H.R. 1851. A bill for the relief of Chester A. Brothers and Anna Brothers, his wife; to the Committee on the Judiciary.

By Mr. COLMER:

H.R. 1852. A bill for the relief of Ante Gulam; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 1853. A bill for the relief of Patti Jean Fulton; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 1854. A bill for the relief of Mariano Fagone; to the Committee on the Judiciary.

H.R. 1855. A bill for the relief of Stefan Bryttan; to the Committee on the Judiciary.

H.R. 1856. A bill for the relief of John Hsueh-Ming Chen; to the Committee on the Judiciary.

H.R. 1857. A bill for the relief of Herman and Fani Fridman; to the Committee on the Judiciary.

H.R. 1858. A bill for the relief of Siao-Sieu Mao Wu; to the Committee on the Judiciary.

H.R. 1859. A bill for the relief of Benjamin Netkin; to the Committee on the Judiciary.

H.R. 1860. A bill for the relief of Dr. Jamshid Payman; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 1861. A bill for the relief of the children of Mrs. Elizabeth A. Dombrowski; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 1862. A bill for the relief of Wong Bing Lin; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 1863. A bill for the relief of Dr. Nourollah Shadi; to the Committee on the Judiciary.

H.R. 1864. A bill for the relief of Herman Ethelbert Evans and his wife, Evelyn Evans; to the Committee on the Judiciary.

H.R. 1865. A bill for the relief of Francesco Cosentino; to the Committee on the Judiciary.

H.R. 1866. A bill for the relief of Eugenia Liwszyc; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 1867. A bill for the relief of Pietro D'Angelo; to the Committee on the Judiciary.

H.R. 1868. A bill for the relief of Paolo Lia; to the Committee on the Judiciary.

H.R. 1869. A bill for the relief of Eftichios Protopapadakis; to the Committee on the Judiciary.

H.R. 1870. A bill for the relief of Georgios Rousakis; to the Committee on the Judiciary.

H.R. 1871. A bill for the relief of Eleni Andrikopoulos; to the Committee on the Judiciary.

By Mr. KILBURN:

H.R. 1872. A bill for the relief of Panagiotis Christos Pappas; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 1873. A bill for the relief of Otis D. Shreves; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 1874. A bill for the relief of Eugene Ahrends; to the Committee on the Judiciary.

H.R. 1875. A bill for the relief of Dr. George H. Edler; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 1876. A bill for the relief of Mrs. Rita M. Bravi; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 1877. A bill for the relief of Zenaida Z. Lazaro; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 1878. A bill for the relief of Wilfred V. McKenzie, his wife Evonne Alla McKenzie, and their minor children, Peter McKenzie and Derek McKenzie; to the Committee on the Judiciary.

H.R. 1879. A bill for the relief of Om Prakash Chaudhry and his wife, Pushap Lata Chaudhry; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 1880. A bill for the relief of Mrs. Lucine Broussalian; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H.R. 1881. A bill for the relief of Martina Imperial Romero; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 1882. A bill for the relief of Wo Jin Gin; to the Committee on the Judiciary.

H.R. 1883. A bill for the relief of Sek-Yau Quan; to the Committee on the Judiciary.

H.R. 1884. A bill for the relief of Mrs. Mar Lan Heung; to the Committee on the Judiciary.

H.R. 1885. A bill for the relief of Mrs. Liem Gien Tjwan; to the Committee on the Judiciary.

H.R. 1886. A bill for the relief of Valeriano T. Ebreo; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 1887. A bill for the relief of Yon Ok Kim, Chang In Wu, and Jung Yol Sohn; to the Committee on the Judiciary.

H.R. 1888. A bill for the relief of Isabel Lopez; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 1889. A bill for the relief of John Baltis (John Paul Petalas); to the Committee on the Judiciary.

SENATE

MONDAY, JANUARY 14, 1963

(Legislative day of Wednesday, January 9, 1963)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

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

Our Father, God, with desperate needs which cannot be met at the world's broken cisterns, we turn unfilled to Thee.

As on this day of inventory and challenge, through the eyes of its chosen leadership, our Nation surveys the baffling ramifications of the state of the Union, our bewildered hearts cry out, "Who is sufficient for these things?" as uncertain judgments weigh vast issues which belt the earth, and fallible minds face tangled relationships involving the very life of the Nation.

With so great a commission given to those who have been sent here with the trust and hope of this farflung Republic, solemnize those so commissioned with the realization that what is accomplished will depend most of all upon the state of their union with the source of all true strength, knowing as we do in our highest hours that unless the Lord build the house, they labor in vain who would build it.

We ask it in the name of the Master of all good workmen. Amen.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Is there objection? The Chair hears none; and it is so ordered.

APPOINTMENT OF MEMBERS OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The VICE PRESIDENT. Pursuant to the provisions of 20 U.S.C. 42, 43, the Chair reappoints Senators J. W. FULBRIGHT, of Arkansas, and CLINTON P. ANDERSON, of New Mexico, as members of the Board of Regents of the Smithsonian Institution.

JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT (H. DOC. NO. 1)

Mr. MANSFIELD. Mr. President, in accordance with the provisions of House Concurrent Resolution 1, I move that the Senate now proceed to the Hall of the House of Representatives for the purpose of hearing an address to be delivered by the President of the United States.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Thereupon (at 12 o'clock and 13 minutes p.m.), the Senate, preceded by its Secretary (Felton M. Johnston), its Deputy Sergeant at Arms (Robert G. Dunphy), and the Vice President, proceeded to the Hall of the House of Representatives for the purpose of receiving a communication from the President of the United States.

(For the address delivered today by the President at the joint session of the two Houses of Congress, see pp. 171–174, of the House proceedings of today.)

The joint session having been dissolved, the Senate, at 1 o'clock and 38 minutes p.m. returned to its Chamber, and was called to order by the Vice President.

Mr. MANSFIELD addressed the Chair.

The VICE PRESIDENT. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested. 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 VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF RULE XXII

Mr. ANDERSON. Mr. President, will the majority leader yield to me so that I may submit a resolution?

Mr. MANSFIELD. I am delighted to yield to the Senator from New Mexico.

Mr. ANDERSON. I send to the desk a resolution and ask for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read the resolution, as follows:

S. RES. 9

Resolved, That the rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

"Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeal from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

Mr. RUSSELL. Mr. President——

Mr. MANSFIELD. Mr. President, I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, under the provisions of section 1, rule XIV, I desire to interpose an objection to the submission of the resolution today. I ask that that provision of the rule be read.

Mr. ANDERSON. Mr. President, I have no desire to argue the point with the Senator from Georgia. He is probably within his rights, if he desires to object. I shall send to the desk a notice of motion to amend the rule, and allow it to lie over a day.

Mr. RUSSELL. I make the point of order that the Senator cannot give notice of a motion with respect to a proposed piece of legislation that has not yet been introduced.

The VICE PRESIDENT. The clerk will read the rule referred to.

The legislative clerk read as follows:

RULE XIV. BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for 1 day.

Mr. RUSSELL. Mr. President, I realize that this is a very unusual procedure, but we are confronted with very unusual circumstances. In my opinion we are confronted with the most vital issue likely to come before this Congress. I believe the Senate should have full and fair opportunity to consider it. The fiction has been assiduously cultivated that rule XXII and proposed changes in it are connected only with the civil rights issue, and that it is purely a southern issue.

That statement has been repeated again and again, until the propaganda technique employed by Hitler—that if the big lie is repeated often enough people will believe it—has prevailed.

I point out that there has not come before the Senate an issue which has been voted on with more yea-and-nay votes, in the past 5 years, than has the question of the adoption of amendments to what our friends euphemistically refer to as civil rights legislation.

In 1957 the Senate considered and passed a bill in that field. I forget the exact number of amendments that were offered to the bill, but I believe approximately 38 or 40 amendments were voted on by yea-and-nay votes.

The same thing happened in 1960. No issue that has been before the Congress has had as many yea-and-nay votes on every conceivable facet of a question as has this issue of civil rights.

Those of us who oppose the proposed changes in the rules are not looking only to civil rights legislation. We are looking also to the protection of the proud position of the Senate, and its unique role in our scheme of government.

We are undertaking to defend the individual rights and prerogatives of Members of this body. We cannot liquidate the power of the Senate without liquidating the power of every individual Senator. We cannot water down the power of the Senate without weakening the power and prestige of every individual Senator.

The Senate is the last place of refuge of small States and minorities. The small States of the Nation have no other place in our political or government life where they can make their presence felt. At a national political convention what chance has a man from a small State of obtaining the nomination for President or Vice President? Without regard to the character or ability of such a man the handful who control conventions in both parties always say they are looking for a favorite son of a State with many members of the electoral college. Representatives at such conventions from small States wander around the halls trying to figure out whom the big States will nominate, so that they can try to get on the bandwagon. That is about the only part they play in the national conventions. Of course, they are given badges, and they are seen in the halls; but they really have no voice in a national convention. They have little power in the election which follows.

What chance has a Representative from a small State in the other body to influence legislation, when he is confronted by State delegations numbering from 35 to 50? Absolutely no chance on earth.

Also, he has a very remote possibility of receiving an appointment to the Cabinet. I commend the President for breaking this rule and appointing a man from a small State to his Cabinet.

But in the Senate, under the protection of the rules, small minorities have a voice in the Government. Only here do they sit as equals with Senators from more populous States.

On this floor the Senators from the smallest States are peers of those from the largest.

It has been a poor subterfuge to label this question as a purely civil rights question—in some cases more from ignorance; in others, downright dishonesty. There is much more involved. This is a vital question of an attempt to remove the keystone from the arch of constitutional government.

I shall, therefore, object at every stage of the proceeding at which I am entitled to object under the rules of the Senate, in order that every Member of the Senate may have an opportunity carefully to study and ponder exactly what is involved in the issue.

The VICE PRESIDENT. The Chair invites the attention of the Senator from Georgia to rule XIV, paragraph 6.

Mr. RUSSELL. I am well aware of it.

The VICE PRESIDENT. It reads:

All resolutions shall lie over 1 day for consideration, unless by unanimous consent the Senate shall otherwise direct.

The Parliamentarian informs the Chair that that is the appropriate paragraph which would require the resolution—not a bill—to lie over for 1 day.

Mr. RUSSELL. The rule is very clear that there are two different days involved. In paragraph 1 of the rule, objection may be made to the introduction of a bill or joint resolution. Then, after the bill or joint resolution has been introduced, section 6 of rule XIV takes effect. They are not the same provisions at all; they are entirely different provisions, applying to different circumstances. Paragraph 1 applies to the introduction of a bill or joint resolution. Paragraph 6 applies to the consideration of resolutions by the Senate.

The VICE PRESIDENT. The Chair suggests to the Senator from Georgia that no Senator is proposing the introduction of a bill.

Mr. RUSSELL. I understood that the Senator from New Mexico had asked for

the immediate consideration of a resolution. I cite the RECORD on that point.

The VICE PRESIDENT. The Parliamentarian informs the Chair that the Senator from New Mexico proposed a Senate resolution, and that is covered by paragraph 6 of rule XIV.

Mr. RUSSELL. I invite attention to the provisions of paragraph 6.

The VICE PRESIDENT. The Chair informs the Senate that the measure came to the desk as a Senate resolution.

Mr. ANDERSON. That is correct.

The VICE PRESIDENT. A Senate resolution is not covered by paragraph 1, but is covered by paragraph 6. If objection is heard, the resolution will lie over.

Mr. ANDERSON. Mr. President, I send to the desk a notice, under the Senate rule. I do not question the ruling of the Chair; I think it is entirely proper. Certain constitutional questions may be involved.

The VICE PRESIDENT. Does the Senator from New Mexico desire to have the notice read or merely printed in the RECORD?

Mr. ANDERSON. I desire to have it printed in the RECORD, because it is the exact text of what has previously been read.

The VICE PRESIDENT. Is there objection?

Mr. DIRKSEN. I object. I should like to have the last resolution, calling for a suspension of the rules, read for the information of the Senate.

Mr. ANDERSON. I withdraw my request that the notice be considered as read, and ask that the clerk read it.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DIRKSEN. Does the resolution call for a suspension of the rules?

Mr. ANDERSON. No; it does not.

Mr. DIRKSEN. Then I am mistaken.

Mr. ANDERSON. I thank the minority leader. It is exactly what was read a moment ago except that it is in the form of a notice.

The VICE PRESIDENT. The notice will be read.

The Chief Clerk read as follows:

NOTICE OF MOTION TO AMEND CERTAIN SENATE RULES

In accordance with the provisions of rule XL of the Standing Rules of the Senate and without prejudice to the constitutional right of a majority of the Senate of the 88th Congress to accept, reject, or modify any such rule, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the Standing Rules in the following particulars, namely:

Rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

"Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but 1, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

The purpose of the proposed amendment is:

To provide for bringing debate to a close under certain circumstances by vote of three-fifths of the Senators present and voting.

Mr. HUMPHREY. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. First, I wish to comment on the remarks of the distinguished senior Senator from Georgia. He is absolutely correct when he says that rule XXII, or any modification thereof, does not apply merely to civil rights. If the words or phrases or concept of civil rights had never been heard of, the Senate would still have the right to modify its rules or to adopt new rules at the opening of a Congress. There are new Senators present who have never had a word to say about the rules of the Senate, yet they must live under those rules.

I happen to believe that rule XXII may well have a bearing in the months ahead as to what may or may not happen concerning proposals which the President of the United States may send to the Senate or to Congress relating to voting rights or other rights of citizens of this country. But whether that should happen or not, it is my contention that we as Senators—each of us with one vote, each of us with equal rights—have the right and, indeed, the duty, to adopt the rules which govern our proceedings.

This is a constitutional question. It has been stated unequivocally in the Constitution that we shall or may adopt rules for the proceedings of this particular body. The exact language of the Constitution is known by Senators.

I, for one, want the rights of the small States, as well as the rights of the big States, protected. The Constitution also makes provision for the small States. In fact, the Constitution makes it certain that the small States shall be given extra protection, because the small and the big States alike have two Senators, regardless of the sizes, geography, or population of the States.

We are discussing the question whether the Senate can or will modify or change its rules according to the needs of this body. I am not at all sure which opinion will prevail. I am hopeful that the Senate will make some change in rule XXII. I shall offer a notice of a motion to change rule XXII. But, if I can prevent it, I will not permit a propaganda smokescreen to be laid down, here or elsewhere, to the effect that all we are trying to do with rule XXII is to jam through a civil rights proposal. Civil rights legislation will be considered on its merits, as it should be.

Many new Senators have served with distinction in legislative bodies where there was the right to terminate debate by majority rule in both houses of the legislatures. New Senators who have been Governors know that on occasion it is necessary to take effective action. New Senators who have served in other capacities, public or private, ought not to have foisted upon them for the present the rules of the past. Most of the rules of the Senate may be very acceptable to them and they can be accepted tacitly. We can accept them by expressing our opinions through a resolution that we accept every rule that is used in this body. But when we contest a rule that prevents the majority from reaching a vote on new rules, we contest it under provisions which are set forth in the Constitution as the right of each House, and of Congress itself, to adopt the rules to govern its own proceedings.

On behalf of the Senator from California [Mr. KUCHEL] and myself, and the Senator from Illinois [Mr. DOUGLAS], the Senator from New Jersey [Mr. CASE], the Senator from Pennsylvania [Mr. CLARK], the Senator from New York [Mr. JAVITS], the Senator from Michigan [Mr. HART], the junior Senator from New York [Mr. KEATING], the junior Senator from New Jersey [Mr. WILLIAMS], the junior Senator from Pennsylvania [Mr. SCOTT], the junior Senator from California [Mr. ENGLE], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Maryland [Mr. BEALL], and in accordance with article I, section 5, of the Constitution, which declares that "each House may determine the rules of its proceedings," I send to the desk and offer

a notice of a motion to amend rule XXII, and also a resolution to amend the rule, to permit cloture of debate by vote of a constitutional majority of the Senate after full and fair discussion.

Mr. ANDERSON. Mr. President, will the Senator from Montana permit the Senator from Minnesota to yield for a question?

Mr. MANSFIELD. I shall be delighted to do so.

Mr. HUMPHREY. I yield for a question.

Mr. ANDERSON. Do I correctly understand that the Senator from Minnesota submits that resolution as a substitute for the motion I have filed?

Mr. HUMPHREY. That is correct.

Mr. ANDERSON. I am glad the Senator has gone in that way into this constitutional question; and I hope the President of the Senate will submit the question to the Senate, inasmuch as that is his privilege. But I have presented such a resolution for the past 10 years; and I come from one of the numerically smaller States, which has a population of less than 1 million. I believe this question applies to many subjects other than civil rights; and for that reason I am glad the Senator from Minnesota has submitted the resolution.

