoples.

This is not a pleasant book to read. It is a book made up of many tragedies, in each of which our folly and guilt loom large. But it is not a pessimistic book. It tells the story of the unrelenting fight for freedom that still goes on behind the Iron Curtain, the story of the unconquerable spirit of man. It makes the point that the forgotten peoples of Central Europe are our staunchest allies and the most effective deterrent to Soviet aggression.

And, it holds forth the hope that, with proper support from the West, the flags of freedom will again be unfolded in the lands of Central and Eastern Europe.

## A NATIONAL STANDARD FOR EDUCATION

Mr. MANSFIELD. Mr. President, on behalf of the junior Senator from Florida [Mr. SMATHERS], I ask unanimous consent to have printed in the RECORD at this point a statement prepared by himself, presenting for printing in the RECORD an address entitled "A National Standard for Education" delivered by Vice Adm. H. G. Rickover, USN, at the 28th annual meeting of the Southern Governors' Conference, at Hollywood, Fla., on October 3, 1962.

There being no objection, the statement by Senator SMATHERS and the address by Admiral Rickover were ordered to be printed in the RECORD, as follows:

### STATEMENT BY SENATOR SMATHERS

The 28th annual meeting of the Southern Governors' Conference held in Hollywood, Fla., was privileged to hear an address delivered by Vice Adm. H. G. Rickover, USN, entitled, "A National Standard for Education."

Admiral Rickover, as we all know, is recognized for the invaluable contribution that he has made in the field of nuclear physics and is one of the outstanding scientists in the country today. He has expressed deep concern over the quality and standard of our educational system.

Admiral Rickover's remarks, dealing with the inadequacy of our educational system today to meet the needs of tomorrow, make a valuable and thought-provoking contribution that merits the attention of all of us.

### A NATIONAL STANDARD FOR EDUCATION

(Address by Vice Adm. H. G. Rickover, USN, at the 28th annual meeting of the Southern Governors' Conference, Hollywood, Fla., Wednesday, Oct. 3, 1962)

May I express to you, Governor Bryant, my sincere appreciation for inviting me to address this distinguished audience. It is an honor and indeed a great pleasure to be here.

I presume you are as deeply concerned, as am I, with American education and as desirous that it be the best that can be devised. There is overwhelming evidence that our children do not receive a good, still less the best possible, education. So the question arises: "Why not?" There are many reasons and I have spoken elsewhere at length about them.

We have a philosophy of education that simply does not work, an educational establishment that has too many administrators and researchers who boss the teachers, and teachers whose educational and professional qualifications are inadequate: these are but a few of the causes of low academic achievement. Underlying all of them, accentuating and perpetuating them, is our lack of a national scholastic standard. This renders our schools highly susceptible to the strong pressure toward mediocrity that is present in any system of mass education. It also makes reform difficult and, if accomplished at all, likely to come about in a piecemeal fashion that will increase the already very great geographic inequalities that characterize American education.

It is to this defect and the urgent need to remedy it that I would like to address my remarks.

American schools and diplomas have always been qualitatively of the most amazing diversity. This was probably unavoidable in earlier times when Americans were still engaged in subduing a wilderness. Different parts of the country were then at different stages of development. And, of course, education reflects the state of culture. High culture comes when the material necessities of life have been provided for. Education

was bound to be better in the long-settled communities along the Atlantic seaboard than in pioneer country.

Today 70 percent of us live in urban communities, and technology has brought culture to the remotest farm. A child's educational needs are now the same whether he goes to school in Florida or California, in Wisconsin or Connecticut. Every American youngster must have knowledge of the basic subjects: of language, mathematics and science, of government, geography and history—all up to the highest level he is capable of achieving. Every child has the same need for development of his intellectual capacities so he will be able to reason logically and understand the complex world in which he lives and the public issues on which as a democratic citizen he is called to express independent and rational opinions. All our children need a good basic education to qualify them for the kind of jobs a highly technical society provides. Less and less will there be rewarding work in this country for the uneducated, no matter where they may live.

Is not the need for this knowledge and this skill the very reason why we have a public school system? We support it with our taxes because parents have neither the time nor—with rare exception—the competence to develop their children's mental capacities and guide them to intellectual maturity. As I have often stressed, schools that have our children in their care for but one-sixth of their waking hours—no more than the average child spends sitting before the TV screen—such schools cannot perform this task properly if they dissipate their energies on matters that can be done elsewhere. Education directed to the mind cannot be obtained anywhere else except in schools, colleges, and universities. These must therefore be judged by the competence with which they perform this all-important task.

I readily admit that as places for fun and games American educational institutions are unsurpassed in the world. But what concerns me is their performance in the intellectual field; what I call the school's technical task. It is just here that American education fails to live up to the needs of our society. It is here that there is too much scholastic inequality within our country. It is here that our competitive positions vis-à-vis other advanced countries is unsatisfactory.

How is this possible when we pour so much money into education; when we offer it so generously to so many of our children? For over a century we have been committed to the ideal that no American child should be denied an education because his parents were too poor to pay school fees. We set ourselves this ideal early in our history when we had no illusions of superiority; when we knew we were educationally backward. In many continental countries free universal and compulsory elementary education had long since been established. We did not attain even this until just after World War I, 200 years later than parts of Europe. But we were not content with merely catching up; we wanted to go Europe one better. We wanted secondary and even college education to be tuition free so our children should meet no financial bar in their climb to the very top of the educational ladder. This is what we then meant by "democratic" education, and that is what it really is.

Alas, our splendid ideal has foundered on the shoals of educational misconceptions about "democracy" and "education." Adherents of the progressive theory of education, in particular, have confounded "ability to pay" with "ability to learn," as when one eminent educator declared that we were unalterably committed to undifferentiated, comprehensive common schooling which, said he, "will unite in one cultural pattern the

future carpenter, factory worker, bishop, lawyer, doctor, sales manager, professor, and garage mechanic." Indeed you can keep children of widely varying mental capacities, motivations, and educational objectives together in a common core program, but this is not education.

A child's—or his parent's—ability to pay for schooling is a removable bar to education; the child's inability to learn is an irremovable bar. Many a poor child is gifted, many a rich child is stupid; either child may be industrious or lazy. It is the giftedness or stupidity, the industriousness or laziness that ought alone to determine the educational levels a child may attain. When you eliminate "ability to pay" you get educational democracy; when you eliminate "ability to learn" you get noneducation.

In the past, when the "common school" of America served simple rural communities, we could tolerate keeping children of varying aptitudes in one schoolroom. The school did not extend beyond the primary years during which the subjects taught were elementary. These elementary subjects can be mastered by every normal child, though at greatly differing rates of speed.

In the small red schoolhouse a skilled teacher could manage things so that the fast learner progressed fast, the slow learner progressed slowly, without seriously interfering with one another. But as soon as you move beyond the elementary level, differences in aptitude create a situation where what the bright can and should study becomes incomprehensible to the average student. Each year the gap widens between children with varying intellectual capacities.

Between the two extremes of intelligence in a representative group of children, the gap in mental age will be almost 6.5 years in the sixth grade; even if the top and bottom 2 percent of the intelligence range is eliminated, the gap will still be over 3 years. Worse still, the gap in achievement levels is even greater; by age 11 children it may be 8 years.

Pleasantly democratic as comprehensive schooling may seem, when continued into secondary education it does justice neither to the fast nor to the slow learner. Nor is there anything democratic about automatic promotion and the handing out of unmerited diplomas. If a child is promoted before he has mastered a prescribed grade course, he will only seem to be moving up the educational ladder. In reality he will be standing still on the same rung, but this is camouflaged by educational terminology.

A child that is handed a high school diploma when he cannot yet read and write with ease and dexterity, has not really received a secondary education. True, he has been kept at school more years and his school has a different name but he has not mastered more than an elementary program. He hasn't even mastered that well. As for the high school diploma he carries away, this has necessarily shrunk in value so that in many cases it represents no more today than did grammar school graduation half a century ago.

Even as we have made higher education available to more children by eliminating fees, so we have taken away with one hand what we have given with the other. By not requiring so-called higher education and its diplomas to meet a fixed national standard, we have brought them down to what Dr. Robert B. Davis, of Syracuse University, so aptly terms "creeping lowest denominatorism." In the absence of a standard, our diplomas and degrees have inevitably suffered the fate of paper money that is not backed by gold bullion. As indicators of a student's educational accomplishment, the degrees "aren't worth a continental." You have to look up the institution that issued them and the course for which they were granted in order to evaluate their academic worth.

In this they are as different as can be from diplomas and degrees abroad which must conform to a national standard, and this whether they are issued in countries with a centralized or with a decentralized system of education. The irony is that our educational ideal has been adopted abroad where it is now being rapidly realized and realized better than here. For these scholastic standards have been retained. The "higher" education now attainable by children in Europe, either at no cost, or on scholarship, or for very small fees, is as good or as "high"—academically speaking—as it ever was. This important point is always overlooked when quantitative comparisons are made between American and European education. We go by labels and we do not inquire what the labels stand for.

Naturally we have more children with college degrees, since we hand these out for intellectual work that nowhere else in the world is held to be of "academic standard." What other country grants master degrees for trailer park management, bachelor degrees for domestic science, or doctorates for thesis work on "Field Hockey in American Education With Special Emphasis on the Colleges of the Northwestern United States"? It is as if we had decided to print enough money to give every child a million dollars upon graduation from high school and then declared proudly that we had become a nation of millionaires.

Apologists often argue that in as populous a nation as ours you cannot have a national scholastic standard. But size has little to do with this. There is greater degree equivalence among the advanced countries of the Continent than exists within our country, yet they are politically divided and we are not. Taken together they are as heterogeneous and as populous as we. However, no country abroad wants to fall behind, so each informs itself on what goes on educationally in neighboring countries and makes certain its national standard is up to par. I should like to see a similar thing happen among the several States of the American Union. This kind of competition is altogether good, and the beauty is that it does not cost more to have good education than mediocre life-adjustment training. The latter, in fact, requires more expensive equipment. For the money we spend on some of our educational palaces with their swimming pools, model kitchens, workshops, athletic fields, etc., we could get first-rate teachers and put them to work in simple buildings, and you would be surprised at the results.

As a practical man I judge educational enterprises by their products. Thousands of these products pass through my hands and those of my leading scientists and engineers when we interview young people who apply for positions as designers and builders of nuclear reactors, or as officers and men to operate our nuclear ships. I find the percentage so qualified to be deplorably small. Even the best have lacunae in their education that you would not find abroad among persons of comparable intellectual stature. We run schools for reactor technology where we have to teach many basic subjects which in other advanced nations already have been taught at school.

A new engineering project, such as development of nuclear power, is a good touchstone for a modern educational system. It calls for mental qualities that are in wide demand in all parts of a highly developed industrial society. Flexibility and toughness of mind, in particular; the ability to emancipate oneself from routine, and to pioneer new ideas; the capacity to think "professionally," as I call it, that is to view problems in a scientific spirit that disregards personal predilections. This latter quality has become scarce since the schools went over to life-adjustment training, with its emphasis on conforming to one's "peer" group. We

badly need people who in their fields of special competence will stick to principle; people who will not compromise technical or professional judgment in order to "get along" with administrative superiors or to gain popularity.

To sum up: the overall level of general and specialized education in this country is far too low for our needs, both as individuals and as an industrial democracy.

We are plagued with serious deficiencies in virtually every class of occupation that makes demands upon a person's general and specialized education, whether it be at the level of the "learned" professional, the semi-professional, the skilled craftsman, or the technician. Despite our enormous and costly educational establishment, this country has more functional illiterates than most other industrially advanced nations. We have more people who do not possess minimum knowledge of the elements of language, mathematics, history, and geography that are considered part of elementary education in advanced European countries and which every normal person there appears to absorb at school. Recently, the Army published the fact that 25 percent of draftees were unqualified to be modern soldiers—25 percent of a cross section of young America. In most cases the deficiencies were mental. In Switzerland, where every male does military service, the rejection rate is about 7 percent. Swiss standards for draftees are certainly no more lenient than U.S. Army standards. I refuse to accept this appalling difference between rejection rates of 7 percent and 25 percent as reflecting on the intelligence and educability of American youth. I blame American schools for this.

Compared to other advanced countries, American education is extremely inefficient. It wastes an inordinate amount of time and costs the taxpayer tremendous sums of money. For lack of an accepted standard, there is poor articulation between one grade and the next, between one school and the next higher. Repetition is inevitable when promotion is automatic. Teachers cannot at the start of the school year count on children in the new class having completed a prescribed course of study in the preceding grade. And so our schools cannot have the orderly sequence of carefully planned curriculums that makes European education so efficient; where each year builds on what has been learned before and there is no needless rehashing of the same subjects nor any gap in knowledge that might hinder orderly and rapid educational progress.

We have a fantastic stretchout in education. It takes average American children 12 years to reach achievement levels their counterparts on the Continent attain in a little over 8. The American bachelor degree comes at the end of 16 years of schooling, the continental degree at the end of 12 to 13. At that, continental holders of the baccalaureate are better educated than the majority of American college graduates.

The slow pace of American education harms all our children. The less able get discouraged and drop out before they have ever acquired what abroad would be considered an elementary education. As late as 1958 a quarter of our youth quit school at the end of the 10th grade or earlier, and 10 percent quit at the end of the 5th grade. Only half our children obtained a high school diploma. A decade earlier the situation was worse. Well over half dropped out with less than 10 years schooling; one quarter with no more than 5 years; and only a third completed high school. Those who did not stay on through high school received less basic schooling than has long been required of all continental children, whose attendance during the compulsory period is virtually 100 percent. In consequence we still have 8 million "functional illiterates"

while parts of Europe have been wholly literate for a century, in some cases for a century and a half.

Educational inefficiency wastes the best learning years of our talented youth and contributes mightily to shortages of "professionals," men and women with fine minds and high educational qualifications without whom no modern nation can function properly. As you all know, we have a chronic teacher shortage we seem unable to overcome. It is aggravated by the educational stretchout for, since it takes American schools longer than necessary to attain a given scholastic level, we need proportionately more teachers. We have a serious shortage in medical personnel. Currently, we are trying to lure nurses from Canada. We import almost a quarter of our physicians from all parts of the world since each year we graduate only three-quarters of the number we require. Despite all our efforts to encourage more young people to enter engineering, our deficit grows year by year. We need 72,000 new engineers annually but graduate only 45,000. The Russians graduate three times that many and their engineers are competent. Former Secretary Ribicoff warned that we were coming dangerously close to a point where the balance of brainpower in this important area may tip decisively against us.

Observe how the stretchout contributes to our doctor shortage. Because of it Americans must put in three or four extra years before they graduate medical school. Mind you, these are not years added to their professional education; they will not make them better doctors. Those years are the result of educational inefficiency, pure and simple. They are required because it takes that much longer to reach the bachelor degree in this country. You can figure for yourselves how much these needless years add to the expense of becoming a physician. Since in this country 80 percent of the cost of a medical education must be borne by the student, the school stretchout will inexorably bring us to a point where only children of the rich can afford to become physicians. Even today families with incomes under \$5,000 supply only 14 percent of our medical students, yet these families make up 50 percent of the population. As a result, the number of applicants to our medical schools is currently decreasing, yet with a soaring population we need more doctors.

The same shortages plague us in skilled labor. We have too few skilled and too many unskilled workers; exactly the reverse of the situation that exists in Europe where many countries are scouting as far as the Near East to find unskilled laborers. Switzerland has to import virtually all she needs in this category—she produces almost no unskilled workers herself. England's working force is 50 percent skilled, 12 percent semi-skilled. Russia has a tremendous training program for technicians. Her technicians annually graduate 250,000 engineering technicians alone; we graduate 16,000.

Educational inefficiency hurts our children and it hurts the Nation. It also makes ours the most expensive school system in the world. We spend more money to carry a child to a given level of scholarship than any other country. This is a serious matter, given our very rapid population growth—almost three times more rapid than in most European countries. In the last 10 years State taxes have doubled, I believe, with education accounting for most of the increase. Can we just go on that way? According to the 1960 U.S. Statistical Abstract, the average cost per pupil in 1900 was \$16.67; in 1956 it was \$294.22; it has risen much higher since then. Some States now invest over \$500 per pupil each year. Even making allowance for the shrunken value of the dollar the educational results are hardly commensurate with this enormous increase in cost.

There is a limit in free societies, no matter how relatively affluent they are, beyond which people cannot be made to sacrifice, especially when those who proportionately pay most quite often get the smallest personal benefit. Some school districts are approaching the point where no more taxes can be wrung from the populace. It is becoming increasingly evident to thinking Americans that the problem of oncoming enrollment increases cannot be met merely by raising school taxes ad infinitum; we must also make a major effort to obtain a greater yield in genuine education for our tax dollars.

What, then, is to be done to improve American education? Well, local communities and State governments have the power to increase the amount of classroom instruction per school year. We have the shortest school day and school year among leading nations. They could eliminate from curriculums everything that can be learned elsewhere. We are the only advanced country where precious school hours are wasted teaching children how to make fudge, twirl batons, drive cars, budget income, handle the telephone, catch fish, and become "likable, lovable, and datable." They could improve teacher qualifications, bringing them up to the level existing abroad, and they could then put the educational enterprise under the supervision of our best teachers, giving them the necessary clerical and administrative assistance. Abroad, where teaching is an honored profession, no one would dream of putting nonteacher administrators in charge of schools. We are the only country where teachers are bossed by educational administrators who often as not can lay no claim to scholarship, superior intelligence, or higher education, and who may not have had experience in classroom teaching. Ex-athletic coaches are often made school principals, incredible as this may seem.

These suggested steps indicate the direction in which we must move. A few communities alert to the problem have begun to act, but progress is still extremely spotty. Of course, it is encouraging that Caltech now gets highly qualified students but its freshman class numbers only 182. The raising of admission standards in the Ivy League colleges has had a most salutary effect on bright high school students who all of a sudden realize that a good education requires exertion. But the Ivy League colleges enroll fewer than 1 percent of all our college freshmen. One can easily be fooled by enthusiastic press reports about this or that innovation which supposedly will at one stroke raise education sky high. "From kindergarten to college in 5 years," the advertisement for one mechanical gadget promises. I do not think our deep-seated educational deficiencies can be overcome that easily; on the contrary, quite extraordinary effort on the part of the public, of parents and of public officials will be needed.

Specifically, I am convinced we cannot put through a really effective reform program unless we set up a national scholastic standard—a permissive standard, of course—but nevertheless potentially a great influence for good. Many countries have, at one time or another, discovered their educational systems to be unsatisfactory. I know of none that has been able to carry out speedy reform without making use of some such standard. Indeed we are the only advanced nation without a national scholastic standard.

Now the word "standard" has many connotations. I use it in the sense that comes first to mind: a specific requirement or level of excellence deemed worthy of esteem or reward. Not a law enforceable in the courts; falling below standard does not put one in jail. Nor a conventional rule imposed by

society; failure to meet the standard does not get one socially ostracized. No one has to live up to the standard. It is simply an optional criterion for determining the value of an act or accomplishment. For those who accept the standard it becomes the yardstick by which the worth of these acts or accomplishments is determined.

I do not share the pride our educationists take in the fact that we are the only leading nation with a school system that does not challenge its children to meet a national scholastic standard in order to receive academic rewards. I do not agree with them that children must not be "judged"; that each child has a right to "equal education and equal status"; hence that, as one superintendent of schools put it, "straight thinking and democratically minded school administrators" will hand out the same diploma, "regardless of the variation of high school courses and the range of scholastic achievement that are presented by the graduates as evidence of accomplishment." I think this educator misreads the whole purpose of academic certificates when he notes with approval that: "No longer does the diploma in its wording discriminate among the graduates, as was once the case when it carried the name of the course in which the student went through school, consequently implying that the accomplishments of the youth who did not take the highly academic lane were less worthy."

Nor do I share educationist concern that children who do not measure up to a standard will suffer pain and lose face. I suggest we set up a standard for different levels of aptitude, but in each case representing not the "average" accomplishment but the "highest" level children of this ability can with effort achieve.

All of life is a series of tests. Young people will be better able to take these tests in their stride if at an early age they begin to learn that everything worthwhile requires great effort but that the satisfaction derived from attaining a standard makes effort worth while. Given the wide differences of aptitude with which we are born and which we do not know how to alter, is it not good for young children to discover that some goals are beyond their capacities; that they cannot win all the tests? It is better to know one's limitations, as well as one's capacities, than to live in delusion which life sooner or later will rudely shatter.

Every American wants the best for the children of our country. In education the best we can give them is the chance to stretch their minds and reach the highest goal their intellect can encompass. "Democracy," wrote the late Dorothy Thompson, "is not to be conceived of as an invitation to share a common mediocrity, but a system that allows each to express and live up to the special excellence that is in him."

Last May, in testimony on English education before the House Appropriations Committee, Chairman CLARENCE CANNON asked me by what means I thought Congress might help to speed educational progress. I suggested that a National Standards Committee be created. This would be a small committee composed of men of national stature and eminence—trustworthy, intelligent, scholarly, and devoted to the ideal of an American education second to none. The committee would have two tasks:

The first would be purely informational, it would act as an educational watchtower announcing danger when it saw it approaching. The members would keep under continuous scrutiny, and periodically report on the state of American education. Does it meet the needs of our times? Is it competitive with education in countries at similar levels of culture and technology with whom we compete economically, politically, or militarily? How do American children compare in academic knowledge with chil-

dren in Europe or Russia, say at age 12, or 16, or 18; taking, of course, into consideration different ability levels?

The committee's second task would be to formulate a national scholastic standard on the basis of its findings; a standard which would make us internationally competitive and would also respond to our specific domestic needs. The committee would do this by means of examinations set at different ability levels. No one would have to take them, but those who passed would receive national accreditation. The committee would in no way interfere with established institutions now granting diplomas or degrees. It would simply set up a higher standard, offer it to anyone who wished to meet it, and certify those who had successfully done so.

Neither the committee's informational nor its standard-setting function would represent a radical departure from established practice. Many Federal agencies collect and distribute information. We need a disinterested agency to tell us the unvarnished truth about the true state of American education. The committee would help prevent complacency and illusions of superiority and thus save us from the kind of painful shocks that Sputnik and other evidence of Russian scientific proficiency have given us in the past few years. There is precedent, too, for the committee's setting of permissive national standards. We have something very like it in last year's amendment to the 1956 Water Pollution Act.

This amendment authorizes the Federal Government—if so requested by a State—to research and develop new methods of pollution control and to award grants-in-aid to localities and States wishing to use these federally established methods. In principle, you have here a national standard very much like the scholastic standard of the proposed committee, in that it is not imposed but merely offered as a service on a take-it-or-leave-it basis.

In both cases, we face a problem that cannot be solved by local and State authorities alone but requires some assistance from the Federal Government. Population growth threatens us with a severe water shortage unless we devise better means to preserve the quality of our water resources so that they may be used over and over again. Pollution abatement has therefore become a national problem and we accept a new kind of Federal aid. I believe improvement of the quality of American education is at least as pressing as the need for an assured supply of clean water. "Education," says the Ford Foundation report for 1959, "is now the indispensable medium for survival and progress." Education is so basic to the quality of our national life that by steering it in the right direction we can change America's future; we can make it secure. To steer it right, I believe we need a new kind of Federal aid—the kind of aid that the proposed National Standards Committee would offer.

I hope I may convince you that it would be entirely proper and extremely useful for us to have such an agency. Let me make it crystal clear that nothing in my proposal would violate the constitutional separation of power between Federal and State Governments, nor go counter to our tradition of control of schools by the local community. I envisage the rendering of a service, not regulation in any way, shape, or manner. The proposed committee would not usurp the functions of any existing institution.

Its job would be to draw up national examinations going deeply into a candidate's true knowledge and intellectual caliber—not IBM graded multiple-choice tests. I suggested to the Appropriations Committee that we might well model them on the English national examinations which come at three levels and which offer many subject

tests. Students choose the number of subjects and the level at which they wish to be examined. This is marked on their certificate which will list their so-called "passes."

Our committee might provide one set of examinations at the level appropriate for a high school graduate who aspires to enter a first-rate college; another set of examinations at the level of students who may wish to prepare for a semiprofessional or technician's job not requiring a bachelor degree but still requiring a good high school education. Still another for graduates of various types of colleges, especially those bound for the teaching profession. I stress again that no one would need to take these examinations; but those who did pass them successfully would obtain national certification; perhaps the notation "NS"—national scholar—stamped on their regular diplomas or degrees. The seal would clearly indicate what the holder had achieved. There are many occasions when admissions officers of higher educational institutions or prospective employers have a valid reason for wanting to know what an applicant's scholastic qualifications actually are. Think how much time and money would be saved if the diploma were clearly to indicate this. Everywhere abroad it is taken for granted that academic degrees conform to a specific standard—a standard known to everyone. Setting the standard is not regarded as government intrusion or tyranny but as a welcome service to students, their parents and the taxpayers who pay for public education.

Everyone benefits when there is a standard. At one stroke it does away with misleading educational labels so that any layman has the means to judge whether a school or college is doing its job properly. By offering the reward of a certified diploma to our children many who now drift through school would be encouraged to aspire to higher academic goals. You can't expect children to study hard subjects such as mathematics, science, and languages when next door others are effortlessly accumulating equal credits by easy life-adjustment courses in "family life." It surely isn't "undemocratic" to reward those who exert themselves with a diploma that takes note of their accomplishments. This is what certification by a National Standards Committee would do.

There is no question in my mind that a large sector of the American people wants better education. Public interest has grown tremendously. In the recent primaries for election of a superintendent of the Los Angeles schools there was almost as great a voter turnout as in the primaries for Governor of California. The news media now give much more space to educational matters than was the case but a few years ago. Every time I speak or write on education I receive a tremendous number of letters.

What strikes me in these letters is the sense of individual helplessness they reflect. Individually, my correspondents have long known that education must be drastically reformed but they don't know how to induce government to act. The very size of our Nation alienates government from the individual and accounts for much of the apathy for which the people are frequently castigating. Yet so often they can find no one in government to supply the leadership that is needed to carry out their wishes. Especially when this requires tackling so powerful a lobby, on the local and on the national level, as our educational establishment. People like myself can try to bring the truth to the public so that it may be able to reach a consensus—and this I believe has now been accomplished. Enough people want school reform to warrant government action. Now it is to men like yourselves who have been elected to positions carrying the power to act that the ball must be handed. I think this country has reached a stage where public education calls for a

partnership of local, State and Federal authorities, each having its particular service to offer. Any determined reform effort—be it at the local or State level—would in my opinion be greatly helped if we had a National Standards Committee. The permissive character of the committee's activities would introduce into public education a needed element of choice. It would leave untouched the status quo for those who are content with it. At the same time it would provide facilities for people who prefer to set themselves a scholastic standard well above current achievement levels.

The Spanish philosopher, Artega y Gasset once wrote a book around the thesis—to quote him—that "there is no doubt the most radical division it is possible to make of humanity is that which splits it into two classes of creatures: those who make great demands on themselves, piling up difficulties and duties; and those who demand nothing special of themselves, but for whom to live is to be every moment what they already are." I read this as a young man and it impressed me deeply. And all my life I have unconsciously judged people and institutions by whether or not they set themselves a standard; whether they measure themselves against a criterion that requires effort because they deem it worthy of effort.

Let us in education as in everything else heed Jefferson's advice, to "dream of an aristocracy of achievement arising out of a democracy of opportunity."

#### IMPROVEMENT OF LAND TENURE

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Indiana [Mr. HARTKE], I ask unanimous consent to have printed in the RECORD at this point a statement prepared by him regarding Public Law 87-798, dealing with improvement of land tenure in the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

##### STATEMENT BY SENATOR HARTKE

On October 11, 1962, President Kennedy signed into law S. 3387—legislation which strikes a solid blow in favor of improved land tenure in the United States. It is now Public Law 87-798. I am delighted to have been able to join with my good friend and distinguished colleague, the senior Senator from Minnesota [Mr. HUMPHREX], in support of this legislation, now a reality.

This law, besides improving land tenure, also alleviates some of the pressing credit problems faced by many of our farmers.

Public Law 87-798 increases from \$150 million to \$200 million, the amount of farm loans insured by the Farmers Home Administration each year. These insured loans are made for farm ownership and water development and soil conservation purposes.

The insured loan program like those of the other credit services provided by Farmers Home Administration helps farm people earn a better living and live a better life. Past experience clearly shows that this agency has helped many family farmers pull themselves up by their bootstraps, helped them recover from economic reverses, helped them successfully fight the relentless battle of the price-cost squeeze, helped them adopt modern farming practices, helped them to become owners of a place of their own. Through Farmers Home Administration help, these family farmers have been able to earn enough income to properly feed, clothe and house their families and educate their children. In all of this agency's programs the focal point of its activity is the welfare of the people it serves.

Insured farm ownership loans are made to eligible farmers to enlarge, develop and

buy farms not larger than family farms, and to refinance debts. Tenant farmers and sharecroppers may obtain these loans to buy farms of their own. Owners of small farms may purchase additional land to broaden their farm resource base and to increase the volume of their operations. Owners of family farms may use the loans to develop their farmland and improve their homes and other buildings.

Insured soil and water loans are made to eligible individual farm owners and tenants and to groups of farmers and rural residents to develop water supply systems for irrigation, household and livestock use, to drain farmland and to carry out soil conservation measures. Borrowers may obtain these loans to drill wells, purchase irrigation equipment, acquire a water supply or water right, build ponds and canals for irrigation, and to dig ditches and install tile to drain farmland. They may also receive these loans to carry out basic land treatment practices, expand forestry practices, establish permanent pastures and to carry out erosion control measures.

Groups of farmers and rural residents, operating on a nonprofit basis, may obtain insured soil and water loans to install or improve rural water supply and distribution systems that furnish water for home use and fire protection. Many of these loans are now being made to farmers and residents who, because of low rainfall or the type of land formation in their area, are unable to use individual wells to provide adequate supplies of sanitary water. Their only solution lies in grouping together and installing a community type of water system with water reservoir and treating facilities. In my State of Indiana alone, \$1,232,500 in these water association loans were made in the past fiscal year.

Through the insured loan program private investors provide the funds to help eligible farmers and the Government guarantees repayment with interest. Insured farm loans are made and serviced by the Farmers Home Administration. The investor may furnish the funds either at the time a particular loan is closed or he may purchase insured notes on loans previously made by the Farmers Home Administration out of a special fund.

Each loan is scheduled for repayment in accordance with the borrower's ability to repay, over a period not exceeding 40 years. The Farmers Home Administration collects the principal and interest payments when due and forwards the receipts to the lender after retaining one-half of 1 percent for insurance. The interest rate charged the borrower varies from 4½ to 5 percent depending on the type of loan. Insured farm ownership and soil and water loans to individual farmers may not exceed \$60,000. Insured soil and water loans to groups for community water systems and other uses may not exceed \$1 million.

Administration of this program is quite simple. Mortgages for insured loans run to the Government. The lender holds only the insured note. He agrees to hold it for at least 3 years but may easily assign it to another investor at any time.

These loans do not compete with credit provided by other lenders. Only farm families unable to meet their credit needs through conventional sources of credit in their community are eligible for insured loans.

Lenders located right in the borrower's own community furnish a substantial amount of the funds for insured loans. Principal investors include banks, pension funds, insurance companies and trust funds.

Since the insured loan program was started in 1947—just 15 years ago—more than \$461 million has been loaned to nearly 40,000 individual farm families and soil and water associations. These borrowers have repaid more than \$112 million in principal and

\$49,356,000 in interest. Losses on insured loans amount to less than one-tenth of 1 percent.

There are many good things about the insured loan program. Aspiring farm tenants are able to acquire a stake in the land. Established farmers who have exhausted their equities or fallen behind in their mortgage payments through no fault of their own are able to secure some refinancing aid plus additional funds to strengthen their operations. Rural communities benefit not only from the improvements in local farming operations but also from the increased trade generated by the expenditure of loan funds. The Government benefits because the use of insured funds rather than appropriated funds leaves the borrower obtaining his credit from private sources and lessens the strain on the U.S. Treasury.

Existing legislation prior to October 11 limited the amount of insured loans made by Farmers Home Administration to \$150 million per year. This amount was sufficient to meet the agency's demand for loans until last year when by congressional action, we broadened and improved FHA's loan program. Desirable changes brought about by the legislation now enable Farmers Home Administration to meet the credit needs of the full range of family farmers. The changes also streamlined the insured loan authorizations, making these investments more attractive to private lenders. A greater demand for insured loans resulted.

During the 1962 fiscal year, Farmers Home Administration obligated the authorized \$150 million in insured loans in just 6 months' time and then had to cease operations for these kinds of loans. Obligations started out again during this 1963 fiscal year at a high rate and the agency will reach the \$150 million ceiling by early December. Applicants after that date will have to be turned away. Yet, adequate private capital is available for insured loans. At the present time, Farmers Home Administration has on hand from private lenders, commitments to buy more than \$75 million in insured loan paper. In my State of Indiana alone, commitments for \$6,941,022 are on hand from private investors.

S. 3387 is and was a sound piece of legislation. There is a great need for additional farm credit, and we should take prompt action on this worthy measure. In Indiana, there is a sharp demand for all of these insured loans. Now on hand are 331 applications for farm ownership loans, several applications for individual soil and water loans and 11 applications for soil and water association loans, all financed with insured loan funds. These loans when obligated would total approximately \$10 million. It is readily apparent that when this kind of a strong demand for loans in Indiana is multiplied by the demand in the other 49 States, \$150 million falls far short of meeting the total needs. To prevent a termination of this fine program in Indiana and other States, I strongly endorsed the senior Senator of Minnesota's [Mr. HUMPHREY] bill.

Our farm families deserve to have sources of adequate credit available for the financing of sound successful farming programs. And from the Government's standpoint, it's just not sound business to be operating a lending program that is out of funds for half a year or more. Delaying action on this measure until the next Congress would have continued the undesirable situation of last year when those farm families most in need, had to go for several months without financial assistance from the agency that is their court of last resort.

On behalf of the farm families of Indiana, and of America, I salute the senior Senator from Minnesota on the introduction of this bill, and thank deeply the President of the United States for signing the passed measure into public law.

### SENATOR HARTKE OFFERS CONGRATULATIONS TO MAGAZINE DEVOTED TO RELATIONSHIP OF GOVERNMENT TO THE ARTS

Mr. MANSFIELD. Mr. President, on behalf of the junior Senator from Indiana [Mr. HARTKE] I ask unanimous consent to have printed in the RECORD at this point a statement prepared by himself, dealing with culture in the Nation's Capital; also an article entitled "District of Columbia Capital Culture," published in Show magazine for January 1962, on the same subject.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR HARTKE

From time to time, many things are written and said about our Nation's Capital. One such article has been written, which I should like to call to the attention of my distinguished colleagues. Its title is "District of Columbia Capital Culture." It was published in Show magazine.

Further, since this is the first anniversary of this publication devoted to the arts, I want to take this opportunity to congratulate the magazine upon its first anniversary issue. Mr. Huntington Hartford, president, and Mr. Frank Gibney, publisher, have rendered the Nation a great service in bringing this magazine of culture and the arts into being and in publishing it with such a degree of understanding. Moreover, it has focused attention upon Washington with its perceptive articles about culture in the Nation's Capital and the relationship of government to the arts.

It is hoped that this publication can continue many more successful years of publication and because of this one article, which I previously mentioned, that I feel worthwhile reading for my colleagues.

#### DISTRICT OF COLUMBIA CAPITAL CULTURE

The city of Washington, not ancient enough to be biased and too old to remain innocent, is enjoying a modest cultural boom. Let us stress the word "modest"; some even dare to hope that through the most strenuous efforts, and with a little luck, our Nation's Capital will soon be abreast, in cultural development, of Tiflis, U.S.S.R., a provincial metropolis 1,000 miles from Moscow.

More about that later. First let us also stress the handicaps that beset the arts in Washington. Whether you talk about the performing arts or about performing politics, whether you talk about what Jackie Kennedy is doing to Washington or what Washington is doing to Jackie Kennedy, the first thing to bear in mind about the Capital is that it is a restive colonial area. It is as much dominated by alien rulers as Bombay and Delhi were during the days of the British raj.

The invaders follow the venerable pattern. They take the best jobs, from the White House on down. They occupy the choicest neighborhoods—sometimes, as in Georgetown, evacuating the local population. In their favor, it can be said that they have been relatively benign about improving the native standard of living.

Philanthropists, beginning with the Britisher, James Smithson, and culminating magnificently in Andrew Mellon, Samuel H. Kress, and Duncan Phillips, have lavished their benefactions on the populace. Other settlers have encouraged the theater, the opera, the ballet, the symphony, and chamber music, while, at a lower level, colons from Greenwich Village have brought their coffeehouses, sandal shops, and sexual aberrations. And Harvard University, besides running the White House, has its special cultural out-

post on the New Frontier—Dumbarton Oaks, with its stately gardens and Byzantine study center.

Washington, in short, is becoming civilized, or at least relatively so. The massive injections of foreign aid have begun to take effect; perhaps there is hope for the Gabon Republic, too.

That there is a modest amount of progress is borne out by the history of the Arena Stage, Washington's competent repertory theater, which began on an investment of \$14,000 and has now become a million-dollar (though nonprofit) enterprise. Before the Arena, the only professional theater consisted of road shows and tryouts, the crumbs which Broadway tolerantly let drop from its table.

The Arena had its start as a theater-in-the-round in the old Hippodrome, a dilapidated movie house which seated 247 souls. It was founded in 1950 by Zeida Fichandler, a young protege of Prof. Edward Magnum, of George Washington University, who was convinced that there were enough colonists to support a resident company which offered both off-beat drama and the staples of commercial theater. Her judgment was triumphantly vindicated.

In 1956, the Arena moved its stage to a converted brewery located in Foggy Bottom, a silk hat's toss from the State Department. Seating capacity was doubled, and by the 1960 season there were 100,000 paid admissions for a bill which included "The Cherry Orchard," "Ring Round the Moon," "The Iceman Cometh," and "The Disenchanted." The troupe was comprised of young New York actors who were paid the equity minimum.

Due to the caprices of urban overdevelopment, the Arena's theater-in-the-vat was condemned to make way for the stanchions of a new bridge. This fall, the Arena was reborn again in fancy new quarters seating 750 people and costing more than \$800,000. The fact that Mrs. Fichandler was able to finance the move is the best measure of the success of a company which began a decade ago in a shabby theater now devoted to showing nudist films.

The Arena's prosperity reflects the changes that have occurred in Washington since the Capital was a sleepy southern town in which livestock grazed on the White House lawn. The first big wave of invaders came with the New Deal; the wartime influx confirmed the city's new status as a major world capital. In the process, Washington became a white-collar town with the highest educational level of any major city in the country: 25 percent of the adult white population in the metropolitan area has completed 4 or more years of college (the figure for San Francisco-Oakland, the runnerup area, is 12 percent). The 2 million in the five-county metropolitan region are not only literate, but also prosperous: the area ranks first in the Nation in effective buying income per household. Additionally the Capital is now host to a steadily expanding international community. So, although the Capital is a single-industry town, its inhabitants offer a market for loftier cultural enterprise as well as for politics. Yet, by and large, Washington remains a lamentably underdeveloped area in the arts.

A notable exception is in the field of painting and the plastic arts. Taken together, the four great galleries in Washington rival the collections in London and Leningrad, not to speak of New York. Concerning music, the verdict is mixed. Attending an opera opening in Washington is an experience that has an inescapable note of the bouffe, because ours is the only major world capital without an opera house. When the Metropolitan comes (it makes an appearance only every few years), it plays at the Capitol Theater. The big, black Rolls-Royces with diplomatic plates pull up in front of the marquee, and official Washington makes its appearance in appropriate finery in the

movie lobby—like Colonial Office worthies trying to Keep Up Standards in Sierra Leone.

Or, if the Washington Opera Society is offering one of its four or so annual programs, the identical tableau is enacted at Lisner Auditorium on the George Washington University campus. The auditorium has its virtues, but unfortunately the orchestra pit is best fitted for chamber music. It has been necessary, at times, to expand the pit in order to accommodate the orchestra.

Despite the handicaps, the Opera Society has made a reputation for itself in 5 years. The company draws on local talent as well as professional imports, and the quality of performance has surprised out-of-town critics. The only grumbling concerns the inclusion of such weary old maids as "Carmen" in a repertory that has until lately been aristocratically thoroughbred.

The city does have a symphony which for 5 years has been playing a 32-week season, but the orchestra—well, that is a matter for debate. Partisans of Conductor Howard Mitchell insist that Washington has in the National Symphony Orchestra an ensemble that need cause no blushing. Detractors reply that local pride colors this judgment, and that the Symphony, despite improvements, cannot be considered a major orchestra.

Whatever the correct estimate, it is clear that Mr. Mitchell labors under formidable difficulties. The bulk of his concerts take place in Constitution Hall, which has the acoustics of a dirigible hangar and the architecture one might expect in a building constructed for the springtime rites of the Daughters of the American Revolution. Equally discouraging, the National Symphony is the only major orchestra that has no summer season, which means that it cannot employ its talent year-round. In the summer, the Marine Band plays at the pleasant Watergate on the Potomac; and at Carter Barron Amphitheater you have a choice of crooners, comics, and antique Broadway musicals. It is odd that the Government, which owns Carter Barron, one of the country's finest outdoor amphitheatres, cannot make some provision for the orphan symphony.

Otherwise, the musical calendar is full. You can sample baroque concertos at the National Gallery of Art, chamber recitals at the Phillips Gallery, massive choral works at the National Cathedral; and, on occasion, the Natural History Museum offers concerts using ancient instruments from its collection. If all this palls, there is a recently formed Washington Ballet, which has had modest success; there is the usual parade of visiting recitalists; there are four good music stations (WGMS, WAMU, WASH, and WMAL); and there are the concerts at the Library of Congress. The last deserve special mention, because the Budapest String Quartet performances are surely the best musical bargain in Washington. At no cost to the concertgoer, it is possible to hear them play Beethoven on the Stradivarius instruments donated by Gertrude Clarke Whittall, a good angel who has helped to make the Library of Congress a place where a sonata can be heard as well as read.

If a coda is required for this discussion of music, it ought to be a reiteration of the problem of primitive facilities. Although the Government has many auditoriums, it has happened, on at least one occasion, that a stage could not hold the weight of a grand piano. Nadia Boulanger arrived for a concert at the Interior Department auditorium to find the piano sitting in the aisle.

If the capital's musical facilities are poor, its theatrical plant is pathetic. There is only one adequate legitimate playhouse for the 2 million people of Washington—the venerable National. What is more astonishing is the profligate fashion in which Washington has squandered its theatrical resources. The old Shubert provided a faded

but usable second theater until it was gutted by fire a few years ago. Rather than restore an essentially sound structure, the proprietors cleared the site to make way for a more profitable parking lot. A third theater, the Belasco, is located on Lafayette Square, in full view of the White House, as choice a location as the city affords. It has been used to store Treasury records, and is soon to be razed to provide space for a monster Federal courthouse, where more prosaic drama will take place.

As a result of its monopoly, the National Theater was solidly booked last July for the current season. Most of the plays will be Broadway standbys now on tour. By virtue of its quality audience, Washington is regarded as a desirable tryout town, but the opportunity to attend openings has become increasingly rare at the very time that the audience for drama has increased.

Washington would be starved for theater if it were not for the supplementary diet provided by the smaller companies. Besides the Arena Stage, there is the University Theater of the Catholic University Speech and Drama Department, a superior college company, and there are well-intentioned amateur groups, including Theater Lobby and the Washington Theater Club; during the summer, players from Catholic University form the nucleus of a stock company in Olney, Md., and sometimes they are worth the trip.

In recent months, members of Congress have taken a tardy but laudable interest in culture, and for the first time there is a remote possibility that the Government may do something to end America's distinction of being the only civilized country that provides virtually no official encouragement to art, at least at home.

Paradoxically, foreigners have already benefited from the U.S. assistance to the arts in programs that are applauded by some of the same politicians who would be shocked if tax money were used in the same way to benefit the American people. It was considered perfectly proper to provide foreign-aid funds to help European cities rebuild their theaters. Few are shocked when the Government spends money for cultural exhibits at world's fairs and exhibitions. The Voice of America regularly broadcasts music of a quality unavailable in vast tracts of the United States. There were no strenuous denunciations when President Eisenhower began a cultural exchange program through which more than 150 attractions have been sent overseas, varying from Dizzy Gillespie to "The Glass Menagerie," starring Helen Hayes.

Until recently, the idea of letting the American people in on the fun has been regarded as downright seditious. Slight winds of change can now be detected. In one campaign statement, Mr. Kennedy was most explicit: "When so many other countries officially recognize and support the performing arts as part of their national cultural heritage, it seems to me unfortunate that the United States has been so slow in coming to a similar recognition." But the fact that politicians see some potential gain in discussing aid for the arts suggests that possibly—just possibly—something may be done.

As far as Washington itself is concerned, there are two possibilities. First, there is the proposed \$80 million National Cultural Center, which could provide the facilities for the performing arts worthy of a major capital. Although Congress has donated land for the Center, the construction funds are supposed to be privately raised; gloomy realists doubt that the plans drawn up by architect Edward Stone can be implemented without public assistance.

On a more modest level, there is the suggestion that the city of Washington ought to do a good deal more to assist cultural enterprise. A Library of Congress study made recently found that Washington spends less on cultural activities than any of 38 other

cities surveyed. The local budget for the fine arts is \$16,000—compared with \$2,600,000 for New York City, \$824,000 for Philadelphia, and \$448,000 for Baltimore. Tiny Hagerstown, Md., located in the heart of an economically afflicted area near Washington, spends only \$3,500 less than the Capital of the United States spends out of a budget of more than \$200 million.

It is, of course, true that the Federal Government contributes to the great national museums, but in view of the demonstrable local need, the parsimony of the city budget is difficult to understand. Senator HUBERT HUMPHREY, who never runs short of ideas, has proposed that 1 mill out of each dollar of tax revenue be set aside in a special fund to be used for cultural purposes. Besides helping the symphony meet its deficit, the money could also be well spent in acquiring a theater. One movie house, RKO Keith's, has already been suggested as a possible municipal stage. Since the National Cultural Center seems light-years away, the locals would gladly settle for something more immediately usable, something which could develop along the lines of New York's City Center.

In the end, the fate of these proposals may well hinge on what President Kennedy does. When the President returned from his European tour, he was reportedly shocked to rediscover the relative cultural poverty of Washington in comparison with Paris and Vienna. The comparison is, of course, unfair, because both cities are more than political capitals; they are great centers of commerce, education, and culture. Yet Howard Taubman, drama critic of the New York Times, scored a telling point when he contrasted Washington with Tiflis, a city that has an opera house, a ballet, four professional theaters, several children's theaters, and a vigorous cultural tradition.

Mr. Kennedy obviously cannot improve the cultural tone of Washington merely by signing an executive order. But by pressing for some of the proposals already described, he can do a great deal. By example, too, the President is in a position to give more ceremonial importance to the arts, as he did, for instance, by inviting Robert Frost to participate in the inaugural and by placing something besides westerns on his personal bookshelf.

When they are confronted with the possibility that Washington could become more than a political capital, outsiders—particularly New Yorkers—adopt an attitude of amiable condescension. Washington, as Howard Taubman puts it, is a hick town, and he argues that, even if the Capital were to build a National Cultural Center, there wouldn't be much to perform in it.

Too often, the rejoinder in Washington consists of dismissing the criticism as a canard, as the lullation of envious provincials. The indictment is overdrawn, but it could be argued that this underdeveloped area has reached what Prof. Walt Whitman Rostow, the White House authority on such matters, calls the "takeoff" stage.

An increasingly cosmopolitan settler colony is now hungry for the sweetmeats of culture, and there are a dozen indications of its eagerness. For example, Washington is one of the few cities—Boston is said to be another—where the number of classical records sold is greater than the number of popular disks.

There is also the postwar boom in foreign film houses. Not so long ago, it would have seemed hopelessly utopian to expect to find a Bergman film at more than one theater, but recently three of the city's six art houses were featuring the works of the distraught Swede. Last year, a Washington Film Society, roughly comparable to New York's Cinema 16, was organized, and is off to a vigorous start.

No less striking is the success of the Institute of Contemporary Arts, which in less

than a decade has established a cultural cartel in the poetry-reading field. The ICA offers a subscription series of readings, concerts, and esoteric films; despite the high cost (\$20 per person for a season), it counts its members in four figures.

But, as in all underdeveloped areas groping into the 20th century, the cultural development of Washington has been uneven, thrusting forward on some fronts, conducting holding operations in others, and retreating miserably in at least a few areas. The literary life is Washington's single most humiliating failure—there is virtually none—while television is a close second.

There is no need to belabor the arid banality that characterizes much of the city's television programming. The surfeit of westerns, fossilized movies, and bloody private-eye shows follows the same pattern that prevails in most cities. But it is cause for special pain that, in the Capital, political events are sometimes inadequately covered. For example, during the celebrated September meeting of the United Nations General Assembly in 1960, New Yorkers could see Nehru and Castro, Khrushchev and Sukarno, in unexpurgated and undigested form. There was less television coverage available in Washington. It should, however, be noted that Washington finally acquired an educational TV channel this autumn, channel 26, operated by GWETA (the Greater Washington Education Television Association). The chief problem, of course, is that GWETA's outlet is an ultra-high-frequency channel requiring a special adapter for most sets.

Thus, Washington remains, in Dickens' phrase, a "city of magnificent intentions." The musk of power pervades the city, but as yet the scent of poetry is only intermittently encountered. If the administration makes an effort to practice the politics of art, there is a local constituency that would respond eagerly. Their slogan, it can be reported on good authority, is "Tifis, here we come."

#### AN AMERICAN'S CHALLENGE

Mr. KEATING. Mr. President, on October 9, 1962, at the American Legion national convention in Las Vegas, Nev., the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, delivered an excellent address, entitled "An American's Challenge," which should be called to the attention of all Americans.

On behalf of the Senator from Iowa [Mr. MILLER], I ask unanimous consent to have this address printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

#### AN AMERICAN'S CHALLENGE

At this critical hour in the life of our Republic, it is indeed a high honor to serve as keynote speaker for this great national convention. It is a great privilege to be thus honored by men and women who have demonstrated their patriotism and their courage in defending our beloved Nation.

Today, the American Legion is more vigorous than ever in inspiring national loyalty and promoting national preparedness. You have never faltered in your dedication to, and promotion of American ideals.

In 1946, when I spoke to you at San Francisco, the world was just emerging from a long and devastating war—a war which claimed the lives of over 400,000 of our fellow countrymen. We looked hopefully for the end of hostilities and an era of peace—peace with dignity, peace with honor, peace with international trust and understanding. We were aware, however, that a brand

of tyranny and fascism—Red fascism—far more treacherous than that of Hitler and Mussolini, was emerging as a powerful threat on the international scene. By 1957, when I was honored to speak at your Atlantic City convention, the virus of communism had spread in epidemic proportions, infecting vast areas of Europe and Asia. The stench of death from the brutal slaughter of Hungarian freedom fighters by Soviet hordes, paralleling the carnage of Genghis Khan, the Mongol conqueror of the 13th century, hung heavy in the world atmosphere.

Two years ago, in 1960, it was my duty to urgently warn your delegates at Miami that communism had gained already a strategic beachhead in nearby Cuba; that Khrushchev, Mao Tse-tung, and Castro were dictators of the same order, driven by the same atheistic urge to dominate men and nations.

I referred also to the devastating encroachments of crime and corruption—avowed enemies of the very ideals upon which our Republic was founded. The poisonous effect of these enemies on the social, economic, and political life of America is keenly felt.

Today, we stand at the same crossroads and are faced with threats identical to those which confronted us 16 years ago. These threats are accepted in some quarters as the normal climate of life, to be met with appeasement or accommodation. The heavy inroads of international Communist aggression continue with a terrible ruthlessness.

Peoples everywhere must be prepared today to stand up and be counted—either for or against freedom.

We are an idealistic nation—a nation ruled by laws, not by men. Yet, each year shows new record peaks of crime and lawlessness.

Nearly 200 years ago, Edmund Burke warned, "The only thing necessary for the triumph of evil is for good men to do nothing." How meaningful these words are today.

We have failed to meet the postwar goals which America has established for herself because the "good men" to whom Burke referred—the forces for decency in our country—have failed in many respects to live up to their duties and responsibilities.

What has happened to the time-honored precepts of hard work and fair play which influenced the American scene during the all-important formative years of this great Republic? Where is the faith in God which fortified us through our past trials? Have our national pride, our moral conscience, our sensitivity to filth and degradation, grown so weak that they no longer react to assaults upon our proud heritage of freedom?

Crime and subversion are formidable problems in the United States today because, and only because, there is a dangerous flaw in our Nation's moral armor. Self-indulgence—the principle of pleasure before duty—is practiced across the length and breadth of the land. It is undermining those attributes of personal responsibility and self-discipline which are essential to our national survival. It is creating citizens who reach maturity with a warped sense of values and an undeveloped conscience.

Crime is a parasite, feeding upon public disinterest and moral lethargy. This day, more than 5,200 felonies—4 serious crimes every minute—will be committed across the United States. They will include 430 crimes of violence—murders, forcible rapes, and assaults to kill. At least 250 robberies, 10 an hour, will be recorded, as will 4,500 burglaries, major larcenies, and automobile thefts.

Since 1946, our national crime totals have more than doubled. Over the past 5 years, since 1957, these crimes have risen 5 times as fast as our growing population.

Nowhere has this increase been more pronounced than among America's youth. Last year, persons under 18 years of age were involved in 43 percent of all arrests for serious crimes. They accounted for 22 percent of the robbery arrests, nearly one-half of the

burglaries and larcenies, and well over half of the automobile thefts throughout the United States.

There is a moral breakdown among young people in the United States. The crime rate is outdistancing the population increase; pornography is flourishing; and there is a quest for status at the expense of morality.

The heavy toll of crime, both juvenile and adult, is a direct product of self-indulgence and irresponsibility. There is a pattern of flight from responsibility.

It is utterly tragic that many otherwise intelligent people develop a blind spot with regard to the conduct of their own children. Until there comes about a greater degree of parental understanding—real interest, affection, and concern—we will witness a continued upsurge in juvenile crime.

There must be a moral reawakening in every home of our country. Disrespect for law and order is a tragic moral illness.

As Benjamin Franklin said, "Nothing is of more importance for the public weal, than to \* \* \* train \* \* \* youth in wisdom and virtue. Wise and good men are, in my opinion, the strength of a state; much more so than riches or arms."

Our city streets are jungles of terror. The viciousness of the rapists, murderers, and muggers who attack women and young girls seems to know no bounds. This senseless sadism can be stopped only by a concerted, realistic action on the part of everyone connected with law enforcement and our judicial processes. We must adopt stiffer laws and a more stern policy toward these perverted individuals.

Too often, the interests of justice and consideration for the welfare of society are buried under an avalanche of court decisions which give violators of the law rights and privileges that destroy respect for the law and public safety.

Too often, technicalities have been permitted to exist in our penal codes which have been employed solely and exclusively for the benefit of that small minority of lawyers-criminal who use any tactic, no matter how unethical, to defeat the interests of justice.

More and more the judicial-legal system of this country is being revised to benefit the criminal—to the disadvantage of the innocent. More judges should speak out against this legalized perversion of justice.

Too often, our parole boards are being influenced by impractical theorists—conference from "experts" who are without experience in the arena of action against crime.

Too often, a cloak of special privilege is thrown around the enemies of society, vicious young muggers, robbers, rapists and murderers, by poorly conceived and maladministered programs intended to promote their rehabilitation.

Mercy tempers justice in the American judicial system, but leniency was never intended to become a weapon for repeating offenders. Mercy can be hazardous and sympathy morbid when they are wasted on those who exploit them.

Responsibility for the wave of lawlessness now sweeping the Nation and the continued existence of conditions in which crime and corruption flourish, rests directly with the American people. The public, by its submissive attitude and its lethargic acceptance of infractions of the law, has helped create an atmosphere conducive to the insidious growth of underworld activity.

Crime is a community as well as a national problem. It will not be abolished by ignoring it. Perhaps it is sometimes oversensationalized; its gory details undoubtedly are distasteful to many people. But if the public is to be aroused to take needed action against what appears to be an epidemic of criminal activity, even sensationalism perhaps may be justified.

We are paying dearly and in cold cash for these indulgences. Crime now costs the

American people more than \$60 million a day. But this figure does not take into account the human factors—the personal grief, the broken homes, the physical and mental suffering. Nor can a price be placed on the loss of American prestige in the community of nations, or the eroding influence upon our heritage, which are byproducts of the continuing growth of underworld activity.

Crime has a sinister partner in promoting the breakdown of our moral standards. This partner is international communism—an aggressive and atheistic force which today controls one-third of the world's population and one-fourth of her land surface. The barbaric Communist empire now stretches from the wall of Berlin to the China Sea, from Asia's Mekong River to the Escambray Mountains of Cuba.

In our country, this international conspiracy is represented by a bold and defiant Communist Party—fanatically dedicated to the destruction of our form of free government.

The Communist Party, U.S.A., is an alien force, an agency of a foreign power—the Soviet Russian Government. Today, it is engaged in an intensive campaign to openly defy the law and destroy public confidence in our entire system of justice.

Throughout the past year, the party has deliberately and flagrantly refused to comply with a U.S. Supreme Court ruling which requires it to register with the Attorney General as an agent of the Soviet Union.

In furtherance of this campaign, front groups have been formed, propaganda leaflets circulated, agitational meetings held—all for the purpose of attacking American laws and undermining faith in our democratic institutions. We must be aware of these tactics to sabotage our basic heritage of freedom.

The Communists, their myriad fronts and collaborators do not fade away. The Communist Party today may be smaller in the United States, but it is a hard-core group of fanatics operating a massive and impressive propaganda machine. The danger and wiles of communism cannot be measured solely by shrunken rolls of actual party membership in this country.

Communists continue with impunity to breathe out hate, particularly against the United States.

There is not an avenue to the heart and mind of Americans that is not used to implant their false ideology.

The Communists are experts in the practice of treachery and deceit. They have used this program of blatant defiance as an offensive weapon to rally the support of misguided, ill-informed, and naive individuals.

Foremost among their targets have been America's young people, for the aim of communism is world youth and the capture and corruption of that youth.

We have but to look at the shameful riots in San Francisco in 1960 when college youth in that area, encouraged by Communists, acted like common hoodlums in demonstrating against a committee of the U.S. Congress engaged in public business.

We have but to look at the Communists' success in stimulating the interest and participation of some of America's young people in the Communist-inspired and Communist-dominated World Youth Festival which was held at Helsinki last summer.

We have but to look at the party's campus speech program which has seen Communist functionaries appear before student groups at colleges and universities from New York to California. On 1 campus alone, a crowd of nearly 12,000 turned out to hear the party's general secretary, ex-convict Gus Hall, declare that the Communist Party, U.S.A., is a legitimate political organization on the American scene and deny its subservience to Moscow, from which it has been estab-

lished that it actually receives orders and financial support.

The success of these and other programs which the Communists have directed against American young people can be measured by the enthusiasm of top party officials who predicted several weeks ago that 1,000 youths could be recruited as party members before the end of the year.

Colleges should bear in mind that Communist speakers are not bound by any obligation to tell the truth.

The fact is that the party in this country functions as a valuable auxiliary of the Soviet-bloc espionage network. From their areas of influence, American Communists have produced a Julius Rosenberg, a Morton Sobell, and others both willing and able to betray vital secrets to the Soviet Union.

Today, there are 925 Soviet and satellite official personnel in the United States. The vast majority of them represent a cunning and dangerous espionage threat.

From the immunity of their diplomatic assignments, representatives of Communist-bloc nations have directed intelligence networks within the United States. From 1950 through 1960, 21 officials of the Soviet Union alone were declared persona non grata or otherwise asked to leave the United States because of flagrant activities detrimental to this country.

One Soviet defector, a former intelligence officer, has estimated that between 70 and 80 percent of the Soviet officials in the United States have espionage assignments. Years of personal experience qualify this man to speak with authority concerning the duplicity, the deception, and the deceit which are inherent in every phase of the international Communist conspiracy.

During the last 30 years, the United States has participated in hundreds of meetings with the Communists—Teheran, Yalta, Potsdam, Panmunjom, and Geneva. These meetings led to many agreements, almost all of which have been broken by Soviet Russia.

We are at war with this sinister conspiracy. Every Communist today must be considered as enemy, wherever he may be, at home or abroad.

A soft approach toward the menace of communism can lead only to national disaster.

Much has been done by the Government's internal security programs; by investigation, arrest, and prosecution of party functionaries; and by widespread intelligent public opposition of the Marxist philosophy to thwart the Communist Party's efforts in this country.

However, communism remains an intense subversive threat. Our Nation's efforts to deal effectively with this menace are not enhanced by those of the extreme right who tend to affix the Communist label without intelligent analysis, or by those of the extreme left who endeavor to minimize the real danger of communism.

This latter group includes grossly irresponsible elements, a shocking number of whom have depended for their very existence, upon tax-exempt funds. We have heard them shout "sententious poppycock" at well-founded and documented warnings against the capacity of the Communists to pervert our thinking and destroy the spiritual supports which form the foundation of our freedom. Inane statements such as these add nothing to the American people's understanding of the true menace of communism at home and abroad. They are a rank disservice to the cause of freedom.

I repeat, a soft attitude toward communism can destroy us. We should unite as a people around an intelligent, rational, sensible, but very hard attitude against communism everywhere.

In the battle against communism, as in all previous encounters with godless tyranny, the United States must win and we will win. Let Khrushchev, Castro, and Mao Tse-tung

recognize there is no force more powerful than the determination of a free and righteous people.

Let us not forget that whenever we have stood firm, communism has retreated.

From the moment the American Republic was conceived, our country has achieved its proudest moments in the face of adversity. Valley Forge; Belleau Wood; Guadalcanal; Pusan, Korea—these are proud names in the Nation's history, places where our fighting men have risen to heroic heights to overcome deadly enemies. Challenge, not compromise; victory, not defeat—these are words which have real meaning for true Americans.

We must assemble our strength—the moral strength endowed upon us by our Creator, the Author of Liberty. We must reaffirm our determination—the God-inspired determination to protect our freedoms and safeguard our democratic heritage at all costs.

In the heat of an all-out struggle with an alien godless ideology, this Nation needs all the prayers it can get. Prayer and devotion to our Creator are basic to American strength and courage.

There is a vast difference between Americanism and communism. One teaches morality; the other, expediency. One follows the law of God; the other, no law. One is founded upon spiritual values; the other is complete secularism. One is characterized by deep religious conviction; the other, by ruthless, atheistic materialism. The Communist world is a world of walls, searchlights, and guards—a prison for the heart, mind and soul.

The United States is second to no nation in material wealth. From our free economy has emerged a standard of living beyond the reach of any Communist-controlled people in the world. But in luxury there is the danger of physical weakening and moral softness. Self-indulgence can prove fatal. It can accomplish from within what our most deadly enemies have been unable to do from without.

We cannot defeat communism with socialism, nor with secularism, nor with pacifism, nor with appeasement or accommodation. We can only defeat communism with true Americanism.

The fight against crime and communism can be won, and it will be won with, but only with, the help of every decent American citizen. No individual in this great land of ours should underestimate the importance of his or her role.

Let us all work that there may be a rebirth of freedom under God in our Nation.

As Astronaut John H. Glenn, Jr., said, "Freedom, devotion to God and country are not things of the past. They will never become old fashioned."

Every strong nation in history has lived by an ideal and has died when its ideals were dissipated. We can be destroyed only by our own gullibility. If we are ready, we shall neither be dead nor Red.

It is what a nation has in its heart, rather than what it has in its hand, that makes it strong. The nation which honors God is protected and strengthened by Him.

To foster the cause of liberty and justice—this is the goal of America and the goal of every Legionnaire. This goal has been challenged by communism and crime. America has accepted the challenge and we must and will meet it successfully.

We are a God-loving people. This is our greatest strength. Let our national motto always be "In God We Trust."

#### RECESS

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and (at 1 o'clock and 5 minutes p.m.) the Senate

stood in recess, subject to the call of the Chair.

At 5 o'clock and 28 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. METCALF in the chair).

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, notified the Senate that, pursuant to the provisions of section 1, Public Law 87-586, the Speaker had appointed Mr. MATTHEWS, of Florida, and Mr. CRAMER, of Florida, as members of the St. Augustine Quadricentennial Commission, on the part of the House.

The message announced that the House had passed, without amendment, the bill (S. 2555) for the relief of Fong Yee Hin.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10620) to amend section 213 of the Internal Revenue Code of 1954 to increase the maximum limitations on the amount allowable as a deduction for medical, dental, etc., expenses.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 7932. An act to amend the act of July 2, 1948, so as to repeal portions thereof relating to residual rights in certain land on Santa Rosa Island, Fla.; and

H.R. 12820. An act to validate the coverage of certain State and local employees in the State of Arkansas under the agreement entered into by such State pursuant to section 218 of the Social Security Act.

The message also announced that the House had agreed to the amendments of the Senate to the joint resolution (H.J. Res. 489) to provide protection for the golden eagle.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11586) to amend section 502 of the Merchant Marine Act, 1936, as amended.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, lest hopes be raised too high, the purpose of resuming the session is to give certain Senators an opportunity to make remarks which they have prepared and which I think it would be well to dispose of at the moment.

Mr. JAVITS. Mr. President, I wish to inform my colleagues that I shall probably take a half hour, with a rather large number of miscellaneous matters. If any Senator has something more brief, I shall be glad to yield.

#### FAILURE OF CONGRESS TO PROVIDE AID TO EDUCATION

Mr. JAVITS. Mr. President, first I should like to make some observations on what I consider to be a real national

tragedy—the failure of any bill on higher education whatever to get through this Congress. I was a conferee on the higher education bill passed by this body, which was based largely upon construction loans and scholarships, and an effort was made to reconcile that with the bill which passed the other body, which provided grants and loans but no scholarships. The conferees arrived at what I considered to be a meeting of the minds, but the bill was returned by the other body to the conference.

No aid-to-higher-education bill has been passed. Not only was the major bill for aid not passed, but there was not passed even a bill to increase student loan funds from the present authorized \$90 million to \$125 million, which passed the Senate without a voice being raised against it, and which we had every expectation would pass in the other body. We come to the end of this session on this critically important matter with dust in our mouths.

Mr. President, it seems to me that this is probably one of the most signal failures of the present session. The American people will want to assess the responsibility for it. I hasten to add that I found in the chairman of the Senate conferees, the Senator from Oregon (Mr. MORSE), the greatest anxiety to bring about agreement. Therefore, I wish to make very clear, in discussing the question, that I do not find fault with my colleague who headed the conference. But I do think that what happened here was that the majority party itself, the Democratic Party, was at war within itself and that there was no leadership when it might have counted for the most in terms of bringing about consummation of what the majority here had voted. The disputes which wrecked the hope for any higher education bill were the aid to private colleges and universities and the fight over scholarships. I am confident that they could have been and should have been reconciled and that the exercise of strong leadership would have brought about such a compromise. But I found it very sadly lacking in the whole situation, only to see all our hopes dashed by the adverse vote in the other body.

In my opinion it is really a disgrace that neither the college academic facilities bill or even the bill to increase the funds for student loans from \$90 million to \$125 million authorization per annum got anywhere. I have now introduced a new bill, which is in essence the conference report upon which the Senate and House agreed. It is hard to believe that neither the Senate nor the House, both of which passed bills for aid to higher education, so urgently needed by our colleges and universities, and which is absolutely indispensable in a cold war against the Communists, should have gotten anywhere in this very, very critically important field. It seems to me that the failure was a failure of political courage on the leadership side. Especially is that true when our security and progress as a Nation here are so heavily dependent upon our progress in education generally, and particularly in higher education.

Let us remember, too, that the bills thus passed in the Senate and in the House were only a minimum effort, and in view of the urgent need it will take an even greater effort than was incorporated in those bills, which roughly sought \$1.25 billion in aid, as well as the increase in the college loan fund to help our colleges and universities meet their responsibilities.

I am very proud to have been the sponsor of the major compromise on scholarships through the suggestion that there be a loan program with substantial forgiveness for those students in the upper 25 percent of their classes.

I notice that the Senator from Oregon is present in the Chamber. I do not know whether he was here when I began. I paid special tribute to him. Certainly no one in the world could say that he did not try in every way that he could to bring about agreement.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. I wish to thank the Senator from New York for his comments. I would be less than appreciative of the teamwork that the Senator from New York extended to me throughout the past 2 years that we worked together on various education bills if I did not rise now to thank him for that assistance. He and I can never tell what the vicissitudes of politics will bring to Senators. I fully expect and look forward to working with the Senator from New York in this body next January. I hope that in the next session of Congress we will be more successful in getting adopted by both Houses of Congress an elementary and secondary school bill, a higher education bill, and several pieces of so-called proposed education legislation that I think the Nation is crying out to have passed.

Mr. JAVITS. Mr. President, I think that all of us feel a great sense of responsibility in this matter and would not wish to speak except with some purpose even at a time when we are not doing much else in the Senate. The purpose of my speaking is, first, to express my great sorrow over what has occurred. This failure is a disgraceful thing for our Nation, considering the need.

Second, notwithstanding the rush of adjournment and the press of other news, I hope that somehow or other the realization may get out to the people of the country that here is something that can be made the subject of discussion in the course of the present campaign. We are all approached by groups of every kind and character for pledges and for assurances on policy and program. I really think that if the colleges and the universities of the country went to their own communities and laid before them the critical blow to America's future which has been struck—even if it is only a delay, which is now bound to be a year or perhaps 2 years—and the critical urgency to demand from their Representatives in Congress, whatever may be their party, or the candidates for the Senate, a statement of their position on the bill to provide Federal aid to higher education, would they allow what I consider to be in all respect to those who entertain it—but I must give honestly

the inside of my conscience—the narrow and parochial view of our responsibilities in refusing to see any aid move to private or sectarian colleges after the most careful way in which we had directed it.

We had headed it without entertaining doctrinaire ideas about scholarships, knowing full well that 70,000 high school graduates in the top 30 percent of their classes have failed in this very year to go to college because of lack of funds. We are deprived of an indispensable natural resource as a result, especially in the face of an extremely practical provision, providing not for scholarships, but for loans, with an element of forgiveness if the student really showed high academic merit in his college studies.

It seems to me that there is a very substantial opportunity for the colleges and universities of our land, public and private alike, to arouse the people in their communities so that a significant body of support may be available when we return here. Perhaps I shall return; perhaps I shall not. Whether I do or not is not nearly as important as that this should be done. It is in that sense that I speak in great sorrow in deprecating in the national interest what we have failed to do.

Mr. President, there is a serious shortage of qualified teachers at all levels of education. The physical plants of so many of our colleges are not only overtaxed at present but must be expanded within the next 10 years to handle a college population that will be 2 million more than the enrollment at present.

By 1970 we will have 6 million students. We have four million students today.

Mr. President, I have not spoken about elementary and secondary education in the great detail that the subject deserves because for some reason it was almost tacitly accepted here, though I deprecate that attitude very much, too, that that kind of bill could not pass. But we had high hopes for the aid to higher education bill which have been completely dashed. That is the reason I speak so feelingly about the matter.

Our higher education picture is not good; there are expanding registrations, overcrowded classrooms, inadequate teaching staffs, wornout or old-fashioned equipment. Our higher education system in this space age should be of the very best quality of which we are capable, but we do not have it and we are not doing very much so far to get it. Unless we take the steps needed to approach at least the optimum goals for higher education, we will go on wasting talent and the energy of thousands of Americans like the 70,000 high school graduates who have been deprived of a college education, in my opinion, directly in the face of and contrary to the national interest.

I can think of few failures in our Nation in the last year quite as damaging as that one.

For myself, whether or not I return to the Senate next year, I shall continue to carry on the fight for Federal aid to our educational system and to sound the alarm over the widening educational gap and the serious shortage of skilled manpower which is a direct consequence of

our failure to enact the essential legislation. Every young American who has the desire and the capacity to obtain a college degree should be given the opportunity to do so. And we shall not have met the great challenges of our age until we have made that opportunity a reality.

#### IN DEFENSE OF THE SUPREME COURT

Mr. JAVITS. Mr. President, on May 2, 1962, on the floor of the Senate the chairman of the Judiciary Committee [Mr. EASTLAND] delivered a scathing attack on the U.S. Supreme Court, and the Justices who have sat on that Court for the past 20 years. After charging that the Supreme Court has "infringed, invaded, and usurped the powers vested by the Constitution" in the executive and legislative branches of the Government, Senator EASTLAND presented charts that allegedly demonstrated that all members of the Court have, for many years, been delivering pro-Communist votes that "threaten fundamentally the basic security of our country from the onslaught of the Communist conspiracy from without and within"—CONGRESSIONAL RECORD, volume 106, part 6, pages 7599-7605.

At that time, on the Senate floor, I requested of Senator EASTLAND the "specific criterion" for his statements and charges, and who had set the criterion. Senator EASTLAND said that the criterion had been set by his staff, but that "any lawyer with any sense at all could do that." He said that the test was, "if the decision of the individual judge was in favor of the position advocated by the Communist Party or the Communist sympathizer involved in the particular case, it was scored as a pro, meaning pro-Communist. If the judge's decision was contrary to this position, it was scored as a con, or contrary position"—CONGRESSIONAL RECORD, volume 106, part 6, page 7604.

I was not satisfied to let the matter stand in this posture, with the CONGRESSIONAL RECORD showing only the attack on the Supreme Court, a body that is in no position under the Constitution to defend itself. Accordingly, I stated that I would have a response prepared, in legal and constitutional terms, to the charges which, particularly made from such a source, were most serious.

The response was prepared at my request by Associate Professor Norman Dorsen of the New York University School of Law. At one time Professor Dorsen served as law clerk to Justice John Marshall Harlan and is presently the director of the Civil Liberties Center, which was established at the New York University Law School in honor of the late Arthur Garfield Hays. It is in my view a very excellent analysis which I believe deserves to be brought to the attention of my colleagues, the bar and the public.

I fully agree with the thoroughly documented conclusion of this analysis that the charges against the Court "are completely unrelated to legal doctrine or historical context," and that these are the only valid standards for criticism of the complex work of the Supreme Court. When the cases cited in the attack are

matched against legal doctrine and historical context, it is found "(a) that many were decided on the basis of precedent—stare decisis—and therefore obviously did not represent a break with the past, and (b) that doctrines employed by the Court in cases involving national security—communism—are also employed in other types of cases." The attack wholly ignores the complex factual and legal issues in these cases and instead focuses entirely on the outcome. This "result-oriented" approach, as the analysis cogently demonstrates, produces absurd results if applied to other kinds of cases and has very serious implications for our constitutional democracy. Such an approach "depreciates the constitutional protections that all Americans enjoy" and undermines the very rule of law which is the basis of our system as contrasted with communism.

I ask unanimous consent that the memorandum may be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

#### SENATOR EASTLAND'S ATTACK ON THE U.S. SUPREME COURT—AN ANALYSIS AND RESPONSE

##### I

Several years ago, one of this country's greatest jurists, the late Learned Hand, counseled us wisely on the subject of criticism of the judges of the Supreme Court and other courts, whether Federal or State. Judge Hand said:

"While it is proper that people should find fault when their judges fail, it is only reasonable that they should recognize the difficulties. Perhaps it is also fair to ask that before the judges are blamed they shall be given the credit of having tried to do their best. Let them be severely brought to book, when they go wrong, but by those who will take the trouble to understand." (Hand, "How Far Is a Judge Free in Rendering a Decision," in "The Spirit of Liberty," 103, 110 (3d ed. 1960).)

The valid technique for evaluating the work of the Supreme Court is scrupulous legal analysis of the decisions themselves in light of their historical antecedents. Senator EASTLAND's charges against the members of the Supreme Court are completely unrelated to legal doctrine or historical context. Instead, he focuses solely on the results of cases, and measures these results by a distorting and oversimplified standard. A subsequent section of this memorandum contains comment on certain unfortunate consequences of Senator EASTLAND's method of criticism. This section will concentrate on legal analysis of the Supreme Court cases referred to by Senator EASTLAND in his attack on the Court.

As Judge Learned Hand indicated, it is not a simple matter to evaluate the work of the Supreme Court. The complexities of law and fact make treacherous any but the most comprehensive analysis. Nevertheless, inspection of a certain number of decisions may be helpful in demonstrating that the members of the Supreme Court, in the cases singled out by Senator EASTLAND, used well-established legal doctrines in reaching their conclusions. That individual Justices can differ as to the applicability of a legal doctrine in a particular case is merely further proof of the difficulty of the judicial task assigned the Supreme Court.

In view of limitations on space, only two methods of analyses will be employed. These show (a) that many of the cases cited by Senator EASTLAND were decided on the basis of precedent (stare decisis) and therefore ob-

viously did not represent a break with the past, and (b) that doctrines employed by the Court in cases involving national security (communism) are also employed in other types of cases.

#### A. Legal precedent

1. In *Curcio v. United States*, 354 U.S. 118 (1957), the question was whether the petitioner's personal privilege against self-incrimination under the fifth amendment attached to questions relating to the whereabouts of certain union books and records which he declined to produce pursuant to a grand jury subpoena. The Court unanimously held that it did.

It was well established by prior cases that custodians of the documents of associations, whether incorporated or unincorporated, had no privilege with respect to such records. e.g., *Hale v. Henkel*, 201 U.S. 43 (1906); *United States v. White*, 322 U.S. 694 (1944). It was equally well established that the custodian had a constitutional privilege to decline to answer questions about the whereabouts of such records when they no longer were in his possession. Thus, in *Wilson v. United States*, 221 U.S. 361, 385 (1911), Justice (later Chief Justice) Hughes said: "They (the custodians of records) may decline to utter upon the witness stand a single self-incriminating word. They may demand that any accusation against them be established without the aid of their oral testimony." And in *Shapiro v. United States*, 335 U.S. 1, 27 (1948), the Court said, "Of course all oral testimony by individuals can properly be compelled only by exchange of immunity for waiver of privilege." In view of these precedents, it is clear that the decision of the unanimous Court in the Curcio case was solidly grounded.

2. In the area of the fair administration of justice, *Gold v. United States*, 352 U.S. 985 (1957), is squarely based on *Remmer v. United States*, 350 U.S. 377 (1956); 347 U.S. 227 (1954), which involved income tax fraud. Gold had been convicted of filing a false non-Communist affidavit and the District Court judgment has been affirmed by an equally divided Court of Appeals. One of the issues was whether Gold had been deprived of a fair trial because "an FBI agent, investigating another case in which falsity of a non-Communist affidavit was also charged," had asked 3 members of the jury whether they had received propaganda literature, and also because other members of the jury had heard of the FBI contacts.

In a 6 to 3 per curiam decision, the Supreme Court held that a new trial should be granted, "because of official intrusion into the privacy of the jury." It is true, as the dissenters stated in *Gold*, that the Remmer opinion had said that tampering with a juror was only "presumptively prejudicial." However, the Supreme Court in its second opinion in the Remmer case ruled that the presumption could not be deemed rebutted and indicated that intrusion on a jury could be deemed nonprejudicial only in the rarest instances. 3. A series of cases illustrating both the principle of stare decisis and the fact that it is often difficult of application are *Galvan v. Press*, 347 U.S. 522 (1954), *Rowoldt v. Perfetto*, 355 U.S. 115 (1957), and *Niukkanen v. McAlexander*, 362 U.S. 390 (1960).

In *Galvan v. Press*, it was held that an alien was properly ordered deported under section 22 of the Internal Security Act of 1950, two Justices dissenting on the ground that the provision was unconstitutional. In the Rowoldt case, after a careful review of the legislative history of the 1951 amendments to the Internal Security Act, a majority of the Court concluded that Congress did not intend the deportation of former members of the Communist Party unless their association was "meaningful" and had "political implications." The majority con-

cluded that the 1-year membership of the petitioner in the party during which he "didn't get a penny" nor betrayed any ideological identification with the party's unlawful aims was insufficient to warrant deportation. The dissenting Justices disagreed that the 1951 amendments required a "meaningful association" with the Communist Party, and thought that mere membership (which was conceded) was sufficient.

In the third case, *Niukkanen v. McAlexander*, the petitioner was an alien who had been brought to this country when less than a year old and who lived here for over 50 years. Although he was briefly a member of the party in the late 1930's, the testimony showed that he never was an officeholder, never was employed by the party, and never represented the party on any occasion. There was also testimony, as in the Rowoldt case, that the petitioner's sole interest in joining during the depression was in "bread and butter" and the "sufferings of the people." A majority of the Court held that because the trial examiner disbelieved certain testimony of the petitioner, the Rowoldt rule did not apply. Four Justices disagreed on the ground that undisputed evidence put the case squarely within the "meaningful association" rule of *Rowoldt v. Perfetto*.

Ignoring the complex factual and legal issues in these cases, Senator EASTLAND simply counts as "pro-Communist" the votes of the dissenters in the Galvan and Niukkanen cases, and the majority in the Rowoldt case.

#### B. Application of legal doctrine to non-Communist cases

Some of the cases discussed immediately above had precedents not involving national security. Many other cases referred to by Senator EASTLAND involve doctrines that have been applied across the board, irrespective of the nature of the party before the Court.

1. *Sacher v. United States*, 343 U.S. 1 (1952), involved a contempt citation of defense counsel for 11 Communist leaders who were convicted of violating the Smith Act after a turbulent 9-month trial. During the Smith Act trial the judge repeatedly warned counsel that their conduct was contemptuous. Immediately upon receiving the jury's verdict of guilty, the judge, without further notice or hearing, found counsel guilty of criminal contempt and sentenced them to prison. On appeal, a majority of the Supreme Court affirmed the contempt conviction. The dissenting Justices contended that the citation for contempt should have been tried before a jury; that it should not in any event have been tried before the same judge who conducted the Smith Act trial; and that a full hearing was essential to due process of law. Senator EASTLAND has characterized the dissenters' votes as "pro-Communist," presumably because the defense counsel had been representing Communists on trial under the Smith Act.

But procedural protections have been jealously guarded in all kinds of contempt cases having nothing remotely to do with national security. Just last term, the Supreme Court reversed the conviction of an attorney held in contempt for his conduct during a civil antitrust suit (re *McConnell*, 370 U.S. 230 (1962)). Also last term, the Court held that the summary contempt power could not be used to punish out-of-court statements of a sheriff attacking as "agitation" and "intimidation" a grand jury investigation into alleged block voting by Negroes (*Wood v. Georgia*, 370 U.S. 375 (1962)).

There are many other decisions in favor of individuals on trial under the summary contempt power. In none of them could it fairly be said that the Court, or the individual Justices, were doing more than their duty to oversee the judiciary's awesome contempt power. Likewise, there is no basis for the conclusion that any sympathy existed for the cause of the defendant, or with his conduct. As Justice Frankfurter said

in dissent in the Sacher case itself (343 U.S. at 27-28):

"I would not remotely minimize the gravity of the conduct of which the petitioners have been found guilty, let alone condone it. But their intrinsic guilt is not relevant to the issue before us. This Court brought the case here in order to consider whether the trial court followed the proper procedure in determining that the misconduct of the petitioners subjected them to punishment. Time out of mind this Court has reversed convictions for the most heinous offenses, even though no doubt about the guilt of the defendants was entertained. It reversed because the mode by which guilt was established disregarded those standards of procedure which are so precious and so important for our society."

2. Many of the cases cited by Senator EASTLAND involve freedom of expression. In all of them the votes in favor of the individual's right to speak or publish are regarded as "pro-Communist." (E.g., *Dennis v. United States*, 341 U.S. 494 (1951); *Barenblatt v. United States*, 360 U.S. 109 (1959); *Scales v. United States*, 367 U.S. 203 (1961).)

Many of the same constitutional arguments urged by the dissenting Justices in the above cases, in all of which a majority ruled that no first amendment violation occurred, were equally pressed in cases not involving communism.

Thus, in *Beauharnais v. Illinois*, 343 U.S. 250 (1952), a majority of the Court upheld a conviction under a State criminal libel law against a speaker who was exposing Negroes to "contempt, derision, and obloquy." The dissenting Justices claimed that the conviction was unconstitutional as invading the defendant's right to freedom of speech. In *Terminiello v. Chicago*, 337 U.S. 1 (1949), a majority of the Court reversed a conviction for breach of the peace based on the defendant's speech attacking Jews, Catholics, and Negroes. The majority held that the defendant had a constitutional right to express his views, no matter how unpopular and how odious.

It makes as much sense to say that the votes selected by Senator EASTLAND were "pro-Communist" as to say that the Justices voting in favor of the first amendment in the Beauharnais and Terminiello cases were anti-Negro, anti-Jewish, and anti-Catholic.

3. Many of the cases referred to by Senator Eastland involve questions of statutory interpretation. He characterizes as "pro-Communist" certain votes in those cases without regard to their validity under established canons of interpretation.

(a) Construction of statutes to avoid constitutional issues: It is well established that courts will attempt to interpret statutes so as not to require a judicial ruling on constitutional questions. In the words of Chief Justice Taft, "It is our duty in the interpretation of Federal statutes to reach a conclusion that will avoid serious doubt of their constitutionality." (*Richmond Screw Anchor Co. v. United States*, 275 U.S. 331 (1928).) Again, as Chief Justice (then Justice) Stone wrote, what Congress has written "must be construed with an eye to possible constitutional limitations so as to avoid doubts as to its validity." (*Lucas v. Alexander*, 279 U.S. 573 (1929).)

In *United States v. Rumely*, 345 U.S. 41 (1953), the Court narrowly construed a congressional resolution authorizing an investigation of "lobbying activities" so as to include only "representations made directly to the Congress, its Members, or its committees" and not all activities intending "to influence, encourage, promote or retard legislation." As a result, a contempt conviction of a purveyor of literature of a conservative persuasion was overturned.

In *United States v. Witkovich*, 353 U.S. 194 (1957), the Court interpreted section 242(d) of the Immigration and Nationality Act so as

to deny authorities the power to require an alien under a final order of deportation to furnish information except with respect to his availability for deportation. A majority of the Court believed that serious constitutional questions under the first amendment would be presented by a contrary interpretation. Since the language of section 242(d) could fairly be construed to limit the authority to request information, it did so.

Senator EASTLAND counts the votes in favor of a narrow interpretation of the statute in *Witkovich* as pro-Communist, presumably because many of the questions asked by immigration officials related to *Witkovich's* possible membership in the Communist Party and activities on behalf of the party. Such a conclusion ignores the rule of statutory construction, as illustrated by the cases discussed above, that was in fact the basis for the decision.

(b) Strict construction of penal laws: A longstanding maxim of statutory interpretation cautions judges to interpret criminal statutes strictly in order to be sure, before a person is convicted and perhaps imprisoned, that defendants are punished only for violations that they could have avoided. As Chief Justice Marshall said over a century ago, in *United States v. Wiltberger*, 5 Wheat. 76, 95 (1820):

"The rule that penal laws are to be construed strictly, is perhaps not much less old than construction itself. It is founded on the tenderness of the law for the rights of individuals; and on the plain principle that the power of punishment is vested in the legislative, not in the judicial department. It is the legislature, not the Court, which is to define a crime, and ordain its punishment."

More recently, in *United States v. Universal C.I.T. Credit Corp.*, 344 U.S. 218 (1952), involving a prosecution for violation of minimum wage, overtime, and recordkeeping provisions of the Fair Labor Standards Act, the Court reversed a conviction by applying this doctrine. The Court said (344 U.S. at 222-23):

"Very early Chief Justice Marshall told us, 'Where the mind labors to discover the design of the legislature, it seizes every thing from which aid can be derived \* \* \*.' (*United States v. Fisher*, 2 Cranch 358, 386.) Particularly is this so when we construe statutes defining conduct which entail stigma and penalties and prison. Not that penal statutes are not subject to the basic consideration that legislation like all other writings should be given, insofar as the language permits, a commonsensical meaning. But when choice has to be made between two readings of what conduct Congress has made a crime, it is appropriate, before we choose the harsher alternative, to require that Congress should have spoken in language that is clear and definite. We should not derive criminal outlawry from some ambiguous implication."

Senator EASTLAND lists among the votes labeled "pro-Communist" cases in which certain Justices employed the canon of strictly construing penal statutes. (E.g., *Yates v. United States*, 354 U.S. 298 (1957); *United States v. Fleischman*, 339 U.S. 349 (1950).) Whether or not they were correct in doing so, is a difficult question of law in each case. What is not difficult is to see that the doctrine is a confirmed part of the law of legislative interpretation; that its use is common in the Supreme Court in a wide variety of contexts; and that to brand Justices who use it in a case that happens to involve national security as voting "pro-Communist" is totally unjustified.

## II

As already has been mentioned, the proper basis for criticism of decisions of the U.S. Supreme Court is a rigorous legal and historical analysis of the cases themselves. But because Senator EASTLAND did not content

himself with making charges based on such a standard, it is necessary to go beyond the decisions and show the weakness of his allegations in other respects.

In the course of his remarks, despite certain intimations in the language employed, Senator EASTLAND at no point charged that individual members of the Supreme Court, or the Court as an institution, ever had the motive of advancing the Communist cause or weakening this country's ability to preserve its democratic form of government.

This is not surprising. To impute such motives to the men sitting on the Supreme Court would be ridiculous—tantamount to the assertion, in a wide variety of other cases, that a vote in favor of a particular result necessarily coincided with sympathy on the part of the individual Justice for the party for whom he cast his vote. Thus, to suggest a "pro-Communist" purpose to the Justices of the Court would be to make a similar charge in the following cases, among many others.

1. That the votes of Justices Black, Douglas, Murphy, and Rutledge in *Adamson v. California*, 332 U.S. 46 (1947), indicate their sympathy for murderers because they voted in favor of the position advocated by counsel for accused murderers. The real question in that case was whether the due process clause of the 14th amendment to the Constitution prohibited a State prosecutor from commenting on the fact that a criminal defendant did not take the stand to testify on his own behalf.

2. That the votes of Justices Frankfurter, Black, Reed, Douglas, Jackson, Burton, Vinson, and Clark in *Rochin v. California*, 342 U.S. 46 (1947), indicate their sympathy for narcotics peddlers because they voted in favor of the position advocated by counsel for alleged narcotics peddlers. The real question was whether the due process clause of the 14th amendment to the Constitution permitted police to obtain evidence of a narcotics violation by forcing an emetic solution through a tube inserted in a man's stomach.

3. That the votes of Justices Clark, Black, Frankfurter, Douglas, Jackson, Burton, Vinson, and Minton in *Hoffman v. United States*, 341 U.S. 479 (1951), indicate their sympathy for racketeers because they voted in favor of a position advocated by counsel for alleged racketeers. The real question was whether an individual properly declined to answer questions during a grand jury investigation on the ground that the privilege against self-incrimination of the fifth amendment to the Constitution justified the refusal.

4. That the votes of Justices Black, Douglas, Reed, and Jackson in *Beauharnais v. Illinois*, 343 U.S. 250 (1952), indicate their sympathy with racists because they voted in favor of a position taken by certain avowed racists. The real question was whether the liberty of speech and of the press guaranteed as against the States by the due process clause of the 14th amendment to the Constitution prohibited a conviction for portraying "depravity, criminality, unchastity, or lack of virtue of citizens of the Negro race."

5. That the votes of Justices Douglas, Black, Reed, Burton, and Vinson in *Terminiello v. Chicago*, 337 U.S. 1 (1949), indicate their sympathy with Nazis because they voted in favor of a position taken by a Nazi sympathizer. The real question again involved the scope of the protection offered, even to words calculated to invite sharp dispute and anger, by the free speech guarantees of the Constitution.

6. That the votes of Justices Douglas and Black in *Hannah v. Larche*, 363 U.S. 420 (1960), indicate their sympathy with segregationists because they voted in favor of a position restricting investigative rights of the U.S. Commission on Civil Rights. The real question was whether rules of procedure of the Commission which denied to persons

against whom complaints have been filed the right of cross-examination of witnesses are consistent with the protection offered by the due process clause of the fifth amendment to the Constitution.

It is no more bizarre to suggest that the present and past Justices of the Supreme Court sympathized with the causes of the parties in the above cases than to make the same suggestion in cases involving national security. Accordingly, it should be no surprise that Senator EASTLAND refrained from charging that members of the Court were purposefully advancing the cause of communism by their votes in the cases he selected.

## III

If Senator EASTLAND did not mean to accuse the Supreme Court of lending conscious aid to enemies of the United States, then he meant that the effect of the Court decisions and the votes of individual Justices aided communism. This must be taken as the heart of the Senator's charges, and it is this that deserves response and refutation.

This position, when analyzed, discloses a particular attitude toward two distinct and important matters of government: (1) the function of the Supreme Court of the United States, including the proper basis for criticism of its rulings, and (2) the nature of the constitutional democracy known as the United States of America. On both issues the view expressed by Senator EASTLAND is subject to severe criticism.

### A. The Supreme Court

At the outset, let it be made clear that the Supreme Court should no more be immune from criticism than any other governmental organization in a functioning democracy. Such criticism is vital if institutions are to reflect the general will of the people. But not all criticism stands on an equal footing, and the charges leveled by Senator EASTLAND neither fairly assess the work of the Court nor make any contribution to its improvement.