Mr. RUSSELL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. I wish to express my profound appreciation to the Senator from Minnesota and the Senator from New Mexico for saying that something other than civil rights is involved in this question; and I hope it is not asking too much of members of the press gallery and the representatives of radio and television to take notice of that fact, for during the past 10 years the question has continuously been presented as one involving only civil rights and condemning defense of free speech in the Senate as only the effort of southern racists. So I honor Senators proposing these changes for stripping the question of that fraudulent guise, under which it has masqueraded for so many years.

Under the Constitution each State has equal suffrage in the Senate; but for that provision, there would not have been a Constitution. After the inclusion of the provision that in the House of Representatives the representation of the various States would be on the basis of population, the smaller States demanded that in the Senate the States should have equal representation. The smaller States went so far in their insistence in regard to that provision that it was made the only clause in the Constitution which cannot be changed except by unanimous consent; the only one in that category is the provision which gives the States equal representation in the Senate. In fact, the provision goes further than that, by providing that "no State without its consent shall be deprived of its equal suffrage in the Senate."

I have often wondered just how that provision would fare under the present drive to have all representation based purely on population. But the constitutional provision giving the States equal suffrage in the Senate has existed all these years, and I do not believe it could be changed even by amending the Constitution by a two-thirds vote of both Houses and a three-fourths vote of the several States.

Mr. President, there is no question that a majority of the Senate can change the rules of the Senate; none of us contend otherwise. We are merely contending that the rules can be changed only in the manner prescribed in the rules.

Let us consider section 2 of rule XXXII, to be found on page 43 of the Senate Manual. It reads as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

There it is, spelled out. The Senate, by the majority vote for which the Senator from Minnesota appeals, spelled out what all of us know; namely, that the Senate is a continuing body. No part of that rule provides that the rules of the Senate cannot be changed by majority vote. A majority of the Senate can change the rules at any time.

What I am objecting to is the theory that the Senate is not a continuing body, and that therefore at the opening of a session the rules can be evaded and short circuited. If the rules can be evaded and disregarded in this instance, because the Constitution provides that each House can establish its own rules, it can be done in any other instance; and I am not so sure that some changes of that sort are not in the back of the minds of some of our friends when they approach this question. On this basis a Member could allege that under the constitutional provision that the Senate can make its rules, there would be the right on the opening day of a session to have the first piece of proposed legislation one calling for a change in the rules, or to claim that because the Senate can deal with matters affecting interstate commerce, a Member could introduce proposed legislation to abolish the Interstate Commerce Commission without having such a measure referred to the Commerce Committee or any other committee, or to claim that in similar fashion a change in any provision of the Constitution could be made.

There is no question that the Senate is a continuing body. All of us know that one-third of the Members of the Senate are elected every 2 years, and two-thirds of the Members carry over. That is what makes the Senate a continuing body, and until a few years ago no one had the temerity to claim that the Senate is not a continuing body.

In two or three decisions the Supreme Court of the United States has held that the Senate of the United States is a continuing body.

But my friend the Senator from Minnesota says the Senate is not a continuing body as to its rules, because some of the newly sworn Senators did not participate in their formulation. That is a rather strange position to take, 180 years after the creation of the Senate. During all that period of time, great men have come and have gone in the Senate. Daniel Webster entered this body from the State of Massachusetts, and Daniel Webster never once imagined he was handicapped because he did not rewrite the rules of the Senate on the first day of the first session in which he served. It cannot be shown that he was handicapped because he could not on the first day of that session succeed in having the rules changed in a manner that appealed to him, rather than to follow the rules as they then were set forth in the rule book. Similarly, during his service as a Member of the Senate, Henry Clay did not claim that the Senate was not a continuing body. Similarly, I can refer to Borah, La Follette, and Taft. Even my friend the Senator from Minnesota, when he came to the Senate, served under the rules of the Senate as a continuing body; and if that situation suppressed him, it has never been observable to the eyes or ears of any mortal man in his vicinity. [Laughter.]

Mr. President, there is no question that the rules of the Senate can be changed by the Senate in the manner prescribed by the rules. I am insisting on orderly procedure, in order that the Senate may maintain its proud position, rather than begin to take shortcuts to avoid or evade the rules. If my friends were to succeed in avoiding or evading the rules, they would soon see rushed through the Senate all kinds of legislation that would not have anything to do with civil rights, unless it would be to impinge upon the right of private property; or they would see rushed through the Senate legislation that would not even be called civil rights legislation. No doubt that would include legislation to change the economy of the country without giving Senators an opportunity to stand on their feet and inveigh against it.

If the rules of the Senate were to be changed in so extraordinary a fashion, the Senate itself would be threatened; and the Senate is the most powerful single instrumentality of Government which exists. Emasculate the powers of the Senate and the whole fabric of our Government would soon be torn and destroyed.

Mr. MORSE, Mr. JAVITS, Mr. HUMPHREY, and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield; and, if so, to whom?

Mr. MANSFIELD. Mr. President, before I yield to my colleagues in the order in which they have addressed the Chair, beginning with the Senator from Oregon [Mr. MORSE], and then the Senator from New York [Mr. JAVITS], and then the Senator from Minnesota [Mr. HUMPHREY], I wish to point out that many Senators have indicated that they wish to introduce measures of importance to them, and some Senators have indicated that they wish to make important remarks. Therefore, I ask unanimous consent that it be in order for Senators to introduce bills and resolutions, without prejudicing the rights of any Senator as regards to the parliamentary situation affecting amendment of the Senate rules.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. RUSSELL. Mr. President, will the Senator from Montana repeat his request?

Mr. MANSFIELD. I ask unanimous consent that it be in order for Senators to introduce bills and resolutions without prejudicing the rights of any Senator as regards the parliamentary situation affecting amendment of the rules of the Senate.

Mr. RUSSELL. Mr. President, I suppose that under the views I hold, I should object to that request; but I have no objection to having Members introduce proposed legislation. I would prefer that the Senator from Montana ask that there be a brief morning hour in which to do so; but if he wishes to have the matter handled in the way he has proposed, I shall not interpose objection.

Mr. MORSE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I have only one suggestion—namely, that it be understood that the resolutions which will be in order will not involve the matter of cloture.

Mr. RUSSELL. Of course, I understand that to be the case.

Mr. MORSE. But the request of the Senator from Montana does not so provide. I merely wish to have resolutions relating to cloture exempted, so that all resolutions relating to cloture would be submitted independently, under rule XL.

Mr. RUSSELL. Mr. President, will the Senator from Montana be so kind as to amend his request by using the words "bills and joint resolutions"? That would eliminate any resolution affecting the rules.

Mr. MANSFIELD. Mr. President, I accept that proposal; and I request a decision.

Mr. MORSE. First, Mr. President, will the Senator from Montana yield again to me?

Mr. MANSFIELD. I yield.

Mr. MORSE. Why do we not exempt resolutions dealing only with cloture? Some of us have resolutions which deal with other subjects, and have nothing to do with the matter of cloture; and we wish to submit resolutions of other types.

Mr. MANSFIELD. Mr. President, in an effort to bring this matter to a head, I move that in my original proposal, after the word "bills," the words "and resolutions" be deleted.

The VICE PRESIDENT. The question is on agreeing to the request of the Senator from Montana.

Mr. DIRKSEN. Mr. President, will the Chair have the request restated?

The VICE PRESIDENT. The clerk will restate the request.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I shall yield after the request is read.

The LEGISLATIVE CLERK. The Senator from Montana [Mr. MANSFIELD] asks unanimous consent that it be in order to introduce bills without prejudicing the rights of any Senator with regard to the parliamentary situation respecting the amendment of the Senate rules.

Mr. MANSFIELD. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I inquire if the unanimous-consent request would preclude the introduction of resolutions that would be referred to the Committee on Rules and Administration under the committee procedures?

Mr. MANSFIELD. It would.

Mr. McCLELLAN. Such resolutions could not then be submitted today?

Mr. MANSFIELD. The Senator is correct. Bills only could be introduced. Concurrent resolutions, joint resolutions, and Senate resolutions could not be submitted.

The VICE PRESIDENT. The Chair inquires if the Senator would exclude joint resolutions.

Mr. MANSFIELD. Yes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. MORSE. Mr. President, reserving the right to object, will the majority leader tell me why he believes that resolutions relating to a subject matter not dealing with the subject matter now pending before the Senate should not be submitted today?

Mr. MANSFIELD. I have made the request only in the interest of comity in this body. If we can get through the procedure today, we can submit other proposals at a later date covering other subjects. I believe the climate is right for the particular kind of agreement requested at this particular time.

Mr. MORSE. Let me state a specific example. I wish to submit a resolution, which would ordinarily be referred to the Committee on Rules, relating to the establishment of a veterans committee of the Senate. I pledged to submit such a resolution at the first opportunity. I do not see why that resolution should not be submitted at this time. What in the world has that subject to do with the issue pending before the Senate? The Senator would merely have to add one restriction on his request, which is intended to protect the point of the Senator from Georgia that no resolutions be submitted today dealing with the subject matter of cloture.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished Senator from Oregon, at the present time no committees are functioning excepting unofficially. If the Senator were to submit a resolution of the kind which he has stated, seeking to create a veterans committee, no action could be taken at this time because the Rules Committee is not functioning. I suggest to the Senator that he allow the present proposal to be considered and that we then discuss the subject and see what we can do in a few days in reference to his suggestion.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. Perhaps the Senator from Oregon could submit his resolution under a unanimous-consent request. I do not believe there would be any objection.

Mr. MORSE. I do not see how that could possibly be done if I agreed to the present unanimous-consent request. If I agreed to the unanimous-consent request and an hour from now asked unanimous consent to submit a resolution relating to a veterans committee, I would be acting in bad faith.

Mr. President, the veterans of the country are entitled to have the resolution submitted today. I do not like to break faith with them.

Mr. MANSFIELD. Mr. President, in order to bring the matter to a head, once again, I would include resolutions affecting the welfare of veterans.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. MUNDT. Mr. President, reserving the right to object, if the original suggestion of the Senator from Oregon [Mr. MORSE] is sound and we were to exempt joint resolutions of the kind to which he referred, I point out that I intend to introduce a joint resolution dealing with the electoral college system. It has nothing to do with the controversial subject now under discussion. I should like to have offered it on the opening day, as I have on previous occasions. If an agreement is made among Senators who are present that no resolutions can be offered dealing with this particular controversy, I am sure we can get a unanimous-consent agreement that we can submit other joint resolutions. We have only one controversial subject. If we start exempting other subjects by unanimous consent, that is a different matter.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Does the Senator from Montana yield for the purpose of permitting the Senator from Georgia to propound a parliamentary inquiry?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. Mr. President, I have great respect for the Senator from Montana. There should be some way for me to be recognized in my own right. The parliamentary inquiry is as follows: Under ordinary procedure, bills and resolutions introduced today would be referred to a committee, would they not?

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. Mr. President, if the Senator would rephrase his request so as to include bills and resolutions that would be referred to standing committees of the Senate, I believe we would eliminate all of the division.

Mr. MANSFIELD. How would the Senator suggest that I rephrase the request?

Mr. RUSSELL. Any Senator who desires may be permitted to submit resolutions or introduce bills that would be referred to standing committees of the Senate.

Mr. HUMPHREY. Without prejudicing their rights.

Mr. RUSSELL. I am not trying to take advantage of the Senator.

Mr. MANSFIELD. Mr. President, once again I ask unanimous consent that it be in order to introduce bills and to submit resolutions that would be referred to the appropriate standing committees of the Senate without prejudicing the

rights of any Senator as regards the parliamentary situation affecting the proposed amendment of the Senate rules.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. JAVITS. Mr. President, reserving the right to object, could any Senator who wishes to submit a resolution on the subject referred to by the Senator from Oregon [Mr. MORSE] do so?

Mr. MANSFIELD. Of course, such a subject would be covered.

Mr. JAVITS. That understanding would be a part of the unanimous-consent request.

Mr. MANSFIELD. Of course, it would be.

Mr. RUSSELL. As I understand, the Senator from Oregon stated that he wished the resolution to be referred to the Committee on Rules and Administration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. McCLELLAN. I understand that the request would permit the introduction of any resolution that would properly, under the rules, be referred to a standing committee of the Senate.

Mr. RUSSELL. It would be so referred.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President——

Mr. MANSFIELD. Mr. President, I promised I would yield first to the Senator from Oregon [Mr. MORSE], then the Senator from New York [Mr. JAVITS], and then the Senator from Minnesota [Mr. HUMPHREY]. With their concurrence I should like to yield the floor, but if they would still like to be heard I should like to yield first to the Senator from Oregon.

Mr. MORSE. Mr. President, I will oblige the Senator. I will take my chances on obtaining the floor.

Mr. JAVITS. Mr. President, I should like to have the Senator yield to me.

Mr. MANSFIELD. I yield.

Mr. JAVITS. I should like to propound a parliamentary inquiry to the Chair. Before I do so, I should like to say that our genial colleague from Georgia [Mr. RUSSELL], who is so learned in parliamentary procedure, takes every opportunity he can to place his case before the country, though this issue will not be debated today. Therefore, in all fairness, I deeply feel that a brief reply—one made by the Senator from Minnesota [Mr. HUMPHREY] quite properly and one made on this side here by me or anyone else who chooses to make it—should go to the country, too.

Mr. President, what I have to say can be said in about 1 minute. The real issue is not whether a majority may or may not amend the rules. Of course it may do so at any time. The real issue is whether a majority may reach the point where it can amend the rules, or whether one-third of the Senate shall be in control, which is what the Senator from Georgia is contending for. What we say is that in this modern day that is unthinkable. It has a profound effect upon proposed legislation relating to civil rights and every other field and thwarts the design of the Constitution. It makes the small States by their vote of two Senators equal to the votes of my colleague [Mr. KEATING] and my own, though we represent a State that pays one-fifth of the taxes in the United States. That is as it should be. But we should not be thwarted of our opportunity to get to a vote in the interest of the people of our State.

Mr. President, I propound the following parliamentary inquiry:

Does the Chair believe that notwithstanding the fact that motions to amend the rules are made under the Constitution, nonetheless the Chair may, as is its prerogative, determine questions of procedure as the Chair deems advisable in the exercise of the prerogatives of the Chair?

The VICE PRESIDENT. The Chair would like the RECORD to show that the present occupant of the chair has no intention of issuing advisory opinions on hypothetical cases. Advisory opinions or responses to parliamentary inquiries of the Chair are not subject to appeal to the Senate. Hence, the Senate would have no opportunity to work its will thereon. Under the circumstances stated, such opinions could serve no useful purpose other than to give a particular conclusion of the Chair some effect with Senators. The Chair does not propose to get into advisory opinions on hypothetical questions, as the present occupant of the chair has previously stated to the Senate.

On the other hand, rulings by the Chair on points of order are subject to appeal, and the Chair will be ready to rule or to submit to the Senate such points of order when they are made. Also, the Chair will try to be helpful in response to inquiries relating to pending questions.

In response to any point of order as to the constitutionality of procedure or as to the continuity of the Senate which the Chair, in his judgment—or a Senator, by making a point of order—feels may involve a constitutional question, the Chair would state today, as stated on previous occasions, that under the precedents of the Senate, in a case when a question is raised as to the constitutionality of a measure, it has been held that the Presiding Officer has no jurisdiction and no authority to pass upon such a question. It seems that from the earliest days of our Republic the Senate has reserved to itself the right to pass upon any matters that may be embraced in constitutional questions.

So, therefore, the present occupant of the chair would feel that it was the duty of the Chair to submit the constitutional question immediately to the Senate; and it is the intention of the present occupant of the chair to follow that practice, as stated on other occasions.

Mr. JAVITS. I thank the Presiding Officer, and I am grateful to my colleague.

The VICE PRESIDENT. Without objection, the Chair submits for printing in the RECORD at this point a statement on the history of this subject.

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

The Senate has had a long history in settling constitutional questions. As early as December 8, 1826, the Vice President was called upon to rule as to whether a matter was constitutional. He submitted the matter to the Senate for decision which was determined in the negative, as follows:

The Vice President stated to the Senate that he entertained doubts whether the last clause of the 7th section of the 1st article of the Constitution of the United States, and the 25th rule for conducting business in the Senate, do not require that this resolution should be treated, in all respects, as a subject to be laid before the President of the United States for his approval; and that, with a view to a more correct decision, he would call for the sense of the Senate on the question, "Does this resolution require three readings?" which was accordingly put, and determined in the negative.[1]

Again on February 25, 1830, Vice President Calhoun was called on to rule whether or not it was in order for a particular bill to originate in the Senate. The following occurred on that day, as set forth in the Journal:

The Vice President doubted whether it was in order to originate, in the Senate, a bill containing provisions of the character of those contained in the third section of this bill, as follows:

"SEC. 3. *And be it further enacted,* That, from and after the first day of January, in the year 1832, a duty of thirty-three and one third per cent on the value, shall be levied on all furs and raw hides imported into the United States from countries which shall not have secured the continuance of their free admission by granting equivalent advantages to the like productions of the United States."