Senator EASTLAND evaluates decisions of the Supreme Court according to their result and in so doing considers only one criterion—whether the decision is "pro-Communist" or "anti-Communist." Prof. Robert Girard has said that such epithets, like the label "pro-Communist," "signify nothing more than that their author either agrees or does not agree with a particular decision or group of decisions by the Court. If he thinks the Court should not have interfered as it did, then you have 'judicial legislation' or, even worse, 'judicial usurpation,' depending upon the intensity of the author's conviction. If the Court should have stepped in when it did not, the result is 'judicial abnegation.' On the other hand, if the Court's response meets his fancy, then you are blessed with 'judicial restraint' or 'judicial statesmanship.'" (Girard, Book Review, 11 Stan. L. Rev. 800, 804 (1959).)

Prof. Henry M. Hart has pungently parodied the kind of result-oriented criticism that Senator EASTLAND has engaged in, "One up (or one down) for subversion," "one up (or one down) for civil liberties." (Hart, foreword: "The Time Chart of the Justices," 73 Harv. L. Rev. 84, 125 (1959).)

This kind of criticism, like the accusations of Senator EASTLAND, is known as "result-oriented" to students of the Supreme Court. It is unfair and narrow. It ignores the law governing a particular legal or constitutional issue, or the reasoning by which a particular result is reached.

But before a ruling of the Supreme Court can be properly evaluated, it is necessary to know more than which side won. It is necessary to study the facts and the law governing a particular controversy, including the arguments prepared by counsel versed in the case. A proper respect for the Court requires such candid recognition of the com-

peting legal claims and constitutional values. Proper criticism takes account of this, and judges the Court according to professional standards appropriate to its work.

Once again, it must be repeated, the Supreme Court does not and should not stand above criticism. But the criticism must be intelligent and discriminating, fitting to the high function of our highest Court. Perhaps the true standard for critics of the Court should be the same as that to which we expect the Justices themselves to adhere. In the words of Dean Griswold of Harvard Law School:

"It is a process requiring great intellectual power, an open and inquiring and resourceful mind, and often courage, especially intellectual courage, and the power to rise above oneself. Even more than intellectual acumen, it requires intellectual detachment and disinterestedness, rare qualities approached only through constant awareness of their elusiveness, and constant striving to attain them." (Griswold, foreword: "Of Time and Attitudes," 74 Harv. L. Rev. 81, 94 (1960).)

Senator EASTLAND's criticism surely does not measure up to this exacting and high standard.

#### B. Constitutional philosophy

As already mentioned, the sole guide to Supreme Court decisions, according to Senator EASTLAND, is whether the ruling is or is not "pro-Communist." The fallaciousness of this standard as a means of judging the work of the Supreme Court has already been discussed. This portion of the memorandum will deal with some implications of this standard for our constitutional democracy.

In almost every case cited by Senator EASTLAND, an individual, several individuals, or an organization was asserting a claim under the Constitution of the United States. In some of these cases the claim was accepted by the Court, on other occasions it was rejected. Senator EASTLAND's view is that when the claim was recognized by a Justice, his vote was "pro-Communist." This is an incorrect and dangerous attitude in terms of the high purposes of the Constitution and the Bill of Rights.

Why should not a vote in favor of a constitutional claim be counted "pro-American" rather than "pro-Communist"? Do not such votes serve to extend the liberties protected by the Constitution? Why could it not be said, with fervor at least equal to that of Senator EASTLAND's, that when a vote is cast in favor of freedom of speech or of the press or of religion, or to protect individuals against unwarranted searches of their homes or person, or to assure criminal defendants a fair trial, or to invalidate governmental action that discriminates on the basis of race, creed, or color, that the Justice is fulfilling the high trust imposed upon him by his oath to "uphold the Constitution of the United States"?

The precedent for this view, contrary to Senator EASTLAND's, is long and weighty. The principal architect of the Constitution, James Madison, said in the very first Congress that "independent tribunals of justice will consider themselves in a peculiar manner the guardians of these rights." (1 Annals of Congress 439 (1789).) Madison was speaking of rights guaranteed to the people by the Bill of Rights.

The decisive importance to this country of the freedoms guaranteed by the Bill of Rights can be illustrated by taking two brief excerpts from talks recently delivered by members of the Harvard Law School faculty to audiences abroad in which they described the essence of the American system. Senator EASTLAND's chart includes different types of cases involving the Bill of Rights; a high proportion of them dealt with freedom of speech and the rights of those accused of crime. Prof. Livingston Hall had this to say about the rights of the accused:

"\* \* \* Our traditional and cultural heritage of due process of law has greatly inspired and influenced the lives and activities of the millions of individuals, living and dead, who have made up Anglo-American society. Rules of criminal procedure which treat human beings as individuals, and hold each one individually responsible only for his own acts, leave them free to go about their business, secure in the knowledge that they will not be unjustly punished by the State. This has had a great effect in releasing their energy for productive and imaginative ends." (Talks on American Law, 68-69 (Berman ed. 1961).)

And, in discussing the pivotal right of free expression, Prof. Roger Fisher said:

"Fundamental among the purposes of the first amendment is the role of free expression in the democratic process. Free expression is a means of developing public opinion. Free expression is an aid to an intelligent choice. And free expression provides an opportunity to make a choice. New and better ideas are most likely to be developed in a community which allows free discussion of any ideas. Without discussion who can be sure which ideas are right and which ideas are wrong? Finally, freedom of expression serves as an outlet for resentments and hostilities that otherwise might find more dangerous expression." (Talks on American Law, 88-89 (Berman ed. 1961).)

A particularly moving statement of the enduring value of the freedoms guaranteed by the Constitution has been made by Prof. Charles Black of the Yale Law School. It capsulizes the reasons for believing that decisions of the Supreme Court and votes by individual Justices in favor of enforcing the provisions of the Bill of Rights are patriotic in the most meaningful sense. "Consider the place of these phrases 'equal protection,' 'freedom of speech,' and the rest in the moral life of our Nation. They state our highest aspirations. They are our political reason for being; they are the things we talk about when we would persuade ourselves or others that our country deserves well of history, deserves to be rallied to in its present struggle with a system in which 'freedom of speech' is freedom to say what is welcome to authority, and 'equal protection' is the equality of the cemetery. Surely such words, standing where they do and serving such a function, are to be construed with the utmost breadth." (Black, "Old and New Ways in Judicial Review," Bowdoin College Bulletin No. 328, p. 11 (1958).)

As wholeheartedly as one may subscribe to the above views, it is well to recall that they do not decide concrete cases. To decide properly, as has been emphasized above, one must study and reflect upon the law, the facts, and the contentions of the parties.

The point here is different, but no less important. It is that Senator EASTLAND's methodology deprecates the constitutional protections that all Americans enjoy. It is impossible to accept the facile label "pro-Communist" without recognizing that the Senator includes within that definition Supreme Court decisions and votes of individual Justices that enforce the Bill of Rights—decisions and votes that do not seem alien to our heritage, but, on the contrary, are in the finest American tradition.

The attack by Senator EASTLAND on the Supreme Court and its members has now been analyzed from several points of view. It has been shown that there is no basis for any possible claim that in their rulings the Justices were motivated by sympathy for communism. It has also been shown that the criterion employed by Senator EASTLAND in evaluating the work of the Supreme Court ("pro-Communist" or "anti-Communist" decisions) has no validity in terms of the Court's complex constitutional role. Finally, examination of a sample of cases indicates that the Court's rulings rest on solid ground. Accordingly, it must be concluded that Sena-

tor EASTLAND's charges totally lack foundation.

Mr. JAVITS. I may add that I called to the attention of the office of the Senator from Mississippi [Mr. EASTLAND] the fact that I would make these remarks on the floor, and undoubtedly they will have the Senator's attention.

#### INTRODUCTION OF URBAN RE-NEWAL RELOCATION BILL

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill to amend title I of the Housing Act of 1949 to increase the maximum amount of relocation payments made to commercial tenants displaced by urban renewal projects. I hope that the agencies involved will begin their study and evaluation of this proposal before the beginning of the next Congress. The bill deals with a major problem in urban renewal which has remained unresolved since its inception; compensation for the loss of good will built up by small businessmen over years in one location. Under the bill, payment would be equal to one-half the average annual net taxable income realized from the operation of the business during 3 years prior to the date of displacement. Two limitations are imposed upon such payments: First, the business concern must have been continuously located in the urban renewal area for 3 consecutive years prior to being displaced; and, second, no payment may exceed \$7,500.

Relocation assistance has been a part of the urban renewal program since 1956 in a form which compensates business tenants for such costs as moving expenses and fixtures which are lost. My amendment to the 1961 Housing Act resulted in removing the maximum limitation of \$3,000 upon such costs, which was too low. I am most gratified that as of yesterday, as a provision of the Highway Act of 1962, a comparable provision for tenant relocation for both individual and commercial tenants, the result of a long campaign on my part, was accepted by both Houses of Congress.

However, a vital problem remains for many small businesses, particularly retail establishments, whose moving expenses may be very low but whose very continued existence is dependent on re-establishing good will which the long conduct of business in one place builds up. Hence my bill. During the past year the Wall Street Journal and the New York Times both discussed this problem very effectively. I ask unanimous consent that the articles be printed in the RECORD in full at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 1, 1962]

DISPLACED BUSINESS—MANY FIRMS EVICTED BY FEDERAL PROJECTS FACE RELOCATION WOES—URBAN RENEWAL, NEW ROADS HIT SMALL STORES HARDEST; WHAT'S GOOD WILL WORTH?—CASE OF THE CHICKEN "FLICKER"  
(By Stanley W. Penn)

NEW YORK.—In a small pastry shop on Manhattan's West 96th Street, two saleswomen cheerfully wait on a handful of customers. But in a dimly lit room in the

rear, Elemer V. Vadasz, the Czech-born, 59-year-old proprietor, sits near a writing table, shaking his head gloomily. "I've been in this location for over 9 years," he says. "My wife and I worked like horses 12 to 14 hours a day to make something out of this place. Now they come and kick us out."

Mr. Vadasz' shop, Andre's Fine Pastries, is smack on the spot of a proposed 22-story apartment building, a part of an urban renewal project covering a hunk of Manhattan's West Side between 87th and 97th Streets. An estimated 360 groceries, clothing stores, drugstores and other small businesses will be forced out of the neighborhood to make way for the new buildings.

The plight of Mr. Vadasz and businessmen like him points up one of the little-realized side effects of the Federal Government's huge urban renewal program. More broadly, the cases focus attention on the laws regulating government acquisition of private property. These laws are touching an increasing number of businesses these days as the federally aided urban renewal and interstate highway programs, among others, grow in size and scope.

#### DISLOCATIONS MOUNT

From 1949 until last year, an average of 1,600 small businesses a year were forced to relocate because of the urban renewal program alone. For 1961 the figure is believed to have reached 4,000 and it is expected to continue to mount as the volume of urban renewal projects rises. No figures are available on business dislocations caused by right-of-way acquisitions for the Interstate Highway System, but property purchases account for an important share of the \$12 billion spent and \$29 billion more scheduled to be spent on the program.

There is no doubt about Government's right to take over private property for public use or purpose, even against the wishes of the owners, if it gives just compensation. This right is known as the power of eminent domain. The right resides in both State and Federal Governments, which may delegate it, as they often do, to municipalities.

In practice, however, this power is raising a number of questions of social and economic significance. Among them: Are displaced businesses adequately compensated for their property losses? Should they be compensated for goodwill, an intangible but vital ingredient in nearly all commercial undertakings? Can evicted small businesses, with limited human and financial resources, make successful transitions to new quarters? Is it an unavoidable result of urban renewal that a certain percentage of small, family-run stores—often called *momma-poppa* shops—are bound to bow to competitive stresses and pass out of existence?

One Federal Government urban renewal source estimates that between 15 and 20 percent of the small businesses displaced by redevelopment projects never reopen their doors. Concedes one city planner: "The marginal shops are lost, unfortunately. These are mostly elderly people—the small tailor, the pawnbroker, dealer in secondhand clothes, and the like."

#### MORE PROJECTS, MORE MONEY

The Urban Renewal Administration, a branch of the U.S. Housing and Home Finance Agency, says 913 redevelopment programs in 509 localities currently are planned or in execution. This compares with 650 projects in 389 places planned or in execution at this time 2 years ago. The urban renewal agency last year won from Congress a \$2 billion appropriation which it may spend as fast as it wishes—a striking contrast to the \$2 billion the Agency received through all of the past 12 years.

Title 1 of the Federal Housing Act of 1949 provides that the Agency may dispense these funds to municipalities to get rid of substandard buildings, both residential and

nonresidential, and to rehabilitate existing buildings. The cities may purchase the property to be redeveloped from the private owners, then resell it to redevelopers at a lower price. Uncle Sam makes up two-thirds to three-fourths of the cities' losses; the cities bear the remaining costs, sometimes with State help.

So far most urban renewal projects have been in blighted residential areas and the businesses displaced largely have been corner groceries, candy stores and similar small enterprises. But down-at-the-heels business districts are expected to come in for increasing redevelopment. The Urban Renewal Administration was empowered by Congress last year to spend up to 30 percent of its money to redevelop residential and business slums for predominantly industrial and commercial use. Previously, the maximum was 20 percent. "This means more opportunity to do redevelopment work in downtown areas," an Urban Renewal official says.

Besides the money an owner receives in payment when his property is taken by a government, the occupants of the premises are reimbursed for their moving expenses. But many displaced businessmen still complain that moving imposes a financial hardship on them.

The 56-year-old proprietor of a small meat shop near Yale University in New Haven, Conn., puts it this way: "I've been here 30 years and now they tell me they need my place to put up a park. Where can I go? I pay \$75 a month rent here. I can't get that sort of rent elsewhere. I'll probably have to go to work for a meat chain—if I can get a job."

Retailers, restaurateurs and others who would like to remain in their neighborhood after it has been redeveloped face an extremely difficult problem: How to survive the 2 to 5 years it usually takes from the time they must vacate their quarters until new structures have been put up.

The proprietors of Manhattan's Eldorado Pharmacy, which was forced by an urban renewal project to vacate its building at West 91st Street and Columbus Avenue, originally planned to hang on in this neighborhood. "We had a good business there and we thought we'd move across the street to a temporary location, then find a permanent spot after the area was redeveloped," recalls Mrs. Sylvia Wollan, whose husband runs the store.

But the Wollans had to change plans. "The tenants around us moved out and it became a ghost area," says Mrs. Wollan. "We were robbed twice and our insurance was canceled. One of our display windows was broken and it cost \$125 to replace it. It wasn't safe to stay in the store any longer." So the Wollans moved their business to Broadway and West 100th Street. "I don't think we'll get back half our old business," Mrs. Wollan asserts.

#### NOTHING FOR GOODWILL

The shopkeepers and other small businessmen hit hardest by urban renewal are those who rent or lease their quarters and do not share in payment for the property. Forced to get out, they receive moving expenses but often must leave behind fixtures that they have had installed. Federal law provides some compensation for this property loss, but specifies that if a displaced business claims both moving expenses and property losses, the total claim cannot exceed \$3,000. Thus, if a business' moving expenses alone total more than \$3,000, it must bear any property loss itself. In addition, the displaced businesses lose their goodwill. One retailer threatened with eviction grumbles that his "goodwill" should be worth something. Says he: "I have to find a new location, and it means new customers. In other words, I have to start all over again."

An official of one city redevelopment agency tells about a woman who runs a

rooming house in a site designated for urban renewal. "The woman rents the house," this official says, "but she had to pay \$5,000 for the business. Now we are coming along and acquiring the property. The woman is wiped out unless she can get something out of the owner. The law says we can pay only for real property."

Many observers believe the loss of small neighborhood shops is unfortunate from the social as well as personal view. "These people work long hours," comments James H. Scheuer, president of Renewal & Development Corp., a New York-based developer of urban renewal projects. "Maybe they make \$5,000 to \$6,000 a year, but it is a way of life to them. They get a feeling of satisfaction in running their own businesses. These people are a vital part of the neighborhood. When the corner druggist stays open late, for instance, he's a sort of informal policeman in the area. When you only have these big buildings, without little focal points such as drugstores or coffee shops, you create a sterile neighborhood."

Dislocation can have a good side, contends Robert B. Pease, executive director of the Urban Redevelopment Authority of Pittsburgh. "Some of these *momma* and *poppa* stores are just hanging on. In some cases, we've rescued these people from hopelessness by buying their properties."

#### CASE OF THE CHICKEN "FLICKER"

Mr. Pease tells of a chicken "flicker," who ran machines for taking feathers off chickens. "His business was falling off and he couldn't afford to keep the building he owned," Mr. Pease recalls. "We bought the building and he went off to Florida to sell candy. I'm sure he is better off. The building wasn't even sanitary."

One of the inconsistencies—inequities, some businessmen call them—in the laws governing public acquisition of private property centers on an important difference between the Federal highway and housing programs. Businesses forced by highway right-of-way acquisitions to find another site are not entitled to the moving expenses received by shops dislocated by urban renewal projects.

This difference has led to several bizarre situations. One such case: When Providence, R.I., turned a rundown section of the city into an airy industrial park not long ago, the small businesses evicted from the redeveloped area were compensated at least in part for their moving costs. At about the same time, the State of Rhode Island purchased some nearby land for an expressway planned as a link in the interstate highway system. But the small enterprises forced out by this project received nothing for moving. In some instances, only a few hundred yards separated those who were paid from those who weren't.

#### AWARENESS OF PROBLEM

The House Committee on Public Works set up a subcommittee on real property acquisition last year to study this problem. At least one State, Maryland, has acted on its own to require payment of moving expenses to a business forced out by State or city acquisition of private property. The State makes the payments.

City planners and redevelopment authorities have been showing greater awareness lately of the problems of dislocated small businesses.

Robert J. Bliss, executive director of the Hartford, Conn., redevelopment agency, says "we'd rather go slow" in relocating firms "and not have any bad public relations." Mayor Leo P. Carlin of Newark set up a Committee on Small Business Relocation Needs early last year. One of the committee's first jobs has been to help businesses being forced out of parts of the central business district in Newark.

New Haven is one city which already has aided businesses in this way. Harry Svirdoff, business relocation officer for the New Haven Redevelopment Agency, has helped nine businessmen displaced by the city's Church Street urban renewal project relocate temporarily in a one-story building in the downtown area. The building was put up with \$25,000 of city money and \$28,000 of the businessmen's money. The businessmen pay only for maintenance and insurance; when they move to permanent quarters in the redeveloped Church Street area, the city will take over the building.

Owners of properties taken by a government often must endure considerable delays before they receive their payments. In New York, for instance, the amounts paid for private property often are decided by the courts. This is because the city and property owners rarely can get together on a price. "In Manhattan, claims are so high," one source in the city government says, "we just proceed to trail in practically everything."

New York City is authorized to pay 75 percent of the assessed value of the property immediately after its acquisition. But even this often takes time. Both sides obtain appraisers and frequently there are major discrepancies in the appraisers' findings. The city must pay 4 percent interest on the difference, if any, between what it pays immediately after a property's acquisition and what it ends up paying after negotiation or litigation. However, one automotive supplier forced out of Manhattan's Lincoln Square area several years ago, complains that this interest rate is unrealistic.

"We had to put up a new and bigger building at our new site," this supplier says. "We had to borrow money to do it. We were borrowing at 5 and 6 percent interest while the city was paying us only 4 percent." This executive says it took a year and a half from the time the city acquired his property to the time it made the first payment. "And we still haven't been paid in full," he adds glumly.

Not all businessmen touched by urban renewal are unhappy over their experience, however. In New Haven's Oak Street Title I project, five displaced property owners joined forces, raised \$210,000 and built a building. They then formed a corporation, called College Plaza, to serve as landlord for the building, and, along with five "outside" businesses, rented space in the new structure. Charles J. Brown, president of the landlord corporation as well as owner of James Brown & Son, one of the tenants, says the five owner-tenants are highly pleased with the move. "Our own business, a wallpaper and paint shop, has improved continually since we moved into the new building," Mr. Brown comments.

[From the New York Times, Mar. 5, 1962]  
PROJECTS PLAGUE SMALL MERCHANT—PROBLEM OF COMPENSATION FOR RELOCATION HAS NOT YET BEEN RESOLVED

(By Martin Arnold)

What two small businessmen in two different sections of New York have to say points up one of the most serious relocation problems in the city's housing and redevelopment programs.

One says:

"I cater to people in my area. I cannot go, say, to Forest Hills with the articles I sell to East Harlem laborers."

The other says:

"Nobody is thinking about me. I'll go on home relief when they throw me out of this store. I haven't the capital to start again."

Last year a total of 1,528 commercial tenants had to be relocated from public improvement areas in the city, according to the department of real estate.

Since 1954, when the department started to keep count, 13,907 such tenants have had to move.

The vast majority of these are small merchants—delicatessen owners, grocers, drug-store owners, drycleaners and tavern keepers.

#### NATURAL ATTRITION

In addition, the Housing and Redevelopment Board estimates that natural attrition, such as the death or retirement of a shopkeeper, kills 2,000 to 2,500 more small businesses annually.

Individual cases of relocation illustrate the problem.

Michael Gimino, 45 years old, and his brother, Louis, operate a grocery at 749 Columbus Avenue, near 97th Street.

They have been in the same spot for 15 years. A butcher in the store shares the \$160 monthly rent.

It was Michael Gimino who threatened last week, not too seriously, to go on relief with his wife and two children when the West Side urban renewal program forced him out of the store.

"I've lived on this street all my life," he said. "I know everybody here and they know me. I give credit and service. The supermarkets wouldn't do this. I haven't the money to start again in a new section, and I wouldn't be able to afford the rents when this one is rebuilt."

#### CO-OP POSES PROBLEM

Stanley Unger, who owns an Army-Navy store at the corner of 107th Street and Third Avenue, is a member of the executive board of the East Harlem Merchants Association and is a director of Franklin Plaza, a city-built middle-income cooperative across the street from his shop.

Mr. Unger said that "about 200 merchants have been driven out of East Harlem by Franklin Plaza." He estimated that other projects in the East Harlem area had forced more than 2,000 such merchants to close.

"Ninety percent of them don't come back," he noted. "The problem for a shopkeeper who wants to return to the neighborhood is to survive until he can get back."

Of the 31 store sites in Franklin Plaza, the board of education has agreed to rent 7 for a kindergarten through second-grade school; the Union Dime Savings Bank has agreed to rent 6 stores and several supermarket chains are bidding for a site. Only 5 merchants of the 2,000 relocated from East Harlem are planning to come back.

#### RENTS ARE HIGHER

Merchants in the area generally pay rents of \$40 a month to \$200 a month, depending on the store size. But, Mr. Unger said, "Franklin Plaza rents start at \$200 and go up to \$500." He says these rents are too high.

For a long time, the displaced small merchant received no compensation.

But now there is a standard city compensation formula for commercial tenants moved from all city public improvement projects and a different one for tenants moved from Federal urban renewal projects.

The city's latest "commercial move-out allowance" is equal to six times the monthly rent paid, with a minimum of \$250 and a maximum of \$3,000.

In addition, the commercial tenant is allowed "fixture awards," which are agreed upon by the tenant and the city or set by a Supreme Court ruling.

The formula applies to all city improvement projects, such as housing developments, school sites, and port authority relocations. The city is totally reimbursed by the Federal Government.

On Federal urban renewal sites the situation is different. The Federal Housing Act of 1961 sets no maximum for certified, actual moving expenses.

However, if a commercial tenant claims direct loss of property or a combination of such loss and moving expenses in a Federal program, the maximum remains at \$3,000.

But nowhere is there compensation for a commercial tenant's goodwill.

"If I moved my store a few blocks away, where I didn't know the people in the area," Mr. Unger said, "I couldn't give credit to customers. My business might be ruined. This would come under goodwill. But I wouldn't be paid for that."

#### MOVING THE MERCHANDISE

He added:

"Nor are small businessmen paid for their merchandise. I might have \$30,000 worth of stuff in my store. It will sell where I am located.

"If the city were to make me move I could move the merchandise so I wouldn't be paid for it. But could I sell it, say, in Forest Hills? No. I would have to buy different items.

"This has happened to merchants forced out of East Harlem and other areas."

Herman Badillo, deputy commissioner of the real estate department, said that he simply did not know how legislation compensating for goodwill could be drawn up.

"It would have to cover every type of business," he said. "Should a man be compensated if he moves four blocks from his present site but not two? These would be the problems."

#### FACED BY RUIN

Yet nearly every official concerned agrees that in a small marginal business a man can be financially ruined by being forced to move only several blocks.

Store space in or near housing developments is offered first to former site tenants, but they seldom can afford the increased rents.

Or, if they can afford the increase and do want to return to the area, they have the problem of surviving the year or two while the new development is under construction.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3808) to amend title I of the Housing Act of 1949, to increase the maximum amount of relocation payments to be made to a business concern displaced by an urban renewal project and to provide a method for ascertaining the amount of such payments, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

#### A COMMISSION FOR THE REVISION OF FEDERAL AGRICULTURAL LAWS AND PROGRAMS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a Commission for the Revision of Federal Agricultural Laws and Programs. Of course, I am aware that nothing can be done toward the enactment of this proposal during this session of the Congress. However, I believe that its official printing at this time may engender study and discussion of the implications of such a Commission to prepare the way for speedy consideration by the next Congress.

Current agricultural programs are costing the U.S. taxpayers an annual average of \$6 billion a year. Ironically, we are asking our fellow citizens to shoulder this tremendous burden without even being able to show some hope

for its future diminution and without being able to claim that it represents anything but a year-by-year holding operation. I believe that there is no other program undertaken by the U.S. Government which meets both of these negative criteria:

First. No hope for probable termination in the future, and

Second. No current effective accomplishment except holding the line.

Mr. President, it is for this reason that we must look to a thorough reevaluation of laws and policies in this field. I do not think that the Department of Agriculture, involved as it is with political policy made by the administration and day-to-day administration of the agricultural program, can do this job. It certainly will lend its expertise to such an effort as recommended by my joint resolution.

Mr. President, in other nations there are lay commissions to do this job. We too have our precedent for special study commissions such as the Hoover Commission. We have no better means in this Nation for working toward the total national interest than the synthesis of ideas among our legislators, administrators, and those from the private economic sector. Such a synthesis is the overriding need, if we are to solve the growing problems of agriculture in the interest of national policy. I very much hope that my proposal will serve as a basis for study before the next Congress and for action next year.

#### ARMORY SHOW OF 1913—COMMEMORATIVE POSTAGE STAMPS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the original "Armory Show of 1913" held in New York City.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3809) to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the original "Armory Show of 1913" of New York City, N.Y., introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

#### CUBA—THE PERIL OF THE ANTILLES

Mr. JAVITS. Mr. President, the Communist presence in Cuba, carrying with it increasing threats to the tranquillity of the Western Hemisphere, poses for the United States problems for which ready solutions do not appear at hand. It is vital that, if we are to act with the intelligence and forthrightness required in this crisis, Americans must be informed both as to the facts and as to solutions offered. In the October 5 issue of *Life* magazine, Clare Boothe Luce, distinguished former U.S. Ambassador to Italy and formerly a member of the House Committee on Foreign Affairs, presents her exposition of the Cuban situation and offers solutions for our dilemma

there. Her article is, as is characteristic of Mrs. Luce, provocative and strong, it merits reading and consideration by all who seek to be informed on the difficulties which beset us in the Caribbean today. Mrs. Luce's article is appended hereto.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### CUBA AND THE UNFACED TRUTH—OUR GLOBAL DOUBLE BIND

(By Clare Boothe Luce)

During a nationally televised press conference a few weeks ago President Kennedy said, "I would like to \* \* \* set [the Cuban situation] in perspective." This is precisely what he has failed to do. By resting the case against intervention on a shockingly erroneous estimate of our Cuban dilemma, the President has evaded a desperately urgent task—to alert the people of this Nation to the grave dangers we face.

What are the facts?

"The President feels that Cuba is a bone in his throat." So spoke one of President Kennedy's aids soon after the abortive invasion of the Bay of Pigs. Since then the obstruction in the Presidential gullet has become a large bone of national and international contention. How did it get stuck there in the first place? How big and how dangerous is it? Can it be dislodged short of war?

The President naturally wants to keep these awkward questions out of this fall's congressional elections. But the failure to ask them and to answer them is fraught with danger to the Nation.

Castro began as a bone in the throat of the Eisenhower administration 4 years ago. Two years later, Candidate Kennedy did his eloquent best to get Mr. Nixon to "strangle" on it. Picking the decline of American safety and prestige as his theme, Kennedy pointed to the rise of Castro as prime evidence that "our security and leadership are both slipping away." His Cuban policy was to "let the Cuban people know our determination that they will someday again be free," to "let Mr. Khrushchev know that we are permitting no expansion of his foothold in our hemisphere," and especially to "end the harassment \* \* \* of liberty-loving anti-Castro forces in Cuba and in other lands. Thus far," Candidate Kennedy said, "these fighters for freedom have had virtually no support from our Government. Hopefully," he said, "events may once again bring us an opportunity to [act] on behalf of the cause of freedom in Cuba."

Hopefully, events did bring the newly elected President this opportunity. In April 1961 President Kennedy authorized the Cuban invasion. But at the last and fateful hour he ordered the withdrawal of decisive U.S. air support, abandoning 1,400 "liberty-loving anti-Castro fighters for freedom" to Castro's tanks, jails and firing squads. His profile in courage turned into a profile of indecision.

In 1960, addressing himself to the military aspect of the Cuban situation, Senator Kennedy said, "I think Castro is a source of maximum danger. \* \* \* A Communist menace \* \* \* has been permitted to arise under our very noses, only 90 miles from our shores. \* \* \* [Castro's] transformation of Cuba into a Communist base of operations \* \* \* by jetplane, missile or submarine \* \* \* is an incredibly dangerous development." Thus, he warned, "the whole Western Hemisphere security system is drastically threatened."

Today President Kennedy says, "Rash talk is cheap, particularly on the part of those who do not have the responsibility [for decision]." Referring to Soviet shipments to Cuba, the President now says that these "do not constitute a serious threat to any other

part of this hemisphere." He strongly denies that the Communist buildup is such as "to endanger or interfere with our security," or that Cuba is "an offensive military base of significant capacity."

Why is President Kennedy so relatively calm today?

The President and his advisers have constantly failed to understand that the same ideological, political and military necessities which make it essential for the United States to maintain Berlin as a "showcase of democracy" on Russia's border are operating today from Moscow, to maintain Cuba as a "showcase of communism" on our shores.

Castro's Cuba, still only 90 miles off our shores, has the second strongest ground army in our hemisphere. Estimated at 400,000 men, including militia, it has received, since the failure of the invasion, over \$175 million in military aid and supplies from Communist-bloc countries. Communist-made jeeps, jets, tanks, radar, and electronic equipment are almost daily arrivals in Cuban harbors. According to the State Department and intelligence reports, 4,500 Russian soldiers, sailors, and technicians are in Cuba helping Castro. They are training new pilots, ground crews, and artillery men. Just last week Castro announced construction of a 12-million-peso fishing port on the Cuban coast for use by the Russians. Sites for guided missiles and rockets and bases for submarines and submarine detection are possible. Cuba will be capable of inflicting great damage on the U.S. naval installation at Guantanamo. And behind these beefed-up forces stands the U.S.S.R., openly pledged to support them, with its atomic power if necessary.

The bitter truth is that Cuba today is a far more effective base of Communist activity than it was 2 years ago. It is now a bustling, well-organized jumping-off point into all its neighboring countries for Spanish-speaking spies, provocateurs, propagandists, and secret military agents. (Many of them, according to intelligence sources, have been operating among Cuban refugees and Puerto Rican citizens here in the United States.)

Mr. Kennedy indicates that his hopes of a peaceful solution of the Castro problem lie partially in the deterioration of the Cuban political and economic situation. Dangling the prospect of a convenient collapse before this Nation's eyes, he says, "Castro [is] in trouble. \* \* \* His own followers are beginning to see that their revolution has been betrayed."

What are the chances of a successful rebellion by Castro's disillusioned people? His unpopularity with a great section of his populace can no longer be questioned. But the unjailed remnants of the Cuban underground today no longer have the means or the will to challenge Castro's Soviet-armed firing squads. Like the Hungarians before them, the Cuban people have learned the bitter lesson of resistance: that Soviet Russia will spring to the aid of Soviet dictators wherever they may be, but the United States will not always go to the aid of men fighting for their freedom.

Meanwhile, the rising generation in Cuba is being vigorously indoctrinated with anti-democratic, anti-United States and pro-Russian ideas. It is being taught to think of itself as the vanguard of the Communist liberation in the Western Hemisphere.

Radio Cuba broadcasts around the clock to all the Latin American nations. Their underprivileged masses are told that their economic and political freedom depends on booting out all pro-U.S. politicians, and elevating public officials who stand ready to join the dynamic ranks of Communist republics, which now, because of Castro, can truthfully be said to girdle the globe.

The United States, Radio Cuba claims, is lending billions of economic aid to its south-

ern neighbors for one reason only: fear of Khrushchev and Castro. American aid, it warns, will die on the vine the day Castro is defeated. The argument is a powerful one. Probably all Latin American governments view Castro and communism at least in part as a dollar-generating program. It would explain why even pro-U.S. leaders are reluctant to take action against him or their own domestic Communists.

President Kennedy has said that "monumental economic mismanagement, supplemented by our refusal to trade with [Castro] has crumbled" the Cuban economy. This seems to suggest the hope that the regime will collapse of its own weight and thereby discredit communism.

How justified is that hope?

There is no question that in the last few years living standards under Castro have deteriorated appallingly—as they have under Walter Ulbricht in East Berlin and Janos Kadar in Hungary. In 1959, Cuban exports were \$675 million and imports \$740 million; today, exports are \$320 million, imports \$350 million. Roughly, Cuba has lost one-half of her world trade. Castro would indeed be ousted by his own people by now—except for one all-important fact: Kremlin support. When Castro came to power in 1959, 80 percent of Cuba's trade was with the United States. Today, 85 percent is with the Communist-bloc countries.

Today Castro and his country are in total lock to Moscow. If Castro should balk at this, or in any other way become a liability or nuisance, the Kremlin will quickly dispose of him.

President Eisenhower is quoted as having said recently that he had heard the term "peaceful blockade" but he didn't know what the term meant. A naval blockade, if it is to succeed, must be continuously maintained and enforced on vessels of all flags. Allied and neutral, no less than "enemy," vessels must be intercepted and cargoes dumped or returned to home ports. International law defines such a blockade as "an act of war carried out by the warships of a belligerent detailed to prevent access or departure from a defined part of the enemy's coast."

Americans will remember that Kaiser Bill's harassment of American shipping in 1917 was construed by Woodrow Wilson as an act of war on the part of Germany against the "neutral" United States. A naval blockade led directly to our entrance into World War I. Consequently, the establishment of a formal U.S. naval blockade against Cuba could be construed as an act of war by any nation whose vessel is so intercepted. It is, of course, reasonable to assume that however much a naval blockade against our allies would gum up our relations with them, they would not war against America for turning back their Cuba-bound trade vessels. What is certain is that Cuba would declare a naval blockade to be an act of war, and that the U.S.S.R. would endorse that declaration.

Thus, putting the Cuban situation in its true perspective would require the President to make an excruciatingly painful admission: That the failure to carry through the Cuban invasion in April 1961 has already had dangerous, and perhaps disastrous, consequences for American global policies. No peaceful action that the United States can presently take can be counted on to end the Soviet buildup in Cuba.

Whatever usefulness or validity the historic Monroe Doctrine may have had before the invasion, the failure of that invasion and subsequent events would seem to have destroyed them. The doctrine, proclaimed by President James Monroe on December 2, 1823, warned the European powers that "we should consider any attempt . . . to extend their system to any portion of this hemisphere as dangerous to our peace and safety." (It is an irony of history that what inspired this doctrine was the attempt of Imperial Russia

to penetrate "peacefully" into the American Northwest.)

By April of 1961, Castro was openly under the Soviet wing. Mr. Kennedy gave the invasion go-light even though OAS approval had not been secured. But when he withdrew U.S. air support at the last moment, one reason apparently was his consideration for the multilateral concept of the Monroe Doctrine.

Despite such lipservice to the Monroe Doctrine, the President (currently using the voice of Senator HUBERT HUMPHREY) now wishes to supplant it with the "Kennedy doctrine." What is the Kennedy doctrine?

An analysis of the President's hard-core position on Cuba shows it to be this: The United States will not initiate any military action against a peaceful extension of Soviet power in our hemisphere, or a defensive Soviet military buildup in Cuba, but it will consider an offensive buildup to be dangerous to our safety. And, in the event of an armed attack by satellite Cuba against the United States or any of its neighbors, the United States is determined not to wait for other OAS nations to take action—it will unilaterally counterattack the attackers.

Upon even closer examination, this Kennedy doctrine looks quite familiar. And so it is. The Kennedy doctrine proves to be the 15-year-old Truman-Eisenhower doctrine, designed to contain Soviet Russia in areas outside the American hemisphere. The essential feature of that doctrine is, and always has been, nonaggression while maintaining the military capacity to retaliate in kind against Communist military initiatives. It incorporates the military tit-for-tat or retaliation principle—the ultimate tit-for-tat being, of course, massive retaliation. The rationale behind the doctrine of containment was the realistic acceptance of the European satellite states as legitimate zones of Russian concern and influence. Stripped of its double-talk, the Kennedy doctrine plunks for the application of this old Truman-Eisenhower containment doctrine to our own hemisphere. Apparently so long as the U.S.S.R. does not use Cuba as an offensive base, it is now to be considered as a legitimate zone of Russian power.

So, the United States has now been placed in a global double bind. If the United States should intervene in Cuba, it must do so at the risk of exposing all its military bases and positions in Europe, the Near East, and Asia to the threat of Russian or Communist flanking attacks. But, if it does not intervene and should serious trouble—short of ultimate nuclear war—begin in Berlin, Turkey, Iran, Laos, Vietnam, Formosa, or Korea, the United States now risks exposing the Western Hemisphere not only to constant Soviet reconnaissance but also to flanking attacks from Cuba.

The United States is now faced with two dismaying alternatives: to challenge Russian power in our hemisphere now, at the risk of war breaking out on other global fronts and (unless diplomatic concessions are made quickly there) escalating into world war III; or to sit and wait while Soviet military power is consolidated in our hemisphere, with the very real possibility that communism will take over large areas of Latin America.

It is in this grim global perspective that the people of this Nation must now debate the question of whether or not intervention is "required or justified" in Cuba. In concealing the extent of our dilemma, the President is denying the citizens of this Nation the right of a free people to debate crucial national issues with all the relevant facts before them. Short-range political astuteness may indicate the need to play down the size of the present crisis. But long-range statesmanship solemnly demands that the truth be told.

What is now at stake in the decision for intervention or nonintervention in Cuba is the question not only of American prestige

but of American survival. If the decision is not to intervene, then that means the United States accepts the existence of Soviet military and political power in the Western Hemisphere. Postponing the decision to intervene will not make it any easier. The same arguments which are used against intervention today could and would be used when Russia has control of half a dozen hemisphere countries. If the United States deems that Russian military power in this hemisphere is intolerable, it would be the part of wisdom to say so clearly now, and to act accordingly. The vast majority of the American people, including most of the President's critics and opponents, will support the President when he takes action.

#### THE TIME IS NOW

Mr. JAVITS. Mr. President, we are quite used to the war correspondents of the great dailies and wire services traveling to the world's trouble spots to cover a story. The Negro community of New York had the opportunity of receiving such on-the-spot coverage when one of its own, Mr. James L. Hicks, executive editor of the New York Amsterdam News went to Oxford, Miss., to report on the recent unfortunate developments there.

Subsequent to his return Mr. Hicks has written a challenging editorial which merits, I feel, general attention. His challenge is constructive, a plea for understanding, and indicative of his mature philosophy that the solution for wrongs is to right them, not to compound them with further acrimony. The editorial is appended hereto.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### THE TIME IS NOW

Student bodies of universities all over the world are generally in the forefront of the most forward-looking steps taken in any nation.

Wherever we have had great reform in industry we have had student bodies, the illegals, if you please, in the forefront of such movements.

And in thinking of this we can't help but note what a great opportunity the students at Mississippi University had to launch, initiate or join in a southward movement that could quickly bring about the end of such bigotry and foolishness as we have seen recently evidenced in the James H. Meredith case.

What a golden opportunity for the president of the Student Council at the University of Mississippi to be able to start a movement on his own campus that would bring about the complete acceptance of James H. Meredith as a "black rebel" student, the first in the 114 year history of Ole Miss.

Such acceptance of Meredith's admission at Ole Miss is as certain to eventually follow as the day follows the night. It's only a matter of time.

But how wonderful it would be—what great stature the student body of Ole Miss could rise to if the students themselves would today take the situation by the horns, dash silly tradition and say to themselves that time must be "now."

#### VOTING PROCEDURE IN UNITED NATIONS

Mr. JAVITS. Mr. President, I have received from the Assistant Secretary of State in Charge of United Nations Affairs Harlan Cleveland, a pertinent letter which clarifies a point made by me in debate, in which I said that a nation

which, following decisions of the International Court of Justice, fails to pay its current U.N. assessment for 2 years will not automatically lose its right to vote in the General Assembly, but that that right must be denied to it by a vote of the General Assembly.

The Department of State takes the view that that is not so; that delinquent states automatically lose their right to vote if they are more than 2 years in arrears, and that this point may be made on a simple point of order to the President of the General Assembly.

I think this statement is so important that, with the permission of the Department of State, I ask unanimous consent that the letter dated September 28, 1962, may be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 28, 1962.

We are taking the position in the General Assembly that the denial of the right to vote is automatic whenever a country is more than 2 years in arrears.

Article 19 simply says that: "A member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years."

The U.S. view, which we have been promoting with other countries, is that this language is fully automatic. As a matter of fact, no country has ever been in the condition described in the sentence I have just quoted from article 19—but several countries paid up part of their arrears shortly before the current General Assembly, to avoid being the guinea pigs under this article. But when and if the conditions do arise, we believe the President of the General Assembly would simply declare that the country in question would not be made a part of the next rollcall or would skip the country's name in calling the roll. (There is precedent for this in other international organizations that have similar "loss of vote" articles.)

That ruling could no doubt be challenged and, if so, would go to a general vote of the General Assembly. Moreover, article 19 also provides that the General Assembly may "permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member."

Both the appeal from a ruling by the Chair or an appeal to be excused from the sanction in article 19 on grounds of hardship would require affirmative action by the General Assembly. But the denial of the vote, as such, should be fully automatic.

I mention this because I think it is important that other nations not derive the impression that there is argument in this country among supporters of the United Nations as to whether article 19 would be automatically applied or not. I'm sure you will appreciate the importance of this in the context of the discussions to be held—by Ambassador Klutznick and one of your colleagues, Senator ALLOTT—in the Fifth Committee of the 17th General Assembly this fall.

Warmest regards.

Sincerely,

HARLAN CLEVELAND,  
Assistant Secretary.

#### THE WORLD GROWS UP—AND SO DO WE

Mr. JAVITS. Mr. President, in the New York Times of this morning there

is a news story which can give us at least a little hope that the tragic events in Mississippi have added to the sum total of human understanding. As Mr. Meredith was reported to have said after his registration at the university, it was "not a happy occasion." Yet it was an occasion at which principle, law, and, above all, morality prevailed in the face of an enemy—man's blind fear and hatred of some of his fellows—who has throughout human history compiled a deplorable record of victories.

The news story to which I refer deals with the reaction of those countries to the events in Mississippi, which have an overriding interest in our Nation's policies with respect to its own nonwhite citizens. Those countries with a nonwhite citizenry of their own are not unaware of the problems they themselves must solve—but in seeking guidance to the solution of these problems they look with great care on the actions of those who are leaders in the world. I believe that our national implementation of the law, in upholding the right of a qualified citizen to an opportunity to receive an education, was vital proof of the sincerity of our public protestations.

Mr. President, I believe also that the favorable reaction cited in this story gives proof of how close to disaster, in terms of our moral standing and our self-respect, we stood last week—and that it gives proof that our cherished way of life can only survive if it lives up to its own standards. I ask unanimous consent to have the news story printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### U.S. RACIAL ACTION PRAISED IN AFRICA—FIRM HANDLING OF MISSISSIPPI CRISIS SAID TO HAVE MADE A FAVORABLE IMPRESSION

(By David Binder)

WASHINGTON, October 11.—The Federal Government's firm handling of the Mississippi crisis has made favorable impression in Africa, according to information available here.

At the height of the crisis, when U.S. troops and Federal marshals were dispatched to the University of Mississippi to back the registration of a Negro student, James H. Meredith, the President of Mali, Modibo Keita, cabled President Kennedy his congratulations for acting decisively.

Mr. Keita's government has developed strong ties to the Soviet bloc in recent months, so the cable, dated October 1, was viewed here with surprise and pleasure.

#### REACTION A SURPRISE

Mr. Kennedy wired his thanks to the Mali leader last October 3.

At the same time, it was reported that Guinean political leaders reacted with similar approval of the Federal actions in Mississippi.

Rather than deplore the segregationist attitudes of some southerners, which the Guineans knew existed, they are quoted as saying, in effect: "What country in the world would mobilize a whole army to get a Negro student into college?"

These impressions contrast with the expectations of some observers here, who thought that the Mississippi crisis would be regarded as new evidence of racism in the United States.

Qualified observers in Washington declare they are quite pleased with this country's performance in African nations as compared with that of the Soviet bloc.

In Guinea, for example, official doors that were once closed to Americans and open to Russians are now said to be somewhat more ajar for U.S. diplomats.

The prime cause for this change is said to be the so-called Communist plot uncovered in Conakry last December that led to the ouster of the Russian Ambassador.

#### RUSSIAN FAUX PAS

But U.S. sources contend that the poor performance of Soviet aid and development programs, as well as the ungratifying behavior of Russian technicians, contributed to the wave of Communist influence in Guinea.

American sources contend the Russians committed several faux pas. Once they backslapped Guinean mining officials, calling them "comrade" and using the familiar "tu" (you) in French, rather than the more formal "vous."

The Guineans, it was asserted, resented this familiarity. Soviet officials are said to have shunned contacts with ordinary Guineans. Some natives, it was said, suspect them of snobbery and racist sentiments.

On the other hand, the Americans assert, G. Mennen Williams, Assistant Secretary of State for African Affairs, who is a backslapper with the best of them, immediately achieved rapport with Guinean leaders, including President Sekou Toure, during a recent visit.

The difference, according to observers, was that Mr. Williams knew his "tu" from his "vous" and demonstrated appreciation for Guinean sophistication in political affairs.

The list of recent American gains and Russian setbacks in Guinea, attested to by U.S. sources, is a long one.

It includes such items as the ouster of about 60 French Communist teachers along with the Russian Ambassador; the padlocking of a Communist book store that had been distributing propaganda; enactment of a law guaranteeing foreign investments; the joining of the International Monetary Fund; an invitation to the Peace Corps; and votes against the Soviet bloc in the United Nations.

#### YOUTH OF ALL NATIONS

Mr. JAVITS. Mr. President, I have recently received a letter from Miss Eugenia Barton, a young lady in her senior year at Cornell University, telling me of the organization, Youth of All Nations, Inc., YOAN for short. YOAN has established a correspondence exchange between young people throughout the world to introduce individual citizens of the United States to those of other countries. Each participant in the program makes a formal application to YOAN, which includes pertinent background information about his hobbies, education, and language abilities.

Miss Barton has described to me the value which 4 years of such corresponding with young people in other countries has meant to her. I wish to call this to the attention of my colleagues in the Senate, because I believe that it is through such programs which facilitate the frank exchange of ideas by our youth that the people of this world may eventually find a wider and deeper understanding to help us to live together and work together.

I ask unanimous consent that Miss Barton's letter be inserted in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR JAVITS: I am studying international relations at Cornell University, where I am a senior. This summer I have

been working as a guide at the United Nations. (Incidentally, because I speak Russian fluently, I have been assigned to guide some visiting Russians, too.)

This letter concerns an organization to which I have belonged for 4 years—Youth of All Nations, Inc., YOAN for short, located at 16 St. Luke's Place, New York, N.Y. YOAN's purpose is to acquaint young people all over the world with each other through carefully arranged personal correspondence. However, it is not a simple addresses exchange, but prospective members must first answer questions about their schooling, ambitions, hobbies, knowledge of foreign languages, etc. Then, they are introduced to someone in another country with similar interests. The program is primarily aimed at college age students and more serious teenagers rather than young children.

Members of YOAN also receive the organization's magazine, called Mirror for Youth, to which they contribute their experiences and ideas, and share their letters; for, of course, no one member can possibly correspond with all countries.

I cannot express how much membership in YOAN has benefited me. Not only has my international understanding increased, but now I have good friends in Italy and Sweden, and I am just beginning correspondence with members in Spain and South Vietnam. We exchange viewpoints, political ideas, local news, experiences, etc. I am also learning why our culture and politics are sometimes criticized, and why certain misunderstandings about Americans might arise.

My friends who belong to YOAN also think very highly of it. The organization is nonprofit, nonsectarian, and nonpartisan, and is headed by Miss Clara Leiser, its founder. Its work should be made more widely known and it should also be better supported, because it has been doing an excellent job in increasing international understanding. The young people who belong to YOAN are usually the more articulate elements of their societies and in a few years they will be the leaders. If they can be helped to understand the same generation in other areas of the world, then much is being done to help peace.

Do you think it would be possible for you to include something about YOAN in your reports to your constituents? in print or by radio-TV? If you will do this, please ask interested persons aged 14 to 24 to send a self-addressed, stamped envelope, and 10 cents (for handling costs) to Youth of All Nations, 16 St. Luke's Place, New York 14, N.Y. If you wish more information, please contact Miss Leiser or me. The YOAN telephone number is Watkins 4-1368.

Thank you very much.

Respectfully yours,

EUGENIA BARTON.

#### SARATOGA BATTLEFIELD NATIONAL PARK AND CEMETERY

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution I have received from the board of supervisors of Schenectady County, N.Y., with reference to the need for a third battlefield cemetery in that area.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

##### RESOLUTION 141

Resolution on Saratoga Battlefield National Park National Cemetery urged

Whereas Federal authorities have determined there is a need for an additional national cemetery in New York State to meet the growing demands for burial space for our honored veterans; and

Whereas the two existing national cemeteries are located at Elmira and Farmingdale—both approximately 200 miles from Schenectady County; and

Whereas it would seem logical to establish a third national cemetery in the immediate area; and

Whereas facilities and space are now available at the Saratoga Battlefield National Park as a memorial site that would lend dignity and prestige to such a cemetery: Now, therefore, be it

Resolved, That the Schenectady County Board of Supervisors give its full support and approval of efforts now being made by the Schenectady County Committee of the American Legion to establish a national cemetery at Saratoga Battlefield National Park; and be it further

Resolved, That copies of this resolution be transmitted to our congressional representatives in Washington and the Schenectady County American Legion.

#### PROPOSED FEDERAL CONSOLIDATED BALANCE SHEET

Mr. MORSE. Mr. President, as a longtime supporter of a Federal capital budget I was delighted to read in a recent column by the former administration's Bureau of the Budget chief, Maurice Stans, a suggestion that the Federal budget provide a consolidated balance sheet listing the Government's assets and liabilities, in addition to the customary cash-in and cash-out statement.

Mr. Stans correctly points out that the taxpayer would like to know how much the Government has invested in "loans, stockpiles, securities, farm products, foreign currencies, working funds, public buildings, Government-owned corporations, and so on."

If such a balance sheet were prepared, it would indicate the extent of Federal investment in the Federal power program, together with the handsome return which the U.S. Treasury is earning on this investment. In fact, such a balance sheet might prevent Mr. Stans and the private power companies from parroting endlessly the line about how much the Federal power program allegedly costs the taxpayers.

Mr. Stans, in another column published in the Washington Post on September 30, carried this unsupported charge, and others, to ridiculous lengths. He contended that if only the private power companies did not have to pay taxes, they could reduce rates by 25 percent and thus remove the only advantage of "federalized power" which he equates with "industrial socialism and higher taxes." I ask unanimous consent to have Mr. Stans' column of that date printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

##### 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 on to 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 it 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. MORSE. Mr. President, demonstrating once again the vast ignorance of the Nation's resource development program which characterized the thinking of the no-new-starters in the Eisenhower administration, Mr. Stans proceeded in his September 30 column to trot out all of the old cliches of the power company propagandists. I have taken a few of the most flagrant distortions and prepared a point-by-point rebuttal, for the illumination of Senators who may have read the column, or who have seen recent advertisements of the electric companies' advertising program.

#### CONSUMERS PAY TAXES OF PRIVATE UTILITIES

Mr. Stans says that the private power companies paid \$2.4 billion in Federal, State, and local taxes last year, and that if they did not have to pay these taxes they could reduce electric rates by about one fourth.

This is what happens in areas where Federal power systems operate, like TVA and others—

Mr. Stans said.

They do have low electricity rates.

Supposing we did relieve the power companies of the obligation to pay taxes—which they do not really "pay" at all, but merely tack onto the consumer's electric bill. Could we expect them to pass these savings along to consumers?

The power companies have been enjoying spectacular tax benefits in recent years, yet the Federal Power Commission's annual report on residential electric bills indicates that electric rates continue to go up. By the end of 1962, private power companies will have piled up an estimated \$1.7 billion in tax savings from the fast tax writeoff and liberalized depreciation provisions of the 1954 tax laws.

That was one of the Republican administration's greatest giveaways to the vested interests of this country. It is to be expected that one of the key men in that administration would present such

false propaganda to the American people in the column to which I have referred.

In a few States, the regulatory commissions have required these savings to be passed along to consumers, but in many, the electric companies collect these "phantom taxes" from their ratepayers and then use the proceeds to invest in plant or to pay out as tax-free "return of capital" to stockholders. More than \$100 million of this tax saving already has gone to stockholders as tax-free dividends.

The Federal Power Commission has ruled that the companies do not need to give consumers the benefit of liberalized depreciation, but I am happy to note that this matter is now being restudied by the Commission.

A new tax subsidy was handed the private utilities just last month: Under the investment incentive of the new tax laws, regulated utilities may deduct for tax purposes 3 percent of the cost of new facilities—an estimated 9 percent of their total tax bill, or about \$100 million a year.

The Kennedy administration is just as wrong as the Eisenhower administration was in regard to this kind of giveaway. But to the everlasting credit of the President of the United States, I point out that it was not a part of his proposal. Instead, it was done by a coalition of reactionaries. An overwhelming majority of Republicans, assisted by Democrats in both Houses of Congress, have imposed this giveaway on the taxpayers of the Nation.

So far as I am concerned, Republicans and Democrats, alike, who voted for that nefarious so-called reform bill—although the word "reform" should be struck from it—will be held to an accounting on November 6, as they should be. On November 6, the taxpayers should hold them to a strict accounting for this and other great mistakes which these Members of Congress have made—for the so-called tax reform bill is but one of the great congressional mistakes for which I hope the voters will demand an accounting on November 6.

#### TAX WRITEOFF SAVINGS NOT PASSED ON TO CONSUMERS

No one knows whether this saving will be passed on to consumers. The history of fast tax writeoffs indicates that in most States it will not be. A September 27, 1962, decision by the U.S. Court of Appeals, in the case of Panhandle Eastern Pipeline Co. versus Federal Power Commission, if allowed to stand, will permit a regulated utility not only to invest these tax savings in new plant, but also to earn its normal rate of return for stockholders on this unintentional investment by the ratepayers.

Senators will recall the shocking tax writeoff which the Idaho Power Co. tried to get by with in the days when the fight was being made on the floor of the Senate to save for the American people the greatest remaining damsite for hydroelectric power in the Nation—the Hells Canyon Dam. The great Senator from Tennessee [Mr. KEFAUVER] led the way on the issue in regard to the tax writeoff scandal involving the Idaho Power Co.; and the two Senators from

Oregon assisted the Senator from Tennessee. When the Senate came to understand that shocking giveaway by the Republican administration to the private utilities, that turned the tide in the Senate on the Hells Canyon Dam bill, and the Senate passed the bill. A combination of reactionaries—again an overwhelming majority of the Republicans, assisted by reactionary Democrats, who should be sitting on the Republican side of the aisle in both Houses of Congress—then joined in killing the Hells Canyon Dam bill in the House committee.

The fight to protect the people's interest in the waters of the Nation that are owned by the people—not by the private utilities—is one which the liberals have waged for years on the floor of this historic Chamber. Hiram Johnson, McNary, Borah, La Follette, Couzens, Brookhart, Murray, and many others of the liberals who preceded us in this body sought for decades to warn the American people about what the private utilities were up to in regard to the matter of hydroelectric power. But the utilities would have the American people forget that the navigable streams of the Nation are owned by the people of the Nation, not by private utilities. They would have the people of the Nation forget that whatever private utility advantages are given in connection with any stream in the Nation are matters of privilege, not of right, and that the rights to these waters vest in the American people.

It required a McNary from my State and a Franklin Delano Roosevelt—a great Republican and a great Democrat—to stop the private utilities from scuttling the construction of the Grand Coulee Dam, for in regard to the Grand Coulee Dam, they attempted the same shell game on the American taxpayers. The utilities were successful in getting by with it a few decades later at Hells Canyon Dam. When Franklin Delano Roosevelt realized that the private utilities were attempting to follow a course of action which would have prevented the construction of the great multiple-purpose dam at Grand Coulee, he joined with McNary in seeing to it that that "steal" on the part of the private utilities was scotched.

We must constantly be on guard in protecting the interests of the taxpayers in hydroelectric power. Propagandists such as Stans are used by the private utilities in their attempts to deceive the American people about the facts in connection with this power issue.

That is why I take the time in the closing hours of this session of Congress—at least, Mr. President, I hope they are the closing hours—once again to warn the American people, as I have done many times from this desk in the Senate, about what the private utilities are up to, in their attempts to steal from the taxpayers the precious economic rights to the streams of the Nation which belong to all the American people. That is why I take the time tonight to warn the people of the Nation about the misleading propaganda that Stans and the private utilities he speaks for are disseminating in advertisements and articles throughout the Nation.

Mr. President, I would have the American people remember that the accumulated tax savings came originally from the ratepayers, to pay the utility taxes that would have been paid except for a gimmick in the tax law. Regardless of whether this gravy is paid to the stockholders as tax-free dividends, or is invested in plant, and thus earns more money for the stockholders, the stockholders—not the ratepaying public—will be the ones who will benefit.

#### PUBLIC POWER IS NOT TAX FREE

Mr. Stans says public power is cheap because it is tax free. But neither Federal nor local public power is tax free. During the fiscal year ending June 30, 1962, the Tennessee Valley Authority paid \$6,740,153, in the form of in-lieu-of-tax payments, to 7 States and 130 counties in which it operates, while the municipal and rural electric cooperative distributors of TVA power paid about \$12 million. These State and local in-lieu-of-tax payments are geared to the taxes which would have been paid by profitmaking power companies. In addition, TVA turned over the remainder of its net earnings—a 100-percent tax—to the Federal Treasury.

The municipalities and utility districts distributing Bonneville power pay either taxes or make in-lieu-of-tax payments to their local governments and States, in addition to making very substantial contributions in the form of reduced rates for schools, municipal buildings, and street lighting.

The net revenues of these systems are used to pay off bonds or to improve the systems, thus increasing the equity of all citizens of the community, in effect an additional in-lieu-of-tax payment.

Why does not Mr. Stans tell that? Why is he not journalistically truthful enough to tell the facts to the American people about the taxes which are paid and the income that these great public institutions pour into the Treasury of the United States and into the tax coffers of States, municipalities, and counties?

I will tell Senators why, Mr. President—because for years the private utilities have been carrying on a "big lie" technique in this democracy of ours, seeking to deceive the American people in regard to the great earnings that these great powerplants pay back to the consumers and the taxpayers of this country. It is not pleasant to have to call this misrepresentation of the private utilities to the attention of the people, but this program of misrepresentation by the private utilities of America, through its many mouthpieces, is an example of the brainwashing technique in America. We must have politicians with the courage and "guts" to stand up in the parliamentary halls of America and take on these deceivers of the public.

This kind of misrepresentation to the American people must be answered every time it is tried. Of course, Mr. Stans said nothing in his column about the income that the people, through their government, get from public power, nor the income that local governmental units

get by way of taxes paid and payments in lieu of taxes, because if he told the whole truth, his case would fall to the ground.

#### TAXES, OTHER PUBLIC BENEFITS RECEIVED FROM PUBLIC POWER

As I said, the net revenues of these systems are used to pay off bonds or to improve the systems, thus increasing the equity of all citizens of the community, in effect an additional in-lieu-of-tax payment.

As an example, Seattle City Light had \$38.1 million in gross revenues in 1960, of which \$3.4 million was paid in direct taxes and \$6.6 million was used to increase citizen equity in the system—for a total of \$9.9 million, or 25.9 percent of the municipal utility's gross income. The system provided \$470,516 in free street lighting service as well. In addition to these benefits, consumers of electricity in Seattle saved \$12 million on their electric bills as compared to the rates of the nearest private utility. Total benefits to Seattle ratepayers and taxpayers, who are essentially the same people, totaled \$23 million, out of gross revenues of \$38 million.

But not a whisper from the propagandists of the private utilities about those facts, not a syllable in the article by Mr. Stans about those facts, because those facts cannot be reconciled with the propaganda technique of the private utilities, for which Mr. Stans is obviously a spokesman.

But we ought to expect that, coming as it does from someone out of the former Eisenhower administration. We were confronted then with an administration that was against all new starts for the development of great multipurpose dams which belong to the people of this country. We were confronted with an administration that sought to foist upon the people of this country the catch-slogan program called partnership in the field of power development.

As my late colleague Dick Neuberger said in describing the partnership program, it was the program of the Eisenhower administration by which the taxpayers would buy the cow and the private utilities would milk her. Under the partnership scheme, the private utilities would get the profits from the dams and the American people would pay for the so-called nonreimbursable costs of the dams. They would pay for flood control, navigation improvements, bank protection, recreational facilities, and recreational costs; and the private utilities would take the profits. That was the Republican administration's program.

Therefore, we should not be surprised that the man who ran its budget office, who is now writing for the private utilities, would write such a column as this. It is in line with the Eisenhower program of taking from the many for the benefit of the few.

Thank God, we have an administration now under a President dedicated to benefiting the many, recognizing that in a democracy as the many are benefited, every segment of the economy is also benefited, including reactionary business segments of the economy that almost invariably oppose any legislation aimed at

benefiting the general welfare of the American people.

#### NEW DAMS STARTED OVER REPUBLICAN OPPOSITION

I shall always be proud of the Congress of the United States during the Republican administration. Under the leadership furnished by the Senate, when that administration submitted to us a budget containing not a single cent for the development of a multipurpose dam and tried to limit new construction, the phony partnership dams, such as Cougar, Green Peter, John Day, and others in my State, some of us in the Senate made it equally clear that we did not propose to give away the rights of this generation and future generations of Americans to the private utilities of this country. We offered amendment after amendment, year after year, under the 8 years of the Republican "no new start" program, and year after year we added funds to the appropriation bills in an effort to protect the public interest. The result was John Day, Cougar, and Green Peter rising to their economic majesty as people's dams, not private utility dams.

Some weeks ago I had the thrilling experience of attending the dedication of Hill's Creek Dam in my State; but if Eisenhower had had his way, we never would have dedicated a multipurpose dam belonging to the people of this country. We would have dedicated a partnership dam, with the power facilities being skimmed off for the selfish profits of the private utilities.

There must be constant, eternal vigilance exercised in the Congress against such selfish interests as the private utilities, who always seek to take every advantage that comes their way to take away from the American people the economic rights that belong to them.

#### PUBLIC POWER TAXES

Public utility districts in Oregon pay the same property taxes which the private utilities pay, and also are subject to the State's corporate excise tax, which amounts to roughly 7 percent of their net income. All of the municipal electric systems in Oregon of which I have any knowledge make substantial in-lieu-of-tax payments to their municipal governments.

One can read not only the Stans propaganda column but also the private utility advertisements in vain to find any such facts as I have just given to the Senate of the United States as to what the public utilities pay as to taxes or payments in lieu of taxes.

Nationwide, a survey by the American Public Power Association indicates that the local public power systems pay an average of 13 percent of gross revenues to local governments in the form of taxes, in-lieu-of-tax payments and free or under-priced services, compared with 10 percent paid in State and local taxes by the private power companies.

The figures prove that the public power utilities pay more by way of money and services into the treasuries of the local government units than do the private utilities.

#### FINANCING COSTS DIFFERENT

Mr. Stans contends that public power systems can raise capital more cheaply

than can the private power companies, and that this is another reason for their rate disadvantage.

While tax-free municipal bonds undoubtedly command a lower interest rate on the average than utility bonds, the interest rates also depend heavily upon the financial strength of the utility.

However, differences in bond financing costs are a very small part of the financing picture.

The big spread in costs comes from private utility stock financing, which returns to investors as much as 9.3 percent annually—Montana Power Co.'s average rate of return, 1958 through 1960—and virtually always costs the utility 6 percent or more.

A study by Gus Norwood, executive secretary of Northwest Public Power Association, shows that if private utilities used bond rather than stock financing, the interest savings would be about 20 percent of gross revenues. Mr. Norwood's study, incidentally, shows that private power companies pay just under 20 percent of their total earnings for taxes of all kinds. I ask unanimous consent to have this study printed at the conclusion of these remarks.

The PRESIDING OFFICER (Mr. METCALF in the chair). Without objection it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, Mr. Stans implies in his column that they pay 25 percent in Federal taxes alone. When he states that taxes "currently are taking around 24 cents out of every \$1 billed to customers by private enterprise utilities," we should remember that only a part of the taxes billed to consumers ever get to the Federal Treasury, thanks to tax gimmicks. Mr. Stans declares that Federal power is not necessary, it is subsidized by taxpayers generally, and is "industrial socialism."

#### MULTIPLE BENEFITS FROM PUBLIC DAMS

Mr. President, I point out that a good many public power utilities involve power taken from the great multiple-purpose dams of America, such as Grand Coulee, McNary, The Dalles, and many other multiple-purpose dams for the construction of which we have battled our hearts out for many years.

Those dams perform many public purposes other than the development of public power. They provide water for irrigation. They provide great reclamation projects. They provide lakes for recreation, calling for maintenance costs. They provide great aids to fisheries; as well as many other nonreimbursable costs. These are known as the nonreimbursable costs of the great power dams which, however, perform very valuable public services.

Therefore, when we look at the value of public power to the American consumer and taxpayer, we must also look at the many other benefits which the American consumer and taxpayer get out of these great hydroelectric dams which generate this public power.

The Federal power program is usually a byproduct of the multipurpose development of water resources. To build a dam for flood control, navigation, or irriga-

tion and to permit the energy released by the falling water to go to waste would be sheer extravagance, as Congress has recognized for more than 50 years. The powerplant frequently is the only revenue-producing feature of a multipurpose dam, and it helps to pay for the entire project.

Where a Federal multipurpose project contains power facilities, they are financed on a businesslike basis with strict legal requirement that the cost of these facilities must be repaid with interest over the life of the project from proceeds of power sales.

I shall always be proud of the fact that the first bill which was ever passed by Congress on this subject matter was the bill I introduced several years ago. It was known as the Crooked River reclamation project. It is a project built on Crooked River in southeastern Oregon, as a reclamation project. Much of the cost was to be paid for from the power resources of The Dalles Dam, several hundred miles away.

However, we took the position that the development of the reclamation needs of the Pacific Northwest was also a need that the Federal Government should assist in paying for; not totally, because the ranchers themselves made their contributions under the reclamation projects.

There was quite a controversy in the Senate about that pilot bill. It finally passed in the Senate by a substantial majority, but it became logjammed in the House.

I well remember how the then majority leader, now the Vice President of the United States, went with me one afternoon to the office of the Speaker of the House, the incomparable Sam Rayburn, to whom I explained how important it was that we establish this legislative precedent, because it represented a sound conservation program. I pointed out that, as we move into the future with more and more needs for river basin development in connection with reclamation, range development, and power development, it will be necessary to have a legislative principle established which would make it possible to pay for the so-called nonreimbursable costs, in part, at least, out of the power resources belonging to all the taxpayers, which are collected from the multiple-purpose hydroelectric dams.

The late Speaker of the House had great fun with me in my presentation of my case for releasing for action in the House the Crooked River project bill. With his wonderful sense of humor, he said, "WAYNE, do you think you could get the name of that project changed? I would have much more chance of getting it released if you could call it something besides the Crooked River project."

I pointed out to the Speaker that I could not change the Crooked River in Oregon, but that I would be willing to go with him to any House Member who thought that the name caused any reflection on the substance of my bill.

To make the long story short, the Speaker had the bill released, and the

House passed it. It has served as a precedent. Another precedent was the supplying of irrigation water to try to stop the dropping of the water table in the area of The Dalles, Oreg., which, if it had not been stopped, would have destroyed many hundreds of acres of valuable orchards. The same principle is applied now to obtaining water and paying for a part of its cost out of the power proceeds of The Dalles Dam.

When we talk about public power, and when we listen to the misleading propaganda of the private utilities, I advise the American people to be on guard against their deception. Readers will not find in their articles, such as the Stans article, to which I am replying this evening, or in the advertisements of the private utilities, the facts about the contributions that these great public power multiple-purpose dams make to other economic needs of the American people in connection with navigation costs and irrigation costs, and in connection with the cost of range rehabilitation, which is a part of a river basin development program.

Therefore, I believe it is extremely important for us to keep in mind that the public utilities not only pay taxes, or make payments in lieu of taxes, but that they also provide revenues for the Treasury, which make it possible for the Federal Government to contribute through just such projects as the two I have mentioned, the legislative precedent for which was established in the Morse bill known as the Crooked River reclamation project.

Thus the users of Federal electricity pay back every penny invested in the powerplant, and at many projects they are paying part of the cost of the dam and subsidizing irrigation as well. It could be argued that, far from taking subsidies from the taxpayers generally, the users of Federal power actually are subsidizing other public benefits.

#### FEDERAL POWER PAYS FOR ITSELF

Do Federal power projects actually pay for themselves? Emphatically, yes. From the beginning of operations in 1933 through fiscal year 1961, TVA's power revenues amounted to \$2.4 billion. Net revenues, after deduction of operating expenses including straight-line depreciation, but before interest, totaled \$628 million. Retained earnings, after interest expense and payments as return on the appropriations investment, totaled \$581 million. These power earnings have been reinvested in the TVA power system either through direct investment in new construction or through payments to the Treasury. So, at the end of the 1961 fiscal year, the Federal Government was sole proprietor of an electric system with a net worth of \$1.8 billion, well over half a billion more than the \$1.2 billion Treasury investment in the system. At present, TVA is financing plant additions by revenue bonds sold in the private money market and without any kind of cost to taxpayers.

The Bonneville power system, like all Federal power systems, is required by law to be self-liquidating. At the end of 1960, the Bonneville system was \$53 mil-

lion ahead on its scheduled repayments to the Federal Treasury, having repaid \$287,800,000, all coming from the pockets of the power users. Because Bonneville's power revenues currently are not running high enough to meet scheduled amortization payments, it is evident that unless this financial picture improves, and once the prepayments have been exhausted, higher power rates will have to be instituted to comply with the law.

PRIVATE COMPANIES REALLY OPPOSE COMPETITION, NOT SOCIALISM

Mr. Stans repeats the old "socialism" charge, a favorite of the power companies in their high-priced national advertising program.

A survey conducted in 1950 for the electric companies advertising program showed that while 63 percent of the American people approved of TVA, 69 percent of the same people opposed socialism. In its comment on these statistics, ECAP laid down the line which its propaganda has followed ever since:

From the preceding charts, it is apparent that to link our fight to the TVA question would run us into a lot of opposition, most of it based on lack of knowledge. But to link our fight to socialism is something else again. The people do not want socialism.

Mr. Stans is trying to play both tunes at the same time.

Far from suffering from the Federal power program, the private power companies in many areas are eager buyers of Federal power and, nationwide, are in better condition than ever before. They produce about 77 percent of the Nation's power, receive about 84 percent of total power revenue, and have obtained something like 550 rate increases since 1946. The Federal power system provides only 13 percent of the Nation's power capacity and about half of this is used by the Government itself, primarily for defense purposes.

Mr. President, are the private utilities really "free enterprise?" Just try to find a competitor who can serve you with electricity if you do not like the service you are getting. The power industry is essentially a public industry, since it provides an essential service under monopoly conditions. If a community grants a franchise to a corporation to provide this service, exclusively, to its citizens, the result is not very private and certainly not enterprising. The company is obliged to serve all citizens, it is guaranteed a fair return, and it need not worry about competition—except when its consumers begin to wonder why rates are lower in a neighboring town.

In such a case, a private power company can sharpen up its operation, lower its rates, and find—as the utilities on the periphery of TVA found—that lower rates bring greater usage and lower unit costs, not to mention better earnings. Or it can follow the path trod by Mr. Stans and try to destroy this competition by maligning it. I hope that the majority will choose the former route.

Let us not forget that in area after area, for decade after decade, it was not possible to induce a private utility to stretch a powerline, because the utility knew that to do so would not be profit-

able; there were not enough customers. The rancher far out in the foothills had to milk with the aid of a kerosene lamp or lantern. His house was lighted by kerosene lamps. He churned by hand with an old barrel churn. He could not hire the farmer's most valuable hired man—electricity.

If he and a few of his remote neighbors, hat in hand, so to speak, riding in a buckboard behind a team, drove to town to call on the private utility owners, sometimes they could get electricity if they were willing to pay the cost of installation, which was exorbitant, and which they could not afford to pay. The sad fact is that the private utilities invariably put the selfish profit dollar ahead of the social interest.

But then the Federal Government proceeded with a public program by leaps and bounds, under the leadership of that great President Franklin Delano Roosevelt, who will go down in history as a President having a great social conscience. He was aided on a bipartisan basis by such great Republican Senators as Charles McNary, of my State, Hiram Johnson, of California, William Borah, of Idaho, Robert LaFollette, of Wisconsin, and the great George Norris, of Nebraska, who gave support to the REA, which permitted Federal financing and development of a rural electrification program. Then the employment of the farmer's most effective hired man became a possibility, for mile after mile of electric wire, strung on REA transmission poles, was taken to the farmers of America. The kerosene lamp and lantern became an antique of a bygone day.

But if the American farmers had waited for the private power utilities of this country to take their lines to the farmers, the farmers would still be waiting. Yet we have the misrepresenting private utility propagandists using the "big-lie" technique to deceive the American people with respect to public power, seeking an opportunity to spring upon the public interest and destroy it in the field of electric power.

My confidence in the American people is such that I have news for the private utilities of the Nation. They cannot deceive the American people. I have battled on this issue in three hotly contested campaigns for the U.S. Senate, and I am about to go home to carry on the battle. I say once again to the private utilities: "I am ready to take you on again, if you try once more to deceive the people of the State of Oregon about the great value of their investment in the public power resources of Oregon and the Northwest."

EXHIBIT 1

ANSWERING UTILITY TAX PROPAGANDA

(By Gus Norwood, executive secretary, Northwest Public Power Association; address to the accounting and finance workshop of the Northwest Public Power Association, at Eugene, Oreg., Sept. 13, 1962)

One of the day-to-day operating problems of the public and cooperative electric systems is how to answer the propaganda barrage directed against us by the private electric utility corporations.

Taxes constitute the major theme of this continuing, relentless propaganda attack.

Many of our consumer-owned systems have urged that we do research on utility taxes.

Considering the millions of dollars spent by private utilities on tax propaganda, it is sobering to reflect that no authoritative study or investigation is available on this subject. Such a study is long overdue and should be made.

My remarks today are intended as a working paper to outline some of the facts and ideas for the more extensive study needed.

I want to express appreciation for this opportunity to submit this working paper to you in your role as utility controllers, auditors and accountants.

Certainly for me it has been rewarding and encouraging to find in the course of this analysis that in terms of electricity taxes and other public benefits the merits lie very favorably with the public and cooperative electric systems.

My remarks are organized and directed to answering seven basic questions:

First, If our systems do a good job, can propaganda hurt us?

Second, What organizations and outlets issue the utility propaganda?

Third, What are the propaganda charges being made against us?

Fourth, What is the record of our taxes and benefits for public purposes?

Fifth, What is the record of private utility profits and taxes?

Sixth, How do consumer owned systems compare with private utilities?

Seventh, How can private utilities reduce their high electric rates?

Before taking up these seven questions, it might be in order to mention a few basic premises and facts.

Certainly it is well recognized that the furnishing of electric service is by law a public utility function. It is a public function and often is carried on under public auspices. On the other hand this function may be delegated to private companies but only through the granting of public licenses, permits, franchises, use of public right-of-way and other public authority.

From the start of electric utility service around 1880 both public and private approaches were used. As early as 1882, four cities operated electric systems.

One study shows that 76 percent of all U.S. municipal electric systems originated because no private companies were available or willing to serve those communities.

Virtually all of the rural electric cooperatives came into being because private utilities were unable or refused to extend service into the rural areas.

As of December 31, 1960, the public and cooperative electric systems were serving 21.1 percent of the population while private utilities served 78.9 percent.

The electric revenues of the entire electric utility industry in 1960 reached \$11.51 billion, divided \$2.08 billion to the non-profit systems and \$9.43 billion to private utilities.

By including nonelectrical revenues the private utilities alone in 1960 just reached \$12 billion or \$1 billion per month.

The electric utility industry receives over 2 percent of gross national product and this proportion continues to increase. Investments now exceed \$50 billion, approaching \$150,000 per employee.

Perhaps not so well known is the fact that no utility whether public, cooperative or private, pays any taxes. Only consumers pay taxes. The utility merely serves as tax collector or pipeline for tax collection. No utility pays any taxes.

It goes without saying that electricity is a necessity of modern life, that good electric service at low cost is essential in the public interest.

But let's get on with the questions.

### 1. IF OUR SYSTEMS DO A GOOD JOB, CAN PROPAGANDA HURT US?

Yes; propaganda can hurt us.

Witness the effect of the attacks on municipal electric systems in 1921 to 1932 which resulted in 1,666 city owned electric systems going out of business in 12 years.

Under the leadership of Samuel Insull, the National Electric Light Association from 1920 to 1932 carried on a huge propaganda campaign against municipal ownership of electric plants.

Newspaper advertising alone came to \$9 million per year.

Over 5 million copies each were distributed of such pamphlets as, "All in Favor of Paying More Taxes Say Aye," "Muscle Shoals," and "Why Did 860 Municipal Plants Close?" In all, NELA from 1920 to 1932 issued 200 different books, pamphlets, and folders in quantities from 1,500 each to 5,200,000. The large amount of taxes paid was often mentioned as an advantage from private utilities.

Mr. J. B. Sheridan reported at the 1925 NELA convention that the State publicity committees have served as "shock troops that carried out the attack upon the enemy" and he added "in a period of 4 or 5 short years they have just about changed the entire trend of economic and political thought in the United States."

And, brother, he spoke the truth.

In 1922 an alltime record of 213 municipal electric systems came into being and 32 systems were sold out leaving 3,032 systems in business.

In 1923 there were 123 added and 72 subtracted to reach the alltime high of 3,083 city systems. But the trend had already started against them.

In 1926 there were 48 added and an alltime astonishing record of 315 sold out. In 1929 only 5 were added and 170 sold out. Not until 1933 was this adverse trend reversed.

Taking the 12 years, 1921 to 1932 inclusive, there were 2,748 at the beginning of the period, then there were 777 added, 1,666 subtracted for a remainder of 1,860 city owned electric systems.

The creation of new plants per year decreased from 213 in 1922 to a mere 5 in 1929. The sellouts were increased from 32 in 1922 to 315 in 1926.

The tremendous accomplishment in buying out 1,666 city-owned electric systems in 12 years becomes more apparent when one realizes that in the 79 years from 1882 through 1961 there were at one time or another 4,321 city systems (actual peak was 3,083 in 1923) and at the end of 1961 only 1,972 remained in business.

Subtracting 1,972 from 4,321 means 2,349 cities went out of business in 79 years or 30 per year.

But in the 12-year 1921-32 period, 1,666 went down the drain or 139 per year. Over two-thirds of the city systems were sold out in 12 years.

The other 683 were sold out over 67 years or 10 per year. Thus the contrast in the rate of sellouts was 14 to 1 for the 12-year period as compared to the other 67 years.

How many of the 1,666 sellouts were the result of the propaganda drive? Undoubtedly, there were other technical, engineering and economic factors operating against the smaller city electric systems.

After all, the record shows that the number of U.S. consumers served by public systems increased from 1.6 million in 1922 to 2.3 million in 1932 or about a 50-percent growth while private utility customers almost doubled. This means that larger and fast-growing city systems generally survived and prospered.

My conclusion from analyzing the 1921 to 1932 period is that the propaganda was effective. It paid off handsomely. The lesson this era teaches is that propaganda, false or not, can kill off many more consumer-owned systems in the future.

Yes, propaganda can hurt us.

### Municipal electric systems in the United States

At end of year	Total number in existence	Cumulative total since 1882	Originated during period	Discontinued during period
1961	1,972	4,321	4	8
1933	1,875	3,932	17	2
1932	1,860	3,915	39	52
1931	1,873	3,876	26	80
1930	1,927	3,850	17	115
1929	2,025	3,883	5	170
1928	2,190	3,828	6	152
1927	2,366	3,822	26	314
1926	2,654	3,796	48	315
1925	2,921	3,748	61	186
1924	3,046	3,687	69	106
1923	3,083	3,618	123	72
1922	3,032	3,495	213	32
1921	2,851	3,282	144	42
1920	2,749	3,198	203	42
1900	728	754	112	7
1882	4	4	4	0

### 2. WHAT ORGANIZATIONS AND OUTLETS ISSUE THE UTILITY PROPAGANDA?

In 1924 Martin Insull, chairman of NELA's public policy committee, and brother of Samuel Insull, reported:

"We are no longer a local industry but one great national industry, coordinated through this National Electric Light Association."

However, by 1932, the private utilities had overplayed their hand. The unsavory Insull scandal shook the public confidence.

The 1927-35 utility holding company investigation by the Federal Trade Commission by 1930 had produced 26 volumes of documented evidence just on propaganda, corruption and lobbying, and this in turn was summarized in books like Ernest Gruening's "The Public Pays," Thompson's "Confessions of the Power Trust," Ramsey's "Pyramids of Power," Levin's "Power Ethics," and innumerable articles.

Because NELA had become subject to criticism, a change of policy was launched in 1932. The complete change of face was expressed by Floyd L. Carlisle of Niagara Hudson Corp. in his 1932 NELA address: "This association has gone back to first principles. We have become, by the changes in our constitution and by the clear expression of our membership, a pure trade association. There is a great work that we can perform which will be truly for the public welfare. This is the proper forum for the exchange of the most exact and scientific knowledge concerning our business. Our statistics, compiled from no other standpoint than the exact truth, can be helpful to governments, to industries, to banks, and to investors, as well as to ourselves. Any taint of propaganda, of lobbying, of trying to color facts, or to influence anyone except with facts is definitely, and I hope permanently ended in this association."

Then to complete the change, NELA was dissolved in January 1933 with the explanation that NELA has been "\*\*\* stamped, rightly or wrongly, with the reputation of a great propaganda organization and that it was best to end the association and start afresh."

In the place of NELA in 1933 appeared the Edison Electric Institute (EEI) as a fact-compiling association with a rigid code of business principles.

However, by 1962 the high-minded resolutions of 1933 are forgotten. The monthly EEI bulletin seldom lacks for at least one tax propaganda article. The annual EEI conventions feature many attacks on public power. EEI today is a propaganda organization, and openly so.

Three other national organizations subsequently came into being.

The National Association of Electric Companies (NAEC) was formed in 1945 to perform lobbying, headed originally by Purcell L. Smith at a \$65,000 annual salary, and with a budget which in 1953 amounted to \$534,000.

Formed in 1941 was the electric companies advertising program (ECAP), handled by N. W. Ayer & Sons with budgets running from \$1.5 to \$2 million per year.

Finally, in 1949, the public information program (PIP) was formed using the firm of Bozell & Jacobs with a budget of about a million dollars per year. PIP furnishes the shock troops trained to descend on a community to ring doorbells and get election results.

There are, of course, many allied propaganda outlets, notably the National Tax Equality Association (NTEA), E. Hofer & Sons, U.S. Chamber of Commerce, American Taxpayers' Association, Tax Foundation, and many others.

In the interest of simplicity, and since ECAP is the designated private utility advertising program and since a good file of ECAP ads is available, our analysis will concentrate on the ad contents of the electric companies advertising program.

### 3. WHAT ARE THE PROPAGANDA CHARGES BEING MADE AGAINST US?

Early in 1957 the Saturday Evening Post proudly issued a book reprinting the 169 full-page ads which had been run in the Post during the 15-year period, 1941-56, by ECAP, the Electric Companies Advertising Program. The Post claimed that these ads, together with its supporting editorials, had changed public opinion against Government ownership and in favor of business ownership of electric utilities.

Before analyzing these 169 ECAP ads, it may be helpful to note what ECAP says about itself. In January 1953 ECAP issued an inch-thick book covering its program 1941-52, containing testimonial letters from utility presidents, ad reprints, radio shorts, mats, survey results, cost data, participants, etc.

Participating companies rose from 42 in 1941 to 180 in 1946 and down to 129 in 1952. Expenditures rose from \$375,000 in 1942 to \$1.64 million in 1952. Magazine ad costs ran \$2.45 to \$3.03 per 1,000 magazines, with 35.7 million pages printed in 1948. In 1952 ECAP used 19 magazines for 2 to 13 insertions, with a page in Life costing \$19,200 and Saturday Evening Post \$14,670.

ECAP says the ads center on reputation: (1) to add to the reputation of the companies, (2) to detract from the reputation of Government power.

Another ECAP book, "Fact Finder," 1958 claims that public opinion which ran against the companies 5 to 4 in 1943 has been reversed 8 to 5 in favor of the companies in 1957. A 1957 ECAP survey especially concentrated on tax discrimination, claiming that the vote was 7 to 1 that cities should pay the same Federal tax that companies pay.

Turning to the 169 ECAP ads which appeared in the Post from 1941 through 1956, the theme of taxes gets emphasis in two ways, first in the signature and then in the ad copy content.

The August 7, 1943, ad introduced the tax-paying phrase in the signature: "This page sponsored by a group of 118 electric light and power companies—self-supporting, tax-paying businesses." The June 8, 1946, ad changed to "America's business-managed taxpaying electric light and power companies." The August 16, 1952, ad dropped the tax signature.

During the 9 years 1943 to 1952 the tax signature appeared in 102 Post ads. Since no other industry finds it necessary to refer to itself as taxpaying, this signature on the part of electric utilities is not only unique but purposeful. The innuendo clearly is that they are the taxpaying sector of the electric utility industry in contrast to the nontaxpaying sector.

That innuendo is false and deceptive.

Reviewing the content of the 169 ECAP ads shows taxes mentioned in 57, aside from signature. The frequency of tax ads rose with crescendo from one or two per year to

eight in 1954 through 1956 or two-thirds of the ads for those years.

The 57 tax ads begin mildly, five restating the signature, three saying companies pay taxes, and seven say companies do their job without tax subsidy.

The July 6, 1946, ad says "Government operations pay little or no taxes. Electric companies pay plenty." The ad continues by opposing Government running an electric business because, "Didn't we just fight a war against that very principle?" The November 2, 1946, ad wonders who makes up the tax loss when Government goes into the electric business.

The umpire is featured as pitcher November 22, 1947, and complains about government electric systems: "They receive subsidies, pay little or no interest on money they borrow, pay no Federal taxes." Ad repeated July 17, 1948. The football referee running with the ball came October 9, 1948, and was rerun October 8, 1949, and complains of Government power competition with the taxpayer footing the bill.

"Pay this bill for me, will you?" appeared April 16, 1949, claiming \* \* \* "you do help pay a lot of other people's electric bills every month \* \* \* the Federal Government is in the electric business in some parts of the country. It sells electric service to some people and to certain industries—below the real cost. Who makes up the difference? You do—the Government uses some of your taxes for that purpose."

The most vicious ad is the February 21, 1953; six poses of the outraged baby who is alleged to have inherited \$6 billion of debt for Federal dams on which the American taxpayer must pay \$150 million interest.

The antisocialism ads ran very heavily starting with the picture of the boy, Bible, ballot, key, and pencil; November 12, 1949, running about 30 ads by 1955.

The Niagara honeymoon, tax dollars in Hells Canyon, subsidy, favoritism, preference, special privilege, unfair, waste of tax dollars, increase public debt are among the themes and phrases in the tax ads.

"Are you an April fool victim every day of the year?" appeared March 31, 1956, and charges: "Take this matter of 'cheap' Federal Government power. It's 'cheap' for the people who get it only because you and other taxpayers pay part of their electric bills. First, your taxes help pay for the Government powerplants that serve the folks in this privileged class. And, second, the taxes you pay in your electric bill have to be higher because those people don't pay a fair share of taxes in theirs. So when you hear about 'cheap' Federal power, think of the trick that's behind it. Remember—one of the victims of that trick is you."

Answer: False. Federal power investment must be repaid into the U.S. Treasury with interest. Debt incurred for Federal dams is self-liquidating and is not a burden on any taxpayer. The reason for much of the Federal income tax burden in electric bills of private power consumers is the large profits made by utilities. If they operate on a nonprofit basis, there is no Federal corporate income tax liability. That tax is not on electricity, it is on profits.

In short the accusations in the propaganda ads are quite simple. They attack the Federal power programs. Having found that the socialism tag did not take, the utilities hope to turn the public mind by means of the tax-dodger charge.

One of the most amazing ads, December 5, 1953, "Here's one that hasn't cost you a cent in taxes," features Washington Water Power Co.'s Cabinet Gorge Dam which was built only when the Government granted a huge accelerated amortization or fast tax write-off certificate. It is one of the most heavily subsidized of all private utility dams, as NWPPA testimony has repeatedly shown.

Another series of ads boasts of the job being done by private utilities in the atomic

field, again with no mention of the huge Federal subsidies they get.

Before leaving the subject of propaganda ads, it should be emphasized that both the Internal Revenue Service and the Federal Power Commission have declared them to be propaganda and have disallowed the cost from being deducted as utility expense. In Opinion 323 issued by FPC July 15, 1959, nine of the 1957 ECAP ads are reproduced and are found "to involve the presentation of argument in matters of political controversy, or have as their primary purpose the influencing of public opinion as to proposed legislation or the repeal of existing laws, and have a direct relationship to political matters."

#### 4. WHAT IS THE RECORD OF OUR TAXES AND BENEFITS FOR PUBLIC PURPOSES?

The 1960 FPC statistics cover 271 public systems with 4.7 million customers or 61 percent of the public sector of the industry.

Three benefits are readily identifiable in the report. Out of the \$820 million gross revenues, taxes came to \$29.7 million, or 3.6 percent. The net income, which for public systems is plowed back into new plant or debt retirement, came to \$190.4 million, or 23.2 percent of gross. The two items together amount to \$219.7 million, or 26.8 percent of gross revenues.

The third benefit is the savings to the public due to lower electric rates. For residential use the average private and public rates were 2.62 and 1.58 cents per kilowatt-hour, respectively, or a difference of 1.04 cents, which when applied to the 20.422 billion kilowatt-hour residential sales of the public power systems comes to a saving of \$212,388,800. Likewise the respective average rates for commercial and industrial sales for private and public systems are 1.49 and 1.22 cents per kilowatt-hour, or a savings of 0.27 which applied to 29.822 billion kilowatt-hours amounts to a further saving of \$80,519,400. Further savings exist in the sales for public uses.

Much of the same is true of the rural electric systems. Turning to the 1960 REA report one finds \$594.7 million gross revenue, \$17.9 million taxes, and \$81 million margins or \$98.9 million of benefits or 16.65 percent of gross. Estimating benefits from lower rural electric rates is difficult, but if it amounts to 1 cent per kilowatt-hour on 27.2 billion kilowatt-hours, the amount is \$272 million.

The utility serving my home, Clark County PUD, in 1960 had \$5.26 million gross revenues and paid \$325,318 in taxes and plowed back \$1,050,685 in net earnings, the two together amounting to 26.2 percent of gross. In that year Clark County PUD electric rates were almost exactly 2 mills per kilowatt-hour below the rates of highly competitive Portland General Electric Co. across the Columbia River. When applied to the PUD sales, this 2-mill edge saves electric consumers \$1,218,922 compared to the nearest private utility system. Actually this is distorted because the PUD has had a salutary effect upon PGE rates.

Seattle had \$38.14 million gross revenues, \$3.357 million taxes and \$6.55 million net for a total of \$9.9 million benefits or 25.9 percent of gross. Seattle's 4.057 billion kilowatt-hours sales were made at 0.927 cent per kilowatt-hour compared to the nearest private utility, P.S.P. & L.'s 1.24 cents for a difference of 0.313 cent which multiplies out to a saving of \$12,700,000. In Seattle's case an additional benefit is the \$470,516 in free street lighting service in 1960.

A case study on tax and other benefits can be prepared for every public and cooperative system.

A survey by Klickitat County PUD showed that the construction of its rural electric lines increased rural real estate values and tax base by more than the worth of the entire electric system. Similar reports have been made by many rural electric coopera-

tives. The effect of rural electrification upon farm productivity, farm income, and increased tax base for all taxes is well known.

The Washington PUD Association issued an excellent study where eight PUD's recomputed their 1959 bills to schools, cities, counties, and other tax-supported public bodies by using the rates of the nearest private utility. The private utility rates would have resulted in charges of \$1,463,000 as against \$1,002,500 from the PUD's. This amounted to a direct saving to the taxpayers of \$460,500. Since 15 to 20 percent of all electricity used in the United States is purchased with tax dollars, the lower rates of the public and cooperative systems makes for Government economy and saves the taxpayer's money.

Other case studies can be prepared on the effect of low cost power in attracting industry. The 1945 tax study by BPA and the recent Flathead County analysis illustrate the method. Low cost power for irrigation pumping has opened new lands in the Pacific Northwest. Virtually every area and utility is a unique case study.

Of course, the target of the private utility tax propaganda is the Federal Government and the Federal power program of dams, transmission lines and REA loans. At first the utilities directed their propaganda against TVA, then socialism and in recent years on taxes. Clearly while taxation is the theme, the object remains to get the Federal Government out of the power business.

The record of benefits of the Federal power program can be measured both in national and local terms. The Nation has benefited from the multiple purpose water resources projects, where the power features made possible the flood control, navigation, irrigation, recreation, and other benefits. Without the prospect of power revenues most dams would not be feasible.

After the disastrous private utility power shortages of World War I, it is significant that Federal projects in the TVA, BPA, and other areas proved urgently necessary for national defense in World War II.

The Treasury benefits from the great increase in revenues as low cost power makes possible new industrial development, the opening of new lands and other economic growth. The record is clear that both TVA and BPA areas are now paying about twice the percentage of internal revenue collections as compared to 1933. Much of this improvement is the result of the Federal power program and the distribution of power by consumer-owned electric systems. It is a record of proud accomplishments.

#### 5. WHAT IS THE RECORD OF PRIVATE UTILITY PROFITS AND TAXES?

The Federal Power Commission statistics for 1960 cover 270 class A and B private electric companies which comprise over 98 percent of the private sector.

Total utility earnings will be the basis of this analysis because the FPC data generally is on a consolidated basis. Total utility earnings in 1960 came to \$12,002 billion, of which electric revenues were \$10,116 billion.

Against the \$12,002 billion earnings FPC shows \$5,778 billion operating expense, \$1,182 billion depreciation, and \$1,154 billion in other taxes (other than Federal income taxes), or a total of \$8,114 billion in deductions. These costs would have been incurred if the private utilities had operated on a debt-free, nonprofiting basis. These costs amount to 67.5 percent of total utility earnings.

The remaining \$3,888 billion went for \$1,783 billion net income, \$693 million net interest cost, \$215 million for deferred income tax, and \$1,195 billion for actual Federal income tax. The latter figure for Federal income tax is shown by FPC as \$1,218 billion, less \$23 million income tax deferral for prior years.

The actual Federal income taxes came to 10 percent and other taxes 10 percent of all utility earnings.

The net income of \$1.783 billion came to 14.87 percent of total utility earnings, whereas net interest cost was only \$693 million or 5.78 percent of earnings.

By and large the private utilities pay almost 20 percent of their total earnings for taxes.

The Achilles heel of the private power picture lies in the division of the \$3.888 billion. The companies have \$21 billion of bond and \$19 billion of stock financing. On the \$21 billion bonds the net interest cost is \$693 million. The remaining \$3.195 billion of cost is incurred on account of the \$19 billion of stock. The dividends and Federal income taxes thereon constitute the big cost. If the companies used bonds in lieu of stock, the interest cost would be about \$622 million and would substitute for the \$3.195 billion for a saving of about \$2.5 billion or 20 percent of gross revenues.

**6. HOW DO CONSUMER-OWNED SYSTEMS COMPARE WITH PRIVATE UTILITIES?**

Comparisons require considerable caution. The hundreds of variables and changes in variables introduce hazards which prohibit precise comparisons.

However, the contrast between the private sector and consumer-owned sector of the electric utility industry requires no precision to get the point. Accordingly a broad brush approach will suffice.

The 1960 Edison Electric Institute Statistical Yearbook provides the basic data for revenue and rate comparison.

The table comparing electric rates shows that average residential price of electricity for the industry in 1960 was 2.47 cents per kilowatt-hour, being 2.62 for private utilities and 2.06 cents for consumer-owned systems, both cooperative and public. Compared to the private utility average residential price, the consumer-owned systems saved \$287,500,000 for their consumers.

If the private utilities had sold power to their consumers at 2.06 cents per kilowatt-hour, their consumers would have saved \$769,500,000. The total residential contrast is \$1,057 million.

This understates the contrast since consumer-owned systems serve considerable rural loads.

Turning to the second half of the table on the total sales, the average industry selling price was 1.69 cents per kilowatt-hour, being 1.82 cents for private utilities and 1.268 cents for consumer-owned systems. Compared to the private utility price, the consumer-owned systems saved \$896 million for their consumers.

If the private utilities had sold power to their consumers at 1.268 cents per kilowatt-hour, their consumers would have saved \$2,851 million. The contrast for all sales is \$3,747 million.

This contrast probably overstates the case because of the inclusion of direct industrial sales of the Federal power systems. Another distortion would result from the inclusion of large blocks of low-cost Federal hydro in contrast to private utility steam generation.

The actual combined electric revenues of private utilities and consumer-owned system was \$11.516 billion, divided \$9.432 and \$2.084 billion. Had the low and high prices been used throughout, the resulting revenues would have been \$8.665 and \$12.412 billion respectively.

Whatever distortions may be contained in these figures, the fact remains that they merely reflect the actual operations of 1960.

Looking behind the low prices of the consumer-owned systems one cannot but be impressed by the fact that these prices more than cover the costs.

Setting aside the sharp contrasts in electric rates, the remainder of the comparison

needs to be made by considering taxes and in the case of consumer-owned systems the dedication of net income to public use.

The public power systems listed in the FPC report contribute 26.8 percent for taxes and dedication of net income. The REA borrowers contribute 16.65 percent in taxes and dedication of net income.

Apparently the chief bone of contention between the comparisons as made by private utilities and as made by consumer-owned systems is in connection with the treatment of the net income of consumer-owned systems.

The net income of consumer-owned systems is not paid out to stockholders. It is generally used for new electric plant additions or for debt retirement. In either case the net income becomes part of the public equity owned by the people. This equity is a dedication of net income to public purposes. It is like a tax and constitutes a contribution in lieu of taxes.

On balance I must conclude that tax payments and contributions of net income for public use finds the consumer-owned systems at least on a par with private utilities, except that for consumer-owned systems most benefits remain in the community.

The real difference between the two approaches in the electric utility industry is in rates charged the electric consumer.

The accumulated results of the debt retirement policy of the consumer-owned systems appears in the official reports. The REA patronage capital credits by the end of 1960 amounted to \$325 million.

FPC 1960 report for public power systems shows an accumulated net income or public equity of \$1,968,321,604.

The policy of debt retirement by consumer-owned systems results in a gradual lowering of interest charges until the particular system becomes debt free and thereafter has no further interest charges.

In summary, the private utilities charge higher electric rates and operate for profit and they pay Federal income taxes on their profits.

The consumer-owned systems provide service at lower rates, operate on a nonprofit basis, and additionally plow back their net income to retire debt and thus establish an equity on behalf of their consumer-owners.

**Comparison of electric sales, 1960, private utilities and consumer-owned utilities**

(Dollars in billions)

	Private utilities	Consumer-owned systems	Total industry
Residential sales, (billion kilowatt-hours).....	138.252	51.659	189.911
Price per kilowatt-hour, (cents).....	2.62	2.06	2.47
Residential revenues.....	\$3.6195	\$1.0665	\$4.6860
Revenue repriced at 2.06 cents.....	\$2.85	\$1.0665	\$3.9165
Revenue repriced at 2.62 cents.....	\$3.6195	\$1.354	\$4.9735
Savings between 2.62 and 2.06 cents.....	\$0.7695	\$0.2875	\$1.0570
Total sales (billion kilowatt-hours).....	518.811	164.388	683.199
Price per kilowatt-hour (cents).....	1.82	1.268	1.69
Total revenues.....	\$9.432	\$2.084	\$11.516
Revenue repriced at 1.268 cents.....	\$6.581	\$2.084	\$8.665
Revenue repriced at 1.82 cents.....	\$9.432	\$2.950	\$12.412
Savings between 1.82 and 1.268 cents.....	\$2.851	\$0.896	\$3.747

NOTE.—Based on EEI Statistical Year Book for 1960, including Alaska and Hawaii.

**7. HOW CAN PRIVATE UTILITIES REDUCE THEIR HIGH ELECTRIC RATES?**

In 1948 Prof. James C. Bonbright, of Columbia University, and former chairman, New York Power Authority, served on the power committee which guided the research staff of the Twentieth Century Fund in prepar-

ing the monumental study "Electric Power and Government Policy." At that time he submitted this comment on electric utility taxes:

"The fact that electrical utilities operate, to a large extent, under conditions of decreasing costs for increasing quantities of service, adds weight to the argument that they should be given especially favorable treatment by the tax laws. The favorable treatment, however, should be made to redound to the full benefit of the ratepayers—an objective which is hardly attainable under our present ineffective methods of rate regulation. Utility tax reform must go hand in hand with reform in utility rate control."

More recently in addressing the Great Lakes Conference of Railroad and Utilities Commissioners, Labor Economist Solomon Barkin, director of research, Textile Union of America, made some specific suggestions for overhauling utility regulation. Particularly he urged elimination of common stocks in the financial structure of private utility enterprises. Excerpts from his address follow:

"The American people are on the threshold of demanding a complete review of our system of public utility regulation. \* \* \* Probably the single most important reason for this concern is the dissatisfaction with rising service rates. The public has grown cynical of the degree to which their interests are protected and prices reasonably restrained. \* \* \* Capital is rented no matter whether it be invested in the form of bonds, preferred or common stocks. The difference in the risks do not justify this classification. Why should not this fact be recognized in the entire system of regulation? \* \* \*

"Many fundamental questions of economic import have to be raised in the public utility field. First is the propriety of the distinction between bonds, preferred and common stocks in this field. The existence of equity shares in the form of common stock distorts the nature of the public utility. It not only invites speculation but also encourages accounting practices designed to inflate the capital value of the enterprise with the resulting possibilities of forcing rate increases. Fundamentally, the differences in classes of equities should be eliminated. All financing of public utilities should be done through dividend-limited securities, such as bonds or preferred stock."

Private utility executives are not unaware of the possibilities of eliminating or drastically reducing the proportion of stock financing. In two cases they have been driven by necessity to adopt the idea.

Electric Energy, Inc., was formed in Kentucky as a syndicate of five companies to compete against TVA for the right to serve the AEC Paducah plant. A 182 million steam plant of 1,041,000 kilowatt capacity was financed by means of 95 percent bonds and 5 percent common stock. For example, at the end of 1960 there was outstanding \$6.2 million in common and \$150.9 million bonds. The 1960 operating statement shows \$30.6 million gross revenue against which there was charged only \$348,000 in Federal income taxes and \$638,438 in other taxes or a total tax bill of less than \$1 million or about 3 percent of the revenues. Interest on bonds came to \$5.3 million leaving \$295,000 net income as a modest 4.75 percent rate of return on the common stock.

Ohio Valley Electric Corp. was similarly formed by 15 companies to serve an AEC load. At the end of 1960 there was outstanding \$310 million in bonds and \$10 million in stock. Out of \$71.5 million gross revenues the Federal income tax came to a modest \$885,416 and other taxes \$1,581,419 or a total tax of only 3.5 percent of revenues. The \$800,000 net income came to 8 percent on the common.

These two systems achieved an average financing cost of about 3.5 percent and are thus operating examples of how to achieve low-cost power on the order of 4.5 mills per

kilowatt-hour by steam generation. The key is the maximum use of bond financing so as to cut to the bone the twin burdens of common stock dividends and Federal income taxes.

For the private electric utility executives these two cases illustrate a lesson that the public will hear about sooner or later: Where there is a will, there is a way. But first there must be a will.

The pattern established by Electric Energy, Inc., and Ohio Valley Electric Corp. happens to be appropriate to the special situation created by the backup of a long-term AEC power purchase contract.

However, it is interesting to note that the Pacific Northwest Power Co., a syndicate of four companies which proposed to build the Pleasant Valley and Low Mountain Sheep Dams on the Snake River some years ago, proposed to use 85 percent bond financing and only 15 percent common stock. The will was provided in this case by the competitive situation.

From this "thin common equity" approach it is but a short step to 100-percent bond financing, with or without a nominal common stock which does not participate financially but is used merely for voting control. The use of 100-percent bond financing would for all legal and Federal corporate income tax purposes create a nonprofit operation which would be excused from both common stock earnings and Federal corporate income tax thereon.

The magnitude and impact if the private electric corporation executives could find the will to operate on this kind of a "nonprofit" basis would be tremendous.

Legal problems would require legislation perhaps at both State and Federal levels to permit building up reserves or equity on behalf of the consumer, so that in the long term the consumers would own the enterprise. One way is to set up an amortization charge, like the 40-year payout plan of the Hydro-Electric Commission of Ontario, as an operating expense, and having done that, then require electric rates to be set, using a rate stabilization reserve, so as to insure zero net income or nonprofit operation. Another way would be to commit all net income to a trust on behalf of the consumers similar to pension and other employee benefit trusts.

Setting aside the questions of control and trusteeship, the purpose here is to outline the huge impact possible on electric rates and utility ownership.

The 1960 FPC statistics for private electric utilities shows roughly \$12 billion gross income of which \$3.9 goes for interest, income tax, deferred income tax, and earnings accrued to stock. If bonds are substituted for stocks and only interest is paid, the companies would save \$2.4 billions or 20 percent on their \$12 billion gross income.

If rates were not reduced, but instead the \$2.4 billion in annual savings plus subsequent interest savings were applied to debt reduction, the companies would be debt-free in 14 years, aside from new debt incurred for expansion, which however, would likewise amortize itself in 14 years at the present electric rate levels.

If the institution of nonprofit operation were done on the basis of splitting the 20 percent per year savings with electric consumers by reducing rates 10 percent, then the remaining 10 percent would amortize the \$41 billion debt in about 23 years.

The latter approach is more typical of that used in the amortization policies of public power systems.

Such nonprofit operation will raise the cry that the loss of Federal corporate income tax must be made up in some other way. The answer generally is that the release of capital as electric property is amortized, makes those funds available for use in other capital opportunity markets. Also the cut in electric rates leaves more money in the pockets of consumers for spending in some other

way or for investment. In any event the broad scope of the Federal income tax mechanism will insure that most of the income tax loss will be rebuilt through other channels.

Summarizing this portion of the analysis, it is apparent that the traditional pattern of financing private utilities can be drastically overhauled by taking the common stock monkey off the backs of the utility companies. Common stocks do not furnish risk capital any longer, but on the contrary are a form of self-created, unnecessary risk.

The companies have about \$40 billion in debt outstanding. They pay \$693 million net interest on \$21 billion in bonds. Then they record \$1,783 million in earnings on behalf of \$19 billion in stocks. If the stocks were replaced with bonds at the same interest rate, the annual interest would have been \$622 million on those bonds instead of having to show \$1,783 million. Here is a direct savings of \$1,161 million.

This billion dollar cost is a billion dollar monkey on the backs of electric consumers for services not received.

Additionally, this billion dollars of unwarranted burden is the reason for the Federal corporate income tax burden of \$1,218 million even after the fast-tax-write-off allowance of an additional \$215 million. All of these cost problems can be solved by adopting a 100-percent bond financing approach for private electric utility enterprises. OVEC and EE, Inc., have shown the way for the most part.

#### S. CONCLUSION

The private electric utility corporation officers are not being candid with the American public.

They are devoting millions of dollars annually for advertising and other propaganda smokescreens.

Private utilities are stuck with obsolete financing patterns which should be reviewed, and then for the most part junked. The use of common and preferred stocks can generally be discontinued.

Elimination of stock financing would greatly benefit the electric consumer in the form of rate reductions and in enabling consumers ultimately to own the electric systems. In the long haul the initial loss of corporate income taxes to the U.S. Treasury would be rebuilt through other channels.

The matter is in the hands of the private utilities. They can answer the questions and issues which they raise in their own tax propaganda.

The private utilities at one time were both private and enterprising. Today the utility business is so clearly a public function and is so clearly established, that it no longer warrants common stocks financing.

The departure of private utility stocks from the market would release more funds for genuine private free enterprise. And I for one believe in and want to support genuine private free enterprise, just as I also believe in supporting, where appropriate, genuine public free enterprise.

#### DR. FELIX NABOR SABATES

During the delivery of Mr. MORSE's remarks,

Mr. HUMPHREY. Mr. President, I ask the Presiding Officer to lay before the Senate the message from the House of Representatives on S. 3453.

The PRESIDING OFFICER (Mr. JAVITS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3453) for the relief of Dr. Felix Nabor Sabates, which was, after line 6, insert:

Sec. 2. For the purposes of the Immigration and Nationality Act, Doctor Mehmet

Vechi Kalaycioglu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1957, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Sec. 3. For the purposes of the Immigration and Nationality Act, Ali Khosrowkhah shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 29, 1946.

Mr. HUMPHREY. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion by the Senator from Minnesota.

The motion was agreed to.

Mr. HUMPHREY. Mr. President, I thank the Senator from Oregon for his courtesy. This expedites some business.

Mr. MORSE. I say to my good friend that I have postponed my speech as a matter of accommodation to the leadership, so that it could take place at this time while the Senate still is waiting for its conferees to report on a couple of important conferences. My friend from California is waiting for me to finish so that he can extend the same courtesy to the leadership.

Mr. ENGLE. But not with a speech. Mr. HUMPHREY. The speech is a very good one.

Mr. ENGLE. It is a good speech.

Mr. HUMPHREY. Mr. President, will the Senator yield further, so that the Senator from California may submit a conference report?

Mr. MORSE. I am delighted to yield with the understanding that the interruption will appear elsewhere in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT OF SECTION 502 OF THE MERCHANT MARINE ACT, 1936, AS AMENDED—CONFERENCE REPORT

Mr. ENGLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11586) to amend section 502 of the Merchant Marine Act, 1936, as amended. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ENGLE. Mr. President, I am pleased to be able to advise the Senate that the conferees on H.R. 11586 which is companion bill to S. 2800, the ship construction bill, have, with very minor

exceptions, agreed to the Senate amendments.

The Senate voted to remove the 6-percent west coast differential. The conference accepted this. With respect to the repeal of the 6-percent differential, the bill would not repeal the differential as far as bids opened prior to the effective date of the new act were concerned. This was also a Senate amendment.

With respect to allocations, existing law requires a periodical survey of private shipyards by the Secretary of Commerce in coordination with the Secretary of the Navy, to determine whether such yards are adequate to provide a mobilization base for national defense or emergency, and to remedy an existing inadequacy, if one is found. The Secretary may, with the approval of the President, allocate ship construction or reconstruction to any such yard to maintain its position and ability in the mobilization base.

As was stated in the House committee report on H.R. 1159 to repeal the 6-percent west coast differential, Congress has consistently recognized the need for having adequate, readily available shipbuilding facilities on all coasts for emergency use. It was urged then, and we do so here, that the allocation authority of section 502(f) be used wherever, and whenever, needed to keep the national shipbuilding mobilization base in balance.

The amendments were approved by the conferees. They will require the survey and report thereon be made at least once each year; change the phrase "existing inadequacy" to "existing or impending inadequacy," so that it is clear that a yard need not be completely down before allocation can be made; and remove the requirement of approval by the President. With the exception of "impending inadequacy" these were all Senate amendments.

Shipment of lumber from anywhere in the United States to Puerto Rico by foreign flag vessel would be allowed for an experimental basis for 1 year if the Secretary of Commerce found that no domestic vessel was reasonably available for the service. The Secretary could also terminate such an exemption from existing law whenever he found domestic vessels were available. With the exception of this 1-year limitation, this was the Senate amendment. The conferees added a permissive public hearing, with a cutoff from delaying court proceedings.

With respect to the 55-percent construction differential, the Senate voted a 1-year extension. The House voted 3 years, and also included a 60-percent differential for reconstruction or reconditioning.

The House conferees stood firm. We were successful in cutting the 3-year extension to 2 years, but to save the bill, agreed to the remainder of the House language.

Mr. President, these are the principal points in this legislation.

I urge the Senate to adopt the conference report.

Mr. METCALF. Mr. President, will the Senator from California yield?

Mr. ENGLE. I am glad to yield to the Senator from Montana.

Mr. METCALF. On behalf of the junior Senator from Oregon [Mrs. NEUBERGER], I have been requested to ask some questions to clarify some of the problems which have arisen in respect to the bill, and to make some legislative history.

My first question is this: Is it the understanding of the chairman of the Senate conferees that the term "reasonably available" may be defined as available at "a rate and quality of service competitive to shipping available to lumber producers in comparable foreign ports," such as Vancouver, British Columbia?

Mr. ENGLE. Mr. President, I am glad to respond to the question propounded by the Senator from Montana on behalf of the junior Senator from Oregon.

The language "reasonably available" means the Secretary of Commerce shall give consideration to all the facts and circumstances surrounding the lumber movements from and to the ports applied for. It is not proper to go into specifics and prejudge any decision by the Secretary of Commerce. But if it is the Senator's understanding that the language includes rates as well as service, then the Senator's understanding is the same as mine. The whole amendment must be read in the context of the problems of the lumber industry in getting access to domestic markets. Whether the problem—in an individual case—involves rates or service or Canada or Mexico is something the Secretary will have to take into consideration.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ENGLE. I am glad to yield.

Mr. MORSE. Has the Senator from Montana finished with this point?

Mr. METCALF. I have finished with this point. I desire to ask another question along the same line.

Mr. MORSE. I have talked to the junior Senator from Oregon in respect to this matter. When the Senator completes his questioning, I should like to make sure that the legislative history is clarified as to what I believe to be the understanding of the junior Senator from Oregon, because what I believe to be her understanding is exactly the understanding of the senior Senator from Oregon. I think we ought to make the legislative history very clear, because unless we do there will be those who will contend that the language in the conference report provides the Secretary of Commerce with some escape hatch in regard to what he can or cannot do in respect to authorizing the use of foreign bottoms. Unless we can get that cleared up, I am not so sure that this is an acceptable conference report.

Mr. METCALF. Mr. President, if the Senator will yield, I say to the senior Senator from Oregon that the second question I wish to propound to the chairman of the Senate conferees will further clarify this point and further make legislative history on behalf of the junior Senator from Oregon.

We have clarified and explained the term "reasonably available."

Is it the understanding of the chairman of the Senate conferees that, immediately upon signing of this bill, a shipper could apply to the Secretary

of Commerce for a Jones Act suspension with respect to given ports; that such suspension would be granted, after due notice and opportunity for hearing upon a finding that no carrier was reasonably available; and that such suspension would continue to apply unless and until the Secretary made an affirmative finding, again after due notice and opportunity for hearing, that domestic flag shipping had become reasonably available?

Mr. ENGLE. The Senator is correct. As I read the amendment, the Secretary of Commerce is not required to make a determination on a ship-by-ship basis or on a cargo-by-cargo basis. In other words, he does not determine it for a cargo at a time or even for a ship at a time, but rather on the basis of a port or terminal area at a time. The determination will initially be made, after application by a shipper, as between the originating and the terminating port or terminal areas that are applied for. If changed circumstances prompt a petition for withdrawal of the suspension, the Secretary will make a new determination with the same procedures that are required for the original determination.

Mr. METCALF. On a port-by-port basis.

Mr. ENGLE. The Senator is correct.

Mr. METCALF. I thank the Senator from California.

Mr. ENGLE. I have been delighted to yield to the Senator from Montana.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ENGLE. I am glad to yield to the Senator from Oregon.

Mr. MORSE. The Senator from California helped to clarify the situation somewhat. But as a supporter of the amendment of the junior Senator from Oregon, I wish to make very clear the understanding of the senior Senator from Oregon as to its intent, for our problem is merely as follows: We are in competition in the Pacific Northwest and all along the west coast—it applies to the State of the Senator from California as well—with Canadian mills, who by and large frequently have a great advantage over American mills, since they are allowed to ship in foreign bottoms at a great saving, if the American mill must pay the rates that most American ships require.

I wish to state a hypothetical case involving either the port of Coos Bay, Oreg., or the port of Portland serving lumber mills shipping to Puerto Rico, or lumber mills that could ship to Puerto Rico if they could compete with Canadian mills.

One of the reasons such mills cannot ship to Puerto Rico is that the Canadian mills have a great advantage in cost of transportation. That situation locks Oregon mills out of Puerto Rico because that is what has been happening. We have not been shipping American lumber to Puerto Rico. The primary reason the mill operators give to us is that they cannot ship as cheaply. Therefore, they cannot offer the lumber price that the Canadian mills can offer.

On the basis of the answer that the Senator from California has given, suppose those lumber mills in Coos Bay or

in Portland or the port authority of either port should say to the Secretary of Commerce, "We have a lot of orders to ship lumber to Puerto Rico that we could fill if we could meet the Canadian competition, and we could meet the Canadian competition if we could ship in foreign bottoms."

Suppose further that the reply would be, "We think that X or Y American Steamship Co. has ships available."

The bill operators might say, "They have ships available but at transportation rates that we cannot afford to pay."

Under the facts stated, would the Secretary of Commerce be in a position to authorize the Coos Bay mills and the Portland port mills to ship in foreign bottoms unless the American shipping companies would say, "We will meet that competition and send the lumber in our bottoms at a competitive rate?" Yes or no.

Mr. ENGLE. Other than perhaps the junior Senator from Oregon [Mrs. NEUBERGER], the senior Senator from Oregon is probably better qualified than anyone else to interpret the amendment, because the junior Senator from Oregon, in consultation, I assume, with the senior Senator from Oregon, wrote the language of the amendment.

The amendment provides in effect that "the Secretary determines that there is no domestic vessel reasonably available to serve between such ports or terminal areas for the transportation of such lumber."

In answer to the question asked by the Senator from Montana, I said that, as I construed the amendment, it would apply to and include rates as well as service.

So to make it perfectly clear what we are talking about, I am advised we are not sending any lumber now from American ports via American-flag lines, for the very reason mentioned by the Senator from Oregon, namely, that we are priced out of the market in relation to transportation costs.

So as a consequence, I assume—and I believe it is also the opinion of the senior Senator from Oregon, as well as the author of the amendment, the junior Senator from Oregon [Mrs. NEUBERGER]—that it is the intention to take into consideration the competitive situation as well as the problems of service.

Mr. MORSE. I wish to say that before the last explanation by my friend from California, the senior Senator from Oregon would have been very happy to accept this delegation of authority from the Senator in charge of the bill to make the legislative history on the floor of the Senate. But then the Senator from California went on to make exactly the legislative history that the senior Senator from Oregon would make. I want the RECORD to show that I completely agree with the legislative history that that Senator from California has made, because, in my judgment, that legislative history stated only one interpretation, and that is rates, as well as other factors, can be taken into account by the Secretary of Commerce in determining whether American ships are reasonably available.

Mr. ENGLE. We wish to make that perfectly clear, because otherwise a ship could be bootlegged into a port and a statement made that it is available for service, but actually, from a practical standpoint, it would be of no use at all, because competitively we would be out of the market.

Mr. President, I wish to express my appreciation to the senior Senator from Oregon for yielding this time to me for this purpose.

I move that the conference report be agreed to.

Mr. STENNIS. Mr. President, I wish to highly commend the Senator from California [Mr. ENGLE] for the very fine way in which he has represented the Senate and rendered an outstanding service to the Nation as chairman of the conference committee on this bill. He showed a splendid knowledge of the subject matter of the bill, complicated as it is, as well as the amendments thereto. Furthermore, he applied himself rigidly to the long and difficult task and showed in many ways that he is a skillful and valuable legislator in reaching agreements that make sound legislation. I commend him highly for this valuable service, and as one who was interested in the legislation and was in contact with him in his work, I am pleased to call his accomplishments to the special attention of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The report was agreed to.

#### ADDRESS BY SECRETARY OF DEFENSE AT ANNUAL GEORGE C. MARSHALL MEMORIAL DINNER

Mr. RUSSELL. Mr. President, on Wednesday, October 10, 1962, our very able Secretary of Defense, the Honorable Robert S. McNamara, was the principal speaker at the annual George C. Marshall memorial dinner of the Association of the U.S. Army, here in Washington.

In a brilliant address, Secretary McNamara gave a broad review of our defense responsibilities and capabilities, with special emphasis upon the role of the modern army.

Those of us who knew and admired General Marshall will appreciate the high and deserved tribute which the Secretary of Defense paid that great American. The Secretary's speech will make notable reading for all of us who are interested in the defense of the entire free world. Therefore, I ask that the speech be printed in the body of the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY SECRETARY OF DEFENSE ROBERT S. McNAMARA AT THE ANNUAL GEORGE CATLETT MARSHALL MEMORIAL DINNER, ASSOCIATION OF THE UNITED STATES ARMY, WASHINGTON, D.C., OCTOBER 10, 1962

It is a double privilege to be here with you this evening. By this occasion we honor two great soldiers. They served together in a war to defend human freedom against the greatest threat it had ever faced. When that war was won, they worked together to build the defenses of the free world against an even

greater threat. In a sense they are both here in this hall, one quite vividly in spirit, and the other in person.

I never knew General Marshall. But no one who served under him, even in a very junior capacity, as I did, could help but absorb some appreciation of his extraordinary qualities. His contributions to the Army, to our country, and to the human race suggest the breadth of his concern—and the foolishness of trying to pigeonhole something called "the military mind."

Through the first peacetime Selective Service Act, he gave the Army the manpower it needed in a time of crisis. As a military adviser to the President, he was the principal architect of the strategy that gave us victory. As the author of the plan that bears his name, he gave the free world an idea that helped to bring Europe back from the ashes, and that is now being applied in our own hemisphere through the "Allianza para Progreso." One of General Marshall's wisest choices, demonstrating again his remarkable powers of judgment, was his selection of Dwight D. Eisenhower for early high command, leading to the career for which we are honoring General Eisenhower this evening.

General Marshall himself received many well-deserved tributes during his career. The highest tribute that I know of was paid to him by Henry Stimson, when Mr. Stimson was Secretary of War. Those of you who attended this dinner last year heard these words from Robert Lovett. I think they are worth repeating. Speaking on V-E day to a small gathering of War Department leader, Mr. Stimson turned to General Marshall and said:

"I want to acknowledge my great personal debt to you, sir, in common with the whole country. No one who is thinking of himself can rise to true heights. You have never thought of yourself. Seldom can a man put aside such a thing as being the commanding general of the greatest field army in our history. This decision was made by you for wholly unselfish reasons. But you have made your position as Chief of Staff a greater one. I have never seen a task of such magnitude performed by man.

"It is rare, late in life, to make new friends; at my age it is a slow process, but there is no one for whom I have such deep respect and, I think, greater affection.

"I have seen a great many soldiers in my lifetime, but you, sir, are the finest soldier I have ever known."

What I want to talk with you about this evening are the responsibilities and the challenges that confront today's soldiers, and today's Army.

My thesis is a paradox—actually, a paradox within a paradox.

The first paradox, which I will only mention, is this: As the United States strives to maintain the great and increasing military might required to protect our vital interests and the vital interests of the free world, we must at the same time strive for disarmament arrangements that will reduce the danger of war. General Eisenhower personifies that paradox. He is distinguished not only for leading the greatest military expeditionary force in history, but also for breaking new ground in the field of disarmament. There is, of course, no inconsistency in pursuing worldwide disarmament while pursuing free world strength: We seek disarmament, but not unilateral disarmament. The disarmament we seek, like the strength we have, is intended to preserve our real security.

The second paradox—the one I want to discuss more fully this evening—relates to the role of the Army: As weapons of mass destruction grow more powerful, numerous, and widely proliferated among the nations of the world, the role of the Army, and even

the role of the individual combat soldier, becomes not less but more important.

The continuing growth of the Soviet nuclear force is the fundamental fact influencing all our military planning. Our first responsibility to ourselves, to our allies, and to the free world is to preserve the vital interests of the free world while avoiding nuclear war. We deter the Soviets from using their growing nuclear force by maintaining a nuclear force strong enough and survivable enough to ride out any conceivable nuclear attack, and to survive with sufficient power to cause unacceptable damage to the attacker.

We have such a force today, and we have increased the budget to assure that we shall have such a force in the future.

The Polaris submarines deployed around the world, our bombers on 15-minute ground alert, our intercontinental missiles, increasingly hardened and dispersed in a great arc across the western plains provide the required deterrence. We have no reason to fear the Soviet rocket rattlers. Mr. Khrushchev himself has recognized the dangers of nuclear war in his much-quoted speech of January 6, 1961, when he said, "the problem of preventing a global thermonuclear war is the most burning and vital problem for mankind."

But Mr. Khrushchev remains an enthusiastic advocate of other kinds of wars, which he calls "wars of national liberation," and which we identify as subversion or covert aggression. He favors these wars because he believes they are below the threshold of nuclear deterrence; and recent history tends to support his judgment. The U.S. nuclear superiority did not deter the Communist invasion of Korea nor the Communist drive for domination in southeast Asia. Today the threshold of nuclear deterrence is still quite low. But as the Communist nuclear strength increases over the years, that threshold is bound to rise, whatever our margin of nuclear superiority. Therefore, we require increasing capability to deter forms of political and military aggression against which the application of nuclear weapons may not be a credible response.

It is essential in order to protect our own national security, as well as to meet our responsibilities as the leader of the free world, that we develop and maintain the forces to deter Communist aggression across the entire spectrum of military and paramilitary aggression—and, if deterrence should be unsuccessful, to stop that aggression dead in its tracks.

Mr. Khrushchev also likes to talk about "peaceful coexistence." To the extent that his peaceful coexistence means competition in advancing the well-being of peoples in the developing nations, or in the peaceful arts and sciences, or, in the race to the moon, we welcome the Communist challenge. As President Kennedy has said, " \* \* \* if freedom and communism were to compete for man's allegiance in a world of peace, I would look to the future with ever-increasing confidence."

But the Soviets are not limiting themselves to such competition. So-called peaceful coexistence encompasses many levels of conflict from agitation to assassination, from trade fights to shooting fights. That is why countering Communist aggression requires the organized efforts not only of all of the four military services but of all the agencies of Government. This effort is making new demands on each of the military departments. The Army in particular must expand diversity and modernize itself to deal with a wide range of counterinsurgency and limited-war situations.

I must emphasize that these new requirements do not imply any shift in our stated policy on the use of nuclear weapons. The President has declared that "the defense

of Europe and the defense of North America are indivisible," and he has expressed "the hope that no aggressor will mistake our determination to respond instantly with whatever force is appropriate." The appropriate response, whether it be nuclear or non-nuclear, whichever best supports our objective, will be made promptly and forcefully.

The U.S. Army has risen to many challenges in its 187-year history. The 145 battle streamers on the Army flag represent past threats to America extending from the Revolution to the Korean conflict. Rapid changes is no new experience for a service that in World War II expanded from a small peacetime force of some 270,000 to a modern Army of over 8 million—that in 1950 changed from garrison duty in Japan one day to combat in Korea the next—a service that knows that today it may be in training one hour and in combat the next in any part of the globe.

It has been an impressive and inspiring experience for me to observe the Army responding to the challenges of the sixties. You all know that the number of combat-ready Army divisions has increased by 45 percent in the past 14 months.

All of you may not be aware that both the 1962 and the 1963 budgets included over \$2½ billion for Army procurement of weapons and equipment—65 percent more than appropriated for fiscal year 1961.

Equally important for the Army is the fact that 1963 procurement funds for airlift aircraft are double the amount for 1961 and that twice as many tactical fighters are being procured for the Air Force in fiscal year 1963 as in fiscal year 1961.

Together with these substantial increases in Army combat effectiveness, a greatly intensified effort is being made to assist our friends and allies in meeting the threat of Communist-supported insurgent movements. The Army's Special Forces have now been built up to almost four times their strength at the beginning of 1961. In addition these forces are contributing to a development to which I attach extreme importance. Augmented by special units, they are demonstrating the ability of our Armed Forces to play a vigorously constructive role in support of the economic and social development of less developed areas within our defense perimeter. We know how importantly economic and political reforms contribute to defense against subversion. We recognize the fact that it is this kind of progress, building on whatever can be achieved through military or paramilitary means, that provides the long-term solution to defense against subversion. The Army has a particularly challenging role to play here, and it is making encouraging progress in meeting that challenge.

Incidentally, the cost to the taxpayer of all these developments would be considerably higher but for our overall program to increase the efficiency and reduce the cost of our logistics operations. We have initiated actions since 1961 that will cut the costs of such operations by more than \$1 billion in fiscal year 1963 and by at least \$3 billion per year within 3 years. The Army's share in this cost-reduction program for 1963 is \$377 million.

At the same time that the Army has been absorbing these large increases of men and equipment and innovations in doctrine, it has been going through a major reorganization involving combat arms and technical services that date back almost two centuries to the time of our first Commander in Chief. This reorganization, which has been planned by the Army staff to bring the Army structure into line with its new obligations and new operations, has been the most comprehensive since Secretary Root created the general staff system in 1903. It has required thousands of man-hours of studies and thousands of pages of planning documents.

But all of these plans and programs would have come to nothing without the dedicated efforts of men and women whose job it is to carry out the plans at every level of responsibility—from the division commander to the last private—from a special forces team in Vietnam to the infantry squad in Berlin—from the immediate office of the Secretary to the records rooms in the sub-basement in the Pentagon.

There is no more important concern in the management of the Department of Defense than the welfare and morale of these men and women. I should like to list for you some of the major steps that are being taken to improve their welfare and maintain their morale:

1. The first increase in quarters allowance for military personnel since 1952, will go into effect 90 days from now—an average increase of 18 percent.

2. The Congress has just approved a 50-percent increase in the military housing program for the current fiscal year over the previous year.

3. The per diem allowance for both military and civilian personnel has been increased to meet higher costs of living.

4. At our request, the President has appointed a Special Committee on Equality of Opportunity in the Armed Services to consider particularly ways to alleviate the problems of off-base discrimination in housing, in education, in transportation, and in recreation, that makes life more difficult for soldiers and their dependents not only in some overseas areas, but also in some parts of our own country.

5. A comprehensive study of military compensation is being completed, looking toward legislation in the next Congress that should bring a long-overdue increase in military pay scales and incidentally reduce the drain of skilled manpower trained at Government expense away from the services to private industry.

These improvements in the circumstances of military service are the least that we owe to our service people. But these are surely not the attractions that draw men and women to the services, or that sustain them through the rigors of military life. They march to the music of a more distant drum.

In Germany 2 weeks ago, and earlier in Vietnam, I had an opportunity to observe and talk with some of the officers and men who are occupying our most forward positions under extremely difficult circumstances. I can only report that their readiness, their determination, and their sense of humor, measure up to the highest standards of the U.S. Army.

I had a rare insight into the motivations for military leadership the other day when President Kennedy shared with me a letter that he received from Maj. Gen. William F. Train in response to the President's letter of condolence about General Train's son, Lt. William F. Train III, who was killed in Vietnam.

General Train wrote:

"After graduation from West Point in 1959 and completion of the Infantry School, followed by airborne and ranger training, our son chose Korea as a demanding first assignment. He was completely dedicated to 'duty, honor, and country' and the life of a soldier. While there, in addition to his military duties, he actively sought to make friends with the Koreans, learn their language, and acquaint himself with this life and culture. He thus exemplified the qualities of leadership, diplomacy, and civic-mindedness so urgently advocated by you in your speech to the graduating cadets at West Point on June 6. Upon his return to the United States, he served at Fort Myer, Va., for almost a year, and then volunteered for the new challenge of Vietnam. He believed that his success with the Koreans, together with his facility

in French, would be of especial value to his country there.

"His dedication and achievement in his work are fortunately memorialized in the words of a man who served under his command; a sergeant, who wrote: 'His fierce devotion to duty and his tremendous talent for taking care of small details, as well as large ones, endeared him to his men. We knew him as one officer who "always had time." Even when he didn't have time, he took time. We always got the impression that we were second only in importance to the mission to be accomplished. This is what enlisted men look for in officers and this is also what causes men to follow such a leader with an unquestioning attitude.'"

General Train continued:

"We send you this letter to thank you for your condolences and to tell you about our son. We are anxious that our Nation remember him not just as another casualty of the cold war, nor even only as our son, but rather as a loss to the Army and to the Nation, of one of its promising, courageous young officers. We buried him at West Point on July 9 in the hallowed ground of the Military Academy whose motto of 'Duty, Honor, and Country' he lived during his brief life."

It would be presumptuous of me to follow General Train's words with any words of my own. Instead, let me conclude by reading to you a few sentences spoken by General Marshall at Trinity College in June 1941, on one of the few occasions when he unburdened himself of his inmost feelings.

"The soldier's heart, the soldier's spirit, the soldier's soul, are everything. Unless the soldier's soul sustains him he cannot be relied on and will fail himself and his commander and his country in the end.

It is morale that wins the victory.

"It is more than a word—more than any one word, or several words, can measure.

"Morale is a state of mind. It is steadfastness and courage and hope. It is confidence and zeal and loyalty. It is élan, esprit de corps, and determination.

"It is staying power, the spirit which endures to the end—the will to win.

"With it all things are possible, without it everything else, planning, preparation, production, count for naught.

"We are building that morale—not on supreme confidence in our ability to conquer and subdue other peoples; not in reliance on things of steel and the superexcellence of guns and planes and bombsights.

"We are building it on things infinitely more potent. We are building it on belief for it is what men believe that makes them invincible. We have sought for something more than enthusiasm, something not merely of the intellect or the emotions, but rather something in the spirit of the man, something encompassed only by the soul."

#### EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of nominations was submitted:

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:  
Six postmaster nominations.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. METCALF in the chair). Without objection, it is so ordered.

#### COMMENDATION OF NICHOLAS deB. KATZENBACH

Mr. HUMPHREY. Mr. President, I want to take this occasion to express my congratulations to the distinguished Deputy Attorney General of the United States, Mr. Nicholas deB. Katzenbach. It was his responsibility to represent the Government of the United States during the crucially delicate and unfortunately critical days of tension at the University of Mississippi, in connection with the Meredith case. He acted with great distinction and honor. His address before the law students at the university, appealing to the deep sense of honor that has always been characteristic of the South, received for him a standing ovation, and also the applause of millions of Americans who were not present on that occasion.

These have been sad days. The President of the United States faced a trying problem with understanding, courage, and decisiveness. We all pray that this chapter in our history will quickly assume its proper perspective as America continues to strengthen its democratic institutions as it demonstrates to the world that although the path to freedom is strewn with many obstacles, it is the surest road toward the fulfillment of aspirations.

#### APPROPRIATIONS FOR TEXTBOOKS IN DISTRICT OF COLUMBIA SCHOOLS

Mr. HUMPHREY. Mr. President, I am pleased to note that the conference on District of Columbia appropriations has approved an additional \$135,400 above the normal amount, to replace obsolete and worn-out textbooks in District of Columbia schools.

I am sure Senators recall that earlier this year I brought to the Senate Chamber a number of exhibits of textbooks used in the schools of the District of Columbia, books 25, 30, or 35 years old, totally out of date, having no relevancy whatever to the world in which we live—for example, science textbooks which refer to airplanes which, with at least one stop for refueling, might without too much difficulty be able to cross the United States, from New York to Los Angeles, in anywhere from 12 hours to 24 hours. I was of the opinion that such textbooks, particularly science textbooks, were so obsolete that they should be replaced; and I made a fight to obtain new textbooks for the District of Columbia schools. In my opinion the schools in the city of Washington, D.C., should set a standard for the rest of the Nation; they should not be lagging behind the schools in other parts of the country.

In a Federal budget which deals routinely with billions of dollars, \$135,400 may seem relatively small and distinctly modest. But to me—and to thousands of boys and girls who are studying in

Washington's schools—it is extremely important. I consider the approval of this appropriation by Congress a big victory.

I am very much indebted to the chairman of the subcommittee, the Senator from West Virginia [Mr. BYRD], for his cooperation and helpfulness in obtaining this appropriation. I am sure Senators will recall that my interest in this subject was aroused when a delegation of students from the District of Columbia schools came to my office on a Saturday afternoon and pleaded with me to do something about their textbook situation. When young people will take the time to come to a Senator's office and ask for better books in their schools, that is a good sign, and is a call to action.

As a result of that visit, we did take action; and now the District of Columbia schools will at least have additional funds for the purchase of textbooks, and that will help considerably in relieving the obsolescence of these schools in that respect.

As I have said, earlier this year I spoke in the Senate of the shocking condition of textbooks in District of Columbia schools. We learned that in many Washington schools, students in some classes did not even have books that they could take home for study. We learned that some subjects were taught with textbooks as much as 30 years old, or textbooks so tattered and worn that rubber bands were used to keep pages together. We learned that courses of modern physics, for example, were utilizing books published long before any reference to nuclear physics could be included, and proclaimed such wonders as refrigerator boxes being kept chilled by "melting ice."

I was shocked at such a disgraceful blemish on education in Washington, and I vowed that Congress would not adjourn this year without appropriating funds to bring supplies of up-to-date textbooks to the local schools.

Superintendent of Schools Carl Hansen ordered a "crash" survey of textbook needs; the Senate Appropriations Committee acted favorably on his recommendations, with the help of the chairman of the District of Columbia Subcommittee, the Senator from West Virginia [Mr. BYRD]; and this week the Senate and the House conferees completed the approval of the additional funds.

I am confident that this sum will enable the District of Columbia school officials to place modern textbooks in the hands of the children in the District, and that as a result the education and the intellectual development of these children will be given a huge boost.

But let me add that we must never face such a disgraceful situation again.

I urge that the District school officials conduct a thorough and detailed survey of the textbook needs every year, and that those needs be made known to the District of Columbia officials and to the Congress.

I pledge also that, as long as I am a Member of the U.S. Senate, and as long as the U.S. Congress holds authority and responsibility for District of Columbia

schools, I will work to see that the disgrace of obsolete, tattered, inadequate, and insufficient textbooks does not recur in Washington schools.

Somewhere in the foreseeable future Congress may find that it has more important things to do than to serve as a city council. I once served as mayor of a city. While I respect such service and know what a thrill it is to serve in local government, it seems peculiar to have Senators from 50 States acting as a board of aldermen. If anyone can justify not having home rule on the basis of that sound government practice, I am here to learn a lesson on the validity of such a justification. The truth is that the District of Columbia needs home rule. The truth is that, until it gets home rule, we are going to have to be piddling around year after year, spending many hours of needed time, arguing, for example, about whether there ought to be new grammar books in the schools of the District of Columbia. Most city boards do not have to do even that. They have school boards that make such decisions. The school boards have authority to do it. Somehow or other, we insist on having a certain degree of colonialism, even though I thought we had repudiated it back in 1776. So we keep the Federal Government busy deciding such questions as whether one may stand at a bar or whether he must sit in order to be served a drink. That is a function of local government. What amazes me about this question is that those who are the greatest proponents of States' rights are among the strongest opponents of local government for the District of Columbia.

I hope I shall live long enough to see local government come to the District of Columbia. I hope sometime a Senator can return to his constituency and say, "I had as much time for you as I did for District of Columbia affairs." The way it is now, we spend many hours trying to act as a board of aldermen for the District of Columbia.

Mr. CASE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CASE. I fully agree with what the Senator from Minnesota has said. In addition to the substance of the remarks he was just making, I also agree with the hope that we may sometime return to our constituents—period.

Mr. HUMPHREY. The Senator is a very hopeful man. I have canceled so many appointments back home that I do not know if I dare go there. I thought we might as well use this evening while we were awaiting important business of the day, such as supplemental appropriations and conference reports. But the Senator is right. Were it not that we had had to indulge ourselves in being local government officials, we might have cut a couple of weeks off the length of the session of Congress.

Our effort to secure necessary funds for school textbooks was successful. But another—and equally important effort—will have to be repeated.

I warn my colleagues that I shall be back on the same old stand next year,

asking for sufficient money for the schools of the District of Columbia.

I speak of the need for adequate library facilities, personnel, and books in District of Columbia schools.

On the basis of Superintendent Hansen's survey and report, we urged an appropriation of \$40,800 to hire 10 school librarians and \$25,000 for library books for 10 elementary schools which now have the space for libraries.

This was a modest request. It was little more than a start to correct a situation in which District school libraries are shockingly inadequate.

Unfortunately, the District appropriations conferees did not approve these modest sums for school library books and personnel.

On May 23 of this year, I said in the Senate that Washington, D.C., has the worst school library system in the Nation compared to cities of its size.

Today and next year it will still have the worst system.

No Senator would tolerate such a situation in his own State. He would be ashamed to come to Washington lest some person might ask, "What is your library situation back home?" But in Washington, the Capital City of the Nation, where there are millions of visitors from the States and thousands of visitors from countries throughout the world, there is one of the most inadequate school library systems—in fact, the most inadequate school library system. We will try to straighten out that situation next year. Batten down the hatches—the storm is coming. We must have money for school libraries. Unless we do, we shall continue to have a bad library system.

The facts are clear. The national standard for school libraries is an expenditure of \$3 a year per child.

In the vernacular, in Washington, D.C., that means three martinis or three tickets to a show per child per year. I think any city of this size can afford \$3 per child per year for books.

Washington, in comparison, spends 58 cents for each junior high school student, 76 cents for each high school student, and nothing—zero—for each elementary school child.

So I serve notice, while I am in the full bloom of fatigue after a long session, that I will resume the crusade for libraries for Washington next year. I worked for such objectives while I was mayor of a city—good libraries, better textbooks, higher teachers' salaries. I am of the opinion that such things pay for themselves.

I cannot be satisfied that we in the Congress have fulfilled our responsibilities until the children of this city have a reasonable chance for full education through the vital tool of school libraries.

Again, I am grateful that with an additional appropriation of \$135,400, District school officials will be able to provide adequate supplies of modern textbooks.

I suppose half a loaf is better than none. After one has been in Congress a while, he learns that if he can get the crust, much less half a loaf, he begins to think he has been fortunate.

But the other half—library books and facilities—is just as vital. I will not rest until the children of this city are given the full intellectual nourishment they want and need—through both textbooks and library books.

There is one way my colleagues can stop me from doing this, and that is to give this city self-government. I will quit talking about libraries and schools and will not harass my colleagues then. But, as long as I am an alderman for the District of Columbia and that is a part of my job, I am going to be an active alderman. I am going to do everything I can to get the resources that are needed. A great Capital City ought to be without slums. It ought to have the finest school buildings in the world. This city should be a model for the whole world. It should be a shining example of local government.

The only way I know of to obtain these things is by having the Congress relinquish the controls it now exercises over the city of Washington and permit the people to govern themselves, elect their own mayor, their own alderman, their own commissioners or council—call them what you will, Mr. President—and permit Washington, D.C., to have local government, like every other major city in the United States. Then we would not have to be asking, in this Chamber or in the other House, for money for libraries, textbooks, paper clips, rubber bands, and everything else that is needed to operate a school system.

I express my thanks for what was done and what Congress did authorize and appropriate. Secondly, I want my colleagues to know that when they return next year the same old record will be played, only this time the other side will be played—the librarian side—and we will still have to consider the need for adequate textbooks.

#### EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I now move that the Senate proceed to the consideration of executive business, and take up certain nominations of postmasters reported today.

The motion was agreed to; and the Senate proceeded to consider executive business.

The PRESIDING OFFICER. The nominations of postmasters reported today will be stated.

#### POSTMASTERS

##### GEORGIA

The legislative clerk read the nomination of Hazel W. Lawson to be postmaster of Avondale Estates, Ga.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

##### ILLINOIS

The legislative clerk read the nomination of Donald E. Howe to be postmaster of Warrensburg, Ill.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

## NEW JERSEY

The legislative clerk read the nomination of Mabel P. Wood to be postmaster of Barnegat Light; M. Josephine Hulmes to be postmaster of Lebanon; Margaret L. Wetzel to be postmaster of Leonardo; and Henry P. Hofstetter to be postmaster of Pine Beach.

The PRESIDING OFFICER. Without objection, the nominations are confirmed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President may be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

## LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, I yield to the Senator from Idaho.

Mr. CHURCH. I thank the Senator very much. I wish to pay brief tributes to two colleagues who will not be with us next year, if the Senator will yield for that purpose.

Mr. HUMPHREY. I yield to the Senator, but I wish to hold the floor.

The PRESIDING OFFICER. Without objection, the Senator from Minnesota yields to the Senator from Idaho without losing his right to the floor.

## TRIBUTE TO SENATOR OREN E. LONG, OF HAWAII

Mr. CHURCH. Mr. President, all of us have noted with sorrow that the distinguished junior Senator from Hawaii [Mr. LONG] will be leaving this Chamber on the adjournment of this session of the Congress and returning to his beloved State of Hawaii. I wish to add a few words to those my colleagues have spoken in tribute to Senator Long.

I first came to know him many years ago when I was still a college student and went to Hawaii on a debate team, on the invitation of the students at the University of Hawaii, to debate the cause of Hawaiian statehood. That was the 40th anniversary of the university. The only stipulation in the invitation was that we were to take the negative side. At that time the passion for statehood had reached the level that no student at the university wanted to publicly debate against statehood for the Territory.

Of course, we went along, happy to have the opportunity to visit Hawaii. We were received with great hospitality by all the students at the university and by the faculty as well. I remember the occasion particularly because the Governor of the Territory at that time was OREN LONG. He not only opened the doors of his office wide and greeted us, but he also extended himself to make

certain that our welcome to Hawaii was all we had hoped for and more besides. OREN LONG always has had a very special interest in young people.

His career, which has been a long and distinguished one, is particularly noteworthy in the field of public education. It was there he first made his mark, and for many years rendered exceptional service. Later, as Governor of the Territory of Hawaii and finally as a Member of the U.S. Senate, he capped off that career of service in public education with service to the public at large.

I cannot imagine how the people of Hawaii could have selected a man more deserving of the honor of being one of Hawaii's first Senators, after the admission of Hawaii as the 50th State, than the distinguished junior Senator from Hawaii, OREN LONG.

So I join with my colleagues in wishing him well on his departure. I hope that his retirement will be a long and happy one. Knowing him and liking him as I do, having a profound respect for him, I hope that our paths will often cross in the years to come.

## TRIBUTE TO SENATOR BENJAMIN A. SMITH II, OF MASSACHUSETTS

Mr. CHURCH. Mr. President, we shall also miss another colleague, BEN SMITH, the junior Senator from Massachusetts. He came here to fill the seat of the man who had gone on to become President of the United States. That is hardly an enviable position. Yet BEN SMITH has done more than merely hold down the seat of the Senator who became President. He has been a working and effective Senator for Massachusetts. If he had some handicap to begin with, he quickly overcame it, and he demonstrated by his seriousness of purpose, by his obvious intelligence, by his effervescent good nature that he was a man of uncommon talents.

Few men have come to this Chamber with the ability to win so many friends so quickly as BEN SMITH, of Massachusetts. Now that he is leaving the Senate I know I express the hope of many of his colleagues that his service here is but the start of a long career of public service in the Government of the United States, that he will find inspiration to serve in some other branch of government in an office commensurate with his ability, and that his years ahead will be years of accomplishment and fulfillment.

BEN SMITH is a remarkable individual. We all have learned to love him in the brief time he has been in the Senate, and I join with all his other colleagues in wishing him well.

I thank the Senator from Minnesota very much for his generosity in extending me this time. It is typical of the gracious way he treats all his colleagues in the Senate.

## U.S. GRANT-IN-AID PROGRAM FOR ARTS: A MILESTONE IN AMERICAN CULTURAL HISTORY

Mr. HUMPHREY. Mr. President, I am happy to join with the Senate Labor

and Public Welfare Committee in supporting S. 741, as revised, Calendar No. 2222, for the establishment of a U.S. National Arts Foundation and for a grant-in-aid program to the States.

It is particularly gratifying, of course, that the bill incorporates provisions of what has come to be known as the Clark-Humphrey bill, S. 785, to provide such grants for assistance to State art activities.

(At this point Mr. CHURCH assumed the chair as Presiding Officer.)

## THE INTERESTING LEGISLATIVE AMENDMENTS

Mr. HUMPHREY. Mr. President, I find myself in a very interesting parliamentary situation.

The number of this bill, S. 741, is the same as the number of the original bill which I personally introduced for the establishment of a Federal Advisory Council on the Arts.

However, my original bill has been replaced in entirety by a substitute. This substitute, in turn, includes provisions, as I have indicated, of another bill which was introduced by the distinguished Senator from Pennsylvania [Mr. CLARK] together with other Senators and myself.

The subcommittee of the Committee on Labor and Public Welfare headed by the distinguished Senator from Rhode Island [Mr. PELL], actually reported the Humphrey bill, S. 741, for an Advisory Council, to the full committee. It included an amendment, which I personally had offered. This amendment would have established the Advisory Council within the Executive Office of the President, rather than within the Department of Health, Education, and Welfare.

The bill which is on the calendar omits the Advisory Council. I mention this now because I am sure the Senate will consider the proposed legislation next year. At least, the bill will be re-introduced, and undoubtedly it will be reported favorably by the committee.

Yet, the bill does significantly combine the principal features of S. 785, to establish a program of grants to the States, which I had cosponsored, and S. 1250, to establish the U.S. Arts Foundation, introduced by the Senator from New York [Mr. JAVITS].

So far as I am concerned, S. 741 in its revised form represents an excellent contribution to the cultural life of this Nation.

I take the time tonight, Mr. President, to comment on this proposed legislation because I am convinced that there is a great need for a broader participation by the Federal Government, and indeed by the State governments, as to the development of the arts and the promotion of the arts.

The bill which was reported by the Senate Committee on Labor and Public Welfare was designed to encourage participation by both the Federal Government and the State governments in expanding the arts and in particular in providing for Federal assistance.

## PRESIDENT CAN STILL APPOINT A COUNCIL

I am still hoping that a Federal Advisory Council on the Arts can be appointed.

I would like to see legislation adopted to establish such a Council and within the Executive Office of the President.

In the absence of such legislation, however, our Chief Executive does have more than sufficient power to appoint such a Federal Advisory Council on his own initiative and on an administrative basis.

#### GRANTS IN 2D YEAR OF \$10 MILLION

Meanwhile, under the committee bill we have the essence of the Clark-Humphrey bill—to provide matching grants to the States in support of projects and programs which are making a significant public contribution in one or more of the performing or visual arts.

In addition, assistance is provided to the States to develop programs and projects in those arts in a manner which will, in conjunction with existing programs and facilities, provide adequate artistic service for all the people and communities in each State.

For this purpose, a sum in the current fiscal year not exceeding \$5 million and in succeeding years \$10 million would be provided.

Drawing upon the bill S. 1250, the pending bill would also establish a U.S. National Art Foundation as an independent agency in the executive branch of the Government. The Foundation would serve under the general supervision of a Board of Trustees, consisting of the Director of the Foundation and 12 members, appointed by the President, by and with the consent of the Senate.

#### HOUSE WILL NOT ACT AT THIS LATE HOUR

We all recognize that the hour is late in the 87th Congress. It will not be possible, unfortunately, for the House of Representatives to take up this important measure, even if it were passed in the Senate. The record ought to be clear that the only reason we did not call up the bill this week is that it was impossible to obtain a rule in the House to enable the House to consider the proposed legislation. I thought that rather than insist upon action in the Senate on a bill that would go no further than this body, particularly, a bill that might require reworking and revision in the next session, it would be better if the Senate did not proceed to take affirmative action.

But Senate committee approval of the bill is not, however, a token gesture. It is a step in the long march upward on the part of the people of the United States toward attainment of what Mr. August Heckscher, the President's special consultant on the arts, has termed the "public happiness."

Senate committee support of this bill will serve as the advance stage from which the 88th Congress can begin in order to make further progress.

#### TESTIMONY BEFORE PELL SUBCOMMITTEE

It had been my pleasure to appear before the subcommittee of which the Senator from Rhode Island is the chairman. My testimony on the bill will be found beginning on page 262 of the hearings.

#### CULTURAL RENAISSANCE UNDER PRESIDENT KENNEDY

I need hardly elaborate by reminding the Senate that within the last 19

months, under the leadership of the President of the United States and the First Lady, there has literally been a cultural renaissance in this land.

Without attempting to go into detail, it can be stated, without dispute, that the United States has emerged as a great power which is nationally dedicated to great art thanks to the President's leadership.

The unparalleled artistic events in the White House; the President's strong support of the National Cultural Center; the participation in public events from the inaugural onward by the magnificent poet, Robert Frost—these and a hundred other signs demonstrate that art has come into its own in our national life.

#### CULTURE NO LUXURY IN TODAY'S ARMED WORLD

To some it may appear as a luxury to be concerned with cultural activities in an age where we are battling for our very survival amidst a cold war and the hot fighting in South Vietnam.

We are racing to the moon; we are spending one-ninth of our national budget for scientific research; we are girding ourselves for new challenges in Berlin, Cuba, Laos, the Formosa Straits, elsewhere in south Asia, Africa, and South America.

To some, it may appear that we should have "no time and no expenditures" for anything more than this.

My own view is precisely to the contrary. It is because we are engaged in so many epic struggles throughout the world for the liberty of man that we need to fulfill the highest impulses in the soul of man here at home.

We do not propose to be brutalized by the process of dealing with a brutal power. The Soviet Union may be interested in a machineman who lives like a robot. But we are interested in human man—whole man.

And the fact of the matter is that we can be better fighters for the cause of freedom by uplifting the human personality.

Some of the greatest soldiers and statesmen in American history have been those with the deepest interests in man's effort to achieve beauty in many forms of art.

#### STUDY BY SENATE REORGANIZATION SUBCOMMITTEE

I should like to point out that the comments which I have offered on this subject of the United States and culture are based on many years of my prior efforts in this field. As Senate Report No. 2260, 87th Congress, indicates, I have offered legislation on this topic in Congress after Congress ever since my service began here in 1949.

In addition, I have had the privilege of studying this issue as chairman of the Senate Government Operations Subcommittee which is responsible for examination of issues of interagency coordination, pursuant to Senate Resolution 276, 87th Congress.

During the Congress recess this year, it is my intention to have the subcommittee issue, as a committee print, a comprehensive volume which will bring together information as to the total Government-wide effort in the arts today.

#### TOTAL COVERAGE OF ALL ART ACTIVITY

For the first time, this publication will cite:

First. All the laws on the statute books relating to Federal activity in the arts.  
Second. All of the appropriations which are expended each year in this connection.

Third. All of the advisory councils which assist Federal agencies in the discharge of their obligations.

Fourth. All of the bills which the Congress has reported in recent years relating to this topic, whether or not the bills have been enacted.

The subcommittee will not attempt to present conclusions as to legislation. That is the task of the Senate Committee on Labor and Public Welfare which does consider cultural legislation.

But it is the task of our Reorganization Subcommittee to consider the adequacy of Federal organization in attaining the objectives of the laws on the statute books. And it is our task to give a complete financial "picture" as to how much the U.S. Government is actually already spending.

In this process, we have been assisted by the splendid efforts of Mr. August Heckscher's office and the excellent cooperation of the Bureau of the Budget.

The U.S. Government is fortunate to have Mr. Heckscher serving in this post. His selection is a tribute to President Kennedy's judgment.

#### IMPORTANCE OF NATIONAL CULTURAL CENTER

Finally, I should like to state the following with regard to what our own American citizens can do in this field.

Earlier, I have referred to the support of the National Cultural Center. Mrs. Dwight D. Eisenhower and Mrs. John F. Kennedy are, of course, national co-chairmen. They symbolize the non-partisanship of support of this great project and its continuity of support from the past administration through the present administration.

I mention this Center now because, on November 29, the people of this Nation are going to have a great opportunity to show their own feeling toward the arts and toward a national center.

A giant closed circuit telecast will be held, as a fundraising effort. This telecast will be absolutely unique in American history. It will feature some of the greatest artists in the land. A few of these artists include Leonard Bernstein, Marian Anderson, Danny Kaye, Dorothy Kirsten, Richard Tucker, Robert Frost, Harry Belafonte, Gene Kelly, and Jason Robards.

The importance of the success of the telecast cannot be overestimated. It is precedent making in terms of its fundraising role. What may not be realized is that the telecast will raise funds, however, not only for the National Center here in Washington but for local cultural efforts throughout the Nation. There will be a 50-50 division of the proceeds after, and I emphasize after, local costs have been met. In effect, local cultural activities will be receiving a tremendous financial lift by means of the telecast.

What must be borne in mind is that in enacting the legislation for the National

Cultural Center the Congress, for the first time, authorized a national voluntary fundraising effort for a great cultural enterprise.

Now, it is the American people's task and opportunity to respond. I have every faith that they will respond admirably.

Here in our Nation's Capital, Mrs. Hugh Auchincloss is chairman, and I am sure there will be a tremendous turnout here, in my own State of Minnesota, and throughout the 49 other States.

Mr. President, I would also like to take a moment to mention a statement by Adelyn D. Breeskin, Director of the Washington Gallery of Modern Art, given before the Subcommittee on Labor and Public Welfare.

Mrs. Breeskin has been noted throughout the art world for her outstanding work as director of the Baltimore Museum. Washington is indeed fortunate that she has decided to become a resident of this city and has accepted the responsibility of acting as Director of the new Washington Gallery of Modern Art. The gallery is located at 1503 21st Street NW., and the opening is scheduled for the end of October.

In her statement Mrs. Breeskin comments on the project of artmobiles that has already been undertaken in Virginia and New York. By means of a large motor van, art exhibitions are circulated throughout the State, thus affording an opportunity for works of art to reach every small village and community. This is a fine idea and suggests the type of State projects that would be assisted through the grant-in-aid program as provided for in S. 741, as amended, which we had hoped might become the law of the land by action in both Houses of Congress. It is regrettable that action was not completed on the proposed legislation. This will be one of the items on which I shall renew my efforts in the 88th Congress. I am hopeful that there will be committee action early in the session and that there will be congressional action in both Houses of Congress in the 1st session of the 88th Congress.

#### THE WASHINGTON GALLERY OF MODERN ART

Mr. HUMPHREY. Mr. President, before Congress adjourns I must direct the attention of my colleagues and the Nation to the opening of the new Washington Gallery of Modern Art scheduled for October 30, 1962.

This event gives every indication of being a historic and artistic achievement of first magnitude. Museum directors and art officials from this country and from Europe will attend the opening which will feature the first major retrospective exhibition of Franz Kline, the late abstract expressionist painter.

The moving spirit behind this new gallery of modern art in Washington is my dear friend, Adelyn D. Breeskin. Mrs. Breeskin has served as director of the Baltimore Museum and has established the highest reputation among her colleagues in the art field. She is an unusually talented person and Washington

is most fortunate to have her creative energies at work here.

A number of Members of the Senate were privileged to meet Mrs. Breeskin and to visit with her with respect to the projects that she has in mind for this city in the field of modern art, at a luncheon given for her only a short time ago.

The Washington Gallery of Modern Art under her outstanding direction will be recognized as one of the finest creative outlets for contemporary art. I am sure my colleagues join in giving Mrs. Breeskin and the Washington Gallery of Modern Art a solid vote of confidence.

Mr. President, I ask unanimous consent that an article appearing in last Sunday's Washington Post describing the activities of the Washington Gallery of Modern Art be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### NEWEST GALLERY SEEKING SUPPORT (By Leslie Judd Ahlander)

The most eagerly awaited art event this month is the opening of the new Washington Gallery of Modern Art October 30. The newly renovated building at 1503 21st Street NW., will have as its inaugural show the first major retrospective exhibition of Franz Kline, the late abstract expressionist painter.

Museum directors and art officials from all over the country will come here for the formal opening, and visitors are even expected from Europe. There are two reasons for this international interest in the new gallery and its opening show.

For one thing, Franz Kline, who, though a leader of the modern movement, never had an important one-man show or a definitive monograph written about his work, will at last be recognized with both an exhibit and a catalog with text by Elaine de Kooning, artist and personal friend as well as a perceptive chronicler of contemporary art trends.

Another factor is the high respect and affection in which the new gallery's director, Adelyn Breeskin, is held in the art field. Without her assured position, not nearly so many important Kline paintings would have been released for a Washington showing.

Following the Kline exhibit, a one-man show of the sculptor Reuben Nakian will run from January 8 to February 16. A show being assembled by Dore Ashton for the American Federation of Arts, entitled "Lyricism in Abstract Art," will run from February 19 to March 10.

The big Arshile Gorky retrospective which was seen at the Venice biennial last summer will come in March (only the Museum of Modern Art in New York and the Washington Gallery here will have this important show), followed by an exhibit tentatively called "Adventures in Modern Art," which will be "way-out and fun," according to Mrs. Breeskin.

From June 15 through August, the trustees of the gallery will display works from their own collections in a show that should surprise Washington by its variety and quality.

In order to be completely independent in its judgments, the new Washington Gallery of Modern Art has refused all Government help in financing its programs. This leaves its continuation squarely in the hands of interested Washingtonians.

The gallery has just started a major membership drive in categories that run from \$10 to \$5,000, with the memberships including not only invitations to exhibition openings but also an art rental gallery, a library, movies, lectures, and recitals. Over 300 orig-

inating members have already subscribed at \$100 each.

In addition, works for the permanent collection have been coming in from many sources. Newest acquisitions are two pieces of sculpture, "Figure" by Hoflehner, the gift of David Greeger, and "Mystic Leaves" by Michael Guino, the gift of Mr. and Mrs. Alan Wurtzburger. The number of acquisitions was up to 19 at the last count.

Washington needs a gallery of modern art and this one promises the very best from the point of view of quality. Interested people are asked to phone FEDERAL 3-4027 or to write the gallery for membership forms.

#### WILLIAM C. DOHERTY

Mr. KEATING. Mr. President, I should like to take this opportunity to express my congratulations and satisfaction on the appointment of William C. Doherty as first U.S. Ambassador to the new nation of Jamaica. Bill Doherty will be one of the first representatives of organized labor to serve his Nation abroad as Ambassador. But I think my colleagues on both sides of the aisle will join with me in rejoicing at the complete appropriateness, the high personal qualifications of this man for such a post.

Bill Doherty has through the years made an outstanding reputation for himself as a labor leader of vigor, ability, and personal integrity. Not only in the United States but throughout Latin America and in Europe he is renowned for his tireless and determined opposition to dictatorship, whether it be on the right or the left. More than once he has stood up for the rights of the individual, the individual workingman and the individual citizen. In Jamaica organized labor is a strong and vital political force. Bill Doherty is the best man I know to comprehend and cope with the problems he will face in representing the United States of America to the people of Jamaica.

Furthermore, Mr. President, for the past 17 years in his work with the American Federation of Labor and then with the amalgamated AFL-CIO, Bill Doherty has worked to alert union members at home and abroad to the bitter menace of the Communist movement.

It is a measure of his ability and his contributions that Gen. Lucius Clay invited Doherty to Germany in 1945 to help reestablish a free trade union movement and to oust Communist elements which had infiltrated many unions. It is a measure of his skill and diplomacy in this critical area of international relations that he has already been appointed by two Presidents for important international missions. President Eisenhower named him an official U.S. delegate at the inauguration of Brazilian President Kubitschek. Last year, President Kennedy invited him to attend the important Punta del Este Conference in Uruguay as a special representative. He also attended Jamaica's Independence Day ceremonies last August as the President's special ambassador.

Mr. President, Bill Doherty with all the charm and verve of his magnetic personality will, I am positive, be a highly effective ambassador for the American

way of life and for our free enterprise system. He will also be one of the most effective enemies of the Communist conspiracy which tries so hard to undermine free labor movements throughout the world.

In his important new post, Bill Doherty carries the hopes and best wishes of millions of Americans. We can be confident he will bring to his new position the same human warmth and dynamic enterprise which has been so conspicuous throughout his career of dedication and service to the cause of freedom.

#### RECESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon, at 7 o'clock and 44 minutes p.m., the Senate took a recess subject to the call of the Chair.

At 11 o'clock and 40 minutes p.m. the Senate reassembled on being called to order by Hon. SPASSARD L. HOLLAND, a Senator from the State of Florida.

#### DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., October 12, 1962.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SPASSARD L. HOLLAND, a Senator from the State of Florida, to perform the duties of the Chair during my absence.  
CARL HAYDEN,  
President pro tempore.

Mr. HOLLAND thereupon took the chair as Acting President pro tempore.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed 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. 3361) to facilitate the entry of alien skilled specialists and certain relatives of U.S. citizens, and for other purposes.

The message also announced that the House had agreed 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. 13273) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 1663. An act for the relief of Dr. Hans J. V. Tiedemann and family;

H.R. 7781. An act to authorize the Administrator of General Services to convey by quitclaim deed a parcel of land in Prince Georges County, Md., to the Silver Hill Voluntary Fire Department and Rescue Squad;

H.R. 8563. An act to amend the Life Insurance Act of the District of Columbia to permit certain policies to be issued to members of duly organized national veterans' organizations;

H.R. 9045. An act to amend the Trading With the Enemy Act, as amended;

H.R. 9669. An act for the relief of Molly Kwauk;

H.R. 12135. An act to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes;

H.R. 12217. An act for the relief of George Edward Leonard;

H.R. 12434. An act to facilitate the work of the Forest Service, and for other purposes; and

H.R. 12708. An act to increase the jurisdiction of the Municipal Court for the District of Columbia in civil actions, to change the names of the court, and for other purposes.

#### ADJOURNMENT

Mr. MANSFIELD. Mr. President, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 11 o'clock and 41 minutes p.m.) the Senate adjourned until tomorrow, Saturday, October 13, 1962, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate October 12, 1962:

##### POSTMASTERS

##### OHIO

Harold B. Swan, Beach City.  
John D. McCray, Greenfield.

##### GEORGIA

Hazel W. Lawson, Avondale Estates.

##### ILLINOIS

Donald E. Howe, Warrensburg.

##### NEW JERSEY

Mabel P. Wood, Barnegat Light.  
M. Josephine Hulmes, Lebanon.  
Margaret L. Wetzel, Leonardo.  
Henry P. Hofstetter, Pine Beach.

## HOUSE OF REPRESENTATIVES

FRIDAY, OCTOBER 12, 1962

The House met at 12 o'clock noon.

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

The last words from the Bible, Revelation 22: 21: *The grace of our Lord Jesus Christ be with you all.*

Almighty God, whose divine pity and power are continually ministering to the paths and poverty of human life, may we now pour out our hearts unto Thee in penitence and praise.

Grant that in these days, when disquieting moods and disturbing misgivings frequently assail our souls, inspire us to turn eagerly unto Thee to be quickened and fortified with a sense of the magnitude and majesty of Thy grace.

Though our "little systems have their day and cease to be" may we not be afraid to aspire and go forward with a devout and determined faith, trusting ourselves humbly and heroically to the leading of Thy Holy Spirit.

*Now unto Him who is able to keep us from falling, and to present us faultless before the presence of his glory with exceeding joy, to the only wise God, our Saviour, be glory and majesty, dominion and power, both now and forever. Amen.*

#### THE JOURNAL

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

#### 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 of the House of the following titles:

H.R. 1663. An act for the relief of Dr. Hans J. V. Tiedemann and family;

H.R. 8269. An act for the relief of Dr. Walter H. Duisberg; and

H.R. 8563. An act to amend the Life Insurance Act of the District of Columbia to permit certain policies to be issued to members of duly organized national veterans' organizations.

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. 7932. An act to amend the act of July 2, 1948, so as to repeal portions thereof relating to residual rights in certain land on Santa Rosa Island, Florida.

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. 13290. An act making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLAND, Mr. HAYDEN, Mr. RUSSELL, Mr. YOUNG of North Dakota, and Mr. SALTONSTALL to be the conferees on the part of the Senate.

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 Senate to the bill (H.R. 12648) entitled "An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1963, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 2, 51, and 53 to the above-entitled bill.

The message also announced that the Senate recedes from its amendments to the bill (H.R. 9669) entitled "An act for the relief of Molly Kwauk."

SUPPLEMENTAL APPROPRIATION  
ACT, 1963

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13290) making supplemental appropriations 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 to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object; if consent is given to this unanimous-consent request the House will have been bypassed at this time so far as knowing anything about what has happened with respect to the action on the Senate floor.

Mr. THOMAS. Mr. Speaker, will my able and distinguished friend from Iowa yield to me?

Mr. GROSS. I am glad to yield to the gentleman from Texas.

Mr. THOMAS. I am in sympathy with his point of view. The conferees whom the Speaker will appoint will go into this matter carefully, I assure the gentleman. To refresh our memories now, let me review what we did in the House. There were about 58 items considered by the House. The House struck out some 22 of them.

The budget estimate was around \$640 or \$650 million. We cut out of it \$244 million. We cut out in the neighborhood of a third of it.

It is my understanding the other body has added about 27 new items and restored 3 old items that we took out here. The total added is around \$145 million. I think what they restored was perhaps \$10 million, so it really is not as big as it looks. The big item the other body put in there was the contribution to the civil service retirement fund for our retired Federal employees, to the tune of about \$30 million, as well as I recall.

I assure my friend all of our conferees of the House, if it goes to conference, will get busy immediately. We will go into each one of these items with a lot of care.

Mr. GROSS. The gentleman says the other body has added 27 amendments to this bill. I have no way of knowing the dollar amounts contained in those amendments, no way of knowing what language is in the bill as inserted by the Senate. Neither has any other Member of the House except perhaps a limited few on the Appropriations Committee. I would like to suggest this—

Mr. THOMAS. We welcome the gentleman's suggestions.

Mr. GROSS. I would like to suggest that the unanimous-consent request be withheld for an hour or such time until the Appropriations Committee can provide a reasonable presentation of what has happened to this bill.

Mr. THOMAS. I think I can do that reasonably well now, although not too well.

Mr. GROSS. It would take considerable time now and I fear it would not be adequate. I reiterate that I have no desire to prolong this session of Congress but I have every desire and every right to know what is in this bill.

Mr. THOMAS. We are going to protect the gentleman's right. We are going to work with him.

Mr. GROSS. I shall have to object, Mr. Speaker. I hope the gentleman will see to it that his committee provides those who may be interested with information as to what has transpired in connection with this bill. I am perfectly willing at a later time this afternoon if information is provided in a general way with respect to each of these amendments, to withdraw my objection. It is my purpose to cooperate. Then it may well be proper to let the bill go to conference.

Mr. THOMAS. May I say to my friend the printed copy is now available. That is very little consolation, I know that, because it takes time to go into this, but I offer it to him now.

Mr. GROSS. Mr. Speaker, at this time I shall have to object.

Mr. THOMAS. May I ask my distinguished friend from Iowa to withhold his objection momentarily?

Mr. GROSS. I withhold it.

Mr. THOMAS. Is there any specific item in there on which I could throw any light? I would be glad to try to. Let us discuss it now. Go ahead.

Mr. GROSS. I thank the gentleman for providing me with this copy of the bill as amended by the other body, but I must have time to look at it to ascertain what these 27 Senate amendments mean. I cannot ask the gentleman questions about them when I do not know anything about them, and I cannot ferret them out in the bill and carry on this discussion.

Mr. THOMAS. May I suggest this to my friend, if the gentleman wants to exercise his right, and we will not fuss about it, let us and the committee sit down with whomever the gentleman wants to have with him and come back here in 30 minutes.

Mr. GROSS. I would not like to put a time limit on it as to 30 or 35 minutes. The gentleman from Iowa proposes to be as reasonable as possible about this. I should like to say this at this time: We are doing nothing today, and have not been doing anything for many days, that could not have been done back in July or August.

Mr. THOMAS. May I say to my friend, if there is no objection, and, of course, we cannot remove the gentleman's objection, and I am not trying to, we will be back in about 30 minutes and we will be prepared at that time to answer any questions our able friend wants to ask.

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

Mr. THOMAS. I yield to my very able friend from Iowa, who is very well acquainted with these matters.

Mr. JENSEN. I am sure every Member of the House realizes this most difficult job that the Members on this

committee and the other committees on appropriations have had to deal with during this session of the Congress. We have reduced the President's budget in the House by over \$4 billion. Now we have this supplemental bill which, of course, is always a controversial bill and it has been more controversial this year than ever before. That is in part also due to the fact that so many of these bills have been held up so long and here we are in the dying days of the session with this large supplemental bill before the Congress. All we can do as members of the House committee is to go to conference and try our very best to bring back a bill as close to the House figure as we possibly can. This is no small job. I appreciate the feeling of every Member when they object to this kind of legislative procedure, facts are that even the members of this committee have not known until right now what projects the other body added to this bill. So I am not at all adverse to having all the House Members who are still here to take a look at this bill before the bill goes to conferees. This is one of those things which is most obnoxious to me, and I am sure it is to every Member of the House, to be stalemated here at this late hour with a bill that has become a catchall appropriation bill. I hope that such a procedure will be stopped in the next Congress. The gentleman from Texas [Mr. THOMAS] has struggled with this bill for many months. We had quite long hearings on all these items that we put in the House bill. We struck out \$244 million for items that the budget had requested. So, as I said before, this is no small chore for the members of this committee, to face the Senate conferees in an attempt to bring about some kind of order out of chaos. But we shall do our very best, with a difficult problem.

Mr. THOMAS. Mr. Speaker, may I thank the gentleman from Iowa [Mr. JENSEN] for his fine contribution, which he always makes in our work both in committee and on the floor of the House. I also want to thank the able gentleman from Iowa [Mr. GROSS].

Mr. Speaker, at this time I withdraw the unanimous-consent request and we will be back in 30 minutes, and we hope we will be able to answer any questions that anybody wants to know about.

The SPEAKER. The gentleman from Texas [Mr. THOMAS] withdraws his unanimous-consent request at this time.

VALIDATE THE COVERAGE OF CERTAIN STATE AND LOCAL EMPLOYEES IN THE STATE OF ARKANSAS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12820) to validate the coverage of certain State and local employees in the State of Arkansas under the agreement entered into by such State pursuant to section 218 of the Social Security Act, 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 2, after line 7, insert:

"Sec. 2. Section 218(p) of the Social Security Act is amended by inserting 'Maine' after 'Kansas.'"

Page 2, after line 7, insert:

"Sec. 3. (a) Paragraph 1518(a) of the Tariff Act of 1930 is amended—

"(1) by striking out 'when bleached, 50 percentum ad valorem'; and

"(2) by striking out 'or other material above mentioned, shall be subject to the rate of duty provided in this paragraph for such materials' and inserting in lieu thereof 'or other material above mentioned, or wholly or in chief value of any bleached natural grasses, grains, leaves, plants, shrubs, herbs, trees, or parts thereof provided for in paragraph 1722, shall be subject to the rate of duty provided for such materials'.

"(b) Paragraph 1722 of the Tariff Act of 1930 is amended by striking out 'and' before 'seaweeds', and by inserting before the period at the end of such paragraph the following: "; and natural grasses, grains, leaves, plants, shrubs, herbs, trees, and parts thereof, not specially provided for, not further advanced than bleached."

Page 2, after line 7, insert:

"Sec. 4. The amendments made by section 3 of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption, after the date of the enactment of this Act."

Amend the title so as to read: "An Act to validate the coverage of certain State and local employees in the State of Arkansas under the agreement entered into by such State pursuant to section 218 of the Social Security Act, and for other purposes".

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so in order that the chairman may give us a brief explanation.

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

Mr. BYRNES of Wisconsin. I yield.

Mr. MILLS. Mr. Speaker, as unanimously passed by the House on August 30, 1962, the purpose of H.R. 12820 was to validate the coverage of certain State and local employees in the State of Arkansas under the agreement entered into by such State pursuant to section 218 of the Social Security Act.

The amendments of the other body do not affect the provisions of the House-passed bill, but added sections incorporating the provisions of two other House-passed bills. The first amendment contains the language of the bill H.R. 8853, which was passed by the House on October 5, 1962. The purpose of this amendment is to amend title II of the Social Security Act to include Maine among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen. The original House bill containing this provision was also passed unanimously by the House.

The second amendment of the other body incorporates the substance of H.R. 12109, which passed the House unanimously on October 4, 1962, and would amend the Tariff Act of 1930 to permit certain natural grasses and other natural materials to be imported free of duty.

I urge that the House concur in these amendments of the other body.

Mr. BYRNES of Wisconsin. I will say to the gentleman that they have all been passed by the House.

Mr. MILLS. Yes.

Mr. BYRNES of Wisconsin. So it is simply a matter of combining two bills that were sent over to the Senate separately into one bill. Here we are agreeing to the consolidation that took place in the Senate.

Mr. MILLS. Yes. Two identical bills passed the House by unanimous consent. One of the bills was offered by the gentleman from Maine [Mr. TUPPER] and the other by the distinguished minority leader, the gentleman from Indiana [Mr. HALLECK]. The bills, as I said, passed the House by unanimous consent. Rather than passing them as Senate items the Senate added the amendments to this bill.

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

Mr. BYRNES of Wisconsin. I yield.

Mr. HALLECK. I just want to thank the gentleman from Arkansas [Mr. MILLS], the gentleman from Wisconsin [Mr. BYRNES], and other members of the Ways and Means Committee. These are small bills, but of importance to some of my people who are intensely interested. I thank the gentlemen for the consideration that has been given them.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HALLECK], the gentleman from Maine [Mr. TUPPER], and I may have permission to extend our remarks in the RECORD on the bill.

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

There was no objection.

Mr. TUPPER. Mr. Speaker, this bill, H.R. 12820, contains an amendment incorporating the provisions of H.R. 8853, a bill I introduced to allow Maine firemen and policemen to receive retirement and other benefits under social security, if they so desire, in addition to their regular retirement systems. My bill, H.R. 8853, passed the House under unanimous consent on Friday, October 5, 1962.

The distinguished gentleman from Arkansas [Mr. MILLS] has been most considerate and cooperative in helping to give these dedicated public safety officials in my State of Maine the opportunity to increase retirement income and afford the survivors additional protection.

This legislation will make public safety positions more attractive in my State of Maine.

#### MAXIMUM LIMITATIONS ON MEDICAL, ETC., EXPENSES

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 10620) to amend section 213 of the Internal Revenue Code of 1954 to increase

the maximum limitations on the amount allowable as a deduction for medical, dental, and so forth, expenses, and ask unanimous consent that the statement of the managers on the part of the House 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 Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT (H. REPT. NO. 2555)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10620) to amend section 213 of the Internal Revenue Code of 1954 to increase the maximum limitations on the amount allowable as a deduction for medical, dental, etc., expenses, 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 6, 7, and 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5 and agree to the same.

WILBUR D. MILLS,

CECIL R. KING,

HALE BOGGS,

NOAH M. MASON,

JOHN W. BYRNES,

Managers on the Part of the House.

HARRY FLOOD BYRD,

ROBT. S. KERR,

RUSSELL B. LONG,

JOHN J. WILLIAMS,

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. 10620) to amend section 213 of the Internal Revenue Code of 1954 to increase the maximum limitations on the amount allowable as a deduction for medical, dental, etc., expenses, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: Senate amendment No. 1 adds a new section 2 to the House bill. The proposed section 2 contains the substance of H.R. 10117, as passed by the House. The amendment would allow a pension or annuity plan, qualified under the Internal Revenue Code of 1954, to provide for the payment of benefits for sickness, accident, hospitalization, and medical expenses of retired employees and their spouses and dependents, if such benefits are subordinate to the retirement benefits provided by the plan. It would make it possible for an employer, where he chooses to do so, to provide these benefits through a qualified pension or annuity plan, rather than being required to do so separately, as under existing law. Under the proposed section 2, this feature would apply to plans funded through insurance, as well as to trustee plans.

The House recedes.

Amendment No. 2: Under regulations recognized and approved by the Congress in House Concurrent Resolution 50, 79th Congress, and under section 39.23(m)-16 of regulations 118, a taxpayer had an option to charge certain intangible drilling and development costs in connection with oil

and gas properties to capital, or to expense such costs. After the taxpayer has exercised this option, he is bound thereby with respect to all optional expenditures covered by the regulation, whenever made, in connection with oil and gas properties.

Senate amendment No. 2 would give a taxpayer who has exercised such an option to capitalize intangible drilling and development costs (rather than deducting such costs as expenses) a new option to deduct such costs as expenses. The new option is granted for the first taxable year ending on or after the date of enactment of the bill, and shall be exercised at the time of filing the return for that year, but otherwise is treated for all purposes as an option exercised under, and subject to, section 263(c) of the Internal Revenue Code of 1954 (relating to intangible drilling and development costs in the case of oil and gas wells) and the regulations prescribed thereunder.

The House recedes.

Amendment No. 3: Under existing law (sec. 5121 of the 1954 code) each State and local government retail liquor store as well as each privately owned retail liquor store is required to pay an annual special occupational tax of \$54. Senate amendment No. 3 amends section 5123(b) of such code (which relates to dealers conducting their liquor business in more than one location) so as to provide that a State or political subdivision operating retail liquor stores will be required to pay only one such tax each year instead of paying the tax separately for each store location, and makes additional changes of a purely technical and conforming nature.

The House recedes.

Amendment No. 4: Existing section 1341(a) of the 1954 code provides alternative methods of computing the tax where the taxpayer restores a substantial amount held under claim of right. Senate amendment No. 4 adds two new paragraphs to section 1341(b) to specify rules relating to (1) the treatment of net operating loss carryovers for purposes of determining which of the alternative methods of computation will be used, and (2) the treatment of net operating loss carryovers and capital loss carryovers for taxable years after the year of restoration after the determination has been made as to which of the alternative methods of computation will be used.

The House recedes.

Amendment No. 5: Existing section 7608 of the 1954 code provides that internal revenue officers who are charged with the duty of enforcing subtitle E of the code or other Federal laws pertaining to liquor, tobacco, and firearms shall have certain specified powers (including the power to carry firearms, to serve warrants, subpoenas, and summonses, and to make certain arrests and seizures in the performance of their duty). Senate amendment No. 5 adds to section 7608 a new subsection (b) which would provide that criminal investigators of the Intelligence Division or Internal Security Division of the Internal Revenue Service who are charged with the duty of enforcing any of the criminal provisions of the Internal Revenue laws (or other criminal provisions relating to internal revenue) shall have power to execute and serve search and arrest warrants and serve Federal subpoenas and summonses, to make arrests without warrants for offenses involving the internal revenue laws, and to seize property subject to forfeiture under such laws.

The House recedes.

Amendment No. 6: Section 4521 of the Internal Revenue Code of 1954 provides for the imposition of an import tax on certain petroleum products. Senate amendment No. 6 added a new section 4522 to the code to provide that no tax is to be imposed under section 4521 on any article sold for use as fuel on vessels of the United States employed

as common carriers on the high seas or the Great Lakes pursuant to certification by the Interstate Commerce Commission.

The Senate recedes.

Amendment No. 7: Section 824(a) of the Internal Revenue Code of 1954 (as contained in sec. 8 of the Revenue Act of 1962) provides that in determining the statutory underwriting income or loss of certain mutual casualty insurance companies for the taxable year there is to be allowed a special deduction in the case of any company having a concentrated windstorm, etc., premium percentage, of more than 40 percent. In determining this percentage, the computation may be made on the basis of an area consisting of one State, or an area within 200 miles of any fixed point selected by the taxpayer.

Senate amendment No. 7 added a third alternative area as a basis for the computation; namely, an area within 400 miles of any fixed point selected by the taxpayer. However, if the taxpayer elected this third alternative, his special deduction was reduced by one-half.

The Senate recedes.

Amendment No. 8: This amendment amended section 543(c)(11) of the Internal Revenue Code of 1954, which deals with an exception from the definition of "personal holding company" for certain small business investment companies. It also amended section 1243 of the code, which deals with the loss of a small business investment company on certain securities acquired pursuant to section 304 of the Small Business Investment Act of 1958.

The Senate recedes.

WILBUR D. MILLS,  
CECIL R. KING,  
HALE BOGGS,  
NOAH M. MASON,  
JOHN W. BYRNES,

*Managers on the Part of the House.*

Mr. MILLS (interrupting the reading.) Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with and that it be printed in the RECORD.

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

There was no objection.

Mr. MILLS. Mr. Speaker, perhaps some little explanation would be in order.

Mr. Speaker, the first amendment that the House conferees accepted to the bill is the language of H.R. 10117 that had previously passed the House by unanimous consent with an amendment.

The second amendment has to do with what I think is more or less a procedural correction of the law with respect to the allocation of the deduction of intangible and development expenses.

The third amendment has to do with liquor stores operated by the State in lieu of an individual, the State being permitted to operate under one Federal stamp rather than one for each store. A bill of this sort passed the House by unanimous consent after having been amended by the gentleman from Pennsylvania [Mr. GREEN].

Mr. Speaker, another amendment put in by the other body deals with amounts that a taxpayer previously received and properly included in his income under claim of right in a situation in which such taxpayer is required to restore such amounts in a later year.

In the 1954 code we provided a method of either doing this within the taxable

year of payment or spread over the taxable years in which the incident arose, but we did not provide for any carryover or carryback of any net operating losses. This amendment merely provides for the carryover or carryback of any loss that may accrue as a result of that.