He therefore submitted the question for the decision of the Senate.

Since that time, on various occasions, the Chair has been asked to rule on constitutional questions, but the RECORD shows that the Presiding Officer has seen fit to submit all constitutional questions to the Senate. Vice Presidents Charles Curtis and John Nance Garner have followed that precedent set by Vice President John C. Calhoun in submitting constitutional questions to the Senate for its determination. Vice President Garner made the following statement when he was called on to rule:

"Shall the point of order raised by Mr. Harrison be sustained?

"The present occupant of the chair has at no time declined to construe the rules of the Senate; and if this were a matter of the rules of the Senate, he would not hesitate for a moment to express his opinion about it and make a ruling.

"It seems to the Chair, however, that this is purely a constitutional question; and under the precedents for more than a hundred years, where constitutional questions are involved as to the right of the Senate to act, the Chair has universally submitted the question to the Senate.

"The Chair thinks the logic of that rule is correct, the reasoning of it is good, because the Chair might undertake to interpret the Constitution when a majority of the Senators would have a different viewpoint. So the Chair is going to follow a long line of precedents and submit to the Senate the question whether or not it is constitutional for the Senate to propose this amendment; and it occurs to the Chair that the only question involved is, Is this a bill to raise revenue?

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[1] Senate Journal, 19th Cong., 2d sess., p. 28, Dec. 8, 1826.

"So the Chair is going to submit to the Senate of the United States the question as to whether or not the Senate, under the Constitution, has a right to propose this amendment.

"The point of order has been made by the Senator from Mississippi [Mr. Harrison] to the amendment of the Senator from Wisconsin [Mr. La Follette].

"The question before the Senate is whether or not the point of order shall be sustained. That question is debatable." [2]

In addition to Vice Presidents, the three following Presidents pro tempore ruled in accordance with that precedent of the Senate, submitting all questions of constitutionality to the Senate for decision: Albert B. Cummins, Key Pittman, and Kenneth McKellar.

The following Senators, when presiding over the Senate, followed the same precedent: Jones of Washington, Russell of Georgia, Hatch of New Mexico, Chandler of Kentucky, Ives of New York, Kennedy of Massachusetts, and McNamara of Michigan.

* * * * *

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. MANSFIELD. Mr. President, before I yield to the Senator from Minnesota I wish to say to the Senator from New York that even though New York may pay one-fifth of the taxes of this country, New York does not have the resources to produce that much in the way of money, and therefore must depend upon other States to furnish the wherewithal which allows New York in the long run to pay that amount in taxes. There is an equalizer which ought to be taken into consideration.

Mr. HUMPHREY and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield; and, if so, to whom?

Mr. MANSFIELD. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, we shall be debating the subject of the Senate rules for some time; and rule XXII is not a new rule.

In 1953 the distinguished Senator from New Mexico challenged what was then the accepted pattern, that the rules of the Senate would continue from one Congress to another; and he did so on constitutional grounds.

Ultimately constitutional questions in this body can be settled only by the Members of this body themselves. Sooner or later we shall get to that point.

My distinguished friend from Georgia has made a point of the fact that the rules have not inhibited the Senator from Minnesota. He is absolutely correct. The rules have not inhibited any other Senator who wanted to use those rules.

The captain of the guardians of the rules has not been inhibited, either, by the rules of the Senate. He is expert in them. I refer to the Senator from Georgia. His brilliance in the Senate is well accepted and respected.

I believe we do not add very much to a discussion of the rules by pointing out how long some Senator may have talked under the rules, because if that were the case I would come in a poor 10th, 11th, or 12th, despite my efforts to at least participate in these proceedings.

The Senator from Georgia makes the point that Senators who submit resolutions for changes in the rules seek to shortcut the processes of the Senate. I submit that the shortcut which has been foisted upon us is in section 2 of rule XXXII, which provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That is the shortcut, or, even a short circuit. It says to new Members of this body, "You will not have an opportunity to say anything about the rules." It merely says, "Those who have been here before you are going to tell you what to do."

The rules of the Senate are still written under the constitutional provision found in article I, section 5. The rules are not more sacred than the Constitution. The Constitution is the supreme law of the land; and the Constitution is unequivocal as to the power of this body, or of either House, to adopt rules. Article I provides:

> Each House may determine the rules of its proceedings.

The language is, "Each House."

The other body, the House of Representatives, has already determined the rules of its proceedings by its action. These are coequal Houses.

Every legislative body in the United States determines its rules of procedure; and most of the legislative bodies in the world determine their rules of procedure, at the beginning of the parliamentary or legislative session.

When we accept the rules without contesting any section, the rules are then operative.

We are now saying that there is an inherent right—not only an inherent right, but also an explicit right which is provided in the Constitution under article I, which provides, without shadow of a doubt:

> Each House may determine the rules of its proceedings.

This is a new Congress, the 88th Congress. The previous Congress was the 87th. This is a new Senate in the 88th Congress, the 1st session. There are Senators now present who were not here a year ago. Some Senators who were here a year ago are not now present.

It is the contention of the Senator from Minnesota that although the rules which are in the book may be adequate for everything that we need—even if I did not disagree with rule XXII—Senators cannot deny to me the right as a Senator to cast my vote or to reach the point where I have the opportunity to vote, upon the rules at the beginning of this Congress without denying to me the right to participate effectively in this body.

Time and again the Senator from Oregon has made the point that procedures frequently determine the outcome of substance; that procedural rights may be even more important at times than substantive provisions.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. We are discussing procedure.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. We do not need to argue whether the Senate is a continuing body or not. This argument is irrelevant to our basic point. Senators are not all continuing in service. Some are here again, and some are not.

Once a person is elected to be a Senator he is always a Senator for the purpose of certain parts of the continuing operation of the Senate, such as the Senate baths. A Senator can use them from now on. He can walk over to the other body with the other Senators from now on. A Senator continues, even when he is out of office, to be called a Senator.

But this is not a continuing body when it comes to legislation. When the 87th Congress concluded its business on October 13, every resolution and every bill which was before this body died, and each will have to be presented anew.

If proposed legislation which affects the life and death of this Nation must be presented in each new Congress as a new matter, de novo, Senators should not tell me that the proceedings of this body are not at least subject to scrutiny and, if need be, to action with respect to new proceedings or new rules.

The "Memorandum and Brief" a number of Senators have prepared discusses this point at some length. I intend to introduce this "Memorandum and Brief" into the RECORD once debate is fully underway.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. Mr. President, I have made my presentation in reference to the resolution I have sent to the desk, insofar as can be done today. When the time comes, I shall debate the merit of having a majority cloture rule in this body. If we can declare war by a majority vote we ought to be able to establish the rules of the Senate by a majority, and a majority ought to be sufficient to bring about a cessation of debate after the Senate has given a subject adequate consideration, for which we would provide under the rule.

Mr. ROBERTSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. MANSFIELD. Mr. President, I yield the floor, to give other Senators an opportunity to speak.

Mr. ROBERTSON. I should like to ask the Senator from Minnesota a question.

Mr. HUMPHREY. I yield for that purpose.

Mr. ROBERTSON. Does the Senator recall that in 1913, when President Woodrow Wilson was desirous of having a Federal Reserve Act passed, he called the Senate into a special session, by itself, because it was a continuing body, and had it create the Banking and Currency Committee, of which the junior Senator from Virginia is now a member? The Senate passed the act, although the Finance Committee of the Senate was opposed. The President wanted Robert L. Owen, of Oklahoma, to be chairman of

[2] Senate Journal, 21st Cong., 1st sess., p. 156, Feb. 25, 1830.

a new committee, and so called a special session of the Senate.

Is it not true that rules and resolutions die because our rules provide for them to die? Do not treaties stay alive once they are submitted and come to us? Does not the President make appointments during recesses, or make nominations for appointments to a new Senate? The President recently appointed a gentleman from Virginia to a judgeship during the recess.

All this means that the Senate is a continuing body.

Mr. HUMPHREY. I say most respectfully that I do not deny the rendition of history as given by the Senator from Virginia. I am sure it is accurate, because the Senator from Virginia is one of the most learned historians of this body. But I do not speak of the yesterdays—I speak of today and the future.

The Senate is also empowered to choose its own officers. It is provided that the Senate shall choose its officers and the President pro tempore. If the Senate is a continuing body, why did we have to reelect our beloved friend CARL HAYDEN? We choose our own officers. They do not continue, even if there is a continuing majority.

We have certain responsibilities in the Senate which require new action. If any Senator does not believe so, I ask him, Why did we have the opening of the session and the swearing in of new Members? As was said today, the committees of the Senate are not yet constituted. If the Senate is continuing, why have not the committees been constituted? Because the Senate has not acted to constitute its committees. Why? Because the Senate must take certain action in each session.

I am not arguing about the body of the rules of the Senate; I am merely saying, as one Senator, that under the terms of the Constitution the Senate has the right to write its own rules. It has a right to do so at the beginning of the session. It has the right to do so unfettered by rules that prevent such a decision from taking place. It has a right to do so, under the Constitution, by a majority which constitutes a quorum for the purpose of doing business. At other times a two-thirds majority is required, as is expressly provided in the Constitution.

Mr. RUSSELL. Mr. President, I do not desire to belabor the question of the rules. I assume that we shall have some time, in the days that lie ahead, to discuss the question in detail. But I do want to clear up one error in the statement of the Senator from Minnesota, in which he said that treaties do not go over. Treaties do go over from Congress to Congress. There have been treaties that have gone over for seven or eight different Congresses. He also tried to make it appear that there was a disposition to prevent a majority of the Senate from amending its rules. That is not the case. We are merely insisting that they be amended in accordance with the rules which were adopted by a majority vote of the Members of this body.

The Senator from Minnesota said that new Senators had the right to amend the rules on the first day. If that were so, if there were a vacancy and a Senator were appointed and took the oath for the first time, he ought to have the same rights a Senator had on the opening day of Congress, to change the rules. That is certainly farfetched. But, as I have said, we will discuss this question in the days ahead.

The rules were adopted by majority vote. We change them in every session of the Congress, but we do it in the manner prescribed in the rules. All the Senator from Georgia insists on is that the rules of the Senate be followed in changing the rules.

AMENDMENT OF RULE RELATING TO CLOTURE

Mr. MORTON. Mr. President, the unbalanced record of 22 failures to invoke cloture out of the 27 attempts made under rule XXII leads me to believe that this rule ought to be relaxed.

But in doing so we are dutybound, by intellectual integrity, to keep our eyes on the real issue—the question of free debate. We in the Senate and the public tend to associate cloture with legislation in the field of civil rights. The problem is much broader. What is involved is a limitation on the expression of ideas which is not only for persuasion but also in the search for legislative truth. Let us therefore proceed with caution.

You may wonder, "Why relax the rule at all? Indeed, why not junk it altogether?"

I do not advocate that because rule XXII was framed to curtail abuses of the privilege of free debate. The same abuses, from time to time, still crop up. So we come to conflict: Free debate and its questioned value collides head on with abuse of the privilege of free debate.

We have no alternative but to reconcile the two. The Senate has tried before, but those earlier determinations have not proved equitable. Abuse, one may say, has prevailed. Therefore, the next step is to ease the rule a little more.

I have long urged moderate relaxation of rule XXII, and I still hold that position. I fear that if we reduce the votes necessary to invoke cloture to a simple majority, which possibility we face, we could cripple infinitely the deliberations of this Chamber. It would then be too simple to choke consideration of the various matters we take up before they are fully aired. At this juncture I must emphasize that truth is much harder to find when you overlook some of the paths leading to it. I feel, as I am sure you all do, that the Senate is obliged to guard against such an eventuality.

In less broad terms, quick and easy cloture would jeopardize the right of minorities to be heard and raise the chance of action based on poor judgment, misinformation, and on emotion.

Those dangers—obscuring the truth, silencing minorities, and ill-advised action—will always hound us. They are our long-term enemies. Against them we must erect our principal barriers. No rash measures which fail to protect ourselves from them are ever in order in this Chamber.

Consequently, in this hazardous but essential change in Senate proceedings I urge moderation. In 1959 and again in 1961, the Senator from New Mexico and I joined in sponsoring a change in rule XXII from a two-thirds majority to a three-fifths majority of those present and voting.

Then, as now, I felt the Senate could pass any legislation it earnestly desired. The three-fifths vote is not too big to overcome nor so slight as to court rash action. It is moderate, practicable, and, I believe, acceptable to this body.

Finally, the principle of moderation has been kind to this Nation. Our great progress has always and will always flow from moderate change. History demonstrates it. On sharp departures from national custom we have stumbled. From moderate change, which is to say predictable change, have we advanced.

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY OPERATIONS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 13); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1963, through January 31, 1964, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mcunting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills; and

(3) legislative and other proposals or means to improve these methods and processes.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided,* That the minority of the committee is authorized at its discretion to select one employee for appointment; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

SEC. 3. Expenses of the committee under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO INDIAN AFFAIRS, IRRIGATION AND RECLAMATION, MINERALS, MATERIALS, AND FUELS, PUBLIC LANDS, AND TERRITORIES AND INSULAR AFFAIRS—REPORT OF A COMMITTEE

Mr. ANDERSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 16); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to Indian affairs; irrigation and reclamation; minerals, materials, and fuels; public lands; and territories and insular affairs.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION FOR CERTAIN STUDIES AS TO THE EFFICIENCY AND ECONOMY OF GOVERNMENT OPERATIONS—REPORT OF A COMMITTEE

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 17); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations or any subcommittee thereof, is authorized from February 1, 1963, through January 31, 1964, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* That in carrying out the duties herein set forth, the inquiries of this committee shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government.

SEC. 2. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized from February 1, 1963, to January 31, 1964, inclusive, to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on Labor and Public Welfare of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 3. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized and directed from February 1, 1963, to January 31, 1964, inclusive, to make a full and complete study and investigation of syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on the Judiciary or by the Committee on Commerce of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 4. The Committee on Government Operations or any of its duly authorized subcommittees shall report to the Senate by January 31, 1964, and shall, if deemed appropriate, include in its report specific legislative recommendations.

SEC. 5. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized, as it deems necessary and appropriate, to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony, either orally or by deposition; (7) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (8) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the committee: *Provided further,* That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee.

SEC. 6. The expenses of the committee under this resolution, which shall not exceed $490,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. HUMPHREY (for himself, Mr. CLARK, Mr. RANDOLPH, Mr. DOUGLAS, Mr. BYRD of West Virginia, Mr. METCALF, Mr. WILLIAMS of New Jersey, Mr. HART, Mr. MOSS, Mrs. NEUBERGER, Mr. LONG of Missouri, Mr. YOUNG of Ohio, Mr. MORSE, Mr. RIBICOFF, Mr. BURDICK, Mr. McGOVERN, Mr. PELL, Mr. McCARTHY, Mr. MANSFIELD, Mr. JOHNSTON, Mr. NELSON, Mr. CANNON, Mr. DODD, Mr. McGEE, Mr. PASTORE, Mr. MAGNUSON, Mr. CHURCH, Mr. GRUENING, Mr. YARBOROUGH, Mr. INOUYE, Mr. BARTLETT, and Mr. KEFAUVER:

S. 1. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Labor and Publice Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself, Mr. KUCHEL, Mr. METCALF, and Mr. McGOVERN):

S. 2. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. EASTLAND, Mr. THURMOND, Mr. MUNDT, Mr. SPARKMAN, Mr. HOLLAND, Mr. CURTIS, Mr. STENNIS, Mr. BYRD of Virgina, Mr. ROBERTSON, Mr. HICKENLOOPER, Mr. HILL, Mr. RUSSELL, Mr. FULBRIGHT, Mr. ELLENDER,

Mr. BENNETT, Mr. YOUNG of North Dakota, Mr. WILLIAMS of Delaware, Mr. TALMADGE, Mr. GOLDWATER, Mr. JORDAN of North Carolina, Mr. SMATHERS, Mr. JOHNSTON, Mr. TOWER, and Mr. LONG of Louisiana):

S. 3. A bill to establish rules of interpretation governing questions of the effect of Acts of Congress on State laws; to the Committee on the Judiciary.