Mr. Speaker, the next amendment is entirely a procedural or administrative amendment. It would extend to criminal investigators of the Intelligence and Internal Security Divisions of the Internal Revenue Service the same authority under present law for Alcohol and Tobacco Tax Division employees relating to the power to execute and serve search and arrest warrants.

Mr. Speaker, there were some amendments that the other body added that were not accepted by the conferees, and unless there are some questions I will not discuss those that were deleted.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

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

Mr. BYRNES of Wisconsin. First may I say I concur fully with the gentleman's explanation of the results of the conference. It should be pointed out, however, in view of the colloquy yesterday between the gentleman from Missouri [Mr. CURTIS] and the chairman of the Committee on Ways and Means, that this bill comes back from conference in complete accord with the understanding which the conferees had when they went to conference with the Senate. We sustained the position that the chairman at that time announced we would attempt to sustain, and I can tell every Member of the House that we were completely successful in the position that we assured the Members we would try to uphold when we went to conference.

Mr. MILLS. Mr. Speaker, I appreciate the addition of the gentleman from Wisconsin [Mr. BYRNES]. He is always very helpful, and certainly I concur in his statement.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the Senate amendment to the title.

The Clerk read as follows:

Amend the title so as to read: "An Act to amend section 213 of the Internal Revenue Code of 1954 to increase the maximum limitations on the amount allowable as a deduction for medical, dental, etc., expenses, and for other purposes."

The amendment to the title was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, as passed by the House, the bill H.R. 10620 liberalized the dollar limitations on the maximum deductions permitted under present law for medical expenses. The other body made no change in the basic bill as passed by the House.

The other body did, however, make a number of substantive amendments to the basic bill which I shall briefly describe.

**MEDICAL, ETC., BENEFITS FOR RETIRED EMPLOYEES, THEIR SPOUSES AND DEPENDENTS**

Mr. Speaker, the first amendment made by the other body adopted the substance of the bill H.R. 10117, which was unanimously approved by the House a few weeks ago. The Members of the House will recall that this bill permitted qualified employees' pension plans to provide sickness, accident and health, hospital and medical expense benefits for retired employees, their spouses and dependents. The other body added a provision to make clear that these benefits may also be provided under non-trusted employee plans which are funded through insurance contracts as well as under trusted plans. This amendment was accepted.

**NEW ELECTION TO DEDUCT INTANGIBLE DRILLING AND DEVELOPMENT EXPENSES**

Mr. Speaker, under present law, the election to deduct intangible drilling and development expenses must be made for the first year for which they are incurred, and such election is binding for all subsequent years. If this election is not for such first year, these expenses must be capitalized and no further opportunity exists under present law for taxpayers to make an election to deduct them.

This Senate amendment would give taxpayers, who initially failed to make a timely election to deduct these expenses, a new option to deduct them for the first taxable year ending on or after enactment. Such new option is to be exercised at the time of filing the income tax return for such first taxable year and would be binding for all future years.

Under the conference agreement, this amendment was retained.

**LIQUOR STORES OPERATED BY STATES, POLITICAL SUBDIVISIONS, ETC.**

The other body also amended the provisions of the bill as passed by the House by the addition of an amendment providing that States and political subdivisions that operate retail liquor stores would be required to purchase only one \$54 occupational tax stamp rather than one such stamp for each store location, as is the case under present law. This amendment incorporates the text of the bill, H.R. 2016, which was introduced by our colleague on the Committee on Ways and Means, the gentleman from Pennsylvania, the Honorable WILLIAM J. GREEN, and which was recently passed by the House. Under the conference agreement this amendment is retained.

**RESTORATION OF AMOUNTS HELD UNDER A CLAIM OF RIGHT**

Mr. Speaker, another amendment made by the other body deals with amounts that a taxpayer previously received and properly included in his income under a claim of right in a situation in which such taxpayer is required to restore such amounts in a later year. Under present law, the amount so restored may either be deducted in the year of restoration or, if a lower tax results, the taxes for prior years may be recomputed by excluding this amount from income in those years. If the deduction of such amount causes a loss

in the year of restoration no carryover or carryback is allowed.

The amendment made by the other body provides that for the purpose of determining which of these alternative computations will result in a lower tax, if the deduction in the year of restoration results in a net operating loss, such loss may be carried back the permissible 3-year period but it may not be carried over. If, however, the alternative exclusion of the amounts restored during the taxable year from the income of prior years results in a net operating loss of a net capital loss in those taxable years, such losses may be carried back and carried over but not beyond the taxable year.

The amendment by the other body also provides that any such net operating or capital loss that is not absorbed prior to the taxable year may be carried over to years after the taxable year to the same extent as any other net operating or capital loss occurring in such years. Under the conference agreement this amendment is retained.

**ENFORCEMENT OF LAWS RELATING TO INTERNAL REVENUE**

The other body added an amendment which would, except for the authority to carry firearms, extend to criminal investigators of the Intelligence and Internal Securities Division of the Internal Revenue Service the same authority provided under present law for Alcohol and Tobacco Tax Division employees relating to the power to execute and serve search and arrest warrants; to make arrests without warrants under certain circumstances; and, to seize property that is subject to forfeiture under the Internal Revenue laws. The Treasury Department urged the adoption of this amendment and under the conference agreement this amendment is retained.

**EXEMPTION FOR BUNKER FUEL**

Mr. Speaker, the other body also amended the bill to exempt from the import tax on petroleum products any article which is sold for use as fuel on vessels of the United States which are employed as common carriers on the high seas or on the Great Lakes pursuant to a certificate by the Interstate Commerce Commission. Under the conference agreement this amendment was rejected.

**MUTUAL INSURANCE COMPANIES UNDERWRITING CONCENTRATED RISKS**

Another amendment made by the other body would have provided, on an elective basis, an expanded geographical area within which the risks underwritten by a mutual insurance company could be concentrated, thereby entitling such company to the special treatment accorded concentrated risk companies under the Revenue Act of 1962. Under the conference agreement this amendment was rejected.

**SMALL BUSINESS INVESTMENT COMPANIES**

Mr. Speaker, another amendment added by the other body dealt with the exemption of small business investment companies from the personal holding company provisions of the Internal Revenue Code and the treatment of

losses sustained by small business investment companies on their equity investments.

Under the conference agreement, this amendment was deleted.

**GENERAL LEAVE TO EXTEND REMARKS**

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin and I may extend our remarks in further explanation of the conference report, and that other Members who desire to do so may also have the privilege of extending their remarks in the RECORD on the conference report just agreed to.

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

There was no objection.

**PROVIDING PROTECTION FOR THE GOLDEN EAGLE**

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 489, to provide protection for the golden eagle, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the House joint resolution.

The Clerk read the Senate amendments, as follows:

Page 2, line 8, after "egg" insert "thereof".  
Page 3, line 4, after "That" insert "on request of the Governor of any State, the Secretary of the Interior shall authorize the taking of golden eagles for the purpose of seasonally protecting domesticated flocks and herds in such State, in accordance with regulations established under the provisions of this section, in such part or parts of such State and for such periods as the Secretary determines to be necessary to protect such interests: *Provided further, That*".

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

Mr. TOLLEFSON. Mr. Speaker, reserving the right to object, and I shall not object, I merely ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may have permission to extend his remarks in the RECORD on this measure.

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

There was no objection.

Mr. GOODLING. Mr. Speaker, conservationists everywhere won a notable victory today with the passage of House Resolution 489. Designed primarily to protect the golden eagle, it will serve a dual purpose. Counts show an alarming decline in the number of both species of eagle, the bald and golden.

Quite aside from the necessity of protecting the golden eagle for its own sake, the resemblance of the young golden eagle to the bald eagle has contributed heavily to the elimination of the latter through wrong identification by hunters. This legislation will arrest the decline of our national bird by prohibiting the taking of either variety.

While the hearings did not show a single instance where the golden eagle exhibited any predatory characteristics, nevertheless there is a considerable body of opinion that it is or may be a predator, for which reason the bill distinguishes between the absolute protection enjoyed by the bald eagle since 1940, and the somewhat qualified protection extended to the golden eagle. With respect to the latter, the Secretary of the Interior is given authority to permit control measures on a showing that the bird is exhibiting predatory tendencies in a particular area.

Protection of these majestic birds represents an important milestone on the road to preserve our fast dwindling wildlife. It would indeed be a sad commentary if the symbol of our national emblem were to go the way of the American bison, the carrier pigeon, and several other species of wildlife.

This proposal had the endorsement of many individuals interested in preserving some of our heritage for posterity. It was endorsed by, and its passage insured by, the notable assistance of the National Audubon Society, the National Wildlife Federation, the Wilderness Society, the Izaak Walton League of America, Fraternal Order of Eagles, many State conservation commissions and others.

Mr. FISHER. Mr. Speaker, further reserving the right to object, in order to add to the legislative history, the RECORD should show that many livestock growers and game conservationists have expressed serious misgivings about this bill. As the hearings will show, the golden eagle migrates to the Southwest in the winter seasons each year and there they live chiefly on young lambs, goat kids, fawn, and wild turkey. Because of this fact this bird has replaced the bobcat, the coyote, and the mountain lion as the number one predator in that affected area.

Therefore, it is important that any legislation enacted designed to protect the golden eagle, protect the right of those adversely affected to defend themselves by taking the eagle when it becomes necessary.

There are approximately 20 counties in Texas that are visited by this bird during the winter seasons. Those counties are in the very heart of the area where vast numbers of lambs are raised, and also many goats and wild game.

This menace is recognized by the Department of the Interior, and the need for adequate provision to protect the people against this predator is also recognized. In that connection, we are now given positive assurance that under the terms of the pending bill permits will be readily granted for the eagles to be destroyed in all areas where they are proven to be predators of domesticated animals and wild game.

Mr. Speaker, I have received from the Under Secretary of the Interior, James K. Carr, a letter, dated October 11, 1962, recognizing the problem and giving assurances that if enacted this law will be so administered as to allow the taking of the golden eagle when and where it may be necessary, including the 20-

county area I have referred to, I wish to include a copy of that letter at this point:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., October 11, 1962.

Hon. O. C. FISHER,  
House of Representatives,  
Washington, D.C.

DEAR MR. FISHER: We appreciate your concern as to whether House Joint Resolution 489 will permit adequate protection of livestock from golden eagle depredations in southwest Texas.

Through your efforts a very complete legislative history has been developed on this resolution. If the bill is enacted, the Secretary's regulations concerning taking of golden eagles will be governed by the views of the Senate Commerce Committee set forth on page 2 of Senate Report No. 1986. The committee report makes it clear that golden eagles can be taken on an areawide basis rather than under individual permits as you recommended. We agree that the 20-county area in southwest Texas as presented in your testimony on page 21 of the Senate hearings of June 26, 1962, on this bill, is the area of the most serious golden eagle depredations. The Secretary's regulations will provide for recognition of this area by not requiring that individual permits will be required to control golden eagles that are damaging livestock.

The period of the year when golden eagles can be controlled will not present any problems under the terms of the proposed resolution. The lambing and kidding season in southwest Texas will soon be here and we shall do everything possible to prepare for it if House Joint Resolution 489 is enacted.

We are confident that we can work cooperatively with you and the State of Texas in the successful administration of this House joint resolution, and we sincerely appreciate the efforts you have made to make us more aware of the special problems you have in your district.

Sincerely yours,

JAMES K. CARR,  
Under Secretary of the Interior.

Mr. FISHER. Mr. Speaker, I withdraw my reservation.

Mr. CUNNINGHAM. 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 Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, in these closing moments of this session of the Congress I am opposed to the consideration of House Joint Resolution 489. This is a very complicated matter and one in which more time and study should have been given. Surely, this legislation need not be acted upon at this late hour in the session because many Members are occupied with major pieces of legislation and this legislation can be better considered when the Congress reconvenes in January and every Member of the Congress will have sufficient time to study all of the implications of this measure.

I for one, would be hopeful that this bill could be deferred until a later date because I am opposed to it and for the further reason that I believe the membership has not been fully informed of all its consequences.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### SANTA ROSA ISLAND, FLA.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7392) to amend the act of July 2, 1948, so as to repeal portions thereof relating to residual rights in certain land on Santa Rosa Island, Fla., 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 2, line 10, after "the" where it appears the second time, insert "current".

Page 2, lines 10 and 11, strike out ", as of May 22, 1950".

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

Mr. HALLECK. Mr. Speaker, reserving the right to object, my understanding is that this bill has been cleared with the minority members, including the gentleman from Illinois [Mr. ARENDS]?

Mr. RIVERS of South Carolina. Mr. Speaker, if the gentleman will yield, it has been cleared by everyone on the committee, including the ranking minority member, the gentleman from Illinois [Mr. ARENDS].

Mr. Speaker, on July 23, 1961, the House passed H.R. 7932 which would authorize the Secretary of the Army to convey to Okaloosa County, Fla., all the residual interest of the United States in a portion of Santa Rosa Island, Fla. Except for this residual interest, the remainder of the title to the land had been conveyed to the county, pursuant to an act of Congress, on May 22, 1950.

H.R. 7932, as passed by the House, would have authorized the conveyance of this residual interest of the U.S. Government at the fair market value as of the date of the original transaction, May 22, 1950.

Yesterday, October 11, the Senate passed the bill with an amendment. The amendment provides that the consideration for the conveying of the residual interest of the United States to Okaloosa County will be the current fair market value of that interest rather than the fair market value of the interest in May of 1950. The Senate amendment obviously gives no less protection to the Federal interest than the bill as passed by the House and may, in fact, provide a greater protection. Therefore, it is in the Federal interest to agree to the Senate amendment.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

## FONG YEE HIN

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2555) for the relief of Fong Yee Hin.

The Clerk read the title of the bill.

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

Mr. POFF. Mr. Speaker, reserving the right to object, may I inquire of the gentleman if this matter has been discussed with my colleague, the gentleman from West Virginia?

Mr. WALTER. Yes, it has been discussed. This is a bill that would permit an engineer employed by the New York City Transit Authority to have his immigrant status adjusted so as to make him eligible for citizenship. He is 31 years old and has been a resident of the United States for 22 years. He is the father of two American-born children.

Mr. POFF. Do I further understand that the gentleman from West Virginia agrees that this bill should be considered at this time?

Mr. WALTER. Yes; the gentleman from West Virginia not only agrees, but the gentleman thinks this will be the entering wedge for complete agreement with the other body on several other private bills.

Mr. POFF. Mr. Speaker, under those circumstances, I withdraw my reservation.

Mr. GROSS. Mr. Speaker, further reserving the right to object, this bill is confined strictly to this one case—this one immigration case?

Mr. WALTER. If the gentleman will yield, this applies to one person, an engineer who is now employed by the New York City Transit Authority.

Mr. GROSS. And it deals with no other subject?

Mr. WALTER. No.

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

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Fong Yee Hin shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 25, 1940, upon payment of the required visa fee and head tax. Upon granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.*

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## DIVERSION OF MAJOR DEFENSE CONTRACTS

Mr. ROUSH. 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 Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I was amazed to read in today's New York Times a statement by Dr. Jerome B. Wiesner, the President's special assistant for science and technology, to the effect that the Federal Government was diverting major defense contracts away from the Midwest because there is an "intellectual vacuum" in the Midwest. The fact of the matter is that the colleges, universities, and research centers of the Midwest are producing more than their share of the so-called intellectuals involved in Government research and development. The Far West and the Far East are siphoning these people off as fast as we can produce them. The Government, on the other hand, is paying very little attention to a proper distribution of their research and development contracts and is operating on the fallacious assumption that the mere location of a research and development facility means that all the brains originate from that area. It would pay them to examine the records of their personnel and see where they had their training. The Government itself seems to deliberately avoid the Midwest with its inhouse research and development facilities. It is my own considered opinion that Weisner and people like him should stop being critical and start being realistic and helpful by using the great potential of the Midwest.

Mr. VANIK. 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 Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I want to associate myself with the remarks of the distinguished gentleman from Indiana, the Honorable J. EDWARD ROUSH.

The President's special assistant for science and technology, Dr. Jerome B. Wiesner, should be censured in his charge that major defense contracts are being diverted away from the Midwest because of the existence there of an "intellectual vacuum."

There is no question that defense contracts have been diverted from the Midwest to California and the Gulf States. However, the record will disclose that this diversion is more the result of political pressure rather than the result of any intellectual vacuum.

A great majority of the scientists who now dwell in California and Texas were born in the Midwest and educated in its schools and colleges. It was the defense research contracts which lured them from the Midwest to their new homes. The postwar research contracts were first directed to the west coast and the Gulf States because they had unutilized defense production facilities which were readily available. After that, contract followed contract. Our Midwest scientists were induced to leave the Midwest to the land of "cost-plus and name your own terms." More scientists brought more contracts—more contracts brought more scientists. If the Midwest has been

depleted of its scientists, it was because of the "scorched earth" policies of the west coast contractors who had unleashed hands in the Federal till.

Those charged with the handling of defense contracts for research and production cannot ignore the economic impact of \$52.6 billion in defense spending. This is big business. Some pattern of apportionment must be developed in this immense program of defense spending. The patriotism of the Midwest is already strained to pay the tremendous tax burden to support economic impact in other places. This could develop into an organized effort to cut military spending and weaken national support for the defense program. In following current policies which discriminate against the Midwest, the Defense Department may be "penny wise and pound foolish." The Defense Department cannot afford to lose the tax support and goodwill of the Midwest.

## A DIRTY TRICK

Mr. DOWDY. 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 Texas?

There was no objection.

Mr. DOWDY. Mr. Speaker, I was surprised to learn that the military has claimed for itself the right to requisition or commandeer private property for use in peacetime, and particularly for a non-military use. It seems the requisition was made for claimed "troop movement."

Five weeks ago, the Conroe (Tex.) High School entered into a charter agreement with the bus company serving Conroe for five buses to carry the high school football team, band, and fans to Austin, Tex., for a Friday, October 5, game with an Austin high school. On Thursday afternoon, October 4, the bus company was forced to cancel the charter on four of the five buses, because the U.S. Air Force requisitioned all available buses in the area for "troop movement."

And what was the troop movement? It was troops from San Antonio to Dallas to watch the football game between Southern Methodist University and Air Force Academy on October 6.

We have recent evidence that an unarmed and peace-loving citizenship cannot prevail against the naked power of the Armed Forces of the United States, but this arbitrary setting aside of a private contract long before entered into is an unreasonable exercise of military might. Several days ago I inquired of the Air Force about this.

It is a matter that would bear investigation by the Committee on Armed Services of the House.

In connection with this I read into the Record an editorial carried in the Conroe (Tex.) Courier, of date October 7, 1962:

## A DIRTY TRICK

School officials, the members of the Touch-down Club and the general public are still mad at the "dirty trick" pulled off by the U.S. Air Force and the Trailways Bus System serving Conroe.

Thursday afternoon four of the five chartered buses, which had been chartered for the Conroe Tiger-Austin Lanier football game were canceled by the bus officials with the statement "the U.S. Air Force has requisitioned all available buses in this area for troop movement."

The troop movement the Air Force spoke of was the moving of soldiers from San Antonio to Dallas to watch the SMU-Air Force Academy football game Saturday.

We say this is a dirty trick for the New Frontier to pull off \* \* \* depriving over 100 band students of Conroe High School from attending the game and giving the Tigers moral support at the tilt. It also kept home 50 or more members of the Touchdown Club who always attend the out-of-town games to boost the Tigers.

Conroe High School has chartered buses for many years and if the Air Force says they have priority on all chartered buses for the purpose of furnishing transportation to a football game for the enlisted men or officers, they are liars.

Charles Sheffield, a civilian coordinator for the Air Force with bus companies, said Thursday that they had requisitioned the buses first chartered by Conroe some 5 weeks ago.

G. A. Bolton of Houston, an official of the bus company told a reporter Thursday night that the Air Force had chartered the buses for troop movement, and it was necessary to cancel Conroe's buses as he understood the military had first priority.

When the Air Force stoops to the very, very low of using the words "troop movements" in order to force bus companies to cancel chartered trips already contracted for by high schools, so that enlisted soldiers may go to a football game, then our country is in a sad state of affairs.

School officials were "burned up" here, the band members were steaming, the press over the State said it was a "dirty deal" and a member of the Armed Forces told this reporter contacted Friday, who is in the position to know the rules of the Armed Forces, said that the Air Force lied when they stated they had priority over chartered buses and that they tossed a "curve ball" at Conroe in using the words "troop movement" to the bus company in order that they could obtain buses already chartered for a trip planned at the last moment for the soldiers at San Antonio.

The Courier suggests that our Congressmen at Washington check into this sad affair here in Texas concerning such tricks as the above being used by the Air Force.

#### SMALL WINNINGS IN MISSISSIPPI

Mr. DOWDY. 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 Texas?

There was no objection.

Mr. DOWDY. Mr. Speaker, there is much fear through the land, sparked by the use of naked force to usurp and abuse the rights of American citizens. If this abuse should continue and progress, those who follow us will not be privileged to enjoy the liberties and guarantees which we have enjoyed and Khrushchev's promise that our grandchildren will live under socialism will surely come to pass. Posterity, in its grief, will ask of today's generation, "Did none of you realize what was happening?"

For them, should that disastrous day come to pass, I am placing here a few of the many newspaper editorials across our great Nation, which will answer, "Yes, some of us knew".

The editorials speak for themselves. I can only add that when the editorialists of the Palestine (Tex.) Herald-Press, the Washington Star and the Washington Post all agree that the fundamental constitutionally guaranteed rights of American citizens have been violated by their Government, then there can be no doubt in any reasonable mind but that such violations occurred.

[From the Palestine (Tex.) Herald-Press, Oct. 1, 1962]

#### SMALL WINNINGS IN MISSISSIPPI

Now that the Federal Government has won the battle of Oxford, Miss., it is appropriate for Americans everywhere to ask a few questions about racial rights and racial wrongs and the direction in which the majority of Americans want this country to head.

Certainly there can be no comfort to any logically inclined American in the fact that several people died and more were painfully injured in the rioting that followed the forced entry of a Negro student to the campus of the University of Mississippi. There can be no admiration for students who took part in these riots.

But neither can there be any admiration for the Negro who insisted on his court-ordered right to attend the university, knowing that violence was the certain outcome of his insistence.

There can be no admiration for a Governor of Mississippi, who carried his State to a confrontation that it obviously couldn't win.

But there can be no admiration either for a brash young Attorney General and his brother, the President of the United States, who on their part failed to steer away from this shameful showdown.

This was not an exercise of justice but a test of wills.

Let us suppose that the matter had been handled in a different, and saner, way. Suppose that, after the Federal court ordered the University of Mississippi to accept the Negro student, the Governor of Mississippi had held a conference with the prospective student, and law enforcement officers and officials of the university. At such a conference all of the problems involved could have been gone over, and it is very possible that some solution might have been found that would have avoided violence.

Or suppose that the Attorney General of the United States, instead of sending Federal marshals and Federal airplanes to force the Negro's acceptance by the University of Mississippi, had counseled patience and good will to all concerned.

Suppose that the NAACP, that great guardian of the right to agitation, had turned good American and said peace and the welfare of all Americans is vital to all people of all races and that any individual should forego his own desires in order to protect American unity.

This country is tearing itself apart over a politically inspired division in race hatred. One Negro has won his way into one institution, at a cost of many lives through at least a generation of bitterness.

One Attorney General has had his way, and one President has upheld Federal authority over the States.

The winnings are pretty small when compared with the wrecking effect this affair has had on national unity, at a time when we should be training troops to move into Cuba instead of training them, as we have

been training them, to put down riots in our own country.

[From the Washington Post, Oct. 4, 1962]

#### LAW AND ORDER

Three days have passed since violence erupted in Oxford, Miss., on Sunday evening and made necessary the intervention of Federal troops. At least a sullen semblance of order has been restored. But the situation is undoubtedly still tense and ugly, with dangerous undercurrents that could produce new outbreaks of lawlessness. Perhaps it would have been wise to declare martial law in Oxford in order to enable military authorities lawfully to search for weapons and take other summary measures to maintain order. Perhaps a declaration of martial law would still be desirable. It is disquieting, in any case, to learn that, without any declaration of martial law, soldiers are in some instances acting without regard to procedures established by law.

The Army was sent into Mississippi expressly to reestablish respect for the Constitution. Its mission can only be corrupted if it behaves in unconstitutional ways. Roadblocks, searches and seizures, and other emergency measures may be necessary; if so, let the emergency be recognized and military rule be proclaimed. In this connection, it seems in order to ask if all the protection of due process are being accorded Edwin A. Walker. For all the malevolence of his part in the Oxford violence, he ought not to be denied reasonable release on bail and he ought not be committed to a mental institution even for examination without the precautions customary in the case of such a commitment.

It was to uphold the law as well as to maintain order that the Army was sent into Mississippi. Let it manifest, therefore, the most conscientious respect for law consonant with the immensely difficult and delicate task entrusted to it.

[From the Evening Star, Oct. 4, 1962]

#### POLITICAL PRISONER?

There is nothing in the record, as we view it, to support the contention that former Major General Walker is a "political prisoner." There is strong support, however, for the belief that his legal rights have been violated by the Government.

General Walker was arrested about noon on Monday and charged with rebellion, insurrection, and seditious conspiracy in connection with riot at the University of Mississippi. These are grave charges. If they can be proved he should be convicted and severely punished. But until found guilty by a jury, he is presumed to be innocent.

Two hours after his arrest a hearing was held before a Federal judge in Mississippi. General Walker, according to Representative ALGER, of Texas, was not represented by counsel. The judge allegedly on the basis of statements made by a psychiatrist who had not even seen, much less examined, General Walker, ordered the latter committed to a Federal mental institution in Missouri, and fixed bail at \$100,000.

His friends and family have raised this excessive amount. But the U.S. attorney in the Missouri district involved says General Walker will not become eligible for bail until after completion of a mental examination, which usually takes from 60 to 90 days. All of this, of course, is being done over the vigorous protests of General Walker's attorneys. But it is being done nonetheless, and if the Government can do this to General Walker it can do the same thing to any citizen.

When a riot is underway and people are being killed and wounded it doubtless may become necessary to act without too much concern for the niceties of the law. But

the riot started and ended Sunday night. Four days later, however, General Walker sits in a prison hospital under circumstances which point to a denial of his constitutional rights. And certainly there is a basis for Mr. ALGER's assertion that the troops in Mississippi, who are still searching cars and individuals without a declaration of martial law, are violating the fourth amendment.

When the riot started the Government was forced to act. But continued illegal action and physical abuse of arrested suspects is inexcusable.

[From the Sunday Star, Oct. 7, 1962]

#### GENERAL WALKER INSANE?

The Department of Justice insists it has adhered faithfully to the law in confining former Major General Walker to a mental institution. Maybe so. But if this is correct, the law affords no visible protection to an individual in General Walker's situation.

He was arrested last Monday on serious charges in connection with the riot at the University of Mississippi. Taken before a U.S. commissioner, he was advised of his legal rights. General Walker waived his right to counsel and to a preliminary hearing. He was assured that he would be tried in Mississippi on the charges against him, and bail was set at \$100,000. With that, he was flown to a Federal prison hospital in Springfield, Mo., with every reason to believe that he would be eligible for release on bail when he got there.

General Walker didn't know that the Department of Justice on the following day would bring mental commitment proceedings against him in Mississippi which would result in his being denied release on bail in Missouri. In fact, it is not clear when the decision to seek commitment was made. But it must have been made not later than about noon on Tuesday. An hour earlier, according to Representative ALGER, of Texas, he was being assured by the Attorney General personally that General Walker's transfer to Springfield "had no connection with the fact that there is a mental hospital connected with that prison." He was also assured, Mr. ALGER told the House, that there would be no barrier to General Walker's release if he posted the bail fixed by the court.

Meanwhile, the wheels were turning swiftly in Washington. Someone decided that the general should be committed for mental observation at Springfield. The Chief Psychiatrist of the Federal Prison Bureau prepared an affidavit for submission to a Federal judge in Mississippi—not in Missouri, where General Walker was.

This affidavit is an interesting document. Its essential conclusion is that General Walker's recent behavior "may be indicative of an underlying mental disturbance." The basis for his conclusion, the psychiatrist said, was a reading of newspaper stories, unspecified "indications" in an unidentified "medical history," and "other information" of an undisclosed nature "available to me."

Armed with this flimsy weapon, the U.S. attorney in Mississippi, doubtless on instructions from Washington, appeared before Federal Judge Claude Clayton, sitting in Oxford. The attorney told the judge that on the basis of the information from the psychiatrist, he had "reasonable cause" to believe that General Walker may be presently insane or so mentally incompetent as to be unable to understand the nature of the proceedings against him or to properly assist in his own defense. With this, the judge signed the commitment papers, and the U.S. attorney in Springfield thereupon said that General Walker would be held for from 60 to 90 days for mental examination and that he could not be released on bail.

It is important to note, we think, that the sole question is whether the general, who certainly has offered no defense of insanity,

is able to understand the nature of the proceedings against him and to assist in his own defense. Without in any way condoning his behavior, we have seen nothing which indicates that he lacks this degree of mental capacity. And we do not think that this inference is overcome by an undocumented conclusion that he "may be" suffering from "an underlying mental disturbance"—whatever that means.

This is a question, however, which must be decided in the courts. And, thanks to the availability of the writ of habeas corpus, the Department of Justice must show cause in Springfield on Tuesday why General Walker should not be released on bond. Beyond that, the Department has been ordered by a Springfield Federal court to certify the "true cause" of General Walker's detention. The full story of the Walker case should be developed in the course of these proceedings.

Meanwhile, there is ample reason, we think, to be concerned over a procedure under which an accused man can reasonably believe on one day that he will be released on bail, only to discover 24 hours later that he has been committed to a mental institution, without right of bail, on the statement of a psychiatrist who had never examined him and by a judge who had never seen him.

[From the Palestine (Tex.) Herald-Press, Oct. 7, 1962]

#### BEHIND THE EMOTIONAL ISSUE

Did you ever expect to be able to draw a parallel between the seizure of power in Germany by Adolf Hitler and events in the United States?

It's a thousand to one such a thought has never crossed your mind. Yet—

The first act of Hitler on his climb to dictatorship was to create an emotional crisis, behind which he could hide while making moves to seize personal power. This crisis was centered on stirring the existing German prejudice against Jews.

It is entirely possible that at the first Hitler had no intention of doing more than put the Jews in their place. Certainly the German people, at the outset of Hitler's campaign against the Jews, would not have countenanced brutalities that were to follow.

Nevertheless, behind the screen of an emotional issue, Hitler and his lieutenants dropped off one after another of the human rights written into the constitution of the German Republic. The people, mesmerized by the emotional issue, left their rights go without protest, and usually without noticing what was going on.

Today, at the tail end of a national emotional binge over happenings at the University of Mississippi, Americans of all political leanings suddenly are waking up to the fact that American rights of the most fundamental importance have been flouted and destroyed by Federal actions taken in the name of civil rights, much in the manner of Adolf Hitler.

Liberal newspapers in the East at long last have seen what a great many people in Southern States have seen all along—that the unconstitutional use of raw military power against a State, without even going through the motions of legality, constitutes a far greater threat to all Americans than any possible move by the University of Mississippi or the State of Mississippi.

Federal marshals, followed by 12,000 bayonet-carrying Federal troops, moved into Oxford, Miss., on the order of the President, without a declaration of martial law, a clear violation of States rights under the Constitution.

Federal marshals brutally beat and otherwise mishandled students after these students were under arrest as riot suspects, a violation of the most fundamental of human rights.

The scheduled football game of the University of Mississippi was ordered moved away from Oxford by Federal marshals who feared rioting. Yet the same sort of preventive measure, against the threat of rioting, has been denied the States in every argument over civil rights.

Maj. Gen. Edwin A. Walker, arrested on serious charges, has been denied his civil rights by being taken to a mental institution without due process of law, and denied bail in clear violation of the Constitution.

Thus the emotional issue regarding the entry of a Negro into the University of Mississippi has shrouded acts which, if permitted to go unchallenged, wipe out fundamental rights of all Americans. We are glad to see that newspapers across the country, and presumably people across the country, are waking up to the fact.

#### PAUL "THE WAITER" RICCA AND THE WALTER-McCARRAN ACT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. WALTER. Mr. Speaker, in this morning's Washington Post there appeared a lengthy article concerning one Paul "the Waiter" Ricca, a protege of Al Capone, who was ordered deported. This man is not only a gang leader and an extortionist. He is a murderer. He committed two murders in Italy, his homeland. According to the article he "lamented happily today that the United States can't boot him out because he's a man without another country."

I would like to call attention of the authorities to section 243(g) of the Walter-McCarran Act in which it is provided that if a country does not comply with our request to accept one of its nationals who was ordered deported under the laws of the United States, all immigration to the United States from that country shall end. Under the law, it is the duty of the Secretary of State to notify the several consular officers stationed in the noncooperating country not to accept any more applications for immigrant visas.

The Attorney General has written a letter to the Secretary of State asking him to try to prevail upon the Italian Government to reconsider its refusal to accept this man.

The Attorney General's letter reads as follows:

U.S. DEPARTMENT OF JUSTICE,  
Washington, D.C., September 19, 1962.

HON. DEAN RUSK,  
Secretary of State,  
Washington, D.C.

MY DEAR MR. SECRETARY: This is to request that appropriate steps be taken by the State Department to prevail upon the Italian Government to reconsider its refusal to issue travel documents to enable this Government to execute the deportation order outstanding against Felice De Lucia, also known as Paul De Lucia and Paul "the Waiter" Ricca.

De Lucia, who was born in Naples on November 14, 1897, has been a leader in the Chicago underworld since the days of Al Capone. He entered the United States illegally in August 1920 under the name "Paul

Maglio." Previously, on May 18, 1917, he had been convicted at Naples of voluntary homicide under the name "Felice De Lucia," and he was a fugitive on a second Italian homicide charge when he arrived in this country in 1920. He filed a petition for naturalization in the U.S. District Court for the Northern District of Illinois in April 1928 in Maglio's name, and he was admitted to U.S. citizenship some 5 months later. The naturalization was revoked in June 1957 on the ground that it was obtained by willful misrepresentation and concealment of material facts. The revocation decree was affirmed by the U.S. Court of Appeals for the Seventh Circuit, 256 F. 2d 487, and the Supreme Court denied certiorari, 358 U.S. 836.

Thereafter, on January 26, 1959, a special inquiry officer ordered De Lucia deported on the ground that, at the time of his 1920 entry, he was excludable on the grounds that he did not present a valid passport and that he had been convicted of a crime involving moral turpitude. An appeal to the Board of Immigration Appeals was dismissed by the Board on August 25, 1959; the deportation order was sustained in the U.S. District Court for the Northern District of Illinois and the Seventh Circuit, 297 F. 2d 58; and the Supreme Court declined to review the deportation order, 369 U.S. 837.

I assume that the prior refusal of the Italian Government to issue travel documentation for De Lucia was under a general policy of that Government not to issue such documentation for an Italian native naturalized in this country, even though the naturalization was subsequently canceled. In view of De Lucia's fugitive status at the time of his arrival in this country and his subsequent conviction in absentia of the homicide charge which he was seeking to evade when he originally came to this country, I think this Government has special reason to request reconsideration. By like token, the Italian Government should be receptive to reconsideration since De Lucia had an established criminal record, had an Italian conviction on a serious charge, and had absconded to avoid prosecution on another serious charge before his admission to this country.

I shall personally appreciate whatever steps you may take in this matter.

Sincerely,

ROBERT F. KENNEDY,  
Attorney General.

It would be a great lift up to get rid of this fellow. He is certainly among the very worst.

R.F.K.

Mr. Speaker, this correspondence is entirely unnecessary. It is up to the Attorney General simply to notify the Secretary of State to stop receiving any immigrants at all from Italy until the law is complied with.

Under leave granted me I am including the article from the Washington Post:

"THE WAITER" UNWANTED IN 60 LANDS  
(By Robert T. Loughran)

CHICAGO, October 11.—Paul "the Waiter" Ricca, elder statesman of the Chicago underworld, lamented happily today that the United States can't boot him out because he's a man without another country.

Ricca, onetime protege of Al Capone, told U.S. Immigration officials who are trying to deport him as an undesirable alien that no other country in the world would have him.

He supplied letters of regret from the consulates of 60 nations, including his native Italy, to prove it.

Only one nation, Ricca told District Immigration Director John W. Lehmann, would agree to let him inside its borders—but only as a visitor, not as a permanent guest. That

hospitality was offered by Monaco, the 64-year-old patriarch of the underworld said.

Lehmann said Ricca's failure to find another country meant that the Government would have to put the dapper little white-haired man, who looks more like a banker than a "retired" gang leader, on parole until some place is found that will take him.

Ricca was stripped of his citizenship in 1957 because he entered this country under a false name and concealed two murders in his homeland. A deportation order became final last April when the U.S. Supreme Court refused to consider his case.

Ricca, who recently said any man would be "out of his mind" to want to leave the United States, insisted that he diligently tried to find another land.

He wrote letters to officials of 60 nations. With each letter of inquiry, he sent along newspaper clips that gave revealing glimpses into his past.

Ricca was first indicted on charges of extorting nearly \$2 million from major Hollywood film studios after gaining control of stage employees' and motion picture operators' unions. He was sentenced to 10 years in prison, served 3 years and was paroled in 1947.

Ricca became the rumored heir to the Capone throne but started slipping. He was sent back to prison in 1959 on an income tax evasion conviction.

#### REDUCTION IN NUMBER OF FEDERAL PERSONNEL

Mr. JOHANSEN. 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 Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, as a member of the Manpower Utilization Subcommittee of the Committee on Post Office and Civil Service, I note with intense interest that the President is now desirous of a reduction in the number of Federal personnel.

This disclosure was made in connection with the Federal pay-postal rate bill signing ceremonies yesterday.

In view of the 160,000 increase in the number of Federal employees since Mr. Kennedy took office, I congratulate him on his newly found interest in this matter.

I note particularly that the President has called for additional reports to and by the Civil Service Commission and the Bureau of the Budget on employment plans and manpower utilization.

If this is a move to place responsibility on a specific agency of Government to police manpower utilization, it is in line with a long-standing bipartisan recommendation of the Manpower Utilization Subcommittee under the able chairmanship of the gentleman from Georgia [Mr. DAVIS].

For the sake of the American taxpayer, I wish the President every success in his new crusade to whittle the bureaucracy down to size.

I sincerely trust that it is not merely a matter of 3-weeks-before-election virtue.

I have one suggestion which I respectfully offer to the President of the United States in this matter. It is going to re-

quire something besides additional reports to accomplish any manpower savings.

It is going to take some iron-fisted orders from the Chief Executive.

The President needs no legislation to issue those orders.

#### DEFENSE CONTRACTS

Mr. ANDERSON of Illinois. 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 Illinois?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, perhaps I am naive or I would not have been shocked to read the statement which has been attributed to Dr. Jerome B. Wiesner, the President's Special Assistant for Science and Technology. In a speech before the National Electronics Conference he stated that the Federal Government was diverting major defense contracts away from the Midwest because of an intellectual vacuum. He reportedly went on to say that the Midwest was late in getting started in research and development because it was comfortable and highly competent in consumer production during the postwar period. He further is quoted as saying that the contracts were being given to companies on the east and west coasts because they were more capable in research and development.

Mr. Speaker, 2 days ago the gentleman from West Virginia [Mr. HECHLER] inserted some figures in the CONGRESSIONAL RECORD showing that West Virginia which had ranked 46th in the Nation in per capita amount of military prime contracts in 1960 now ranks 30th in the Nation under the Kennedy administration. According to the figures supplied by the gentleman from West Virginia for the fiscal year 1960, the total amount of prime military contracts awarded by the Department of Defense amounted to \$36,098,000 while the figures for the fiscal year 1962 showed awards of \$133,782,000.

The gentleman from West Virginia concluded and I quote, "that West Virginia is no longer being shortchanged and that President Kennedy fulfilled his campaign pledges to West Virginia."

I am not aware of any great new colleges or universities or other institutions of higher learning devoted to the physical or natural sciences that have opened their doors in West Virginia since 1960.

As a Representative to this Congress from the great Middle West, I resent as being completely unfounded and without fact the charge that has been made by the President's top adviser on science that the Middle West is an intellectual vacuum. For it is in the Middle West that we have some of the truly great universities and institutions of higher learning in the entire country. Their faculties are noted for the contributions that they have made in all fields of scientific endeavor, and they include Nobel Prize winners as well as the winners of various other high awards. Perhaps the

true nature of the difficulty lies in the fact that in the last election the Middle West resoundingly rejected Mr. Kennedy's bid for the Presidency. Perhaps, indeed, it has now become the fashion to regard military contracts as a means of discharging political debts and obligations. Perhaps, indeed, the charge can truly be made that this administration is playing politics with the defense of our country.

Mr. Speaker, I repeat that the charge that has been made by the President's scientific adviser is absolutely baseless and groundless and cannot be regarded in any other light than as a calculated insult to one of the great and productive regions of our country. The very kindest thing that you could say about Dr. Wiesner's remark is that it constitutes the very flimsiest kind of excuse for favoritism by this administration in the awarding of defense contracts.

During the debate a few weeks ago on the resolution to increase the national debt limit to \$308 billion, it was brought out that the Department of Defense, obviously at the orders of the administration, had resorted to unprecedented blackmail and pressure on defense contractors in order to get Representatives from the Middle West to vote for this increase in the debt limit. This is, of course, further documentation for the fact that this administration apparently looks upon defense contractors as a means of achieving both its legislative and political aims.

#### EQUAL PROTECTION OF THE LAW

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ALGER. Mr. Speaker, there is no wishing away the concern of our citizens when equal protection of the law is denied to anyone who is put away in a mental institution without a court order, particularly when the individual concerned does not have his day in court. Two cases have come to light, the Agriculture Department employee and General Walker.

As evidence of the concern of some of our people I here insert a letter and some material received from residents of California. I do not know these people, nor do I know the validity of all their statements. I do, however, know what I have seen transpire in the case of General Walker. I am therefore determined to do what I can to direct public attention to our mental health problems, the legislation surrounding them, and the proper administration of such law. No man or woman in these United States should be denied equal protection of the law at any time, and this includes alleged mental health cases.

The following articles make an interesting combined study. First, there is the letter to me from Mrs. Connie C. Chandler, president of the Liberty League, with a description of the Liberty

League; second, a statement directed to the California Legislature on the subject of "The Bill of Rights for Mental Freedom," specifying prohibitions on incarceration in a mental institution; third, an outline of the dangers of present mental health laws; fourth, an article entitled "Communist Brainwashing for Americans," quoting Hon. Usher Burdick on an address by Communist Beria; fifth, excerpts from "Masters of Deceit," by J. Edgar Hoover; sixth, an editorial by the Wall Street Journal entitled "Whose Civil Rights."

The articles follow:

THE LIBERTY LEAGUE INC.,  
El Modeno, Calif., October 10, 1962.  
Re the incarceration of former Maj. Gen. Edwin Walker to a mental institution.  
Representative BRUCE ALGER,  
House of Representatives,  
Washington, D.C.

DEAR SIR: We allege that certain persons in the administration of the Federal Government are guilty of genocide against the American people. They are using the power and authority of their office to annihilate patriotic Americans who are trying to expose those who are subtly, and unsuspectingly, engaged in overthrowing the constitutional government of the United States.

The Federal Government of the United States created the mental health conspiracy, in that the United Nations was created by the Federal Government of the United States, and the mental health laws were designated to the World Health Organization, a specialized agency of the United Nations, for administration.

We have cases and records in our files of persons who have been used as guinea pigs for experimentation in mental institutions, have been incapacitated from shock treatments, and who are now in their grave as a result of the mental health laws.

Therefore, we request, and demand, as sovereign citizens of the United States, that the Congress of the United States investigate at once the mental health laws under the administration of the United Nations, and that the incarceration of Major General Walker in a mental institution be prosecuted, immediately.

Please convey our request to Members of Congress.

Yours truly,  
Mrs. CONNIE CHANDLER,  
President.

THE LIBERTY LEAGUE, INC., EL MODENO, CALIF.

The Liberty League is dedicated to the principles upon which the Constitution of the United States was founded: a government "of the people, by the people, and for the people."

The principles upon which this organization is founded are set forth in the following preamble to the constitution of the Liberty League, Inc.:

"Having recognized that our rights to life, liberty and the pursuit of happiness are given to us by God, and that we are dependent upon the U.S. Constitution to protect these God-given rights, we shall actively oppose all attempts to substitute atheism, alien ideologies, or anti-Christian traditions in place of our Christian concepts.

"The authors of our Constitution had unusually shrewd comprehension of the dangers of concentration of governmental authority. They sought to insure, for all time, that the Federal Government could not attain a position of dominance over American citizens, but that it would ever remain an instrument for the preservation of law and order, and that it would be subservient to the people.

"Under this Constitution, unique in all history, the United States developed from a weak nation into a leader among nations.

"For 150 years the Constitution was upheld by our representatives in Government. But during the past 30 years we have witnessed evasion, selective enforcement and total revision of our Constitution via the back door of court interpretation, treaties, and executive agreements. As a result, government by men is being craftily substituted for government by law; powers not delegated to the Federal Government are being grossly usurped; countless unauthorized functions are being undertaken by the Federal bureaucracy, and we are rapidly trending toward the very dictatorship which our Constitution was specifically designed to prevent.

"The world is now heavily engaged in a 'cold war' between the principles of dominant government under which people are pawns in the control of their leaders and the principles of restrained, limited government under which people are sovereign citizens, as conceived by our Founding Fathers and exemplified in the U.S. Constitution.

"The United States is currently abdicating its position as a champion of its own constitutional principle of limited government, and is increasingly adopting the concept of omnipotent government.

"Therefore it is necessary that we now take action to regain the rights usurped by the Federal bureaucracy and demand that they be returned to the States and to the people as provided in our Bill of Rights."

The Liberty League appeals to all citizens who wish to be currently informed regarding legislation, and who wish to take action through this organization in the submission of petitions requesting investigation and/or other remedial action against subversive activities, Communist infiltration, and violations of the Constitution of the United States.

A post card sent to the Liberty League at the above address will put your name on our mailing list.

#### THE LIBERTY LEAGUE, INC.—PETITION

We, the undersigned, petition the members of the Legislature of the State of California to oppose S.B. 120 and support S.C.A. No. 3, introduced by Senator Nelson Dilworth, cited as "The Bill of Rights for Mental Freedom," for the following reasons:

All mental health legislation stems from the program of the World Health Organization, a specialized agency of the United Nations, with the exception of course, of remedial legislation such as Senator Dilworth's "Bill of Rights for Mental Freedom." The United Nations has been described in Government reports as being headquarters for enemy spies and saboteurs.

Gen. Mark Clark testified before the Senate Internal Security Subcommittee August 10, 1954: "I believe to permit the Soviet Union to have its large number of spies and saboteurs over here spawning in our country is wrong, and I think the thing ought to be organized as a United Nations against the Soviet Union. \* \* \* There is no question in my mind that they certainly are using it, and it is a very valuable asset to them to have their people over here who are able to run around our country and to get the views of our people."

Lt. Gen. Edward M. Almond testified before the same subcommittee on November 23, 1954: "I think the U.N. provides a listening post in the midst of our country, which has been utilized to the fullest."

General Almond was asked by Senator Welker, "In other words, you agree with Gen. Mark Clark that the U.N. is now and has been a nest and a haven for spies, saboteurs, and people who can come over here and get vital information that might seriously affect the future of our Republic?"

General Almond replied: "I have no doubt of it, sir."

Congressman Usher L. Burdick asks in his speech "The Great Conspiracy to Destroy the United States," "Who wrote the (U.N.) charter? The answer is \* \* \* the Russian Communists and Alger Hiss, a representative of our State Department \* \* \* who was convicted for perjury when he denied sending secret material to the Soviet Union representatives. \* \* \* World peace was not the object of this scheme at all. The real purpose was to build a world government, controlled by the Communists and their dupes in the United States. \* \* \* Can anyone doubt that the United Nations was purposely set up to do to this country what could not be done by force of arms, but through the blandishments of Communists, fellow travelers, and dupes, get us to surrender our liberty without firing a shot?"

Many of the 128 mental health bills introduced at the 1957 legislative session in Sacramento were so destructive of American freedom they could have been written only by men dedicated to the destruction of that freedom and destructive of the minds of those dedicated to freedom.

S.B. 120, which the undersigned oppose, states: "Whenever \* \* \* there is no judge of the superior court \* \* \* to sign an order of detention \* \* \* the superintendent or physician \* \* \* may care for and treat the person for a period not to exceed 24 hours (following the signing of an emergency order by any judge of a municipal or justice court in the county)."

According to testimony by Dr. E. L. Kropa, a chemical known as LSD-25, or lysergic acid, produces temporary madness by destroying the individual's will to think and communicate. Within 6 hours' time, according to Dr. Kropa, the people can be "reduced to so many babbling idiots." In far less than the 24 hours during which S.B. 120 would allow a person to be held, he could be reduced to the state of which he has been accused.

Quotations taken from A.B. 401: Please write your legislators, State Capitol, Sacramento, and oppose this bill and all mental health bills:

"Any superior court to which application is made as hereinafter provided may appoint a guardian for the person and estate, or person, or estate, of an insane or an incompetent person, who is a resident of this State. As used in this revision of this code, the phrase 'incompetent person,' 'incompetent,' or 'mentally incompetent' shall be construed to mean or refer to any person, whether insane or not, who by reason of old age, disease, weakness of mind, or other cause, is unable, unassisted, properly to manage and take care of himself or his property, and by reason thereof is likely to be deceived or imposed upon by artful or designing persons.

"Any relative, friend, or person interested in his estate in expectancy or otherwise, may file a verified petition alleging that a person is insane or incompetent, and setting forth the names and residences, so far as they are known to the petitioner, or the relatives of the alleged insane or incompetent person."

PETITION SUPPORTING S.C.A. NO. 3 AND OPPOSING S.B. 120

Senator Nelson Dilworth's S.C.A. No. 3 proposes a senate constitutional amendment to the constitution of the State of California by adding to article 1 thereof a new section to be numbered 26, relating to the "Bill of Rights for Mental Freedom":

"Sec. 26. (b) No person shall be committed to or confined in a mental institution unless he is afforded the right to a speedy public trial; to a trial by jury; to counsel of his own choosing. \* \* \*

"(d) No person shall be committed to or confined in a mental institution because of his religious or political beliefs.

"(e) No person shall be committed to or confined in a mental institution to prevent him from exercising his right of freedom of speech, including his right to express his political views and to criticize the government, any public official, or any law.

"(f) No person shall be committed to or confined in a mental institution to prevent him from exercising his right to assemble with his fellow citizens; to petition the government for the redress of his grievances; to lawfully possess arms; to resist unlawful searches and seizures; to engage in political activity; to resist the taking of his property; or to take appropriate action in his own defense or in defense of his children, parents, or spouse. \* \* \*

"(1) No United States citizen shall be transported out of this State on charges of mental illness or mental deficiency of any kind unless it be to the State of his legal residence.

"Enumeration of the foregoing rights shall not deprive a person accused of mental illness or mental deficiency of any other rights that he may have at law or in equity."

Accordingly, we oppose S.B. 120 and support S.C.A. No. 3.

#### THESE MENTAL HEALTH LAWS, NOW IN EFFECT, THREATEN YOUR FREEDOM

Because you may be arrested without a warrant, confined and treated in a county or State hospital without a court order, transferred to any State in the Union. Why? Because it may be to someone's advantage personally, politically, or financially to dispose of you.

Do you know a peace officer or health officer may arrest you without a warrant and take you from your home, apply for your admittance in a State or county hospital where you may be detained and treated, even though no warrant has been issued and there is no proceeding pending for your commitment?

Do you know if you are taken into custody by any peace officer or health officer for a mental examination, he is not required to give the name of his informant?

Do you know any doctor or other person signing a petition requesting that you be committed to a mental institution cannot be held liable, either civilly or criminally, for signing such a petition in good faith?

Do you know if the superintendent or person in charge of a psychopathic hospital feels that in his judgment you are a suitable person for emergency care and treatment, he may treat you for 72 hours without a court order?

Do you know after you have been delivered to the hospital you may be forcibly detained and treated for 90 days? These treatments may include shock treatments, injections, or drugs.

Do you know according to the testimony of Dr. E. L. Kropa, a chemical known as lysergic acid, produces a temporary madness by destroying the individual's will to think and communicate, and could within a few hours reduce a person to the state of which he is accused?

Do you know these laws might be used by relatives or others to bring false charges of mental illness against you for personal, political, or financial reasons?

Do you know that the mental health conspiracy had its creation, and beginning, in the United Nations Charter, which was the work of Stalin, Molotov, Nelson Rockefeller, and Alger Hiss? (Hiss was a Communist employed by our State Department.)

Do you know that one of Stalin's plans to "take over the United States without firing a shot" is the control of legislation setting up a police state under which the American people can be legally executed?

Help us oppose this diabolical plan to reduce to robots and slaves those whom the Communists cannot control. Circulate the

petition, then mail to the Dilworth Committee, State capitol, Sacramento, Calif.

COMMUNIST BRAINWASHING FOR AMERICANS  
(Extension of remarks of Hon. Usher L. Burdick, daily CONGRESSIONAL RECORD, June 13, 1957)

Mr. BURDICK. Mr. Speaker, to appraise the people of this country just what the Communist practice was, and probably still is, in regard to the treatment of the so-called mentally sick persons, I have decided to reprint the entire speech made by Communist Beria to a class of American students at Lenin University.

This is the same Beria who was at the head of the police system in Russia and who caused the execution of millions of Russians and who finally was executed by the Malenkov dictatorship:

#### "ADDRESS BY BERIA

"American students at the Lenin University, I welcome your attendance at these classes on psychopolitics.

"Psychopolitics is an important if less known division of geopolitics. It is less known because it must necessarily deal with highly educated personnel, the very top strata of 'mental healing.'

"By psychopolitics our chief goals are effectively carried forward. To produce a maximum of chaos in the culture of the enemy is our first most important step. Our fruits are grown in chaos, distrust, economic depression, and scientific turmoil. At least a weary populace can seek peace only in our offered Communist state, at last only communism can resolve the problems of the masses.

"A psychopolitician must work hard to produce the maximum chaos in the fields of mental healing. He must recruit and use all the agencies and facilities of mental healing. He must labor to increase the personnel and facilities of mental healing until at last the entire field of mental science is entirely dominated by Communist principles and desires.

"To achieve these goals the psychopolitician must crush every home-grown variety of mental healing in America. Actual teachings of James, Eddy, and Pentecostal Bible faith healers amongst your misguided people must be swept aside. They must be discredited, defamed, arrested, stamped upon even by their own Government until there is no credit in them, and only Communist-oriented healing remains. You must work until every teacher of psychology unknowingly or knowingly teaches only Communist doctrine under the guise of psychology. You must labor until every doctor and psychiatrist is either a psychopolitician or an unwitting assistant to our aims.

"You must labor until we have dominion over the minds and bodies of every important person in your Nation. You must achieve such disrepute for the state of insanity and such authority over its pronouncement that not one statesman so labeled could again be given credence by his people. You must work until suicide arising from mental imbalance is common and calls forth no general investigation or remark.

"With the institutions for the insane you have in your country prisons which can hold a million persons and can hold them without civil rights or any hope of freedom; and upon these people can be practiced shock and surgery so that never again will they draw a sane breath. You must make these treatments common and accepted. And you must sweep aside any treatment or any group or persons seeking to treat by effective means.

"You must dominate as respected men the fields of psychiatry and psychology. You must dominate the hospitals and universities. You must carry forward the myth that only a European doctor is competent in the

field of insanity and thus excuse amongst you the high incidence of foreign birth and training. If and when we seize Vienna you shall have then a common ground of meeting and can come and take your instructions as worshipers of Freud along with other psychiatrists.

"Psychopolitics is a solemn charge. With it you can erase our enemies as insects. You can cripple the efficiency of leaders by striking insanity into their families through the use of drugs. You can wipe them away with testimony as to their insanity. By our technologies you can even bring about insanity itself when they seem too resistive.

"You can change their loyalties by psychopolitics. Given a short time with a psychopolitician you can alter forever the loyalty of a soldier in our hands or a statesman or a leader in his own country, or you can destroy his mind.

"However, you labor under certain dangers. It may happen that remedies for our treatment may be discovered. It may occur that a public hue and cry may arise against mental healing. It may thus occur that all mental healing might be placed in the hands of ministers and be taken out of the hands of our psychologists and psychiatrists. But the capitalistic thirst for control, capitalistic inhumanity, and a general public terror of insanity can be brought to guard against these things. But should they occur, should independent researchers actually discover means to undo psychopolitical procedures, you must not rest, you must not eat or sleep, you must not stint one tiniest bit of available money to campaign against it, discredit it, strike it down and render it void. For by an effective means all our actions and researches could be undone.

"In a capitalistic state you are aided on all sides by the corruption of the philosophy of man and the times. You will discover that everything will aid you in your campaign to seize, control, and use all mental healing to spread our doctrine and rid us of our enemies within their own borders.

"Use the courts, use the judges, use the constitution of the country, use its medical societies and its laws to further our ends. Do not stint in your labor in this direction. And when you have succeeded you will discover that you can now effect your own legislation at will and you can, by careful organization of healing societies, by constant campaign about the terrors of society, by pretense as to your effectiveness, make your capitalist himself, by his own appropriations, finance a large portion of the quiet Communist conquest of the nation.

"By psychopolitics create chaos. Leave a nation leaderless. Kill our enemies. And bring to earth, through communism, the greatest peace man has ever known."

The following, quoted from J. Edgar Hoover's "Masters of Deceit," bears out the information contained in Beria's speech:

"Russian control, moreover, was implemented through the operation of another institution, the Lenin School in Moscow. \* \* \* Founded in the 1920's the Lenin School had for its purpose the training of an international corps of Communist leaders. \* \* \* The students were taught how to erect stout barricades, conduct guerrilla warfare, and handle firearms. The Soviets wanted rough-and-ready revolutionists, men who would kill, murder, blow up trains, and start revolutions.

"Many of the top leaders in Communist parties around the world are graduates of the Lenin School. The national committee of the Communist Party in the United States today include such graduates of the Lenin School as Eugene Dennis, Claude Lightfoot, Carl Winter, Simon W. Gerson, William Weinstone, Nat Ganley, Steve Nelson, and others. Former Lenin School graduates also include such well-known Communists as Betty Gannett, Gus Hall, Albert Lannon,

Phil Bart, Rose Wortis, Loretta Stack, Henry Winston, and numerous others. The Lenin School became so notorious that it, like the Comintern, was discontinued. After all, it had turned out thousands of graduates, and the Communists probably thought it had fulfilled its usefulness."

#### EXCERPTS FROM "MASTERS OF DECEIT"

(By J. Edgar Hoover)

Under communism, a tiny minority, perhaps 10 to 20 men, would rule the United States. \* \* \* National as well as State and local governments would be eliminated. "Soviets" (meaning councils) would be formed throughout the Nation. These would consist of local Communist Party henchmen who would depose and probably liquidate your mayor, chief of police, clergymen, and leading citizens.

The Constitution, and all our laws, would be abolished. \* \* \* All property used in production would be confiscated. \* \* \* This confiscation would include your home, business, bank deposits, and related personal possessions. These would belong to everybody. You have no right to own them under the Communist scheme.

The revolution would affect every man, woman, and child in America. Communists do not propose to remodel our Government or retain any part of it. They would tear it to the ground, destroy all opposition, and then create a new government. \* \* \* Their recipe for action? The 1917 revolution, tailored to modern conditions. The Communists themselves have made the claim:

"The principles upon which a Soviet America would be organized would be the same, in every respect, as those which guided the Soviet Union."

All industry would be nationalized and farms taken away from their owners. A small businessman is just as guilty as a large businessman; both must be liquidated. \* \* \* Countless occupations, termed by the Communists as useless and parasitic, would be ended. Here is a part of their list: wholesalers, jobbers, real estate men and stockbrokers, advertising specialists, traveling salesmen, lawyers, whole rafts of government bureaucrats, police, clericals, and sundry capitalist quacks, fakers and grafters. The Communists have a special disdain for lawyers. Perhaps it is because there will be no need for lawyers when there are no rights to defend. At any rate, William Z. Foster (long-time head of the Communist movement in our country) has said, "The pest of lawyers will be abolished."

Action would be drastic, immediate, and without appeal. An armed "Red guard" would enforce the orders of party henchmen. \* \* \* The workingman in the mines, factories, and mills would be told to work certain hours for certain wages. Labor unions, as we know them, would be obliterated. \* \* \*

The press would be muzzled, free speech forbidden. \* \* \* If you expressed an opinion contrary to the party line, you should have known better and your disappearance would serve as a lesson for others. \* \* \* Movies, radio, and television would be taken over by the government. \* \* \* Churches would probably not be closed immediately, but they would be heavily taxed, their property seized by the state, and religious schools liquidated. \* \* \* Children would be placed in nurseries and special indoctrination schools. Women, boast the Communists, would be relieved of housework. How? Huge factory and apartment-house kitchens would be set up, so that women would be free to work in factories and mines along with the men.

This picture of a Communist America is not overdrawn. Here are the words of William Z. Foster:

"Under the dictatorship all the capitalist parties—Republican, Democratic, Progress-

sive, Socialist, etc.—will be liquidated, the Communist party functioning alone as the party of the toiling masses. Likewise, will be dissolved all other organizations that are political props of the bourgeois rule, including chambers of commerce, employers' associations, rotary clubs, American Legion, Y.M.C.A., and such fraternal orders as the Masons, Odd Fellows, Elks, Knights of Columbus, etc."

Communists want to control everything: where you live, where you work, what you are paid, what you think \* \* \* how your children are educated, what you may not and must read and write. \* \* \*

These statements are confirmed, day after day, by documented reports from areas where Communists have already taken over: Hungary, East Germany, Bulgaria, Poland, Rumania, Czechoslovakia, Red China, and other areas.

When you read such reports, do not think of them as something happening in a far-off land. Remember, always, that it could happen here and that there are thousands of people in this country now working in secret to make it happen here.

But also, thank God, there are millions of Americans who oppose them. If we open our eyes, inform ourselves, and work together, we can keep our country free.

[From the Wall Street Journal]

#### WHOSE CIVIL RIGHTS?

Former General Walker and new heavyweight champion Sonny Liston don't have too much in common, but each of them ought to have a little sympathy for the other. Both of them have recently been the victims of some strange encounters with Federal police authorities.

To be sure, the Federal tax authorities had reasonable grounds for suspicion that the Government might not get its due share of the receipts from the Liston-Patterson fight unless it stepped in and grabbed them first. Fight managers and promoters are not noted for the scrupulous accounting or for being pillars of society, and the IRS has had trouble before with the fight's promoters.

Nonetheless, the new champion is not involved in this past dispute. Moreover, the Internal Revenue agents didn't pause long enough to give anybody a chance to make an accounting in good faith. Nor did they content themselves with putting a tab on some reasonable proportion of the fight take. They moved almost as fast as Sonny Liston moved on Patterson, and just as thoroughly. They seized the money first and talked about it afterwards.

Possibly also General Walker's speeches contributed to the riots in Mississippi; that is a matter for the courts to decide. But when he was arrested some of the niceties of civil rights got lost in the rush.

He was arraigned without benefit of counsel, and then without even going through the motions of a proper hearing the authorities had him hustled off for psychiatric examination. His bail was set at the unusually large figure of \$100,000, the same figure used for the late Dr. Soblen, a man duly convicted in open court of having spied for the enemies of his country.

We'll leave the lawyers to debate the legal points in these two cases, as they are now doing. Subsequently General Walker's bail was cut in half and he is now out of jail. Doubtless in the end Sonny Liston will receive his proper share of the fight proceeds. But there is something more disturbing here than legal technicalities.

One of these cases puts aside the concept that a man is punished only for crimes committed; here is punishment for tax evasion—certainly seizing all a man's pay is punishment—merely on the policeman's suspicion that taxes might be evaded. The other puts

aside the doctrine that a man charged with a crime is entitled to the protection of certain ancient processes of the law, including the right to counsel.

The reply of the policeman in each case is that haste was necessary. If the revenue agents hadn't acted then it might have been too late. The Justice Department had to move swiftly against General Walker to teach a lesson to other people.

Perhaps so; yet it's an argument become all too familiar. A Justice of the Supreme Court makes a ruling, as Justice Black did in the Mississippi school case, by concluding from conversations what the full Court might decide—because everybody was too impatient to wait a few weeks. A corporation angers the Attorney General, as United States Steel did by trying to raise prices, and the next day its offices are crawling with Government agents, hustling to find evidence for an indictment not yet drawn.

It may be hard to drum up much sympathy for General Walker or Sonny Liston. But if we are going to set aside all the due process of law every time the policeman is in a hurry, then no man can be safe from the scowl of the tax collector or the Attorney General.

Mr. Speaker, all history shows the danger of government trampling individual rights. I call on all Americans to review their dedication to the preservation of all civil rights.

#### KNOWLES DAM PROJECT

Mr. OLSEN. 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 Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I want to make it abundantly clear that I am being fair with all of my constituents whether they are for or against the Knowles project which is the subject of some discussion before the Committee on Public Works in the House and between the conferees of the House and Senate on the omnibus public works bill.

The question of inundated lands is that clearly not more than 8,600 acres are tillable, and the remainder of some 50,000 acres of land are mountain and hillside which are not tillable. The land that would come under irrigation in the Knowles project is discussed on page 321 of the Senate hearings, and I quote the witness:

Mr. PALMER. I will be pleased to summarize the information we have here and to make some generalizations that might be helpful to the committee.

There are sites adjacent to the reservoir that could be reached with pumping, some up to a lift of 250 feet, that would bring in, that could bring in, approximately 21,000 acres of land. And there would be some 8,600 acres of bottom land that would be inundated.

So the net effect would be that, if it is in the best interests of the country, that the acreage inundated can be fully replaced and additional potential for irrigation would be available. One other consideration that is important is that pumping energy, energy available for irrigation pumping on either side of the mountain in Montana, would be available and also further on down the river.

Now, then, concerning the popularity of the project, there have been many polls.

During July of last year, I mailed 90,000 questionnaires to the householders and rural boxholders in my district. One of the questions was as follows:

The U.S. Corps of Engineers has recommended a dam at Paradise Knowles at Clarks Fork River, in Montana, for cheap electric power, flood control, irrigation, and recreation. Do you vote "yes" or "no"?

The answers received from almost 15 percent of the people queried were: yes, 54 percent; no, 39 percent; undecided, 7 percent.

In other polls taken among the people affected, the results have been ascertained as follows: The results of the Plainsman, published at Plains, by Don Coe; the Sentinel, published at Hot Springs, by Dick Shirley; and the Sanders County Ledger, published at Thompson Falls, by K. A. Eggensperger, showed 2 to 1 support for Paradise Dam.

In May of 1962, radio station KOFI, an independently owned and operated enterprise ran a public opinion poll on the Knowles Dam question. KOFI is a 5,000-watt station and has the greatest coverage of any station operating in the Flathead Valley near the Knowles dam-site.

The question asked was simply, "What is your opinion of Knowles Dam?" This poll was run on a Sunday.

In reading the results on the air, the announcer stated that he was disappointed that more people did not put down their reasons for supporting or opposing Knowles Dam. A total of 102 people wrote into the station; 95 were for the dam, 7 against. None of the letters read over the air in support of the dam, contained requests to withhold the author's name, and three out of four of those whose letters opposed the dam, asked that their names not be read on the air.

I have received a great deal of correspondence and the fact of this correspondence has been brought to the attention of the Senate committee by Senator METCALF. Had there been a hearing before the House committee I would have presented it there fully and completely.

I think it is important that the people of Montana, in the area affected, desire the project as a requisite to its approval. Therefore, I insist on full disclosure of public interest.

The telegrams which I entered a few days ago are the result of no solicitation whatsoever to my knowledge. Rather, they are spontaneous to the news reports of Knowles' status in the Congress, as related in the news media in Montana. To summarize, since the publicity of last week, I have received 370 telegrams for, and 55 against the Knowles project. The remainder of the telegrams in this count I now tender to the CONGRESSIONAL RECORD as part of my remarks:

MISSOULA, MONT.,  
October 12, 1962.

Congressman ARNOLD OLSEN,  
Washington, D.C.:

Highly approve your stand on Knowles Dam. Please fight for it.

Sincerely,

WALTER and DOROTHY BROWN.

BILLINGS, MONT.,  
October 9, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Knowles storage key to Montana's future. Knowles means more power at less cost for Montana people and Montana industry. With Knowles Dam Montana water would be stored in Montana for the benefit of Montana people and Montana industry. This, together with downstream benefits, makes Knowles Dam a must. Members of this cooperative urge construction of Knowles Dam.

MAX MATHEWS.

MALTA, MONT.,  
October 11, 1962.

Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Montana needs Knowles Dam for its economy. We are for it.

W. A. DORN.

RAYNESFORD, MONT.,  
October 9, 1962.

ARNOLD OLSEN,  
Washington, D.C.:

Please vote for the Knowles Dam bill.

GEORGE GROSSKOFF.

HAMILTON, MONT.,  
October 9, 1962.

Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

We urge you to fight for the inclusion of Knowles in conference report. Appreciate efforts.

RAVALLI COUNTY FARMERS UNION.

MISSOULA, MONT.,  
October 10, 1962.

ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

We want Knowles Dam passed at this session. Need Knowles Dam.

Mr. and Mrs. O. V. NEUMAN.

BUTTE, MONT.,  
October 9, 1962.

Representative ARNOLD OLSEN,  
U.S. House of Representatives,  
Washington, D.C.:

Urge you to make every effort to see Knowles Dam appropriation included in House conference committee report.

MARY McNELIS.

BILLINGS, MONT.,  
October 10, 1962.

HON. ARNOLD OLSEN,  
Washington, D.C.:

Stand pat my friend and I support your Knowles position.

Sincerely,

RALPH E. MCKELVIE.

BOZEMAN, MONT.,  
October 10, 1962.

Representative ARNOLD OLSEN,  
Washington, D.C.:

Please support Burns Creek and Knowles Dam for Idaho and Montana.

OLIVER and EVELYN DAHL.

REXFORD, MONT.,  
October 8, 1962.

HON. ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

People this area we visited around Polson all generally seem to be for Knowles Dam.

LEO COLLAR.

BOZEMAN, MONT.,  
October 10, 1962.

Representative ARNOLD OLSEN,  
Washington, D.C.:

Knowles Dam is important to Montana's economy. You have my full support.

GEORGE J. STUBLAR.

BOZEMAN, MONT.,  
October 10, 1962.

Representative ARNOLD OLSEN,  
Washington, D.C.:

Your support of Knowles and Burns Creek Dam for Idaho and Montana will be appreciated.

JOSEPH KANTA.

BOZEMAN, MONT.,  
October 10, 1962.

Representative ARNOLD OLSEN,  
Washington, D.C.:

Montana needs Knowles Dam for more employment, cheaper power, and more industry. Please support.

EINAR LINDVIG.

BOZEMAN, MONT.,  
October 10, 1962.

Representative ARNOLD OLSEN,  
Washington, D.C.:

I am in favor of passage of Knowles and Burns Creeks Dams by present Congress.

INEZ M. DUSENBERRY.

KALISPELL, MONT.,  
October 10, 1962.

ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.

DEAR SIR: We urge your support for Knowles Dam. Also in favorable conference report construction will help boost Montana's depressed economy.

Mr. and Mrs. HENRY SIDERIUS.

CHARLO, MONT., October 8, 1962.

Congressman ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

As I am elevator worker and polled farmers, majority are in favor of Knowles Dam.

HENRY THERRIAULT.

PLAINS, MONT., October 8, 1962.

ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

I am greatly in favor of Knowles Dam.

DOUGLAS CUMMINGS.

CHESTER, MONT., October 9, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Strongly urge House approval Knowles Dam to develop Montana resources and strengthen Montana economy.

GORDON R. TWETT.

DIXON, MONT., October 8, 1962.

Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Strongly urge continuation of your firm stand in favor of Knowles Dam.

Mr. and Mrs. H. E. TAPLIN.

REXFORD, MONT., October 8, 1962.

HON. ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

People this area we visited around Polson all generally seem to be for Knowles Dam.

MARY HOLDER.

MISSOULA, MONT., October 5, 1962.

HON. ARNOLD OLSEN,  
Washington, D.C.:

Montana needs Knowles Dam. Urge your utmost support.

TROY, MONT., October 8, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

We need Knowles Dam. We want Knowles. We support your position of this important project.

MINNIE O. ANDERSON.

TROY, MONT., October 8, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Encourage your continued support of Knowles Dam, a multipurpose dam, at Knowles site of the upper reaches of the Columbia drainage.

AGNES L. HAFFERMIN.

TROY, MONT., October 8, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

This telegram to reaffirm sincere desire to see Knowles Dam project go through to final passage. Multipurpose dam a must for conservation of water resources in this area. This also represents general opinion locally.

OLIVER COBURN.

TROY, MONT., October 8, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

100 percent behind you and your position on Knowles Dam. We have confidence that your knowledge of the project supports your opinion.

WILLIAM F. HAFFERMIN.

REXFORD, MONT., October 8, 1962.

HON. ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

People this area we visited around Polson all generally seem to be for Knowles Dam.

LEO COLLAR.

MISSOULA, MONT., October 9, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

We are opposed to construction of Knowles Dam.

LAWRENCE and BERTHA SMITH.

MISSOULA, MONT., October 11, 1962.

Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Our group with 2,400 members joins with Montana Wildlife Federation, United Sportsmen Association of Montana, and many others in opposition to Knowles Dam. In a 1960 questionnaire you stated you opposed high dams where proof of need is furnished solely by Corps of Engineers and Bureau of Reclamation. You appear now to have run under false colors. Save our natural resources and prevent this unnecessary drain on the Treasury.

DR. M. D. LAINE,

President, Western Montana  
Fish and Game Association.

MISSOULA, MONT., October 11, 1962.

Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Your claim Knowles Dam is favored by those affected is untrue. After deliberation and study Missoula Chamber of Commerce adopted a resolution opposing Knowles as unnecessary and undesirable both as to expense and purpose. We urge you to place western Montana ahead of party politics and withdraw your support.

JEREMY G. THANE,

President, Missoula Chamber of Commerce.

RONAN, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

Oppose Knowles Dam as unnecessary wasteful expenditure of public money.

GERALD F. PERRY.

PLAINS, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
Washington, D.C.:

I oppose Knowles Dam because it is unneeded and unwanted wasteful spending.

C. H. RITTENHOUR.

POLSON, MONT., October 11, 1962.

Congressman ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Be advised we are unqualifiedly opposed to your position on Knowles Dam.

J. H. HANSON,

President, Security State Bank.

KALISPELL, MONT., October 11, 1962.

Congressman ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

I strenuously oppose Knowles Dam and know many people who do likewise.

Mrs. SELMA DODGE.

KALISPELL, MONT., October 11, 1962.

Congressman ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

I join with the majority of the people in western Montana in opposing Knowles Dam.

FRANK WIEFERICH.

CRESTON, MONT.

PLAINS, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

We violently oppose Knowles Dam. It is wasteful, impractical, and unnecessary.

INEZ NELSON,

President, Paradise Home Demonstration Club.

RONAN, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

I oppose the Knowles Dam.

CORDELIA FRANCIS.

MOIESE, MONT.

RONAN, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

I am opposed to Knowles Dam.

RALPH HOUGH.

MOIESE, MONT.

KALISPELL, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

I solicit your opposition to Knowles Dam. It is not popular in Montana.

C. S. ROBINSON.

KALISPELL, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
Member of Congress  
Washington, D.C.:

I wish to urge your opposition to Knowles Dam.

A. K. SAMPLE, Jr.

MISSOULA, MONT., October 11, 1962.

Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

We are opposed to Knowles Dam.

GRACE E. SMITH.

MOIESE, MONT.

MISSOULA, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

We are opposed to Knowles Dam.

L. O. SMITH.

MOIESE, MONT.

PARADISE, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

We are opposed to Knowles Dam as too expensive and unnecessary.

Mr. and Mrs. E. O. WILLISATT.

PLAINS, MONT., October 11, 1962.

ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

We would like to go on record as opposing construction of Knowles Dam.

DIEHL LUMBER Co.

PARADISE, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
Washington, D.C.:

We are opposed to the Knowles Dam project.

Mr. and Mrs. E. L. SEARS.

PLAINS, MONT.

PARADISE, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
Washington, D.C.:

We are opposed to Knowles Dam; wasteful spending of taxpayers' money.

PARADISE VALLEY LODGE No. 652,  
BROTHERHOOD OF RAILWAY CLERKS.

PARADISE, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
Washington, D.C.:

We oppose Knowles Dam project. It is not needed.

L. PETERSEN,

Chairman, Board of Trustees, School District No. 8.

RONAN, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

We are definitely opposed to Knowles Dam project.

A. D. AKERS.

RONAN, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Representing city and city council, I strongly oppose Knowles Dam.

Mayor O. H. GRANLEY.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Even a preliminary expenditure for Knowles is unwarranted. How long must this extravagance be pushed?

CARL DRAGSTEDT.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

I oppose Knowles Dam as unnecessary and extravagant use of taxpayers money.

TED CRISWELL.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Register our protest to Knowles Dam. We oppose it as waste by bureaucracy.

NORMAN C. ROBB,  
EVELYN M. ROBB.

PARADISE, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
Washington, D.C.:

Our organization opposed to wasteful unneeded Knowles Dam.

NELLIE PETERSON,  
President, Paradise PTA.

POLSON, MONT., October 11, 1962.  
ARNOLD OLSEN,  
House Office Building, Washington, D.C.:

We are opposed to your stand in favor of Knowles Dam.

OLE BELLAND,  
Secretary, Chamber of Commerce.

RONAN, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
House Office Building, Washington, D.C.:

Let's stop foolish Government spending such as Knowles Dam.

FLOYD C. LOCKWOOD.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Knowles is not the answer for flood control. Make work projects continue damaging long after they cease any beneficial effect.

E. W. THOMAS.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Sportsmen, businessmen, taxpayers, and voters individually and in groups in western Montana oppose Knowles Dam.

ROBERT C. RUNKE.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Request you protect western Montana's interests and resources above Corps of Engineers make-work project. Oppose Knowles.

MILLS FOLSOM.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Register our protest against Knowles Dam.

JAMES R. CLARK.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Count me as opposed, repeat, opposed to Knowles Dam. Stop wasting money on political monuments.

R. J. McCALL.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

We don't need Knowles Dam urge you reconsider your position.

TONY CRISWELL.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Let's be American and continue free enterprise, oppose Knowles Dam.

JACK DOBBINS.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Free enterprise is the American way. Keep free-spending Government agencies out of western Montana, quit pushing Knowles Dam.

JOHN AILPORT.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Let western Montana remain unspoiled, forget Knowles Dam.

L. T. DELANEY.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building,  
Washington, D.C.:

Register me as against the bureaucrat power grab. Knowles is extravagant waste and will create major problems which will far outweigh any present claimed justification.

S. I. STEVENS.

KALISPELL, MONT.,

October 11, 1962.

HON. ARNOLD OLSEN,  
Member of Congress,  
Washington, D.C.:

Urge your opposition to Knowles Dam.

EUGENE GILLETTE.

CHARLO, MONT.,

October 11, 1962.

Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

My land is as good as any in the Flathead Valley. I'm opposed to Knowles Dam.

WAY E. BURRELL.

MOIESE, MONT.,

October 11, 1962.

ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Opposed to Knowles Dam. Please vote to have killed from public works bill.

Mr. and Mrs. W. C. THORP.

RONAN, MONT.,

October 11, 1962.

Representative ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

I wish to voice opposition to Knowles Dam.

ALFRED J. SKOGEN.

MOIESE, MONT.,

October 11, 1962.

ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Opposed to Knowles Dam. Please vote to have killed from public works bill.

Mr. and Mrs. DON THORP.

RONAN, MONT.,

October 11, 1962.

Representative ARNOLD OLSEN,  
House Office Building,  
Washington, D.C.:

Please express my continued opposition to Knowles Dam proposal as unwarranted, unneeded expense.

RAY M. LOMAN.

KALISPELL, MONT.,

October 11, 1962.

HON. ARNOLD OLSEN,  
House of Representatives,  
Washington, D.C.:

The majority of the people of western Montana oppose Knowles Dam, as your survey shows. Urge you join the majority.

JAMES E. MURPHY.

PLAINS, MONT., Oct. 11, 1962.

Representative ARNOLD OLSEN,  
House Office Building, Washington, D.C.:

Plains Grange No. 101 along with 64 other organizations and hundreds of individual voters opposing Paradise Knowles Dam. Respectively request you consider our position which to date we have not received.

ROBERT STEPHENS.

PARADISE, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
Washington, D.C.:

Committee representing over 150,000 acres in area affected unanimously oppose Knowles Dam.

D. A. McMICHAEL.

RONAN, MONT., October 11, 1962.  
Representative ARNOLD OLSEN,  
House of Representatives, Washington, D.C.:

I happen to be a Democrat opposed enthusiastically to Knowles Dam representing many votes.

R. D. LUCHAU.

POLSON, MONT., October 11, 1962.  
Congressman ARNOLD OLSEN,  
House Office Building, Washington, D.C.:

This to register my personal objections to Knowles Dam. As publisher editor, individual, I believe majority of local people oppose Knowles favor private enterprise development whether by MPC or Indians. There's place for public power in Montana, but this is not it. Your consideration appreciated.

PAUL FULBERG.

MISSOULA, MONT., October 11, 1962.  
Hon. ARNOLD OLSEN,  
Congress of the United States,  
House of Representatives, Washington, D.C.:

With the majority of Montana citizens, I strongly oppose Knowles Dam as contrary to the best interests of Montana people. The forestry industry and most Montana farm, conservation, civic and industry groups join in such opposition.

HORACE H. KOSSLER.

MISSOULA, MONT., October 11, 1962.  
Hon. ARNOLD OLSEN,  
House of Representatives, Washington, D.C.:

Missoula Bonner Hoo-Hoo Club, Fraternal Order of Lumbermen, representing the forest products industries of western Montana continue to be firmly opposed to construction of Knowles Dam.

M. J. SULLIVAN.

MISSOULA, MONT., October 11, 1962.  
ARNOLD OLSEN,  
House Office Building, Washington, D.C.:

Most of the people we know are opposed to Knowles. Why aren't you?

PAUL CHUMRAU.  
FRANK GRADY.  
RANDY JACOBS.  
JAMES CARRAS.  
HOGAN KRAABLE.  
J. D. BURCHETTE.  
JOHN RUFFATO.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Knowles can only be justified on political basis. Please record my disapproval. Original OLSEN copy BATTIN.

DOUGH HANSEN.

MISSOULA, MONT., October 12, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Urgently request you to think of western Montana ahead of partisan politics. Protect our natural resources. Oppose Knowles. Original OLSEN copy BATTIN.

PAT WILCOX.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

I agree with John Bonner. I oppose Knowles Dam. Original OLSEN copy BATTIN.

RALPH DICKSON.

MISSOULA, MONT., October 11, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Add my name to former Governor Bonner and Governor Babcock against Knowles waste. Original OLSEN copy BATTIN.

JEREMY G. THAN.

MISSOULA, MONT., October 12, 1962.  
Congressman ARNOLD L. OLSEN,  
House Office Building, Washington, D.C.:

Urgently request you to think of western Montana ahead of partisan politics. Protect our natural resources. Oppose Knowles. Original OLSEN copy BATTIN.

PATT WWII (bust this).

#### APPROPRIATION NECESSARY FOR ACCELERATED PUBLIC WORKS PROGRAM

Mr. JOELSON. 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 Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, in the closing days, and we hope the closing hours of this session, we still have not come out with the appropriation for the accelerated public works program. Since this bill was passed, I am more than ever convinced of the need for it. In my district, which is a redevelopment area, we have several projects on the shelf which are desperately needed. I would certainly urge this Congress not to adjourn without providing at least the initial appropriation for this accelerated public works program.

#### A REPORT TO THE PEOPLE OF UNION COUNTY

The SPEAKER. Under previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 10 minutes.

Mrs. DWYER. Mr. Speaker, I think our colleagues would agree that the 87th Congress has been a memorable and significant one—as much for its failures as for its achievements.

In this, my summary report to the people of Union County, N.J., on the record of this Congress, I shall continue a practice I have followed each year of my service in the House—to keep the people I represent informed of the record of Congress and of the activities of their Representative. This is, I believe, a fundamental responsibility of an elected representative in a democracy, and I am pleased to note that a great many Members on both sides of the aisle share my conviction in this regard.

As I prepare this report, Congress is about to adjourn one of the longest sessions in peacetime history—and, certainly, one of the most needlessly prolonged on record. The length of this second session makes it more imperative than ever that Congress reform its own procedures to assure better scheduling of legislation and guarantee more orderly and adequate consideration of the hundreds of important bills that come before us each year. The spectacle of long mid-session delays and a frenzied rush to

catch up at session's end does not do justice to "the world's greatest legislative body."

The most important accomplishment of the entire Congress, by general agreement, was approval this year of the Trade Expansion Act, which renewed and broadened the President's power to carry on tariff negotiations with other countries, especially the nations of the European Common Market. How well and wisely this new authority is administered will strongly influence American industry's ability to compete for foreign markets and thereby will affect, for good or ill, American jobs, our present favorable balance of exports over imports, our unfavorable balance of international payments, and the whole future of economic and political cooperation in the free world.

On this bill, which I supported, and on every other issue that came before us, I endeavored to exercise independent and informed judgment, in the conviction that the people of Union County do not want a yes-man or a no-man, but a Representative who will cast his "aye" vote or his "nay" vote with only one consideration in mind—the welfare of his country and his constituents.

#### FOREIGN AFFAIRS

In other areas of foreign policy, Congress expanded the very successful Peace Corps, and authorized loans up to \$100 million to the United Nations, contingent upon matching grants by other member countries and subject to other restrictions, to allow the world organization to put itself on a sound financial basis. Congress also continued the foreign aid program but reduced the administration budget request by over \$1 billion in an effort to force the administration to prevent waste and redefine the program in a more rational and effective fashion. Already, it appears, our efforts are bearing fruit and I hope the administration will be successful in its present attempt to rethink the objectives of foreign aid, establish priorities, and make foreign aid a more useful servant of American foreign policy.

In two very significant resolutions, Congress expressed its determination that U.S. rights in Berlin be defended against Soviet violation and that the threat to American security posed by the Communist military buildup in Cuba be prevented "by whatever means may be necessary."

Congress demonstrated its seriousness of purpose to back up American foreign policy and defend the security of our country by increasing defense expenditures, authorizing the President to call up Reserve Forces if necessary and by greatly enlarging our space program which has tremendous implications for both military and peaceful purposes.

In the area of national affairs—although it is becoming more and more difficult to separate national from international affairs, since our ability to defend our security and protect freedom depends primarily on our own social and economic well-being—Congress acted as follows:

Authorized a 3-year program to retrain unemployed workers and help develop

the new skills required by new technological developments.

Authorized creation of a new corporation, jointly owned by the public and the private communications industry, to set up and operate a communications satellite system to exploit the progress symbolized by the successful Telstar program, to which, incidentally, Union County industry and workers have made a significant contribution.

Repealed the 10-percent excise tax on railroad and bus fares and reduced to 5 percent the tax on airline passenger tickets, effective November 15, a move I have publicly urged for some time and one which should benefit both passengers and the hard-pressed transportation industry.

Continued the vital program of improving the Nation's highway system.

Provided for more effective control of the quality and distribution of new drugs.

Expanded the highly desirable program of loans to encourage the construction of housing for elderly persons.

#### REFORM OF PUBLIC ASSISTANCE

Reformed the multibillion-dollar public assistance program by placing more emphasis on rehabilitation of needy persons, thereby reducing relief rolls, and by providing modest increases in assistance for the aged, the blind, and the disabled and for child welfare services.

Increased the protection afforded both workers and management under the Welfare and Pension Plans Disclosure Act.

Encouraged self-employed persons to establish pension plans for themselves and their employees.

Continued assistance to State and local governments for research to control air pollution.

Increased the amounts of medical and dental expenses allowable for income tax deduction and raised from \$1,200 to \$1,524 the amount of retirement income not subject to personal income tax to conform with last year's amendment to the social security laws allowing for a small increase in annual earnings of retired persons.

Strengthened Federal conflict-of-interest laws and laws relating to graft and bribery, and made more effective the prohibition against the transportation of gambling devices across State lines.

Increased the rates of compensation paid to veterans with service-connected disabilities.

All of these actions, I believe, were constructive efforts to strengthen our country and its determination to preserve peace, protect freedom, prevent the expansion of communism, improve the well-being of our people, strengthen the national economy, and make our governmental system of Federal, State, and local cooperation serve us more effectively. As such, all of this legislation received substantial support from Members of Congress of both political parties. Indeed, in some cases, without Republican votes worthwhile legislation would not have been passed in spite of the sizable margins by which the majority party controlled Congress.

#### FAILURES, TOO

Unfortunately, however, Congress' accomplishments were matched by its failures. For example, no significant education legislation was enacted into law, despite the fact that the urgently needed program to help colleges build classrooms and improve facilities had passed both House and Senate by substantial bipartisan majorities. The mass transportation bill, which I cosponsored and which is essential to the improvement of commuter service in metropolitan areas like our own, also failed to pass, although it, too, enjoyed considerable bipartisan support. In spite of the many recommendations of the Civil Rights Commission, the only civil rights legislation to be approved was the proposed constitutional amendment to outlaw the poll tax as a requirement for voting purposes—the least effective and most time-consuming means to this laudable end.

Election year politics, among other reasons, prevented the finding of a workable formula for providing health care for older persons. The equal-pay-for-women bill, which I have sponsored from the beginning of my service in Congress, almost made it, only to be blocked by a last-minute technicality which could and should have been overcome. The President's proposal to create a Cabinet-level Department of Urban Affairs out of the existing agencies of the Housing and Home Finance Administration, was defeated in the House. No action was taken on badly needed legislation to control the distribution of barbiturates and amphetamines, the so-called goofball drugs—legislation, by the way, to which I shall give special emphasis in the 88th Congress.

In the face of overwhelming evidence of the shortage of doctors and nurses, nothing was done to encourage the expansion of facilities for their training.

A special category of failure should be reserved for Congress' record on Government spending. Although approximately \$4.6 billion was trimmed from the administration's budget requests, spending in the current fiscal year will, for the first time since World War II, exceed \$100 billion.

Congress missed many opportunities to reduce appropriations for programs and projects which by no stretch of the imagination could be classified as essential or even important, one of the most flagrant examples of which was the \$10 million fish aquarium for the District of Columbia. As a result, Congress increased the authorized national debt, although only temporarily, from \$298 to \$308 billion. In my judgment, this increase in the debt ceiling could easily have been avoided by a little judicious restraint. While the difficulties are all too apparent, I am still convinced it is possible to exercise fiscal responsibility and at the same time do everything necessary to advance the Nation's security and welfare. In fact, the two are logically inseparable, and I shall continue to do everything possible to see that both objectives are realized.

#### THE SOFT ECONOMY

In any analysis of the record of the 87th Congress, major attention must be given to the failure to take meaningful action to stimulate the economy. Tax revision, including necessary incentives to increase production and consumption, and therefore jobs, is of the first importance. Yet, this year's tax bill was notable chiefly for its investment tax credit of approximately \$1.2 billion—which, while intended to be an incentive credit, covered expenditures made long before the bill was passed.

Businessmen themselves were less than enthusiastic about the value of the tax credit. Fortunately, however, Congress eliminated from the tax bill the unnecessary and discriminatory proposal to begin withholding of income from interest and dividends, a provision I strongly opposed.

The Area Redevelopment Act, which could have been a useful way of helping areas of heavy long-term unemployment, became instead, a highly political program which emphasizes rural areas as opposed to urban areas, where unemployment is greater, and which dissipates available resources among too many small and relatively ineffective projects.

The public works acceleration bill, which was cut from \$900 to \$400 million, will only substitute Federal dollars for State and local funds without holding out much hope of increasing employment, since eligible projects, by their definition in the law, would probably be constructed without this special Federal assistance.

Our economy has never really recovered from the last recession. Unemployment is close to 6 percent of the labor force nationally. While many key economic indicators are encouraging, others indicate a continuing instability. Unless effective measures are taken by private industry, the administration, and the next Congress to inject new vigor into the economy—through tax revisions, including tax cuts, efforts to create greater mutual confidence between Government and business, and more creative use of monetary policy, that is the adjustment of interest rates to regulate the supply of money—then we shall find the next economic dip a much more painful one. Our national and international responsibilities make it imperative that we do a better job of making our economy a stronger, more expansive and more dependable one than it is today, as soon as possible.

#### NEEDED: A GOOD FARM BILL

Other failures of the 87th Congress include the farm bill. All that can be said for the measure that squeezed past a hostile Congress is that it will be, hopefully, a temporary one.

It was makeshift, discriminatory, and certain to bring an increase in the price of the food we buy. The agricultural economy is composed of so many different commodity groups, special programs, and conflicting interests—all of them represented in Congress—that a coherent, balanced and rational farm program seems impossible of accomplishment through the normal legislative processes.