(See the remarks of Mr. MCCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself, Mr. KUCHEL, Mr. HUMPHREY, Mr. JACKSON, Mr. CHURCH, Mr. LAUSCHE, Mr. DOUGLAS, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. CLARK, Mr. PROXMIRE, Mrs. NEUBERGER, Mr. METCALF, Mr. MCGOVERN, and Mr. BREWSTER):

S. 4. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself, Mr. HUMPHREY, Mr. HILL, Mr. SPARKMAN, Mr. MORSE, Mrs. NEUBERGER, Mr. KEFAUVER, Mrs. SMITH, Mr. BYRD of West Virginia, Mr. GRUENING, Mr. HARTKE, Mr. EASTLAND, Mr. LONG of Missouri, Mr. BURDICK, Mr. BIBLE, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, Mr. DOUGLAS, Mr. PELL, Mr. BARTLETT, Mr. INOUYE, Mr. MCGEE, Mr. CLARK, Mr. DODD, and Mr. MCGOVERN):

S. 5. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. BEALL, Mr. BIBLE, Mr. BREWSTER, Mr. CASE, Mr. CLARK, Mr. DODD, Mr. ENGLE, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. NELSON, Mrs. NEUBERGER, Mr. PASTORE, Mr. PELL, Mr. RIBICOFF, Mr. SYMINGTON, and Mr. YOUNG of Ohio):

S. 6. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CLARK, Mr. BARTLETT, Mr. NELSON, Mr. ENGLE, Mr. BREWSTER, Mr. RIBICOFF, Mrs. NEUBERGER, Mr. DOUGLAS, and Mr. PELL):

S. 7. A bill to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MCNAMARA (for himself and Mr. HART):

S. 8. A bill to provide for a program of federal assistance for the construction of public elementary and secondary schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MCNAMARA when he introduced the above bill, which appear under a separate heading.)

My Mr. WILLIAMS of New Jersey:

S. 9. A bill to encourage the utilization, consistent with sound urban planning, of land included within urban renewal areas for parks, playgrounds, or other recreational facilities; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for himself, Mr. RANDOLPH, Mr. COOPER, Mr. BEALL, Mr. KEFAUVER, Mr. BREWSTER, and Mr. MORTON):

S. 10. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia and Kentucky and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEFAUVER (for himself, Mr. HUMPHREY, Mr. MORSE, Mr. MOSS, Mr. DOUGLAS, Mr. CHURCH and Mr. LONG of Louisiana):

S. 11. A bill to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself, Mr. BYRD of West Virginia, and Mr. BOGGS):

S. 12. A bill to amend the Randolph-Sheppard Vending Stand Act; to the Committee on Government Operations.

By Mr. FULBRIGHT (for himself and Mr. MCCLELLAN):

S. 13. A bill to authorize the Administrator of General Services to convey certain land situated in the State of Arkansas to the city of Fayettville, Ark.; to the Committee on Government Operations.

By Mr. RANDOLPH:

S. 14. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SYMINGTON (for himself and Mr. YARBOROUGH):

S. 15. A bill to establish a National Academy of Foreign Affairs; to the Committee on Foreign Relations.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON (for himself and Mr. LONG of Missouri):

S. 16. A bill to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. CASE):

S. 17. A bill to provide that certain contracts involving the performance of construction work on buildings or improvements intended to house activities of the Post Office Department are within the coverage of the Davis-Bacon Act; to the Committee on Labor and Public Welfare.

By Mr. RANDOLPH:

S. 18. A bill to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park; to the Committee on Interior and Insular Affairs.

S. 19. A bill for the relief of James A. Cox; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. JACKSON, Mr. MILLER, Mr. METCALF, and Mr. AIKEN):

S. 20. A bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 21. A bill to amend title VI of the Merchant Marine Act, 1936, with respect to the operation of vessels as to which operating-differential subsidy is paid; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH:

S. 22. A bill to release the right, title, or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself and Mr. LONG of Louisiana):

S. 23. A bill to provide for the establishment of the Poverty Point National Monument in the State of Louisiana, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 24. A bill to authorize the Secretary of Agriculture to exchange certain lands at the Southern Regional Research Laboratory with the city of New Orleans, La., and the New Orleans City Park Improvement Association, for certain other lands adjacent to such laboratory; to the Committee on Agriculture and Forestry.

By Mr. MOSS:

S. 25. A bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes;

S. 26. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; and

S. 27. A bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. SPARKMAN:

S. 28. A bill to establish a program of survival depots in order to provide subsistence for the large numbers of the civilian population of the United States who would be evacuated from the devastated areas in the event of attack on the United States; to the Committee on Armed Services.

By Mr. PROXMIRE:

S. 29. A bill for the relief of Nick Masonich;

S. 30. A bill for the relief of Nurisa Tozan, Mayranl Tozan, and Araksi Tozan; and

S. 31. An act for the relief of Sonja Dolata to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 32. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Relations.

By Mr. BYRD of West Virginia (for himself and Mr. RANDOLPH):

S. 33. A bill to provide for the establishment of the Coal River National Recreation Demonstration Area, in the State of West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEARSON:

S. 34. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 for a dependent child of the taxpayer who is a full-time student above the secondary level; to the Committee on Finance.

(See the remarks of Mr. PEARSON when he introduced the above bill which appear under a separate heading.)

By Mr. MCCARTHY (for himself, Mr. HUMPHREY, Mr. CARLSON, Mr. PROUTY, Mrs. SMITH, Mr. HART, Mrs. NEUBERGER, Mr. RANDOLPH, Mr. MOSS, Mr. YOUNG of North Dakota, and Mr. GRUENING):

S. 35. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried wid-

ows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Finance.

(See the remarks of Mr. McCARTHY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 36. A bill for the relief of Aleksandra Elerts;

S. 37. A bill for the relief of Spyridon G. Kalimanis;

S. 38. A bill for the relief of Dr. Ali A. Hakim;

S. 39. A bill for the relief of Dr. Alex P. Avestruz, his wife, Dr. Nerissa L. Avestruz, and their children, Alex P. Avestruz, Jr., and Alner Avestruz; and

S. 40. A bill for the relief of Mrs. Shigeko Ikeda Rakosi; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. BENNETT, Mr. JACKSON, Mr. YOUNG of North Dakota, Mr. MUNDT, Mr. BIBLE, Mr. McGEE, Mr. BARTLETT, Mr. KUCHEL, and Mr. MOSS):

S. 41. A bill to authorize public land States to select certain public lands in exchange for land taken by the United States for military and other uses, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself, Mr. GRUENING, Mr. KEFAUVER, Mr. MOSS, Mr. RANDOLPH, Mr. McCARTHY, Mr. BIBLE, and Mr. HART):

S. 42. A bill to promote the preservation for the public use and benefit, of certain portions of the shoreline areas of the United States; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON:

S. 43. A bill to provide that lands within the exterior boundaries of a national forest acquired under section 8 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest, and for other purposes; and

S. 44. A bill to provide for a study by the Secretary of the Interior of the need or desirability of developing pumped storage; to the Committee on Interior and Insular Affairs.

S. 45. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

S. 46. A bill to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable; and

S. 47. A bill to provide for the establishment of Valle Grande National Park in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself and Mr. GOLDWATER):

S. 48. A bill to amend the Indian Long-Term Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. GRUENING (for himself and Mr. BARTLETT):

S. 49. A bill to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the territory of Alaska, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. CHURCH):

S. 50. A bill authorizing the Secretary of the Interior to make loans to finance the testimony of expert witnesses before the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. McGEE:

S. 51. A bill to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District; to the Committee on Agriculture and Forestry.

S. 52. A bill to provide for tariff import quotas on sheep, lambs, mutton and lamb; to the Committee on Finance.

S. 53. A bill to amend the act of September 22, 1961, providing for the Peace Corps; to the Committee on Foreign Relations.

S. 54. A bill to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; and

S. 55. A bill to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; to the Committee on Government Operations.

S. 56. A bill to provide for the construction, operation, and maintenance of the Savery-Pot Hook Federal reclamation project, Colorado-Wyoming;

S. 57. A bill to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes;

S. 58. A bill to provide for the establishment of a national cemetery in the State of Wyoming;

S. 59. A bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such Act; and

S. 60. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

S. 61. A bill to amend the Federal Food, Drug, and Cosmetic Act, as amended, to require the labeling of certain imported meats, poultry, and fish; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McGEE when he introduced Senate bill 59, which appear under a separate heading.)

By Mr. SMATHERS:

S. 62. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Finance.

By Mr. HRUSKA (for himself, Mr. KEATING, Mr. COTTON, and Mr. ERVIN):

S. 63. A bill to provide for the representation of indigent defendants in criminal cases in the U.S. district courts; to the Committee on the Judiciary.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS (for himself and Mr. HOLLAND):

S. 64. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

By Mr. McNAMARA:

S. 65. A bill to provide for payment for hospital and related health services for retired persons 65 years of age and older through the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. McNAMARA when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 66. A bill to enable the Secretary of State to make such changes in the higher ranking personnel of the Department of State as he deems advisable; to the Committee on Foreign Relations.

S. 67. A bill establishing certain qualifications for persons appointed to the Supreme Court; to the Committee on the Judiciary.

S. 68. A bill to amend the Federal Aviation Act of 1958, with respect to the retirement of employees engaged in air traffic control work; to the Committee on Commerce.

S. 69. A bill to amend the National Labor Relations Act so as to prohibit discrimination in employment because of age; to the Committee on Labor and Public Welfare.

S. 70. A bill for the relief of T. W. Holt & Co. and/or Holt Import & Export Co.;

S. 71. A bill for the relief of Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jacobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe; and

S. 72. A bill for the relief of Jozsef Pozsonyi and his wife, Agnes Pozsonyi, and their minor child, Ildiko Pozsonyi; to the Committee on the Judiciary.

S. 73. A bill to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart; to the Committee on Interior and Insular Affairs.

S. 74. A bill for the relief of Dr. Olga Marie Ferrer;

S. 75. A bill for the relief of Doyle A. Ballou; and

S. 76. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John J. Bailey of Orlando, Fla.; to the Committee on the Judiciary.

By Mr. BEALL:

S. 77. A bill to establish the Chesapeake and Ohio Canal National Historical Park in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMATHERS:

S. 78. A bill for the relief of Paul Griffith; to the Committee on the Judiciary.

By Mr. ENGLE:

S. 79. A bill to extend the minimum wage provisions of the Fair Labor Standards Act of 1938 to employees performing work in or related to agriculture; to the Committee on Labor and Public Welfare.

S. 80. A bill to transfer to the free list of the Tariff Act of 1930 bookbindings or covers imported by certain institutions; to the Committee on Finance.

By Mr. ENGLE (for himself and Mr. KUCHEL):

S. 81. A bill to establish a Federal Commission on the Disposition of Alcatraz Island; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 82. A bill to amend title 14, United States Code, to require authorization for certain appropriations; to the Committee on Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bill which appear under a separate heading.)

By Mr. McGOVERN (for himself and Mr. MUNDT):

S. 83. A bill for the relief of the estate of Mary L. McNamara; to the Committee on the Judiciary.

S. 84. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; and

S. 85. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY (for himself, Mr. McCARTHY, Mr. PROXMIRE, and Mr. NELSON):

S. 86. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill which appear under a separate heading.)

By Mr. GOLDWATER (for himself, Mr. CURTIS, and Mr. TOWER):

S. 87. A bill to eliminate certain abuses in labor-management relations, to protect the rights of employees, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. GOLDWATER when he introduced the above bill which appear under a separate heading.)

By Mr. GOLDWATER:

S. 88. A bill to amend section 13(g) of the Surplus Property Act of 1944 to prevent the granting of exclusive right to furnish gasoline and oil at airports subject to the provisions of that section; to the Committee on Government Operations.

S. 89. A bill to authorize the Secretary of the Interior to exchange certain lands in the State of Arizona;

S. 90. A bill to provide for the relocation and reestablishment of the members of the Papago Indian Tribe inhabiting the village of Sil Murk, which adjoins the Gila Bend Indian Reservation; and

S. 91. A bill to authorize the establishment of the Fort Bowie National Historic Site, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 92. A bill for the relief of Hom Wah Yook (also known as Hom Bok Heung);

S. 93. A bill for the relief of Flora Romano Torre; and

S. 94. A bill for the relief of Walter Eysselinck; to the Committee on the Judiciary.

By Mr. GOLDWATER (for himself, Mr. HAYDEN, Mr. MOSS, Mr. BENNETT, and Mr. ALLOTT):

S. 95. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

By Mr. BEALL:

S. 96. A bill to provide for the removal of snow and ice from the paved sidewalks of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 97. A bill for the relief of Purificacion Siat; to the Committee on the Judiciary.

(See the remarks of Mr. BEALL when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 98. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for certain amounts paid as educational expenses to public and private institutions of higher education; to the Committee on Finance.

S. 99. A bill to create a U.S. Foreign Service Academy; to the Committee on Foreign Relations.

S. 100. A bill to provide for a study by the Secretary of the Interior of the domestic gold mining industry, and for other purposes; and

S. 101. A bill to confirm rights to the use of water acquired under State law, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EASTLAND:

S. 102. A bill to amend title 28, United States Code, to provide for additional commissioners of the U.S. Court of Claims, and for other purposes; and

S. 103. A bill to amend subsection (e) to section 1332 of title 28, United States Code, relating to diversity of citizenship; to the Committee on the Judiciary.

By Mr. HAYDEN (for himself and Mr. GOLDWATER):

S. 104. A bill to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs

By Mr. COTTON:

S. 105. A bill to extend for 2 years the temporary provisions of Public Laws 815 and 874, 81st Congress, relating to Federal assistance in the construction and operation of schools in areas affected by Federal activities; to the Committee on Labor and Public Welfare.

By Mr. WILLIAMS of Delaware:

S. 106. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder; to the Committee on Banking and Currency.

S. 107. A bill to provide for the appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

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

By Mr. WILLIAMS of Delaware (for Mr. BOGGS and himself):

S. 108. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

(See the remarks of Mr. WILLIAMS of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 109. A bill to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture and Forestry.

S. 110. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for repair, maintenance, alterations, and additions to his residence;

S. 111. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning;

S. 112. A bill to amend title II of the Social Security Act to permit an individual to waive entitlement to benefits thereunder for one or more consecutive months;

S. 113. A bill to amend title II of the Social Security Act to permit an otherwise qualified disabled widow to receive widow's insurance benefits thereunder even though she has not attained retirement age; and

S. 114. A bill to amend the Tariff Act of 1930 to impose a duty upon the importation of certain bread; to the Committee on Finance.

S. 115. A bill to provide for the establishment of the Fort Scott National Historic Site, in the State of Kansas, and for other purposes;

S. 116. A bill to establish Huron Cemetery, Kansas City, Kans., as a national monument; and

S. 117. A bill to provide for the establishment of Fort Larned as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 118. A bill for the relief of Domingo Noora;

S. 119. A bill for the relief of Patti Jean Fulton;

S. 120. A bill for the relief of Margaret M. Romain;

S. 121. A bill for the relief of Dr. Ali Baser;

S. 122. A bill for the relief of John C. Cadwell; and

S. 123. A bill for the relief of Carl Reinking; to the Committee on the Judiciary.

S. 124. A bill to modify the decrease in group life insurance at age 65 or after retirement;

S. 125. A bill to amend the Civil Service Retirement Act so as to provide for recomputation of annuities where persons designated to receive survivor annuities predecease the annuitants;

S. 126. A bill to amend the Civil Service Retirement Act so as to eliminate the provisions requiring termination of annuities of surviving widows or widowers upon remarriage; and

S. 127. A bill to amend the Federal Employees Health Benefits Act of 1959 so as to eliminate any discrimination against married female employees; to the Committee on Post Office and Civil Service.

S. 128. A bill to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees; and

S. 129. A bill to amend title 23 of the United States Code to provide an additional 150 miles of highway in the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. MUNDT:

S. 130. A bill to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case; and

S. 131. A bill to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe; to the Committee on Public Works.

S. 132. A bill to create the National Weather Council and to provide coordination and central direction for an accelerated program of weather research, basis and applied; to the Committee on Commerce.

S. 133. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture and Forestry.

S. 134. A bill to amend section 613(b) of the Internal Revenue Code of 1954 to provide that the rate of percentage depletion with respect to gold produced from deposits in the United States shall be 23 percent; to the Committee on Finance.

S. 135. A bill to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak.; to the Committee on Labor and Public Welfare.

S. 136. A bill to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 137. A bill to amend section 18 of the Railroad Retirement Act of 1937 to provide free transportation on any railroad carrier subject to that act for individuals receiving pensions or annuities under that act, and for their dependents, and for other purposes; to the Committee on Labor and Public Welfare.

S. 138. A bill to redesignate the Big Hole Battlefield National Monument, to revise the boundaries thereof, and for other purposes; and

S. 139. A bill to authorize the Secretary of the Interior to conduct a survey of federally owned lands for the purpose of locating strategic minerals; to the Committee on Interior and Insular Affairs.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 140. A bill to govern the harvesting of Indian timber; and

S. 141. A bill to improve the land tenure patterns of the Fort Belknap Reservation; to the Committee on Interior and Insular Affairs.

S. 142. A bill to designate the lake to be formed by the waters impounded by the Clark Canyon Dam in the State of Montana as Hap Hawkins Lake; to the Committee on Public Works.