I do not minimize the difficulties, but sometime soon Congress is going to have to insist that farmers, processors, distributors, consumers—and taxpayers—get together and devise a program that will meet the country's need for abundance without waste, adequate income which farmers can depend on, and reasonable consumer prices. Logically, these should not be opposing objectives. Practically, Congress has not yet found the formula for harmonizing them.

This reference to agriculture leads me to the Billie Sol Estes case, the biggest, most time-consuming project in which either of my two committees engaged this year. Space obviously does not permit detailed discussion of this complex affair, so let me summarize it this way. The Estes investigation is not yet complete. As one who first insisted on my Intergovernmental Relations Subcommittee's responsibility to investigate, I want to see the job done fully and fairly.

As it stands today, Mr. Estes is under multiple indictments. Several of his colleagues have been convicted on related charges. Evidence taken by our House and Senate committees establishes clearly that Estes was a wheeler-dealer on a grand scale. By means of frequent gifts, innumerable contacts, favors, and political contributions, he sought to ingratiate himself with Government officials, especially in the Department of Agriculture. As a result, he was allowed to keep millions of dollars worth of cotton allotments which he obtained in clear violation of law and regulations, until his nefarious operations became public. And, at a particularly critical point, he persuaded Department officials to retreat from a decision to raise his grain storage bond, a decision which, if carried through, would have revealed his bankrupt condition long before the Estes

Even though the investigation is incomplete, we have already achieved substantial results. Faced with overwhelming evidence of poor communications, inadequate supervision and generally loose administrative procedures, the Agriculture Department has been persuaded to undertake a number of important reforms—which, after all, is the primary objective of the investigation.

#### IMPROVING HEALTH

In other fields, the subcommittee made far-reaching recommendations which will greatly improve administration of the many health research programs of the National Institutes of Health. We also continued two important studies: To find ways of improving various consumer protection activities of Federal, State, and local governments; and to assure that the Food and Drug Administration's job of protecting the American people against unsafe food, drugs, and cosmetics is done with the utmost care and efficiency, a matter of literal life-and-death importance.

In the Banking and Currency Committee, mass transportation and housing for the elderly legislation were two of our principal occupations this year. We also reported bills to extend the Defense Production Act and the Export Control Act, strengthened the International Monetary Fund which stabilizes world currencies,

increased the lending authority of the Small Business Administration for business and disaster loans, and improved laws governing the Federal Reserve Board, national banks and savings and loan associations.

Overlapping both my committees, and involving the work of the Advisory Commission on Intergovernmental Relations—of which I am one of three members representing the House—I introduced a series of bills which would provide more systematic scrutiny of Federal grant programs and improve coordination of such programs, especially as they affect urban areas, at all levels of government. Although no final action was taken on this legislation, I am glad to report that national organizations of Governors, mayors, and county officials have endorsed several of them, and I am hopeful we can pass them in the next Congress.

Legislation, no matter how significant, is only one of the responsibilities of Congressmen, and political scientists assign equal importance to the obligations of Members to serve the districts they represent. This aspect of my job in Washington has always been one of the most satisfying and rewarding, and I welcome every opportunity to be of service.

This year, as in the past, my staff and I have been privileged to help thousands of Union County residents on a wide variety of problems involving the Federal Government—uniting families; unraveling Government redtape; obtaining information for businessmen, housewives, students, and working people; protecting the rights of servicemen, veterans, and retired people; cooperating with public officials on community and county projects of many kinds; and welcoming visitors to our Nation's Capitol, to mention only the major categories.

#### KEEPING IN TOUCH

You, the people I represent, and I have continued to keep in close touch. Correspondence has been heavier than ever. Your interest in receiving my regular "Report to the People" accounted for a large increase in distribution. Your response to our congressional questionnaire was the greatest in the 5 years I have used this means of obtaining your views on important issues. And, while I remained on the job here whenever the House was in session, I used every possible occasion to return to the district on weekends and during recesses to talk with you personally and learn how I could represent you more effectively.

For all of this, and for the confidence you have placed in my ability to serve you, I thank you. This is your congressional office, and I hope you will always remember that there is nothing we like better than to try to be helpful.

I should like to conclude this report by mentioning several areas in which legislation I introduced or supported has benefited Union County directly. Urban renewal, housing for the elderly, and open space projects are underway in several of our communities. A number of new post offices have recently been completed. Assistance for hospital construction and sewage disposal has been received, and Congress has approved

my request for funds to complete the flood control survey of the Elizabeth River.

Congress also passed a bill I cosponsored authorizing the sale of the General Aniline & Film Corp., a move which should contribute greatly to both labor and management at the company's big Linden plant. Approval of my bill to provide for maintenance of the channels to Port Elizabeth was a big step ahead in the development of this great new international port facility, a project which will provide employment for an estimated 8,000 to 9,000 persons in our area with annual payrolls of between \$40 and \$50 million. Congress, too, voted funds to continue work on a number of navigation and channel improvement projects in the New Jersey-New York port area—work that is vital in maintaining our area's preeminent position in world trade.

Finally, I am especially pleased to report that prospects look better than ever for New York State to raise its minimum drinking age from 18 to 21—a campaign I have carried on since 1955 and one in which a great many of you have actively participated. Earlier this year, 25 of my colleagues in the House and Senate joined me in petitioning the New York Legislature to take this action. On their behalf, I testified before the legislative committee studying the teenage problem. The indication of congressional concern was unique, and I believe it was helpful in emphasizing the seriousness of the situation.

All in all, therefore, this was a year of feat, a not untypical session of Congress. progress and delay, of victory and defeat. But we have much to do and time is short.

#### MEDICAL CARE FOR THE AGED

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 10 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I have coming over some documents to which I want to refer. I did not realize that the special orders would be called this early.

One document that I am going to discuss is the latest piece of campaign literature put out by Aime Forand's National Council of Senior Citizens, Inc. in regard to the issue of health care for the aged for this coming election. It is a very interesting point that this pamphlet clearly shows that the National Council of Senior Citizens Inc. has abandoned the King-Anderson bill as a proposed piece of legislation. It is also quite clear that President Kennedy has abandoned the King-Anderson bill as proposed legislation in this area. I might also state that former Secretary of Health, Education, and Welfare, Mr.

Ribicoff, now running for Senator in the State of Connecticut has abandoned the King-Anderson bill. President Kennedy said he wanted to make an issue this fall of the King-Anderson bill; yet with less than a month to go for these elections, this basic position has been abandoned by the administration. I think it is important for people on all sides of the aisle who are running for reelection to know, particularly those who were not in favor of the King-Anderson bill that this is not an election issue and that the administration has abandoned it.

As to those who might have been saying that they were for it, it is equally important for them, too, to realize that this is no longer a basic plank in the Democratic platform.

In essence, as near as I can figure out, the new proposal of the Kennedy administration is along the lines of what was done over in the Senate through a discussion of several proposals, one by Senator JAVRS, the Rockefeller approach, and the adoption of many amendments none of them studied by any committee nor open to hearings for the public to register its views. But, essentially, what we Republicans on the Committee on Ways and Means have been pointing out for a number of years ever since the Forand bill was first presented was its failure to cover old people not on social security insurance. The gentleman from Wisconsin, Congressman BYRNES, has a bill in now to cover those people who are not presently covered under social security insurance which the administration opposed and still opposes, I suppose. In other words, as we dug into the proposals of the Forand bill and the King-Anderson bill, we found out it applied only to people who are covered under social security insurance, leaving out some 3 to 4 million people who probably as a group need the help more than any single group because they were the ones who were not on social security and who only get old-age assistance. Let me point out that Congressman BYRNES' bill says, now that we have reached this point, let us cover all people under social security who are passed the age of 72 and were born too soon to have their occupations or their spouses' occupation covered.

One thing that we were pointing out in error in the King-Anderson bill is that any proposal ought to be applying to this 3 to 4 million old people. The Kerr-Mills Act does.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I think it should be pointed out that in this group over 72 who are not now covered by social security, that over half of them are on public assistance, a demonstration of their need; and over half of them are widows. If there is any group we should start giving our attention to it is this group that has been completely neglected because, as we said before, they were either born too soon, or Congress acted too late as far as covering them under social security is concerned.

Mr. CURTIS of Missouri. I think the gentleman is right.

The Forand senior citizen literature has this in it; it says:

And all people whether they are now beneficiaries of the social security or not.

This is literature that is being spread around for the fall campaign.

Also in the same literature is this statement:

The President has promised that he will have introduced in the next Congress—

January, whenever we meet—  
legislation designed along this line.

I guess it will be referred to now as the Kennedy bill. As I point out, he is abandoning the King-Anderson approach.

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

Mr. CURTIS of Missouri. I yield.

Mr. ASHBROOK. I commend the gentleman from Missouri for bringing this to the attention of the House. The gentleman will recall that several months ago I checked this material that came from the Forand committee. They peddled it around to public employees in my district. I did some checking. The literature went out with no name, without any credit. The publication could not be identified. But we checked it back to the bulk mailing permit in Washington. It was mailed under Permit No. 310, Washington, D.C., which is held by the Democratic National Committee. I was shocked that this material should be so anonymously circulated in Federal agencies. I have one in my office from a local extension office of the Department of Agriculture.

I did not receive any satisfactory answer. I do not know how extensive these mailings are, but I think we should deplore the fact that private groups are sending out literature to Federal employees on Federal mailing plates.

Mr. CURTIS of Missouri. I want to commend the gentleman. The points he makes are accurate. This literature I have bears the name of the Senior Citizens group, Mr. Forand's group. I think what I am saying here is amply brought home. President Kennedy in good conscience ought to commend the Congress of the United States for having the wisdom and the patience to look into the issues involved in this serious matter of health care for the aged, commend the Congress for having been careful. Now the President himself is recognizing obviously, that the proposals that they had made were not well suited to meet the problems.

I might say that I do not know what else will be in the proposals of the Kennedy bill in January, but I certainly am hopeful that attention will be paid to these other basic criticisms that we have been directing against this kind of legislation.

One other thing, I hope the Kennedy administration and the President himself will dispel the misinformation that the Department of Health, Education, and Welfare is permitting to be spread around the country about the Kerr-Mills Act. The doctrine that has been spread

is that the Kerr-Mills Act requires a pauper's oath. This is false, and those who are spreading that doctrine know it is false. Many of our social security workers, and Ph. D.'s in social work, have spread this false information.

What does the Kerr-Mills Act say? It recognizes that we have old age assistance, it recognizes that there is a means test in OAA. It says, "We do know there are people over 65 who are doing all right and are not on relief. They own their own little home. They have their pensions. We do not want them to have to go on relief."

Yet, if they are hit with a major medical bill they might be forced to. So the Kerr-Mills bill says, "You can tell these older people that we can help you to take care of your medical costs," not just 25 percent, as the King-Anderson bill would provide, but all of it, and you do not have to go on relief. You can go back and live in your little home and keep your little pension, just the reverse of what these enemies of our great American system would have people believe.

The dissemination of this false propaganda is one reason why States like my own, the State of Missouri, where the Democrat Party controls the legislature by 3 to 1, and has a Democrat Governor, have not implemented the Kerr-Mills Act. It is largely because of this false information. Disseminated by people in high authority.

I now have this document before me, to which I referred before. This is put out by the National Council of Senior Citizens, Inc., 200 C Street SE., Washington, D.C.

In the center part it reads:

President Kennedy's medicare program will, in fact, provide a paid-up noncancellable health insurance policy for all Americans, in full force at age 65, whether they qualify for social security cash benefits or not.

That is not the King-Anderson bill, and everyone knows it is not. This is a new proposal and one I might say that the Republicans on the Committee on Ways and Means called attention to.

One other item:

President Kennedy has promised to introduce this medicare program to the U.S. Congress next January. It will become law only if enough Senators and Congressmen are prepared to vote for it.

The pamphlet does not spell out in any other detail what this new medicare proposal will be. We can only guess. Certainly this matter cannot become the subject of a campaign issue if left in this hazy and general manner.

One thing alone is certain; President Kennedy and his Secretary of Health, Education, and Welfare have abandoned the King-Anderson bill as ill advised and poor legislation.

Under permission to revise and extend my remarks I wish to set out a history of proposed legislation in the area of health care:

The campaign for a compulsory health care plan to be administered by the Federal Government first got underway with the appearance in Congress of the Wagner-Murray-Dingell bill in 1943—19 years ago.

Compulsory health care was not a new idea then. An offspring of 19th century socialism in Europe, it had been a subject of debate in the United States for decades. But it had made no headway in this country.

Although advocated by various groups during the 1930's, it made no progress during the regime of President Franklin D. Roosevelt, when the Social Security Act and other welfare proposals were enacted by Congress.

#### WAGNER-MURRAY-DINGELL BILL

When the Wagner-Murray-Dingell bill made its appearance, its foremost backers were powerful labor leaders, although a well-known labor leader of earlier days—Samuel Gompers, one-time chief of the AFL—opposed compulsory health care.

The Wagner-Murray-Dingell bill was like the compulsory health care plan now being pushed by the administration and labor leaders, except that it was much more far reaching. It provided for a nationwide compulsory health care system covering the overwhelming majority of the American people.

This bill has appeared, with some modifications, in every Congress since 1943. It is now before the Eighty-Seventh Congress in a bill (H.R. 4413) introduced by Representative DINGELL of Michigan, son of the Congressman Dingell of 1943.

Although labor leaders who campaigned for this proposal in the 1940's are not pushing it now, their recent testimony before congressional committees shows clearly that they have not abandoned their drive for a broad-gaged, compulsory health care program—that they are backing the limited administration proposal now before Congress in the hope that it can be passed, and expanded later.

After World War II, President Truman threw his support behind the Wagner-Murray-Dingell proposal. In November 1945, he submitted to Congress a special message in which he recommended a nationwide compulsory health care plan.

President Truman insisted that his plan would not be "socialized medicine," just as sponsors of the present limited version contend that it should not bear that label. Mr. Truman contended that physicians and hospitals would have "the same professional freedom" as before. However, he said:

I am in favor of the broadest possible coverage for this insurance system. I believe that all persons who work for a living and their dependents should be covered.

He said such a program would require a levy of about 4 percent of all earnings up to \$3,600 a year, but he left it to Congress to decide how much of the financing should come from a specific levy and how much from general revenues.

Lengthy hearings were held by committees of Congress in the latter 1940's on the Wagner-Murray-Dingell legislation. But no action was taken in either House of Congress.

An outspoken opponent of the plan was the late Senator Taft, Republican, of Ohio. Chief proponents included the

AFL and the CIO, now merged into the AFL-CIO. A leading advocate was Representative Andrew J. Biemiller, Democrat, of Wisconsin, now legislative director of the AFL-CIO. Representative Biemiller testified in favor of the Wagner-Murray-Dingell bill, and introduced a bill of his own.

In supporting the Wagner-Murray-Dingell bill before the Senate Education and Labor Committee in 1946, Representative Biemiller said:

I believe that action by the Federal Government is absolutely necessary if there is to be any solution to the problem of adequately financing the distribution of medical care for the people of this country. Workers face four great hazards in our industrial world—industrial accidents, old age, unemployment, and sickness. This bill (the Wagner-Murray-Dingell bill) proposes that the principles of social insurance shall be applied in removing from the lives of our people the fourth great hazard—sickness.

#### FORAND BILL

The failure of the proponents to continue their campaign for the Wagner-Murray-Dingell bill was doubtless due in large measure to the rapid growth of voluntary health insurance since World War II. This rapid growth removed one of the main arguments advanced for the bill—namely, that voluntary plans would never be adequate, and that only a nationwide compulsory health care system could accomplish the desired objective.

But the campaign for compulsory health care has persisted. The proposal appeared in recent years in a modified form in a bill offered in the House by former Representative Forand, Democrat of Rhode Island.

Pressure for the Forand bill began to build up in 1959. This bill provided for free hospitalization, nursing home and surgical services, within specified limitations, for social security beneficiaries, including surviving widows and children.

The House Ways and Means Committee held 1 week of hearings on the bill during the 1959 session, and thereafter shelved the measure for the session.

Leading advocates of the Forand bill included labor leaders who had worked to pass the Wagner-Murray-Dingell bill in earlier years.

Early in the 1960 session, a high-pressure campaign was started to force the Forand bill through Congress. As the House Ways and Means Committee prepared to consider the bill in closed session, the AFL-CIO called for an intensive letter-writing campaign.

After a hard battle behind closed doors, the Ways and Means Committee rejected the Forand bill by the one-sided vote of 17 to 8, with nearly half the Democrats on the committee joining a solid rank of Republicans in opposing it.

Union leaders then turned their attention to the Senate with a stepped-up drive to force passage of the legislation. Leaders in the fight included Walter Reuther, president of the Auto Workers, and James B. Carey, president of the International Union of Electrical Workers.

The campaign was featured by a labor-sponsored rally in Madison Square Garden in New York in support of the

Forand bill. A top-ranking AFL-CIO official threatened a political blacklist of all Members of Congress refusing to support the measure, saying they would be "manifestly unworthy of the support of American workers."

In the Senate, Senator Kennedy, Democrat, of Massachusetts, who by that time had won the Democratic presidential nomination, led the fight for a compromise Forand-type proposal offered by Senator ANDERSON, Democrat, of New Mexico. The Senate rejected the proposal by a rollcall vote of 51 to 44. Senator Kennedy said he would take his fight for the proposal to the voters.

In rejecting the Forand measure, Congress passed the Kerr-Mills bill providing for a special plan of Federal grants to States to pay the hospital and medical bills of indigent persons and others 65 and over who could not pay their health-care bills.

The Kerr-Mills plan still is in process of being implemented. Thus far, more than half the States have set up programs to take advantage of the plan.

#### THE KING-ANDERSON BILL

The campaign of the Kennedy administration for a compulsory health plan under social security started off with a task force report recommending such a plan. President Kennedy followed this up with a special message to Congress soon after he was inaugurated.

Representative KING, Democrat of California, introduced the administration bill in the House, H.R. 4222. Senator ANDERSON, Democrat of New Mexico, offered a companion bill in the Senate, S. 909.

The administration bill differs in certain respects from the Forand measure.

Those eligible for benefits are persons 65 and over who either are receiving or are entitled to social security old age payments, even though their earnings are too high to permit them to draw such payments. Surviving widows and children, who would have been covered under the Forand bill, are excluded.

Unlike the Forand bill, no payments are provided in the administration bill for physicians' bills.

Beneficiaries would be entitled to hospital care for up to 90 days during an illness, for nursing home care up to 180 days, for outpatient diagnostic services and for home health services. But the patient would have to pay the first \$90 of his hospital bill if he remained in a hospital for 9 days or more, and the first \$20 of the bill for each outpatient diagnostic study.

The administration bill provides for a payroll tax of one-half of 1 percent—one-fourth each on employer and employee—to support the program. This is one-eighth of the 4-percent levy which former President Truman said would be necessary to support the Wagner-Dingell nationwide plan.

Despite the fight which President Kennedy, as Senator, waged to secure passage of the Anderson-Forand-type proposal in 1960, the administration made no attempt to force its own plan through Congress in the 1961 session.

The House Ways and Means Committee held 2 weeks of hearings on H.R. 4222 in July and August 1961, and then postponed action on the measure until the 1962 session. Just as the Forand bill was held over for an attempt at passage in the 1960 election year, so has the administration bill been held over for a similar effort in the 1962 election year.

#### ESTABLISH THE PRINCIPLE

During the Ways and Means Committee hearings, President Walter Reuther of the Auto Workers and AFL-CIO President George Meany testified in support of the administration proposal.

Although he insisted that he no longer is trying to blanket everybody under compulsory health care, Mr. Reuther said:

Obviously, it is a matter of commonsense that those who share my point of view that the present proposal (the administration bill) is not adequate in certain areas would want to continue their efforts to get amendments in the future to make it more adequate. Nothing is static. Nothing is fixed.

Therefore, if we could get the principle established, we want to build on that principle, just as we built on the social security principle.

During the 1962 session of Congress, pressure has built up to force H.R. 4222 out of the Ways and Means Committee. As happened in 1960, a rally was staged in Madison Square Garden in New York City. President Kennedy himself made the keynote speech.

On Sunday, May 20, the Nation was subjected to an unprecedented "blitz" of pressure for passage of the King-Anderson compulsory health care bill, H.R. 4222, S. 909, backed by the administration.

The apparent purpose of this massive, high-pressure effort was to build up a wave of emotional demand of such proportions as to force passage by Congress of the King-Anderson bill by overwhelming all opposition, all question, and all dissent.

The top feature of this effort was a circus-type, mass rally in Madison Square Garden in New York City, at which the President was the principal performer.

The President's speech was carried into homes throughout the Nation by all major television networks, and to simultaneous rallies in more than 30 other cities by an elaborate and highly expensive television hookup.

In addition, many Cabinet officers and other top Government officials attended these rallies, and joined in the effort to create a clamor for passage of the King-Anderson bill.

#### ONE-DAY "BLITZ"

Like the President, each White House spokesman was able to exploit the months of careful preparation for the rallies reportedly coordinated by White House staff and the Washington office of a recently formed organization called the National Council of Senior Citizens. The head of this organization, Aime Forand, a former Congressman and the author of the Forand medical-care bill considered in the last session of Congress, introduced the President to the Madison

Square Garden Rally and the television audience.

White House spokesman at the rallies were able to capitalize, too, on the spadework done by both local and national labor union leaders.

Despite this unprecedented pressure "blitz," the Senate subsequently rejected, by a roll call vote of 52 to 48, a compromise compulsory health care bill offered by Senator ANDERSON, Democrat, of New Mexico, as a rider to a bill making changes in Government welfare programs. Nearly one-third of the Democratic Senators joined Republicans in voting down the compromise proposal.

Following Senate defeat of the compromise bill, the House Ways and Means Committee debated H.R. 4222 for some time behind closed doors, but took no action. Significantly, a bipartisan majority of this group of Congressmen who were best informed about this legislative proposal remained vigorously opposed to passage of it.

Administration supporters stressed their plans to make a major issue of the compulsory health care proposal in the campaign preceding the November elections, and to mount another intensive campaign to force passage of the legislation in 1963.

Major proponents of bills before Congress in 1962 made little attempt to conceal the fact that these proposals were merely initial objectives that would "establish the principle" on which an expanded compulsory health care program could be built.

This, I believe, is the basic objective of the new 1963 proposal that was revealed in the campaign literature of the National Council of Senior Citizens to have a compulsory system controlled by the Federal Government by requiring the Department of HEW to set the prices to be charged and the services to be rendered by our hospitals and other health institutions.

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

Mr. CURTIS of Missouri. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. The gentleman is doing a great job and I like it.

Mr. CURTIS of Missouri. I would always yield for such kind remarks.

#### HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE ACT

Mr. RANDALL. 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 Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, until the very last, I had hoped that Congress would not pass up its fine opportunity to help meet one of the most serious problems—the shortage of doctors and dentists and public health specialists. Before the last gavel falls, all of us had hoped that there would be a chance for passage of the Health Professions Educational Assistance Act. Even on one of the very last days of this session it is

still not too late to provide critically needed assistance to the schools that train our doctors, dentists, and public health specialists.

The bill on our side of the Congress is numbered H.R. 4999 and several months ago it cleared the House Committee on Interstate and Foreign Commerce by a vote of 33 to 6, but for a long while, at least for many months, that stern director of legislative traffic, the Rules Committee, kept the measure from the House itself. We don't know why the Rules Committee held it. One Washington editorial said it was for purposes of ransom to make sure that the educational bills displeasing to the chairman were not enacted. Well, the College Academic Facilities Act was defeated so that should make a few of its enemies happy.

But now, Mr. Speaker, the Rules Committee has granted a rule on this bill and Congress should act favorably and immediately so that Americans may continue in the years ahead to receive the quality of medical care of which we as a nation are so rightfully proud.

The need for Federal assistance in this area has long been recognized and is long overdue. The previous administration in a health message several years ago noted:

There are serious shortages in such specialized fields as psychiatry, pediatrics, physical medicine and rehabilitation. Relative to population the number of dentists and nurses are diminishing. The aging of our population and the increase in chronic diseases, the anticipated continued growth of health insurance plans and the general expansion of our economy \* \* \* all well tend to increase the demand for health services.

The present administration, through President Kennedy, a year ago in a statement to Congress noted:

We have now 92 medical and dental schools. These graduate barely 7,500 physicians and 3,200 dentists each year. During the last 10 years capacity of our medical schools increased 50 percent and our dental schools by 100 percent. The output will still be only such as to maintain the present ratio of physicians and dentists to the population.

H.R. 4999 provided for three things:

First. Seventy-five million dollars annually for 10 years for the construction of teaching facilities to permit increased enrollment at medical and dental schools.

Second. A 5-year program of generous loans to students of dentistry, medicine, and osteopathy.

Third. Extended for 3 additional years the matching grant program for construction of health research facilities.

This bill should enjoy bipartisan support because both the Democratic and Republican platforms in 1960 pledged such a program.

At the present time we are a debtor nation in regard to our supply of young physicians in that we are relying more and more upon foreign-trained doctors to staff our hospitals and provide medical service to our communities throughout the country. The truth of the matter is that the United States is the wealthiest country in the world and the most advanced in science and technology and should be in a position to export

medical people rather than import in order that we could make a net contribution to the international community.

There may be many shades of opinion and different views as to the best sort or type of legislation for the health care for our senior citizens. But these differences will be resolved and there will undoubtedly be a plan devised in the future which will be acceptable to the great majority of our people. It will be passed by the Congress, if not in the next session, then the following or the session following that. It is my prediction there will be a compromise enacted which will be workable and which will certainly not in any way be subject to the charge of socialized medicine. Whether that plan be administered by the Federal Government or with Federal funds administered by the States, there will be a need for a greater number of doctors because medical science is making it possible for all of us to live longer and longer. Population grows because of the excess of births over deaths and death is being cheated by the constant advance of medical science.

Therefore, Mr. Speaker, the Health Provisions Educational Assistance Act is urgently needed by the country. It was pledged in the platform of both parties. It is time for all of us to redeem these pledges and take immediate action to meet our health manpower needs.

#### AMENDMENT TO SECTION 502 OF THE MERCHANT MARINE ACT, 1936, AS AMENDED

Mr. BONNER submitted the following conference report and statement on the bill (H.R. 11586) to amend section 502 of the Merchant Marine Act, 1936, as amended:

##### CONFERENCE REPORT (H. REPT. No. 2556)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11586), to amend section 502 of the Merchant Marine Act, 1936, as amended, 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 to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill insert the following: "That section 502(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152(b)), is hereby further amended to read as follows:

"(b) The amount of the reduction in selling price which is herein termed 'construction differential subsidy' may equal, but not exceed, the excess of the bid of the shipbuilder constructing the proposed vessel (excluding the cost of any features incorporated in the vessel for national defense uses, which shall be paid by the Secretary in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Secretary, of the construction of the proposed vessel if it were constructed under similar plans and specifications (excluding national defense features as above provided) in a foreign shipbuilding center which is deemed by the Secretary to furnish a fair and representative example for the determination of the estimated foreign

cost of construction of vessels of the type proposed to be constructed. The construction differential approved and paid by the Secretary shall not exceed 55 per centum of the construction cost of the vessel, except that in the case of reconstruction or reconditioning of a passenger vessel having the tonnage, speed, passenger accommodations and other characteristics set forth in section 503 of this Act, the construction differential approved and paid shall not exceed 60 per centum of the reconstruction or reconditioning cost (excluding the cost of national defense features as above provided): *Provided, however*, That after June 30, 1964, the construction differential approved by the Secretary shall not exceed in the case of the reconstruction, reconstruction or reconditioning of any vessel, 50 per centum of such cost. When the Secretary finds that the construction differential in any case exceeds the foregoing applicable percentage of such cost, the Secretary may negotiate and contract on behalf of the applicant to construct, reconstruct, or recondition such vessel in a domestic shipyard at a cost which will reduce the construction differential to such applicable percentage or less. In the event that the Secretary has reason to believe that the bidding in any instance is collusive, he shall report all of the evidence on which he acted (1) to the Attorney General of the United States, and (2) to the President of the Senate and to the Speaker of the House of Representatives if the Congress shall in session or if the Congress shall not be in session, then to the Secretary of the Senate and Clerk of the House, respectively."

"Sec. 2. (a) The Merchant Marine Act, 1936 (49 Stat. 1985), is amended by striking out subsection (d) of section 502: *Provided, however*, That the repeal of subsection (d) of section 502 of the Merchant Marine Act, 1936, shall not be effective with respect to contracts for new ship construction under title V of said Act awarded on the basis of bids opened prior to the date of the enactment of this Act.

"(b) Section 509 of the Merchant Marine Act, 1936 (46 U.S.C. 1159), is amended by striking out: *And provided*, That in case a vessel is to be constructed under this section for an applicant who has as his principal place of business a place on the Pacific coast of the United States' and all that follows in that section down through and including 'maintains his principal place of business at any place on the Pacific coast,' and insert in lieu thereof a period.

"(c) Section 213 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1123), is amended by striking out 'a report' and inserting in lieu thereof 'reports' and by striking out 'as soon as practicable'.

"(d) Paragraph (c) of said section 213 is amended by striking out the period at the end thereof and adding the following: 'reports under this paragraph shall be made annually on the first day of July of each year.'

"(e) The first sentence of subsection (f) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152), is amended by striking out 'periodically' and inserting in lieu thereof 'at least once each year'.

"(f) The second sentence of subsection (f) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152), is amended (1) by striking out the words 'with the approval of the President,' and (2) by striking out 'existing inadequacy' and inserting in lieu thereof 'existing or impending inadequacy'.

"Sec. 3. The Act entitled 'An Act to amend title V of the Merchant Marine Act, 1936, in order to change the limitation of the construction differential subsidy under such title, and for other purposes', approved July 7, 1960 (74 Stat. 362), is amended by insert-

ing at the end thereof a new section as follows:

"Sec. 4. No official or employee of the United States Government nor any member of their immediate families may accept directly or indirectly free or at a reduced rate passenger travel or carriage of personal property on any ship sailing under a flag other than that of the United States. This restriction shall not apply to persons injured in accidents at sea and physicians and nurses attending such persons, and persons rescued at sea, and this restriction shall not apply to persons referred to in section 405(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1145(b)), relating to steamship companies carrying the mails of the United States. Any person who knowingly violates this section shall upon conviction thereof be fined not less than \$500 nor more than \$10,000 at the discretion of the courts for each such violation."

"Sec. 4. (a) During the one-year period which begins on the date of enactment of this Act, the provisions of section 27 of the Merchant Marine Act, 1920 (46 U.S.C. 883) shall be suspended with respect to the transportation of lumber to the Commonwealth of Puerto Rico from any ports or terminal areas in the United States whenever the Secretary of Commerce, after notice and opportunity for hearing, determines that there is no domestic vessel reasonably available to serve between such ports or terminal areas for the transportation of such lumber. Such determination shall be made within 45 days after application for suspension and shall be final and conclusive and no other official or any court of the United States shall have power or jurisdiction to review any such determination. Upon making the determination provided for in this section, the Secretary of Commerce shall establish such terms, conditions, and regulations with respect to operations under such suspension as he determines to be in the national interest.

"(b) Any suspension under the provisions of this Act shall terminate whenever the Secretary of Commerce determines that conditions required in the subsection (a) of this section for such suspension no longer exist, or upon the expiration of the one-year period which begins on the date of enactment of this Act, whichever first occurs.

"(c) No Federal laws shall apply to any water carrier because of operations under a suspension provided for in this Act if such laws did not apply to such carrier prior to such suspension.

"Sec. 5. The amendment made by the first section of this Act shall be effective only with respect to contracts entered into with respect to (a) the construction of a vessel the keel of which was laid after June 30, 1959, or (b) the reconstruction or reconditioning of a vessel the shipyard contract for which was entered into after June 30, 1959, and the Secretary may, with the consent of the parties thereto, modify any such contract entered into prior to the date of the enactment of this Act to the extent authorized by the amendment made by this Act."

And the Senate agree to the same.

Amend the title so as to read: "A bill to amend section 502 of the Merchant Marine Act, 1936, as amended, and for other purposes."

HERBERT C. BONNER,  
THOMAS N. DOWNING,  
BOB CASEY,  
WILLIAM S. MAILLIARD,  
THOMAS M. FELLY,

*Managers on the Part of the House.*

CLAIR ENGLE,  
E. L. BARTLETT,  
JOHN MARSHALL BUTLER,

*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. 11586) to amend section 502 of the Merchant Marine Act, 1936, as amended, 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 struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. The conference substitute contains all of the features which were originally contained in the House bill, and all of the features contained in the Senate amendment, except as noted below.

The first section of the House bill amended section 502(b) of the Merchant Marine Act, 1936, as amended, so as to provide that construction differential approved and paid by the Secretary of Commerce under the act shall not exceed 55 percent of the construction cost of a vessel except that in the case of reconstruction or reconditioning of a passenger vessel the construction differential approved and paid shall not exceed 60 percent of such cost. The House bill further provided that after July 7, 1965, the construction differential should not exceed 50 percent of the cost of construction, reconstruction or reconditioning of any vessel. The conference substitute retains the entire text of the House bill except (a) to change the date from July 7, 1965, to June 30, 1964, appearing in section 1 thereof; (b) to delete section 2 of the House bill to conform with other provisions of the conference substitute; and (c) other minor technical conforming amendments.

Section 2 of the conference substitute contains all the features of H.R. 1159, which passed the House on April 12, 1962. This section, which was added to the bill by the Senate amendment, would—

(a) repeal the present 6 percent preferential differential enjoyed by Pacific coast shipbuilders in bidding for ship construction except as to contracts for new ship construction under title V of the Merchant Marine Act awarded on the basis of bids opened prior to the date of enactment of this act;

(b) conform section 509 of the act with the effect of the repeal of section 502(d);

(c) and (d) amend section 213 of the Merchant Marine Act so as to require that studies made under that section with reference to shipbuilding costs and other matters shall be reported annually to Congress on the first day of July of each year;

(e) amend section 502(f) relative to allocation of shipbuilding contracts to other than low bidders when required by the national interest by providing for annual surveys of private shipyard capability in lieu of present requirements that such surveys be made periodically;

(f) further amend section 502(f) by (1) eliminating the existing requirement that allocations under the section must be made with the approval of the President, and (2) authorizing allocations under appropriate circumstances when it is found that inadequacies in the mobilization base are impending, as well as in cases where such inadequacies are existing.

Section 3 of the conference substitute, which was added by the Senate amendment, amends the act of July 7, 1960 (74 Stat. 362), so as to forbid officials or employees of the U.S. Government or members of their families from accepting free or reduced rate passenger travel or carriage of personal property on any ship sailing under a flag other than that of the United States.

Section 4 of the conference substitute, which was added by the Senate amendment, authorizes the suspension of the provisions of section 27 of the Merchant Marine Act of 1920 during 1 year after the enactment of the bill so as to permit foreign-flag vessels to transport lumber to the Commonwealth of Puerto Rico from ports or terminal areas in the United States when the Secretary of Commerce, after notice and opportunity for hearing, determines that domestic vessels are not reasonably available for transportation between such points. Said section 4 also provides that such determination shall be made within 45 days after application for suspension and shall be final and conclusive and no other official or any court of the United States shall have power or jurisdiction to review any such determination.

Section 5 of the conference substitute conforms in substance to section 3 of the bill as passed the House, which simply provided that the ceilings on the construction differential contained therein would be applicable with respect to both new construction and reconstruction and reconditioning contracts, in all cases where keels were laid or contracts signed subsequent to June 30, 1959.

In connection with section 2 of the conference substitute which repeals the existing 6-percent differential enjoyed by Pacific coast shipbuilders and strengthens provisions of the Merchant Marine Act of 1936 authorizing allocation of construction contracts when needed in the national interest, Congress has consistently recognized the need for having adequate, readily available shipbuilding facilities on all coasts for emergency use. This was emphasized in House committee report on H.R. 1159, to repeal the Pacific coast differential, and in the debate on the floor when the House considered that measure. It was urged then, and we do so now, that the allocation authority of section 502(f) be used wherever, and whenever, needed to keep the national shipbuilding mobilization base in balance.

With regard to sections 3 and 4 of the conference substitute, the managers on the part of the House wish the record to show that agreement was arrived at reluctantly and primarily in the interest of bringing about enactment of those provisions applicable to the ceiling on construction differential and to the elimination of the above mentioned special west coast differential. The managers on the part of the House call attention to the fact that there has been no opportunity to hold hearings and make a thorough study of the matters covered by said sections 3 and 4. The principles involved are of such importance that early consideration of both of these matters should be given by the House Committee on Merchant Marine and Fisheries in the first session of the next Congress.

In view of the problem involved in section 4 of the conference substitute relative to suspending the coastwise laws to permit foreign-flag vessels to transport lumber to Puerto Rico, as well as to other problems involving domestic shipping which have arisen during this Congress, it appears urgent that the next Congress make a thorough study and investigation of our entire domestic shipping policy.

HERBERT C. BONNER,  
THOMAS N. DOWNING,  
BOB CASEY,  
WILLIAM S. MAILLIARD,  
THOMAS M. PELLY,

*Managers on the Part of the House.*

Mr. BONNER. Mr. Speaker, I call up the conference report on the bill (H.R. 11586) to amend section 502 of the Merchant Marine Act, 1936, as amended, and I ask unanimous consent that the statement of the managers on the part

of the House 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 North Carolina?

Mr. TOLLEFSON. Mr. Speaker, reserving the right to object, I would like to propound two or three questions to the chairman of the Committee on Merchant Marine and Fisheries.

The chief controversy involved in this conference was a provision to eliminate the ship construction differential which existed in favor of the west coast shipyards; is that so?

Mr. BONNER. The gentleman is correct.

Mr. TOLLEFSON. In other words, one of the provisions of the conference agreement will eliminate section 502(d) of the Merchant Marine Act?

Mr. BONNER. The gentleman is correct. The gentleman understands that both the Senate and House have passed bills that contained these provisions. The House passed the bill H.R. 1159 in April. The Senate took no action on that bill. Now, the Senate added the provisions of that bill to this bill, H.R. 11586, providing for construction differential subsidy ceilings on new construction and reconstruction of vessels. There is also added thereto two additional amendments.

Mr. TOLLEFSON. I understand that. As I understand the facts, the conferees have now come to full agreement as to the matters in difference. But I wanted to ask the distinguished chairman of the committee another question, and that is this:

There still remains in the Merchant Marine Act section 502(f) which is commonly known as the allocation section under which the Secretary of the Department of Commerce is authorized to allocate ship construction to any shipyard in the United States should he feel, after a survey, it is in the interest of the national defense to do so; is that correct?

Mr. BONNER. The gentleman is correct. That is pointed out in the conference report. Allocation shall now be made under the authority of section 502(f), instead of the former section 502(d) which provided for the 6-percent differential between the coasts.

Mr. TOLLEFSON. In other words, it was the opinion of the conferees that the Maritime Administrator should fully comply now with the provisions of section 502(f), and should no longer make any award under section 502(d)?

Mr. BONNER. That is correct. It further provides that a report shall be made to the Congress each year as to the condition of the existing shipyards for the national defense, which matter is taken into consideration in allocating vessels to shipyards in any part of the country.

Mr. TOLLEFSON. Mr. Speaker, I want to thank the distinguished gentleman for working out a very difficult situation. I also want to compliment all Members who were members of the conference.

Mr. BONNER. I appreciate the gentleman's remarks.

Mr. TOLLEFSON. Mr. Speaker, I withdraw my reservation.

Mr. PELLY. Mr. Speaker, further reserving the right to object—

Mr. SISK. Mr. Speaker, will the gentleman from Washington yield?

Mr. PELLY. I yield to the gentleman from California.

Mr. SISK. Mr. Speaker, I shall not object to this conference report, of course, but I have some interest in this. I simply wish to direct a question to my colleague, the gentleman from Washington [Mr. PELLY], because of his knowledge and interest in this matter: Does the gentleman understand that the provisions of section 502(f) will, as the gentleman interprets it and as I understand it to be interpreted by the chairman of the Committee on Merchant Marine and Fisheries, give to the west coast shipyard and others who will be concerned with this some assurance that the Secretary will have the authority to go ahead and do the things that are necessary in order to maintain the shipbuilding industry in our area, regardless of other situations which may exist as to cost, and so on?

Is that generally correct, or is this statement in error that I have made?

Mr. PELLY. Speaking as one of the conferees, I think I can assure the gentleman from California [Mr. Sisk] that the program would be such that all yards, regardless of what coast they were located on, would have consideration in order to maintain a mobilization base and balance, and to receive work under section 502(f).

Mr. Speaker, I can only say to the gentleman, as coming from the west coast, and as one who has had an interest in the 6-percent differential, and as one who has tried to preserve it in the past, I feel the result of the conference report is such as to strengthen our entire mobilization base and that it is in the national interest that we on the coast who have yards should, and will, receive consideration should we not have adequate work in order to preserve the necessary facilities and pool of skilled labor in our various yards.

Mr. SISK. Mr. Speaker, I wish to thank the gentleman from Washington, and to commend the gentleman on the gentleman's statement. This, I think, is of vital importance. As the gentleman says, it is of vital importance not only to the west coast but to the shipbuilding industry and to our shipyards which are located on all coasts.

As I understand the gentleman's position, this does assure that we will remain in a proper position for mobilization and that the industry as such in the various areas of the country will be protected under the authority which the Secretary of Commerce will have under this section 502(f).

Mr. PELLY. I want to say and add that this has been a very controversial matter. It has been a very difficult matter to resolve. I would like to pay tribute to the chairman of the committee, the gentleman from North Carolina [Mr.

BONNER] and to all the other conferees and to those who have been interested in this in resolving this matter in such fashion as to be, in my opinion, truly in the national interest.

Mr. SISK. Mr. Speaker, I, too, of course, would like to commend the gentleman from North Carolina [Mr. BONNER]. I realize that this was a controversial situation. I do want to say that throughout the controversy that occurred on this matter, he has been very considerate of the position that some of us had on the west coast of the United States. So I want to express my appreciation, too, to the distinguished chairman of the Committee on Merchant Marine, the gentleman from North Carolina [Mr. BONNER].

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

Mr. SISK. I yield to the gentleman from California.

Mr. MAILLIARD. Mr. Speaker, I thank the gentleman from California for yielding. May I join in the expressions of appreciation of the action of our distinguished chairman and of his fairness in handling an extremely difficult matter over a period of a great many years. Although personally I was reluctant to see it solved in this particular manner—I thought we could have done something that would have suited us better—I think we will all be happy to have it behind us, because it has been very troublesome.

Mr. Speaker, I signed this conference report with great reluctance, and only on account of the vital importance to the U.S. merchant marine of the extension of the temporary ceiling of 55 percent on the construction differential subsidy. I would also like to point out that it seems to me this is another example of what the gentleman from Missouri and others have been talking about for a number of days, the regrettable habit of the other body attaching unrelated riders to House bills. Each of the Senate amendments which we have been compelled to accept with very little modification should have been subjects of separate bills and should have had hearings and action on their individual merits.

I have strong personal objections to all three of the major amendments, but under the circumstances there seems to be nothing else to do but to bring back this particular conference report.

First. Repeal of the 6 percent differential is not justified by the facts as reported by the Maritime Administration. Modification to 4.2 percent is indicated and we so advocated. We would have accepted 3 percent. We received 0 percent. The only saving grace is the amendment to section 502(f) of the Merchant Marine Act which ought to be considered a mandate by the Secretary of Commerce to invoke this allocation procedure when defense considerations indicate it. We must keep a strong shipbuilding industry on all coasts.

Second. Permitting foreign-flag vessels to carry domestic trade even under these severe restrictions is a precedent-creating crack in the cabotage laws which should have received far more careful scrutiny. There were no House hear-

ings. If we are to make special exceptions to the Jones Act we will eventually destroy completely our domestic U.S. flag maritime service.

Third. This prohibition against Federal employees and their families accepting reduced rate passage on foreign-flag vessels is highly discriminatory since it makes it illegal for them to do what any other citizen may do with no opprobrium whatsoever. This is a companion to the so-called Williams amendment regarding U.S.-flag vessels; both are bad and highly unfair measures.

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

Mr. SISK. I yield to the chairman of the committee.

Mr. BONNER. Mr. Speaker, may I say further, that with respect to contracts pending now, the terms will be carried out notwithstanding the elimination which has been referred to under that provision.

On other matters in this bill, in the conference report, there is a time for hearings so that all parties can come in and be heard with respect to one of the amendments.

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

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]?

There was no objection.

The Clerk read the statement.

Mr. COLMER. 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 Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, I take this time to congratulate the distinguished chairman, the gentleman from North Carolina [Mr. BONNER], for finally and successfully bringing to a conclusion this highly controversial matter of the 6-percent differential subsidy accorded the west coast shipbuilders over the shipbuilding industry of the rest of the country. Its repeal has long been overdue since there is absolutely no justification for its continuation under existing circumstances.

That portion of the bill repealing the 6-percent subsidy is something for which a number of us have been laboring for several years. As a matter of fact, my bill was reported out of committee more than 2 years ago but due to the lateness of the session we were unable to have it passed.

Our distinguished chairman, the gentleman from North Carolina [Mr. BONNER], and his associates on the committee have done a remarkable job in overcoming many obstacles. As chairman of the House Committee on Merchant Marine and Fisheries, the gentleman from North Carolina [Mr. BONNER] is entitled to much credit therefor. While many others are also entitled to credit for the final passage of the bill, I cannot miss the opportunity to pay my personal tribute to the gentleman from Virginia [Mr. DOWNING] who has worked

most diligently and faithfully toward the repeal. In fact, I am confident that had it not been for his energetic and able cooperation with the gentleman from North Carolina, Chairman BONNER, we would not have succeeded.

I am very much in hope that the Senate today will also adopt the conference report with alacrity and thus bring to an end this long fight for equal treatment of the shipbuilding industry in all sections of our great common country.

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

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I rise to commend the gentleman from North Carolina [Mr. BONNER] for the outstanding job he has done on this very vital piece of legislation.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### SUPPLEMENTAL APPROPRIATION ACT, 1963

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13290) making supplemental appropriations 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 to the request of the gentleman from Texas?

Mr. CANNON. Mr. Speaker, I object.

The SPEAKER. The chairman of the Committee on Appropriations objects.

#### DUKE STEAMPLANT

Mr. DORN. 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 South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the hard fought question whether Duke will be permitted to construct the gigantic steamplant in the Savannah River in my district, is now being decided by the conferees. I want this House to know that I am grateful for the encouragement, support, and understanding of the membership on both sides of the aisle. Mr. Speaker, this House has supported me magnificently. The Georgia delegation has been particularly understanding. My distinguished and able colleague, the gentleman from Georgia, BOB STEPHENS, though fighting for Trotters Shoals as well as Duke, nevertheless fought fairly, openly, and with determination. I hold for the gentleman from Georgia the highest esteem and regardless of the outcome of the conference report, he will always have my admiration, affection, and respect.

#### INTERCOLLEGIATE SOCIALIST SOCIETY AND LEAGUE FOR INDUSTRIAL DEMOCRACY: SOCIALIST PROGENITORS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, one of the often repeated questions I hear is "How did we ever get to such a state in America where socialism is disguised as progressive or liberal?" There are never any simple answers to such difficult questions but, as a student of political philosophy, it seems to me that a study of the Intercollegiate Socialist Society—ISS—and the League for Industrial Democracy—LID—will shed a great deal of light on the true goals of liberalism in America today. There was a time when Socialists were unabashed. One of the facts of life today is that there are very few people who publicly call themselves Socialist. Prof. Arthur Schlesinger's utterances and writings would certainly classify him as such but I imagine he would say that he is a liberal and not a Socialist.

In the words of the ISS and the LID leaders themselves, a meeting of 10 people was called on September 12, 1905, "for the purpose of promoting an intelligent interest in socialism among college men and women, graduate and undergraduate, through the formation of study clubs in the colleges and universities, and the encouraging of all legitimate endeavors to awaken an interest in socialism among the educated men and women of the country."

Men like Clarence S. Darrow, Jack London, and Upton Sinclair were in this original group. They freely referred to Norman Thomas, Socialist leader in America until the liberals took over his program, as our coworker. Some semantics were employed to say that their goal was to create students of socialism and not necessarily Socialists but viewed from any angle, it was a Socialist organization. They called their periodical the Intercollegiate Socialist.

Walter Lippmann, nationally known columnist, was first president of the Harvard Socialist Club, 1909-10, and proudly declared:

The only evil we really fear is blind ignorance. In a general way our object was to make reactionaries, standpatters; standpatters, conservative liberals; conservative liberals and liberals, radicals; and radicals, Socialists. In other words, we tried to move everyone up a peg.

We will all have to admit that this is basically what has happened. The ISS and the LID are the forerunners of the modern day Americans for Democratic Action—ADA—and have been the vanguard of American Socialist thought and energy.

In 1921, the organization changed its name to the League for Industrial Democracy. The Bolshevik revolution had made the word "Socialist" less respectable and the leaders of the movement took a new approach. They were still socialistic and their new motto was

"Production for Use, Not for Profit." They veiled their socialistic intent by high-sounding phrases such as these:

The LID tries to bring into the field of thought and discussion all phases of the movement, conscious and unconscious, toward a social order which acknowledges the supremacy of human need rather than private profit as its organizing principle.

This was the birth of modern welfare statism and the start of the trend toward centralization and deficit spending. The depression was later to provide the impetus and Keynesian economics the tools which started the New Deal on a course which has been so successful, from their point of view, that we no longer have any vocal Socialist Party in the United States.

Further tie to the Socialist Party was shown when Norman Thomas joined Dr. Harry Laidler as a coexecutive director of the league in 1922. Paul Blanshard became field secretary and Robert Morss Lovett became the league's first president.

Many prominent people who have currently been billed as liberals were at the front of the activities of this Socialist organization. Walter P. Reuther was the organizer and president of the Wayne University chapter of the league. Andrew Biemiller, top labor lobbyist, was secretary of the University of Pennsylvania and Philadelphia chapters of the LID, 1928-32. Roger Baldwin, long associated with the American Civil Liberties Union, was on the board of directors of the LID, 1920-23. Prof. Alvin Hansen, sometimes called the architect of the New Frontier, assisted LID at Harvard.

The LID undoubtedly produced many sincere liberals. It also produced a host of leftist leaders such as Stuart Chase, Thorstein Veblen, Scott Nearing. Pro-Soviet Americans such as Corliss Lamont, Frederick Vanderbilt Field, and Owen Lattimore were active in the LID.

The ISS always had a close tie with the Fabian Society in England and a great amount of the success of that organization was the fact that while it was socialistic to the core it masqueraded as liberal, progressive, humanitarian and—you name the adjectives yourself. Like the Fabian Society, the ISS and its successor, the LID, pushed Socialist policies not Socialist organization. In their News Bulletin, the official organ of the LID, January 1923, they boasted:

What the Fabian Society and the Guild Socialist League have done in England, what Clarté is doing on the Continent—this, making due allowance for American conditions and American needs, the LID seeks to accomplish in the United States.

That makes it about as clear as anyone can. This again is a telltale feature of the modern Socialists.

The report of the Joint Legislative Committee Investigating Seditious Activities, Senate of the State of New York, April 24, 1920, at page 1087 shows the tactics of these people very well in an advisory letter which Roger Baldwin wrote. He said:

Do steer away from making it look like a Socialist enterprise. We want also to look patriots in everything we do. We want to

get a good lot of flags, talk a good deal about the Constitution and what our forefathers wanted to make of this country, and to show that we are really the folks that really stand for the spirit of our institutions.

It is fair to point out that neither the ISS or LID was officially associated with the Socialist Party although their memberships were in many cases filled with the same people. Their goals were clearly of the same ilk.

The "Handbook of the Student League for Industrial Democracy," gives many more telltale clues to their activities. Commenting on the transfer of the Intercollegiate Socialist Society to the League for Industrial Democracy, the handbook proclaimed:

The war ended and the chapters began to revive. But students wanted a more inclusive name than Socialist, because they believed there were several alternative approaches to a cooperative commonwealth.

The handbook also told of the strife within the organization and reported:

A movement of dissatisfaction set in within the LID which expressed itself in two ways. Attempts by loyal students from Columbia, Syracuse, the University of Chicago, and Wisconsin to change the structure of the LID; and the splitting away of Communist students who attributed the defeats of the LID to its Socialist leadership.

As was usual at the time, these organizations looked with favor upon the experiment in Russia and the handbook comments:

The Soviet Union, on the other hand [being compared to Germany] is being built upon the solidarity of those who work with those who are growing up amid the struggles to build the first workers state.

Students were exhorted to give their all for the new social order and were warned:

At times it means defiance of power and authority, when governmental force is thrown into the balance against labor in the class conflict. But it means still more. It implies participation in and active work to further the purposes of the movement dedicated to the building of a new social order. The student LID is part of the socialist movement in America. It aims to draw students into critical thought and radical action and to make of them workers for the cooperative commonwealth. Socialism in America is our primary goal.

Mr. Speaker, in 1955 the League for Industrial Democracy published a booklet which traces the history of this Socialist organization. I insert it at this point in the RECORD.

**THE LID: 50 YEARS OF DEMOCRATIC EDUCATION—1905-55**

(To Dr. Harry W. Laidler for a lifetime of dedicated service in behalf of the LID and its democratic ideals)

(By Mina Weisenberg)

**INTRODUCTION**

John Dewey, former president of the League for Industrial Democracy, speaking at the 35th anniversary of the society, reminded his hearers that "democracy above all else in an educational enterprise; that it rests upon faith in public opinion, and upon faith that the democratic process will result in the growth of a public opinion which is capable, enlightened and honest."

It was with a view of playing a role in this educational process that the Intercol-

legiate Socialist Society was formed in 1905, and has continued functioning as the LID since 1921. For 50 years the society has drawn to it men and women of great intellectual power, imbued with humane and ethical impulses. These have steadfastly engaged in research, in teaching and lecturing, in the writing of books and pamphlets. They have clarified obscure problems, helped to form social opinion, and to lead the forces of progress under the banner of the LID.

Liberals are incurably intellectuals. Thoughts and ideas, they believe, have an efficacy in achieving results. If you present people with sound arguments, they will be capable of achieving sound conclusions, leading to moral judgments. Their democratic political institutions will translate these judgments into action, according to the will of the people. "Light, more light"; "education"; "freedom of discussion"; seeing to it that all ideas have substantially an equal chance to be heard—that was the basis for the publications, the lectures, all the activities of the ISS-LID.

George Bernard Shaw once said of an acquaintance, "Good old —. His heart is with us. I wish we had his head as well." The society has been waging battles to gain the heads, as well as the hearts, of the Nation's future leaders.

During the years when forward-looking men and women were torn apart by numerous schisms, it is amazing that the LID should have maintained its character and clear, purposeful action. This happy result may be credited to the wisdom and the integrity of its leaders, and, more especially, to the tireless stimulation and scholarly capabilities of its director, Dr. Harry W. Laidler.

The history of the LID might be written by listing the thousands of names of leaders in every field of American life—economic, political, legal, scientific, educational, social and literary—who received their initial introduction to the problems confronting a democratic society in college chapters of the organization. Or it may be written by listing the books and the pamphlets published under LID auspices—works on housing, transportation, social security, public utilities, labor, international affairs, monopolies, etc.—or by mentioning the numerous lectures, meetings, conferences, addressed by outstanding speakers, greatly influencing public opinion during the past half century. And, of course, in any story of the league, no historian can ignore the continuous and enthusiastic support and encouragement given to the executive director throughout the years by his devoted and talented wife, Agnes A. Laidler, in all of his LID activities and the efficient and dedicated service of his secretary for the last generation, Sara Kaplan Lowe.

An aphorism often quoted is that "History provides the lamp of experience for guidance in the present." A study of the past 50 years of the LID will throw a clear light on the problems facing Americans today. The LID has met periods of conservatism and of liberalism, of reaction and of reform, of economic prosperity and of depression, of war and of peace.

**THE BIRTH OF THE INTERCOLLEGIATE SOCIALIST SOCIETY**

The early 1900's witnessed the inception of revolts against the abuses of laissez-faire, against the "lawlessness of corporate wealth," against slums and child and sweated labor, and against waste of public resources. Social workers—Jacob Riis, Jane Addams, Robert Hunter, and others—were stirring thoughtful Americans with tragic tales of how the other half lived.

The labor movement during these days was going through a period of great expansion and for the first time in the history of our Nation the President, Theodore Roose-

velt, helped effect a compromise in a labor impasse in the anthracite coal mine dispute by calling President John Mitchell of the miners to a conference at the White House, along with mine owners. The conference was followed by the signing of a union contract with the entire anthracite coal industry.

Teachers and philosophers left their ivory towers during these days to help extirpate pain and poverty. It was the age of the muckrakers, of militant protest literature. Ida Tarbell was writing "The History of the Standard Oil Co." Lincoln Steffens was publishing "The Shame of the Cities." Charles Edward Russell was attacking the trusts and Upton Sinclair was at work on "The Jungle."

The Socialist movement, of growing importance in many parts of the world, in the United States, under the leadership of the dynamism of Eugene Victor Debs and the brilliantly keen intellect of Morris Hillquit, Socialist theoretician, was furnishing a political outlet for workers and liberals dissatisfied with the conservatism of the major political parties. The young party was growing fast. In 1904 Debs received 400,000 votes as presidential candidate of the Socialist Party. (By 1912 the vote had increased to 900,000.)

It was in this atmosphere of protest that the Intercollegiate Socialist Society (the ISS) was born. As Dr. Harry W. Laidler said, "the time was propitious for the organization of the Society."

Pictures of Harry Laidler, still an undergraduate at Wesleyan College in 1905, show a slim, a bright-eyed, idealistic youngster. We can envisage him mounting the stairs to the top floor of Peck's Restaurant in New York on September 12 of that year, to attend the meeting called by 10 prominent persons for the purpose of promoting an intelligent interest in socialism among college men and women, graduate and undergraduate, through the formation of study clubs in the colleges and universities, and the encouraging of all legitimate endeavors to awaken an interest in socialism among the educated men and women of the country.

The signers of this call were: Oscar Lovell Triggs, Thomas Wentworth Higginson, Charlotte Perkins Gilman, Clarence S. Darrow, William English Walling, J. G. Phelps Stokes, B. O. Flower, Leonard O. Abbott, Jack London, and Upton Sinclair.

Upton Sinclair, who presided at that organization meeting, told how he had passed through college without receiving from his professor an understanding of the labor movement and the fundamental social problems of the day and declared, "I decided that since the professors would not educate the students, it was up to the students to educate the professors."

So the ISS was created in 1905. With the election of the young collegian as student member of the executive committee, there began a career for Harry W. Laidler that is so closely associated with that organization (since 1921 known as the LID) as to lead his coworker, Norman Thomas, to declare, "It is truer of the LID than it is of most institutions that it's the length and shadow of a man and that the man is Harry Laidler." For 30 of these years his secretary, Sara Kaplan, has ably abetted his work.

**The first 10 years of the ISS—1905-15**

The first president of the ISS was the novelist, Jack London, described in a Yale periodical, in 1906, as a ruddy, stocky figure in a white flannel shirt and rolling flannel collar. In 1906, he traveled from one college to another on behalf of the society. This tour initiated a new method for educational purposes—a method the ISS-LID perfected for years, and one later frequently imitated by other organizations.

Discussing the college atmosphere with the students during that trip, Jack London declared, "I did not find the university alive. Fight for us, or fight against us. Raise your voices one way or the other; be alive. That is the idea upon which we are working." He urged the indifferent to "cease sitting quietly in their cool libraries, and turning the pages of lifeless books," and to take their part in the fight against poverty, against corruption, against unemployment, and against the other social evils of the day.

Criticisms of the new society soon appeared in the country's press. Answering an attack, written in Collier's Weekly, Thomas Wentworth Higginson said, "The primary aim of the society was to create students of socialism, not to produce Socialists, and those who criticized this object must be classed with those medieval grammarians who wrote, 'May God confound thee for thy theory of irregular verbs.'"

Reporting a "dollar dinner" of the ISS in 1908 in the New York Sun, the writer satirically comments, "From what went on after the dinner had been stowed away, it was gathered that it was the aim of the society to swat wage slavery with diplomas or smother it with degrees or something." He evinced sorrow at the absence of Vice President Sinclair, "who would have told of the millionaire with a solid gold fountain in his park."

The first college chapters were formed by Harry W. Laidler at Wesleyan, and by William M. Feigenbaum at Columbia. Within 10 years, over 60 college chapters were organized, and the ISS had increased its expenditures from \$200 annually to \$10,000. In 1910 Dr. Laidler became secretary and organizer of the ISS. In a large proportion of the colleges visited during the first years of the society, Dr. Laidler was the first speaker from outside the college community to have addressed college assemblies and economic and sociology classes on the labor, Socialist, and social reform movements of the day. In one of the small Virginia colleges, a minister passing through the college town, who had been asked to deliver the prayer before Dr. Laidler addressed the student body, was so disturbed about the message which he thought the speaker was about to bring to the students that he prayed the Lord "to deliver the students from the heretical doctrines which are constantly being presented before them, and prayed especially at this time because of the imminence of such doctrines." But in hundreds of colleges, the informative, scholarly addresses of the league's organizer and other ISS speakers were received with deep interest among the thoughtful students in the college bodies.

Chapters at Princeton, Harvard, and other colleges soon followed. At Princeton, when the ISS organizer appeared to address a scheduled meeting, the students organized one of their famous Princeton "peerades." Organizer Merrick was taken to the lecture hall at the front of the parade on the backs of the students and, following the conclusion of his address, delivered in the midst of firecrackers flung into the open windows, was given an ovation for pursuing his lecture to the bitter end under these trying conditions.

During this early period, a quarterly Bulletin was issued, developing later into the Intercollegiate Socialist, a magazine to which many leading figures of the day contributed, including, among others, Beatrice and Sidney Webb, Keir Hardie, Morris Hillquit, Paul H. Douglas, Norman Angell, and J. Ramsay MacDonald.

The correspondence files of the early years of the ISS give illuminating sidelights on the history and activities of the organization, and reveal how widespread its influence had become. The following examples will illustrate this:

Prof. Vida D. Scudder, of Wellesley, closely associated with the society from its early years and until her recent death, wrote in 1906 requesting the officers to send lecturers to the college, "if you have good speakers—people who can hold their own with an audience at once clever, critical, and densely ignorant."

Contributions and membership applications came from lawyers, dentists, librarians, ministers, advertising writers, the president of a mining company, justices of the peace, members of the American Press Writers' Association, and numerous businessmen.

A youthful exuberant from Leland Stanford University wrote to Upton Sinclair "assuring you of my earnest desire for the reform of the rottenness of modern society. I will go to Seattle, which is the most corrupt town on the Pacific coast, and study the lower side there."

Numerous requests appear for a definition or description of socialism. An amusing playlet, written by Jesse Lynch Williams in the Nassau Monthly of Princeton University, shows the confused notions by prominent graduates as to what socialism is. The scientist in the skit ended the discussion of the meaning of socialism in this way: "Well, that explains it all. No wonder intellectually courageous students are peeping into socialism on their own hook. You make a dull subject so fascinating. Bombs and brotherhood, the Christian ideal and its destruction, free love and no love, no law and yet too much." When one prominent graduate asked, "Well, then, what does it mean?" The scientist replied, "I don't know. You see I'm a college graduate myself." From Princeton, however, he said, a few years before in 1905, had graduated with a magna cum laude a student—Norman Thomas—who did in after years work of colossal proportions in clarifying the meaning of socialism among millions of his fellow men.

From Cambridge, Mass., in 1906 comes a note, "Yesterday I received from the ISS the little sheet, 'Political Decay' by Prof. E. A. Ross, and it was so good that I sent it to one of the instructors here who has a very clear head and good heart about such matters."

Edwin Fairley, a teacher, wrote that a certain professor, "is reported to have boasted that a Socialist has never graduated from Amherst since he has held his present chair. Now I got my start in political economy at Amherst, and I don't want the old college to be a back number. I have a pet student at Amherst who is a Socialist, but I guess a vox clamantis in deserto." It should be noted that a few years later Amherst contained one of the strongest and most distinguished chapters of the ISS in the history of the society.

One of our active members, Abraham Epstein, a leading pioneer and advocate of social security until his untimely death, was instrumental in organizing a chapter in the University of Pittsburgh.

Not all communications were favorable. Possibly, Mr. William Lloyd Garrison, Jr., was before his time in thinking of the type of totalitarian society which the Soviet falsely terms socialism, when he wrote, "I hold with Herbert Spencer that socialism is the coming slavery, and I believe that the world languishes because of too much government and too little liberty. Of course, I recognize the altruistic spirit of many who call themselves Socialists, and respect their aims."

Gov. Chase S. Osborn, of Michigan, in 1912 warmly applauded the University of Michigan's Socialist society. He told them, "The right way of the future is to be discovered by those who are making earnest search for the truth, and I believe that you are doing that above all other considerations, and before you take any thought of political profit. The truth is what we should all desire, and,

if it can come through the work of educated socialism, it will be none the less welcomed."

In the 1912 ISS Bulletin, Prof. V. Karapetoff, of Cornell University, reports, "College administrations have shown great wisdom in not interfering with the formation and peaceful activities of the ISS chapters. That which is not permitted in open will exist in secret, with all the degrading features of an illegal activity. It is a well established policy of ISS chapter to invite speakers opposed to socialism. From an educational point of view this is an excellent training for analysis and debate." (Our too fearful anti-Communist politicians, who fear to permit college students to debate the pros and cons of recognizing Communist China, please take note.) In fact, the ISS voted to membership all students, whatever their economic or political viewpoints—Socialist, non-Socialist, anti-Socialist—who were desirous of understanding the meaning of the social requirements of the day.

In 1910 a petition of 300 students in Harvard for a course on socialism bore fruit. This amazing group of collegians had as members of its Harvard chapter Kenneth R. Magowan, Nicholas Kelley, Heywood Brown, and Lee Simonson. Their president, Walter Lippmann, proudly declares, "The only evil we really fear is blind ignorance. In a general way our object was to make reactionaries, standpaters; standpaters, conservative liberals; conservative liberals and liberals, radicals, and radicals, Socialists. In other words we tried to move everyone up a peg. We preferred to have the whole mass move a little, to having a few move altogether out of sight."

1912 and 1913 were great years for the ISS. The New York Dental College, hoping to make its chapter the banner group among professional institutions, published an excellent monthly, the Progressive Dentist, the revenue from which was to be used to establish a dental clinic. The work was done under the leadership of Dr. Maurice S. Calman, later a Socialist alderman responsible for establishing dental clinics in New York schools. Dr. Calman, now an eminent dentist, is still an active member of the IID. In this year the Intercollegiate Socialist, a new quarterly, edited by Dr. Laidler, began publication.

A number of colleges adopted plans at this time similar to Barnard's, where Freda Kirchwey reported, "Many of the members felt last year that the club followed no definite course of action, had engaged to a great extent in desultory discussion. This fall, therefore, one of the shorter courses of study, suggested in the pamphlet on study courses, was adopted as the basis for the year's work."

"Light, more light," became the ISS slogan. To shed that light many meetings were held in New York and throughout the country. Charles Beard and Fred C. Howe discussed the trust problem. Lincoln Steffens spoke to 500 Yale students on "Graft—Its Cause and Cure." John Haynes Holmes and Meyer London spoke on the "Roads That Lead to Socialism." Harry W. Laidler was continuously in the field, from Maine to California, quoting figures on wages and child labor, and pointing to economic waste and to the industrial, political, social, and intellectual monopoly control in the United States. Chapters were set up following his work.

The influence of the society was spreading even abroad. The famous antiwar German, Karl Liebknecht, said that the only American publication with which he was familiar was "The Intercollegiate Socialist."

The society could fill Carnegie Hall in 1912 and 1913. Several mass meetings were successfully held there. At one, on "Industrial Unionism," a New York sheriff, with

his deputy sheriffs, came to forestall the advocacy of sabotage, which which he declared, "I don't know what sabotage is, but if anyone advocates it I will arrest him immediately." It is said that at the end of the meeting the sheriff and his officers contributed to the collection.

A debate between Samuel Untermyer, corporation lawyer, and Morris Hillquit brought tremendous crowds and publicity. For newly elected Congressman Victor Berger, of Milwaukee, and for visiting British Labor leader, Keir Hardie, there were successful Carnegie Hall meetings.

Then came the First World War. The first period of ISS history had ended.

#### *The war and the postwar years, 1915-21*

The ISS consistently reiterated that "to study socialism commits the students to nothing whatever. They may reject it in theory and combat it in practice." Dr. Laidler explained to them that "the society has never in its history committed its members to any creed or line of tactics." The organization emphasized its educational nature; its aim to acquaint collegians not only with Socialist doctrines, writings, and theories, but also to influence college-bred men and women, rapidly assuming a growing part in the weightiest affairs of the Nation, toward an understanding of the economic, political, and social problems of the day. Nevertheless, the history of the Socialist Party during World War I had important repercussions upon the organization.

From the vantage point of the 1950's it is difficult for us to appreciate the simple faith of some of the early Socialists who held the naive belief that once the major industries were nationalized, and wealth more equitably distributed, most of the serious social and economic problems would be solved. Some likewise sincerely expected Socialists in the various countries to put international labor above all considerations of nationalism.

These Socialists were to bear two severe blows. The first was the European Socialists' failure to act as internationalists when the First World War began. Especially were many American Socialists shocked at the nationalistic spirit of the German Social Democrats, one of the leading parties of that country. The second blow was the realization, with the development of the totalitarian evils in Soviet Russia, that nationalization of industry alone would not bring the millennium.

The leaders of the ISS for the most part had no such illusions. They were constantly emphasizing the fact that nationalization under a dictatorial state could constitute a great menace to society and that only as public industry was democratically administered in a democratic state did it give promise of solving the great social evils of the day. Democracy was the end, and public ownership and democratic management of the key industries, only a means to this end.

Most of the ISS leaders likewise had become acquainted with the failure before World War I of European Socialists at their international conferences to decide upon any common line of action once war broke out, and knew something of the powerful pressures that governments at war could exert upon the activities of their respective citizens.

In the United States, after the outbreak of World War I, the socialist movement was rent by schisms. Members of the Socialist Party had been traditionally antiwar. An emergency convention of the party in 1916 approved the famous St. Louis resolution declaring its opposition to the United States entrance into the European war, an action followed by the resignation of many prominent party members.

After the Russian revolution in 1917, further factional differences developed between the right and left wings. The ISS,

though an educational discussion organization consisting of men and women of various shades of economic and social thought, could not be immune from these crosscurrents of opinion. Some of the leaders were against America's entrance into war, some contending that if the country remained out it would be in a better position, in case of stalemate, to help in mediating a democratic peace. Others, J. G. Phelps Stokes among them, felt that the organization should issue a public statement declaring that it stood "unequivocally by the President of the United States in the unparalleled crisis that confronts the country as well as the rest of the world."

The majority of the board insisted that the ISS, as such, should not take an official position on this question. The result was a few resignations among the officers though the membership remained, for the most part, intact.

During the months of America's involvement, the discussion of controversial social and international problems of the causes and cure of war of proposed terms of peace and of reconstruction after war was discouraged in many cities and on many campuses. Numbers of colleges were virtually turned into ROTC encampments where the majority of students gave their primary thought to preparedness for military service.

Under these conditions, many college chapters failed to continue their activities, and lecture and organizing work became restricted.

As secretary of the society, Dr. Harry W. Laidler felt, with Paul U. Kellogg of the survey, that, despite the obstacles encountered, "it was up to the society to try to keep the embers of a watch-fire glowing to light new torches for a younger generation." He predicted a drive on democracy with the war's end. He urged that the activities of the society and its college chapters be maintained to prevent a disastrous loss of league prestige, as well as a loss to democratic society.

The ISS during these days continued to hold its annual conventions at which labor and world problems were debated. In New York, one of the freest forums in the country was held throughout the war—the Saturday Camaraderies under the auspices of the New York chapter and the able leadership of Louise Adams Floyd. Weekend conferences on burning questions of the day were held at Whittier's Old Homestead in New Hampshire, at William F. Cochran's beautiful camp, Sherwood Forest, in Maryland, and at the home of Katherine and Darwin Meserole in Long Island. In the closing days of the war, Dr. Laidler went to Washington to survey the scope and achievements of war-collectivism, while Ordway Tead, for a while research director, began a study of reconstruction programs in Great Britain.

In 1919, the society began the publication of a monthly, the *Socialist Review*, which replaced the quarterly and lasted for 18 months. The purpose of the *Review* was to serve as a record and survey of the labor and socialist movement, and not as a propaganda organ, and to tell of the experiments, achievements, thoughts and significant events in industrial and political struggles here and abroad.

Many well-known foreign leaders, both literary and political, contributed to the new monthly, as well as leaders in the American field. Social Democrats of Hungary wrote an appeal to the workers of the world against the Red terror. In the same period articles appeared opposing the boycott of Russia. Numerous contributions in the field of labor and unionism were publicized.

#### *The LID in the twenties*

The reorganization of the ISS as the League for Industrial Democracy in 1921 was a rec-

ognition of the need for a new orientation. Membership in the society was opened to noncollegians, and a broader scope was envisaged. The new motto was "Production for Use, Not for Profit." An organizing pamphlet states the LID's aims as follows: "The LID tries to bring into the field of thought and discussion all phases of the movement, conscious and unconscious, toward a social order which acknowledges the supremacy of human need rather than private profit as its organizing principle. But it is trying to deal with that generalization in a scientific spirit, attempting to test it by the facts, to substitute knowledge for assertion, and reasoned conviction for blind acceptance of popular slogans."

Norman Thomas joined Dr. Laidler as a coexecutive director the following year, and shortly thereafter Paul Blanshard became field secretary. Robert Morss Lovett became the league's first president, with the electrical wizard, Charles P. Steinmetz, its vice president. Florence Kelley, eminent social worker and crusader against child labor, and Arthur Gleason still remained active league members.

Speaking of Thomas and of Blanshard, Dr. Laidler reported, "From then through part of the thirties, these two magnetic speakers carried the message of industrial democracy to student and civic groups in all parts of the country, and proved towers of strength to the progressive movement." He continued, "During many of these years, Paul R. Porter (later assistant administrator, ECA); George Edwards (later Detroit judge); Monroe Sweetland (editor of the *Oregon Democrat*); Joel Seidman, labor economist (now professor at the University of Chicago); LeRoy Bowman, adult educator (now teaching at Brooklyn College); and others organized and lectured, with significant results, reaching hundreds of thousands of the youth of our land." Their work, and Harry Laidler's, succeeded in establishing over 100 student chapters in the colleges by the end of the twenties.

The addition of Mr. Thomas and Mr. Blanshard to the LID staff gave Dr. Laidler more time for his research and writing. His books, "Social Economic Movements," "Concentration of Control in American Industry," and "A Program for Modern America" have been considered a "must" reading for all serious students of social studies, and have established Dr. Laidler as one of the leading scholars and authorities on the subjects he treated in the United States. In 1926, the league secretary, the committee and its secretary, throughout their scholarly surveys, public hearings, news releases, magazine articles and books and pamphlets on public control of coal and electric power, did much to influence the public power developments of the next decade. Following Mr. Raushenbush, Dr. F. L. Bird ably led this committee.

Mary Fox, graduate of Vassar and progressive educator, joined the staff as executive secretary in the late twenties. For 10 years her imaginative planning and promotional activities helped powerfully to stimulate and expand the work of the league.

During this period an excellent series of leaflets, by well-known authors, published by the LID, were effectively used. In leaflet No. 3, "More Power to You," Evelyn Preston wrote of Electric Power and the Good Life.

George Bernard Shaw's article in the bulletin of the LID in 1927 repeated his advice to young people, "All who achieve real distinction in life begin as revolutionists. The most distinguished persons become more revolutionary as they grow older. Any person under the age of 30 who, having any knowledge of the existing social order, is not a revolutionary, is an inferior." He writes that inherited wealth and absentee financial control seem to him "unsportsmanlike, as if

an old college grad should try to pass on his college credits to his son."

This was an age when idealistic collegians were not afraid to be labeled liberal and radical. The First World War, with its losing battle to create a world safe for democracy, had made many young people deeply pacifist. Throughout the country the Oxford movement was gaining momentum. In 1925, Felix Cohen, son of Morris Cohen, the famous philosopher, later, until his unfortunately premature death in 1953, to become well known as a fighter for the rights of American Indians, led a widely publicized battle against ROTC at City College. College students throughout the country sent 100,000 petitions to Washington against military training. A united youth conference called by the LID and other groups was attended by 600 delegates who supported the Oxford resolution.

The manner in which students were being trained in league circles to thoughtful weighing of the issues in controversial matters is evidenced in a small pamphlet issued in New Haven by LID chapter members at Yale. George Brooks, Fred C. Hyde, and J. B. Whitelaw called their paper "Is This Fair Play?—An Investigation of the Neckwear Workers' Strike." The young investigators report: (1) The case for employers; (2) the case for the union; (3) civil liberties involved; (4) the newspaper situation in New Haven. "The reason we are compelled to print this leaflet," the collegians declare, "is that the ordinary channels of public information have been closed to the union by the silence of the New Haven press."

The Harvard Socialist Club printed in its periodical an arraignment of the university president, Lowell, for his part in the executions of Sacco-Vanzetti.

New York University LID'ers helped picket in the strike of the International Ladies' Garment Workers' Union.

The meetings and conferences of the league during the twenties reflected the changing conditions and ideologies of the times. Here were discussed the European revolutions; the Harding corruption and post-war slump; the so-called American plan for the destruction of trade unions; the Palmer raids; the Sacco and Vanzetti case; the Plumb plan for the railroads; the La-Follette Progressives; the budding labor bank development; the new developments in co-operation; the struggle for public power and against monopoly controls; the meaning of the "new capitalism," and the forces back of the Wall Street crash.

#### *The depression years, 1930-38*

In the late twenties, when many economists and businessmen were predicting that the "new capitalism" had found the key to an era of permanent prosperity, many a collegian felt that his future was secure, and that most of the social problems raised by the league were on the way to immediate solution.

Hardly, however, had they arrived at this conclusion than the United States found itself in the midst of the greatest depression in the history of the country, a situation which led to the increasing discussion throughout the country of whether the capitalistic order would survive; what type of cooperative order might be possible and desirable; and, more immediately, the need for social insurance, public works, collective bargaining and other New Deal measures to put an end to the depression.

Ways and means of developing trade and industrial union organization among the great corporations of the country also came in for much discussion. Tens of thousands of college men and women and members of the professions found themselves facing long periods of unemployment or semiemployment, and college interest in the message of the league greatly increased.

Walter P. Reuther, organizer and president of the Wayne University chapter of the league, in 1932 declared, "One of my first activities in the LID was to lead one SLID chapter of which I was chairman in the picket lines of the Briggs' strike of 1932."

The problem of the rising fascism of the thirties was likewise a serious concern to both student and city chapters, and the student LID prepared a pamphlet in 1935 on "Italian Intellectuals Under Fascism." At that early time it recognized that a fascist regime spelt the near death of intellectual life. Columbia students during that period also challenged the reception of 350 Italian students sent to the United States by Mussolini.

In the depression years of this decade, the LID engaged in a number of new projects. Under the leadership of Mary Fox, the league issued a pictorial magazine, the Unemployed, which sold hundreds of thousands of copies. It investigated the unemployed relief situation, and organized committees in New York, Chicago and elsewhere with a view of making that relief more adequate. It pioneered in urging a concentrated Federal attack upon the social evils of that period, and pleaded for a program of social security which later materialized in some of the measures of the New Deal.

In two series of broadcasts from coast to coast on the problems of the New Deal, under the auspices of the LID, Thurman Arnold, Roger Baldwin, John Dewey, Morris Ernst, Harry W. Laidler, Bishop Francis J. McConnell, Wesley C. Mitchell, Reinhold Niebuhr, Norman Thomas, Rexford G. Tugwell, and many others critically evaluated the Government's program.

During the early 1930's, Mary Fox and Mary Hillyer, among others, organized an LID lecture series in from 40 to 50 cities in the East, South, and Middle West, in each of which 6 to 8 distinguished speakers addressed in an integrated program audiences from 200 to 800. Discussion outlines were used to make the course more valuable to those attending.

The league's challenging and valuable pamphlet program was continued. A 6-week summer school for training young college people for organizing and other union work was initiated. For many years following, students attended LID summer schools. Many young men and women trained in this fashion became active leaders in civic, labor, and cooperative movements. An Emergency Committee for Strikers' Relief was organized under the chairmanship of Norman Thomas and the secretaryship of Reinhold Niebuhr, with John Herling as able assistant.

The LID helped to mobilize public opinion against the attacks on civil liberties, as involved in the Tampa, Herndon, and Scottsboro cases. By published pamphlets and by meetings, the league fought to improve the conditions of southern sharecroppers. "The Plight of the Sharecroppers" by Norman Thomas had an excellent sale.

The doctrine of economics of abundance versus the scarcity theories of the classicists was likewise being discussed in LID lectures, books, and pamphlets. "The LID dares to believe that industrial civilization can be made to provide an abundant life for all. Only, we must develop a social control equal to the highly complex and interdependent technical structure we have built."

Stuart Chase, in his inimitable style, in the pamphlet, "Poor Old Competition," published in 1932, declared, "The doctrine of free competition is about in the condition of the enterprising young man:

"There was a young man who said, 'Why Can't I look in my ear with my eye?  
If I put my mind to it,  
I'm sure I can do it.  
You never can tell till you try!'"

Free competition, Chase said, "sets up an ideal which never has worked, never can work, and is utterly contrary to human behavior."

The developed consciousness of the evils inherent in totalitarianism, as envisaged in Italy's fascism, in Germany's nazism, and in Russia's communism, as we maintained, resulted in much soul searching by LID authors. Norman Thomas and Joel Seidman wrote a meaty and scholarly pamphlet on "Russia—Democracy or Dictatorship?" Prof. Morris R. Cohen in an article, "The Intellectual Basis of Individualism," writes, "How to combine the principles of collectivism with the principles of individualism is a problem which varies in different situations, at different times and places. Collectivism and individualism have been fighting faiths. We must have principles in order to have programs, and to follow a given direction rather than get lost, and wander aimlessly, but we must not follow a principle to destruction—that is the essence of fanaticism."

In his pamphlet "Public Ownership Here and Abroad," Harry W. Laidler discussed the question of managerial efficiency and democratic control. "The best friend of public ownership," declared Laidler, "is not he who shuts his eyes to present defects, but he who, with a profound faith in industrial democracy, takes up one by one these administrative questions, and gives his best contribution to their solution." He felt that this clear, wise thinking might create a public ownership that held out to humanity the elimination of competitive wastes, fairer distribution of wealth, democratic controls, the strengthening of nonprofit incentives, and the expansion of the use of commodities and services most conducive to human welfare.

#### *The LID, 1940, 1955*

The June 1940 conference of the league had as its topic, "Rethinking the Problems of Social Change." A report issued in connection with this conference voiced the belief that, if democracy was to be preserved under a cooperative order, "workers, technical, and administrative staffs and consumers should be adequately and democratically represented in the management of publicly owned industry; that voluntary cooperative industry and private ownership should be retained under a collectivist order; that public industries should be decentralized as much as is compatible with social efficiency; that consumers' choice should be free, and that people should be continually made to realize that not mere productivity, or the glory and the power of the rulers of the state, but the maximum of development of the great mass of individuals living in the community should be the primary social good."

In 1943 the constitution of the league was modified to express the purpose of the organization as "education for increasing democracy in our economic, political, and cultural life." Economic democracy became the dominant note. Dr. Laidler presided at a roundtable discussion on "Postwar Planning and Full Employment" at the Summer Institute of Social Progress at Wellesley. A New York conference thoroughly explored the question of "The Third Freedom—Freedom From Want." "Free Enterprise and Full Employment" was the topic of the 1945 spring conference. The more recent conferences have discussed such challenging questions as "Needed: A Moral Awakening in America"; "The Crisis in American and World Resources"; "How Free Is Free Enterprise?" and "The Next 50 Years."

LID members have had opportunities to hear the most thoughtful leaders of liberal forces, both foreign and American, during these years. Among those from abroad were

Mr. M. J. Coldwell of the CCF of Canada; Walter Nash, New Zealand deputy premier; Minister Trygve Lie, Secretary General of the U.N.; Dr. Jan Masaryk of Czechoslovakia; and members of the British Parliament: Margaret Bondfield, Sir Stafford Cripps, Jennie Lee, Margaret Cole, Arthur Creech Jones, Bertrand Russell, and Donald Chapman. Labor leaders of the United States who addressed the league included William Green, George B. Meany, Walter Reuther, and David Dubinsky, Julius Hochman, James B. Carey, A. J. Hayes, and Mark Starr. Wallace J. Campbell, Jerry Voorhis, and others reported on consumer cooperatives, one of the many facets of LID interests. An alertness course for New York teachers, organized by Mina Weisenberg, had as lecturers Lewis Corey, Harry Elmer Barnes, Paul U. Kellogg, Arthur Feller, James G. McDonald, Bruce, Bliven, Harold Rugg, Abraham Epstein, and Peter Drucker, among others.

Research and education through lecture series and pamphlets have continued. Concise, authoritative material has been widely influential in opening new frontiers in thought. Among the topics of research have been housing, social security, transportation, labor relations, power, medical care, co-operation, race problems, economic planning, and the role of progressives in an atomic age.

Katrina McCormick Barnes has been a tireless, inspirational pamphlet secretary.

The pamphlet literature of the last few years has been excellent and well received. Dr. Laidler's "A Brief History of Socialism in the United States" has been used in numerous colleges. Over 90,000 copies of "The Forward March of American Labor" by Joseph Glazer and Theresa Wolfson have been ordered by trade unions and schools. The pamphlet by Seymour E. Harris on "National Health Insurance and Alternate Plans for Financing Health" is a unique, pioneering job of acquainting Americans with this serious problem. Robert J. Alexander's treatise, "World Labor Today," presents encyclopedic information on trade union movements of many lands. The "Taft-Hartley Act in Action" has been an extremely influential work in collegiate and union circles. Norman Thomas' "Democratic Socialism: A New Appraisal" has been widely circulated. The 1954 LID pamphlet "How Free Is Free Enterprise?" sums up the findings of a recent conference.

Cooperation with other organizations have extended LID influence. The league frequently sends representatives to attend meetings called by associations for some specific purpose, in reference to housing, civil liberties, social security, education, etc. Mrs. Isabelle B. Friedman, as LID delegate to the AAUN (American Association for the United Nations) and to the NGO (Non-Governmental Organization of the U.N.) has worked zealously to educate the public to the importance of the United Nations if a world of peace and security is ever to be attained. Mina Weisenberg represents the LID in the Coordinating Committee of the Public Education Association.

The league has had chapters in many cities, but the most active one has been that in New York. Among those serving as presidents of this chapter have been Dr. Reinhold Niebuhr, Rev. John Paul Jones, Prof. LeRoy Bowman, Carl Rachlin, Benjamin Naumoff, and Isabelle B. Friedman. During the past few years the New York chapter organized interesting field trips, such as the visit to the Wiltwyck School, where Dr. Ernst Papanek acted as host, followed by a reception by Mrs. Eleanor Roosevelt at Hyde Park. Many meetings on timely topics have been held at the home of Adelaide Schuilkind and Walter Frank. New York chapter citations have been bestowed upon Charles Abrams for his work on housing; upon Prof. George S.

Counts and Dr. Abraham Lefkowitz for outstanding services in education; and on Norman Thomas, onetime coexecutive director of the league, in honor of his 70th birthday and for his 50-year career as a tireless, courageous worker for peace, democracy, and human brotherhood.

In recent years the LID has made a practice of granting annual awards for outstanding services to the Nation. Among the recipients of the awards have been Trygve Lie, then U.N. Secretary General; Senators Hubert H. Humphrey, Herbert H. Lehman, and Wayne Morse; David Dubinsky, president of the ILGWU; William Green and George Meany, presidents of the A.F. of L.; Philip Murray, president of the CIO; Ralph J. Bunche; Oscar L. Chapman; and Eleanor Roosevelt. It is fitting that the 1955 award was given to Dr. Harry W. Laidler.

John Dewey awards to former LID student leaders have honored Walter P. Reuther, CIO president; Senator Paul H. Douglas; Dr. Selman A. Waksman; Leland Olds; Prof. Sidney Hook; Paul R. Porter; Clarence Senior; Felix Cohen (posthumous); and Prof. Theresa Wolfson.

#### *The student LID, 1930-55*

Unfortunately, the continuity of college organization was interrupted in the thirties. Over a hundred chapters had been vigorously active under the leadership of Joseph Lash, Monroe Sweetland, George Edwards, and others. The student LID had published a magazine, "Revolt," later called "The Student Outlook," with contributions by Sidney Hook, Herman Wolf, Arnold Beichman, and many others. Work for peace, for aiding underground activities in Fascist countries, for preserving civil rights, for strike aid—all these were of interest to the young collegians. But the young people could not resist the increased pressure and clamor for unity resulting from the Communist Party's popular front line. With great reluctance and against the advice of the general organization, the autonomous student LID gave up its identity and its connection with the LID, and merged with other youth groups to form in 1935 the American Student Union.

The college men and women were soon to learn the lesson that many other sad liberals had learned previously—that you can co-operate with Communists only by accepting their line and leadership. After 5 years of contention, a final blow, the Soviet invasion of Finland, caused a split which broke up the ASU.

Summer institutes for college students were organized by the LID in the forties, and Dr. Joel Seidman and Dr. LeRoy Bowman, as has been mentioned, were sent as lecturers to universities throughout the country, but it was not until the postwar period that LID chapters were again established, with Jesse Cavalier, James Farmer, Harold Lewack, and James E. Youngdahl as members of SLID staffs.

The 1947 constitution of the SLID effectively stopped all further cooperation with Communists. It reads: "Membership in the SLID is confined to young people who believe in education for economic, political, and cultural democracy, who believe in the democratic way of life as a means and a social goal. By virtue of the democratic aims of the league, advocates of dictatorship and totalitarianism, and of any political system that fails to provide for freedom of speech, of press, of religion, of assembly, and of political, economic, and cultural organizations; or of any system that would deny civil rights to any person because of race, color, creed, or national origin are not eligible for membership. Nor are those eligible whose political policies are wholly or largely determined by the policies laid down by the leaders of a foreign government."

The college chapters have reflected many of the problems dividing liberals during the

last 10 years, making it difficult to organize and to maintain them at times. However, a number of vigorous, active groups have been functioning. At present James Farmer, a graduate of Wiley College and of Howard University and formerly the national chairman of the Congress of Racial Equality, is doing an outstanding lecturing job as student field secretary aided by a student executive committee, of which Jerome Breslaw was the 1954-55 chairman. In 1955, the Yale chapter, the John Dewey Society, under the leadership of Andre Shifrin, constituted the SLID's banner chapter.

Harold Lewack has written a well-documented "Brief History of the SLID." In the last section, which he calls "Operation Bootstrap" he declares, "The efforts of certain legislators to cancel the social gains of the thirties and forties, and the activities of Senator McCarthy, have aroused many students on the campus, and have led to an increased interest in the educational program of the SLID."

The LID has had distinguished presidents. The first president, Robert Morss Lovett, was succeeded in 1940 by the great American philosopher, John Dewey. Successively, Elizabeth Gilman, leader in race relations organizations; Dr. Bjarne Braatoy, author and at one time professor of government at Haverford College, and Mark Starr, educational director of the ILGWU, have headed the organization. Since 1948, Nathaniel M. Minkoff, secretary treasurer of the joint board of the ILGWU, A.F. of L., has been league president. Under his leadership, great strides have been made in LID-labor union co-operation.

#### *Some educational achievements*

For 50 years the LID has emphasized the need for democratic values in the field of economics as well as in politics.

Of the league's educational work in the college field in the past, Prof. George S. Counts has the following to say:

"Since its founding in 1905, the League for Industrial Democracy, in my opinion, has done more than any other organization in arousing the social conscience and advancing the political understanding of students in our colleges and universities. From the beginning it has opposed all forms of bigotry, obscurantism, and totalitarianism and remained true to the inscription on its masthead, 'Education for increasing democracy in our economic, political, and cultural life.' It is dedicated without reservation to that sublime faith in the human mind which is the foundation of foundations of free society in all ages."

The league has developed closely integrated relations with the labor and the cooperative movements. The value of the scholarly research and the publications of the league, and their influence on public understanding, attitudes, and legislation have been monumental.

A good friend of the league, David Dubinsky, president of the ILGWU, warmly commends the work of the LID. He says:

"The unions need the men and women of education. We need their skills, as writers, economists, educators, researchers, engineers, lawyers. I also see the liberal intellectual as a sort of a vital unifying force through which labor can convey its aspirations to other sections of the population: teachers, preachers, artists, authors, philosophers."

It is a wondrous thing to realize how many of the early pioneer members of the ISS-LID, have materialized into practical, accepted policies and activities of American society during these years. Who could have anticipated that the labor legislation, social security, public housing, pleading for which the league felt at times like a voice crying out in the wilderness, would now be commonplace public policies? Increased public health, educational and employment services have

greatly improved the amenities of industrial living. There has been a healthy, continuous growth in trade-union membership.