S. 143. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States; and for other purposes;

to the Committee on Interior and Insular Affairs.

By Mr. MORSE (for himself and Mr. BIBLE):

S. 144. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 145. A bill relating to the rates of pension payable to veterans of World War I for non-service-connected disability; to the Committee on Finance.

S. 146. A bill for the relief of Willia Niukkanen (also known as William Albert Mackie); and

S. 147. A bill for the relief of Hamish Scott MacKay; to the Committee on the Judiciary.

S. 148. A bill to require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities; to the Committee on Rules and Administration.

By Mr. MAGNUSON:

S. 149. A bill to prohibit the use of timing or measuring devices in the distribution of mail; to the Committee on Post Office and Civil Service.

S. 150. A bill to create a distinguished decoration to be known as the Washington Order of Merit; to the Committee on Banking and Currency.

By Mr. ENGLE.

S. 151. A bill to amend Public Laws 815 and 874, 81st Congress, in order to make permanent the authorization for certain payments under the provisions of such laws; to the Committee on Labor and Public Welfare.

Mr. HUMPHREY subsequently said: Mr. President, I ask unanimous consent that the bill just introduced by the Senator from California [Mr. ENGLE] be permitted to lie on the desk for 10 days for additional cosponsors. The Senator from California failed to make that request.

The VICE PRESIDENT. Without objection, it is so ordered.

By Mr. ENGLE (for himself, Mr. MAGNUSON, Mr. CARLSON, and Mr. BIBLE):

S. 152. A bill to create the National Weather Council and to provide coordination and central direction for an accelerated program of weather research, basic and applied; to the Committee on Commerce.

Mr. HUMPHREY subsequently said: Mr. President, I ask unanimous consent that the bill just introduced by the Senator from California [Mr. ENGLE] be permitted to lie on the desk for 10 days for additional cosponsors. The Senator from California failed to make that request.

The VICE PRESIDENT. Without objection, it is so ordered.

By Mr. ALLOTT:

S. 153. A bill to provide for the establishment of a moisture conservation research center at the Federal land-grant college at Fort Collins, Colo.; to the Committee on Agriculture and Forestry.

S. 154. A bill to repeal the retailers excise tax on luggage, handbags, and similar items; to the Committee on Finance.

S. 155. A bill to authorize the Administrator of General Services to convey certain lands in the State of Colorado to the city of Denver, Colo.; to the Committee on Government Operations.

S. 156. A bill relating to membership in Indian tribal organizations; and

S. 157. A bill to amend the Mineral Leasing Act of 1920 in order to provide for public records of oil and gas leases issued under such act and other instruments affecting title to such leases, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 158. A bill to prohibit sales of gold by the Government for commercial use or for the arts, or for the purpose of lessening the price and value of gold; to the Committee on Banking and Currency.

S. 159. A bill to provide for the construction, operation, and maintenance of the Fruitland Mesa Federal Reclamation project, Colorado; and

S. 160. A bill to provide for the construction, operation and maintenance of the Bostwick Park Federal reclamation project, Colorado; to the Committee on Interior and Insular Affairs.

S. 161. A bill to amend the Internal Revenue Code of 1954 to establish a 27½-percent depletion allowance for minerals mined as a source of synthetic oil or gas; to the Committee on Finance.

S. 162. A bill to provide for the construction, operation, and maintenance of the Savery-Pot Hook Federal reclamation project, Colorado-Wyoming; to the Committee on Interior and Insular Afairs.

S. 163. A bill for the relief of Katherine Ena Lee; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. BENNETT):

S. 164. A bill to establish a national mining and minerals policy; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS (for himself, Mr. CLARK, Mr. HUMPHREY, and Mr. PELL):

S. 165. A bill to establish a United States National Arts Foundation; to the Committee on Labor and Public Welfare.

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

By Mr. HOLLAND:

S. 166. A bill to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to extend to imported tangerines the restrictions imposed by such section on certain other imported commodities; to the Committee on Agriculture and Forestry.

S. 167. A bill to provide for the conveyance under certain conditions of the phosphate rights in certain lands in the State of Florida; to the Committee on Interior and Insular Affairs.

S. 168. A bill to amend the Railway Labor Act with respect to the settlement of labor disputes involving common carriers by air; to the Committee on Labor and Public Welfare.

S. 169. A bill to amend the National Labor Relations Act so as to provide that nothing therein shall invalidate the provisions of State laws prohibiting strikes in public utilities; to the Committee on Labor and Public Welfare.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 170. A bill to provide that the highway running from Tampa, Fla., through Brandenton, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. HUMPHREY (for himself, Mrs. NEUBERGER, Mr. HART, Mr. YOUNG of Ohio, Mr. PROXMIRE, Mr. RANDOLPH, Mr. NELSON, Mr. CHURCH, Mr. LONG of Missouri, Mr. MCINTYRE, Mr. MANSFIELD, Mr. MORSE, Mr. METCALF, Mr. PASTORE, Mr. MCGEE, Mr. MCCARTHY, Mr. PELL, Mr. DOUGLAS, Mr. RIBICOFF, Mr. BURDICK, Mr. CLARK, Mr. GRUENING, Mr. YARBOROUGH, Mr. MCGOVERN, Mr. MAGNUSON, Mr. MONRONEY, Mr. BARTLETT, Mr. ENGLE, and Mr. KEFAUVER):

S. 171. A bill to incorporate the Eleanor Roosevelt Foundation; to the Committee on the Judiciary.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 172. A bill for the relief of Luisa Gertrudes Goncalves; and

S. 173. A bill for the relief of Mrs. Anka Mesic; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 174. A bill for the relief of Jagat Kumar Kaul; and

S. 175. A bill for the relief of Dr. George E. Poulias; to the Committee on the Judiciary.

S. 176. A bill to amend the Civil Service Retirement Act so as to provide for retirement on full annunity at age 55 after 30 years of service; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. CASE (for himself and Mr. CLARK):

S. 177. A bill to establish a Commission on Congressional Reorganization, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. CASE when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK (for himself, Mr. YOUNG of North Dakota, and Mr. MCGOVERN):

S. 178. A bill to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; to the Committee on Public Works.

S. 179. A bill to increase the participation by counties in revenues from the national wildlife refuge system by amending the act of June 15, 1935, relating to such participation, and for other purposes; to the Committee on Commerce.

By Mr. MUNDT (for himself, Mr. SCOTT, Mr. PROUTY, Mr. BIBLE, Mr. KUCHEL, Mr. FONG, Mr. YOUNG of North Dakota, Mr. BENNETT, Mr. COOPER, Mr. HUMPHREY, Mr. RANDOLPH, Mr. SMATHERS, Mr. ALLOTT, Mr. CARLSON, Mr. SPARKMAN, and Mr. CASE):

S. 180. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Government Operations.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH:

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States providing for nomination of candidates for President and Vice President, and for election of such candidates by popular vote; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S.J. Res. 2. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; and

S.J. Res. 3. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the

United States of America; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia (for himself and Mr. RANDOLPH):

S.J. Res. 4. Joint resolution to provide for the actual participation of the United States in the West Virginia centennial celebration; to the Committee on the Judiciary.

By Mr. YOUNG of Ohio (for himself, Mr. LAUSCHE, Mr. MORSE, and Mr. KEFAUVER):

S.J. Res. 5. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

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

By Mr. McGEE:

S.J. Res. 6. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River irrigation project, Wyoming, chargeable against certain non-Indian lands; and

S.J. Res. 7. Joint resolution to determine the susceptibility of minerals to electrometallurgical processes, and for other purposes; to the Committee on Interior and Insular Affairs.

S.J. Res. 8. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. GOLDWATER:

S.J. Res. 9. Joint resolution for the establishment of a commission to study the nonmineral public land laws of the United States to facilitate the enactment of a more effective, simplified, and adequate system of laws governing the transfer of title to public lands to individuals, associations, corporations, and to State and local governments or their instrumentalities; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT:

S.J. Res. 10. Joint resolution designating the carnation as the national flower of the United States; to the Committee on the Judiciary.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S.J. Res. 11. Joint resolution to provide for the designation of the week of Whitsunday of each year as Hernando de Soto Week; to the Committee on the Judiciary.

By Mr. MUNDT (for himself, Mr. THURMOND, Mr. McCLELLAN, Mr. HRUSKA, Mr. MORTON, Mr. FONG, Mr. BOGGS, Mr. STENNIS, Mr. PROUTY, and Mr. GOLDWATER):

S.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. SMATHERS:

S.J. Res. 13. Joint resolution proposing an amendment to the Constitution relating to the nomination and election of candidates for President and Vice President, and to succession to the office of President in the event of the death or inability of the President; to the Committee on the Judiciary.

S.J. Res. 14. Joint resolution to establish a Commission to study and propose improvements in the methods of nominating and electing the President and Vice President; to the Committee on Rules and Administration.

By Mr. HOLLAND (for himself, Mr. ROBERTSON, Mr. CARLSON, and Mr. BENNETT):

S.J. Res. 15. Joint resolution to authorize the Architect of the Capitol to construct a memorial to James Madison, and for other purposes; to the Committee on Rules and Administration.

CONCURRENT RESOLUTIONS

ESTABLISHMENT OF JOINT COMMITTEE ON ORGANIZATION OF CONGRESS

Mr. CLARK (for himself, and Senators HUMPHREY, KUCHEL, ENGLE, SALTONSTALL, METCALF, CASE, WILLIAMS of New Jersey, NEUBERGER, MOSS, RANDOLPH, MUSKIE, HART, NELSON, DODD, McCARTHY, SCOTT, COOPER, McGEE, DOUGLAS, PELL, BOGGS, BURDICK, CHURCH, GRUENING, KEATING, MILLER, BARTLETT, KEFAUVER, and JAVITS) submitted a concurrent resolution (S. Con. Res. 1) establishing a Joint Committee on the Organization of the Congress, which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

AMENDMENT OF SECTION 132 OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mrs. SMITH submitted the following concurrent resolution (S. Con. Res. 2); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That section 132 of the Legislative Reorganization Act of 1946 is amended to read as follows:

"SEC. 132. (a) Effective with the first session of the Eighty-eighth Congress, in each even-numbered year in which the two Houses have not adjourned sine die by August 15, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 15 in that year, or the following Monday if November 15 falls on Saturday or Sunday; and in each odd-numbered year in which the two Houses have not adjourned sine die by August 1, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 1 in that year, or the following Monday if November 1 falls on Saturday or Sunday.

"(b) The consent of the respective Houses is hereby given to an adjournment of the other for the period specified in subsection (a)."

ADJOURNMENT OF CONGRESS ON JULY 31, 1963

Mr. ALLOTT (for himself and Mr. DOMINICK) submitted the following concurrent resolution (S. Con. Res. 3); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Wednesday, July 31, 1963, and that when they adjourn on said day, they stand adjourned sine die.

RESOLUTIONS

Mr. ANDERSON (for himself and Mr. MORTON) submitted the following resolution (S. Res. 9); which was ordered to lie over, under the rule:

Resolved, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question: ' 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

AMENDMENT OF RULE XXII, SECTION 3

Mr. HUMPHREY (for himself, Mr. KUCHEL, Mr. DOUGLAS, Mr. CASE, Mr. CLARK, Mr. FONG, Mr. JAVITS, Mr. HART, Mr. KEATING, Mr. WILLIAMS of New Jersey, Mr. SCOTT, Mr. ENGLE, Mr. RANDOLPH, and Mr. BEALL) submitted the following resolution (S. Res. 10), which was ordered to lie over, under the rule:

Resolved, That rule XXII of the Standing Rules of the Senate is amended by redesignating section 3 of the said rule as section 4 and by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant

to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea and nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all, unless additional time is provided in accordance with this rule, to not more than 100 hours, of which 50 hours will be controlled by the majority leader and 50 hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however,* That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

AMENDMENT OF RULE XXII, SUBSECTION 2

Mr. ALLOTT submitted the following resolution (S. Res. 11); which was referred to the Committee on Rules and Administration:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter each Senator shall be entitled to speak in all three hours and no more in his own behalf on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

INVESTIGATION OF CERTAIN MATTERS BY COMMITTEE ON PUBLIC WORKS

Mr. McNAMARA submitted the following resolution (S. Res. 12); which was referred to the Committee on Public Works:

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, public buildings, and all features of water resource development.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis; technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $125,000, shall be paid from the contingent funds of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY OPERATIONS

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 13) to study certain aspects of national security operations, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Jackson, which appears under a separate heading.)

CERTAIN INVESTIGATIONS BY COMMITTEE ON BANKING AND CURRENCY

Mr. ROBERTSON (for himself and Mr. BENNETT) submitted the following resolution (S. Res. 14); which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulation;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

SEC. 2. For the purposes of this resolution the committee from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $86,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING

Mr. SPARKMAN (for himself, Mr. ROBERTSON, and Mr. BENNETT) submitted the following resolution (S. Res. 15); which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants

and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO INDIAN AFFAIRS, IRRIGATION AND RECLAMATION, MINERALS, MATERIALS, AND FUELS, PUBLIC LANDS, AND TERRITORIES AND INSULAR AFFAIRS

Mr. ANDERSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 16) authorizing the Committee on Interior and Insular Affairs to investigate certain matters within its jurisdiction and authorizing certain expenditures therefor, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Anderson, which appears under a separate heading.)

STUDIES AS TO EFFICIENCY AND ECONOMY OF GOVERNMENT OPERATIONS

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 17), authorizing the Committee on Government Operations to make certain studies as to the efficiency and economy of the operations of the Government; which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. McCLELLAN, which appears under the heading "Report of a Committee.")

INVESTIGATION OF THE POSTAL SERVICE AND THE CIVIL SERVICE SYSTEM

Mr. JOHNSTON submitted the following resolution (S. Res. 18); which was referred to the Committee on Post Office and Civil Service:

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and conduct such studies as may be deemed necessary with respect to any and all aspects of—

(1) the administration of the postal service, particularly with respect to (a) the quality and frequency of mail service rendered the public, (b) the operation of the postal establishment with maximum efficiency and economy, (c) modernization of facilities, and (d) parcel post;

(2) the civil service system, including but not limited to (a) steps necessary to improve the merit system, (b) the administration of the Postal Service and Federal Employees Salary Act of 1962, (c) dual compensation within the Federal service, (d) executive pay, (e) administration of the health and life insurance programs, and (f) operation of the retirement program.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT OF RULE RELATING TO SERVING OF HARD LIQUOR IN SENATE WING OF CAPITOL OR SENATE OFFICE BUILDINGS

Mr. MORSE submitted the following resolution (S. Res. 19); which was referred to the Committee on Rules and Administration:

Resolved, That rule XXXIV of the Standing Rules of the Senate (relating to regulation of the Senate wing of the Capitol) is amended by adding at the end thereof the following new paragraph:

"3. The serving of alcoholic beverages shall not be permitted within any portion of the Senate side of the Capitol, or any portion of any office building set aside for the use of the Senate, other than a room or suite which is assigned for occupancy by a Member or officer of the Senate for the transaction of the business of his office. As used in this paragraph, the term 'alcoholic beverage' means any alcoholic beverage containing more than 24 per centum of alcohol by volume."

ADDITIONAL CLERICAL ASSISTANCE FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON submitted the following resolution (S. Res. 20); which was referred to the Committee on Post Office and Civil Service:

Resolved, That the Committee on Post Office and Civil Service is authorized, from February 1, 1963, through January 31, 1964, to employ one additional clerical assistant to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. MORSE (for himself and Mr. HART) submitted the following resolution (S. Res. 21); which was referred to the Committee on Rules and Administration:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph;

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) Each Senator shall serve on two standing committees and no more; except that not to exceed twenty-six Senators of the majority party, and not to exceed eleven Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, the Committee on Aeronautics and Space Sciences, or the Committee on Veterans' Affairs, may serve on three standing committees and no more."

STUDIES PERTAINING TO MIGRATORY LABOR

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 22); which was referred to the Committee on Labor and Public Welfare:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to migratory labor including, but not limited to, such problems as (a) the wages of migratory workers, their working conditions, transportation facilities, housing, health, and educational opportunities for migrants and their children, (b) the nature of and the relationships between the programs of the Federal Government and the programs of State and local governments and the activities of private organizations dealing with the problems of migratory workers, and (c) the degree of additional Federal action necessary in this area.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for ap-

pointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXTENSION OF SPECIAL COMMITTEE ON AGING

Mr. MCNAMARA submitted the following resolution (S. Res. 23); which was referred to the Committee on Rules and Administration:

Resolved, That the Special Committee on Aging established by Senate Resolution 33, Eighty-Seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1964.

SEC. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems of older people, including but not limited to, problems of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

SEC. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

SEC. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 5. For purposes of this resolution, the committee is authorized to employ on a temporary basis from February 1, 1963, through January 31, 1964, such technical, clerical, or other assistants, experts, and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and, with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel, as it deems advisable.

SEC. 6. The expenses of the committee, which shall not exceed $213,000, from February 1, 1963, through January 31, 1964, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SEC. 7. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964. The committee shall cease to exist at the close of business on January 31, 1964.

YOUTH EMPLOYMENT ACT OF 1963

Mr. HUMPHREY. Mr. President, on behalf of myself and Senators CLARK, RANDOLPH, DOUGLAS, BYRD of West Virginia, METCALF, WILLIAMS of New Jersey, HART, MOSS, NEUBERGER, LONG of Missouri, YOUNG of Ohio, MORSE, RIBICOFF, BURDICK, MCGOVERN, PELL, MCCARTHY, MANSFIELD, JOHNSTON, NELSON, CANNON, DODD, MCGEE, PASTORE, MAGNUSON, CHURCH, KEFAUVER, GRUENING, YARBOROUGH, INOUYE, and BARTLETT, I introduce for appropriate reference a bill entitled the "Youth Employment Act of 1963."

Mr. President, I am most pleased to announce that the bill I introduce today has received the full endorsement of the Kennedy administration. It represents the first bill that has been so endorsed. As the first Senate bill of the 88th Congress, and carrying the full endorsement and acceptance by the Administration, I predict it will also be the first major bill approved by the 88th Congress and sent to the President for his signature.

I am extremely pleased that it has been possible for the Administration to give this legislation its formal seal of approval. I will do everything in my power to see it become law.

The proposed legislation contains two principal proposals: the creation of a Youth Conservation Corps, and a program of youth local area employment.

As most Senators know, I have been stumping for this legislation for a long, long time. In the 86th Congress the Senate passed my bill—S. 812—to create a Youth Conservation Corps. In the 87th Congress my bill—S. 404—to create both a YCC and a youth public service employment program marked time on the Senate Calendar for many months, awaiting action by the House of Representatives. But the enthusiasm of certain members of the House Rules Committee for this legislation was not as great as mine, nor as great as that of many of their colleagues, or of the general public. In short, the bill never reached the House floor for a vote in the 87th Congress.

But at the end of last session, I pledged that the fight to pass the Youth Employment Act would be renewed when the opening gavel fell on the 88th Congress. The gavel has now fallen, and the fight is now on.

Since the adjournment of the 87th Congress, I have seen the need for prompt passage of the Youth Employment Act with greater clarity than ever before. In this regard, two incidents are particularly noteworthy.

The first relates to the sudden and unexpected rise in unemployed young people that occurred in the November unemployment figures released by the Department of Labor. Total national unemployment increased from 5.5 to 5.8 percent in November. The unexpected and unforeseen addition of 150,000 teenagers to the unemployment rolls in this single month primarily caused this disheartening increase in total unemployment.

This increase in unemployed teenagers occurred almost exclusively among boys; their unemployment rate rose from 13.3 to 15.2 percent, seasonally adjusted.

In fact, in the month of November 1962, there were more than 800,000 unemployed young people under 20 years of age in the United States. These are official figures of the U.S. Department of Labor. This total of 800,000 comprises almost one-fifth of the entire unemployed population.

I believe these November unemployment figures provide graphic evidence of a most serious problem: Unemployment among young people, particularly those who are also school dropouts, has reached dimensions that can no longer be ignored or wished away. We are squarely confronted with a social evil of the gravest longrun consequences, not only for thousands of out-of-school, out-of-work, and out-of-hope young men and women, but also for society at large.

Finally, we have entered the period when the postwar wave of youngsters has started knocking on the doors of prospective employers. Often due to lack of skills, training, and experience of the youngsters, these doors will remain closed.

By 1970 a total of 3 million new young workers will be entering the labor force each year. As the November figures demonstrate, we are already tragically delinquent in our preparations for the annual influx of young people seeking gainful and satisfying employment. I maintain it is time we seriously faced the hard question: Will we be ready for these young people in 1970? On the basis of the November figures coupled with our recent performance in regard to this legislation, the irrefutable answer is "No."

But I am confident that the 88th Congress will say—with clarity, courage, and conviction—"Yes."

Since the adjournment of the 87th Congress, I have also been amazed by the widespread expressions of support I have received in behalf of the youth employment bill. The failure of the 87th Congress to pass S. 404 did not go unnoticed by people deeply concerned with the problem of our unemployed youth. Letter after letter has come to my office demanding immediate action in the 88th Congress.

For example, I have received a petition forwarded to me by 100 citizens of Massachusetts. They ask for prompt action on the youth employment bill. Republicans, Democrats, and independent voters signed this petition; they saw no basis for partisanship on such a matter as youth employment. I am hopeful that a similar attitude will prevail among my good friends on both sides of the aisle.

Mr. Stanley Flynn, of Norton, Mass., circulated this petition on his own initiative. In a covering letter he wrote:

The success of this act means a great deal to me. The old CCC was my personal salvation and it could mean the same to many a youngster today. Keep plugging.

I have never heard a more honest or more persuasive endorsement of my Youth Conservation Corps. And I fully intend to keep plugging.

Judge Benjamin S. Schwartz, judge of the Court of Common Pleas, Cincinnati, writes of his great personal concern that this legislation should pass. Judge Schwartz sees the consequences of idle youth in his courtroom every day. His letter illustrates the basic costs to society when young people—in the most active and creative period of their lives—are forced by factors beyond their control to remain idle and uncreative.

I could occupy the floor for hours reading from the correspondence I have received since October. But the basic message of these letters and telegrams is identical: prompt enactment of the youth employment bill by the 88th Congress. I devoutly hope this message falls upon the ears of my colleagues with the same clarity that it has fallen upon mine.

Thousands of words have been expended in describing the objectives, structure, and functions of the Youth Conservation Corps. I only wish to review these briefly at this time.

The Youth Conservation Corps provides constructive and educational work experiences to young men between 16 and 21 in our national and State forests. They will work on preplanned conservation projects under the supervision of the trained and experienced personnel of the National Park Service and the National Forest Service. It is estimated that there currently exists about an $8 billion backlog of needed conservation work. In short, the YCC enrollee will be making a meaningful contribution toward the preservation of our great national forests and parks.

Enrollees will undertake such activities as timber stand improvement, reseeding, insect control, watershed development, construction and rehabilitation of outdoor recreation areas, and tree planting. They will be using tools of all sorts—not only hammers, saws, and pickaxes, but light construction equipment such as small bulldozers. They will be learning to use auxiliary equipment such as pumps and power generators. They will learn construction techniques. The firsthand experience will provide them with many skills needed today in American industry.

But this is not all. It is also planned to provide the young men in the YCC with approximately 10 hours a week of formal education and training to be arranged through local school authorities.

When a young man has completed his enrollment in the YCC—a minimum of 6 months—he will not be sent home and forgotten. The local State employment security officer who originally selected the young man for the YCC has been locating a suitable job for the enrollee when he returns home.

And he will return home with a new sense of self-discipline, fit, huskier, and trained in the use of tools and machinery. His successful completion of the enrollment is, in itself, a guarantee of performance on the part of the young man; a guarantee that he has adjusted to a rigorous and demanding work situation and has performed capably.

Six months of dedicated work in the Youth Conservation Corps will give these young men a sense of personal accomplishment and achievement. For many, this will be unique experience. I devoutly believe that just such an experience has the capacity to transform a young man's entire outlook on life, to give him confidence in himself and the future, to provide a foundation for beginning his life as a responsible, self-supporting citizen. Such a human investment pays dividends in ways not imagined and in dimensions not foreseen.

The youth local area employment programs would be established in cooperation with State and local governments to develop opportunities for employing qualified trainees in a wide variety of local public service activities. The approved programs, as determined by a national advisory committee, would be for young men and women between 16 and 22. The jobs would not interfere with those performed by regular employees and the rates of pay would be reasonably consistent with those for comparable work in the locality.

Initiative and control of these employment programs would remain with the States and local communities. Work would be performed in schools, libraries, hospitals, welfare agencies, children's homes, courts, playgrounds, and in community activities such as the Visiting Nurses Association, Boy Scouts, and so on. The young workers would be under the supervision of experienced personnel and would undertake the type of employment designed to give substantial work experience.

Many of the employees would participate on a part-time basis and continue their schooling. Most participants would continue to live at home. In fact, a principal objective of these public service employment programs would be to create a desire within the young people to acquire professional skills through additional formal education and training.

Some opponents of this legislation honestly believe we cannot afford such programs. I say: Can we afford not to offer our young people such employment opportunities? It would cost about $4,000 per year for each volunteer in the Youth Conservation Corps; it costs $25,000 for every juvenile delinquent who goes the police court-reformatory route. Even if the delinquent never gets in trouble again—which is doubtful—the cost is already six times as great, assuming you just are figuring on a dollar-and-cents, and not a human, balance sheet. There currently exists an $8 billion backlog of programed conservation projects. The Civilian Conservation Corps made a great contribution to this generation through their productive work in the 1930's. Now is the time to realize that the YCC can make such a similar dollars-and-cents investment through their conservation activities.

Mr. President, while I shall have much more to say on the youth employment bill, I am determined that the time for mere talk has passed. I understand that hearings in both the House and Senate are scheduled within 2 weeks. The decks have been cleared for prompt action. I, for one, intend to do everything in my power to bring this proposed legislation to a successful conclusion as early in the 88th Congress as possible. I welcome the collaboration and support of the Senate in this vital effort.

Mr. President, I ask that the youth employment bill remain at the desk for 4 days, so that additional Senators may join as cosponsors of the measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the full text of the Youth Employment Act be printed in the RECORD at this point. I also ask unanimous consent that several articles and documents also be printed in the RECORD, including an article from the New York Times describing the November increase in teenage unemployment, a recent article from the Washington Post describing the proposed project of "mobilization for youth," the type of opportunities that will grow out of the youth public service employment program contained in this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, articles, and documents will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 1) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—

SECTION 1. This Act may be cited as the "Youth Employment Act".

TITLE I—YOUTH CONSERVATION CORPS

Short title

SEC. 101. This title may be cited as the "Youth Conservation Corps Act".

Statement of purpose

SEC. 102. The purpose of this title is (1) to provide the opportunity for healthful employment of young men in carrying out such programs of conservation planned and designed by, and under the immediate supervision of, the various governmental agencies charged with the responsibility of planning and carrying out such programs; and (2) to enable the governmental agencies charged with the responsibility of conserving and developing natural resources and recreational areas to accelerate programs planned by such agencies to fulfill such responsibility.

Establishment of a Youth Conservation Corps

SEC. 103. In order to carry out the purposes of this title, there is hereby established within the Department of Labor a Youth Conservation Corps (hereinafter referred to as the "Corps"). There shall be a Director of the Corps who shall be appointed by the President, by and with the advice and consent of the Senate, and whose annual

salary shall be $20,000. The Director shall perform such functions in connection with the Corps as may be prescribed by the Secretary of Labor (hereinafter referred to as the "Secretary").

Authority of Secretary

SEC. 104. The Secretary shall have authority to—

(1) establish adequate standards of safety, health, and conduct for enrollees of the Corps, and enter into agreements with the Secretary of Health, Education, and Welfare, for the provision, by the latter, of medical, dental, hospital, and other health services to enrollees, either directly or through other public or nonpublic facilities and personnel;

(2) enter into agreements with Federal and State agencies (for the purposes of this title "State" shall include the District of Columbia, Puerto Rico, the Virgin Islands, Guam and American Samoa) charged with the responsibility of conserving, developing, and managing the natural resources of the Nation, and of developing, managing, and protecting recreational areas, whereby the enrollees of the Corps may be utilized by such agencies in carrying out, under the immediate supervision of such agencies, programs planned and designed by such agencies to fulfill such responsibility. Not more than one-third of the Corps shall be available at any one time for utilization by State agencies pursuant to such agreements. Any such agreement with a State agency shall provide that the State will defray one-half of all costs incurred with respect to any enrollees utilized by such State agency;

(3) enter into agreements with, and otherwise cooperate with, other governmental departments, agencies, and instrumentalities in carrying out the purposes of this title;

(4) insure the provision of a system of training and educational services to enrollees of the Corps, in addition to the regular program of work and on-the-job training: *Provided,* That to the maximum extent practicable such programs shall be provided by State and local educational authorities under agreement with the Secretary of Health, Education, and Welfare;

(5) expend such amounts as he deems necessary within available appropriations for supplies, materials and equipment for enrollees to be used in connection with their work, instruction, recreation, health, or welfare;

(6) prescribe such rules and regulations, establish such other procedures, enter into such contracts and agreements, and generally perform such functions as he may deem to be necessary to carry out the provisions of this title; and

(7) authorize the performance by the Director of any functions of the Secretary under this title.

Interagency consultation

SEC. 105. In the administration of this title, the Secretary shall seek the advice and assistance of the Secretaries of the Departments of Health, Education, and Welfare, Agriculture, and Interior.

National Advisory Council on the Youth Conservation Corps

SEC. 106 (a). There is hereby established in the Department of Labor a National Advisory Council on the Youth Conservation Corps (hereinafter referred to as the "Council"). The Council shall be composed of the Secretary or his designee, who shall be Chairman, and not more than fourteen additional members appointed by the Secretary without regard to the civil service laws. The appointed members of the Council shall be persons (including persons from public and voluntary organizations) representing the fields of conservation, agriculture, education, training, youth employment, labor, management and the public in general. Upon request of the Secretary, the Council shall review the operations of the Corps in general, the kind of work performed and the training provided and shall from time to time make recommendations to the Secretary relative to the execution of his responsibilities under this title. The Council shall meet at least twice each year and at such other times as the Secretary may request.

(b) Appointed members of the Council, while attending meetings of the Council or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provision of law, the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence).

Composition of the corps

SEC. 107 (a). The Corps shall be composed of male individuals who have attained age sixteen but have not attained age twenty-two at the time of enrollment. The number of enrollees shall not exceed at any one time 15,000 during the first fiscal year of its operation and during the next four fiscal years such numbers as may be maintained within the appropriations made therefor by the Congress but not to exceed 60,000 enrollees at any one time.

(b) In order to enroll as a member of the Corps, an individual must agree to comply with rules and regulations promulgated by the Secretary for the government of the Corps.

(c) Enrollment in the Corps shall be for a period of six months; if permitted by the Secretary, an individual may reenroll, but his total enrollment shall not exceed two years.

(d) For purposes of accepting enrollment in the Corps in any year, (A) 50 per centum of the total number of the authorized enrollment of the Corps for such year shall be allocated to the various States on the basis of the ratio that the total male population of each State within the age group referred to in subsection (a) bears to the total male population of the United States within such age group, (B) 50 per centum of the total number of the authorized enrollment of the Corps for such year shall be allocated in such manner as shall be determined by the Secretary, taking into account areas which have been designated as redevelopment areas under section 5 (a) and (b) of the Area Redevelopment Act (75 Stat. 47) and (C) allocations not utilized under (A) shall be reallocated under (B). The population categories referred to above shall be determined in accordance with the most recent statistics available from the Bureau of the Census and the Department of Labor.

Compensation of enrollees

SEC. 108(a)(1). The base compensation of enrollees shall be $60 per month for the first enrollment and an additional $5 per month for each subsequent enrollment. Up to an additional $10 per month may be paid on the basis of assigned leadership responsibilities, or special skills.

(2) The Secretary shall establish procedures whereby each enrollee may make an allotment to his parent, dependent, legal guardian, or any fund established for his benefit, of part of the periodic compensation to which he is entitled under this title, and such allotment shall be paid directly to the person or fund in favor of which it is made.

(b) In addition to compensation authorized in subsection (a), enrollees shall be furnished with such quarters, subsistence, transportation (including travel from and to the place of enrollment), equipment, clothing, training, educational and recreational services, medical, dental, hospital and other health services, and such other expenses (including funeral and burial expenses) as the Secretary may deem necessary or appropriate for their needs.

(c) In the case of any individual who is an enrollee within the meaning of this title, the value of items furnished shall be exempt from income tax under subtitle (A) of the Internal Revenue Code of 1954, except to the extent that the Secretary, in consultation with the Secretary of the Treasury or his delegate, determines any portion thereof to be additional base compensation.

Application of provisions of Federal law

SEC. 109 (a). Except as otherwise specifically provided in this title, an enrollee is deemed not to be a Federal employee and shall not be subject to the provisions of Federal laws relating to Federal employment including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits such as retirement, life insurance, and health benefits.

(b)(1) Section 210 of the Social Security Act (42 U.S.C. 410) is amended by adding at the end thereof the following new subsection:

"Service as enrollee in youth conservation Corps

"(p) The term 'employment' shall, notwithstanding the provisions of subsection (a), include service performed by an individual as an enrollee in the Youth Conservation Corps established by title I of the Youth Employment Act and all such service shall be deemed to have been performed by such individual as an employee of the United States."