For 50 years the LID, under the capable leadership of Harry W. Laidler and others, has preached, taught, analyzed, and fought to make the American dream a reality. It has organized thousands of meetings, published, and distributed millions of copies of its books and pamphlets, addressed countless numbers of people directly and through radio and television. To what extent the LID is responsible for the social gains already realized cannot be measured. That the society was one of the responsible, effective agencies that initiated actions and created public opinion for achieving these results cannot be denied.

The work of the ISS-LID in stirring youth to keen thinking, idealistic hopes and courageous, constructive actions has had its effect in all fields of American life. The roster of the past college chapter leaders and members who have become renowned in their own fields is long and honorable. Who can weigh the impact of an educational organization on an individual? All the LID can say is: We in the LID proudly point to these leaders—they have listened to our lectures, read our pamphlets, heard our arguments for social betterment, been moved by the impassioned pleading, stimulated by the keen analyses of LID organizers, and have joined with us to work for a better world.

#### THE NEXT 50 YEARS

What is the role of the LID in the years ahead?

As in the past, the LID must forthrightly protest Communist colonialism. The league must study aids to dependent peoples everywhere to achieve freedom and democracy, and, to quote an address of President George Meany of the AFL, at the 49th annual conference, must seek "to increase the productivity and purchasing power of millions of people in the nontotalitarian world, and to eliminate the obstacles to trade in this free area."

The fear of international communism, which has engendered a fear of being different, has created a problem for LID college leaders and student organizers. They must stand in the forefront in the struggle to impress upon youth the need to seek the truth with integrity, to oppose bigotry, to join courageously in the struggle against ruthless, arbitrary attacks against personal liberties.

The free enterprise economy of the past century has ceased to exist and with it the laissez-faire policies of the past eras lie buried. What has emerged in America may be termed a mixed economy, characterized by big corporations, powerful trade unions and regulatory government controls that are more or less effective. The league, as in the past, will study the industrial situation and formulate programs for the maintenance of a stable prosperity and full employment.

We cannot foresee all the social and economic consequences of an atomic age. But we must be prepared to study and to meet these problems as they arise.

There have been breathtaking changes in industry in the last few years. The public mind must be educated to the significance of automation and cybernetics. More and more laborers are becoming engineers or junior engineers. Service workers are rapidly increasing in number in comparison with old-time skilled and unskilled labor. Unions are reorienting their administrative machinery for future effectiveness. New democratic techniques must be developed to assure efficiency without bureaucracy.

The phenomenal growth of labor unionism and labor power in 50 years has been a source of profound satisfaction to the LID. As in the past the league must call upon its skilled

researchers, analysts, and writers to cooperate with the trade unions in formulating programs for dealing not only with the problem of automation with which mature powerful unions are concerned, but with many other problems as well.

How should unions handle their vast health and welfare funds so as to provide social betterment for their members and the community? How can large unions function democratically so as to preserve the rights of individuals? How can a guaranteed annual wage be gained, while at the same time avoiding untoward economic consequences? What are the human relations problems of workers in an age of cybernetics—trainings for early retirements, cooperation with community civil and political activities, etc.? How can trade-union collective bargaining rights be gained and used by the increasing mass of government employees? All these questions and others must be a matter of study for scholarly economists.

"Democracy," in the words of Dr. Laidler, "faces still other unfinished tasks. Vast economic power is still concentrated in the few. Powerful lobbies are at work seeking to alienate from the people a vast public domain; to undermine our labor and social legislation; to destroy our public power, atomic energy, and housing programs; to curtail needed educational and health services, and to deny equal rights to minority groups.

"Our unemployment problem is still far from solved. Our Bill of Rights is under constant attack. Freedom of inquiry and teaching is still restricted in many educational institutions. Political corruption still persists in city, State, and Nation. Smeared and innuendo still serve as a substitute for facts, reason, and understanding in a host of political arenas. Isolationism and extreme nationalism still weaken and confuse our leadership in world affairs. And we have still seriously to plan for the full democratic use of our material and human resources for the common good."

In these fields the 50-year record of the LID inspires confidence for future achievements. The LID has the know-how for systematic study, for research, and for thoughtful recommendations for practical solutions of social and economic problems.

The League for Industrial Democracy must continue its honorable career as an educational force. It must create increasing understanding of the new powers, economic, political, and cultural, in the world today. It must continue to impress upon the American people the eternal values of democracy in all phases of our common life.

#### SOME LEAGUE COOPERATORS (1905-55)

Among the leaders of ISS-LID college chapters:

Harry W. Laidler, founder, 1905, Wesleyan ISS; board of directors of LID since 1905; executive officer ISS-LID since 1910; author, economist, lecturer.

Walter R. Agard, president, Amherst ISS, 1914-15; professor of classics, University of Wisconsin; president, American Classical League.

James W. Alexander, former president, Princeton ISS; executive committee and treasurer, ISS, 1920-21; noted mathematician.

Devere Allen, former president, Oberlin ISS; board of directors, LID, 1939-44; director and editor, Worldover Press.

Harold Arnold, Wesleyan ISS; late director of research, Bell Telephone Laboratories (deceased).

Gregory Bardacke, former student leader, Syracuse University, LID; board of directors, LID (1955-); director, American Trade Union Committee for Histadrut.

Murray Baron, member, Brooklyn Law School SLID; board of directors, LID, 1940-; public relations consultant; chairman, Manhattan Liberal Party.

Thomas S. Behre, secretary, Harvard ISS; New Orleans businessman, active in liberal movements (deceased).

Daniel Bell, member SLID; board of directors, LID, 1948-; labor editor, Fortune magazine; author, economist.

John K. Benedict, member Union Theological Seminary SLID; formerly field secretary; LID.

Walter Bergman, formerly of Michigan ISS; director of research, Detroit Public Schools.

Otto S. Beyer, former president, University of Illinois ISS, 1917; labor arbitrator and consultant; former Chairman, National Mediation Board (deceased).

Andrew J. Biemiller, former secretary University of Pennsylvania and Philadelphia chapters, LID, 1928-32; Congressman, 1944-56; legislative committee, A.F. of L.

Carroll Binder, president, 1916, Harvard ISS; editorial editor, Minneapolis Tribune.

George H. Bishop, officer, University of Michigan ISS, 1911; faculty, Washington University (St. Louis).

Hillman M. Bishop, former president, Columbia SLID; associate professor of government, CCNY.

Julius S. Bixler, former secretary, Amherst ISS; president, Colby College.

Bruce Bliven, president, Stanford ISS, 1910-12; editorial director, New Republic.

Hyman H. Bookbinder, former student leader, SLID; former New York executive committee, LID; political researcher, CIO.

Randolph Bourne, former Columbia ISS; essayist (deceased).

Leroy E. Bowman, board of directors, LID, 1940-; field secretary, 1940-41; associate professor of sociology, Brooklyn College.

Robert A. Brady, former University of California SLID; economist.

Jerome Breslaw, NYU chapter, SLID; chairman, SLID (1954-55).

Paul F. Brissenden, University of California ISS; board of directors, LID, 1923; professor of economics, Columbia University.

Thomas Brooks, Harvard SLID; research staff, TWUA.

Heywood Broun, a founder, Harvard Socialist Club, 1906; board of directors, LID, 1933-34; columnist; author (deceased).

George Cadbury, University of Pennsylvania SLID; board of directors, LID, 1953-; economic consultant.

Maurice S. Calman, organizer of ISS chapter, New York School of Dentistry (1911) and NYU School of Law; former Socialist alderman, New York City; past president Harlem Dental Society.

Wallace J. Campbell, former president, University of Oregon SLID; board of directors LID, 1940, 1945-48; national council since 1948; Washington representative, Co-operative League of U.S.A.

Jesse Cavileer, former president, Syracuse University SLID; student secretary, SLID; board of directors, 1947-49; National Council LID, 1949-; Unitarian minister, Cleveland, Ohio.

E. Ralph Cheyney, president, University of Pennsylvania ISS; poet (deceased).

Alice Cheyney, formerly president, Vassar ISS; labor economist.

Evans Clark, president, Amherst ISS, 1910; president and vice president, ISS and LID, 1918-23; director, Twentieth Century Fund, 1928-53; editorial writer.

Everett R. Clinchy, member, Wesleyan SLID; president, National Council of Christians and Jews.

Ramon P. Coffman, formerly Yale SLID; founder of Uncle Ray Syndicate.

Felix S. Cohen, president, CCNY LID, 1925-26; former Assistant Solicitor, Department of the Interior, in charge of Indian Affairs; author; teacher; lawyer (deceased); lecturer in philosophy of law, CCNY, Yale; recipient of LID, John Dewey Award, posthumous, 1954.

Cara Cook, Mount Holyoke SLID; board of directors, LID, 1950—; executive secretary, New York Ethical Culture Society.

Elmer Cope, Ohio Wesleyan SLID; labor economist.

Babette Deutch, member, Barnard ISS, 1917; poet.

Leonard W. Doob, member, Dartmouth College SLID; professor of psychology, Yale.

Paul H. Douglas, president, Columbia ISS, 1915; executive commissioner ISS, 1915-16; economist; U.S. Senator.

Tilford Dudley, Wesleyan SLID; assistant to president, PAC-CIO.

Evelyn Dubrow, formerly New Jersey College for Women SLID; secretary, New York ADA.

George Edwards, formerly president, Harvard SLID; former field secretary, SLID; judge of court of domestic relations, Detroit.

Ethan E. Edloff, formerly University of Michigan ISS and Detroit LID; educator.

Gustav Egloff, president, Cornell ISS, 1910-12; leading American chemist.

Samuel A. Elliot, Jr., former Harvard ISS, 1912; professor of English, Smith College.

Herbert L. Elvin, Yale SLID; director, Department of Education, UNESCO.

Boris Emmet, officer, University of Wisconsin ISS, 1911; labor statistician.

Abraham Epstein, former president University of Pittsburgh ISS; board of directors, LID, 1940-41; founder and former secretary, American Association for Social Security; authority on social insurance (deceased).

Harold U. Faulkner, Wesleyan ISS, 1913; national council, LID; professor of history, Smith College; authority on economic history.

William M. Feigenbaum, founder, 1906, of Columbia University ISS; newspaperman (deceased).

Samuel H. Fine, active in New York University SLID; former chairman, SLID; board of directors, 1952-54; accountant, ILGWU.

Osmond Fraenkel, president, Columbia ISS (1910); New York attorney; counsel, ACLU.

Anna Caples Frank, Vassar SLID; former membership secretary, LID; public relations counselor.

Isabelle B. Friedman, Hunter College ISS; board of directors, LID, 1951—; president, New York chapter, 1954-55; representative of LID at NGO of U.N.

Samuel H. Friedman, formerly leader CCNY ISS chapter; former president, New York chapter, LID; board of directors, LID, 1953—; president, Community and Social Agency Employees Union; Socialist leader.

Roland Gibson, formerly with Dartmouth College SLID; formerly board of directors, LID; political scientist, University of Illinois.

Louis Gollumb, leader, CCNY ISS, 1912; writer.

William Gomberg, CCNY SLID chapter; director, Management Engineering Department, ILGWU.

John Temple Graves, officer, Princeton ISS, 1911; author, columnist, lecturer.

Robert Halpern, president, CCNY chapter, LID; New York attorney.

William Haber, University of Wisconsin SLID; professor of economics, University of Michigan.

Elizabeth Healey, formerly Connecticut College; student secretary, SLID, 1947-49; social worker.

James Henle, vice president, Columbia ISS; president, Vanguard Press, 1928-52.

John Herling, formerly Harvard SLID; formerly active in Emergency Committee for Strikers Relief and in LID radio activities; editor, John Herling's Labor Letter.

Sidney Hertzberg, Wisconsin SLID; board of directors, LID, 1945—; writer; foreign correspondent.

Rene E. Hogue, former Harvard chapter ISS; former president New York chapter, businessman.

Arthur N. Holcombe, Harvard chapter, ISS, 1906; professor of government, Harvard; president, American Political Science Association, 1936.

Carroll Hollister, Amherst College, SLID; pianist.

Sidney Hook, president, City College of New York chapter, SLID, 1922-23; receiver, LID John Dewey Award, 1953; chairman, department of philosophy, New York University; author.

Harold Hutcheson, Yale SLID; professor of English, Lake Forest College.

Eugenia Ingerman, secretary, Barnard ISS, 1910; physician.

Morris Iushewitz, Milwaukee State Teachers College, SLID; board of directors, LID, 1951—; secretary-treasurer, New York City CIO Industrial Council.

Nicholas Kelley, charter member, Harvard ISS; board of directors, LID, 1912-33; vice president and general counsel, Chrysler Corp.

Murray Kempton, member LID summer school, 1938; board of directors and national council, LID, since 1951; columnist.

Freda Kirchwey, secretary and president, Barnard ISS, 1912-15; former board of directors, LID; publisher, the Nation.

William Klare, officer, University of Michigan ISS, 1911; former vice president, Statler Corp.

Maynard Krueger, University of Pennsylvania and Philadelphia chapters, LID, 1928-32; professor of economics, University of Chicago.

William Sargent Ladd, Amherst ISS; former dean, Cornell Medical (deceased).

Joseph P. Lash, former secretary, SLID; U.N. correspondent, New York Post.

John P. Lassoe, Jr., Yale SLID; director of adult education, A.A.U.N.

William L. Leiserson, president, University of Wisconsin ISS, 1907-8; economist, former chairman, National Mediation Board.

Daniel Lerner, former New York University SLID; author; authority on psychology of propaganda.

Max Lerner, Brookings Institution SLID at Washington University (St. Louis); columnist; teacher; writer.

Aaron Levenstein, member, SLID; national council, LID; Research Institute of America; author.

Grace Mendelsohn Levy, former Brooklyn College SLID, and secretary, SLID; staff, New York City Housing Authority.

Harold J. Lewack, officer, New York University LID; national president, SLID, 1954; labor educator.

John L. Lewine, Yale SLID; executive committee, New York chapter; teacher; secretary, American Institute of France.

John F. Lewis, Jr., former University of Pennsylvania ISS; Philadelphia lawyer and civic reformer.

Marx Lewis, New York University SLID; board of directors, LID, 1945—; secretary-treasurer, United Hat, Cap & Millinery Workers Union.

Walter Lippmann, president, Harvard Socialist Club, 1909-10; executive committee, ISS, 1911-12; columnist; author.

Karl N. Llewellyn, former Yale SLID; professor of law, University of Chicago; author.

Charlotte Tuttle Lloyd, former president, Vassar SLID; former attorney, Department of the Interior.

Roger S. Loomis, formerly University of Illinois ISS; professor of English literature, Columbia University.

Jay Lovestone, president, City College of New York ISS; director, international relations, ILGWU.

Isador Lubin, former president, Clark and University of Missouri ISS; labor statistician; industrial commissioner, New York State.

Jerome Lubin, Brooklyn College SLID; former chairman, SLID; city planner.

Charles Luckman, secretary, Kansas City Junior College SLID; former president, Lever Brothers; architect.

Kenneth MacGowan, president, Harvard ISS, 1910-11; professor of theater arts, UCLA; dramatic critic; movie producer.

Charles A. Madison, president, University of Michigan ISS; publisher; author.

Anita Marburg, Vassar ISS; educator.

Otto C. Marckwardt, adviser, University of Michigan ISS for many years; English department, University of Michigan.

Will Maslow, active in SLID; director, Commission on Law and Social Action, American Jewish Congress.

Ralph McCallister, member SLID; director, program and education, Chautauqua.

Arthur McDowell, University of Pittsburgh; staff, Upholsterers International Union of North America.

Daniel Mebane, former president, University of Indiana ISS; former treasurer and publisher, New Republic.

Kenneth Melklejohn, former Swarthmore SLID; specialist in labor law.

Inez Milholland, president, Vassar ISS; lawyer (deceased).

Spencer Miller, Jr., Amherst ISS; former secretary, Workers Education Bureau and Assistant Secretary of Labor.

Hiram K. Moderwell, secretary, Harvard ISS, 1911; foreign correspondent; dramatic critic (deceased).

Emanuel Muravchik, member, SLID; board of directors, LID; field secretary, Jewish Labor Committee.

Margaret J. Naumberg, president, Barnard ISS, 1910; educator.

Leland Olds, formerly Amherst ISS; receiver of John Dewey Award, LID, 1953; former Chairman, Federal Power Commission.

Samuel Orr, New York University, ISS; executive commissioner, New York chapter, 1954—; former judge; labor lawyer.

Gus Papanek, formerly Cornell SLID; chairman, SLID, 1952; agricultural consultant, Pakistan.

Talcott Parsons, secretary, Amherst SLID, 1923-24; professor of sociology, Harvard; author.

Selig Perlman, University of Wisconsin ISS, 1909-10; professor of economics, University of Wisconsin; author.

Irving Phillips, formerly Harvard SLID; former field secretary, SLID; staff, ILGWU.

Richard Poethig, formerly Wooster SLID; former secretary, SLID; minister.

Justine Wise Polier, formerly Barnard SLID; justice, Court of Domestic Relations, New York City.

Paul R. Porter, formerly Kansas University SLID; former field secretary, LID; former Deputy Administrator, ECA, Europe; president, Porter International Corp.

Dorothy Psathas, Connecticut College SLID; secretary, SLID, 1951-52; public service.

Carl Raushenbush, Amherst ISS; former board of directors, LID; national council; labor economist.

H. S. Raushenbush, Amherst ISS, 1916-17; secretary, LID, committee on coal and power, 1926-29; author; researcher, Public Affairs Institute.

Paul Raushenbush, former Amherst ISS; economist.

Victor G. Reuther, formerly Wayne University SLID; board of directors, LID, 1950—; assistant to president, CIO.

Walter P. Reuther, founder and president, Wayne University SLID, 1932; receiver of league's John Dewey Award, 1950; president, CIO; president, UAW-CIO.

John P. Roche, formerly Cornell SLID; vice president, SLID; board of directors, 1948; associate professor of government, Haverford College.

Will Rogers, Jr., formerly Stanford University SLID, 1934-35; editor; actor.

Lawrence Rogin, formerly Columbia University SLID; educational director, TWUA.  
Leonore Cohen Rosenfeld, formerly Mount Holyoke SLID; housewife.

Henry Rosner, formerly College of the City of New York, SLID; director, Division of Finance and Statistics, Welfare Department, New York City.

Harry Rubin, New York University SLID; board of directors, 1948-52.

Morris H. Rubin, Wisconsin University SLID; editor, Progressive magazine.

Raymond Rubinow, University of Pennsylvania SLID; consultant on international relations.

David J. Saposs, president-secretary, Wisconsin University ISS, 1910; labor economist; author.

Emil Schlesinger, former president, College of the City of New York SLID, labor attorney.

Laurence Seelye, Amherst ISS; former president, St. Lawrence University.

Clarence Senior, University of Kansas SLID; board of directors, LID; receiver of John Dewey Award, 1953; sociologist; authority on Latin America.

Andre Shifrin, Yale Chapter, 1954-55; executive commissioner, SLID.

William Shirer, formerly secretary, Coe College SLID; author; correspondent.

David Sinclair, Wisconsin University SLID; formerly New York executive commissioner; physicist.

Albert J. Smallheiser, former secretary, Columbia ISS, 1911-12; social science teacher and active spirit in New York Teachers Guild.

Tucker Smith, New York University ISS; economist.

Boris Stern, University of Wisconsin ISS; staff, U.S. Department of Labor.

Irving Stone, formerly officer, University of Southern California, SLID; novelist.

Ordway Tead, president, Amherst ISS, 1911-12; research director, LID, 1914-15; teacher; publisher; author; former chairman, Board of Higher Education, New York City.

Lazar Teper, Johns Hopkins SLID; research director, ILGWU.

Monroe Sweetland, formerly Syracuse University, SLID; former field secretary, SLID; national council; editor, Oregon Democrat.

Frank Trager, Johns Hopkins University LID; board of directors, LID, 1951-; former Director, MSA, Burma, professor of research, New York University.

Gus Tyler, City College of New York-SLID; political director, ILGWU.

Jerry Voorhis, formerly Yale LID; secretary, Cooperative League of United States of America.

Selman A. Waksman, secretary, Rutgers University chapter, 1914-15; receiver of John Dewey award, LID, 1953; codiscoverer of streptomycin.

James Wechsler, Columbia SLID; editor, New York Post.

Ray B. Westerfeld, secretary, Yale ISS; economist, banker.

Mina Weisenberg, Hunter College ISS; board of directors, 1954-55; secretary, New York chapter LID; treasurer, New York teachers guild, AFL; teacher of social studies.

Nathaniel Weyl, Columbia SLID; writer, economist.

Alvin G. Whitney, president, Yale ISS, 1910-11; forester.

Elsie Gibson Whitney, Middlebury College ISS, 1914; publicist.

Simon W. Whitney, formerly Yale SLID; economist.

Paul Willen, founder, Oberlin College SLID; writer.

Chester Williams, University of California, Los Angeles-SLID; writer, lecturer on international relations.

David Williams, president, Marietta College, ISS, 1909-10; Unitarian minister.

Frank Winn, formerly University of Michigan, SLID; editor, UAW-CIO magazine.

Theresa Wolfson, former president, Adelphi College ISS; board of directors, LID, 1944-; receiver of LID John Dewey award, 1945; professor of economics, Brooklyn College; author.

James Youngdahl, Washington University SLID; field secretary, SLID, southwestern organizer, ACWA.

Gertrude Folks Zimand, president, Vasser ISS, 1917; secretary, National Child Labor Committee.

Milton Zatinsky, former member, SLID; labor economist.

#### A FEW OTHER COOPERATORS—PAST AND PRESENT

Leonard D. Abbott, signer of call to ISS; editor, writer (deceased).

Charles Abrams, board of directors, LID, 1954-55; housing expert; New York State administrator of rent control, 1955.

Luigi Antonini, board of directors, LID since 1951; first vice president, ILGWU.

Jesse Ashley, executive committee, ISS, 1912-13; 1917-18; New York attorney; professor of law; feminist (deceased).

George E. Axtelle, board of directors, LID, 1954-55; professor of education, NYU.

Fern Babcock, board of directors, LID, 1946-55; program coordinator, national council, YWCA.

George Backer, board of directors, LID since 1953; businessman; editor; former president, ORT.

Hope S. Bagger executive committee, New York chapter, LID; author.

Emily G. Balch, executive committee, ISS, 1919-20; winner of Nobel Peace Prize (1946).

Roger Baldwin, board of directors, LID, 1920-23; director, ACLU, 1917-52; chairman of board, International League for the Rights of Man.

Angela Bambace, national council, LID; staff, Baltimore ILGWU.

Solomon Barkin, board of directors, LID since 1953; director of research, TWUA.

Benjamin W. Barkas, former chairman, Philadelphia chapter, LID; labor educator.

Katrina McCormick Barnes, board of directors, LID since 1953; pamphlet secretary since 1953; see ACLU.

Jack Barbash, board of directors, LID, 1947-52; national council since 1952; labor economist; author of "Taft-Hartley Act in Action," etc.

John Bauer, board of directors, LID, 1938-42; economist; writer; authority on public utilities; author, "America's Struggle for Electric Power," etc.

Charles A. Beard, faculty sponsor, ISS; historian.

Helen Marston Beardsley, national council, LID; housewife, active in peace movements.

Arnold Beichman, board of directors, LID, 1950-54; national council since 1954; press representative, International Confederation of Free Trade Unions.

Robert Bendiner, board of directors, LID, 1948-52; writer.

Nelson Bengston, board of directors, LID since 1948; investment counselor.

John C. Bennett, vice president, LID, 1954-; dean, Union Theological Seminary; author.

Victor L. Berger, guest of honor at league's Carnegie Hall meeting, 1911; Congressman; Socialist leader (deceased).

Jacob Billikoff, formerly national council, LID; labor arbitrator (deceased).

Alfred M. Bingham, cooperator, LID; writer; legislator.

Frederick C. Bird, former secretary LID, Committee on Coal and Power; director, department of municipal research, Dun & Bradstreet.

Helen Blankenhorn, board of directors, LID, 1923-24; writer.

Brand Blanshard, National Council, LID; professor of philosophy, Yale.

Paul Blanshard, field secretary and lecturer, LID, 1923-33; commissioner of investigation, New York City, 1933-37; writer, lecturer.

Harriet Stanton Blatch, former executive committee, ISS; suffrage leader.

Anita C. Block, board of directors, LID, 1923-33; lecturer, dramatic critic.

Frank Bohn, frequent lecturer for LID; writer, lecturer.

William E. Bohn, formerly active in University of Michigan ISS; formerly staff, Socialist Review, editor, new leader.

Karl Borders, former secretary, Chicago Chapter, LID; former Chief Administrator, U.N. International Children's Fund (deceased).

Louis B. Boudin, executive committee, ISS, 1917-21; attorney; authority on socialism and labor and constitutional problems (deceased).

Bjarne Braatoy, president, LID, 1940-44; board of directors, LID 1940-48; national council since 1948; author; teacher, technical consultant, German Social Democratic Party.

Phillips Bradley, board of directors, LID, since 1940; professor of government, Syracuse University.

Rae Brandstein, executive committee, N.Y. Chapter, LID, since 1954; executive secretary, National Committee for Rural Schools.

May Vladeck Bromberg, board of directors, LID, 1940-42; social service.

Robert W. Bruehre, executive committee, ISS, 1908-10; writer; labor mediator, and arbitrator.

Rosemary Bull, board of directors, LID, since 1954; publicist.

Ralph J. Bunche, receiver of LID award, 1951; winner of Nobel Peace Prize.

Elizabeth B. Butler, executive committee, ISS, 1907-8; writer on labor (deceased).

James B. Carey, national council, LID; president IUE-CIO; secretary-treasurer, CIO.  
Jennie D. Carliph, former executive committee, New York chapter; active in work for Civil Liberties.

J. Henry Carpenter, board of directors, LID, 1945-54; former executive secretary, Brooklyn division, Protestant Council (deceased).

Edmund B. Chaffee, former board of directors, LID; former director, Labor Temple, New York (deceased).

Oscar L. Chapman, receiver of LID award, 1953; former U.S. Secretary of the Interior.

Stuart Chase, treasurer, LID in the twenties; lecturer; author of "Waste and the Machine Age," etc.

John L. Childs, board of directors, LID, since 1948; professor emeritus of philosophy of education, Teachers College, Columbia; author; former chairman, Liberal Party.

Gordon R. Clapp, board of directors, LID, since 1955; former chairman, TVA; deputy administrator, New York City.

Ethel Clyde, board of directors, LID, during thirties; active in many social movements.

William F. Cochran, host of ISS at summer conference in 1916; former member national council (deceased).

Fannia M. Cohn, long member of ISS and LID; former New York executive committee, LID; secretary, education department, ILGWU.

M. J. Coldwell, vice president, LID; member, Canadian Parliament; leader of CCP of Canada.

McAlister Coleman, LID lecturer; writer; labor editor; author (deceased).

George Willis Cooke, executive committee, ISS, 1905-8; minister; writer.

Albert Sprague Coolidge, board of directors, LID; department of chemistry, Harvard; active in American Federation of Teachers and other organizations.

Jessica G. Cosgrave, executive committee, ISS, 1911-13; vice president, 1911-12; former president, Finch School (deceased).

George S. Counts, board of directors, LID, since 1954; professor of philosophy of education, Teachers College, Columbia; former chairman, Liberal Party; author.

Grace L. Coyle, national council, LID, professor, School of Applied Social Sciences, Western Reserve University; president, National Conference of Social Work (1940).

George F. Cranmore, board of directors, LID, 1944-50; assistant regional director, UAW-CIO (deceased).

Frank R. Crosswaith, frequent league lecturer; secretary, Negro labor committee; member, New York City Housing Authority.

Max Danish, former board of directors, LID; former editor, "Justice."

Clarence Darrow, signer of Call for Formation of League; labor and Civil Liberties attorney (deceased).

Maurice P. Davidson, board of directors, LID, 1946-54; national council since 1954; New York attorney; former commissioner, New York State Power Authority.

Jerome Davis, former board of directors, LID, 1936-41; author; lecturer, teacher.

Eugene V. Debs, frequent league lecturer; socialist leader (deceased).

Jerome de Hunt, former board of directors, LID; trade union and labor political leader.

Solon de Leon, former board of directors, LID; economic researcher.

Max Delson, board of directors, LID, since 1950; chairman, finance committee, since 1952; labor and Civil Liberties attorney.

Albert de Silver, executive committee, ISS and board of directors, LID, 1919-34; treasurer, 1919-20; lawyer; former director, ACLU (deceased).

John Dewey, president, LID, 1939-40; honorary president 1940-53; leading American educator and philosopher; professor of philosophy, Columbia University (deceased).

Samuel de Witt, board of directors, LID, since 1945; businessman; poet; dramatist; lecturer.

Frank C. Doan, executive committee, ISS, 1912-14; professor, Meadville Theological Seminary; writer (deceased).

T. C. Douglas, receiver of award, 1953; Premier of Saskatchewan, Canada.

David Dubinsky, receiver of LID award, 1949; president, ILGWU.

Elizabeth Dutcher, executive committee, ISS 1907-10; social worker.

Kermit Eby, board of directors, LID, 1950-54; national council, since 1954; associate professor of social sciences, University of Chicago.

Sherwood Eddy, frequent lecturer for LID; author; writer; religious leader.

John Lovejoy Elliott, former board of directors, LID; head of Hudson Guild; leader, New York Ethical Culture Society (deceased).

Henrietta Epstein, executive committee, New York chapter, 1954-55; social insurance expert.

Morris Ernst, board of directors, LID, 1923-24; lawyer; writer, attorney, ACLU.

Samuel B. Eubanks, board of directors, LID, 1949-54; National Council since 1954; former vice president, National Newspaper Guild.

James Farmer, student field secretary, LID, since 1950; lecturer, writer.

James T. Farrell, National Council, LID; novelist.

Israel Feinberg, board of directors, LID, 1950-54; former manager New York Joint Board, Cloakmakers' Union (deceased).

Louis Fischer, board of directors, LID, since 1950; writer, lecturer; author of "Life of Gandhi," etc.

Harry F. Fleischman, executive committee, New York chapter, since 1954; director, National Labor Service, American Jewish Congress.

Louise Adams Floyd, executive committee, ISS, and president, New York chapter, 1919 to early twenties (deceased).

Walter Frank, frequent host LID meetings; New York attorney; leader in civic and social movements.

Ephraim Frisch, board of directors, LID, since 1945; rabbi; former chairman, Commission of Justice and Peace, Central Conference of Jewish Rabbis.

Walter G. Fuller, board of directors, LID 1921-22; writer; editor (deceased).

A. Garrick Fullerton, executive committee, New York chapter, since 1954; economic researcher.

Zona Gale, vice president, LID, 1923-25; novelist (deceased).

Lewis S. Gannett, board of directors, LID, 1920-24; literary editor, New York Herald Tribune.

Benjamin Gebiner, board of directors, LID, since 1950; assistant secretary, Workmen's Circle.

Martin Gerber, board of directors, LID, since 1953; director, Region 9, UAW-CIO.

W. J. Ghent, secretary, ISS, 1907-10; author; editor; educator.

Charlotte Perkins Gilman, signer of Organization Call, ISS; author; feminist.

Elisabeth Gilman, president, LID, 1940-41; secretary, Christian Social Justice Fund (deceased).

Arthur Gleason, executive committee, ISS and board of directors, LID, 1918-23; president, ISS, 1920-21; vice president, LID, 1921-23; writer (deceased).

Louis P. Goldberg, board of directors, LID, since 1945; national chairman, Social Democratic Federation; New York attorney.

Maurice Goldbloom, formerly New York executive committee; writer on international and intercultural affairs.

Clara G. Goldman, National Council, LID; housewife; active in peace movements.

J. King Gordon, board of directors, LID, 1945-52; former managing editor, the Nations; on staff of U.N.

Frances A. Grant, executive committee, New York chapter, LID, since 1954; secretary, U.S. Committee of Inter-American Association for Democracy and Freedom.

Elmer E. Graham, former chairman, Detroit chapter; staff, UAW-CIO.

John H. Gray, National Council, LID; former president, American Economic Association (deceased).

Felix Gredon, former executive committee, ISS; Shavian authority; teacher.

Murray Gross, board of directors, LID, since 1950; assistant manager, New York joint board, Dressmakers' Unions.

Charles Grossman, board of directors, LID, since 1950; businessman; chairman, Reunion of Old Timers.

Harold M. Groves, national council, LID; professor of economics, University of Wisconsin.

Cameron P. Hall, board of directors, LID, 1947-49; executive secretary, Department of Church and Economic Life, National Council of Churches.

M. V. Halushka, Chicago chapter; teacher. Meyer Halushka, Chicago chapter; educator.

Rose Laddon Hanna, former executive secretary, ISS; writer; lecturer.

Donald Harrington, national council, LID; minister, Community Church, New York City.

A. J. Hayes, vice president, LID, since 1954; President International Association of Machinists.

Ellen Hayes, executive committee, ISS, 1916-17; author; Professor of Mathematics, Wellesley College (deceased).

Paul E. Hayes, board of directors, and national council, LID, since 1951; Professor of Law, Columbia University.

Timothy Healy, board of directors, LID, 1925; trade union leader.

Eduard Heimann, national council, LID; Professor of Economics, New School; author.

Adolph Held, board of directors, LID, since 1945; director, Welfare and Health Benefits, ILGWU; chairman, Jewish Labor Committee.

Albert H. Herling, board of directors, LID, 1952-53; staff, City of Hope; author.

Mary Fox Herling, executive secretary, LID, 1929-40; national council since 1940; active in public and cooperative housing.

Hubert C. Herring, board of directors, LID, 1933-38; executive director, Committee on Cultural Relations With Latin America; author.

Thomas Wentworth Higginson, signer of call to organization, 1905; author; literary critic.

Morris Hillquit, treasurer, ISS, 1908-15; New York labor attorney; Socialist leader; author (deceased).

Mary W. Hillyer (Blanshard), board of directors, LID, 1940-49; director, LID. Lecture series in thirties; staff, Planned Parenthood Association.

Julius Hochman, board of directors, LID, 1936-38; manager, New York Joint Board, Dressmaker Union.

John Haynes Holmes, vice president, LID, since 1938; minister emeritus, New York Community Church.

Darlington Hoopes, LID cooperater; Socialist leader and former legislator.

Bryn J. Hovde, vice president, LID, 1948-54; housing authority; former president, New School (deceased).

Don Howard, board of directors, LID, 1941-42; social worker; dean, School of Social Welfare, University of California.

Frederic C. Howe, board of directors, LID, 1923-1925; author; social reformer (deceased).

Quincy Howe, board of directors, LID, 1939-41; radio and television commentator; writer; teacher.

Jessie Wallace Hughan, executive committee, ISS and board of directors, LID, 1907-50; vice president, 1920-21; teacher; author; economist (deceased).

Hubert H. Humphrey, receiver of LID and Reunion of Old Timers 1948 Award.

Robert Hunter, executive committee, ISS, 1905-11; author; social worker (deceased).

Alex Irvine, former lecturer for ISS; author; minister; lecturer (deceased).

James Weldon Johnson, former board of directors, LID; author; poet; diplomat; secretary, NAACP (deceased).

Mercer Green Johnston, national council, LID; minister; social reformer.

John Paul Jones, board of directors, LID, since 1945; former president New York chapter; minister, Union Church, Brooklyn.

Paul Jones, former board of directors, LID; bishop, Protestant Episcopal Church (deceased).

Horace M. Kallen, executive committee, ISS, 1919-20; educator; philosopher; author.

Leonard S. Kandell, board of directors, LID, since 1951; president Digby Management Co.

Vladimir Karapetoff, vice president, LID, in twenties; Professor of Engineering, Cornell University; musician; inventor (deceased).

Florence Kelley, executive committee ISS, 1911-21; board of directors, LID, 1921-23; vice president, 1912-18, 1921-23; president, 1918-20; secretary, National Consumers League; author; social reformer (deceased).

W. H. Kelley, executive committee, ISS, 1907-08; social worker.

Edmond Kelly, executive committee, ISS, 1908-10; lawyer; author; former counsel for American Embassy, Paris.

Paul Kennady, executive committee, ISS, 1907-18; treasurer, 1907-08; writer; social worker.

A. M. Kidd, national council, LID; Professor Emeritus of Economics, University of California.

William H. Kilpatrick, board of directors, LID, since 1953; vice president since 1954; leading American educator.

Clifford Kirkpatrick, national council, LID; Professor of Sociology, University of Indiana. George R. Kirkpatrick, organizer, ISS, 1908; author; lecturer (deceased).

Cornelius Kruse, national council, LID; Professor of Philosophy, Wesleyan University. Alice Kuebler, executive secretary, ISS, 1919-20 (deceased).

Winthrop D. Lane, executive committee, ISS, 1918-31; writer.

Loula Lasker, board of directors, LID, since 1948; leader in public housing movement.

Bruno Lasker, board of directors, LID, 1921-22; writer; sociologist.

W. Jett Lauck, former board of directors, LID; labor economist (deceased).

Algernon Lee, executive committee, ISS, 1910-16; secretary, 1910-11; late president, Rand School; author (deceased).

Abraham Lefkowitz, board of directors, LID, since 1945; principal, Samuel Tilden High School.

Herbert H. Lehman, receiver of LID award, 1950; U.S. Senator from New York.

William M. Lelserson, Columbia ISS; former chairman, National Mediation Board; labor economist.

Alfred Baker Lewis, board of directors, LID, 1940-54; chairman of board, 1945; president, Union Casualty Co.

Trygve Lie, receiver of LID award, 1947; former Secretary-General, U.N.

Henry R. Linville, formerly board of directors, LID; teacher; former president, New York Teachers Guild (deceased).

Ben E. Lippincott, national council, LID; professor of economics, University of Minnesota; author.

Jack London, president, ISS, 1905-07; novelist (deceased).

Cedric Long, board of directors, LID, 1923-25; active in cooperative movement (deceased).

Harry Lopatin, executive committee, New York chapter; managing editor, Workmen's Circle Call; staff, City of Hope.

Lewis Lorwin, executive committee, ISS, 1920-21; author; authority on labor.

Owen R. Lovejoy, executive committee, and treasurer, ISS, 1905-06; former secretary, National Child Labor Committee.

Robert Morss Lovet, president, LID, 1921-38; vice president, 1938-49; former professor of English literature, University of Chicago; former editor, New Republic.

Sara Kaplan Lowe, secretary to Dr. Laidler since 1925; office manager.

John Lyon, executive committee, New York chapter LID; public relations counselor.

Marcia J. Lytle, national council, LID; active in peace movements.

Bertha Malilly, former board of directors, LID; former executive secretary, Rand School.

Julius Manson, board of directors, LID, 1955; staff, New York State Board of Mediation.

Edwin Markham, frequent lecturer, ISS; poet.

Jan Masaryk, former honorary member, LID; former foreign secretary Czechoslovakia (deceased).

James H. Maurer, vice president, LID, 1923-44; former president, Pennsylvania Federation of Labor; former socialist legislator (deceased).

Francis J. McConnell, vice president, LID, 1939-49; late Bishop, Methodist Church and former president, Federal Council of Churches (deceased).

George Meany, receiver of LID award, 1954; president, AFL.

Alexander Melklejohn, vice president, LID, since 1938; former president, Amherst; author; lecturer.

Darwin J. Meserole, executive committee, ISS, 1918-21; attorney; active in fight against unemployment (deceased).

Etta Meyer, vice president, New York chapter, LID; social worker.

Edna St. Vincent Millay, former Vassar SLID; poetess (deceased).

Abraham Miller, board of directors, LID, since 1945; secretary, New York joint board, ACWA.

Nathaniel M. Minkoff, board of directors, LID since 1952; chairman of board, 1946-48; president since 1948; secretary-treasurer, New York joint board, Dressmakers' Unions, ILGWU.

Broadus Mitchell, Johns Hopkins ISS, 1917-18; board of directors, LID, 1945-52; professor of economics, Rutgers University; author.

Hiram K. Moderwell, secretary, Harvard, ISS; writer; dramatic critic (deceased).

William P. Montague, executive committee, ISS, 1917-18; board of directors, 1920-23; late professor of philosophy, Columbia (deceased).

Therese H. Moore, executive committee, New York chapter; housewife.

Wayne Morse, receiver of LID award 1954; U.S. Senator from Oregon.

Amicus Most, executive committee, New York chapter, LID since 1954; former chief of Industrial Department, ECA, Germany; contractor.

Lewis Mumford, former member, New York chapter executive committee, LID; author; city planner.

A. J. Muste, board of directors, LID, 1921-22; secretary emeritus, FOR.

Isidore Nagler, board of directors, LID, 1953-; manager, New York joint board, Cloakmakers Unions, ILGWU.

George Nasmyth, executive committee, ISS, 1918-20; student of international affairs (deceased).

Benjamin B. Naumoff, board of directors, LID, 1950-; president, New York chapter, 1952-54; Chief Field Examiner, NLRB, New York region.

Nellie Seeds Nearing, board of directors, LID, 1923; author; educator (deceased).

S. L. Newman, board of directors, LID, 1945-52; former vice president, International Association of Machinists.

Reinhold Niebuhr, former president, New York chapter, LID, former board of director and treasurer; author; vice president, Union Theological Seminary.

Morris S. Novik, board of directors, LID, 1950-; radio consultant.

Katherine Maltby Meserole, member first executive committee, ISS; educator.

Harry A. Overstreet, national council; author; lecturer; educator.

Mary W. Ovington, executive committee, ISS, 1914-15; a founder, NAACP.

Jacob Panken, board of directors, LID since 1948; former justice, court of Domestic Relations, New York City.

Ernst Papanek, board of directors, LID, 1955-; director, Wiltwyck School.

Herbert W. Payne, board of directors, LID, 1946-52; treasurer 1943-52; late vice president, Textile Workers Union of America (deceased).

Dorothy Pearson, executive committee, New York chapter, LID; active in liberal movements.

Orlie Pell, board of directors, LID; education and research associate, American Labor Education Services.

Elsie Cole Phillips, executive committee, ISS, 1910-14; vice president, 1910-11.

William Pickens, board of directors, LID, 1923-42; author; former field secretary, NAACP (deceased).

Ernest Poole, executive committee, ISS, 1908-18; vice president, 1912-18; novelist; winner, Pulitzer Prize (deceased).

J. S. Potofsky, board of directors, LID, 1925-26; president, ACWA.

Eliot D. Pratt, board of directors, LID, 1948-52; national council; chairman, board of trustees, Goddard College.

Sherman D. Pratt, national council, LID; publicist.

Paul W. Preisler, national council, LID, teacher; attorney.

Carl Rachlin, board of directors, LID since 1950; former president New York chapter; labor and civil liberties attorney.

Walter Rautenstrauch, former board of directors, LID; professor of industrial engineering, Columbia (deceased).

Cleveland Rodgers, board of directors, LID, in forties; formerly editor, Brooklyn Eagle, and member New York City Planning Commission.

George E. Roewer, formerly Boston chapter; legal consultant; labor lawyer.

Eleanor Roosevelt, recipient of LID award, 1953; "First Woman of the World."

George Ross, board of directors, LID since 1948; businessman; secretary, People's Educational Camp Society.

I. M. Rubinow, executive committee, ISS, 1913-17; authority on social insurance.

Charles Edward Russell, frequent lecturer for league; author; writer.

Stanley Ruttenberg, board of directors, LID, 1950-52; director of research and education, CIO.

Helen Sahler, former secretary, New York chapter; sculptor; painter (deceased).

Mary R. Sanford, executive committee, ISS, 1907-38; treasurer, 1916-19; vice president, LID, 1938-48; publicist.

Joseph Schlossberg, board of directors, LID, 1940-; treasurer, 1945-; secretary-treasurer, emeritus, ACWA; member, Board of Higher Education, New York City.

Karl Scholz, national council, LID; professor of economics, University of Pennsylvania.

Adelaide Schulkind, vice president, New York chapter, 1954-; secretary, League for Mutual Aid.

Leroy Scott, secretary, ISS, 1910-17; writer; novelist.

Vida D. Scudder, executive committee, ISS, 1912-16; vice president, LID, 1921-54; late professor of English literature, Wellesley (deceased).

H. D. Sedgwick, executive committee, ISS, 1912-17; educator; writer (deceased).

Bert Seidman, former chairman, Washington chapter; research department, AFL.

Toni Sender, frequent league lecturer; representative of International Confederation of Trade Unions at U.N.

Boris Shishkin, board of directors, LID; economist, AFL.

Upton Sinclair, founder; vice president, ISS, 1905-17; novelist.

Winifred Smith, national council, LID; former professor of English, Vassar.

George Soule, board of directors, LID; author; economist; professor of economics, Bennington College.

John Spargo, executive committee, ISS, 1916-19; writer.

Sterling Spero, board of directors, LID; professor of public administration, New York University.

Sidney Stark, Jr., national council, LID; businessman.

Sidney Stark, long LID cooperator; businessman.

Lincoln Steffens, frequent lecturer, LID; writer (deceased).

Charles P. Steinmetz, vice president, LID, 1921-24; inventor, "electric wizard" (deceased).

Helen Phelps Stokes, executive committee, ISS, 1907-21; board of directors, 1921-40; vice president, 1940 (deceased).

J. G. Phelps Stokes, executive committee, ISS, 1905-18; president, 1907-18; publicist.

Benjamin Stolberg, former board of directors, LID; writer (deceased).

George Streater, national council, LID; former board of directors; labor editor.

Caro Lloyd Strobel, executive committee, ISS, 1913-21; writer.

Louis Stulberg, board of directors, LID; manager Local 66, ILGWU.

Norman Thomas, executive committee, ISS, 1918-21; board of directors, LID since

1921; executive committee, 1922-36; Socialist leader; author; lecturer; chairman, Post War World Council.

John Thurber, former chairman, Washington chapter, LID; labor statistician and historian.

Richard C. Tolman, University of Illinois, ISS; physicist (deceased).

Ashley L. Totten, board of directors, LID, 1951-; secretary-treasurer, Brotherhood of Sleeping Car Porters.

Oswald Garrison Villard, board of directors, LID, 1933-34; former editor and publisher, the Nation (deceased).

B. Charney Vladeck, board of directors, LID in thirties; business manager, Jewish Daily Forward; former New York City Councilman (deceased).

Stephen Vladeck, board of directors, LID, 1955-; labor attorney.

William C. Vladeck, board of directors, 1953-55; architect.

Thorstein Veblen, National Council, 1925-29; sociologist (deceased).

Anna Strunsky Walling, active member since 1905.

L. Metcalfe Walling, board of directors, LID, 1948-52; former administrator, Fair Labor Practices; attorney.

William English Walling, executive committee, ISS, 1912-18; author; social scientist (deceased).

Agnes A. Warbasse, board of directors, 1925-26; leading cooperator (deceased).

Arthur Warner, board of directors, LID, 1921-23; writer, editor (deceased).

Adolph Warshow, formerly board of directors, LID; businessman (deceased).

Morris Weisz, national council, LID; labor economist.

Mildred Perlman Westover, secretary, SLID, 1952-53; board of directors, 1953-55.

Bertha Poole Weyl, board of director, LID, 1922-45; vice president since 1945; housewife. Bouck White, executive committee, ISS, 1912-15; author (deceased).

Samuel S. White, national council; labor-management relations.

Pearl Willen, Board of directors, LID, since 1952; lecturer; social service.

Norman Williams, Jr., board of directors, LID; legal department, New York City Planning Commission.

William Withers, national council, LID; professor of economics, Queens College.

Herman Wolf, board of director, 1953-55; public relations.

Helen Sumner Woodbury, executive committee, ISS, and director, 1917-24; labor economist (deceased).

Louis Yagoda, executive committee, New York chapter; New York State Board of Mediation.

Phil Ziegler, national council, LID; editor, Railway Clerk.

Savel Zimand, board of directors, LID; 1921-24; writer; health educator.

Charles Zimmerman, board of directors, LID; vice president, ILGWU; manager, local 22.

Charles Zueblin, executive committee, ISS, 1916-21; author, lecturer (deceased).

## RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 6 minutes p.m.) the House stood in recess subject to the call of the Chair.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 35 minutes p.m.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3453. An act for the relief of Dr. Felix Nabor Sabates.

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 Senate to the bill (H.R. 11586) entitled "An act to amend section 502 of the Merchant Marine Act, 1936, as amended."

## PUBLIC WORKS AUTHORIZATION BILL

Mr. DAVIS of Tennessee submitted the following conference report and statement on 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:

### CONFERENCE REPORT (REPT. NO. 2557)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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, 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:

### "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;

"Great Lakes to Hudson River Waterway, New York: River and Harbor Committee Document Numbered 20, Seventy-third Congress, for the further partial accomplishment of the approved plan there is hereby authorized to be appropriated, in addition to sums previously authorized, \$1,000,000;

"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, subject to the approval of such plans by the Secretary of the Army and the President;

"Raritan River, New Jersey: House Document Numbered 455, Eighty-sixth Congress, maintenance;

"Lynnhaven Inlet, Bay, and connecting waters, Virginia: House Document Numbered 580, 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;

"James River, Virginia: House Document Numbered 586, Eighty-seventh Congress at an estimated cost of \$39,000,000: *Provided*, That this authorization shall expire after a period of five years from the date of approval of this Act unless the Governor of Virginia has endorsed the project within that time: *And provided further*, That prior to construction, there will be submitted to the Congress a feasibility report which takes account of possible adverse effects of the project on seed oyster production;

"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;

"Canaveral Harbor, Florida: Senate Document Numbered 140, Eighty-seventh Congress, at the estimated cost of \$5,076,000;

"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 Num-

bered 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 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;

"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;

"The project, Mississippi River, Baton Rouge to the Gulf of Mexico, barge channel through Devils Swamp, Louisiana (Baton Rouge Harbor), authorized by the River and Harbor Act of 1946, in accordance with the recommendations of the Chief of Engineers in House Document Numbered 321, Eightieth Congress, as amended by the Flood Control Act of 1948, is hereby further amended to provide for the provision as required, of suitable dikes and other retaining structures at a Federal cost of \$299,500, for the construction and future maintenance of the project, in order to provide additional industrial sites with water frontage which are now needed to permit the normal development and expansion of the industrial and commercial activities of the locality: *Provided*, That local interests contribute the sum of \$100,500 toward the cost of the work;

"Bayous Terrebonne, Petit Caillou, Grand Caillou, Du Large, and connecting channels, Louisiana, and Atchafalaya River, Morgan City to Gulf of Mexico: House Document Numbered 583, Eighty-seventh Congress, at an estimated cost of \$45,000;

"Gulf Intracoastal Waterway, Louisiana and Texas: House Document Numbered 556, Eighty-seventh Congress, at an estimated cost of \$25,540,000: *Provided*, That the authority to make such modifications as in the discretion of the Chief of Engineers may be advisable, as set forth in House Document Numbered 556, Eighty-seventh Congress, shall be interpreted to apply to, but not limited to, the improvement of the existing channels at proposed channel relocation sites in lieu of such relocations;

"Calcasieu River salt water barrier, Louisiana: House Document Numbered 582, Eighty-seventh Congress, at an estimated cost of \$3,310,000: *Provided*, That the Corps of Engineers is directed to study the question of cost sharing taking into account that measures for mitigation of damages from navigation improvements will be a Federal responsibility and enhancement effects will be shared on the basis of a 50 per centum Federal and 50 per centum non-Federal; such cost sharing is hereby authorized as determined to be feasible and justified by the Chief of Engineers and Secretary of the Army 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 unless such report is disapproved by the Congress;

"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: *Provided*, That nothing in this Act shall be construed as authorizing the acquisition of additional lands for establishment of a national wildlife refuge at the reservoir;

"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, is approved and there is hereby authorized the sum of \$40,000,000 for initiation and partial accomplishment of the project;

"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;

"Chicago Harbor, Illinois: House Document Numbered 485, Eighty-seventh Congress, at an estimated cost of \$1,505,000;

"Calumet Harbor and River, Illinois and Indiana: House Document Numbered 581, Eighty-seventh Congress, at an estimated cost of \$11,464,000;

"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 \$4,780,000;

"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 Point 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;

"The project for Hilo Harbor, Hawaii, authorized by Public Law 645, Eighty-sixth Congress, is hereby modified to provide for adjustment of the cash contribution required of local interest in accordance with recommendations by the Secretary of the Army and approved by the President, such adjustment to be made at the earliest practicable date.

#### "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, subject to the approval of such plans by the Secretary of the Army and the President;

"Clark Point, New Bedford, Massachusetts: House Document Numbered 584, Eighty-seventh Congress, at an estimated cost of \$60,000;

"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;

"Palm Beach County from Martin County line to Lake Worth Inlet and from South Lake Worth Inlet to Broward County line, Florida: House Document Numbered 164,

Eighty-seventh Congress, at an estimated cost of \$128,800;

"Virginia Key and Key Biscayne, Florida: House Document Numbered 561, Eighty-seventh Congress, at an estimated cost of \$220,000;

"San Juan and vicinity, Puerto Rico: House Document Numbered 575, Eighty-seventh Congress, at an estimated cost of \$65,400;

"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.

"Orange County, California: House Document Numbered 602, Eighty-seventh Congress, at an estimated cost of \$2,845,000.

"Sec. 102. 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. 103. (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, in the discretion of the Chief of Engineers, not more than 70 per centum of 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): ', or, 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'; and

"(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, after initiation of the survey studies which form the basis for the project, on authorized projects which individually do not exceed \$1,000,000 in total cost: *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 Secretary of the Army 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 hereafter 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 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 Act shall apply in determining the amounts of Federal participation in or payments toward the costs of authorized projects which have not been substantially completed 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.

"Sec. 104. The project for aquatic plant control authorized by the River and Harbor Act of 1958 (72 Stat. 297, 300) is hereby modified to provide that research costs and planning costs prior to construction shall be borne fully by the United States and shall not be included in the cost to be shared by local interests.

"Sec. 105. 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. 106. Section 110(f) of the River and Harbor Act of 1958 (72 Stat. 297) is amended by changing the period to a comma and adding the following: 'and upon completion of transfer to the said State of all right, title, and interest of the United States in and to the canal in accordance with the agreement executed December 14, 1960, between the Chief of Engineers and the representatives of said State, the additional sum of \$800,000 is hereby authorized to be expended by the Corps of Engineers, or by said State, for the repair and modification of any canal properties and appurtenances, notwithstanding the provisions of section 110(b) hereof.'

"Sec. 107. The Secretary of the Army is authorized and directed to prepare and transmit to Congress, at the earliest practi-

cable date, a compilation of survey and review reports on river and harbor and flood control improvements, similar to that prepared in accordance with the Act of March 4, 1913, revised in accordance with the Acts of July 3, 1930, August 30, 1935, and May 17, 1950, and printed in House Document Numbered 214, Eighty-second Congress, first session.

"Sec. 108. The Chief of Engineers is authorized to perform such work as may be necessary to provide for the repair and restoration of lock and dam numbered 3 on the Big Sandy River: *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 6, 1956 (70 Stat. 1062): *And provided further*, That there is hereby authorized to be expended from appropriations hereafter made for civil 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, not to exceed \$200,000.

"Sec. 109. 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.

"Sec. 110. 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 110 of the River and Harbor Act of 1950:

"Falmouth Harbor, Maine.

"Channel between Point Shirley and Deer Island, Massachusetts.

"Little Egg Inlet, New Jersey.

"Brigantine Inlet, New Jersey.

"Corsons Inlet, New Jersey.

"Kings Bay Deepwater Channel, Georgia.

"Auglaize River at Wapakoneta, Ohio.

"Surveys of the coastal areas of the United States and its possessions, including the shores of the Great Lakes, in the interest of beach erosion control, hurricane protection and related purposes: *Provided*, That surveys of particular areas shall be authorized by appropriate resolutions of either the Committee on Public Works of the United States Senate or the Committee on Public Works of the House of Representatives.

"Sec. 111. Title I of this Act may be cited as the 'River and Harbor Act of 1962'.

#### "TITLE II—FLOOD CONTROL

"Sec. 201. 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 534, 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 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 hurricane-flood protection at Wareham-Marion, Massachusetts, is hereby authorized substantially in accordance with the recommendations 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 trib-

utaries, 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 construction of the Fall Brook and Ayleworth Creek Reservoirs, and local flood protection works on the Lackawanna River at Scranton, Pennsylvania, is hereby authorized substantially as recommended by the Chief of Engineers, in Senate Document Numbered 141, Eighty-seventh Congress, at an estimated cost of \$3,596,000.

"The project for the Juniata River and tributaries, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 565, Eighty-seventh Congress, at an estimated cost of \$32,150,000: *Provided*, That installation of the power generating facilities shall not be made until the Chief of Engineers shall submit a reexamination report to the Congress for authorization.

*"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 \$192,400,000.

*"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 Wrightsville Beach, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 511, Eighty-seventh Congress, at an estimated cost of \$345,000.

"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 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 flood protection of West Palm Beach Canal is hereby authorized substantially as recommended by the Secretary of the Army and the Chief of Engineers in Senate Document Numbered 146, Eighty-seventh Congress, at an estimated cost of \$3,220,000.

"The project for flood protection on Boggy Creek, Florida, is hereby authorized substantially as recommended by the Chief of Engineers in Senate Document Numbered 125, Eighty-seventh Congress, at an estimated cost of \$1,176,000.

"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 Shingle Creek, Florida, between Clear Lake and Lake Tohopekaliga, for flood control and major drainage is hereby authorized substantially as recommended by the Chief of Engineers in Senate Document Numbered 139, Eighty-seventh Congress, at an estimated cost of \$3,250,000: *Provided*, That no obligation shall be incurred for development of the Reedy Creek Swamp as a wildlife management area unless the State or one or more other non-Federal entities shall have entered into an agreement in advance to assume at least 50 per centum of the cost associated with that feature of the project.

"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: *Provided*, That local interests shall receive credit in the Contributed Fund Account of the project for moneys shown to have been spent after March 1, 1960, for construction of units of the authorized plan for Cutler Drain: *Provided further*, That such completed work must be inspected and accepted by the Chief of Engineers as constituting useful parts of the authorized plan: *And provided further*, That the credit established shall be in accordance with cost sharing arrangements for the central and southern Florida flood control project in an amount not to exceed \$124,000.

*"Green Swamp region, Florida*

"The project for the Four River Basin, 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: *Provided*, That the cost sharing shall be as recommended by the Secretary of the Army in House Document Numbered 585, Eighty-seventh Congress: *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.

*"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 approved May 15, 1928, as amended by subsequent Acts, is hereby

modified and expanded to include the following item:

"(a) Monetary authorizations heretofore and hereafter made available to the project or any portion thereof shall be combined into a single sum and be available for application to any portion of the project.

"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, subject to the approval of such plans by the Secretary of the Army and the President, 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 505, 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 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 591, 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 system 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 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 of bank erosion on the Arkansas River between about river mile 455, near Muskogee, Oklahoma, and about river mile 495, near Coweta, Oklahoma. Such project or projects, because of its or their emergency nature, are hereby authorized as determined to be feasible and justified by the Chief of Engineers and Secretary of the Army with the approval of the President 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: *Provided*, That the requirements for cooperation shall include provisions that local interests shall furnish all lands, easements, and rights-of-way; hold and save the United States free from damages; maintain and operate after completion; and make a cash contribution in recognition of any special benefits: *And provided further*, That with respect to any work found justified in the vicinity of Wybark, Oklahoma, local interests shall meet the requirements as stated and shall make a cash contribution of not less than \$150,000 which shall include the value of all lands, easements, and rights-of-way required to be furnished, and the value of goods and services provided for purposes of project installation on a basis acceptable to the Chief of Engineers: *Provided*, That the cost to the Federal Government shall not exceed \$2,000,000.

"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 flood protection on Big Hill Creek, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 577, Eighty-seventh Congress, at an estimated cost of \$3,785,000.

"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: *Provided*, That nothing in this Act shall be construed as authorizing the acquisition of additional lands for establishment of a national wildlife refuge at the reservoir.

"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.

#### "White River Basin

"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.

"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 additional cost of \$1,018,000.

#### "Red River Basin

"That the general plan for flood control and other purposes on Red River below Denison Dam is hereby modified to authorize the Chief of Engineers to adjust the local co-operation requirements of the McKinney Bayou, Arkansas and Texas, Maniece Bayou, Arkansas, and East Point, Louisiana, projects so as to bring such requirements in accord with the recommendations of the Secretary of the Army and approval of the President, such adjustment to be made at the earliest practicable date.

"The project for Sanders, Big Pine, and Collier Creeks, Texas, is hereby authorized substantially as recommended by the Chief of Engineers, at an estimated cost of \$16,100,000, subject to the recommendations of the Secretary of the Army and approval of the President.

"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 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 Tuska-home Reservoirs, Klamichi 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.

"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.

#### "Missouri River Basin

"(a) The Kaysinger Bluff Reservoir, Osage River, Missouri, is hereby modified substan-

tially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 578, 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 Lyons Creek is deferred at this time, subject to submission of a new feasibility report 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 Lyons Creek Watershed Joint District Numbered 41, and preparation of said report is hereby authorized.

"The project for flood protection on White Clay Creek at Atchison, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 151, Eighty-seventh Congress, at an estimated cost of \$3,495,000.

"The project for flood protection on Pappillon 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.

"The project for Grand River and tributaries, North and South Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 574, Eighty-seventh Congress, at an estimated cost of \$2,670,000: *Provided*, That the project shall be constructed, operated, and maintained by the Chief of Engineers under the direction of the Secretary of the Army.

"The requirements of local cooperation on the project for flood control on the Floyd River, Iowa, authorized by Public Law 85-500, as recommended by the Chief of Engineers in House Document Numbered 417, Eighty-fourth Congress, is hereby modified to read as follows: *Provided*, That responsible local interests give assurances satisfactory to the Secretary of the Army that they will (a) furnish without cost to the United States all lands, easements, and rights-of-way necessary for construction of the project; (b) hold and save the United States free from damages due to the construction works; (c) make without cost to the United States all necessary road, highway, highway bridges other than those required to carry Interstate Highway 29 over the relocated Floyd River, and utility alterations and additions; (d) contribute in cash 0.84 per centum of the estimated first cost of the work for which the United States would be responsible, a contribution presently estimated at \$65,000; (e) upon authorization of the project, to take all possible action under Iowa law, short of actual purchase, to prevent additional developments within the right-of-way that might increase the overall cost of the project; and (f) maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of the Army."

#### "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 Wabash River at and in the vicinity of Mount Carmel, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 573, Eighty-seventh Congress, at an estimated cost of \$1,417,000.

"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 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 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 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 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 587, Eighty-seventh Congress, at an estimated cost of \$55,307,000: *Provided*, That nothing in this Act shall be construed as authorizing the acquisition of additional lands for the establishment of a wildlife refuge in this project.

"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 authorize the Chief of Engineers to adjust the cash contribution required of local interests to such amount as is recommended by the Secretary of the Army and approved by the President, such adjustment to be made at the earliest practicable date.

#### "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 Numbered 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 Numbered 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 Richland 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 flood protection on Rock River at Rockford, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 142, Eighty-seventh Congress, at an estimated cost of \$7,228,000.

"The project for the Mississippi River urban areas from Hampton, Illinois, to mile 300, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 564, Eighty-seventh Congress, at an estimated cost of \$9,289,000.

"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.

#### "Gila River Basin

"The project for the Camelsback Reservoir, Gila River, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 127, Eighty-seventh Congress, at an estimated cost of \$9,770,000.

"The project for flood protection on the Gila River below Painted Rock Reservoir, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 116, Eighty-seventh Congress, at an estimated cost of \$18,255,000.

"The project for flood protection on Pinal Creek, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 512, Eighty-seventh Congress, at an estimated cost of \$1,300,000.

#### "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; *Provided*, That local interests shall contribute in cash 3 per centum of the Federal construction of the Rose Valley unit with a contribution presently estimated at \$158,000.

#### "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 eight 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 diversion 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: *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 nonreimbursable 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 as needed and as fixed by the Secretary of the Interior, but not to exceed 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.

"The project for flood protection on Mormon Slough, Calaveras River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 576, Eighty-seventh Congress, at an estimated cost of \$1,960,000.

#### "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, subject to the conditions of local cooperation specified in said report: *Provided*, That the project is to be located, constructed, and operated to accomplish the benefits as set forth and described in the report and appendices: *And provided further*, That 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 projects and plans for the Columbia River Basin, including the Willamette River Basin, authorized by the Flood Control Act of June 28, 1938, and subsequent Acts of Congress, including the Flood Control Acts of May 17, 1950, September 3, 1954, July 3, 1958, and July 14, 1960, are hereby modified to include the projects listed below for flood control and other purposes in the Columbia River Basin (including the Willamette River Basin) substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 403, Eighty-seventh Congress: *Provided*, That the depth and width of the authorized channel in the Columbia-Snake River barge navigation project shall be established as fourteen feet and two hundred and fifty feet, respectively, at minimum regulated flow.

"Asotin Dam, Snake River, Idaho and Washington;

"Bruces Eddy Dam and Reservoir, North Fork, Clearwater River, Idaho;

"Strube Reregulating Dam and Reservoir, South Fork, McKenzie River, Oregon;

"Gate Creek Dam and Reservoir, Gate Creek, Oregon;

"Fern Ridge Dam and Reservoir modification, Long Tom River, Oregon;

"Cascadia Dam and Reservoir, South Santiam River, Oregon.

"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 563, Eighty-seventh Congress, at an estimated cost of \$829,000.

*"Wynoochee River*

"The project for the Wynoochee River, Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 601, Eighty-seventh Congress, at an estimated cost of \$40,211,000: *Provided*, That the installation of the power-generating facilities shall not be made until the Chief of Engineers shall submit a re-examination report to the Congress for authorization.

*"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. (a) For the purpose of developing hydroelectric power and to encourage and promote the economic development of and to foster the establishment of essential industries in the State of Alaska, and for other purposes, the Secretary of the Army, acting through the Chief of Engineers, is authorized to construct and the Secretary of the Interior is authorized to operate and maintain the Crater-Long Lakes division of the Snettisham project near Juneau, Alaska. The works of the division shall consist of pressure tunnels, surge tanks, penstocks, a powerplant, transmission facilities, and related facilities, all at an estimated cost of \$41,634,000.

"(b) Electric power and energy generated at the division except that portion required in the operation of the division, shall be disposed of by the Secretary of the Interior in such a manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles. Rate schedules shall be drawn having regard to the recovery of the costs of producing and transmitting the power and energy, including the amortization of the capital investment over a reasonable period of years, with interest at the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum. In the sale of such power and energy, preference shall be given to Federal agencies, public bodies, and cooperatives. It shall be a condition of every contract made under this Act for the sale of power and energy that the purchaser, if it be a purchaser for resale, will deliver power and energy to Federal agencies or facilities thereof within its transmission area at a reasonable charge for the use of its transmission facilities. All receipts from the transmission and sale of electric power and energy generated at said division shall be covered into the Treasury of the United States to the credit of miscellaneous receipts.

"(c) The appropriate Secretary is authorized to perform any and all acts and enter into such agreements as may be appropriate for the purpose of carrying the provisions of this Act into full force and effect, including the acquisition of rights and property, and the Secretary of the Army, when an appropriation shall have been made for the commencement of construction or the Secretary of the Interior in the case of operation and maintenance of said division, may, in con-

nection with the construction or operation and maintenance of such division, enter into contracts for miscellaneous services for materials and supplies, as well as for construction, which may cover such periods of time as the appropriate Secretary may consider necessary but in which the liability of the United States shall be contingent upon appropriations being made therefor.

"Sec. 205. Section 205 of the Flood Control Act of 1948, as amended (33 U.S.C. 701s), is amended (a) by striking out '\$10,000,000' and inserting in lieu thereof '\$25,000,000', (b) by striking out the term 'small flood control projects' and inserting in lieu thereof the term 'small projects for flood control and related purposes', and (c) by 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 \$1,000,000 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'.

"Sec. 206. The first sentence of section 5 of the Flood Control Act approved August 18, 1941, as amended (33 U.S.C. 701n), is hereby further amended to read as follows: "That there is hereby authorized an emergency fund in the amount of \$15,000,000 to be expended in flood emergency preparation, in flood fighting and rescue operations, or in the repair or restoration of any flood control work threatened or destroyed by flood, including the strengthening, rising, extending, or other modification thereof as may be necessary in the discretion of the Chief of Engineers for the adequate functioning of the work for flood control; in the emergency protection of federally authorized hurricane or shore protection being threatened when in the discretion of the Chief of Engineers such protection is warranted to protect against imminent and substantial loss to life and property; in the repair and restoration of any federally authorized hurricane or shore protective structure damaged or destroyed by wind, wave, or water action of other than an ordinary nature when in the discretion of the Chief of Engineers such repair and restoration is warranted for the adequate functioning of the structure for hurricane or shore protection.

"Sec. 207. Section 4 of the Act entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes', approved December 22, 1944, as amended by section 4 of the Flood Control Act of July 24, 1946, and by section 209 of the Flood Control Act of 1954, is hereby further amended to read as follows:

"Sec. 4. The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to construct, maintain, and operate public park and recreational facilities at water resource development projects under the control of the Department of the Army, to permit the construction of such facilities by local interests (particularly those to be operated and maintained by such interests), and to permit the maintenance and operation of such facilities by local interests. The Secretary of the Army is also authorized to grant leases of lands, including structures or facilities thereon, at water resource development projects for such periods, and upon such terms and for such purposes as he may deem reasonable in the public interest: *Provided*, That leases to non-profit organizations for park or recreational purposes may be granted at reduced or nominal considerations in recognition of the public service to be rendered in utilizing the leased premises: *Provided further*, That preference shall be given to Federal, State, or local governmental agencies, and licenses or leases where appropriate, may be granted without monetary considerations, to such

agencies for the use of all or any portion of a project area for any public purpose, when the Secretary of the Army determines such action to be in the public interest, and for such periods of time and upon such conditions as he may find advisable: *And provided further*, That in any such lease or license to a Federal, State, or local governmental agency which involves lands to be utilized for the development and conservation of fish and wildlife, forests, and other natural resources, the licensee or lessee may be authorized to cut timber and harvest crops as may be necessary to further such beneficial uses and to collect and utilize the proceeds of any sales of timber and crops in the development, conservation, maintenance, and utilization of such lands. Any balance of proceeds not so utilized shall be paid to the United States at such time or times as the Secretary of the Army may determine appropriate. The water areas of all such projects shall be open to public use generally, without charge, for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such areas along the shores of such projects shall be maintained for general public use, when such use is determined by the Secretary of the Army not to be contrary to the public interest, all under such rules and regulations as the Secretary of the Army may deem necessary. No use of any area to which this section applies shall be permitted which is inconsistent with the laws for the protection of fish and game of the State in which such area is situated. All moneys received by the United States for leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts.

"Sec. 208. Section 207 of the Flood Control Act of 1960 (74 Stat. 501) is hereby amended to read as follows:

"Sec. 207. (a) When used in this section—

"(1) The term "Agency" means the Corps of Engineers, United States Army, or the Bureau of Reclamation, United States Department of the Interior, whichever has jurisdiction over the project concerned.

"(2) The term "head of the Agency concerned" means the Chief of Engineers or the Commissioner, Bureau of Reclamation, or their respective designees.

"(3) The term "water resources projects to be constructed in the future" includes all projects not yet actually under construction, and, to the extent of work remaining to be completed, includes projects presently under construction where road relocations or identifiable components thereof are not complete as of the date of this section.

"(4) The term "time of the taking" is the date of the relocation agreement, the date of the filing of a condemnation proceeding, or a date agreed upon between the parties as the date of taking.

"(b) Whenever, in connection with the construction of any authorized flood control, navigation, irrigation, or multiple-purpose project for the development of water resources, the head of the Agency concerned determines it to be in the public interest to utilize existing public roads as a means of providing access to such projects during construction, such Agency may improve, reconstruct, and maintain such roads and may contract with the local authority having jurisdiction over the roads to accomplish the necessary work. The accomplishment of such work of improvement may be carried out with or without obtaining any interest in the land on which the road is located in accordance with mutual agreement between the parties: *Provided*, (1) That the head of the Agency concerned determines that such work would result in a saving in Federal cost as opposed to the cost of providing a new access road at Federal expense, (2) that, at the completion of construction, the

head of the Agency concerned will, if necessary, restore the road to at least as good condition as prior to the beginning of utilization for access during construction, and (3) that, at the completion of construction, the responsibility of the Agency for improvement, reconstruction, and maintenance shall cease.

"(c) For water resources projects to be constructed in the future, when the taking by the Federal Government of an existing public road necessitates replacement, the substitute provided will, as nearly as practicable, serve in the same manner and reasonably as well as the existing road. The head of the Agency concerned is authorized to construct such substitute roads to design standards comparable to those of the State, or, where applicable State standards do not exist, those of the owning political division in which the road is located, for roads of the same classification as the road being replaced. The traffic existing at the time of the taking shall be used in the determination of the classification. In any case where a State or political subdivision thereof requests that such a substitute road be constructed to a higher standard than that provided in the preceding provisions of this subsection, and pays, prior to commencement of such construction, the additional costs involved due to such higher standard, such Agency head is authorized to construct such road to such higher standard. Federal costs under the provisions of this subsection shall be part of the nonreimbursable project costs."

"Sec. 209. 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:

"Valenciana River, Puerto Rico.

"Waccasassa River (Levy County and Gilchrist County), Florida.

"Lake Pontchartrain, North Shore, Louisiana.

"Peytons Creek and tributaries, Texas.

"Clear Creek, Texas.

"San Bernard River, Texas.

"Arkansas River Basin, with reference to the effect of the Eufaula and Keystone Reservoirs, Oklahoma, on the water supply facilities of the cities of McAlester and Yale, respectively, with a view to determining the extent, if any, of Federal participation in the replacement of the cities' water supply facilities in equity without regard to limitation contained in existing Corps of Engineers protective and relocation plans.

"Cumberland River, Kentucky and Tennessee, with reference to the effect of the Barkley Dam project, on the water supply and sewage treatment facilities of the cities of Cadiz, Kuttawa, and Eddyville, Kentucky, and the State penitentiary at Eddyville, Kentucky, respectively, with a view to determining the extent, if any, of Federal participation in the replacement of their water supply and sewage treatment facilities in equity without regard to limitation con-

tained in existing Corps of Engineers protective and relocation plans.

"Missouri River Basin, with reference to the effect of Oahe and Garrison Reservoirs, North Dakota and South Dakota, on the sewage treatment facilities of the cities of Bismarck and Mandan, North Dakota, respectively, with a view to determining the extent, if any, of Federal participation in the sewage treatment facilities in equity without regard to limitation contained in existing Corps of Engineers protective and relocation plans.

"All streams in Santa Barbara County, California, draining the Santa Ynez Mountains, except Santa Ynez River and tributaries.

"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.

"Kaskaskia River levees, Illinois; review of requirements of local cooperation.

"Puget Sound, Washington, and adjacent waters, including tributaries, in the interest of flood control, navigation, and other water uses and related land resources.

"Harbors and rivers in Hawaii, with a view to determining the advisability of improvements in the interest of navigation, flood control, hydroelectric power development, water supply, and other beneficial water uses, and related land resources.

"Waimea River, Kokee Area, Kauai, Hawaii, for multiple purposes.

"Waipio River, Kohala-Hamakua coast, Island of Hawaii, for multiple purpose development.

"Iao River, Walluku, Maui, Hawaii.

"Sec. 210. The Secretary of the Army acting through the Corps of Engineers is hereby authorized to replace with adequate floodway capacity the bridge over Boeuf River, Chicot County, Arkansas, approximately three miles north of the county line, and the bridge over Big Bayou, Chicot County, Arkansas, approximately two miles upstream from its confluence with the Boeuf River which were altered as part of the project for Boeuf and Tensas Rivers and Bayou Macon, authorized by the Flood Control Act of December 22, 1944, and which were recently destroyed by floods, at an estimated cost of \$115,000.

"Sec. 211. The Wilkesboro Reservoir flood control project, Yadkin River, North Carolina, authorized by the Flood Control Act of 1946, shall hereafter be known and designated as the W. Kerr Scott Dam and Reservoir, in honor of the late Senator W. Kerr Scott of North Carolina. Any law, regulation, document, or record of the United States in which such project is designated or referred to shall be held and considered to refer to such project by the name of the W. Kerr Scott Dam and Reservoir.

"Sec. 212. Title II of this Act may be cited as the 'Flood Control Act of 1962.'"

And the Senate agree to same.

CLIFFORD DAVIS,

JOHN A. BLATNIK,

ROBERT E. JONES,

WILLIAM C. CRAMER,

JOHN F. BALDWIN, JR.,

*Managers on the Part of the House.*

ROBERT S. KERR,

PAT McNAMARA,

JENNINGS RANDOLPH,

JOHN SHERMAN COOPER,

HIRAM L. FONG,

*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. 13273) authorizing

the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, 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 strikes out all of the House bill after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the Senate amendment and the substitute agreed to in conference are noted in the following outline, except for incidental changes made necessary by reason of agreements reached by the conferees and minor and clarifying changes.

#### TITLE I—RIVERS AND HARBORS

The Senate amendment did not delete any of the projects for navigation contained in the House bill. The Senate amendment did modify certain of these projects and it also authorized projects not contained in the House bill.

(1) The Senate amendment authorized further partial accomplishment of the project for the Great Lakes to Hudson River Waterway, N.Y., at an estimated cost of \$1,000,000 additional.

The House bill did not contain this project.

The proposed conference substitute is the same as the Senate amendment.

(2) The project for Newark Bay, Hackensack and Passaic Rivers, N.J., contained in the House bill was modified by the Senate amendment to require approval of the plans of the Chief of Engineers by both the Secretary of the Army and the President.

The proposed conference substitute is the same as the Senate amendment.

(3) The Senate amendment authorized the project for the James River, Va., at an estimated cost of \$39,000,000, with the condition that the authorization expire after 5 years unless the Governor of Virginia has endorsed the project within that time and a further requirement that there be submitted to Congress a feasible report which takes account of possible adverse effects of the project on seed oyster production.

The House bill did not contain this project.

The proposed conference substitute is the same as the Senate amendment.

(4) The Senate amendment authorized the project for Canaveral Harbor, Fla., at an estimated cost of \$5,076,000.

The House bill did not contain this project.

The proposed conference substitute is the same as the Senate amendment.

(5) The project for Holt lock and dam, Alabama, as authorized in the House bill, required a report of the Chief of Engineers to be submitted to Congress within the first period of 60 calendar days of continuous session of the 88th Congress. The Senate amendment extended this period to 90 days.

The proposed conference substitute is the same as the House bill.

(6) The Senate amendment authorized the modification of the Mississippi River, Baton Rouge to Gulf of Mexico Barge Channel through Devils Swamp, Louisiana, for dikes and retaining structures, at a Federal cost of \$299,500, with local interests to contribute \$100,500.

The House bill did not contain this project.

The proposed conference substitute is the same as the Senate amendment.

(7) The Senate amendment authorized the project for Bayous Terrebonne, Petit Caillou, Grand Caillou, Du Large, and connecting channels, Louisiana, and Atchafalaya River, Morgan City to Gulf of Mexico, at an estimated cost of \$45,000.

The House bill did not contain this project.

The proposed conference substitute is the same as the Senate amendment.

(8) The project for the Gulf Intracoastal Waterway, Louisiana and Texas, contained in the House bill was modified by the Senate amendment to provide that the authority to make such modifications as the Chief of Engineers deems desirable, as set forth in House Document No. 556, 87th Congress, shall be construed to apply to, but not be limited to, the improvement of the existing channels at proposed channel relocation sites in lieu of such relocations.

The proposed conference substitute is the same as the Senate amendment.

(9) The project for the Calcasieu River salt water barrier, Louisiana, contained in the House bill was modified by the Senate amendment through the inclusion of a proviso requiring a study by the Corps of Engineers of the question of cost sharing and authorizing such cost sharing as is determined feasible and justified by the Chief of Engineers and the Secretary of the Army within the first period of 60 calendar days of Congress after the date on which the report on cost sharing is submitted to the Congress, unless Congress disapproves such report.

The proposed conference substitute is the same as the Senate amendment.

(10) The project for Trinity River, Wallisville Reservoir, Tex., as contained in the House bill was modified by the Senate amendment through the addition of a proviso that nothing in the act shall be construed as authorization for the acquisition of additional lands for the establishment of a national wildlife refuge at the reservoir.

The proposed conference substitute is the same as the Senate amendment.

(11) The project for the Illinois Waterway, Ill. and Ind., was authorized in the House bill at an estimated cost of \$114,652,000. The Senate amendment reduced that figure to \$40,000,000 for initiation and partial accomplishment of the project.

The proposed conference substitute is the same as the Senate amendment.

(12) The Senate amendment modified the project for Hilo Harbor, Hawaii, to provide for adjustment of the cash contribution required of local interests in accordance with the recommendations by the Secretary of the Army and approved by the President.

The House bill did not contain this provision.

The proposed conference substitute is the same as the Senate amendment, except that the adjustment is required to be made at the earliest practicable date.

#### *Beach erosion*

The Senate amendment did not delete any of the beach erosion projects which were contained in the House bill.

The Senate amendment did modify certain of these projects, and it also authorized projects not contained in the House bill.

(1) The project for Fire Island Inlet to Jones Inlet, Long Island, N.Y., contained in the House bill was modified by the Senate amendment by requiring that the plans being prepared by the Chief of Engineers be approved by the Secretary of the Army and the President.

The proposed conference substitute is the same as the Senate amendment.

(2) The Senate amendment authorized a project for Clark Point, New Bedford, Mass., at an estimated cost of \$60,000.

This project is not in the House bill. The proposed conference substitute is the same as the Senate amendment.

(3) The Senate amendment authorized a project for Palm Beach County from Martin County line to Lake Worth Inlet and from South Lake Worth Inlet to Broward County line, Florida, at an estimated cost of \$128,800.

The House bill did not contain this project. The proposed conference substitute is the same as the Senate amendment.

(4) The Senate amendment authorized a project for San Juan and vicinity, Puerto Rico, at an estimated cost of \$65,400.

The House bill did not contain this project. The proposed conference substitute is the same as the Senate amendment.

(5) The Senate amendment authorized a project for Orange County, Calif., at an estimated cost of \$2,845,000.

The House bill did not contain this project. The proposed conference substitute is the same as the Senate amendment.

#### *Shore protection modifications*

Section 103 of the Senate amendment amended the act of August 13, 1946, which relates to Federal participation in the cost of protecting the shores of publicly owned property by increasing the Federal contribution from one-third to one-half, by requiring that when the property is Federal property all of the cost will be borne by the Federal Government and by requiring that up to 70 percent of the cost exclusive of land costs shall be borne by the Federal Government when it is a project for restoration of State, county, and other publicly owned shore parks and other conservation areas under certain circumstances. It further authorizes the Secretary of the Army 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, if the work is approved by the Chief of Engineers as being in accordance with the project; however, the reimbursement shall be subject to appropriations applicable thereto or funds available therefor and shall not take precedence over other pending projects of higher priority. It further authorizes the Chief of Engineers to undertake small shore and beach restoration and protection projects not specifically authorized by Congress if he finds it advisable and permits him to spend not to exceed \$3,000,000 in any one fiscal year for such projects, except that not more than \$400,000 shall be allocated to any one project and the total amount allotted shall be enough to complete Federal participation in the project. Local cooperation is required and the work on the small project must be complete in itself and not commit the United States to any additional improvement to insure its successful operation.

Subsection (b) of section 103 of the Senate amendment provides that all existing law relating to surveys of rivers and harbors shall apply to surveys related to shore protection.

Subsection (c) of section 103 of the Senate amendment provides that the cost sharing provisions of this act shall apply to authorized projects not substantially completed before the date of enactment of this act and directs the Chief of Engineers to recompute Federal contributions to such projects accordingly.

The bill as passed by the House contained no comparable provision.

The proposed conference substitute is the same as the Senate amendment.

#### *Aquatic plant control*

Section 104 of the Senate amendment modifies the project for aquatic plant control authorized by the River and Harbor Act of 1958 to make research costs and planning costs prior to construction entirely borne by the United States.

The House bill contained no such provision.

The proposed conference substitute is the same as the Senate amendment.

#### *Illinois and Mississippi Canal*

Section 106 of the Senate amendment amends section 110(f) of the River and Harbor Act of 1958 to authorize the appropriation of an additional sum of \$800,000 to be expended by the Chief of Engineers or by the

State of Illinois for the repair and modification of the Illinois and Mississippi Canal, notwithstanding subsection (b) of such section 110, upon transfer to the State of Illinois of all the right, title, and interest of the United States in and to the canal in accordance with an agreement of December 14, 1960.

The House bill contained no such provision.

The proposed conference substitute is the same as the Senate amendment.

#### *Compilation*

Section 107 of the Senate amendment directed the Secretary of the Army to prepare and transmit to Congress as soon as practicable a compilation of survey and review reports on river and harbor and flood control improvements similar to compilations which have been prepared in the past.

The House bill did not contain this requirement.

The proposed conference substitute is the same as the Senate amendment.

#### *Surveys*

In addition to the surveys authorized in the House bill the Senate amendment authorized the following surveys to be made: Falmouth Harbor, Maine, Little Egg Inlet, N.J., Brigantine Inlet, N.J., and Corsons Inlet, N.J.

The proposed conference substitute is the same as the Senate amendment.

The Senate amendment provided general authorization for surveys of the coastal areas of the United States and its possessions including the shores of the Great Lakes in the interest of beach erosion, hurricane protection, and related purposes with a requirement that surveys of particular areas shall be authorized by resolutions of either the Committee on Public Works of the Senate or of the House.

The House bill contained no such general authorization.

The proposed conference substitute is the same as the Senate amendment.

#### *TITLE II—FLOOD CONTROL*

The Senate amendment contained all of the projects for flood control contained in the House bill. It modified certain of these projects as passed by the House and added certain others. The following projects were either modified or added by the Senate and are contained in the proposed conference substitute:

#### *Susquehanna River Basin*

The Senate amendment authorized an additional \$5,000,000 for the project for the West Branch of the Susquehanna River Basin.

The House bill contained no such project. The proposed conference substitute does not contain this authorization.

The Senate amendment authorized a project for the Fall Brook and Ayleworth Creek Reservoirs on the Lackawanna River at Scranton, Pa., at an estimated cost of \$3,596,000.

The House bill contained no such project. The proposed conference substitute is the same as the Senate amendment.

The project for the Juniata River and tributaries, Pennsylvania, contained in the House bill specifically exempted the power features of such project from authorization and permitted the Chief of Engineers to submit a reexamination report on those features if he deems it desirable.

The Senate amendment did not specifically exempt the power features of the project from authorization but did provide that their installation shall not be made until the Chief of Engineers shall have submitted a reexamination report to Congress.

The proposed conference substitute is the same as the Senate amendment.

*Delaware River Basin*

The project for the Delaware River Basin, N.Y., N.J., Pa., and Del., were authorized in the House bill at an estimated cost of \$224,000,000.

The Senate amendment reduced the authorization to \$192,400,000.

The proposed conference substitute is the same as the Senate amendment.

*Middle Atlantic coastal area*

The Senate amendment authorized a project for hurricane-flood protection and beach erosion control at Wrightsville Beach, N.C., at an estimated cost of \$345,000.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

*Cape Fear River Basin*

The Senate amendment contained a project for Cape Fear River Basin, N.C., at an estimated cost of \$25,143,000.

The House bill contained no such project.

The proposed conference substitute does not contain this authorization.

*Apalachicola River Basin, Ga.*

The House bill authorized a project for the West Point Reservoir, Chattahoochee River, Ga., in accordance with the recommendations of the Secretary of the Army and the Chief of Engineers, at an estimated cost of \$52,900,000.

The Senate amendment deleted the "Secretary of the Army and the".

The proposed conference substitute is the same as the Senate amendment.

The Senate amendment authorized a project for Flint River, Ga., at an estimated cost of \$151,820,000, with the proviso that this authorization is without prejudice to consideration by the Federal Power Commission of non-Federal development of power.

The House bill contained no such project. The proposed conference substitute does not contain this authorization.

*Central and southern Florida*

The Senate amendment provided an additional \$30,000,000 basin authorization for central and southern Florida.

The House bill did not contain this authorization.

The proposed conference substitute does not contain this authorization.

*West Palm Beach Canal*

The Senate amendment authorized a project for flood protection of West Palm Beach Canal, at an estimated cost of \$3,220,000.

The House bill did not contain this project. The proposed conference substitute is the same as the Senate amendment.

*Boggy Creek, Fla.*

The Senate amendment authorized a project for flood protection on Boggy Creek, Fla., at an estimated cost of \$1,176,000.

The House bill did not contain this project.

The proposed conference substitute is the same as the Senate amendment.

*Shingle Creek, Fla.*

The Senate amendment authorized a project for Shingle Creek, Fla., at an estimated cost of \$3,250,000, with the proviso that no obligation shall be incurred for the development of the Reedy Creek Swamp as a wildlife management area unless the State or another non-Federal entity agrees in advance to pay at least half the cost of that feature of the project.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

*Cutler drain area, Florida*

The project for the Cutler drain area, Florida, contained in the House bill was modified by the Senate amendment through the inclusion of a proviso that local interests shall receive credit for moneys spent

after March 1, 1960, for construction of units of the authorized plan for Cutler drain if that work is acceptable to the Chief of Engineers and if that credit does not exceed \$124,000.

The proposed conference substitute is the same as the Senate amendment, with a clerical amendment.

*Green Swamp region, Florida*

The project for the Four River Basins, Fla., authorized by the House bill was modified by the Senate amendment by a proviso that cost sharing shall be as recommended by the Secretary of the Army in House Document No. 585, 87th Congress. The Senate amendment also deferred the planning and construction on the Lowery-Mattie conservation area until a further report is made to Congress.

The proposed conference substitute is the same as the Senate amendment.

*Lower Mississippi River Basin*

The Senate amendment modified the project for flood control and improvement of the lower Mississippi River adopted by the act of May 15, 1928, and subsequent acts to provide that monetary authorizations heretofore and hereafter made available to the projects shall be combined into a single sum and shall be available for application to any portion of the project.

The House bill contained no such modification.

The proposed conference substitute is the same as the Senate amendment.

*Gin and Muddy Bayous, Yazoo River Basin, Miss.*

The authorization contained in the House bill for improvements in Gin and Muddy Bayous, Yazoo River Basin, Miss., were modified by the Senate amendment to provide that the plans for such improvements be subject to approval by the Secretary of the Army and the President.

The proposed conference substitute is the same as the Senate amendment.

*Brazos River Basin*

The Senate amendment authorized an additional \$21,000,000 for the Brazos River Basin.

The House bill contained no such authorization.

The proposed conference substitute does not contain this authorization.

*Arkansas River Basin*

The Senate amendment authorized an additional \$182,000,000 for the Arkansas River Basin.

The House bill contained no such authorization.

The proposed conference substitute does not contain this authorization.

*Arkansas River between Muskogee, Okla., and Coweta, Okla.*

The Senate amendment authorized and directed the Secretary of the Army to make a study of bank erosion on the Arkansas River between Muskogee, Okla., and Coweta, Okla., and authorized such projects as the Chief of Engineers, the Secretary of the Army, and the President approved, unless within 60 days after the submission of the report thereon to the Congress such report is disapproved by Congress.

It provided the usual requirements for cooperation by local interests, except that with respect to any work found justified within the vicinity of Wybark, Okla., local interests shall make a cash contribution of not less than \$150,000 which shall include the value of all lands, easements, and rights-of-way required to be furnished, and the value of goods and services provided for purposes of project installation on a basis acceptable to the Chief of Engineers.

The House bill contained no such provision.

The proposed conference substitute is the same as the Senate amendment, except that the language has been modified to make it clear that the advance authorization of the bank erosion projects has been adopted because of their emergency nature. The conference substitute also limits to \$2,000,000 the Federal costs under this authorization.

*Big Hill Creek, Kans.*

The Senate amendment authorized the project for flood protection on Big Hill Creek, Kans., at an estimated cost of \$3,785,000.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

*Kaw Reservoir, Arkansas River, Okla.*

The project for the Kaw Reservoir, Arkansas River, Oklahoma, authorized by the House bill, was modified by the Senate amendment to include a proviso that nothing in this act shall be construed to authorize the acquisition of additional lands for the establishment of a national wildlife refuge at the reservoir.

The proposed conference substitute is the same as the Senate amendment.

*White River Basin*

The Senate amendment authorized an additional \$11,000,000 for the White River Basin.

The House bill contained no such authorization.

The proposed conference substitute does not contain this authorization.

*Red River Basin*

The Senate amendment modified the general plan for flood control on the Red River below Denison Dam to permit the Chief of Engineers to adjust local cooperation requirements of the McKinney Bayou, Ark., and Tex., Maniece Bayou, Ark., and East Point, La., projects to bring them into accord with the recommendations of the Secretary of the Army and the approval of the President.

The House bill contained no such modification.

The proposed conference substitute is the same as the Senate amendment except that the adjustment is required to be made at the earliest practicable date.

The Senate amendment authorized a project for Sanders, Big Pine, and Collier Creeks, Tex., at an estimated cost of \$16,100,000, subject to the recommendation of the Chief of Engineers and Secretary of the Army, and approval by the President.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

*Missouri River Basin*

The Senate amendment authorized an additional \$140,000,000 for the Missouri River Basin.