(2) Section 209 of such Act (42 U.S.C. 409) is amended by adding at the end thereof the following new paragraph:

"For purposes of this title, in the case of an individual performing service to which the provisions of section 210(p) apply, his 'wages' for such service, shall, subject to the provisions of subsection (a) of this section, be deemed to be $150 for each calendar month during all of which he is an enrollee within the meaning of title I of the Youth Employment Act, or $5 per day for any calendar month during part (but not all) of which he is such an enrollee."

(3) The first sentence of section 205(p)(1) of such Act (42 U.S.C. 405(p)(1)) is amended by striking out "and including service" and inserting in lieu thereof "service," and by inserting "and service, performed as an enrollee within the meaning of title I of the Youth Employment Act, to which the provisions of section 210(p) are applicable," after "to which the provisions of section 210(o) are applicable,".

(c)(1) Section 3121 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(q) SERVICE AS ENROLLEE IN YOUTH CONSERVATION CORPS.—For purposes of this chapter, the term 'employment' shall, notwithstanding the provisions of subsection (b) of this section, include service performed by an individual as an enrollee in the Youth Conservation Corps established by title I of the Youth Employment Act, and all such service shall be deemed to have been performed by such individual as an employee of the United States."

(2) Subsection (i) of such section is amended by adding at the end thereof the following new paragraph:

"(4) SERVICE IN THE YOUTH CONSERVATION CORPS.—For purposes of this chapter, in the case of an individual performing service to which the provisions of subsection (q) apply, his 'wages' shall, subject to the provisions of subsection (a)(1) of this section, be deemed to be $150 for each calendar month during all of which he is an enrollee within the meaning of title I of the Youth Employment Act, or $5 per day for any calendar month during part (but not all) of which he is such an enrollee."

(3) The first section of section 3122 of such Code (relating to Federal service) is amended by striking out "and including service" and inserting in lieu thereof "service," and by inserting "and service, performed as an enrollee within the meaning of title I of the Youth Employment Act, to which the provisions of section 3121(q) are applicable," after "section 3121(p) are applicable,".

(4) Section 6051(a) of such Code is amended by adding at the end thereof the following new sentence: "In the case of compensation for service as an enrollee in the Youth Conservation Corps, the statement shall show, in lieu of the amount required to be shown by paragraph (5), the total amount of wages as defined in section 3121(a), computed in accordance with such section and section 3121(i)(4)".

(5) Section 3401(a) of such Code (relating to the definition of wages for purposes of the collection of income tax at source on wages) is amended by striking out ", or" at the end of paragraph (6) and inserting in lieu thereof "; or", by striking out the period at the end of paragraph (12) and inserting in lieu thereof "; or", and by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; or", and by adding at the end thereof the following new paragraph:

"(14) pursuant to section 108(b) of title I of the Youth Employment Act, other than any portion determined thereunder to be additional base compensation, for service performed as an enrollee within the meaning of such title."

(6) Section 121(a) of such Code is amended by striking out the period at the end of paragraph (18) and inserting in lieu thereof ";", and by adding at the end thereof the following new paragraph:

"(19) Amounts received by enrollees under section 108 of title I of the Youth Employment Act, see such section 108(c)."

(d) The amendments made by subsection (b) of this section and by paragraphs (1), (2), (3), and (4) of subsection (c) of this section shall apply with respect to service performed after the date of the enactment of this Act. The amendment made by paragraph (5) of subsection (c) of this section shall apply with respect to remuneration paid after the date of the enactment of this Act.

(e)(1) Enrollees under this title shall, for the purpose of the administration of the Federal Employees' Compensation Act (39 Stat. 742, as amended), be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act and the provisions thereof shall apply except as hereinafter provided.

(2) For purposes of this section—

(A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee—

(i) while he is on authorized leave or pass; or

(ii) while he is absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Corps.

(B) In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of an enrollee shall be deemed to be $150 a month.

(C) The term "injury" as defined in section 40 of the Federal Employees' Compensation Act shall include only a disease or illness which arises out of service in the Corps.

(D) Compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee is discharged from the Corps.

Appropriations authorized

SEC. 110. (a) For the purpose of carrying out the provisions of this title, there is authorized to be appropriated for the fiscal year commencing July 1, 1963, and for each succeeding fiscal year such amounts as the Congress may determine to be necessary to carry out the provisions of this title.

(b) Funds authorized to be appropriated under this title may be transferred between departments and agencies of the Government for use for the purpose for which they are specifically authorized and appropriated and may also be transferred to State governments for the purposes provided in this title.

Reports

SEC. 111. Not later than one hundred and twenty days after the close of each fiscal year the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities of the Corps during such year, and not later than January 1, 1966, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report evaluating the activities of the Corps from its inception, together with such recommendations as he may deem desirable.

TITLE II—LOCAL AREA YOUTH EMPLOYMENT PROGRAM

Short title

SEC. 201. This title may be cited as the "Local Area Youth Employment Act".

Statement of purpose

SEC. 202. The purpose of this title is to provide useful work experience opportunities for unemployed youths so that their employability may be increased through the use of local area youth employment programs.

Development of State and local employment programs

SEC. 203. In order to carry out the purposes of this title, the Secretary of Labor (hereinafter referred to as the "Secretary") shall assist and cooperate with State (which for the purposes of this title shall include the District of Columbia, Puerto Rico, the Virgin Islands, Guam and American Samoa) and local governments in developing programs for the employment of young people in State and local community service activities, hereinafter authorized, which, whenever appropriate, shall be coordinated with a program of training and education provided by local educational authorities. The Secretary shall advise such State and local governments as to the number and availability of unemployed young people, their skills and qualifications for various types of work, and shall provide in cooperation with local school authorities for the orderly selection and referral of youths for enrollment in such programs.

Approval of programs

SEC. 204. (a) The Secretary is authorized to approve for assistance under this title any State or local programs submitted hereunder if he determines, in accordance with such regulations as he may prescribe, that—

(1) enrollees in the program will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects, sponsored by nonprofit private agencies and approved by the appropriate State agency;

(2) the program will increase the employability of the enrollees, or will enable student enrollees to resume or to maintain school attendance;

(3) the program will permit or contribute to a public undertaking or service that will not otherwise be provided;

(4) the program will not result in the displacement of regular workers;

(5) the rates of pay and other conditions of employment are appropriate and reasonably consistent with the rates and conditions applicable with respect to comparable work in the locality; and

(6) the program includes standards and procedures for the selection of applicants including provisions assuring full coordination and cooperation with local and other activities to discourage students from dropping out of school.

(b) In approving projects under this title, the Secretary shall give priority to projects with high training potential.

Enrollees in programs

SEC. 205. (a) Enrollment in programs under this title shall be limited to young men and women who have attained age sixteen but have not attained age twenty-two.

(b) Enrollees shall not be subject to the provisions of any other Federal law relating to Federal employment including hours of work, rates of compensation, or employee benefits.

(c) The number of enrollees in programs under this title shall not exceed at any one time fifty thousand during the fiscal year ending June 30, 1964, and thereafter such numbers as may be maintained within appropriations made therefor by the Congress.

(d) The Secretary shall provide for testing, counseling, job development, and job referral services to youths in order to carry out the purposes of this title.

Federal share of program costs

SEC. 206. Whenever a local area youth employment program is determined under section 204 to be appropriate, the Secretary may enter into an agreement with the State or local government, or agency thereof, or a private nonprofit agency, under which the Secretary will pay grants up to 50 per centum of the costs, including those of administration, of the program.

Authority of Secretary

SEC. 207. (a) In carrying out this title, the Secretary is authorized to—

(1) delegate to the heads of other departments and agencies of the Federal Government any of his functions, powers, or duties under this title as he deems appropriate, and to authorize the redelegation thereof by the heads of such departments and agencies.

(2) utilize with their consent the services of Federal agencies and, with the consent of any State or local government, accept and utilize the services of State and local agencies; to establish State and local advisory committees; and to utilize such voluntary and uncompensated services as may from time to time be needed;

(3) make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement as he may deem necessary to carry out the provisions of this title;

(4) encourage the enrollees to participate in a systematic program of training and education provided by local educational authorities;

(5) prescribe such rules and regulations as he may deem necessary to carry out the provisions of this title.

(b) Any agreement under this title shall contain such provisions as may be necessary to promote effective administration,

protect the United States against loss, and insure the application of funds in a manner consistent with the provisions and purposes of this title and the terms of such agreement.

National Advisory Council on Local Area Youth Employment Programs

SEC. 208(a). There is hereby established in the Department of Labor a National Advisory Council on Local Area Youth Employment Programs (hereinafter referred to as the "Council"). The Council shall be composed of the Secretary or his designee, who shall be Chairman, and nine members appointed by the Secretary without regard to the civil service laws. The appointed members of the Council shall be persons (including persons from public and voluntary organizations) who are recognized authorities in professional or technical fields related to the employment of youth or persons representative of the general public who are leaders in programs concerned with employment of youth. The Council shall advise the Secretary on the administration of this title.

(b) Upon request of the Secretary, the Council shall review the operation of this title in general and shall from time to time make recommendations to the Secretary relative to the execution of his responsibilities under this title. The Council may also make recommendations to the Secretary on projects referred to it by the Secretary. The Council shall meet at least twice each year and at such other times as the Secretary may request. The Secretary is authorized to utilize the services of any member or members of the Council in connection with matters relating to this title for such periods, in addition to conference periods, as he may determine.

(c) Appointed members of the Council, while attending meetings of the Council or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provision of law, the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence).

Interagency consultation

SEC. 209. In the administration of this title, the Secretary shall seek the advice and assistance of the Secretaries of the Departments of Health, Education, and Welfare, Agriculture, and Interior, of the Attorney General, the Administrator of the Housing and Home Finance Agency, and of such other agency heads as the Secretary deems appropriate.

Appropriations authorized

SEC. 210. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

(b) Funds authorized to be appropriated under this title may be transferred between departments and agencies of the Government for use for the purpose for which they are specifically authorized and appropriated and may also be granted to State and local governments for the purpose provided in this title.

Report by the Secretary

SEC. 211. Not later than one hundred and twenty days after the close of the fiscal year ending June 30, 1964, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities and programs authorized by this title during such year; and not later than one hundred and twenty days after the close of the fiscal year ending June 30, 1965, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report evaluating the activities and programs authorized by this title during the preceding two fiscal years together with recommendations for such legislation as he may deem desirable; and not later than one hundred and twenty days after the close of the fiscal year ending June 30, 1966, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report evaluating the activities and programs authorized by this title during the preceding three fiscal years.

Termination date

SEC. 212. (a) All authority conferred under this title shall terminate at the close of June 30, 1966.

(b) Notwithstanding the foregoing, the termination of this title shall not affect the disbursement of funds under, or the carrying out of any contract, agreement, commitment, or other obligation (including the completion by an individual of any approved training) entered into pursuant to this title prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under this title after June 30, 1967.

The articles and documents presented by Mr. HUMPHREY are as follows:

[From the New York Times, Dec. 6, 1962]

JOBLESS RATE UP SHARPLY—CAPITAL INVESTMENT RISES—UNEMPLOYMENT INCREASE IS LAID TO LACK OF WORK FOR TEENAGERS—LABOR AID ASSERTS ECONOMY IS GENERALLY OK

WASHINGTON, December 5.—The unemployment rate rose sharply in November to 5.8 percent of the labor force, the Labor Department reported today.

The increase, from 5.5 percent in October, was attributed to an unexpected rise in the number of unemployed teenagers.

In another important sector of the economy, the Commerce Department and the Securities and Exchange Commission reported that business outlays for plant and equipment would be slightly higher this year than had been expected. But such outlays will decline early in 1963, the agencies said.

The sudden rise in unemployment among teenagers was contrary to expectations for this time of the year. Otherwise, changes in the labor force were about what would ordinarily be expected.

Total employment was 67,981,000, a decline of about 900,000 from October to November. The figure was still about 800,000 above a year earlier and set a record for November. The decline was attributed to seasonal cutbacks in outdoor activities, such as farming.

Seymour L. Wolfbein, Deputy Assistant Secretary of Labor for Manpower, said the figures indicated that "by and large the economy is OK, but we are not seeing the impact we want on the unemployment side."

He noted that the unemployment rate, adjusted to eliminate seasonal influences, has hung high at 5 percent or more for the last 5 years.

Unemployment last month was 3,801,000, a rise of about 500,000. A rise of from 350,000 to 400,000 is customarily expected at this time of the year, because of slackening farm activity. What made the difference last month between the normal expectation and what actually happened was an increase of about 15,000 in the number of unemployed teenagers. Ordinarily, this figure does not change in November.

Labor Department experts were unable to explain, on the basis of figures available so far, what caused the increase in teenage unemployment. Ordinarily, a seasonal increase in unemployment in that group is reflected in the figures for December. There was speculation that the November labor force survey, which was made relatively late last month, might reflect some of the rise normally reported for December.

LACK WORK EXPERIENCE

About 100,000 of those added to the ranks of unemployed teenagers were boys, mostly without previous work experience, Labor Department experts said.

The unemployment rates among adult men and women were not significantly changed—4.6 percent for men and 5.6 percent for women. The rate among teenagers rose from 13.3 percent in October to 15.2 percent in November.

Unemployment last month was about 190,000 below a year earlier, when the rate was 6.1 percent.

The number of workers unemployed for half a year or more declined from 447,000 to 397,000 in the month. Last year at the same time, the figure was 689,000.

The number unemployed for 15 weeks or more remained at 866,000, virtually unchanged.

Business investment in plant and equipment this year has fallen further short of the Government's expectations—or hopes—than has any other major line of economic activity.

Such investment, otherwise known as capital spending, is for building new factories, stores, office buildings and the like, or expanding or modernizing old ones, and for purchasing machinery and equipment.

The Government's original predictions of strong overall economic growth this year assumed that capital spending would rise by 15 percent. Early in the year, it appeared that capital spending would grow only 8 percent. The report today by the Commerce Department and Securities and Exchange Commission revised this estimate to 9 percent.

The new estimate of capital spending for this year was $37,400 million, which would be a record by a small margin. The previous record was $37 billion, set in 1957; last year the figure was $34,400 million.

The report said that capital spending rose to an annual rate of $38,350 million in the third quarter of this year and was expected to hold at the same level in the current, final quarter. In the first quarter of next year, it said, a drop to a rate of $37,700 million is indicated.

This report appears to conflict with the widely recognized McGraw-Hill survey, which indicated recently that outlays in 1963 would be 3 percent higher than for this year.

RATE EXCEEDS AVERAGE

However, the rate of outlays in the third and fourth quarters of this year is already almost 3 percent ahead of the full year average. Thus, a small reduction early in 1963 could easily be offset by small increases later. In fact, McGraw-Hill said that there would be little or no gain in the first half of 1963, and that the gains would come later.

The Commerce-SEC report indicates increased outlays by manufacturers of nondurable goods and by commercial concerns in the first quarter of next year. It also indicates reduced outlays in the current quarter and early 1963 in the public utility and transportation industries. Increased outlays by manufacturers of durable goods in the current quarter but a cutback in the first quarter of next year are also indicated.

A comparison of data for 1957 and 1962 shows that commercial companies—such as stores, banks, insurance, and construction concerns—now account for a bigger share of total capital spending and manufacturers' and public utilities account for smaller shares.

[From the Washington Post, Jan. 4, 1963]

JOB TRAINING PROJECT COMBATS DELINQUENCY

(By Eve Edstrom)

NEW YORK, January 3.—The youths used to get their kicks from heroin or gang fights, but now they are working on electrical, masonry, and carpentry jobs on the lower East Side.

They are the results of Mobilization for Youth's attack on juvenile delinquency. The program was viewed first hand yesterday by citizen advisers to the President's Committee on Juvenile Delinquency and Youth Crime, which is helping to finance the multi-million-dollar effort.

A major underpinning of Mobilization's attack is the provision of legitimate paid-work opportunities for 16- to 21-year-olds who never knew how to get a dollar except by robbing stores or slugging cab drivers.

These youths live in what probably is the most famous slum in the United States, a slum which has undergone radical changes since World War II. Physically the area now is a mixture of squalid tenements and new high-rise public housing.

The old and the new sit side by side in a sea of rubble.

Puerto Ricans and Negroes have become predominant in an area which was largely Jewish. The pushcarts still can be seen but so can the ravages of the dope pushers. Work opportunity is only one of the many services offered under Mobilization's total program, which will cost $12.6 million over a 3-year period.

Other phases viewed today by the Citizens Advisory Council of the President's committee included:

Neighborhood service centers—helping stations where families can receive aid on housing, budget, language, and medical problems. One station, housed in a former candy store, now serves 200 families with 600 children in a 5-block area bounded by Delancey and Houston Streets. At the station, the coffeepot is always perking; the door is open 7 days a week.