The House bill contained no such additional authorization.

The proposed conference substitute does not contain this authorization.

The Senate amendment authorized the project for flood protection on White Clay Creek, Atchison, Kans., at an estimated cost of \$3,495,000.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

The Senate amendment authorized the project for Grand River and tributaries, North and South Dakota, at an estimated cost of \$2,670,000, with the requirement that the project be constructed, operated and maintained by the Chief of Engineers under the direction of the Secretary of the Army.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

The Senate amendment modified the requirements of local cooperation on the project for flood control on the Floyd River, Iowa,

to require that local interests (1) furnish without cost to the United States all necessary lands, easements, and rights-of-way, (2) hold the United States free from damages due to construction, (3) make without cost to the United States all necessary road, highway, highway bridges (other than those required to carry Interstate Highway 29) over the relocated Floyd River, and utility, alterations and additions, (4) contribute in cash 0.84 percent of the estimated first cost of the work (approximately \$65,000), (5) take all possible action to prevent increase of the overall cost of the project, and (6) maintain and operate the completed work in accordance with regulations of the Secretary of the Army.

The House bill did not modify these requirements of local cooperation on this project.

The proposed conference substitute is the same as the Senate amendment.

#### *Ohio River Basin*

The Senate amendment authorized an additional \$120,000,000 for the Ohio River Basin.

The House bill contained no such authorization.

The proposed conference substitute does not contain this authorization.

The Senate amendment authorized the project on the Wabash River near Mount Carmel, Ill., at an estimated cost of \$1,417,000.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

The Senate amendment authorized the project for the Big South Fork of the Cumberland River, Ky., and Tenn., at an estimated cost of \$151,000,000.

The House bill contained no such project.

The proposed conference substitute does not contain this authorization.

#### *Scioto River, Ohio*

The House bill authorized the project for the Scioto River, Ohio, substantially in accordance with the recommendations of the Chief of Engineers at an estimated cost of \$55,847,000.

The Senate amendment authorized this project in accordance with the recommendations of the Secretary of the Army and the Chief of Engineers at an estimated cost of \$55,307,000 with a proviso that nothing in the act shall be construed to authorize the acquisition of additional lands for the establishment of a wildlife refuge in this project.

The proposed conference substitute follows the House bill with respect to the authorization, follows the Senate amendment limiting the cost to \$55,307,000, and adopts the proviso in the Senate amendment.

#### *Saline River, Ill.*

The House bill modified the project for the Saline River and tributaries, Illinois, to eliminate the requirement that there be a cash contribution by local interests and to provide that other items of local cooperation heretofore recommended by the Chief of Engineers still be applicable.

The Senate amendment modified that project to authorize the Chief of Engineers to adjust the cash contributions required of local interests to such amount as is recommended by the Secretary of the Army and approved by the President.

The proposed conference substitute is the same as the Senate amendment, except that the adjustment is required to be made at the earliest practicable date.

#### *Upper Mississippi River Basin*

The Senate amendment authorized an additional \$31,000,000 for the upper Mississippi River Basin.

The House bill contained no such authorization.

The proposed conference substitute does not contain this authorization.

The Senate amendment authorized a project on the Rock River at Rockford, Ill., at an estimated cost of \$7,228,000.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

The Senate amendment authorized the project for the Mississippi River urban areas from Hampton, Ill., to mile 300 at an estimated cost of \$9,289,000.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

#### *Gila River Basin*

The Senate amendment authorized the project for the Camelsback Reservoir, Gila River, Ariz., at an estimated cost of \$9,770,000. It also authorized the project on the Gila River below Painted Rock Reservoir, Ariz., at an estimated cost of \$18,255,000. It further authorized the project on Pinal Creek, Ariz., at an estimated cost of \$1,300,000.

The House bill contained none of these projects.

The proposed conference substitute is the same as the Senate amendment.

#### *San Francisco Bay area*

The authorization of the project Corte Madera Creek, Marin County, Calif., contained by the House bill was modified by the Senate amendment by the addition of a requirement that local interests contribute in cash 3 percent of the Federal construction of the Rose Valley unit (approximately \$158,000).

The proposed conference substitute is the same as the Senate amendment.

#### *San Joaquin River Basin*

Both the House bill and the Senate amendment authorized a modification of the New Melones project, Stanislaus River, Calif., at an estimated cost of \$113,717,000. In addition, the House bill contained certain requirements with respect to this project which were eliminated by the Senate amendment. These requirements were as follows:

1. Upon completion, the project would become a part of the Central Valley project and be operated and maintained by the Secretary of the Interior in accordance with reclamation laws, except flood control operations.

2. The Stanislaus River channel from Goodwin Dam to the San Joaquin River would be maintained by the Secretary of the Army to a capacity of at least 8,000 cubic feet per second, subject to local interests maintaining private levees.

3. Before diverting any water from the Stanislaus River Basin in connection with the operation of the Central Valley project, the Secretary of the Interior would determine water requirements to meet all present and future needs in that basin and subordinate diversions to the quantities so determined.

4. The Secretary of the Army would take necessary action to insure preservation of fish and wildlife on the project and allocate to that project an appropriate share of the construction costs which would be nonreimbursable.

5. The Secretary of the Army would construct basic public recreation facilities including necessary land acquisition, and the cost thereof would be nonreimbursable and nonreturnable.

6. Contracts for the sale and delivery of electric energy available from the Central Valley power system as a result of the plants authorized by this section and their integration with the Central Valley system would be made in accordance with preferences set forth in the Federal reclamation laws, except that a first preference of up to 25 percent of the additional energy would be given under the reclamation laws to preferred customers in Tuolumne and Calaveras

Counties, Calif., for use in those counties if such customers are ready, able, and willing within 1 year of notice of availability by the Secretary to enter into contracts for such energy, and such preference customers may exercise their option on the same date in each successive fifth year if written notice of such intention to so use the energy is given to the Secretary at least 18 months before such date.

7. The Secretary of the Army would give consideration during preconstruction planning of the project to the advisability of including storage for the regulation of streamflow for the purposes of downstream water control.

The proposed conference substitute is the same as the House bill except that requirement No. 4 relating to costs of fish and wildlife preservation is revised to eliminate the nonreimbursable provision and requirement No. 6 relating to preferential sales of electric energy is revised to provide that such first preference shall be given to the extent needed and fixed by the Secretary of the Interior but not to exceed 25 percent of such energy shall be given first preference.

The Senate amendment authorized a project on Mormon Slough, Calaveras River, Calif., at an estimated cost of \$1,960,000.

The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

#### *Los Angeles River Basin*

The House bill authorized an additional \$3,700,000 for the Los Angeles River Basin.

The Senate amendment provided an authorization for the Los Angeles River Basin of \$38,000,000.

The proposed conference substitute follows the House version.

#### *Rogue River Basin*

The project for the Rogue River, Oregon and California, authorized by the House bill was modified by the Senate amendment (1) to the conditions of local cooperation specified in the report of the Chief of Engineers published as House Document Numbered 566, 87th Congress, and (2) by the elimination of the requirement in the House bill that water for all purposes shall be released in the quantities and qualities at the points described in the district engineer's report and its appendices.

The proposed conference substitute is the same as the Senate amendment.

#### *Columbia River Basin*

The Senate amendment provided an additional authorization of \$226,000,000 for the projects and plans for the Columbia River Basin including the Willamette River Basin and modified those projects and plans to include the following listed projects:

Knowles Dam and Reservoir, Flathead River, Montana;

China Gardens Dam, Snake River, Idaho and Oregon;

Asotin Dam, Snake River, Idaho and Washington;

Bruces Eddy Dam and Reservoir, North Fork, Clearwater River, Idaho;

Strube Reregulating Dam and Reservoir, South Fork, McKenzie River, Oregon;

Gate Creek Dam and Reservoir, Gate Creek, Oregon;

Fern Ridge Dam and Reservoir modification, Long Tom River, Oregon;

Cascadia Dam and Reservoir, South Santiam River, Oregon.

The Senate amendment also provided that the depth and width of the Columbia-Snake River barge navigation project channel be established as 14 feet and 250 feet, respectively, at minimum regulated flow.

It further provided that Knowles Dam and Reservoir, Flathead River, Mont., be constructed, operated, and maintained by the Bureau of Reclamation and authorizes \$50,000,000 for partial accomplishment of that project.

The House bill authorized the project for the Asotin Dam and Reservoir, Snake River, at an estimated cost of \$99,818,000 and the project for the China Gardens Dam and Reservoir, Snake River, at an estimated cost of \$74,777,000. These projects were within the larger group authorized by the Senate amendment.

The proposed conference substitute is the same as the Senate amendment except (1) the additional authorization of \$226,000,000 for projects and plans for the Columbia River Basin is omitted; and (2) the following listed projects contained in the Senate amendment are deleted:

Knowles Dam and Reservoir, Flathead River, Mont.; and

China Gardens Dam, Snake River, Idaho and Oreg.

In taking its action authorizing Bruce Eddy Dam and Reservoir, North Fork, Clear Water River, Idaho, the conferees were aware of the objections that have been made to this project by numerous groups interested in fish and wildlife conservation. It is the intention of the conferees that the Secretary of the Army shall adopt appropriate measures to insure the preservation and propagation of fish and wildlife affected by this 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 this project and of operating and maintaining the same.

The Senate amendment authorizes the project for Burns Creek Dam and Reservoir, Snake River, Idaho, at an estimated cost of \$52,000,000.

The House bill did not authorize this project.

The proposed conference substitute does not contain this authorization.

#### *Wynoochee River*

The Senate amendment authorized the project for the Wynoochee River, Wash., at an estimated cost of \$40,211,000 with the requirement that the power generating facilities shall not be installed until a reexamination report has been submitted to Congress. The House bill contained no such project.

The proposed conference substitute is the same as the Senate amendment.

#### *Cook Inlet, Alaska*

The House bill authorizes a project for Bradley Lake, Cook Inlet, Alaska, at a cost of \$45,750,000.

The Senate amendment modified this authorization to require that the operation and maintenance of the project shall be through the Secretary of the Interior.

The proposed conference substitute is the same as the House bill.

#### *Snettisham project*

The House bill did not contain an authorization for the Snettisham project.

Subsection (a) of section 204 of the Senate amendment authorizes the Secretary of the Army, acting through the Chief of Engineers, to construct, and the Secretary of the Interior to operate and maintain, the Crater-Long Lakes division of the Snettisham project near Juneau, Alaska, at an estimated cost of \$41,634,000.

Subsection (b) of section 204 of the Senate amendment directs the Secretary of the Interior to dispose of electric power and energy so as to encourage the most widespread use thereof at the lowest possible rates consistent with sound business principles. It requires rate schedules to be so drawn as to have due regard to the recovery of costs of producing and transmitting the energy, including amortization of capital with interest. Preference in the sale of power and energy is to be given Federal agencies, public bodies, and cooperatives, and it is to be a condition of every contract of sale to a purchaser for resale that such purchaser will

deliver power and energy to Federal agencies within its transmission area at a reasonable charge for the use of its transmission facilities. All receipts are to be covered into the Treasury as miscellaneous receipts.

Subsection (c) of such section 204 authorizes the appropriate Secretary to make necessary rules, regulations, and agreements, and otherwise do such things as may be necessary, to carry out the purposes of the provision.

The proposed conference substitute is the same as the Senate amendment.

#### *Waurika project*

The House bill did not contain any provision authorizing the Waurika reclamation project.

Section 205 of the Senate amendment authorized the Secretary of the Interior to construct, operate, and maintain the Waurika reclamation project, Oklahoma; provided for allocation of the cost of this project among a number of purposes; authorized transfer to a water users' organization the care, operation, and maintenance of certain works; authorized construction of certain recreational facilities; and authorized an appropriation of \$25,019,500 for construction, and a continuing authorization for operation and maintenance.

The proposed conference substitute does not contain this provision.

#### *Small projects*

The House bill amended section 205 of the Flood Control Act of 1948 to increase the scope of application of that provision of law. The House bill, among other things, increased from \$400,000 to \$2,000,000 the ceiling upon the amount authorized to be allocated to a project in any one locality and provided that no construction should be undertaken under this section on a project with a Federal cost in excess of \$1,000,000, unless that project had been approved by resolutions adopted by the Committees on Public Works of the House of Representatives and the Senate, respectively.

The Senate amendment reduced to \$1,000,000 the amount which can be allocated to a project for any one locality and eliminated completely the provisions relating to approval by resolutions of the committees of the Congress.

The proposed conference substitute is the same as the Senate amendment.

#### *Emergency fund*

Section 207 of the Senate amendment amends section 5 of the Flood Control Act approved August 18, 1941, to extend the application of the emergency fund authorized in that section to emergency conditions relating to federally authorized hurricane or shore protection necessary to protect against imminent and substantial loss of life and property, and for the repair and restoration of any federally authorized hurricane or shore protective structure damaged or destroyed by wind, wave, or water action of other than an ordinary nature when necessary in the discretion of the Chief of Engineers for the adequate functioning of the structure for hurricane or shore protection.

The House bill contained no such provision.

The proposed conference substitute is the same as the Senate amendment.

#### *Park and recreational facilities*

Section 208 of the Senate amendment amends section 4 of the act of December 22, 1944, as amended, to revise existing law relating to the authority of the Secretary of the Army to construct, maintain, and operate public parks and recreational facilities.

This revision is essentially the same as existing law, except that—

1. Existing law is expanded to include recreational facilities not only in reservoir areas but also in any water resource development project under the control of the Army.

2. The construction, maintenance, and operation of recreational facilities is authorized to be carried out by local interests (particularly those to be operated and maintained by such interests).

The House bill contained no such provision.

The proposed conference substitute is the same as the Senate amendment.

#### *Improvement, reconstruction, and maintenance of public roads*

Section 209 of the Senate amendment amends section 207 of the Flood Control Act of 1960 to substitute a revision of existing law relating to utilization, construction, and relocation of public roads in connection with the construction of flood control, navigation, or multiple-purpose projects for the development of water resources.

This revision is essentially the same as existing law except that it has been expanded to include irrigation projects constructed by the Bureau of Reclamation and a provision has been added that whenever a substitute road is to be constructed, if a State or political subdivision thereof requires that it be constructed to a higher standard than would otherwise be applicable and the requesting State or political subdivision pays before the beginning of construction the additional necessary costs, then such road is authorized to be constructed at the requested higher standard. Federal costs under section 207(c) of the Flood Control Act of 1960 are to be part of the non-reimbursable project costs.

The House bill contains no provision on this subject.

The proposed conference substitute is the same as the Senate amendment.

#### *Savannah River*

Both the House bill and the Senate amendment grant to Duke Power Co. authority to construct, maintain, and operate a dam across the Savannah River between Anderson County, S.C., and Elbert County, Ga.

The proposed conference substitute deletes this authorization.

#### *Trotters Shoal Reservoir*

Section 210(b) of the Senate amendment authorized the project for Trotters Shoal Reservoir on the Savannah River at an estimated cost of \$78,700,000 subject to the approval of the President.

The House bill contained no such provision.

The proposed conference substitute does not contain this provision.

#### *Flood control surveys*

Section 211 of the Senate amendment authorized the same surveys for flood control as were contained in the House bill, and added other surveys.

#### *Arkansas River Basin*

The Senate amendment authorized a survey for flood control of the Arkansas River Basin, with reference to the effect of Eufaula and Keystone Reservoirs, Okla., on the water supply facilities of the cities of McAlester and Yale, respectively, to determine the extent of Federal participation in the replacement of such facilities in equity without regard to other limitations.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment, but changes the phrase "the extent of Federal participation" to read "the extent, if any, of Federal participation" in order to make it clear that this legislation does not constitute a commitment that there will necessarily be any such Federal participation.

#### *Cumberland River*

The Senate amendment authorized a survey for flood control of the Cumberland River, Ky. and Tenn., with reference to the effect of the Barkley Dam project, on the

water supply and sewage treatment facilities of Cadiz, Kuttawa, and Eddyville, Ky., and the State penitentiary at Eddyville, Ky., with a view to determining the extent of Federal participation in replacement of such facilities in equity without regard to existing limitations.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment, but changes the phrase "the extent of Federal participation" to read "the extent, if any, of Federal participation" in order to make it clear that this legislation does not constitute a commitment that there will necessarily be any such Federal participation.

#### Missouri River Basin

The Senate amendment authorized a survey for flood control of the Missouri River Basin, with reference to the effect of Oahe and Garrison Reservoirs, North and South Dakota, on the sewage treatment facilities of Bismarck and Mandan, N. Dak., respectively, with a view to determining the extent of Federal participation in the sewage treatment facilities without regard to existing limitations.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment, but changes the phrase "the extent of Federal participation" to read "the extent, if any, of Federal participation" in order to make it clear that this legislation does not constitute a commitment that there will necessarily be any such Federal participation.

#### Kaskaskia River levees

The Senate amendment authorized with respect to the Kaskaskia River levees, Illinois, a review of requirements of local cooperation.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment.

#### Puget Sound, Wash.

The Senate amendment authorized a survey of Puget Sound, Wash., in the interest of flood control, navigation, and other water uses and related land resources.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment.

#### Harbors and rivers in Hawaii

The Senate amendment authorized a survey of harbors and rivers in Hawaii.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment.

#### Waimea River, Kokee Area, Kauai, Hawaii

The Senate amendment authorized a survey for multiple purposes of Waimea River, Kokee Area, Kauai, Hawaii.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment.

#### Waipio River, Island of Hawaii

The Senate amendment authorized a survey for multiple-purpose development of Waipio River, Kohala-Hamakua Coast, Island of Hawaii.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment.

#### Iao River, Hawaii

The Senate amendment authorized a survey of Iao River, Walluku, Maui, Hawaii.

The House bill did not authorize this survey.

The proposed conference substitute is the same as the Senate amendment.

#### Missouri River Basin

Section 212 of the Senate amendment authorizes an additional \$100,000,000 for continuing the works in the Missouri River Basin to be undertaken by the Secretary of the Interior under the comprehensive plan adopted by section 9(a) of the act approved December 22, 1944.

The House bill did not contain such authorization.

The proposed conference substitute does not contain this authorization.

#### Chicot County bridges

Section 213 of the Senate amendment authorizes the Secretary of the Army to replace the bridge over Boeuf River, Chicot County, Ark., approximately 3 miles north of the county line, and the bridge over Big Bayou, Chicot County, Ark., approximately 2 miles upstream from its confluence with the Boeuf River which were destroyed recently by floods at an estimated cost of \$115,000.

The House bill did not authorize these bridges.

The proposed conference substitute is the same as the Senate amendment.

#### Wilkesboro Reservoir

Section 214 of the Senate amendment designates the Wilkesboro Reservoir as the W. Kerr Scott Dam and Reservoir in honor of the late Senator Scott of North Carolina.

The House bill did not contain this provision.

The proposed conference substitute is the same as the Senate amendment.

#### TITLE III—WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate amendment contained a title III which establishes the Commission to be known as the Wabash Basin Interagency Water Resources Commission.

Subsection (a) of section 302 recites the necessity for a full and complete investigation and study and survey of land and water resources within the Wabash River basin consisting of the watershed of the entire Wabash River and its tributaries, located within the States of Indiana and Illinois.

Subsection (b) of section 302 provides the Commission will be the principal agency for coordination of Federal, State, and local plans for this basin; will prepare and keep up to date the comprehensive integrated joint plan for such basin; will recommend a long-range schedule of priorities for collection and analysis of basic data, for investigation and project planning, and for construction of projects in the basin; and will foster and undertake studies of water resources problems in the basin.

Section 303 provides for the composition and appointment of the Commission.

Section 304 provides for the organization and administration of the Commission.

Section 305 provides the functions and duties of the Commission. These are as follows: (1) to engage in such activities, and make such studies and investigations necessary or desirable to carry out section 302, (2) to submit annually to the President, Congress, and other interested agencies a report on its work, and (3) to submit, after proper clearance with interested agencies, to the President, a comprehensive integrated joint plan for water and related resources development in the Wabash basin.

Subsection (b) of section 305 provides for periodic reports by individual members of the Commission to the agencies or States or other commissions from which he was appointed.

Section 306 provides the necessary authority to hold hearings, take testimony, print and distribute proceedings and reports, acquire space, and other necessary authority to carry out the provisions of this title, including the appointment of personnel.

Section 307 provides that members of the Commission appointed from agencies of the Federal Government shall receive no additional compensation and that certain other members of the Commission shall receive compensation at the rate of \$75 per day but not more than \$7,500 in any one year.

The House bill contains no such provision. The proposed conference substitute does not contain this title.

#### Early hearings

The managers on the part of the House made a commitment that the Committee on Public Works of the House would hold public hearings as soon as practicable after the next Congress convenes on the following projects which were considered by the conferees and which are not included in this conference report: Cape Fear River basin, N.C.; Flint River, Ga.; the South Fork of the Cumberland River, Ky. and Tenn.; Knowles Dam and Reservoir, Flathead River, Mont.; Burns Creek Dam and Reservoir, Snake River, Idaho; Waurika reclamation project, Oklahoma; Savannah River—Duke Power Co., South Carolina and Georgia, and Trotter's Shoal Reservoir, Savannah River.

CLIFFORD DAVIS,  
JOHN A. BLATNIK,  
ROBERT E. JONES,  
WILLIAM C. CRAMER,  
JOHN F. BALDWIN, JR.,

#### Managers on the Part of the House.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill H.R. 13273, and ask unanimous consent that the statement of the managers on the part of the House 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 Tennessee?

Mr. SMITH of Virginia. Reserving the right to object, Mr. Speaker, this bill has been a matter of considerable controversy. The membership of the House are not informed as to what is in it. From all I can hear about it, I believe they have arrived at a rather satisfactory report, but I do not think we should pass this matter without a little consideration. I do sort of hope the conferees, since we have to wait around here, anyway, would defer that at least for half an hour, and let us take a look at it.

I do not want to be insistent about it, I do not want to be contrary about it, but I have a considerable interest in it, as the gentleman knows. He and I worked together on it satisfactorily. I would like to know, for instance, if any new projects have been put into it in conference. I would like to know if any matters have been taken out of the bill that were agreed to by both houses.

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

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to say that, like the gentleman from Virginia, I have followed the actions of this conference very carefully. I would say without any reflection on the Members of the other side of the Capitol that our conferees in my opinion have done a very good job. There was one item in the bill as it passed the House that has been taken out by conference action. For that I am sorry. But beyond that, in my opinion, this conference action has pretty

substantially supported the House position.

Mr. Speaker, I might say in addition to that I can see no reason why with the adoption of this conference report and another conference report having to do with appropriations that we cannot have a sine die adjournment resolution and adjourn tonight.

Mr. SMITH of Virginia. That is an end very much desired by all of us, I am sure. But does the gentleman not think everybody would be happier if we did have a half hour or so.

Mr. DAVIS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I am glad to yield to my colleague.

Mr. DAVIS of Tennessee. I am sure the conferees on the other side would be glad to discuss the final report of the conference committee, which was unanimous. But I really cannot see that there is any disagreement on the conference report after the long and laborious work on the part of the conferees, and I should be delighted to take a few minutes and explain to the gentleman from Virginia some of the things that we took out and to explain the amount of money by which we reduced the bill which, in fact, I think this House will be delighted to hear. We went into the conference to sustain the position of the House and we came out, I might say to the gentleman from Virginia, with that position of the House sustained, and I am delighted to report our action to this House and that is what we promised the membership.

Mr. SMITH of Virginia. Mr. Speaker, let me say I have conferred with the gentleman from Tennessee on numerous occasions about this bill. He has stood firm with reference to the position of the House as far as it was humanly possible to do so, and I doubt if very many Members of the House would have been able to sustain the position of the House as the gentleman from Tennessee has done. Personally, I want to thank him for his aggressive work and to thank him for, perhaps, his obstinacy, if you want to call it that—I do not think he can be rated with a certain group referred to yesterday by one of the gentlemen from the other body. But, certainly, he has maintained his position with great force and effectiveness and I want to pay my compliments to him for the work that he has done. In view of that, Mr. Speaker, I shall not object to the gentleman's request but I do hope he will give us a fairly complete explanation of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. DAVIS]?

There was no objection.

The Clerk read the statement.

Mr. DAVIS of Tennessee (during the reading of the statement). Mr. Speaker, I ask unanimous consent that the further reading of the statement of the managers on the part of the House be dispensed with, and that it be printed in the Record.

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

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I have been here, in the annals of some, for quite a long while. I am now beginning the 23d year of my service. I have been on the Committee on Public Works for a long while and I have participated in the drafting and the presentation of a great number of public works omnibus bills. In all of the years in which I have participated this has been quite the most laborious task that I have ever undertaken.

There are many reasons for this. When we brought this bill to the House it carried a money value—and I am speaking in round figures—of \$2,300 million. The other body raised this figure by \$1,495 million. Some seem to think it is a little more, but all of those who have added up the figures admit that it was at least \$1,495 million.

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

Mr. DAVIS of Tennessee. Mr. Speaker, I hope my good friend will withdraw that because it will take me but a few minutes to conclude my statement.

Does my dear friend from Michigan insist on the point of order? It will take me but a few minutes to finish the statement.

The SPEAKER. The Chair will count. Mr. JOHANSEN. Mr. Speaker, I withdraw my point of order.

Mr. DAVIS of Tennessee. Mr. Speaker, I have long known my distinguished friend and colleague from Michigan, I know of his long devotion to our late friend, Paul Shafer, of Michigan, who was one of my dearest and warmest friends. I just felt my colleague, the gentleman from Michigan [Mr. JOHANSEN], would not further delay the proceedings of this House. I just knew he would not, and I am grateful.

Mr. Speaker, this was a tedious job. We brought out a bill carrying a price tag, if I may use the expression, of \$2,300 million. As the chairman of the Flood Control Committee, I gave assurances to the chairman and the members of the Rules Committee that to the very best of our ability we would sustain the position of the House.

It will be recalled that when we came to the House I gave assurances to the House that we would sustain so far as possible the position of the House.

It will be recalled further I asked at that time, in a spirit of cooperation, that if we promised full and complete hearings early next year on the projects in controversy, I pled with the Members of the House that they not offer a single amendment suggesting the addition of a single project to this bill. Many of my colleagues were rather amazed because, you will recall, in a spirit of absolute honesty, in a spirit of absolute fairplay, and I shall never forget this the longest day I live, the Members of this House took me, speaking for my committee as a whole, at my word, and not a single amendment was offered to add a single project to this bill.

So, then, we debated the bill. On one project we did not prevail. That was defeated on a recommittal motion. On

three others we did prevail. So, then, when objection was lodged, it was necessary to go before the Rules Committee to get a rule, and again I made assurances on the part of the committee in the House that we would do our best to sustain the position of the House.

So I am delighted, humbly, to tell you that after long, hard, laborious, and tedious conferences, we come back to you with a unanimous conference report, and I am more than delighted, humbly, to tell you that in that unanimous report we have come back with about \$2,300 million, or almost exactly the money value of the bill as it left the House. In that as long as we live we will feel that we have absolutely kept our word to the Rules Committee and to the House to bring that bill back to you, and we bring it back to you just as we passed it and as you passed it.

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

Mr. DAVIS of Tennessee. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I do not wish to delay the House consideration of this matter, but I think it should be said that the gentleman from Tennessee [Mr. DAVIS] has performed a legislative miracle. He has sustained the position of the House. He has accomplished his job against very difficult odds in a minimum amount of time. He and his conferees deserve the commendation of us all, including those of us who were hopeful other projects might have been included in the conference report, such as the Waurika project in Oklahoma.

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

Mr. DAVIS of Tennessee. I yield to my distinguished friend and colleague, the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, I should like to join in the commendation of the distinguished majority whip and to add that the gentleman from Tennessee [Mr. DAVIS] also brought back a very difficult assignment. The gentleman from Minnesota [Mr. BLATNIK] and the gentleman from Alabama [Mr. JONES], who assisted him, are also to be commended. He also had the able assistance of his minority Members, headed by the gentleman from Florida [Mr. CRAMER].

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

Mr. DAVIS of Tennessee. I yield to the gentleman from Virginia.

Mr. JENNINGS. Mr. Speaker, I want to commend the gentleman from Tennessee and those members of the conference committee who have brought back this conference report.

However, there is one project that meant a great deal to many of us which was contained in the House bill when it passed the House. It was also in the Senate bill when it passed the Senate. I refer to the Savannah River project—the Duke Power project—which would have used a great deal of coal, and that coal would have been mined in the distressed areas of our great coal fields in this country, not only in my own State of Virginia, but in West Virginia, Kentucky, Tennessee, and others.

I remind my colleagues that this project, which would involve no Federal funds whatsoever, would open new employment opportunities to miners, railroaders, and workers in affiliated industries. When completed, the installation would burn 9,500 tons of bituminous coal per day.

Mr. Speaker, as you know, the coal industry is already hard hit by imports of residual oil and other market inequities. Here is an opportunity to help.

Mr. Speaker, I regret that that project was not left in the conference report.

Mr. Speaker, I was wondering if the gentleman from Tennessee would comment as to the possibilities of this project which would mean so much to my area?

Mr. DAVIS of Tennessee. Mr. Speaker, if I may have the attention of the House, I should like to state this:

We recognize that the basin authorizations must be taken up early next year. With the consideration of the basin authorizations we are going to take up the Duke Power project, the Trotty Shoals project, along with, if I may say, the Devil's Jump project, the Knowles project, the Flint River project, the Cape Fear project, the Burns Creek project, and the Waurika project, along with the basins. We have promised and reduced it to writing in the conference report that early in January we will have further hearings in order to bring them out to the floor in advance of any consideration that the Appropriations Committee will give to these projects in the late spring or early summer.

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

Mr. DAVIS of Tennessee. I certainly yield to the distinguished minority leader.

Mr. HALLECK. Mr. Speaker, the majority whip has spoken of the fine work performed by our conferees, and in that statement I join. As the minority leader, I am sure the gentleman would agree with me that the gentleman from California [Mr. BALDWIN] and the gentleman from Florida [Mr. CRAMER] have performed admirably as representatives of the House of Representatives in this conference.

Mr. Speaker, I too am sorry that the Duke Power project is not included in the bill. Having followed this matter, I know of the situation that developed and to retain it in the bill apparently became pretty much of an impossibility. Certainly, as far as I am concerned, I want to say to the gentleman from Tennessee that I shall do as much as I can in the early days of the next session—that is, assuming I am back, about which there is a little dispute now, but I guess I will make it if we finally adjourn so I can get home and see my people—but in any event I shall do what I can in behalf of that project.

Mr. Speaker, while we in Indiana have been interested in a project which is not in this bill and which was not in the bill as it passed the House, I venture to express the hope that before we come back in January the Bureau of the Budget and the administration will have seen fit to approve the Burns Waterway Harbor in northern Indiana in my dis-

trict, and I trust that the gentleman from Tennessee [Mr. DAVIS] then would give it the sympathetic consideration that I just know he will.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Speaker, based upon what the gentleman from Tennessee has said, we can understand that there will be another public works bill next year containing these projects, plus other projects reported by the Army Engineers on projects they are now studying?

Mr. DAVIS of Tennessee. Mr. Speaker, many of the basin authorizations have to be changed, and while I cannot guarantee what the full committee will do about specific projects, I say that early in January we will have hearings.

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

Mr. DAVIS of Tennessee. I yield.

Mr. DORN. Mr. Speaker, I would like to say to my distinguished and beloved friend from Tennessee, the chairman of the House conferees, that he did an outstanding job. Also I want to thank the members of the minority who stood by the House of Representatives on the Duke project, even though it passed through this House in a breeze, with no opposition. It was also adopted in the other body. But I still want the gentleman to know that I am grateful to the conferees; I am grateful to the distinguished Speaker, the majority leader, the minority leader, the chairman of the Rules Committee, and all the Members of this House who stood by the House position. I lost this round. The next round will come up in January.

I do want to say this to the distinguished gentleman from Tennessee as a reminder to the House, that this would have been the largest steamplant on the face of the earth, a \$300 million plant, in line with the President's program to get the economy moving; \$26 million worth of coal annually from the distinguished gentleman's State and the States of West Virginia and Pennsylvania; 9,500 tons daily over the Seaboard, the Southern, and the Atlantic Coast Line.

I am happy that the distinguished gentleman from Tennessee is able to assure me that this project, next January, will receive the earnest and careful consideration of this House. I extend my thanks to him, to the Speaker, the majority leader, the chairman of the Rules Committee, and all of them.

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

Mr. DAVIS of Tennessee. I yield.

Mr. JONAS. Mr. Speaker, I thank the gentleman from Tennessee for yielding. I just wanted to make this comment, following the remarks of my friend from South Carolina who recounted the vast amount of money that would be involved in this project and the tremendous benefits and advantages that would accrue to so many people, to point out in addition to that, that all of this money would be provided by the Duke Power Co. without involvement of the Federal

Government or taxpayers' money. I certainly regret that the conference committee saw fit to knock this project out of the bill. In my judgment it was the best project in the bill. I realize that the gentleman had his obligations, and I am expressing only one man's opinion; but it does seem to me that this is a project we should have authorized since it would not have cost the taxpayers a single dime.

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

Mr. DAVIS of Tennessee. I yield.

Mr. FLYNT. Mr. Speaker, I would like to add my commendation to the others that have been offered to the distinguished gentleman from Tennessee, the chairman of the House committees, and the other members of the House conferees. Naturally, I wish that the Flint River project were included in the conference report. I have every belief that the distinguished gentleman from Tennessee will confirm his previous statement that it will be brought up and will receive the support of his committee in January of 1963.

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

Mr. DAVIS of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Speaker, the most grateful man in the Congress today is CARROLL KEARNS because, I say to the gentleman, you took care of my area in a flood control district. I want to commend you now.

Mr. DAVIS of Tennessee. I thank the gentleman so much. I think I can say to both sides of the aisle that we are going to miss you greatly in the next session.

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

Mr. DAVIS of Tennessee. I yield to the gentleman from Oklahoma.

Mr. WICKERSHAM. I thank the gentleman for saying that Waurika project will be considered in January. This does not preclude the consideration of other projects which were not considered in this bill, does it?

Mr. DAVIS of Tennessee. That is correct.

If you will give me just 2 minutes more, because I think on a bill of this magnitude we have certainly transgressed on the time of the House but mildly, may I say that we have come back sustaining the position of the House almost to the dollar. This has not been an easy task, but I want you to know that never in all of the 22 years I have been here have I had such cooperation on the part of two of my grand friends and colleagues, BOB JONES, of Alabama, and JOHN BLATNIK, of Minnesota, two of the ablest men in this whole House of Representatives. They both came back from their districts to see this through in the last 24 hours.

May I say further that in all of my experience I have never had more delightful dealings with two more able, intelligent, and dedicated men on the minority side, BILL CRAMER, of Florida, and JOHN BALDWIN, of California. Those two men are as earnest men as I have ever known in my life. All of us worked together faithfully today and finally

signed the report. You do not have this too often on a bill of magnitude, but, if I may have your attention a moment or two longer, may I say that I shall forever cherish the fine fellowship of these two men along with BOB JONES and JOHN BLATNIK.

I want to say another thing. We have been privileged to have with us over the years Dick Sullivan, of New York, and Joe Brennan, our professional consultant, who has the respect of all of us on both sides of the aisle.

We also had with us Joseph F. Van Vladriken—we always called him "Van"—chief administrative assistant in the Projects Development Branch of the Civil Works Division, Office of the Chief of Engineers, who is so capable and so efficient. We passed the bill and the Senate passed it. These men worked over the weekend, on the Sabbath Day, and came in on Monday with a complete analysis of this bill so we could look at it.

Then we are indebted to Robert L. Mowson, who is the assistant legislative counsel. These men, along with Cliff Enfield, the minority counsel, an able lawyer, were of great assistance to us.

So I come to you tonight with a heart full of gratitude that we had competent, able, dedicated conferees, with an able staff, so that we were able to maintain the position of the House on a bill of this magnitude.

So, with appreciation to the Speaker of the House, the chairman of the Committee on Rules, the gentleman from Virginia [Mr. SMITH], and the minority leader, the gentleman from Indiana [Mr. HALLECK], and all who helped us as we were seeking to help you adjourn the House of Representatives tonight, we have come in with this bill.

So, Mr. Speaker, with a heart full of gratitude I yield 5 minutes to the distinguished gentleman, my friend, one of the ablest Members of the House, the gentleman from Florida [Mr. CRAMER].

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

Mr. CRAMER. I yield to the gentleman.

Mr. SPRINGER. Mr. Speaker, passage today—on what could be the last day of the 87th Congress—of the omnibus rivers and harbors public works bill would mean the fulfillment of a dream long held by the people in my congressional district. In a sense, it would not mean the actual fulfillment of that dream, but it would mean the dream's fulfillment in due course of time.

Contained in this bill, Mr. Speaker, is authorization for a dam and reservoir at the Oakley site on the Sangamon River, a part of the Illinois rivers and tributaries project. Oakley Dam and Reservoir, when completed and in operation, will prevent much of the costly annual flooding in the area which washes away rich, fertile topsoil from farms in one of the best, most productive farming areas in the entire United States. This topsoil, lost to posterity, becomes a nuisance at present in that it is carried down the Sangamon to Lake Decatur, clogging that body of water and reducing the water supply of the city of Decatur.

Moreover, Oakley Dam and Reservoir will furnish to the city of Decatur an additional supply of water, desperately needed right now. It will also supply water to Decatur in sufficient quantity for Decatur's foreseeable future needs. I might add, Mr. Speaker, that Decatur is ready, willing, and able to pay the costs of Oakley attributable to water supply—some \$4,500,000.

It will be at this time, when Oakley Dam and Reservoir are operational, that Decatur's dream will come true.

It has been 8 long, hard years, from the time I was first contacted in 1954 in regard to the possibility of building a dam at Oakley, until now when the Congress is about to give its authorization for the dam's construction. These 8 years have had their high points, and they have had their lows. There was a time, in 1958, when it appeared that all systems were "go" on Oakley. But the Corps of Engineers' price tag on the Illinois rivers and tributaries project was \$330 million, which the Bureau of the Budget said was too high in relation to the benefits to be derived. So a resurvey was ordered, a survey which further delayed Oakley 3 agonizing years. I know that I watched with a sense of frustration—as did the citizens of my district—the rumblings of the wheels of governmental process which, at times, seemed to have ground to a complete halt.

Believe me, Mr. Speaker, I am not complaining about the Corps of Army Engineers. They would have been remiss in their duties had they changed their survey and report to a point where they were careless in their findings of fact. And we, in the Congress, would have been remiss in our duties to all of the people of the United States had we accepted and acted upon such a report.

Finally, in February, the Engineers released their report recommending construction of Oakley Dam and Reservoir. Knowing the report was on its way, on the 1st day of the 2d session of the 87th Congress, I introduced a bill to authorize its construction. From that day until today, it seems that hardly a week has passed without something being done on Oakley—starting with a letter to the gentleman from New York [Mr. BUCKLEY], chairman of the House Committee on Public Works, requesting reports on my bill from the interested agencies and departments.

Then came almost endless contacts with the departments, including a personal contact with my good friend and our former colleague, the Honorable Stewart Udall, Secretary of the Interior. Through the departments, through the Bureau of the Budget, back to Engineers, and then back to the Committee on Public Works, I have closely followed every step as Oakley slowly progressed through all the channels which have brought it to this point.

Mr. Speaker, I wish at this time to thank all those who have helped me so greatly in getting Oakley to the floor for vote—members of the Committee on Public Works, staff members of the committee, and all of the various persons in the departments who have been so helpful.

Mr. Speaker, I urge passage of the omnibus public works bill—and Oakley Dam.

Mr. CRAMER. This may not be pertinent at this hour and under these circumstances, but somebody said a minute ago, perhaps, you would like to have us tell you what is in the bill. So now for a few minutes I would like to do that.

To my distinguished colleague, and very able gentleman from Tennessee [Mr. DAVIS] I would like to say it is always a privilege to work with him and with the Committee on Public Works. I am delighted again as in a number of instances in the past that we come to you with a bill which I think in good conscience each and every one of us can support.

I am glad to see this conference report in the shape that it is because it has been my consistent position that we, in this highest legislative body in the world, the Congress of the United States, must acknowledge certain responsibilities to the people of this country and to the taxpayers. Nobody can say that this is a pork-barrel bill. The pork is out of it. Nobody can say that those who are entitled to the right to be heard are being denied that right because these projects that are controversial have been eliminated and will be heard next year. This is in the true democratic tradition—and that is spelled with a little "d" I guess.

So, Mr. Speaker, I am glad to say we have before us what I would call a clean bill that I can wholeheartedly support, and that I think every Member of this House can support. I think it is monumental that the Members of the House were able to cut from this bill, that is, the amounts contained in the bill as recommended by the other body—\$1,434 million. As a matter of fact, I think that is historic. I know of no similar precedent, and I am proud to have had a part in effectuating that cut. Nine hundred million dollars was cut from the basin authorizations to be considered next year.

Waurika was cut out of the bill, \$25 million.

Flynt River, \$151 million.

Cape Fear, \$25 million.

Devil's Jump, \$151 million.

Burns Creek, \$52 million.

Knowles Dam, \$50 million.

Trotter's Shoal, \$78 million.

Of course, Duke Power along with Trotter's Shoal had to be deferred for consideration until next year since it was essential to do that in order to get a bill. So both projects are being deferred.

Let me say to the gentleman from West Virginia [Mr. JENNINGS] and the gentleman from South Carolina [Mr. DORN], and to those who have inquired, and properly so, so far as I am concerned I would have preferred to have had the Duke Power project retained because it was noncontroversial and in both bills. There was no controversy about it so far as I am concerned. It was in both bills and I feel that it should have been retained in the final bill. Trotter's Shoal proved to be controversial and, obviously, had to be removed from the bill in keep-

ing with the basic criteria of having non-controversial projects included. Therefore, in order to get a bill it was essential to remove both projects.

I am glad to report to the House that China Gardens was removed, as you recall, from the House bill. As you recall, we had it up on the floor of the House, and we had a vote. It was a close vote. I understand the examiner for the Federal Power Commission has recommended on the Mountain Sheep \$260-and-some-odd-million project—as a private enterprise development. China Gardens is an integral part of that total project so it seemed a logical thing to me that likewise the Federal Power Commission should have the opportunity of considering the China Gardens project. I think that, too, is a tremendous accomplishment.

One concession was made to the other body of a rather substantial nature in that the Bruce Eddy project, an Idaho project on the Columbia River, was included. I think it is significant that one concession in this instance was made to the other body and eight concessions were made to this body. I think it is salutary. I think we have a sound bill. I think we have a bill that everyone can support. It is a bill that I can wholeheartedly support.

The basic question left is, Are there any projects in this bill that have not cleared the department involved? There are a few that have not cleared the Bureau of the Budget, but in every instance the committee has written into the bill that clearance is essential before the project can be authorized. So I can wholeheartedly support the bill as meeting basic and necessary criteria.

In closing, let me say that the gentleman from California [Mr. BALDWIN] has been of invaluable service to the House and in conference in bringing back this report deserving of our support.

Mr. DAVIS of Tennessee. Mr. Speaker, we have no further requests for time on this side. I think the gentleman from California [Mr. BALDWIN] wants 2 minutes, and these 2 minutes will conclude the debate. I want the House to know that, and I want to thank especially the gentleman from California [Mr. BALDWIN], a valiant conferee.

Mr. BALDWIN. Mr. Speaker, I would like to say to the Members of the House that the chairman of the House conferees, the gentleman from Tennessee [Mr. DAVIS], was absolutely a Rock of Gibraltar in this conference in defending the position of the House. I would like to commend him and I would like to say it was a privilege and an honor to serve with him on this conference committee.

It was our objective, we had announced it to the Rules Committee and we had announced it to the House that all projects added by the other body where House Members wanted the opportunity to be heard and had not had the opportunity to be heard because the House committee had not held any hearings on the subject, or projects added by the other body on which outside witnesses had a legitimate right to be heard but had not been given the opportunity

before the House committee, that these projects would be removed from the bill and hearings held on them next year. This is the position we took. We were successful in maintaining that position. We were therefore successful in maintaining the integrity of the House and maintaining the right of interested House Members to have the right to be heard before any action is taken involving projects that may affect their district or their State in which they have a vital interest.

Mr. DAVIS of Tennessee. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered. The conference report was agreed to. A motion to reconsider was laid on the table.

#### NEW ORLEANS SESQUICENTENNIAL CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 87-759, the Chair appoints as members of the Battle of New Orleans Sesquicentennial Celebration Commission the following Members on the part of the House: Mr. HÉBERT, Mr. COLMER, Mr. ABERNETHY, Mr. CHELF, Mr. BOGGS, Mr. EVERETT, Mr. BAKER, and Mr. SILER.

#### REPORT TO THE PEOPLE OF THE FOURTH MISSOURI DISTRICT ON THE 87TH CONGRESS

Mr. RANDALL. 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 Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, in a short time the gavel will fall, bringing to a close the 2d session of the 87th Congress. This summary is prepared that the people of the Fourth Missouri District may know how well their Representative has fulfilled the responsibility they entrusted to him. Under our system of representative democracy, it is important that all citizens be informed on matters of significance to our area and to the Nation.

Whether this will be known as a great Congress, it will certainly go down as a good Congress. We believe the acts of this Congress accurately reflected the wishes of most of our citizens and was responsive to the needs of our people in both domestic and foreign affairs. This was a Congress which contrasted with the previous Congress. There was somewhat a change of attitude. The 1960 recession was over and employment and profits were both up. The Congress was in a more cautious mood than the 86th Congress.

While legislation provides a record to rate each Congressman, a large part of the work of each Member is done behind the scenes. I refer to work by the committees. Your Representative is a member of the House Space Committee—Science and Astronautics—and also a member of the House Veterans' Affairs Committee. The Space Committee took the major portion of our time because

this year it had a budget second only in size to the Department of Defense. For months and months we were engaged in subcommittee hearings having to do with the subject of space sciences, trying to evaluate the merit or need or to weed out the unnecessary in the requests by NASA.

The physical operation of this session of Congress started at a fast pace with committee meetings and early consideration of several matters on the floor. By March, the Congress had considered 12 major bills and 10 more in April, but in May the legislative machine seemed to run out of steam, or drive, and slowed down almost to a snail's pace. Only five record votes were held in the entire month of May and about then the columnists were saying, "What is wrong with Congress?" It took the Congress until about midsummer to get moving at a fast clip, and those pundits who in late spring and summer had labeled it a "do nothing" Congress were forced to admit before adjournment it had, in fact, done many worthwhile things.

Many Congressmen felt they were not here simply to say "yes" to everything the President proposed or to vote "no" simply because the President was in opposition. The fact is that in the last 2 years the President has asked the Congress for a huge program of legislation. Let us compare it with Mr. Eisenhower, who in his first 2 years asked for approximately 65 major pieces of legislation whereas President Kennedy asked for about 110, or almost double that amount. President Eisenhower got 30 of his 65 while President Kennedy got 65 of his 110, or just about the same percentage as his predecessor.

We understand this Congress has remained in continuous session longer than any other peacetime Congress. As it draws to a close, we can say it has been two most interesting and important years. The cold war is still upon us, but a shooting war is no closer than it was 2 years ago. While Cuba is an acute problem, on the other hand, the Communist world is in serious trouble. Indian and Red China troops are killing each other in border clashes. Russia is having so much trouble with Red China that three consulates have been closed. Famine and food shortages exist in both China and Russia. In contrast we now enjoy a growing and much strengthened military force.

On the domestic side, we approach the year 1963 with our economy in better shape than it was in 1961, with fewer unemployed and higher corporate profits. The present administration inherited the problem of 6 million unemployed which has been reduced to 3.5 million today. Since 1.1 million new workers have been added to the work force there are 3.6 million more people at work than there were in January 1961.

We submit below a checklist of major legislation enacted to dramatize the record of accomplishment of the 87th Congress. In the area of national defense and foreign policy the following was accomplished:

#### IMPROVED DEFENSE POSTURE

We have strengthened our defense posture at home and throughout the free

world. We inherited a foreign policy repertoire with crises in southeast Asia, Cuba, and Berlin, but we set about immediately to strengthen our Military Establishment and provide the weapons, manpower, and equipment to meet the global challenge of the Communist bloc. Military expenditures were increased by some \$9 billion over the level maintained by the previous administration. On two occasions when the cold war threatened to explode into a hot or shooting war over Berlin, the President asked the Congress and received permission to call up Reserve forces for active duty. This U.S. troop buildup is generally credited with causing the Russians to back down on their demands for Berlin.

Specifically, the Polaris submarine program was doubled. Missile development production was sharply increased; but equally important and perhaps most important of all, we increased our capacity to wage conventional and guerrilla warfare.

Closely akin to the military—because space has many military implications—is our exciting new program of space exploration. Its announced objective was to place a man on the moon by the end of this decade as well as extensive planetary exploration but the side effects or fallout of this program have been of such great military value that these expenditures can be classed as military. The space race is one which we cannot afford to withdraw from because of military reasons.

#### THE PEACE CORPS

The Peace Corps has helped people of other nations by teaching and demonstrating needed skills. The Corps confronted the original critics and has proved to be most useful in underdeveloped countries and a powerful force in spreading good will around the globe. What a contrast with the attitude toward the Peace Corps in 1961 which was a very controversial issue but it did so well in the ensuing year and has proved itself so well that the vote in 1962 to continue the Peace Corps was 317 to 70. These "crusaders for democracy" now have 1,050 volunteers overseas in 17 countries and many other countries have requested volunteers. The most dramatic endorsement of the Corps is the fact that its members do not go to any country that does not request or invite them. We now have future commitments to go to 34 countries or exactly double the 17 where our corpsmen now are.

#### ALLIANCE FOR PROGRESS

The Alliance for Progress has helped to bring about social and economic reform in South American countries. However, the Congress did cut about \$600 million from the appropriation when the State Department could not present sound plans to justify the requested expenditure or to show the Latin American countries themselves were making an effort to put their own house in order.

#### FOOD-FOR-PEACE PROGRAM

Revitalization and expansion of the food-for-peace program put American farm surpluses to work feeding the hungry of the world—agricultural products which would otherwise have to be stored at Government expense or sold for for-

foreign currencies or on credit terms. The profits of these sales will be used to finance American embassies abroad and as loans—not grants—for such projects as schools, hospitals, and dams.

#### TRADE EXPANSION ACT

Undoubtedly the most important piece of legislation passed by the 87th Congress was the President's Trade Expansion Act. This dynamic new program will help to expand our foreign trade opportunities in the EEC and around the world. This will empower the President to cut all tariffs on most foreign imported goods by 50 percent over a 5-year period and to eliminate entirely tariffs on goods coming from the EEC which account for at least 80 percent of our world trade, but bear in mind this authority to make these concessions is given only in return for favorable treatment of American exports by other countries. In the same bill, there is a provision for loans and tax relief for businesses hit by lower tariff barriers and payments up to 65 percent of wages to unemployed workers who may lose their jobs but who are also provided with assistance in retraining to new skills. It is said one of our great needs is to create 5 million new jobs each year for the next several years. Growth and trade through this act will provide a significant number of these new jobs but it was more than simply passing a trade bill. With us, it was a case of "trade or fade." We simply had to be ready to deal with these new world markets of Europe and Japan or be shut out, but equally significant is the fact that this Trade Expansion Act may be the first step toward a great trading bloc of free nations that will use their combined strength to frustrate, and let us hope, to finally defeat world communism.

#### FOREIGN ASSISTANCE PROGRAM

The Congress enacted a realistic flexible long-range foreign assistance program to strengthen the free nations of the world against Communist domination. We believe our foreign aid program has reinforced the security and prestige of the United States abroad and strengthened the forces of freedom throughout the world. These bills were called by the name the Foreign Assistance Acts of 1961 and 1962. Your Member worked toward cuts in foreign aid spending and final appropriation was reduced \$585 million for 1962 alone.

AID—Agency for International Development—was formed from all the numerous agencies that went their separate ways in other years on foreign assistance. This coordination was a great improvement, and for the first time, AID has cooperated with foreign American charity organizations such as CARE and church missions. In the last 2 years the emphasis on foreign aid has been shifting away from outright gifts to loans that must be repaid and more importantly, this aid is being tied to a stipulation of self-help and social reform.

#### U.N. BONDS

We supported the \$100 million loan for the purchase of U.N. bonds when we were convinced this legislation con-

tained safeguards which provided that the sums we lend must be matched by other nations. The Communist bloc will still be liable for its dues and assessment and if they do not pay them in 2 years they will lose their right to vote in the General Assembly of the United Nations.

#### CUBA AND BERLIN RESOLUTIONS

Before the Congress adjourned, it enacted resolutions restating the congressional sentiment against Communist China on its possible admission to the United Nations and outlining our determination in the Cuba and Berlin crisis. We created a means of arms control through the Disarmament Agency which was the first deliberate move by any Congress to solve the problems and threat of nuclear disaster which hangs over the earth as well as the immense sums of money spent by nations on armaments. It may be that not too much can be accomplished real soon but this is the first full-time agency to work at the problem. Finally, it can be said the cost of national defense is high but we must face up to the cost to preserve our way of life on this planet. There is no price tag on such a thing as freedom.

In the area of domestic legislation the following was accomplished:

#### MINIMUM WAGE

The 87th Congress increased the minimum wage from \$1 to \$1.25 and extended the coverage to 3.6 million people.

#### AREA REDEVELOPMENT

The Area Redevelopment Administration was created as a measure to provide help in the long-range rebuilding of local economies suffering from chronic unemployment. This applied to generally depressed industrial and rural areas. The act authorized \$394 million in loans and grants and \$10 million for payments to unemployed workers taking part in training programs for new jobs.

#### HOUSING ACT

The Congress enacted the most comprehensive Housing Act in many years, expanding urban renewal, slum clearance, and housing for colleges. Then only this year we enacted the Senior Citizens Housing Act providing low interest rates for construction of rental and cooperative housing for persons over 62 years of age in urban areas.

#### SOCIAL SECURITY AMENDMENTS

The 87th Congress made extensive liberalizing amendments to the Social Security Act to benefit over 4 million senior citizens. The Public Welfare Amendments of 1962 increased the Federal share to old-age assistance, to the blind and disabled, effective October 1. There were major improvements in the operation of Federal-local welfare programs. Most of these were aimed at rehabilitating relief recipients and eliminating abuses. One specifically would curb abuses on money intended for needy children—aid to dependent children—where it was being used for all types of unjustified—even illegal—purposes.

#### PUBLIC WORKS ACCELERATION

The Public Works Acceleration Act permitted the immediate commitment of \$600 million to stimulate capital invest-

ment programs in communities that are designated for ARA or that have had more than 6 percent unemployment for over a year.

#### MANPOWER RETRAINING

A manpower retraining program was enacted. Pockets of unemployment made it imperative that we do something to make use or utilization of skills of the unemployed in these areas. The bill empowers the Secretary of Labor to retrain these people whose jobs have been eliminated through automation or technological changes. It is a 3-year \$435 million program providing on-the-job and vocational training for between 500,000 and 750,000 workers.

#### EXTENSION OF UNEMPLOYMENT INSURANCE

One of the first acts of the new Congress in 1961 was to provide for temporary extension of unemployment insurance benefits to workers who had exhausted their benefits and aid to dependent children of these needy unemployed whose unemployment benefits had been exhausted.

#### AMENDED HIGHWAY ACT

This Congress enacted legislation to keep the 41,000-mile Interstate Highway System on schedule and to shift a greater portion of the cost to the users and finally this year required the States to provide relocation advisory assistance to families displaced by highway acquisitions.

#### WATER POLLUTION CONTROL

We strengthened and expanded the grant program for the construction of sewage treatment plants for water pollution control and tightened up the enforcement of the law. This set up a 5-year program with a doubling of Federal assistance to local communities.

#### EXTENDED IMPACTED SCHOOL AID

We established a community health facilities program to broaden local public health services and construction of needed nursing homes; extended the Federal impacted school aid law—Public Law 874 and Public Law 815—and also extended the National Defense Education Act.

#### STRENGTHENED WELFARE-PENSION PLAN

The Congress strengthened the enforcement of the welfare-pension plan now in effect and applicable to many labor organizations, acting to safeguard all of the beneficiaries of these pension programs.

#### SALINE WATER PROGRAM

We expanded the saline water conversion program, established three new national parks and authorized several public works projects; established a pioneer program which could be said to be the first Federal program ever enacted to combat juvenile delinquency.

#### AEC PLUTONIUM REACTOR

As a Congress we authorized the largest nuclear-powered plant in the world to utilize waste steam from the AEC plutonium reactor at Hanford, Wash. This was without cost to the Government.

#### ELIMINATION OF POLL TAXES

In the field of civil rights, the Congress enacted a proposed constitutional

amendment which must be ratified by three-fourths of the States to bar poll taxes as a prerequisite to voting in Federal elections. The Civil Rights Commission was extended and we established a program to promote equal employment opportunities for all citizens.

#### REDUCED EXCISE TAX

The Federal excise tax was reduced on airline travel, and we completely eliminated excise tax on rail, bus, and water travel.

#### TAX REVISION

The so-called tax bill of 1962 encouraged plant modernization by an investment incentive allowance and provided for closing some loopholes in the tax laws.

#### TELSTAR

Telstar was the subject of long and bitter debate, but the result was the creation of a commercial satellite system and provision for the corporate structure to administer this new program, ushering in an era of international television.

Legislation was enacted to combat the hijacking of airplanes.

#### NEW FARM LAW

We finally after two or three tries passed a new farm law which includes some of the first steps toward a realistic supply-management program to reduce cost of surpluses, improve farm income, and yet one to hold consumer prices stable.

#### NEW DRUG CONTROLS

Before adjournment this Congress did not forget the consumer, for late in the session we passed a bill to protect the consumer from the harmful effects of experimental drugs. In amending the Food and Drug Act, we required that advertisement of drugs list the active ingredients and the side effects of the drug and required the advertisement to give a brief description of the merits and advantages. It was provided that a brief summary of the cautions, side effects, and related information or possible adverse effects of the drug be spelled out.

#### FEDERAL EMPLOYEES SALARY INCREASE

Near the end we adjusted postal rates to reduce the Post Office Department's deficit and correspondingly increased the salary of postal and Government employees in an effort to bring these more in line with those in private industry. This bill granted a pay raise for 1.6 million Federal employees in two steps: the first to be effective around October 15, 1962, and the second on January 1, 1964. Included in the same bill was an increase of 5 percent in the benefits received by 600,000 civil service retirees and their survivors. This annuity increase will become effective January 1, 1963.

#### VETERANS LEGISLATION

In the field of veterans legislation we made numerous liberalizing changes, most important of which was a cost-of-living increase for service-connected disabled payments to almost 2 million such veterans. We opened national service life insurance for 1 year to those who had let this insurance lapse, but unfortunately limited it to those with service-connected disabilities.

#### UNFINISHED BUSINESS

There is much unfinished business remaining for the next Congress. The reason is that much of the legislative program was blocked by minority obstructionism, or I should say by most of those in the Congress who make up the party in opposition to the administration. Had they simply disagreed that would have been quite understandable or had they offered rational substitutes for legislation with which they disagreed that could have been understood but they opposed solely for the sake of political gain. Constructive opposition is welcome but it proposes alternatives, not resistance, and no party has the right to oppose destructively what is good for the country. These obstructionists go about calling the 87th Congress, "do nothing." Their actions have been negative and only aimed to defeat legislation proposed by the majority party. Their opposition could best be described as blind and obstructive, but what did these negativists offer in place of a positive program? The answer is "nothing."

Remaining unfinished includes a bill to aid the mass transportation of those who live in urban and suburban areas. It was proposed that grants of about \$500 million operate for 3 years, with the Federal Government furnishing not to exceed two-thirds of the cost to improve mass transit, the remaining one-third to be contributed in cash by the community.

Another unfinished item was the Youth Employment Opportunities Act which failed of consideration. It provided for a Youth Conservation Corps of 12,000 young men between the ages of 16 and 22, a sort of domestic peace corps.

The College Academic Facilities Act was defeated; it would have provided matching grants for 5 years in the improvement and extension of badly needed college facilities.

The establishment of a national wilderness preservation system failed to be considered.

Aid to elementary and secondary schools failed again.

Without going into the controversial medical care question, we believe if medical school construction assistance had been provided for, it would have been most helpful and gone a long way to relieve the shortage of doctors. This bill was known as the Health Professions Educational Assistance Act, but it never reached the floor. It provided a 10-year program in grants for the construction of medical, dental, and public health teaching facilities and for the rehabilitation of existing facilities.

I believe it is a true statement to say that this Congress was run by the moderates and that the moderates examined each proposal on its merit and proceeded to vote according to their own best judgment as to whether the proposed law would be good for their own district and the Nation. One Member aptly said, "Our eyes were on the stars but our feet were on the ground."

I have sincerely worked for what I believe to be the best interest of our district and our great country, and while I cannot expect everyone to be pleased

with every vote, I hope that this accounting will meet with overall or general approval.

I deeply appreciate the honor to represent the Fourth Missouri District in Washington during the past 4 years, and I have tried to show this appreciation by devoting all of my time to the job of serving my constituents to the very best of my ability.

**A GLOSSARY OF SPACE TERMS**

Mr. RANDALL. 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 Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, as a member of the House Space Committee—Science and Astronautics—we are frequently asked by constituents for a glossary of space terms and if there is

available a table which would classify the different projects according to mission or purpose and according to launch vehicle. We have also been asked to indicate whether the particular space activity is under the guidance of some branch of the Department of Defense or the National Aeronautics and Space Administration.

We recognize it is exceedingly difficult to take such complex subject matter and succeed in any effort to clearly classify the many unmanned or scientific space exploration projects in any arrangement that can be condensed into one or two pages. We have included a table of space applications to communication, weather, and navigation.

We earnestly hope that this presentation of space terminology may be of some value to the many students who have made inquiry and also our adult constituents who have expressed their interest in a classification of space exploration projects.

A glossary of space terms follows:

*Space terminology*

Launch vehicles	Mission	Payload weights	
		300-mile orbit	Deep-space probes
Vanguard	Scientific satellites	25	
Redstone (Jupiter C)	Scientific satellites (Redstone-Mercury)	30	
Juno II	Scientific satellites, moon shots	100	15
Scout	Scientific satellites, military tests	150	
Thor-Able	Reentry test satellites, moon shots	200	40
Thor-Able-Star	Military satellites	500	65
Thor-Delta	Scientific satellites	500	60
Thor-Agena A	Military test satellites	1,250	250
Thor-Agena B	do	1,600	
Atlas-Able	Moon shots (unmanned)	2,000	375
Atlas-Mercury	Manned orbital flight	2,000	
Atlas-Agena A	Midas and Samos, reconnaissance satellites	3,000	750
Atlas-Agena B	Midas, Samos, and Ranger, reconnaissance satellites	5,000	
Atlas-Centaur	Surveyor, Advent, and Mariner projects	8,500	2,300
Saturn C-1	Prospector, Dynasoar, Voyager, and Apollo	20,000	2,400
Saturn C-5	Apollo	200,000	80,000
Nova	do	290,000	100,000

**SPACE EXPLORATION (MANNED)**

*Suborbital, one passenger*

Mercury (Redstone)—NASA

- MR-1, December 1960, capsule test.
- MR-2, January 1961, chimpanzee "Ham."
- MR-3, May 1961, Comdr. Alan B. Shepard, Jr.

- MR-4, August 1961, Capt. Virgil I. Grissom.

*Three orbits, one passenger*

Mercury (Atlas)—NASA

- MA-1, July 1960, Atlas destroyed.
- MA-2, February 1961, maximum reentry heat test.
- MA-3, April 1961, Atlas destroyed.
- MA-4, September 1961, instrument test.
- MA-5, November 1961, chimp test "Enos."
- MA-6, February 1962, Col. John Glenn.
- MA-7, May 1962, Comdr. M. Scott Carpenter.
- MA-8, October 1962, Comdr. Walter Schirra (8 orbits).

*Gemini (Titan II) NASA sustained orbit, two-man, 1964-65*

Apollo:

- NASA sustained orbit, three-man; to use Saturn C-1 or C-5.
- NASA circumlunar, three-man; to use Saturn C-5.

NASA lunar landing, three-man; to use Advanced Saturn.

Dyna-Soar: Air Force gliding reentry; to use Titan II, Titan III, Saturn; first flight scheduled in 1965.

ASP: Air Force, NASA, aerospace plane (proposed).

**SPACE EXPLORATION (UNMANNED)**

Vanguard, U.S. Navy, scientific satellite, later given to NASA.

Explorer, U.S. Army, scientific satellites, later given to NASA. NASA scientific satellites, launched by Air Force and NASA.

Discoverer, U.S. Air Force, scientific and engineering satellite (Thor Agena).

Mariner, NASA, probes of Venus.

Arents, ARPA, to investigate space environment (proposed).

*Reconnaissance and detection satellites*

Samos, Air Force reconnaissance satellite. Midas, Air Force infrared missile detection and alarm system.

Caleb, proposed Navy air-launched satellite formerly called Yo-Yo.

Vela Hotel, space detection of nuclear blasts in space and underground.

Bambi, ARPA, satellite capable of intercepting enemy missiles in boost phase.

Anna, Army-Navy, NASA-Air Force geodetic satellite.

**SCIENTIFIC DATA GATHERING SATELLITES**

OAQ, NASA, 3,500-pound orbiting astronomical observatory.

OGO, NASA, 1,000-pound satellites with geophysical measurements, Atlas Agena B, Thor Agena B, Centaur Boosters, 1963 (orbiting geophysical observatory).

OSO, NASA, orbiting solar laboratory.

SERT, NASA, satellite for environmental tests, last quarter, 1963.

Pioneer, ARPA Moon project, later NASA, Deep Space Probes.

Ranger, NASA, hard landing on moon.

Surveyor, NASA, soft landing on moon.

Mariner, NASA, intended flyby of Venus.

**OTHER PROJECTS BY PURPOSE**

*Communications satellites*

Score, U.S. Army delayed repeater. Courier, U.S. Army delayed repeater.

Beacon, NASA passive reflector.

Echo, NASA passive reflector.

Echo II, NASA passive reflector.

Rebound, NASA passive reflector.

Relay, NASA active repeater.

Advent, developmental Air Force communications satellite.

Csar, proposed Air Force communications satellite.

Westford, Air Force developmental version of passive reflectors (copper needles).

Haystack, Air Force operational version of passive reflectors.

Telstar, research version of commercial active communications satellite.

Syncom, satellite in synchronous orbit at 22,300 miles altitude.

*Weather satellites*

Tiros, NASA experimental weather satellite—six out of six launches successful.

Nimbus, NASA experimental weather satellite, first scheduled flight, late 1962, attitude controlled.

Aeros, NASA advanced model weather satellite.

*Navigation satellite*

Transit, Navy navigation satellite. (Alphabetic abbreviations above are NASA, National Aeronautics and Space Administration; ARPA, Advanced Research Projects Agency (Department of Defense).)

**COLUMBUS DAY, 1962**

Mr. RODINO. 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 New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, to me, Columbus Day is no ordinary anniversary. Although it may be a platitude to say that the world tends to forget the significance of its holidays, it seems to me that we are particularly prone to overlook the tremendous import for all future generations of the voyage of Christopher Columbus.

To the man himself we must first pay homage. His achievement was the result of indomitable faith in an idea. His was a triumph of courage in the face of all odds. Mutiny and the complete discouragement of those about him he met with the same brave persistence which steered him across the shoreless seas, day after day, with no goal to beckon him, no single voice raised to stimulate his lonely hope, to support his solitary faith in his own vision.

The Columbus of our own day, the astronaut, has at least a voice of encouragement to accompany him, a contact with those who share his dream, a connection, tenuous though it is, with the world behind him. Not so Columbus himself.

But though he had no touch with the Old World as he sailed his maiden voyage, it was Columbus who brought the Old World to the New. It was he who commenced that tremendous trek of succeeding generations, of succeeding centuries, which brought to the Western Hemisphere the civilization of Europe and all that went before. Not only did the people come themselves, with their imports, their energies, and their talents; they brought with them their heritage, which was to make the New World what it is.

Now we in the 20th century have begun to repay that vast debt of generations. We are reaching back to the Eastern Hemisphere in countless helpful ways. We are sharing our wealth of well-being, our faith, and our hope, internationally, binationally, country to country, people to people and now, little people to little people, for even the youngsters have begun a program of contacts with which they aim to convince the world that we in the West are sincere in our hope for peace and the welfare of all men.

This "little people to little people" movement started, I am proud to say, with my young son Peter. At the age of 10 he said one morning that perhaps Khrushchev and the Communists did not believe that the ordinary people in America really meant it when we said we wanted him to stop testing atom bombs. Perhaps, if he and a lot of children were to write to Mr. Khrushchev they might persuade him that we really did mean it.

That was the beginning of what has developed into a modern children's crusade. Thousands of children, prompted by Boy Scouts, encouraged by teachers, ministers, parent-teacher associations, and their own colleagues are now writing letters, not just about atom bombs but conveying a sincere desire for peace and understanding among the people of the world. The young generation is sailing forth on its own. Unchartered seas are no barriers to them. They are destined, like Columbus, to reach new and rewarding shores.

Thirty years from now, the world will be celebrating the 500th anniversary of the voyage of Christopher Columbus. Thirty years from now the world will be in the hands of this younger generation. In the early start that they have made in communicating, in learning, in teaching the philosophy of the Western World there lies much hope and much promise. If all the world knows that the West is sincerely striving for a breaking of barriers, for the promotion of peace, there will be much progress toward the accomplishment of these ends.

Columbus in his faith, his courage, his endurance, and his vision led the way across unknown seas to the New World

of today. The Columbuses of today are launched upon the uncertain seas of progress toward the New World of tomorrow—the world of the spirit of understanding that may stretch around the whole world to the benefit of all mankind.

#### ENTRY OF ALIEN SKILLED SPECIALISTS

Mr. WALTER. Mr. Speaker, I call up the conference report on the bill (S. 3361) to facilitate the entry of alien skilled specialists and certain relatives of U.S. citizens, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

Mr. GROSS. Mr. Speaker, reserving the right to object, what is in the bill?

Mr. WALTER. This is a conference report on one section of a bill which passed the House last week authorizing the adjustment of immigration status of certain aliens in the United States.

Mr. GROSS. And the bill is confined strictly to this adjustment of the status of aliens?

Mr. WALTER. Exactly. As I said, the conference report relates to one section of the bill where the House did not agree to the method of adjustment embodied in the Senate bill. Now, we largely restore title 3 of the Smith Act of 1940, which had expired, as the guide for the purpose of making a determination of eligibility and obtaining the approval of the Congress for the ruling of the Attorney General.

Mr. BOW. Mr. Speaker, reserving the right to object, do I understand from the gentleman from Pennsylvania that the other body will also consider House bills that we may have passed?

Mr. WALTER. I am sure the gentleman knows the position we have taken. Today we succeeded in connection with two private bills. I am sure we will be more successful in the future because we know now how to do it.

Mr. BOW. I would like to clarify the situation. If the House considers bills from the other body, will the other body also consider bills from the House of Representatives? Can the gentleman tell me about that?

Mr. WALTER. I cannot give the gentleman any guarantee. I will say that we will be able to determine what the attitude is going to be when at the next session we report bills that pass the House and go to the Senate. We will be in a position at that time to discuss what we will do with Senate bills.

Mr. BOW. Mr. Speaker, I am not particularly interested in the next session of Congress. I am speaking about bills from the other body that they are interested in having considered in this session of Congress. It seems to me that bills of the House of Representatives should also be considered by the other body, and I am wondering whether the gentleman can give us assurances if we consider bills that come over here from the other body they also will consider bills sent to them?

Mr. WALTER. Of course I am very glad to inform the gentleman that this afternoon the Senate passed two bills of the House providing for the adjustment of status of two physicians, one introduced by the gentleman from California [Mr. SMITH], and the other by the gentleman from West Virginia [Mr. MOORE]. Those bills were approved by the Senate this afternoon. As to this bill I wish to add a few words of explanation.

Basic principles of a sound immigration policy and our continuous concern to preserve the integrity of the very important international educational exchange program caused the conferees to exclude from the benefits of this legislation those aliens who enter the United States as crewmen or exchange visitors. Similar exclusion, with specified exceptions applies to natives of countries and islands contiguous or adjacent to the United States.

If any alien in these classes becomes subject to deportation proceedings, maximum relief which could be accorded him would be discretionary action by the Attorney General who may permit such alien to leave the United States without prejudice to his future, lawful entry, provided that he or she leaves the United States promptly when ordered by the Attorney General to do so.

The inclusion in the benefits of this legislation of aliens who served honorably for a stated period of time in the Armed Forces of the United States represents the incorporation into a permanent statute of a policy traditionally adhered to by the Congress in the enactment of private relief bills for the alien servicemen or ex-servicemen. Aliens serving in the Navy or the Coast Guard under a special arrangement with the Government of the Philippine Republic and aliens enlisted or inducted outside of the United States, are not subject to the relief provisions of this legislation.

Mr. GREEN of Pennsylvania. Mr. Speaker, reserving the right to object, I want to compliment the gentleman on the excellent job he has done with this bill. He is entitled to the commendation and congratulations of the whole House.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT (H. REPT. NO. 2552)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3361) to facilitate the entry of alien skilled specialists and certain relatives of United States citizens, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1 and agree to the same with the following amendment:

In lieu of the language proposed to be stricken by the amendment of the House, insert the following:

"Sec. 4. Section 244 of the Immigration and Nationality Act (8 U.S.C. 1254) is hereby amended to read:

"Sec. 244. (a) As hereinafter prescribed in this section, the Attorney General may, in his discretion, suspend deportation and adjust the status to that of an alien lawfully admitted for permanent residence, in the case of an alien who applies to the Attorney General for suspension of deportation and—

"(1) is deportable under any law of the United States except the provisions specified in paragraph (2) of this subsection; has been physically present in the United States for a continuous period of not less than seven years immediately preceding the date of such application, and proves that during all of such period he was and is a person of good moral character; and is a person whose deportation would, in the opinion of the Attorney General, result in extreme hardship to the alien or to his spouse, parent, or child, who is a citizen of the United States or an alien lawfully admitted for permanent residence; or

"(2) is deportable under paragraphs (4), (5), (6), (7), (11), (12), (14), (15), (16), (17), or (18) of section 241(a); has been physically present in the United States for a continuous period of not less than ten years immediately following the commission of an act, or the assumption of a status, constituting a ground for deportation, and proves that during all of such period he has been and is a person of good moral character; and is a person whose deportation would, in the opinion of the Attorney General, result in exceptional and extremely unusual hardship to the alien or to his spouse, parent, or child, who is a citizen of the United States or an alien lawfully admitted for permanent residence.

"(b) The requirement of continuous physical presence in the United States specified in paragraphs (1) and (2) of subsection (a) of this section shall not be applicable to an alien who (A) has served for a minimum period of twenty-four months in an active-duty status in the armed forces of the United States and, if separated from such service, was separated under honorable conditions, and (B) at the time of his enlistment or induction was in the United States.

"(c) (1) Upon application by any alien who is found by the Attorney General to meet the requirements of subsection (a) of this section the Attorney General may in his discretion suspend deportation of such alien. If the deportation of any alien is suspended under the provisions of this subsection, a complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such suspension. Such reports shall be submitted on the first day of each calendar month in which Congress is in session.

"(2) In the case of an alien specified in paragraph (1) of subsection (a) of this section—

if during the session of the Congress at which a case is reported, or prior to the close of the session of the Congress next following the session at which a case is reported, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the suspension of such deportation, the Attorney General shall thereupon deport such alien or authorize the alien's voluntary departure at his own expense under the order of deportation in the manner provided by law. If, within the time above specified, neither

the Senate nor the House of Representatives shall pass such a resolution, the Attorney General shall cancel deportation proceedings.

"(3) In the case of an alien specified in paragraph (2) of subsection (a) of this section—

if during the session of the Congress at which a case is reported, or prior to the close of the session of the Congress next following the session at which a case is reported, the Congress passes a concurrent resolution stating in substance that it favors the suspension of such deportation, the Attorney General shall cancel deportation proceedings. If within the time above specified the Congress does not pass such a concurrent resolution, or if either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the suspension of the deportation of such alien, the Attorney General shall thereupon deport such alien in the manner provided by law.

"(d) Upon the cancellation of deportation in the case of any alien under this section, the Attorney General shall record the alien's lawful admission for permanent residence as of the date the cancellation of deportation of such alien is made, and the Secretary of State shall, if the alien was classifiable as a quota immigrant at the time of entry and was not charged to the appropriate quota, reduce by one the quota of the quota to which the alien is chargeable under section 202 for the fiscal year then current at the time of cancellation or the next following year in which a quota is available. No quota shall be so reduced by more than 50 per centum in any fiscal year.

"(e) The Attorney General may, in his discretion, permit any alien under deportation proceedings, other than an alien within the provisions of paragraph (4), (5), (6), (7), (11), (12), (14), (15), (16), (17), or (18) of section 241(a), (and also any alien within the purview of such paragraphs if he is also within the provisions of paragraph (2) of subsection (a) of this section), to depart voluntarily from the United States at his own expense in lieu of deportation if such alien shall establish to the satisfaction of the Attorney General that he is, and has been, a person of good moral character for at least five years immediately preceding his application for voluntary departure under this subsection.

"(f) No provision of this section shall be applicable to an alien who (1) entered the United States as a crewman; or (2) was admitted to the United States pursuant to section 101(a)(15)(J) or has acquired such status after admission to the United States; or (3) is a native of any country contiguous to the United States or of any adjacent island named in section 101(b)(5): *Provided*, That the Attorney General may in his discretion agree to the granting of suspension of deportation to an alien specified in clause (3) of this subsection if such alien establishes to the satisfaction of the Attorney General that he is ineligible to obtain a nonquota immigrant visa."

And the House agree to the same.

Amendment numbered 2: That the House recede from its amendment numbered 2.

FRANCIS E. WALTER,  
MICHAEL A. FEIGHAN,  
FRANK CHELF,

*Managers on the Part of the House.*

JAMES O. EASTLAND,  
OLIN D. JOHNSTON,  
JOHN L. MCCLELLAN,  
ROMAN L. HRUSKA,  
KENNETH 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 House to the bill (S. 3361) to facilitate the entry of alien skilled specialists and certain relatives of U.S. citizens, 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 agreement reached by the committee of conference with regard to House amendment No. 1 amends the language of section 4 of the Senate bill. The now proposed language is designed to achieve the purpose envisaged by the Senate in a modified manner. As intended by the Senate, relief would be granted to certain aliens physically present in the United States; but under the language agreed to by the committee of conference, the granting of relief will be subject to congressional review and it will be predicated on the showing of specified type and degree of personal hardship which might occur in the absence of such relief. The amended language also provides relief for aliens who served honorably in the Armed Forces of the United States, but it specifically excludes the granting of relief (1) to alien crewmen (seamen and airmen), (2) to persons who entered the United States under educational exchange programs, and (3) to natives of countries contiguous to the United States or of islands adjacent to the United States with certain specified exceptions.

FRANCIS E. WALTER,  
MICHAEL A. FEIGHAN,  
FRANK CHELF,

*Managers on the Part of the House.*

Mr. WALTER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, the final version of the general immigration bill as agreed to by the House after a conference with the Senate, contains the following provisions:

First. An approximate number of 7,000 highly skilled immigrants whose entry was requested by American industrial enterprises, defense contractors, institutions of learning, hospitals, laboratories, and so forth, will be permitted to enter the United States, or remain in this country if they are already here, by being granted immigrant status not subject to quota limitations. The members of the skilled specialist's immediate family, namely, spouses and minor children, are included.

Second. Beneficiaries of fourth preference petitions filed by U.S. citizens who are the brothers or sisters, or parents, of the prospective immigrant, will be permitted to enter this country regardless of quota limitations, provided that they have registered for immigration at an American consulate abroad before March 31, 1954. The best approximation which the Department of State was able to furnish as to the number of those who will benefit from this provision of the bill is 16,000. The largest numbers of those relatives of U.S. citizens will be coming from Italy, Greece, Portugal, and some from Spain.

Third. In order to assist the Congress in developing a uniform policy in the important matter of admitting highly skilled immigrants, the new bill places

upon the Attorney General the obligation to report to the Congress on each petition which he approves authorizing the entry of a preferential immigrant. In his reports to the Congress the Attorney General will have to state the basis for his approval of the preferential petition including an outline of the immigrant's professional qualifications and reasons why urgent need for his services exists.

Fourth. A provision of the bill worked out in conference between the House and the Senate provides for congressional approval or disapproval of every order of the Attorney General's under which an alien—in an unlawful status in the United States—may have his deportation suspended if he shows that the deportation would cause hardship to the members of his immediate family, such as children, spouses, or parents. However, hardship will be recognized only in the event that the relatives of the alien who is to be deported are either citizens of the United States or are in this country in a lawful immigrant status as permanent residents.

Suspension of deportation will not be available to alien crewmen and to persons who come to the United States under international educational exchange programs and are under obligation to return to their native countries for at least two years to give their countrymen the benefit of their American education and experience. Similarly excluded from the benefits of suspension of deportation are natives of countries and islands contiguous or adjacent to the United States. Aliens who served honorably for a minimum of 24 months in the Armed Forces of the United States are included in the new relief legislation.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### 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. CURTIS of Missouri, for 10 minutes, today.

Mr. ASHBROOK, for 30 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DOWDY and to include extraneous matter.

Mr. FARBSTEIN.

Mr. PUCINSKI in two instances.

Mr. BOLAND.

#### ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the

following titles, which were thereupon signed by the Speaker:

H.R. 1663. An act for the relief of Dr. Hans J. V. Tiedemann and family;

H.R. 7781. An act to authorize the Administrator of General Services to convey by quitclaim deed a parcel of land in Prince Georges County, Md., to the Silver Hill Voluntary Fire Department and Rescue Squad;

H.R. 8563. An act to amend the Life Insurance Act of the District of Columbia to permit certain policies to be issued to members of duly organized national veterans' organizations;

H.R. 9045. An act to amend the Trading With the Enemy Act, as amended;

H.R. 9689. An act for the relief of Molly Kwauk;

H.R. 12135. An act to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes;

H.R. 12217. An act for the relief of George Edward Leonard;

H.R. 12434. An act to facilitate the work of the Forest Service, and for other purposes; and

H.R. 12708. An act to increase the jurisdiction of the municipal court for the District of Columbia in civil actions, to change the names of the court, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 555. An act for the relief of Elmore County, Ala.;

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

H.R. 3131. An act for the relief of Richard C. Collins;

H.R. 5260. An act to continue for an additional 3-year period the existing suspensions of the tax on the first domestic processing of coconut oil, palm oil, palm-kernel oil, and fatty acids, salts, combinations, or mixtures thereof;

H.R. 5700. An act to amend the Tariff Act of 1930 to permit the designation of certain contract carriers as carriers of bonded merchandise;

H.R. 6190. An act to amend title 38 of the United States Code to provide for the repair or replacement for veterans of certain prosthetic or other appliances damaged or destroyed as a result of certain accidents;

H.R. 6691. An act to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency, to authorize their protection by the Secret Service, and for other purposes;

H.R. 6836. An act to amend the Police-men and Firemen's Retirement and Disability Act;

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. 8140. An act to strengthen the criminal laws relating to bribery, graft, and conflicts of interest, and for other purposes;

H.R. 8355. An act to authorize executive agencies to grant easements in, over, or upon real property of the United States under the control of such agencies, and for other purposes;

H.R. 8874. An act to authorize certain banks to invest in corporations whose pur-

pose is to provide clerical services for them, and for other purposes;

H.R. 8952. An act to amend the provisions of the Internal Revenue Code of 1954 relating to the conditions under which the special constructive sale price rule is to apply for purposes of certain manufacturers excise taxes and relating to the taxation of life insurance companies, and for other purposes;

H.R. 9285. An act for the relief of Helenita K. Stephenson;

H.R. 9777. An act to amend Private Law 87-197;

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 misrepresentation of a Navy civilian personnel instruction;

H.R. 10026. An act for the relief of Thomas J. Fitzpatrick and Peter D. Power;

H.R. 10129. An act to amend the act of September 7, 1957, relating to aircraft loan guarantees;

H.R. 10199. An act for the relief of Lester A. Kocher;

H.R. 10423. An act for the relief of Mrs. Dorothy H. Johnson;

H.R. 10541. An act to assist States and communities to carry out intensive vaccination programs designed to protect their populations, particularly all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus;

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. 10936. An act to permit the Postmaster General to extend contract mail routes up to 100 miles during the contract term, and for other purposes;

H.R. 11058. An act for the relief of Carl Adams;

H.R. 11578. An act for the relief of Don C. Jensen and Bruce E. Woolner;

H.R. 11899. An act to amend the Federal Property and Administrative Services Act of 1940, as amended, to provide for a Federal telecommunications fund;

H.R. 12313. An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen;

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

H.R. 12513. An act to provide for public notice of settlements in patent interferences, and for other purposes;

H.R. 12599. An act relating to the income tax treatment of terminal railroad corporations and their shareholders, and for other purposes; and

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.

#### CIVIL FUNCTIONS APPROPRIATION BILL, 1963

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H.R. 12900) making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1963, and for

other purposes, and ask unanimous consent that the statement of the managers on the part of the House 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 Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2531)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12900) making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and certain river basin commissions for the fiscal year ending June 30, 1963, 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 Senate recede from its amendments numbered 12, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 9, 17, 20, 21, 22, 23, 24, 25, 26, and 27, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$17,870,300"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$73,504,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amend-

ment of the Senate numbered 5; and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$8,400,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$7,010,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$158,218,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$107,808,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$104,576,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,872,224,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$262,745,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$400,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 4, 13, and 18.

CLARENCE CANNON  
MICHAEL J. KIRWAN,  
JOHN E. FOGARTY,  
BEN F. JENSEN (I reserve on title IV),  
JOHN TABER (I reserve on title IV and the \$400,000,000).

Managers on the Part of the House.

ALLEN J. ELLENDER,  
CARL HAYDEN,  
RICHARD B. RUSSELL,  
JOHN L. McCLELLAN,  
LISTER HILL,  
SPESSARD L. HOLLAND,  
ROBERT S. KERR,  
JOHN O. PASTORE,  
ROMAN L. HRUSKA,  
MILTON R. YOUNG,  
KARL E. MUNDT,  
MARGARET CHASE SMITH,

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 on the bill (H.R. 12900) making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority and certain river basin commissions for the fiscal year ending June 30, 1963, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE 1—DEPARTMENT OF DEFENSE—CIVIL

Corps of Engineers—Civil  
General Investigations

Amendment No. 1: Appropriates \$17,870,300 instead of \$16,561,900 as proposed by the House and \$19,192,300 as proposed by the Senate. The funds provided are to be distributed as follows:

Item	Revised budget estimate for fiscal year 1963	Conference allowance	Item	Revised budget estimate for fiscal year 1963	Conference allowance
GENERAL INVESTIGATIONS			GENERAL INVESTIGATIONS—Continued		
1. Surveys:			1. Surveys—Continued		
(a) Navigation studies.....	\$1,600,000	\$2,051,600	(d) Special studies—Continued		
(b) Flood control studies.....	4,600,000	5,428,700	Kanawha River Basin, W. Va.....		\$200,000
(c) Beach erosion cooperative studies.....	250,000	250,000	Subtotal, surveys.....	\$12,110,000	13,255,300
(d) Special studies:			2. Collection and study of basic data:		
San Francisco Bay survey.....	200,000	200,000	(a) Stream gaging (U.S. Geological Survey).....	250,000	250,000
Ohio River Basin review.....	600,000	500,000	(b) Precipitation studies (U.S. Weather Bureau).....	380,000	380,000
Potomac River review.....	75,000	75,000	(c) Fish and wildlife studies (U.S. Fish and Wildlife Service).....	100,000	100,000
Colorado River, Tex.....	228,000	228,000	(d) International water studies.....	85,000	85,000
Great Lakes water levels.....	85,000	110,000	(e) Flood plain studies.....	700,000	700,000
Rampart Canyon, Alaska.....	315,000	315,000	Subtotal, collection and study of basic data.....	1,515,000	1,515,000
Arkansas-Red River pollution study.....	177,000	227,000	3. Research and development:		
Lake Erie-Ohio River Canal.....	220,000	220,000	(a) Beach erosion development studies.....	400,000	400,000
Great Lakes-Hudson River Waterway.....	200,000	200,000	(b) Hydrologic studies.....	175,000	175,000
Lake Erie-Ontario Waterway, N.Y.....	200,000	200,000	(c) Civil works investigations.....	1,550,000	1,300,000
Susquehanna River Basin.....	300,000	300,000	(d) Mississippi Basin model:		
Jersey Meadows, N.Y. and N.J.....	150,000	150,000	(1) Construction.....	650,000	650,000
Red River, La., Ark., Okla., and Tex.....	250,000	300,000	(2) Mississippi River comprehensive study.....	200,000	200,000
Meramac River Basin, Mo.....	215,000	215,000	(e) Nuclear explosives studies for civil construction.....	665,000	500,000
Pascagoula River Basin, Miss.....	100,000	100,000	Subtotal, research and development.....	3,640,000	3,225,000
Willamette River Basin, Ore.....	100,000	100,000	Other reductions and slippages.....		-125,000
Grand River Basin, Mich.....	100,000	100,000	Total, general investigations.....	17,265,000	17,870,300
Connecticut River Basin.....	100,000	100,000			
Upper Mississippi River Basin.....	200,000	200,000			
White River Basin, Ark. and Mo.....	100,000	100,000			
Brazos River Basin, Tex.....	100,000	140,000			
Hurricane studies.....	945,000	945,000			
Coordination studies with other agencies.....	300,000	300,000			
Basin planning.....	400,000				

Navigation studies: The increase above the House figure includes \$233,000 for surveys added by the Senate. None of the funds provided are to be used for the Great Salt Lake, Garfield, Utah, navigation study.

Flood control studies: The increase of \$503,200 above the House figure is for studies added by the Senate including \$60,000 for the Missouri River, N. Dak., S. Dak., and Nebr., navigation study. None of the funds provided are to be used for the Sac River and Butte Basin, Calif., study.

Other reductions and slippages: The reduction of \$125,000 under this heading agreed upon by the conferees is to be applied to the budgeted general investigations program for the north central division.

Construction General

Amendment No. 2—Reported in disagreement: The managers on the part of the House will move to concur in the Senate amendment with an amendment substituting

the amount of \$791,580,500 instead of \$762,361,000 as proposed by the House and \$807,962,500 as proposed by the Senate. The conferees are not in agreement as to the \$205,000 budgeted for the Cross Florida Barge Canal. The motion to be made by the managers on the part of the House will exclude this amount.

The funds appropriated under this heading are to be allocated as shown in the following tabulation:

Construction, general, State and project		Revised budget estimate for fiscal year 1963		Conference allowance	
		Construction	Planning	Construction	Planning
<b>Alabama:</b>					
	Aquatic plant control. (See Louisiana.)				
(N)	Claborne lock and dam		\$210,000		\$210,000
(N)	Columbia lock and dam, Alabama and Georgia	\$2,254,000		\$2,179,000	
(N)	Holt lock and dam	3,500,000		3,500,000	
(MP)	Jones Bluff lock and dam		150,000		150,000
(MP)	Millers Ferry lock and dam	1,000,000		1,000,000	
(N)	Mobile Harbor			600,000	
(FC)	Paint Rock River	350,000		350,000	
	Tombigbee River and tributaries, Alabama and Mississppi. (See Mississppi.)				
(MP)	Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia	8,138,000		8,073,000	
<b>Alaska:</b>					
(MP)	Bradley Lake		1100,000		
(FC)	Fairbanks		60,000		60,000
(N)	Juneau Harbor	760,000		760,000	
<b>Arizona:</b>					
(FC)	Alamo Reservoir			500,000	
(FC)	Gila and Salt Rivers		90,000		90,000
(FC)	Gila River and tributaries—downstream from Painted Rock		1100,000		100,000
(FC)	Tucson	400,000		400,000	
<b>Arkansas:</b>					
(N)	Arkansas River and tributaries, Arkansas and Oklahoma:				
	(a) Bank stabilization and channel rectification	18,000,000		18,000,000	
	(b) Navigation locks and dams		2,000,000	300,000	2,000,000
(MP)	Beaver Reservoir	14,000,000		14,000,000	
(MP)	Bull Shoals Reservoir, Ark. and Mo., additions of units Nos. 7 and 8	2,000,000		2,000,000	
(MP)	Dardanelle lock and dam	16,000,000		16,000,000	
(FC)	De Queen Reservoir		50,000		50,000
(MP)	DeGray Reservoir	950,000		1,550,000	
(FC)	Dierks Reservoir				30,000
(FC)	Garland City, Red River	150,000		150,000	
(FC)	Gillham Reservoir		99,000	350,000	99,000
(MP)	Greers Ferry Reservoir	4,900,000		4,832,000	
(FC)	Millwood Reservoir	9,500,000		9,500,000	
(N)	Ouachita and Black Rivers, Ark. and La.		235,000	165,000	235,000
(N)	Ozark lock and dam		300,000		300,000
(FC)	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex.	300,000		300,000	
<b>California:</b>					
(FC)	Alameda Creek		1100,000		100,000
(FC)	Bear Creek	400,000		400,000	
(FC)	Black Butte Reservoir	3,529,000		3,529,000	
(FC)	Camanche Reservoir	3,000,000		3,000,000	
(R)	Crescent City Harbor (breakwater)	200,000		200,000	
(FC)	Drycreek Reservoir channel improvement		1100,000		
(FC)	Hidden Reservoir		175,000		
(BE)	Imperial Beach, San Diego County (reimbursement)	20,000		20,000	
(FC)	Los Angeles County drainage area	15,000,000		15,000,000	
(N)	Los Angeles and Long Beach Harbors (1960 act)			1,705,000	
(FC)	Lower San Joaquin River and tributaries	1,700,000		1,700,000	
(N)	Monterey Harbor		90,000		90,000
(R)	Morro Bay (breakwater)	800,000		800,000	
(FC)	New Hogan Reservoir	4,140,000		4,140,000	
(N)	Noyo River and Harbor Mooring Basin				26,000
(BE)	Oceanside (reimbursement)	672,000		672,000	
(FC)	Oroville Reservoir	15,000,000		14,000,000	
(FC)	Russian River Basin (Coyote Valley Dam)	1,000,000		1,000,000	
(FC)	Sacramento River bank protection		50,000	150,000	50,000
(FC)	Sacramento River and major and minor tributaries	400,000		400,000	
(FC)	Sacramento River, Chico Landing to Red Bluff	200,000		200,000	
(N)	Sacramento River deep water ship channel	5,910,000		5,910,000	
(FC)	Sacramento River flood control project	1,500,000		1,500,000	
(BE)	Santa Cruz County (reimbursement)	70,000		70,000	
(N)	Santa Cruz Harbor	1,520,000		1,520,000	
(FC)	Stewart Canyon debris basin	522,000		522,000	
(FC)	Tahchevah Creek		110,000		110,000
(FC)	Walnut Creek		225,000		225,000
(FC)	West Fork Reservoir		100,000		100,000
<b>Colorado:</b>					
(FC)	Trinidad Reservoir		155,000		155,000
<b>Connecticut:</b>					
(FC)	Ansonia-Derby		1100,000		
(FC)	Black Rock Reservoir				50,000
(N)	Bridgeport Harbor, Black Rock Harbor		26,000		26,000
(FC)	Colebrook River Reservoir		250,000		250,000
(FC)	East Branch Reservoir	700,000		700,000	
(FC)	Hancock Brook Reservoir	400,000		400,000	
(FC)	Hop Brook Reservoir		50,000		50,000
(FC)	Mad River Reservoir	1,826,000		1,826,000	
(FC)	Northfield Brook Reservoir			400,000	
(FC)	Stamford		250,000		250,000
(FC)	West Thompson Reservoir		142,000		342,000
<b>Delaware:</b>					
	Delaware River, Philadelphia to sea, anchorages at Reedy Point, Deepwater Point, and enlarging Marcus Hook and Mantau Creek anchorages, Delaware and New Jersey. (See New Jersey.)				
	Delaware River, Philadelphia to sea (main dikes), Delaware, Pennsylvania, and New Jersey. (See New Jersey.)				
(R)	Indian River Inlet (bulkheads)	750,000		750,000	
(N)	Inland Waterway, Delaware River to Chesapeake Bay (Chesapeake & Delaware Canal), part II, Delaware and Maryland.	5,000,000		5,000,000	
(BE)	Rehoboth Beach to Indian River Inlet (reimbursement)	110,000		110,000	

See footnotes at end of table.

Construction, general, State and project		Revised budget estimate for fiscal year 1963		Conference allowance	
		Construction	Planning	Construction	Planning
Florida:					
(N)	Apalachicola River.....	\$500,000		\$500,000	
	Aquatic plant control. (See Louisiana.)				
(N)	Bakers Haulover Inlet.....		\$15,000	25,000	\$15,000
(N)	Canaveral Harbor.....		180,000		80,000
(FC)	Central and Southern Florida.....	13,500,000		13,500,000	
(N)	Cross Florida Barge Canal.....		205,000		
(N)	Intracoastal Waterway:				
	(a) Caloosahatchee River to Anclote River.....	900,000		900,000	
	(b) Jacksonville to Miami.....	800,000		800,000	
(N)	Miami Harbor (1960 act).....	400,000		400,000	
(BE)	Palm Beach County, Lake Worth Inlet to South Lake Worth Inlet (reimbursement)	15,000		15,000	
(N)	Port Everglades Harbor (1958 act).....	677,000		677,000	
(N)	St. Marks River.....	1,200,000		1,200,000	
(N)	St. Petersburg Harbor (deferred).....		10,000		10,000
Georgia:					
	Aquatic plant control. (See Louisiana.)				
(MP)	Carters Dam.....	2,500,000		2,500,000	
	Columbia lock and dam, Alabama and Georgia. (See Alabama.)				
(MP)	Hartwell Reservoir, Ga. and S.C.....	3,700,000		3,649,500	
	Walter F. George lock and dam, Alabama and Georgia. (See Alabama.)				
(MP)	West Point Dam.....		110,000		100,000
Hawaii:					
(N)	Hilo Harbor.....		600,000		600,000
(FC)	Waioala Stream.....	200,000		200,000	
Idaho:					
(MP)	Bruce Eddy Reservoir.....			2,000,000	
(FC)	Columbia River local protection:				
	Boise Valley.....		21,000		21,000
(FC)	Ririe Dam.....		175,000		75,000
Illinois:					
(FC)	Beardstown.....	900,000		900,000	
(N)	Calumet Harbor and River, Ind. and Ill.....		110,000		
(R)	Calumet Harbor and River (breakwater), Ill. and Ind.....	600,000		600,000	
(N)	Calumet Harbor and River, Ill. and Ind.: 29-foot approach channel, 28-foot outer harbor, and 27-foot entrance.....	1,000,000		1,000,000	
(BA)	Calumet River bridge alterations.....	500,000		500,000	
(FC)	Carlyle Reservoir.....	6,400,000		6,400,000	
(R)	Chicago Harbor (breakwater).....		30,000		30,000
(FC)	Clear Creek Drainage and Levee District.....	70,000		70,000	
(FC)	Clear Lake Special Drainage District.....				40,000
(N)	Dam 27, Mississippi River between St. Louis and lock and dam 26, Illinois and Missouri.....	858,000		858,000	
(FC)	Drury Drainage District.....	435,000		435,000	
(FC)	East St. Louis and vicinity.....	1,200,000		1,200,000	
(FC)	Freeport.....				50,000
(FC)	Henderson County Drainage District No. 1.....		32,000		32,000
(FC)	Henderson County Drainage District No. 2.....		38,000		38,000
(FC)	Hunt Drainage District and Lima Lake Drainage District.....	150,000		150,000	
(N)	Illinois Waterway, Calumet-Sag Channel, Part I, Illinois and Indiana.....	9,500,000		9,500,000	
(FC)	Indian Grave Drainage District.....	50,000		50,000	
(N)	Kaskaskia River.....		110,000		
(N)	Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.:				
	(a) Regulating works.....	2,300,000		2,300,000	
	(b) Chain of Rocks.....	50,000		50,000	
(FC)	Mount Carmel.....		175,000		75,000
(FC)	New Athens.....		73,000		73,000
(FC)	Oakley Reservoir.....		125,000		125,000
(FC)	Rochester and McClearys Bluff levee.....		45,000		45,000
(FC)	Shelbyville Reservoir.....	326,000		326,000	
(FC)	Sny Island Levee Drainage District.....		100,000		100,000
(FC)	South Quincy Drainage and Levee District.....		27,000		27,000
(FC)	Subdistrict No. 1 of Drainage Union No. 1 and Bay Island Levee and Drainage District.....	600,000		600,000	
(FC)	The Sny Basin.....	3,800,000		3,800,000	
(FC)	Tri Pond levee.....		48,000		48,000
Indiana:					
(FC)	Brookville Reservoir.....				75,000
(N)	Calumet River and Harbor, Ill. and Ind. (See Illinois.)				
(FC)	Cannelton locks and dam, Indiana and Kentucky.....	2,750,000		2,750,000	
(FC)	Evansville.....	700,000		700,000	
(FC)	Greenfield Bayou levee (deferred).....		10,000		10,000
(FC)	Huntington Reservoir.....			1,000,000	
(N)	Illinois Waterway, Ill. and Ind. (See Illinois.)				
(N)	Indiana Harbor, 1960 act.....	510,000		510,000	
(FC)	Levee unit 5, Wabash River.....	250,000		350,000	
(FC)	Markland locks and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				
(FC)	Mason J. Niblack levee.....	700,000		700,000	
(FC)	McAlpine locks and dam, Indiana and Kentucky. (See Kentucky.)				
(FC)	Mississinewa Reservoir.....	1,690,000		1,690,000	
(FC)	Monroe Reservoir.....	800,000		800,000	
(N)	Newburg lock and dam, Indiana and Kentucky.....				150,000
(FC)	Salamonie Reservoir.....	1,800,000		1,800,000	
(N)	Uniontown locks and dam, Indiana and Kentucky.....		200,000		200,000
(FC)	West Terre Haute.....	332,000		332,000	
Iowa:					
(FC)	Chariton River, Iowa and Missouri.....				50,000
(FC)	Coralville Reservoir, Mehahey Bridge.....		40,000		40,000
(FC)	Des Moines.....		40,000		40,000
(FC)	Floyd River and tributaries.....	3,000,000		3,000,000	
(FC)	Green Bay Levee and Drainage District No. 2.....	100,000		100,000	
(FC)	Indian Creek.....		150,000		50,000
(FC)	Iowa River—Flint Creek Levee District No. 16.....	700,000		700,000	
(FC)	Little Sioux River.....	500,000		500,000	
(FC)	Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska (active units).....	2,300,000		3,000,000	
(N)	Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:				
	(a) Sioux City, Iowa, to Omaha, Nebr.....	6,000,000		6,000,000	
	(b) Omaha, Nebr., to Kansas City.....	2,400,000		2,400,000	
	(c) Kansas City to the mouth.....	3,000,000		3,000,000	
(FC)	Muscatine Island Levee District and Muscatine-Louis County Drainage District No. 13.....	150,000		150,000	
(FC)	Rathbun Reservoir.....		150,000		150,000
(FC)	Red Rock Reservoir.....	9,800,000		9,800,000	
Kansas:					
(FC)	Cedar Point Reservoir (deferred).....		25,000		25,000
(FC)	Council Grove Reservoir.....	3,000,000		3,000,000	
(FC)	Dodge City.....		150,000		50,000
(FC)	Elk City Reservoir.....	2,700,000		2,700,000	
(N)	Fort Leavenworth Bridge.....	430,000		430,000	

See footnotes at end of table.

Construction, general, State and project	Revised budget estimate for fiscal year 1963		Conference allowance	
	Construction	Planning	Construction	Planning
<b>Kansas—Continued</b>				
(FC) Fort Scott Reservoir (deferred)		\$30,000		\$30,000
(FC) Frankfort	\$825,000		\$825,000	
(FC) John Redmond (Strawn) Reservoir	9,000,000		9,000,000	
(FC) Kansas City, Kans. and Mo.	1,200,000		1,200,000	
(FC) Lawrence		78,000		78,000
(FC) Manhattan	1,050,000		1,050,000	
(FC) Marion Reservoir		71,000		71,000
(FC) Melvern Reservoir		200,000		200,000
(FC) Milford Reservoir	11,600,000		11,600,000	
Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC) Osawatomie		40,000		40,000
(F) Perry Reservoir			750,000	
(FC) Pomona Reservoir	2,200,000		2,200,000	
(FC) Topeka	2,200,000		2,200,000	
(FC) Tuttle Creek Reservoir	2,632,000		2,632,000	
(FC) Wilson Reservoir	4,400,000		4,400,000	
<b>Kentucky:</b>				
(MP) Barkley Dam, Ky. and Tenn.	31,200,000		31,147,000	
(FC) Barren River Reservoir	10,110,000		10,110,000	
Cannelton locks and dam, Indiana and Kentucky. (See Indiana.)				
(N) Capt. Anthony Meldahl locks and dam, Kentucky and Ohio	10,200,000		10,172,000	
(FC) Cave Run Reservoir		75,000		75,000
(FC) Corbin	200,000		400,000	
(FC) Fishtrap Reservoir	6,700,000		6,700,000	
(FC) Frankfort (deferred)				25,000
(FC) Grayson Reservoir		371,000		371,000
(FC) Green River Reservoir			1,000,000	
(MP) Laurel River Reservoir		653,000		653,000
(N) Markland locks and dam, Indiana, Kentucky, and Ohio	7,977,000		7,785,000	
(N) McAlpine locks and dam (Louisville), Indiana and Kentucky	3,500,000		3,500,000	
Newburgh lock and dam, Indiana and Kentucky. (See Indiana.)				
(FC) Nolin Reservoir	2,536,000		2,447,500	
Unlontown lock and dam, Indiana and Kentucky. (See Indiana.)				
<b>Louisiana:</b>				
(N) Aquatic plant control, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas	940,000		940,000	
(N) Bayou La Fourche and La Fourche Jump Waterway	500,000		500,000	
(N) Bayou Le Carpe			1 (45,000)	
(N) Calcasieu River and Pass (1960 act)	2,500,000		2,500,000	
(N) Calcasieu River salt water barrier				56,000
(FC) Campiti Clarence levee				50,000
(N) Freshwater Bayou	600,000		600,000	
(N) Mississippi River, Baton Rouge to the Gulf of Mexico	2,569,000		2,569,000	
(N) Mississippi River gulf outlet	8,000,000		8,000,000	
(FC) New Orleans to Venice, La., Hurricane Protection		†265,000		265,000
Ouachita and Black Rivers, Ark. and La. (See Arkansas.)				
Red River levees and bank stabilization below Denison Dam, Arkansas, Louisiana, and Texas. (See Arkansas.)				
<b>Maine:</b>				
(N) Bass Harbor			2 (183,000)	
(N) Kennebec River				17,000
(N) Portland Harbor, deepen to 45 ft.			550,000	
Portsmouth Harbor and Piscataqua River, N.H., and Maine. (See New Hampshire.)				
(N) Searsport Harbor				10,000
<b>Maryland:</b>				
(N) Baltimore Harbor and channels (1958 act)	4,100,000		4,100,000	
(FC) Bloomington Reservoir		†100,000		
Inland Waterway, Delaware River to Chesapeake Bay (Chesapeake & Delaware Canal), part II, Delaware and Maryland. (See Delaware.)				
(N) Pocomoke River	300,000		300,000	
<b>Massachusetts:</b>				
(R) Cape Cod Canal-Bourne Bridge		38,000		38,000
(FC) Chicopee Falls	350,000		350,000	
(FC) Conant Brook Reservoir		160,000		160,000
(FC) Littleville Reservoir	1,900,000		2,200,000	
(FC) New Bedford-Fairhaven and Acushnet barriers	1,200,000		1,200,000	
(N) Provincetown Harbor		15,000		15,000
(FC) Three Rivers		50,000		350,000
(FC) Wareham-Marion		173,000		73,000
(BE) Wessagusset Beach (reimbursement)	23,000		23,000	
(FC) Westfield		120,000		120,000
<b>Michigan:</b>				
(N) Detroit River channel north of Belle Isle			1 (380,000)	
(N) Detroit River, enlarge Trenton Channel	4,000,000		4,000,000	
(N) Gladstone Harbor Little Bay DeNoc			1 (350,000)	
(R) Grand Haven Harbor (piers and revetment)	830,000		830,000	
(N) Great Lakes connecting channels	3,200,000		3,200,000	
(N) Hammond Bay Harbor	1,000,000		1,000,000	
(R) Holland Harbor (piers, revetment, and breakwater)	300,000		300,000	
(N) Little Lake Harbor	610,000		610,000	
(R) Ludington Harbor (piers, revetments, and breakwater)		40,000		40,000
(N) Manistee Harbor	900,000		900,000	
(R) Manistee Harbor (piers, revetment, and breakwater)		45,000		45,000
(R) Manistique Harbor (breakwaters)	300,000		300,000	
(R) Marquette Harbor (minor rehabilitation)	(300,000)		(300,000)	
(R) Menominee Harbor (piers), Michigan and Wisconsin	500,000		500,000	
(R) Presque Isle Harbor (minor rehabilitation)	(140,000)		(140,000)	
(FC) River Rouge		150,000		50,000
(N) Saginaw River	1,666,000		1,666,000	
(FC) Saginaw River	300,000		300,000	
(R) St. Joseph Harbor (piers and revetments)	81,000		81,000	
(N) St. Marys River, New Poe lock	750,000		750,000	
(R) South Haven Harbor (piers and revetments)	570,000		570,000	
<b>Minnesota:</b>				
(N) Duluth-Superior Harbor:				
(a) Inner Harbor 27-foot and 23-foot channels	300,000		300,000	
(b) Outer Harbor 32-foot to 27-foot channel	2,580,000		2,580,000	
(FC) Marshall, Redwood River	750,000		750,000	
(R) Reservoirs at headwaters of Mississippi River (Winnibigoshish Dam)		30,000		30,000
(N) St. Anthony Falls extension	4,430,000		4,430,000	
(FC) St. Paul and South St. Paul	1,700,000		1,700,000	

See footnotes at end of table.

Construction, general, State and project	Revised budget-estimate for fiscal year 1963		Conference allowance	
	Construction	Planning	Construction	Planning
<b>Mississippi:</b>				
(FC) Aquatic plant control. (See Louisiana.)				
(FC) Jackson and East Jackson		\$123,000	\$500,000	
(FC) Okatibbee Creek Reservoir				\$150,000
(N) Pascagoula Harbor			1,500,000	
(FC) Tombigbee River and tributaries		106,000		106,000
<b>Missouri:</b>				
(FC) Bull Shoals Reservoir, units 7 and 8, Arkansas and Missouri. (See Arkansas.)				
(FC) Canton	\$200,000		200,000	
(FC) Cape Girardeau and vicinity	200,000		200,000	
(FC) Chariton River, Iowa and Missouri. (See Iowa.)				
(FC) Dam 27, Mississippi River between St. Louis and lock and dam 26, Illinois and Missouri. (See Illinois.)				
(FC) Gregory Drainage District				50,000
(FC) Hannibal		150,000		50,000
(MP) Joanna Reservoir				100,000
(MP) Kansas Citys, Kans. and Mo. (See Kansas.)				
(MP) Kaysinger Bluff Reservoir (with power)		267,000		267,000
(FC) Kaysinger Bluff Reservoir, highway construction	1,000,000		1,000,000	
(FC) Mississippi River between the Ohio and Missouri Rivers, Ill., and Mo., regulating works. (See Illinois.)				
(FC) Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC) Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC) Perry County Drainage and Levee Districts 1, 2, and 3	180,000		180,000	
(FC) St. Louis	8,800,000		8,800,000	
(FC) South River Drainage District				100,000
(MP) Stockton Reservoir	900,000		900,000	
(FC) Union Township Drainage District				40,000
<b>Montana:</b>				
(MP) Libby Reservoir		2,600,000		2,600,000
<b>Nebraska:</b>				
(FC) Little Papillion Creek		150,000		50,000
(FC) Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC) Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC) Norfolk				80,000
(FC) Salt Creek and tributaries	2,300,000		2,300,000	
(FC) Waterloo			1,100,000	
<b>Nevada:</b>				
(FC) Humboldt River (deferred)		15,000		15,000
(FC) Las Vegas Wash		100,000		100,000
<b>New Hampshire:</b>				
(FC) Claremont Reservoir (deferred)		30,000		30,000
(FC) Hopkinton-Everett Reservoir	2,587,000		2,587,000	
(N) Portsmouth Harbor and Piscataqua River, N.H. and Maine				100,000
<b>New Jersey:</b>				
(BE) Atlantic City (reimbursement)	129,000		129,000	
(BE) Barnegat Light (reimbursement)	62,000		62,000	
(R) Cold Spring Inlet (breakwater)		15,000		15,000
(N) Delaware River, Philadelphia Naval Base to Trenton, Pennsylvania and New Jersey	4,500,000		4,500,000	
(N) Delaware River, Philadelphia to sea (main dikes) New Jersey, Pennsylvania, and Delaware				300,000
(R) Delaware River, Philadelphia to sea (main dikes) New Jersey, Pennsylvania, and Delaware	750,000		750,000	
(BE) Long Beach Island (reimbursement)	42,000		42,000	
(R) Manasquan Inlet (bulkheads)		10,000		10,000
(R) New Jersey Intracoastal Waterway (jetties)		12,000		12,000
(BE) Ocean City (reimbursement)	158,000		158,000	
(BE) Raritan Bay-Sandy Hook Bay			500,000	
(MP) Tocks Island Reservoir, Pa. and N.J.		1200,000		
<b>New Mexico:</b>				
(FC) Alamogordo Diversion Channel				50,000
(FC) Cochiti Reservoir		350,000		350,000
(FC) Galisteo Reservoir		200,000		200,000
(FC) Las Cruces		150,000		
(FC) Socorro	1,500,000		1,500,000	
(FC) Two Rivers Reservoir	1,911,000		1,911,000	
<b>New York:</b>				
(FC) Allegany (deferred)		7,000		7,000
(FC) Allegheny River Reservoir, N.Y. and Pa. (See Pennsylvania.)				
(N) Buffalo Harbor:				
(a) Deepen north entrance, Buffalo River entrance, Buffalo River, Buffalo Ship canal	450,000		450,000	
(b) South entrance, 28-, 29-, and 30-foot channel (1960 act)	1,000,000		1,000,000	
(FC) Fire Island Inlet to Montauk Point		250,000	750,000	250,000
(N) Flushing Bay and Creek			1,500,000	
(N) Great Lakes to Hudson River Waterway	400,000		400,000	
(R) Great Sodus Bay (piers)	473,000		473,000	
(FC) Herkimer	880,000		880,000	
(N) Hudson River, New York City to Albany	5,300,000		5,300,000	
(FC) Ithaca (Cayuga Inlet)		112,000		112,000
(FC) Lackawanna		78,000		78,000
(FC) Lake Chataugua and Chadakoin River		35,000		35,000
(N) New York Harbor, 35-foot channel from ocean to bayside	1,537,000		1,537,000	
(N) Rochester Harbor	900,000		900,000	
(BE) Selkirk Shores State Park (reimbursement)	40,000		40,000	
(FC) South Amsterdam	300,000		300,000	
(FC) Tocks Island Reservoir, Pa. and N.J. (see New Jersey.)				
<b>North Carolina:</b>				
(FC) Aquatic plant control. (See Louisiana.)				
(FC) New Hope Reservoir		100,000		100,000
(FC) Wilkesboro Reservoir	800,000		779,000	
<b>North Dakota:</b>				
(FC) Bowman-Haley Reservoir				180,000
(MP) Garrison Reservoir	600,000		600,000	
(FC) Oahe Reservoir, N. Dak. and S. Dak. (See South Dakota.)				
<b>Ohio:</b>				
(N) Ashtabula Harbor (1960 act)	1,200,000		1,200,000	
(N) Belleville locks and dam, Ohio and West Virginia	3,200,000		3,200,000	
(FC) Big Darby Creek Reservoir				250,000
(FC) Buck Creek Reservoir				75,000
(N) Captain Anthony Meldahl locks and dam, Kentucky and Ohio. (See Kentucky.)				
(N) Cleveland Harbor:				
(a) Bridge replacements widening, Cuyahoga and Old River and deepening channel in east basin and outer harbor (1958 act)	300,000		300,000	
(b) 28-foot approach channel, 27-foot entrance channel, 27-foot river channel, 28 feet in west basin (1960 act)	1,000,000		1,000,000	

See footnotes at end of table.

Construction, general, State and project		Revised budget estimate for fiscal year 1963		Conference allowance	
		Construction	Planning	Construction	Planning
Ohio—Continued					
(R)	Cleveland Harbor (breakwater).....	\$253,000		\$253,000	
(R)	Conneaut Harbor (breakwater).....	265,000		265,000	
(FC)	Deer Creek Reservoir.....				\$250,000
(N)	Fairport Harbor.....	400,000		400,000	
(N)	Hannibal locks and dam, Ohio and West Virginia.....		\$100,000		100,000
(N)	Lorain Harbor (1960 act).....	3,000,000		3,000,000	
	Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				250,000
(FC)	Paint Creek Reservoir.....				
(N)	Pike Island locks and dam, Ohio and West Virginia.....	12,400,000		12,348,250	
(N)	Racine locks and dam, Ohio and West Virginia.....		395,000		395,000
(N)	Sandusky Harbor (1960 act).....	1,800,000		1,800,000	
(R)	Sandusky Harbor (east jetty).....	200,000		200,000	
	Shenango River Reservoir, Ohio and Pa. (See Pennsylvania.)				
(N)	Toledo Harbor (1950, 1958, and 1960 acts).....	4,700,000		4,700,000	
(FC)	West Branch Reservoir, Mahoning River.....	2,400,000		2,400,000	
Oklahoma:					
	Arkansas-Red Rivers salinity control (initial phase), Oklahoma and Texas. (See Texas.)				
	Arkansas River and tributaries bank stabilization and channel rectification, Arkansas and Oklahoma. (See Arkansas.)				
	Arkansas River and tributaries navigation locks and dam, Arkansas and Oklahoma. (See Arkansas.)				
(FC)	Birch Reservoir.....				20,000
(FC)	Broken Bow Reservoir.....	3,400,000		3,400,000	
(MP)	Eufaula Reservoir.....	31,300,000		31,265,000	
(FC)	Kaw Reservoir.....		175,000		75,000
(FC)	Keystone Reservoir.....	21,000,000		20,990,000	
(FC)	Optima Reservoir.....				50,000
(FC)	Pine Creek Reservoir.....	600,000		600,000	
(MP)	Short Mountain lock and dam.....		531,000		531,000
(FC)	Skiatook Reservoir.....		140,000		
(N)	Webbers Falls lock and dam.....		325,000		325,000
Oregon:					
(N)	Columbia and Lower Willamette River below Vancouver, Wash., and Portland, Oreg.:				
	(a) 40-foot channel.....		100,000		
	(b) 35 feet from mouth of Willamette River to Vancouver.....		130,000		130,000
(N)	Columbia River at the mouth, Oregon and Washington.....				
(R)	Columbia River at the mouth (jetties), Oregon and Washington.....	2,000,000		2,000,000	
(FC)	Columbia River local protection:				
	John Day River.....		20,000		20,000
(N)	Coos and Millicoma Rivers.....				23,000
(R)	Coos Bay (south jetty).....	1,600,000		1,600,000	
(MP)	Cougar Reservoir.....	9,100,000		9,079,000	
(FC)	Fall Creek Reservoir.....	1,900,000		1,900,000	
(MP)	Green Peter Reservoir.....	6,100,000		6,100,000	
(MP)	John Day lock and dam, Oregon and Washington.....	43,000,000		43,000,000	
(FC)	Lower Columbia River bank protection, Oregon and Washington.....	400,000		400,000	
(FC)	Lower Columbia River improvement to existing works:				
	Beaver Drainage District.....	515,000		515,000	
(R)	Sinlaw River (south jetty).....	720,000		720,000	
(R)	Tillamook Bay and Harbor (north jetty).....	500,000		500,000	
(R)	Umpqua River (south jetty).....	2,160,000		2,160,000	
(FC)	Willamette River Basin bank protection.....	600,000		600,000	
(N)	Yaquina Bay and Harbor.....		100,000		100,000
(R)	Yaquina Bay and Harbor (jetties).....		30,000		30,000
Pennsylvania:					
(FC)	Allegheny River Reservoir, Pa. and N.Y. ....	24,800,000		24,800,000	
(FC)	Beltzville Reservoir.....		100,000		100,000
(FC)	Bethlehem.....	1,300,000		1,300,000	
(FC)	Blanchard Reservoir.....		350,000		350,000
(FC)	Butler.....	700,000		700,000	
(FC)	Curwensville Reservoir.....	5,000,000		5,000,000	
(N)	Dam 4, Monongahela River.....	500,000		500,000	
	Delaware River, Philadelphia to sea (main dikes) Delaware, Pennsylvania, and New Jersey. (See New Jersey.)				
	Delaware River, Philadelphia Naval Base to Trenton. (See New Jersey.)				
(N)	Erie Harbor (1960 act).....	1,220,000		1,220,000	
(FC)	Latrobe.....		75,000		75,000
(N)	Maxwell locks and dam, Monongahela River.....	7,800,000		7,748,250	
(BE)	Presque Isle Peninsula (reimbursement).....	186,000		186,000	
(FC)	Ridgway.....	241,000		241,000	
(FC)	Shenango River Reservoir, Ohio and Pa. ....	7,600,000		7,600,000	
(FC)	Tioga-Hammond Reservoir.....		100,000		
(FC)	Tocks Island Reservoir, Pa. and N.J. (See New Jersey.)				
(FC)	Turtle Creek.....	1,300,000		1,300,000	
(FC)	Union City Reservoir.....		150,000		50,000
Puerto Rico:					
(N)	San Juan Harbor.....	4,500,000		4,500,000	
Rhode Island:					
(FC)	Fox Point barrier.....	4,000,000		4,000,000	
(FC)	Lower Woonsocket.....	300,000		300,000	
(R)	Point Judith Harbor (breakwater).....	810,000		810,000	
South Carolina:					
(N)	Aquatic plant control. (See Louisiana.)				
	Charleston Harbor (1945 act).....	824,000		824,000	
	Hartwell Reservoir, Ga. and S.C. (See Georgia.)				
South Dakota:					
(MP)	Big Bend Reservoir.....	26,000,000		26,000,000	
(FC)	Cottonwood Springs Reservoirs (deferred).....		15,000		15,000
(MP)	Fort Randall Reservoir.....	2,300,000		2,300,000	
(MP)	Oahe Reservoir, S. Dak. and N. Dak. ....	20,000,000		20,000,000	
Tennessee:					
	Barkley Dam, Ky. and Tenn. (See Kentucky.)				
(MP)	Cordell Hull Dam.....		309,000		1,000,000
(MP)	J. Percy Priest Reservoir.....		404,000		1,000,000
Texas:					
	Aquatic plant control. (See Louisiana.)				300,000
(FC)	Arkansas-Red Rivers salinity control (initial phase), Oklahoma and Texas.....				(58,500)
(N)	Barbour Cut, La Porte.....				500,000
(FC)	Bardwell Reservoir.....	500,000		500,000	
(FC)	Big Fossil Creek.....		45,000		45,000
(FC)	Bleders Creek Reservoir, New Braunfels.....		50,000		50,000
(FC)	Buffalo Bayou and tributaries.....	4,800,000		4,800,000	

See footnotes at end of table.

Construction, general, State and project		Revised budget estimate for fiscal year 1963		Conference allowance	
		Construction	Planning	Construction	Planning
Texas—Continued					
(FC)	Canyon Reservoir	\$3,200,000		\$3,200,000	
(FC)	Fort Worth Floodway (Clear Fork)		\$875,000		\$75,000
(FC)	Fort Worth Floodway upstream extension		70,000		70,000
(R)	Galveston Harbor (jetties)	1,500,000		1,500,000	
(N)	Gulf Intracoastal Waterway:				
	Guadalupe River channel to Victoria	450,000		450,000	
(R)	Gulf Intracoastal Waterway, Port O'Connor (Dikes)		25,000		25,000
(N)	Houston ship channel:				
	(a) Bend easing and widening to 36-foot depth only	3,500,000		3,500,000	
	(b) Deepening to 40 feet (phase II)	948,000		948,000	
(N)	Matagorda ship channel, 38- and 36-foot channels	4,500,000		4,500,000	
(MP)	McGee Bend Dam	10,200,000		10,200,000	
(FC)	Navarro Mills Reservoir	2,080,000		2,080,000	
(N)	Port Aransas-Corpus Christi Waterway:				
	(a) Channel to Viola, 36-foot depth, phase I	450,000		450,000	
	(b) Deepening existing project to 40 and 42 feet		500,000		
(FC)	Port Arthur—Hurricane protection		\$115,000		115,000
(FC)	Proctor Reservoir	4,600,000		4,600,000	
	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
(N)	Sabine-Neches Waterway	1,500,000		1,500,000	
(FC)	San Antonio Channel	1,000,000		1,000,000	
(FC)	Somerville Reservoir	1,500,000		1,500,000	
(FC)	Stillhouse Hollow Dam	1,700,000		1,700,000	
(FC)	Texas City	1,300,000		1,300,000	
(R)	Texas City Channel (dike)		40,000		40,000
(FC)	Vince and Little Vince Bayou		150,000		
(FC)	Waco Reservoir	15,000,000		15,000,000	
Utah:					
(FC)	Weber River	250,000		250,000	
Vermont:					
(R)	Burlington Harbor (breakwater)	800,000		800,000	
Virginia:					
(FC)	Galbright Reservoir and Falling Springs reregulating dam (deferred)		40,000		40,000
(FC)	John W. Flannagan (Pound) Reservoir	3,200,000		3,200,000	
(FC)	Norfolk		\$87,000		87,000
(FC)	North Fork of Pound Reservoir	500,000		500,000	
Washington:					
(FC)	Colfax	1,200,000		1,200,000	
	Columbia River at the mouth, Oregon and Washington—jetties. (See Oregon.)				
	Columbia River at the mouth, Oregon and Washington. (See Oregon.)				
(N)	Everett Harbor and Snohomish River	1,208,000		1,208,000	
(FC)	Howard A. Hanson (Eagle Gorge) Reservoir	200,000		200,000	
	John Day lock and dam, Oregon and Washington. (See Oregon.)				
(MP)	Little Goose lock and dam	1,600,000		1,600,000	
(FC)	Lower Columbia River bank protection, Oregon and Washington. (See Oregon.)				
(FC)	Lower Columbia River improvement to existing works:				
	Cowlitz County Consolidated Diking and Improvement District No. 2		50,000		50,000
(FC)	Lower Columbia River levees at new locations:				
	Kalama River, south area				10,000
(MP)	Lower Granite lock and dam		500,000		500,000
(MP)	Lower Monumental lock and dam	18,500,000		18,500,000	
(FC)	Pullman		25,000		25,000
(FC)	Sammamish River	1,060,000		1,060,000	
West Virginia:					
(FC)	Bellville locks and dam, Ohio and West Virginia. (See Ohio.)				
(FC)	Buckhannon		\$30,000		30,000
(FC)	Burnsville Reservoir (deferred)		35,000		65,000
(FC)	East Lynn Reservoir		100,000		100,000
(N)	Hannibal locks and dam, Ohio and West Virginia. (See Ohio.)				
(N)	Opekiska lock and dam	6,000,000		6,000,000	
	Pike Island locks and dam, Ohio and West Virginia. (See Ohio.)				
	Racine locks and dam, Ohio and West Virginia. (See Ohio.)				
(FC)	Summersville Reservoir	9,750,000		9,750,000	
Wisconsin:					
(N)	Ashland Harbor	340,000		340,000	
	Duluth-Superior Harbor, Minnesota and Wisconsin. (See Minnesota.)				
(FC)	Eau Galle River	340,000		340,000	
(N)	Green Bay Harbor		260,000		
(N)	Kenosha Harbor				15,000
	Menominee Harbor (piers), Michigan and Wisconsin. (See Michigan.)				
(R)	Milwaukee Harbor (breakwater)	300,000		300,000	
(R)	Sheboygan Harbor (pier and breakwater)	320,000		320,000	
(R)	Sturgeon Bay and Lake Michigan ship canal (revetments)	360,000		360,000	
Wyoming:					
(FC)	Jackson Hole	430,000		430,000	
(FC)	Sheridan	600,000		600,000	
Miscellaneous:					
(FC)	Emergency bank protection	200,000		200,000	
(FC)	Local protection projects not requiring specific legislation	3,000,000		4,000,000	
(N)	Small navigation projects not requiring specific legislation (costing up to \$200,000)	1,500,000		1,500,000	
(FC)	Snagging and clearing	200,000		200,000	
	Projects deferred for restudy		(217,000)		(272,000)
	Recreation facilities, completed projects	4,000,000		4,150,000	
	Small authorized projects	1,500,000		3,000,000	
	Fish and wildlife studies (U.S. Fish and Wildlife Service)	600,000		600,000	
(R)	Minor rehabilitation projects (costing up to \$400,000)	2,500,000		2,500,000	
	Employees compensation	22,000		22,000	
	Reduction for anticipated savings and slippages	-60,000,000		-70,000,000	
Grand total, construction, general		761,045,000	19,600,000	772,086,500	19,494,000
		(780,645,000)		(701,580,500)	

†Submitted in S. Doc. No. 135.

‡Eligible for selection under lump-sum appropriation for small authorized projects.

§Eligible for selection under small navigation program not requiring specific legislation.

Missouri River Agricultural Levees, Iowa, Kansas, Missouri, and Nebraska (active units): The increase above the budget includes funds for initiating construction on units L-601, L-594, R-345-330 and L-351, and planning for unit L-15.

Flood Control, Mississippi River and Tributaries  
 Amendment No. 3: Appropriates \$73,504,000 instead of \$70,500,000 as proposed by the House and \$75,954,000 as proposed by the Senate. Funds provided are to be distributed as follows.

Projects	Budget estimate for fiscal year 1963		Conference allowance		Projects	Budget estimate for fiscal year 1963		Conference allowance	
	Construction	Planning	Construction	Planning		Construction	Planning	Construction	Planning
1. General investigations:					Red River backwater	\$35,000		\$35,000	
(a) Examinations and surveys					Yazoo Basin:				
(b) Collection and study of basic data	\$42,500		\$62,500		Sardis Reservoir	30,000		30,000	
Subtotal, general investigations	82,500		82,500		Enid Reservoir	53,000		53,000	
					Arkabutla Reservoir	30,000		30,000	
					Grenada Reservoir	37,000		37,000	
					Greenwood	700,000		700,000	
	125,000		145,000		Main stem	2,050,000		2,050,000	
2. Construction and planning:					Tributaries	660,000		660,000	
Mississippi River levees	\$2,200,000		\$2,600,000		Big Sunflower River, etc.	1,200,000		1,200,000	
Channel improvement	25,500,000		26,500,000		Yazoo backwater	900,000		900,000	
Memphis Harbor	800,000		800,000		Atchafalaya Basin	4,900,000		4,900,000	
Greenville Harbor	1,530,000		1,530,000		Lake Pontchartrain	760,000		760,000	
Old River control	4,200,000		4,174,000		Subtotal, construction and planning	53,275,000	\$100,000	54,699,000	\$160,000
St. Francis Basin	3,900,000		3,900,000	\$60,000	Reduction for anticipated savings and slippages	-1,500,000		-1,500,000	
Lower White River	850,000		850,000		Total, construction and planning	51,775,000	100,000	53,199,000	160,000
Cache Basin		\$100,000		100,000	3. Maintenance	18,500,000		20,000,000	
West Tennessee tributaries	600,000		600,000		Grand total	70,500,000		73,504,000	
Wolf River and tributaries	100,000		100,000						
Lower Arkansas	500,000		550,000						
Texas Basin:									
Boeuf and Texas Rivers, etc.	1,740,000		1,740,000						

Amendment No. 4: Reported in disagreement. The managers will move to recede and concur with language inserted in the bill by the Senate concerning the use of funds provided for the Cache River, Ark.

by the House and \$9,420,000 as proposed by the Senate, and provide that \$7,010,000 of the amount shall be derived from the Reclamation Fund instead of \$5,610,000 as proposed by the House and \$8,030,000 as proposed by the Senate. The amount provided includes funds for: central Arizona, \$500,000; Passamaquoddy, \$200,000; Maxwell, Ariz., \$60,000; Ouray unit, central Utah, \$30,000; delivery of Colorado water to Mexico, \$285,000; and up to \$100,000 for weather

modification research. No funds have been provided for the Pendleton, Ore., project, and the Senate increase proposed for the Sonora-Keystone, Calif., project has been disallowed.

Construction and Rehabilitation

Amendment No. 7: Appropriates \$158,218,000 instead of \$153,077,000 as proposed by the House and \$160,361,000 as proposed by the Senate. The funds provided under this heading are to be distributed as follows:

TITLE II—DEPARTMENT OF THE INTERIOR  
Bureau of Reclamation  
General Investigations

Amendments Nos. 5 and 6: Appropriate \$8,400,000 instead of \$7,100,000 as proposed

Project	Budget estimate	Conference allowance	Project	Budget estimate	Conference allowance
Advance planning	\$1,705,000	\$1,030,000	Missouri River Basin project:		
Gila project, Arizona	3,000,000	2,000,000	Ainsworth unit, Nebraska	\$5,800,000	\$5,800,000
Colorado River front work and levee system, Arizona-California	250,000	550,000	Almena unit, Kansas	4,826,000	4,826,000
Central Valley project, California	47,401,000	47,401,000	Cedar Bluff unit, Kansas	906,000	906,000
Avondale, Dalton Gardens, and Hayden Lake pipe rehabilitation, Idaho	519,000	519,000	East Bench unit, Montana	5,620,000	5,620,000
Wichita project, Cheney division, Kansas	7,108,000	7,100,000	Farwell unit, Nebraska	6,800,000	6,800,000
Washoe project, Nevada-California	198,315	198,315	Frenchman-Cambridge division, Nebraska	1,714,000	1,714,000
Rio Grande project, New Mexico		80,000	Glen Elder unit, Kansas	750,000	750,000
Norman project, Oklahoma	7,500,000	7,500,000	Oahe unit, James section, South Dakota	220,000	220,000
Rogue River Basin, Talent division, Oregon	439,000	439,000	Transmission division	14,449,000	14,379,000
The Dalles project, Western division, Oregon	1,025,000	1,025,000	Yellowtail unit, Montana-Wyoming	12,150,000	12,150,000
Vale project, Bully Creek extension, Oregon	1,765,000	1,765,000	Drainage and minor construction	1,795,631	1,820,631
Klamath project, Oregon-California	515,000	515,000	Investigations	1,488,000	1,143,000
Canadian River project, Texas	10,000,000	10,000,000	Advance planning	1,284,000	1,284,000
Lower Rio Grande rehabilitation project, La Feria division, Texas	1,500,000	1,500,000	Subtotal, Missouri River Basin project	57,802,631	57,412,631
Lower Rio Grande rehabilitation project, Mercedes division, Texas	1,940,000	1,940,000	Other Department of the Interior agencies	3,240,000	3,008,000
San Angelo project, Texas	2,770,000	2,690,000	Total, Missouri River Basin project	61,042,631	60,420,631
Weber Basin project, Utah	10,638,000	10,538,000	Subtotal, construction and rehabilitation	175,215,000	173,218,000
Chief Joseph Dam project, Greater Wenatchee division, Washington	2,136,000	2,136,000	Undistributed reduction based on anticipated delays	-13,515,000	-15,000,000
Columbia Basin project, Washington	4,569,000	4,569,000	Total, construction and rehabilitation	161,700,000	158,218,000
Drainage and minor construction	3,956,054	3,956,054			
Rehabilitation and betterment of existing projects	5,346,000	5,346,000			
Subtotal	114,172,369	112,797,369			

Advance planning: The increase above the House figure includes funds for: Fryingspan-Arkansas, \$500,000; Arbuckle, Okla., \$350,000; and Washoe, Nev., \$50,000.

Missouri River Basin project, transmission division: The conferees on the part of both Houses are in agreement that the Bureau shall proceed immediately with the budget program for Federal construction of the Creston, Iowa—Fairport, Mo., transmission line.

Missouri River Basin project, investigations: The amount provided includes funds for: Turner and Clay Counties, S. Dak., \$20,000; Cannonball division, Montana, \$20,000; and Musselshell River, Mont., \$25,000. The conferees are in agreement on the Senate reduction of \$77,000 in the funds for the northeast Montana division.

Operation and Maintenance

Amendment No. 8: Appropriates \$36,444,600 as proposed by the Senate instead of \$38,150,000 as proposed by the House.

Loan Program

Amendment No. 9: Appropriates \$12,517,000 as proposed by the Senate instead of \$10,173,000 as proposed by the House.

Upper Colorado River Storage Project

Amendments Nos. 10, 11, and 12: Appropriate \$107,808,000 instead of \$106,508,000 as proposed by the House and \$109,576,000 as proposed by the Senate, provide that \$104,576,000 instead of \$103,276,000 as proposed by the House and \$105,576,000 as proposed by the Senate shall be available for the Upper Colorado River Basin fund, and provide that \$3,232,000 as proposed by the House instead of \$4,000,000 as proposed by the Senate shall

be available for construction of recreational and fish and wildlife facilities.

The increase above the House figure includes \$550,000 for San Juan-Chama and restoration of \$750,000 of the House reduction for slippage. Of the funds available for the Seedskafee, Wyo., project, \$95,000 shall be available for the Lincoln County, Wyo., road between U.S. Highway 189 and the Bureau of Reclamation community at Fontenelle.

Administrative Provisions

Amendment No. 13: Reported in disagreement.

TITLE III—INDEPENDENT OFFICES

Atomic Energy Commission

Operating Expenses

Amendment No. 14: Appropriates \$2,872,224,000 instead of \$2,860,974,000 as proposed

by the House and \$2,885,391,000 as proposed by the Senate.

The increase above the House figure includes the following: \$3,000,000 for the cooperative power reactor demonstration program; \$2,000,000 for the advanced space power system portion of the satellite and small power sources program; \$5,000,000 for the physical research program; \$500,000 for the food irradiation programs; and \$750,000 for program direction and administration.

#### Plant Acquisition and Construction

Amendments Nos. 15 and 16: Appropriate \$262,745,000 instead of \$261,845,000 as proposed by the House and \$267,895,000 as proposed by the Senate, and provide that \$4,500,000 as proposed by the House instead of \$9,000,000 as proposed by the Senate be used for improvement on U.S. Highway 95, Nevada.

The increase above the House figure includes \$250,000 for the Argonne National Laboratory cafeteria, and \$650,000 for food irradiators.

The conferees direct that \$4,500,000 of funds available to the National Aeronautics and Space Administration be transferred to the Bureau of Public Roads for construction of U.S. Highway 95, Nevada.

#### St. Lawrence Seaway Development Corporation

Limitation on Administrative Expenses, St. Lawrence Seaway Development Corporation

Amendment No. 17: Limits administrative expenses to \$414,000 as proposed by the Senate, instead of \$425,000 as proposed by the House.

U.S. Study Commission—Southeast River Basins—Salaries and Expenses

Amendment No. 18: Reported in disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment, making funds under this heading available until December 31, 1963, instead of December 31, 1962.

#### TITLE IV—FUNDS APPROPRIATED TO THE PRESIDENT

##### Public works acceleration

Amendment No. 19: Inserts heading and language as proposed by the Senate and appropriates \$400,000,000 instead of \$500,000,000 as proposed by the Senate.

The managers on the part of the House endorse the Senate report statements on the accelerated public works program.

In addition the conferees on the part of both Houses direct that emphasis be placed on community facilities projects requiring local matching funds such as water and sewer systems, public buildings and hospitals, streets and sidewalks.

The conferees on the part of both Houses direct also that no funds are to be made available for all-Federal research laboratories of the type normally requiring separate item review and approval of the Congress in the regular appropriation processes, or for all-Federal projects of any other type costing more than \$400,000.

These conditions are being applied pending a budgetary presentation identifying specific projects for the remainder of the program.

#### TITLE V—GENERAL PROVISIONS

Amendment No. 20: Changes title number. Amendments Nos. 21 through 27: Change section numbers.

CLARENCE CANNON,  
MICHAEL J. KIRWAN,  
JOHN E. FOGARTY,  
BEN F. JENSEN (I reserve on title IV),  
JOHN TABER (I reserve on title IV and the \$400,000,000 appropriation),

*Managers on the Part of the House.*

Mr. CANNON. Mr. Speaker, the budget estimates on this bill aggregated \$5,651,751,000. As it passed the Senate, there was a total of \$4,613,807,900. We bring it to the House of Representatives after conference as \$5,067,869,400. That figure is below the budget estimate by \$583,881,600. It is above the House bill by \$454,061,500. It is below the Senate figure in the sum of \$143,402,000.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, this bill comes back to the House in the form of a conference report which has been agreed to by all the Members of the Senate and the House conference, with the exception of one item on which the gentleman from New York [Mr. TABER] and I disagreed on, and that was the \$400 million for the President's public works total request of \$900 million, known as the accelerated public works program, as I recall.

Mr. Speaker, I do not know that there is too much to say about this. I am sure that if the gentleman from New York [Mr. TABER] or I would offer an amendment to strike the \$400 million, it would not prevail in the House of Representatives tonight. Therefore, I can only hope that the House will accept the conference figures which the House reduced by many millions of dollars below the Senate figure for these many public works projects. Most of them are good projects and will bring great revenue back to the Federal Treasury in due time. Of course, there are some of these projects which are not reimbursable. But in almost every instance where flood control projects are supported with Federal funds the local municipalities, the various areas and counties and regions do contribute a considerable sum in participation.

And so, Mr. Speaker, I can only hope that the House will approve the conference report because I feel that it is completely justified; and also because we did reduce the budget considerably in the first instance and have reduced the other body's request by many millions of dollars.

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

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

Mr. CRAMER. Mr. Speaker, I notice on page 22 of the report, funds appropriated to the President under title IV are \$400 million. That is the accelerated public works program about which the gentleman spoke, is it not?

Mr. JENSEN. Yes.

Mr. CRAMER. This is what has been of concern to me on this accelerated program. I think it is fully documented in the hearings. This is a \$400 million blank check to the executive branch of the Government to spend, not particularly on anything they want, in the form of anything that local authorities could build; they do not even know what the projects are. I refer to page 7 of the hearings in which Senator YOUNG had this to say when he was advised by Mr. Gudeman representing the Department, that they could not provide him with a list of the projects:

Senator YOUNG. This is a completely new departure from the procedures of Congress.

I do not see how Congress could go along with this kind of absurd proposal. We appropriate \$900 million and know nothing about the various projects that are going to be embarked upon; is this what you are proposing?

Then we get into what these projects are. I know a lot of people laugh when we discuss this thing on the floor of the House with reference to the type of projects that might be involved. They are listed here in the hearings. For instance, on page 94, in New Jersey, a city hall in Long Branch; a bus terminal in Passaic; a reformatory in Bordentown; an incinerator in Newburgh; a swimming pool in Grants Pass.

This is all being paid for by 50 percent Federal money and if the State cannot match it, it is being paid for 75 percent by Federal money.

Let me call your attention to this. This is a fairground expansion in Allegheny County, Pa.; a swimming pool in Clearfield; a subway extension in Philadelphia; a stadium in Pittsburgh; a zoological garden in Pittsburgh; a public market in Arcibo; a coliseum in San Juan, the last two in Puerto Rico; and so forth. There is a hydroelectric project in here.

This is what is happening to this boondoggle program.

Mr. JENSEN. Mr. Speaker, just let me say this. The reason Mr. TABER and I reserved on the \$400 million item for this accelerated public works program was for the very reason the gentleman from Florida [Mr. CRAMER] has just read into the RECORD.

Mr. CRAMER. Mr. Speaker, will the gentleman yield further?

Mr. JENSEN. I yield.

Mr. CRAMER. Here is a horse and foot trail in Minnesota; irrigation power in Arizona.

These are examples of what this money is going to be spent for, just to get the money out and to get it spent. I say that this shows what a poor program it is. I think the gentlemen should be congratulated for reserving on it.

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 4, line 12, strike out "\$762,361,000" and insert "\$807,962,500".

Mr. CANNON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 2 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: \$791,580,500.

Mr. CANNON. Mr. Speaker, I move the previous question.

Mr. SIKES. I want to be heard.

Mr. CANNON. The hour is late. Many Members have their tickets and

reservations. They are in no mood to listen to oratory, so I move the previous question.

The SPEAKER. Does the gentleman from Missouri yield time to any Member?

Mr. CANNON. No. I move the previous question.

The SPEAKER. Without objection, the previous question is ordered.

The question is on the motion offered by the gentleman from Missouri [Mr. CANNON] to recede and concur in the Senate amendment with an amendment.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. CANNON. Mr. Speaker, I ask for the yeas and nays.

Mr. Speaker, I make the point of order that a quorum is not present and ask for the yeas and nays.

The SPEAKER. Does the gentleman object to the vote on the ground that a quorum is not present or ask for the yeas and nays?

Does the gentleman object to the vote?

Mr. CANNON. I make the point of order that a quorum is not present and ask for the yeas and nays.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present and objects to the vote on the ground that a quorum is not present.

The Chair will count.

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 84, nays 120, not voting 230, as follows:

[Roll No. 292]

YEAS—84

Abbutt	Goodell	Montoya
Ashbrook	Goodling	Morse
Ayres	Griffin	Mosher
Bates	Gross	Natcher
Beermann	Gubser	Patman
Betts	Halleck	Pillion
Boland	Halpern	Poff
Bolton	Hardy	Ray
Broomfield	Harrison, Wyo.	Reece
Broyhill	Horan	Rhodes, Ariz.
Bruce	Jensen	Riehlman
Byrnes, Wis.	Johansen	Rooney
Cannon	Jonas	Roudebush
Chenoweth	Keith	Rutherford
Church	Kitchin	St. George
Clancy	Knox	Saylor
Colmer	Kunkel	Schenck
Cooley	Lane	Schweiker
Cunningham	Latta	Smith, Iowa
Curtis, Mo.	Lesinski	Smith, Va.
Daddario	Mahon	Springer
Dole	Mailliard	Taber
Feighan	Mathias	Thomson, Wis.
Ford	May	Tollefson
Fountain	Miller, N.Y.	Van Pelt
Gary	Milliken	Walter
Gathings	Minshall	Whitten
Gonzalez	Monagan	Winstead

NAYS—120

Abernethy	Brooks, Tex.	Dulski
Addabbo	Burke, Mass.	Dwyer
Albert	Burleson	Edmondson
Anderson, Ill.	Byrne, Pa.	Everett
Ashley	Cahill	Fallon
Ashmore	Casey	Fisher
Avery	Chelf	Flynt
Baldwin	Coad	Forrester
Battin	Cobelan	Frelinghuysen
Beckworth	Cook	Fulton
Bennett, Fla.	Corbett	Gilbert
Blatnik	Cramer	Granahan
Boggs	Davis, Tenn.	Gray
Bonner	Dawson	Green, Pa.
Bow	Deaney	Hagan, Ga.
Brademas	Dorn	Hagen, Calif.
Bray	Dowdy	Hansen

Harsha	Murphy	Selden
Healey	Murray	Sikes
Hechler	Nix	Sisk
Herlong	Norblad	Slack
Holland	Norrell	Smith, Miss.
Huddleston	O'Hara, Ill.	Steed
Jarman	Olsen	Stephens
Jennings	Perkins	Stubblefield
Joelson	Pfost	Teague, Tex.
Johnson, Calif.	Pike	Thomas
Karsten	Pilcher	Thornberry
Kearns	Price	Toll
Kilgore	Pucinski	Trimble
Kirwan	Purcell	Tuck
Kluczynski	Randall	Udall, Morris K.
Lankford	Rhodes, Pa.	Vank
Libonati	Rivers, S.C.	Waggoner
McFall	Roberts, Tex.	Westland
Madden	Rogers, Fla.	Wharton
Matthews	Rosenthal	Wickersham
Mills	Ryan, Mich.	Willis
Moorhead, Pa.	Ryan, N.Y.	Young
Morris	St. Germain	Zablocki

NOT VOTING—230

Adair	Glaimo	Nedzi
Alexander	Glenn	Nelsen
Alford	Grant	Nygaard
Alger	Green, Oreg.	O'Brien, Ill.
Andersen, Minn.	Griffiths	O'Brien, N.Y.
Andrews	Haley	O'Hara, Mich.
Anfuso	Hall	O'Konski
Arends	Harding	O'Neill
Aspinall	Harris	Osmer
Auchincloss	Harrison, Va.	Ostertag
Bailey	Harvey, Ind.	Passman
Baker	Harvey, Mich.	Pelly
Baring	Hays	Peterson
Barrett	Hébert	Philbin
Barry	Hemphill	Pirnie
Bass, N. H.	Henderson	Poage
Bass, Tenn.	Hestand	Powell
Becker	Hoeven	Qule
Belcher	Hoffman, Ill.	Rains
Bell	Hoffman, Mich.	Reifel
Bennett, Mich.	Hollfield	Reuss
Berry	Hosmer	Riley
Blicht	Hull	Rivers, Alaska
Bolling	Ichord, Mo.	Roberts, Ala.
Boykin	Inouye	Robison
Breeding	Johnson, Md.	Rodino
Brewster	Johnson, Wis.	Rogers, Colo.
Bromwell	Jones, Ala.	Rogers, Tex.
Brown	Jones, Mo.	Roosevelt
Buckley	Judd	Rostenkowski
Burke, Ky.	Karh	Roush
Carey	Kastenmeier	Rousselot
Cederberg	Kee	Santangelo
Celler	Kelly	Sand
Chamberlain	Keogh	Schadegberg
Chiperfield	Kilburn	Scherer
Clark	King, Calif.	Schneebeli
Collier	King, N.Y.	Schwengel
Conte	King, Utah	Scott
Corman	Kornegay	Scranton
Curtin	Kowalski	Seely-Brown
Curtis, Mass.	Kyl	Shelley
Dague	Laird	Sheppard
Daniels	Landrum	Shipley
Davis	Langen	Short
Davis, James C.	Lennon	Shriver
Davis, John W.	Lindsay	Sibal
Dent	Lipcomb	Siler
Denton	Loser	Smith, Calif.
Derounian	McCulloch	Spence
Derwinski	McDonough	Stafford
Davine	McDowell	Staggers
Diggs	McIntire	Stratton
Dingell	McMillan	Sullivan
Donohue	McSween	Taylor
Dooley	McVey	Teague, Calif.
Downing	Macdonald	Thompson, La.
Doyle	MacGregor	Thompson, N.J.
Durno	Mack	Thompson, Tex.
Elliott	Magnuson	Tupper
Ellsworth	Marshall	Ullman
Evins	Martin, Mass.	Utt
Farbstein	Martin, Nebr.	Van Zandt
Fascell	Mason	Vinson
Fenton	Meader	Wallhauser
Findley	Merrow	Watts
Finnegan	Michel	Weaver
Fino	Miller	Weis
Flood	George P.	Whalley
Fogarty	Moeller	Whitener
Frazier	Moore	Widnall
Friedel	Moorehead,	Williams
Gallagher	Ohio	Wilson, Calif.
Gariand	Morgan	Wilson, Ind.
Garmatz	Morrison	Wright
Gavin	Moss	Yates
	Moulder	Younger
	Multer	Zelenko

(After completion of first call of the roll.)

Mr. AVERY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Kansas rise?

Mr. AVERY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AVERY. What motion is the House presently voting on?

The SPEAKER. The Chair will state that the parliamentary inquiry is very pertinent. The Chair will state in response that the House is voting on a motion which was made by the gentleman from Missouri [Mr. CANNON] to recede and concur in a Senate amendment, with an amendment.

Mr. CANNON. Mr. Speaker, my motion was for the previous question.

The SPEAKER. The House is voting on a motion made by the gentleman from Missouri to recede and concur in the Senate amendment, with an amendment.

That is the motion pending at the present time.

The Clerk will proceed to call the roll of those Members who failed to answer on the first rollcall.

(The Clerk resumed calling the roll.)

Mr. CRAMER (interrupting call of the roll). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. CRAMER. Mr. Speaker, do I understand the parliamentary situation to be that the motion now being voted upon is a motion to recede and concur in a Senate amendment with an amendment, and a vote "no" is a vote for \$205,000 for the Florida Cross-State Barge Canal planning, and a vote of "aye" is against it?

The SPEAKER. The Chair has already stated that the parliamentary inquiry is correct in response to the inquiry of the gentleman from Kansas [Mr. AVERY]. The Chair is confident that the Members know what they are voting upon.

(The Clerk resumed calling the roll.)

Mr. HARDY, Mr. ABBITT, Mr. GATHINGS, Mr. ASHBROOK, Mr. BYRNES of Wisconsin, and Mr. GARY changed their vote from "nay" to "yea."

Mr. BLATNIK, Mr. BOW, and Mr. AVERY changed their vote from "yea" to "nay."

Mr. GROSS (interrupting the rollcall). Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is proceeding.

Mr. GROSS (interrupting the rollcall). Mr. Speaker, I demand the well be cleared.

The SPEAKER. Members will take their places out of the well.

Mr. GROSS (interrupting the rollcall). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, how many times must a Member check how he has voted?

The SPEAKER. That is not a parliamentary inquiry.

Mr. EDMONDSON (interrupting the rollcall). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. EDMONDSON. Mr. Speaker, is it possible to have a recapitulation of the votes that have been cast in advance of the announced vote?

The SPEAKER. The Chair will state that there has been no vote announced as yet. Therefore, at this point it is not possible to request a recapitulation.

(The Clerk resumed calling the roll.)

Mr. COLMER (interrupting the roll-call). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. COLMER. Mr. Speaker, in the event that a quorum is shown not to be present, what procedure is then left to the House?

The SPEAKER. The House can wait until a quorum arrives, or a motion to adjourn would be in order.

Mr. CANNON. Mr. Speaker, is a quorum present?

The SPEAKER. The rollcall has not as yet been completed.

Mr. CANNON. Mr. Speaker, in the absence of a quorum only one motion is in order, and that is to adjourn. I move that the House now adjourn.

The SPEAKER. The Chair has not announced the fact that a quorum is not present as yet. At this point that motion is not in order.

(The Clerk resumed calling the roll.)

Mr. EDMONDSON (interrupting the rollcall). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EDMONDSON. May a recess be declared in advance of the completion of the vote?

The SPEAKER. The Chair will state that the present situation the Chair may not declare a recess with a rollcall in process.

Mr. ALBERT. Mr. Speaker, I ask that the Chair announce the vote.

The SPEAKER. On this vote, there were 84 yeas and 120 nays.

So a quorum is not present.

#### ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Saturday, October 13, 1962, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

2627. Under clause 2 of rule XXIV, a letter from the Secretary of Commerce, transmitting the second semiannual report on activities of the U.S. Travel Service, pursuant to section 5 of the Internal Travel Act of 1961, was taken from the Speaker's table and referred to the Committee on Interstate and Foreign Commerce.

#### 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. BONNER: Committee of conference. H.R. 11586. A bill to amend section 2 of the act of July 7, 1960, as amended, to continue the 55-percent limit on construction-differential subsidy for construction, reconstruction, and reconditioning of ships for 3 additional years; without amendment (Rept. No. 2556). Ordered to be printed.

Mr. DAVIS of Tennessee: Committee of conference. 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; without amendment (Rept. No. 2557). 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. PILLION:

H.R. 13410. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act," as it relates to the acquisition of steel, steel products, and steel materials for public use; to the Committee on Public Works.

By Mr. ALGER:

H.R. 13411. A bill to provide a simple alternative to the Internal Revenue Code of 1954; to tax the broadest tax base—national

income—at the lowest rate that will balance the budget and stabilize prices, and thereby raise net personal incomes and promote economic growth; and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 13412. A bill to authorize the conveyance of certain Federal land under the jurisdiction of the Naval Ordnance Test Station, China Lake, Calif., to the county of Kern, State of California; to the Committee on Armed Services.

By Mr. O'BRIEN of New York:

H.R. 13413. A bill to promote the economic and social development of the Trust Territory of the Pacific Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS K. UDALL:

H.J. Res. 905. Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to provide that such building shall be designated the President James Madison Memorial Library, thus making totally unnecessary the destruction of scores of fine residences and saving at least \$39 million by combining the plan for a memorial to James Madison with the plan for a third building for the Library of Congress; to the Committee on Public Works.

By Mr. FULTON:

H.J. Res. 906. Joint resolution to authorize and require the U.S. National Commission for UNESCO to submit an annual report concerning its activities, programs, and proceedings; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MATHIAS:

H.R. 13414. A bill for the relief of Luther B. Stull; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 13415. A bill for the relief of Constantinos Vlasios Manaves; to the Committee on the Judiciary.

H.R. 13416. A bill for the relief of George Hatzopoulos; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 13417. A bill for the relief of Dr. Yel-lamaty Williams; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 13418. A bill for the relief of Najiba Antone; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### Columbus Day

#### EXTENSION OF REMARKS OF

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1962

Mr. PUCINSKI. Mr. Speaker, in the annals of our American history, no date is more readily recalled, no date more easily remembered, than October 12, 1492.

This date has a unique significance for me because it is also the birthday of my small son. As he grows older, I hope he will acquire a realization of the great adventures which are so much a part of

our American history; a history which begins with the monumental achievement of the greatest visionary of the 15th century.

It has been 470 years to the day since Christopher Columbus and the handful of men who sailed with him from Spain beached their frail landing craft on the sands of the New World. Their battles against hunger, disease, superstition, and the prejudice of centuries are familiar to all of us. We have read and reread these chronicles since childhood, for they are among the noblest and most exciting in our history.

It is appropriate that Italy, which brought Europe out of the Dark Ages and produced a resurgence of art, literature, and science should have produced the man of vision who was so eager to ex-

plore the uncharted depths beyond the horizon.

The perseverance and devotion to an ideal which characterized Columbus' voyage gave us the perfect foundation on which to base our national goals. He was our first pioneer, if—after these 470 years—we can now claim him for our own. He faced an unknown more terrifying than any of the gallant explorers who followed him, and he met and was equal to the challenge.

The Americans of Italian descent who have come to this Nation since that time have inherited and transmitted this undaunted spirit of Christopher Columbus. Their history of bravery in battle, their musical and cultural accomplishments which have brought renown to all of us, their leadership in Government and par-

ticipation in community affairs have helped America to expand until it is truly a representative government composed of individuals of divergent backgrounds, all of whom have contributed immeasurably to the fabric which constitutes our American way of life.

And, as I wish a happy birthday to my son on this October 12, I also feel a debt of gratitude to the kind providence which shared with him a day of such rewarding adventure and such promise.

My only regret, as we observe this anniversary today, is that because of my official duties here in Washington while Congress remains in session, I could not participate personally in the huge parade which was held in Chicago this forenoon. This impressive tribute to Columbus staged in Chicago by the Italian-American community, in cooperation with all the people of Chicago, manifests once again the high regard we Americans hold for Christopher Columbus.

**Commendation of Senator Church, of Idaho, by Attorney General Robert F. Kennedy**

EXTENSION OF REMARKS  
OF

**HON. LEE METCALF**

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, October 12, 1962

Mr. METCALF. Mr. President, my distinguished colleague the senior Senator from Idaho [Mr. CHURCH] has received a letter from the Attorney General, Robert F. Kennedy, complimenting him on his help to the Department of Justice by his work for anticrime legislation.

I think this is a fine accolade for Senator CHURCH, who has represented my neighboring State of Idaho in the Senate of the United States for 6 years. The activities of Senator CHURCH, praised by the Attorney General, have been beneficial to both Idaho and Montana and have contributed to law enforcement everywhere.

I ask unanimous consent that Attorney General Kennedy's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,  
WASHINGTON, D.C.,  
October 10, 1962.

Hon. FRANK CHURCH,  
U.S. Senate, Washington, D.C.

DEAR FRANK: With the Senate ending I just wanted to express a personal word of appreciation to you for your help to the Department of Justice. Specifically, as you know, Congress passed more anticrime legislation in this session than at any time since 1934. I just wanted to tell you that in this effort your help and support has been just indispensable.

Your record in the Senate of exposing racketeering and gangsterism, and of sponsoring legislation to bar the shipment of gambling devices in interstate commerce, warrants special commendation.

When you were a member of the McClellan committee investigating racketeering in labor and management, and I was counsel for the committee, I came to admire the relentless way you sought to expose improper practices, without ever favoring in the slightest degree either labor or management. The whole investigative staff shared my feeling that your appointment to the committee added new life and zest to the hard task we faced in exposing crime and corruption to public view. Your contribution in this effort helped immensely in bringing about the enactment of corrective legislation in the Congress.

Particular note should be taken of your sponsorship in 1959 of S. 2107, to prohibit the transportation of gambling devices in interstate commerce. Since each State, under the Constitution, has the right to make its own laws respecting gambling, the power of the Federal Government to deal with gambling is confined to interstate commerce. Your bill led the way to the enactment of tighter restrictions on the movement of gambling devices from State to State, as called for by the Justice Department.

You may be sure that whenever we have further recommendations to make in improving the Federal antigambling laws, we shall be in touch with you. We know, from your past record in this field, that we can count on your effective support in the Senate.

Sincerely,

ROBERT F. KENNEDY.

**Columbus Day Observation by United Italian-American Societies and Clubs of Greater Springfield**

EXTENSION OF REMARKS  
OF

**HON. EDWARD P. BOLAND**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1962

Mr. BOLAND. Mr. Speaker, today as we approach the sine die adjournment of the 87th Congress, Columbus Day is being joyously observed in communities all over the United States. One of the most colorful of these parades is held in my home city of Springfield, Mass., sponsored by the United Italian-American Societies and Clubs of Greater Springfield. I had accepted an invitation to participate in this great event, but regrettably could not attend this afternoon because of wind up of this session of Congress. I do hope to be able to arrive in Springfield by tomorrow night to attend the Columbus Day banquet sponsored by the United Italian-American Societies and Clubs of Greater Springfield, presided over by Dr. Alfred H. Cola, at the municipal auditorium.

Mr. Speaker, 470 years ago Christopher Columbus, with his few sailors in three ships, broke down the barrier of ignorance and fear that separated the New World from the Old. Until the fear was braved and beaten back, until the ignorance was dispelled by experiment, no one, not even Columbus himself, knew that a territory as vast as the then known world lay waiting for exploration, for colonization, for exploitation or cultivation, and for the Christianizing and civilizing of the natives. Out of Columbus' bold imagination and

brave deed have come the centuries of agony and triumph, of conflict and construction, of the constant effort to reconcile liberty with law, that have marked the progress of our hemisphere.

If we have built something good out of the nations of the New World; if we have contributed to man's material comfort and his mastery of his natural surroundings; if we have helped men learn to work together in freedom, in the service of God and for the common good; if we of the New World have accomplished anything of value, it is fitting that we pay tribute, on this day, to the one man whose courage and vision lie behind all that we are, behind all that we have done or can do. May we be heirs worthy of the heritage we have received from this bold spirit.

**The Pornography Racket in the District of Columbia**

EXTENSION OF REMARKS  
OF

**HON. JOHN DOWDY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1962

Mr. DOWDY. Mr. Speaker, a few days ago, the Washington Post and the Washington Daily News each took editorial snipes at the U.S. Congress for its efforts to put effective controls on the lucrative business of pornography in the District of Columbia by almost unanimously passing H.R. 4670.

The Daily News editorialist could not have read the bill before writing his editorial. He may have relied on the ranting statement of the Washington branch of the Civil Liberties Union, which consistently opposes all efforts to put bridges on obscenity, lewdness, and indecency. The Post editorial makes its usual attack on moral integrity, ignoring the fact that the widespread distribution of pornographic material promotes juvenile delinquency which is already out of hand in the District of Columbia.

I have written replies to each of the editors, hoping a factual presentation of the bills as well as the moral aspects of this problem may be presented to the readers of the two papers. The letters are necessarily lengthy. In the event either is too long for publication in its entirety, or not published at all, I want the Members of the House to know of the replies.

I hope to have your indulgence while I read them into the RECORD:

OCTOBER 9, 1962.

EDITOR,  
The Washington Post,  
Washington, D.C.

DEAR SIR: Referring to your October 5 editorial, "Imprisoning the Press," one wonders just what your firm is printing which you consider to be "obscene, lewd, and indecent." Reasonable men have no difficulty in knowing what is meant by obscenity, lewdness and indecency. No one can tell me that our morals have fallen so low that the distinction can no longer be made.

The annual \$2 billion pornography racket is attacking the integrity, as well as the

moral and spiritual welfare of the people of the United States. Can the Post editorialist be blind to this insidious influence which is as corrupting as atheistic communism? Is the filth purveyor's profit all that precious?

I do not mind your castigation of my efforts in sponsoring H.R. 4670, to smother the widespread pornography business in the District of Columbia. To say the least, the "provincial morals" which you attribute to me are high above the gutter which spawns the filth that my bill will ban.

J. Edgar Hoover stated that "sex-mad magazines are creating criminals faster than fall can be built." A former Detroit police inspector has declared, "There has not been a sex murder in the history of our department in which the killer was not an avid reader of lewd magazines." Does your editorialist honestly believe that all the bloated profits of the mendacious merchants of smut would recompense for the life of even one little girl—let alone others uncounted?

Most people in Washington wish the Post would show the same devotion to the moral welfare of the American family and to the rights of the law abiding as it does to the coddling of yokers, rapists, murderers and worse. Children of tender age are exposed to large quantities of morally repulsive publications and pictures, as well as to molestation by those perverted thereby. I would remove this evil from our midst—is that what the Post calls "provincial morality"? Morality doesn't change with the times, nor with locality.

The editorialist must recall the passage from St. Matthew: "But whoso shall offend one of these my little ones which believe in me, it were better for him that a millstone were hanged about his neck, and that he were drowned in the depth of the sea"—or does the editorialist feel that has been overruled as being unconstitutional? Our children must be protected; admittedly, this is a duty of the local police, but it is no less a duty of all the wholesome interests of the community. The Post policy should be to join with the responsible communications media in support of healthy laws to suppress this vicious vice.

Surely your paper's profits do not greatly depend on income from that kind of business. The continued degradation of sex, with the accompanying degradation of manhood, womanhood and childhood, is not worth the price.

Wouldn't you like to be on the right side just once? Perhaps this thought will help. I believe there is a connected ownership involving the Post and a radio station. In title 18, United States Code, is a provision that "whoever utters any obscene, indecent or profane language by means of radio communication shall be fined not more than \$10,000 or imprisoned not more than 2 years, or both." Furthermore, there would be the possible added penalty of losing the station's license. Has the Post had any difficulty understanding the meaning of the descriptive words in that statute?

The Post has not editorialized for the repeal of that statute, nor complained of its penalties, and presumably approves of them. My bill which passed the House by a vote of 270 to 18 provides a less stringent penalty; not more than \$500 fine, or not more than 1 year in jail. The House vote of 15 to 1 in favor of my bill indicates that very few Members were impressed with the Post contention. Indeed, it might be said that the Post's campaign against our efforts to control the merchants of filth and immorality has made almost no converts—and support for this bill is just as strong outside Congress as it is within.

My bill leaves the decisions up to the courts. Perhaps the Post does not trust the courts, but your editor has not suggested a better tribunal, taking only a totally "negative," "do nothing" attitude about this problem.

Perhaps it is fair to say that the Post is out of touch with the real concerns of the fathers and mothers and the religious community of the Nation's Capital. The people and the Congress have spoken and acted; it is now only up to the President to sign H.R. 4670 into law, to make possible the steps necessary to effectively combat this vicious business. It cannot be done with fine speeches about the rising crime rate and the mounting tide of juvenile delinquency. This bill, when it becomes law, will remove the profit from obscenity, and provide penalties essential to the control of filth, just as penalties are essential to the control of other crimes, and criminals.

Sincerely,

JOHN DOWDY,  
Member of Congress.

OCTOBER 9, 1962.

EDITOR,  
The Washington Daily News,  
Washington, D.C.

DEAR SIR: This refers to your May 6 editorial entitled, "Dangerous Bill." It deals with my bill, H.R. 4670, which passed the House on October 4, by a splendid margin, 270 to 18, which is exactly 15 to 1.

Do you think it quite fair to editorialize against the bill without reading it? You have been misled by the smut peddlers, who realize this bill would cut heavily into their lush profits.

Your editorialist states that if a household owned a copy of Chaucer's "Canterbury Tales," which a son took to school to his English class, "the District could seize the household furniture, car, lawnmower, icebox, television set, the family clothes, and every other possession, and padlock your house for a year." This is not true, and wholly misleading.

In the first place, the courts have defined the phrase, "obscene, lewd or indecent," and "Canterbury Tales" does not fall within that class. Reasonable men have no difficulty in understanding what is meant by "obscenity, lewdness and indecency." Our morals have not yet fallen too low to make the distinction. I believe your writer is the first I have heard to condemn "Canterbury Tales" as indecent.

Now let's examine the editor's allegation about what could be seized. The bill quite plainly says that the only things subject to seizure are those things "used or to be used" in violating the law. Now re-read the editorial recitation, set out above, and decide whether the editor read the bill.

Then the editorialist stated your residence could be padlocked for a year because you let your son carry "Canterbury Tales" to school. My bill provides "any house—to which the public commonly resorts or congregates for business or pleasure" where publications, pictures, etc., forbidden by law are exhibited, etc., or to which persons resort for observing same, may be enjoined as a common nuisance, and if such use is proven to be habitual, suit may be instituted asking the Court to padlock the building for 1 year, subject to being used and occupied by posting proper bond that same will not be issued in violation of the act.

It is obvious that a family residence would not come within the definition "a house to which the public commonly resorts." Other buildings that are habitually used to violate the law are not reserving of great solicitude, especially in view of all the safeguards to protect property rights which are written into the bill, and which have been construed by the courts in other similar legislation.

The editor expresses fear for radio and television stations. Much stricter laws already on the books put limits on their abuse of decency. In addition to loss of license, the United States Code provides that "whoever utters any obscene, indecent or profane language by means of radio communications

shall be fined not more than \$10,000 or imprisoned not more than 2 years, or both." I have not heard of any of the District of Columbia stations having trouble understanding the meaning of "obscene or indecent" as used in that statute.

I hope the editor will read H.R. 4670, and correct the erroneous editorial of October 7. Police files everywhere, including FBI, reveal that obscene and lewd exhibitions and publications promote sex offenses. Surely the News will not set itself up in opposition to this partial advance toward clearing the jungle spirit from the streets of Washington, so that decent women and children can again walk without fear of attack and molestation. I believe an overwhelming majority of the people, just as expressed by the 270-to-18 vote of the Members of the House, support this hope that the News will join us.

Sincerely,

JOHN DOWDY,  
Member of Congress.

## The WEN Corp. Wins the Coveted "E" Award for Export Initiative

### EXTENSION OF REMARKS OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1962

Mr. PUCINSKI. Mr. Speaker, it is with a great deal of pride and pleasure that I take this opportunity to call the attention of my colleagues to a significant ceremony which recently took place in my district.

On October 9, WEN Products, Inc., a dynamic and expanding industry in the 11th District of Illinois, received the coveted "E for Export" flag from the Department of Commerce in national recognition of the tremendous forward-looking strides taken by this company in contributing to our national export program.

I might add with no small degree of pride that WEN Products is one of the first industrial firms in Chicago to receive this highly coveted award.

In ceremonies attended by dignitaries from the Federal Government, the State government and local officials of Chicago, the main plant at 5810 Northwest Highway raised the blue and white "E" flag beside the Stars and Stripes.

These "E" flags are awarded for exceptional progress and success in helping to promote U.S. trade throughout the world. The award grants to the recipient manufacturer the exclusive privilege of flying the symbolic pennant with the large "E" on it and the wearing of "E" flag lapel pins. During World War II, as some of my colleagues will remember, the "E" award was granted to various individual firms for excellence in defense production.

I am happy to say that President Kennedy, with his great concern for expanding world trade and his interest in seeking new markets for American products abroad, reactivated this program for the Government's national export expansion program.

WEN Products is a large manufacturer of electric portable tools for the home

craftsman and the professional. Undoubtedly, many of my colleagues here today are familiar with this trade name and with its reputation for quality and integrity. The tools consist of a large number of items: all-purpose and free-hand operating saws, soldering guns, sanders, shavers, two-speed drills, saber saws, and accessories. WEN Products are used in the electronic, automotive, homebuilding, hardware, woodworking, and industrial fields.

The citation from the Department of Commerce, after consultation with the Labor Department, the Interior and Agriculture Departments, and the Small Business Administration, stated that WEN had more than doubled its exports of electric portable tools and rotary shavers. In addition, the firm has participated readily and with ingenuity in various trade fairs and tool exhibitions sponsored by the Department of Commerce throughout the world.

Earlier in this Congress, I sponsored legislation which would provide for a mobile trade fair on a moving fleet of merchant ships which would actively and aggressively seek out new world markets for American products. I sponsored this legislation with small companies such as WEN Products in mind. These industries have repeatedly demonstrated that they can compete on a global scale, given the opportunity to bring their products to the attention of buyers in other countries.

Unfortunately, the costs of transporting exhibits of products of smaller manufacturers to these world markets have often been prohibitive. Under the provisions of my proposal, these financial problems would largely be solved.

The House and Senate have approved this program of mobile trade fairs and I am confident we will see a very marked resurgence of America's ability to compete with products in other countries. We have the talent, the resources, the ingenuity, and now the opportunity to compete abroad.

This presentation of an "E" flag to WEN Products heralds a new era of American trade expansion and development. I am proud to represent a company which has so willingly accepted the challenge of the 1960's. American trade expansion in world markets means more job opportunities for all Americans.

My heartfelt congratulations to the men and women of WEN Products, Inc. It is talent and teamwork, such as they have demonstrated, which have made our American industrial complex the mighty competitive giant that it is.

### Columbus Day

#### EXTENSION OF REMARKS OF

### HON. LEONARD FARBSTEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1962

Mr. FARBSTEN. Mr. Speaker, no more appropriate tribute may be paid to the discoverer of this continent than to

express briefly the admiration, respect, and affection that we all feel for his Italian-American countrymen in the United States. As the last century ended there were about 484,000 of them here seeking a better life than the one they had known in the disrupted agricultural economy of the Italian peninsula. By 1910 they numbered over 1,343,000.

In the beginning most of them performed back-breaking labor in construction or heavy industry. But it was not long before their children became doctors, teachers, lawyers, judges, legislators, and businessmen. In their achievements they are second to no other group in the United States. It has been estimated that some 845,000 men of Italian descent served in the Armed Forces of the United States during the Second World War. I have the honor of serving with able, hard-working, and patriotic Italian-Americans in this House.

Perhaps on this occasion others will extoll the contributions of Italian-Americans to the arts and the sciences. I wish to praise them as a group which in difficult times, under severe handicaps, and in a remarkably short number of years has come to take its place in the leadership of the free American society. That one of their number, Secretary of Health, Education, and Welfare, Mr. Celebrezze, was appointed to an executive department of the Federal Government whose responsibilities are of crucial importance to our entire population is characteristic of the magnitude of their achievement as political and administrative leaders. Columbus discovered America, and Italian-Americans help lead it and preserve its freedom.

### The Malaxa Case

#### EXTENSION OF REMARKS

OF

### HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Friday, October 12, 1962

Mr. KEFAUVER. Mr. President, recently there has been considerable discussion in the Congress and in the press about the case of Nicolae Malaxa and the relationship of former Vice President Richard M. Nixon to Malaxa. In this connection, I may add that I think the manner in which this has come about is most unfortunate. Mr. Nixon chose to inject the issue of dealing with communism into the Governor's race in California, by charging that Gov. Pat Brown's administration had been soft on communism. In response to this, some have pointed to Mr. Nixon's connections with this Nicolae Malaxa, a resident alien who is alleged to have had both Nazi and Communist connections in his homeland of Rumania.

The Washington Star of Wednesday, October 10, quoted Malaxa's attorney as saying that the immigration hearings held in Malaxa's case had fully cleared Malaxa of these charges. I want to set the public record straight in this respect. I reviewed the Malaxa case closely, some

months ago, and concluded that the proceedings involving him had been most irregular, and were such that the charges against him had not been fully explored. For one thing, when the charges were being considered, he refused to answer questions about his past. He claimed that because of procedural technicalities, he did not have to answer such questions.

On review, Attorney General Rogers later held that Malaxa should have answered the questions, but, nonetheless, upheld a decision in Malaxa's favor, even though Malaxa's unlawful silence had prevented a full inquiry into his past associations. This is set forth in some detail in a letter I wrote to Attorney General Robert F. Kennedy on April 11, 1962, in which I reviewed the Malaxa case and urged the Attorney General to reconsider it. I pointed out in this letter the procedural irregularities in the previous proceedings and the fact that Nazi war documents published by the State Department in 1960 now present new evidence against Malaxa. I referred specifically to a secret telegram sent in 1941 by the German Minister in Rumania to the German Foreign Ministry, in which the Minister referred to Malaxa as "the financial mainstay" of the Iron Guard, which was the Rumanian Nazi Party. Mr. Malaxa's attorney now states that this document was declassified in 1955 and was presented against Malaxa in the immigration hearings. I have not yet had time to confirm this contention. The reported decisions in the Malaxa case deal in detail with the evidence against him, and make no reference to this document, thus indicating to me that it was not considered at the hearings. In any event, the evidence against Malaxa, coupled with the peculiar procedure which operated in his favor before, indicates to me that there is clearly room for doubt that his past Nazi and Communist associations were fully explored; and certainly it cannot be claimed that he refuted the charges against him when he refused to answer questions concerning his past Iron Guard, Nazi, and Communist associations.

On April 19, the Attorney General wrote to me, in response to my letter, that the Department of Justice would look into the matter at the first opportunity and would advise me further.

Since writing the Attorney General, I have had a number of conferences with Mr. Nicholas Katzenbach, the Deputy Attorney General. He told me he thought the record showed Mr. Malaxa to be an improper person for admission to the United States, and that he should have been excluded. He said he thought a strong case of previous improper conduct had been made before the hearing examiner, and fully justified such a holding against Malaxa; but Mr. Katzenbach advised that since the Board of Immigration Appeals, by a split decision, had reversed the hearing examiner, and Attorney General Rogers had affirmed the decision of the Board of Immigration Appeals, he felt it was not good public policy for one Attorney General to reverse the decision of a previous one, unless there was substantial and

convincing evidence which had not been brought out in previous hearings.

With this administrative policy I agree, but I have some question as to its applicability in this case.

Mr. Katzenbach has advised that he is keeping the matter under consideration.

Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD a copy of my letter of April 11, 1962, to Attorney General Robert F. Kennedy.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 11, 1962.

The Honorable ROBERT F. KENNEDY,  
U.S. Department of Justice,  
Washington, D.C.

Re: Nicolae Malaxa.

DEAR MR. ATTORNEY GENERAL: Nicolae Malaxa is a Rumanian alien now residing in New York City. I have received information which leads me to believe that the lawfulness and desirability of his continued presence in this country should be reconsidered.

Malaxa first came to this country in 1946 for a temporary visit as a member of the Rumanian economic delegation. He never returned to Rumania but he later claimed to have become an unwanted capitalist there—despite his appointment to this trade mission and despite the fact that the Communists paid him \$2,500,000 in compensation for factories seized by the Russians and allowed him to transfer his funds to the United States.

In 1948, he began steps to gain permanent residence under the Displaced Persons Act. After hearings, the Immigration Service made a favorable recommendation on his application on September 26, 1951, in an opinion by Mr. A. C. Devaney of the Adjudications Division. Malaxa's self-serving, and at times farfetched, testimony was believed and the contrary testimony of many disinterested persons was rejected in instance after instance. The recommendation failed to receive necessary congressional approval and died. An attempt in Congress to adjust his status by joint resolution was then unsuccessful also.

Malaxa next moved under the Immigration and Nationality Act of 1952. He was sole owner of Western Tube Corp., which ostensibly planned to build a seamless tubing plant in Whittier, Calif. His corporation filed a petition seeking a first preference quota for Malaxa on the grounds that the corporation urgently needed his services for building the California plant. The petition was approved and Malaxa was admitted from Canada as a permanent resident on September 26, 1953. Western Tube Corp. soon became inactive. It never got beyond the organizational stages and the California plant was not built. Apparently, the only objective which it achieved was to obtain permanent residence in the United States for its owner.

The apparent sham of the Western Tube operation led the Service to attempt to exclude Malaxa when he reentered the country in December 1955, after a stay in Argentina of almost a year. In addition to alleged fraud in the Western Tube application, charges were made involving Malaxa's connections with the Rumanian Iron Guard and the German Nazis prior to and during World War II and dealings with the Communists after World War II.

The special inquiry officer found against Malaxa on all points and ordered him deported. His findings were based partly upon refusals to answer questions asked by the examining officer concerning Malaxa's past Iron Guard, Nazi, and Communist associations. Malaxa contended that an examining officer was not authorized for the hearing and that he could only be required to submit to questioning by the special inquiry officer. The special inquiry officer ruled that Malaxa should answer the examining officer's questions and chose to draw adverse inferences from Malaxa's silence rather than to propound the questions himself. As a result of this procedural dispute, Malaxa's past was not fully explored.

The Board of Immigration Appeals reversed the special inquiry officer in a split decision, holding that the inquiry officer could not draw inferences from Malaxa's silence and that he should have questioned Malaxa instead of relying on the examining officer. The board expressly decided (from a record which was obviously incomplete because of Malaxa's silence) that Malaxa was never affiliated with the Iron Guard, Nazis, or Communists.

Attorney General Rogers then reviewed the case. He agreed with the inquiry officer that Malaxa should have responded to the examining officer's questions and that adverse inferences properly could be drawn from his refusal. Despite this, he affirmed the Board's order admitting Malaxa to permanent residence. Malaxa thus profited from his wrongful refusal to answer questions about his past, because the only consequence was that his past activities were not fully explored for the record. It is hard to see why a final decision was reached favorably to Malaxa on factual issues which he prevented from being fully heard. In the courts, a comparable case would have been remanded for a new hearing in which Malaxa would have responded to questions by the examining officer so that the case could be decided from all relevant evidence.

I realize something can be said for terminating such a case once it is concluded even if the decision was wrong, but new evidence has been revealed which also appears to justify reopening the Malaxa case.

Malaxa has always denied alleged affiliations with the German Nazis, the Rumanian Iron Guard and the Rumanian Communists. There has always been strong evidence against him but I will not attempt to review it here except to mention a few of the incriminating facts concerning his connections with the terrorist Nazi Iron Guard. In

the 1951 proceedings, the testimony of several prominent Rumanians linked Malaxa to the Iron Guard at the time of its January 1941 uprising when it was finally suppressed by General Antonescu. Marion Novotny told of seeing iron guardists enter Malaxa's home to obtain arms reportedly stored there for use in the revolt. Alexander Cretzinu, who was then serving in the Rumanian foreign office, testified that during the uprising General Antonescu told him of learning from his secret service and German officers that Malaxa was the financial backer of the Iron Guard. Max Ausnit, a leading Rumanian industrialist, identified Malaxa as the Iron Guard's financial backer at the time. This and similar testimony was simply denied by Malaxa and his word was accepted, as it apparently again was by the Board of Immigration Appeals and Attorney General Rogers in 1958.

Now it appears that official German war documents published by the State Department in 1960 refute Malaxa's testimony and confirms the testimony against him. At page 1050 of the documents on German foreign policy appears Document 623, a secret telegram dated January 8, 1941, to the German Foreign Ministry from Fabricius, the German Minister in Rumania. Fabricius referred to Malaxa as "Carol's former friend and the present financial mainstay of the Legionnaires." He added that the Legionnaires (Iron Guard) "let this clever big industrialist finance them. He has in his plants the leader of the Legionnaire labor organization, Gana, and there the green flags of Sima flutter everywhere." Of General Antonescu's distrust of Malaxa, Fabricius reported: "The general \* \* \* would like best to send Malaxa and his family off to Germany in order to get rid of them for a while. In reply to a question from him, I told him that, if he wished it, we would be glad to oblige him by taking Malaxa in, since German industry had always been on the best of terms with him. The general considers this his only chance of getting rid of this troublesome schemer."

This telegram is dated only 2 weeks before the Iron Guard revolt which resulted in Malaxa's arrest and imprisonment by Antonescu.

I believe the prior handling of Malaxa's case and the persuasive evidence contained in the German war documents justifies reconsideration. These documents may not meet tests of legal admissibility in judicial proceedings, but a principal reason that the rules of evidence do not apply to immigration matters is that the issues involved are often incapable of such proof. This reason particularly applies in evaluating Malaxa's connection with the Iron Guard which reportedly slaughtered 7,000 Rumanian Jews in 1940-41.

Taken with the other evidence against Malaxa, the German documents appear to be extremely incriminating. I urge you to reconsider the case in this light.

Sincerely yours,

ESTES KEFAUVER,  
U.S. Senator.

## SENATE

SATURDAY, OCTOBER 13, 1962

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, who hast sustained our lives to see yet another day which Thou hast made, we look to Thee for wisdom

and strength to do that which is pleasing in Thy sight this day.

As Thy servants in this Chamber confront the massive responsibilities placed upon them by Thy providence and the will of the people, grant that they may have a lively sense of their accountability to Thee, as well as to the people.

Through long and laborious months, Thou hast given them strength for their many and demanding duties. Add Thy blessing, we pray, to all that has been accomplished through their efforts for the good of the Nation and the welfare of all kinds and conditions of men.

Grant that the citizens of this land of liberty may understand that they, themselves, are truly in authority here, each one accountable to Thee for moral integrity, for devotion to justice, and for a decent respect for the opinions of mankind.

May the decisions registered this day beneath the great white dome of this citadel of freedom encourage and empower all responsible men of good will throughout the earth, to the end that righteousness and peace may prevail, and Thy will be done on earth as it is in Heaven.

In the dear Redeemer's name. Amen.