Public School No. 31, where a crash program is underway to help teachers better understand their pupils' cultural backgrounds. Teachers are attending classes themselves to gain this insight and are visiting the homes of each of their pupils.

Fearful of these visits at first, the teachers found that they were greeted warmly and were asked to stay for supper. They also learned enough about some children's problems that these youngsters no longer are problems in the classrooms.

But the work program got off the ground first and best illustrates mobilization's premise that any successful effort to curb juvenile delinquency must provide young people with opportunities to behave differently.

As explained at general conference sessions prior to a tour of the work projects, the slum youths never had normal opportunities, through work or education, to get their share of the world's goods. In classrooms, more time was spent on discipline than on learning so they dropped out of school.

They had no skills to market, or if they did, they were the subjects of discrimination.

And so they became like Hector, a 19-year-old Puerto Rican who has been in a reform school three times for theft and narcotics possession.

"You knock off a store to get money for wine or pot," Hector told a youth worker. "You *think* it will be the last, but then there's another one, and you're in jail. It's like a circle. You've got to get yourself out of it, but that's hard in this neighborhood. Maybe you get yourself some lousy job so they can lay you off the next week."

Until recently, this youth was a war counselor of one of the lower East Side's most notorious gangs. But now he is learning to be a stonemason and is a member of Mobilization's Urban Youth Services Corps.

The work corps is a subsidized program which offers paid job training in such fields as teaching, carpentry, electrical work and food services. Under the work exploration phase of the program, the youth tries several types of work to determine which he likes. He works from 9 a.m. to 4 p.m., punches a time clock and earns 75 cents an hour while developing work habits.

Many of these youths never had a reason to get up in the morning before. They used to sleep until noon, stay out until 3 or 4 a.m., and get into trouble. Now, they tell workers, they no longer feel like bums. In addition, four of five members of different gangs—which used to meet for rumbles at night—work on the same projects without incident.

After exploring work, the youths are assigned to specific projects. Right now, they are rebuilding an old store which will be used as a neighborhood center. They are paid from a dollar to $1.25 an hour.

Ultimately they move into on-the-job training. Jobs are contracted with private employers such as printing shops, auto parts stores and gas stations. Negotiations now are underway with Shell Oil Co., Macy's, and Beth Israel Hospital for job training. Trainees are paid the going rate for the job, with Mobilization and the employer sharing the cost.

Mobilization's job center opened October 15 and by last month 800 youths had applied for jobs. Currently, Mobilization is working with 300 of these boys on a full-time basis.

Mobilization is being financed by the city of New York, the National Institute of Mental Health, the Ford Foundation, and a $1.9 million grant from the President's Committee.

Although other cities, such as Washington, have received grants from the President's Committee to plan programs to combat delinquency, Mobilization is the first to receive funds to translate its plans into action.

Mr. McGOVERN. Mr. President, no resource of this Nation is more precious than our young people and no problem affecting them more urgent than that of continued unemployment.

For this reason I join in sponsoring the Youth Employment Act of 1963. The goals of this legislation are clear: To unite the creation of jobs for unemployed youngsters with the need to conserve and expand our natural resources. Its provisions are sensible and thoughtfully drawn: Male citizens between 16 and 21 are to be recruited for periods of 6 months in a Youth Conservation Corps of 50,000 members—to be increased after 3 years to 100,000—who will be employed at needed conservation tasks in our Federal and State parks and forests. As in the Peace Corps, only a subsistence wage of $70 per month will be paid these volunteers, in addition to provision for quarters, food, clothing, and medical care. Under title II of the act, young men and women will be given useful work experience, coupled with appropriate training and education, in urban areas, for example, in schools and hospitals.

Those of us who remember the dark days of the 1930's will not soon forget the splendid work performed by the young men who were enrolled in the Civilian Conservation Corps. No program of this period gained more universal approval; none inspired more hope in the hearts of youngsters for whom the future seemed forbiddingly bleak. Across this broad land today stand hundreds of living memorials to the resourcefulness and zeal of those victims of the great depression.

Today we face no comparable economic crisis. Our factories are not stilled; our consciences no longer carry the burden of city breadlines and farm revolts.

Yet the crisis for today's youth is no less real. Unemployment is the daily lot of a million American youngsters who have left their books and classes. The number of unemployed young people continues to swell as the war babies enter the labor market. In November alone, a hundred thousand teenage boys were added to the unemployment lists and the rate of unemployment among teenagers climbed to 15.2 percent. Though the highest level of unemployment is found in the 16-to-20-age bracket, the worst is still to come. By 1965 it is estimated more than a million young Americans will be job hunting. Delinquency, already a serious problem, will loom even larger on the national horizon. No American today needs to be told of the shocking statistics on the growing number of juveniles, most of them unemployed, who commit adult crimes.

We in South Dakota are especially concerned about the problem of dwindling opportunities for our youth. Almost 10,000 South Dakotans are leaving our State each year and the great majority of them are under 35 years of age. In our State are State and National parks, reservoirs, forests, and potential recreational centers where our young people might be given suitable work. In these healthful surroundings hundreds of young Americans including South Dakotans might find employment during the difficult interlude between finishing school and finding their life's work.

Of the benefits to the boys and the Nation of this kind of outdoor experience there is no doubt. We can all agree with the conclusion of the Outdoor Recreation Resources Review Commission:

> The outdoors lies deep in American tradition. It has had immeasurable impact on the Nation's character and on those who made its history. When an American looks for the meaning of his past, he seeks it not in ancient ruins, but more likely in mountains and forests, by a river, or at the edge of the sea. Today's challenge is to assure all Americans permanent access to their outdoor heritage.

No social legislation in this session of Congress is more vital to the welfare of the Nation than this bill.

ESTABLISHMENT OF WATER RESOURCE CENTERS AT CERTAIN COLLEGES

Mr. ANDERSON. Mr. President, I send to the desk for appropriate reference a bill to establish water resources research institutes or centers at land grant colleges and universities, to stimulate water resources research at other institutions of higher education, and to promote a more adequate national program in this field.

I request unanimous consent that the bill lie on the desk for 3 days to permit any Senators who wish to do so to join in coauthorship of the measure.

The first draft of this bill was introduced in the 87th Congress on July 27

of last year. I then announced that it was introduced for the purpose of study, to stimulate discussion, obtain the views of the agencies in the executive branch of the Government, and to become a vehicle for the preparation of a revised bill for presentation to this Congress.

The response to the study bill has been a stimulating experience.

Comments and suggestions have come from every corner of the country and they have been almost invariably constructive. Many have been incorporated in the revision. Without any exception, the basic plan in the bill to stimulate water resources research in colleges and universities, where it will help to produce much-needed, highly trained personnel in the water field, has been warmly endorsed and supported.

The principle of multidisciplinary, or collegewide agencies has received general endorsement.

The sums proposed to be authorized for the research programs have not been criticized. We have been advised that they are modest in comparison to expertly estimated needs for college and university located research on water problems, but not so modest that they will not permit substantially adequate beginnings of a program which is expected to stimulate and attract matching funds from other sources.

Before dealing in greater detail with this water resources research bill, we should review briefly where we stand as this session of Congress opens in relation to water resources to meet the Nation's growing needs.

In January 1961, under the leadership of the greatly missed Senator from Oklahoma, Robert S. Kerr, the Senate Select Committee on National Water Resources warned us in its final report that we will have abundant water supplies in the years ahead only if we conserve them and manage them wisely.

Full development of all available supplies is going to be necessary to meet the needs in 1980 of five major river basins, or areas: the South Pacific area in California, the Great Basin in Nevada, the Rio Grande-Pecos, the Lower Colorado, and the upper Missouri River Basins.

Another three great water areas will be at the limit of their supplies, with full development, by the year 2000. This group includes the western Great Lakes area composed of Michigan, northern Indiana, most of Illinois, and eastern fractions of Wisconsin and Minnesota. It also includes the western gulf area in Texas, and the upper Arkansas-Red River Basins involving major parts of Colorado, Kansas, and Oklahoma, and smaller sections of northeastern New Mexico and northern Texas.

Briefly, by the year 2000 the western half of this Nation excepting the upper Mississippi, the immediate Mississippi River drainage area, the lower Missouri and the Columbia River Basin will have come to the end of presently available water resources. The rest of the Nation will be struggling with conserving, purifying, recycling, and transporting water to points of need with investments in water facilities running well over 10 or 15 billion 1961 dollars per year.

Some of us are right now at the bottom of the barrel. The San Juan-Chama project in New Mexico will develop our last major available water supply unless and until we can purify brackish waters. In Arizona, 60 percent of water needs are being met from ground water sources which are being pumped out far faster than they are replenished. Southern California is now importing water, planning to import more from the northern end of the State, and hoping the Supreme Court will permit it to have more from the Colorado River Basin despite an adverse report of the Court's Master in the case.

Totally, America has an abundance of water to meet her needs for centuries to come if the water and population are managed right. It will require enormous investments, at best, to manage properly. We are right now eyeball-to-eyeball with shortages, and in many areas we cannot afford enough time to blink. We must invest in water development and research or stagnate.

The Select Committee on National Water Resources, on which I had the honor to serve with Senators Kerr, Murray of Montana, Chavez, Ellender, Magnuson, Jackson, Engle, Hart, McGee, Moss, Kuchel, who was vice chairman, Young of North Dakota, Schoeppel, Case of South Dakota, Martin of Iowa, and Scott of Pennsylvania, made five recommendations. These included:

First, development of comprehensive water development and management plans for every major river basin in the United States by 1970.

Second, a 10-year program of financial aid to States to help them become active participants in the big planning job.

Third, a greatly expanded and comprehensive Federal program of scientific research on water, probing ways both to increase our supplies and to increase the efficiency of our use of available supplies.

Fourth, preparation of a biennial Federal assessment of the water demand-supply situation in each of the water resource regions of the United States so we will know where we stand, starting this year.

Fifth, Federal-State cooperation in a program to encourage efficiency in water development and use.

President Kennedy took the initial steps to implement these recommendations during his first month in office. In February 1961, in his resources message, he advised that he had asked the National Academy of Sciences to give him a report on the situation in respect to scientific research on all natural resources. He had also asked the Council on Science and Technology to provide an interim report on water research.

In July of the same year—1961—he sent to Congress a draft of a Water Resources Planning Act to provide the machinery for development of major river basin plans by 1970, and to provide the recommended aid to the States for participation in planning work.

Despite a great divergence of views about who should do our river basin planning, and a feeling in many quarters that agency and departmental competitions in the water field make the achievement of the task of coordinated planning in a reasonable period of years absolutely impossible, I have a great deal more than bare hope that the 88th Congress of the United States will solve this puzzle and get such planning under way on the basis of President Kennedy's bill.

The Interior and Insular Affairs Committee sat jointly with the Public Works Committee in hearings on the President's planning and State aid proposal in 1961. There was opposition to it from those who insist that State water rights are paramount to Federal rights—or should be. The situation did look hopeless, but the Interior Committee has persisted in an effort to reach agreement with the States on a mechanism for planning which will avoid the State-Federal rights issue. I appealed to Gov. Nelson Rockefeller, of New York, at one point in this effort to help end the impasse between Federal and States rights advocates which has existed since President Teddy Roosevelt's Inland Waterways Commission recommended comprehensive Federal planning in 1908.

A series of conferences between representatives of the Interstate Commission on Water Problems of the Council of State Governments and of our committee has ensued. Modifications of President Kennedy's proposal for basin planning commissions have been developed which I have reason to hope will find broader acceptance than any previous draft. There should consequently soon be before this Congress a revision of S. 2246 of the 87th Congress, intended to implement recommendations Nos. 1 and 2 of the Select Committee on National Water Resources and the President's proposal to get planning started.

We are not going to drop the effort to achieve orderly water resources planning. Wise management of the water resources of our planet is fully as important as exploring space. Both are going to be top priority concerns of mine in this Congress.

The bill I have just introduced, the water resources research bill, is intended to contribute to the implementation of the Select Committee's third recommendation—a comprehensive Federal water research program.

So there will be no continuing misunderstanding of the bill, as is reflected in one departmental report on S. 3579, it should be clearly understood that the measure does not propose a total Federal water research effort and no such claim is made for it.

The bill proposes Federal financial assistance to land-grant colleges and universities or other competent higher educational institutions in each State, as the State determines, to establish a universitywide water resources research institute or center, in the general pattern of the Hatch Act of 1887 which authorized the agricultural experiment stations. Each State center will be entitled to $100,000 annually on a continuing basis, plus matching funds for specific research or experimental projects. The Secretary of the Interior is also authorized to make grants, matching agreements and contracts with other colleges,

and universities, States and other governmental agencies, private foundations and other institutions, firms and individuals, to conduct water research projects within the scope of the Department of Interior's mission in the water field. Appropriation of $5 million in the first fiscal year, increasing to $10 million over the next 5 years, would be authorized.

The program does not meet the need for expansion of direct Federal research work on important water problems like pollution control, weather modification and saline water conversion, nor the need for the Departments of the Federal Government, other than Interior, to use the colleges and universities on research projects in their fields of responsibility. Just as the agricultural experiment stations supplement Federal agricultural research at Beltsville and many other direct Federal agricultural laboratories and research centers, the water research program proposed in this bill would supplement present programs of Federal agencies, not supplant them.

When I introduced the original draft of the bill, I said:

The proposal is not a solution to all water resources research problems. It will make a great contribution both to the assurance of adequate water supplies and the advancement of our scientific knowledge but there will be a continuing necessity for special Federal water research programs such as the present saline water and pollution control work. There will be need for intensified fundamental scientific research into the nature of this element, and into every aspect of the hydrologic cycle, not only in the colleges and universities, but wherever competent scientists can be enlisted and supported in the work.

This bill proposes what I believe will become a very important part of the sort of national water research program called for by the Senate Select Committee on National Water Resources in its 1961 report, but only one part of it.

Other parts of my explanation of the original bill are equally pertinent to the present bill.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of these remarks, excerpts from that original statement of July 27, 1962. Repetitive portions will be deleted.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, in my original remarks, I included statements from a number of eminent educators and scientists in regard to some of its major features.

They include the findings of a symposium of engineers that water research involves many fields of knowledge—mathematics, physics, chemistry, geology, meterology, statistics, bacteriology, biology, geography, soil, science, agriculture, forest management, law, economics, public administration, political science, medicine and sociology. This listing supported the finding that water research must be interdisciplinary, with highly trained men available from a broad array of fields.

Dr. Joseph L. Fisher of Resources for the Future, and Dr. John C. Geyer of the Department of Sanitary Engineering and Water Resources at Johns Hopkins University are quoted on the need for more scientists—social as well as physical scientists—working in the water field. Together with Dr. Carl E. Kindsvater of the University of Georgia, they support the urgency and great value of combining research and education to bring about the training of much-needed scientists specializing in water problems.

The original endorsements of the basic objectives of this water resources research proposal could now be extensively supplemented from the reports of the executive agencies on S. 3579, from the findings of educational and scientific bodies who have independently made recommendations paralleling S. 3579 since its introduction, and from communications about the proposal from people with knowledge of our critical water situation.

I shall cite some of these supporting statements which are pertinent to features of the bill which have been and will doubtless be debated further, during its consideration.

It has been suggested that regional, rather than State, water research centers would be adequate and that in some instances other than land-grant institutions should be designated as the home of the State water research agency.

The original bill provided that funds for a center should go to a land-grant college or university, or "such substantially equivalent arrangement as the State shall determine." That has been changed in the current draft to specify a land-grant institution or "other institution of higher education as the State shall determine." This is intended to make clearer that the State may designate whatever college or university it considers best to conduct interdisciplinary water research work. The new draft is further amended to authorize, but not require, two or more States to join in a single interstate or regional water research agency if they desire to do so.

There should be such discretion in the bill, but I am prepared to defend, with the backing of some outstanding authorities, the wisdom of staying close to the pattern of the Hatch Act of 1887—the Agricultural Experiment Station Act—which authorized the establishment of experiment stations at the land-grant school in each State.

Report No. 1 of the President's Science Advisory Commission on "Meeting Manpower Needs in Science and Technology" declares:

Additional first-rate educational opportunities should be located in such manner as to serve all geographic areas more effectively. Centers of excellence serving more regions and States would stimulate and spread economic progress because, as recent experience has shown, industry tends to concentrate around leading institutions of science and technology. In addition to enlarging present programs, special arrangements will be required to assist areas of the country which now possess inadequate foundations for an effective graduate education program.

The President's Committee also found:

Nowhere are the benefits of scientific research more dramatically revealed than in food production. Fifty years ago in this country an agricultural worker produced food for only 3 or 4 others in contrast to his capability to feed 27 individuals today.

This accomplishment can be directly attributed to research that has been systematically supported by the Federal Government, the States, and private sources, in programs that have historically and effectively linked education and research. As a consequence, universities have been eminently able to meet changing needs.

The universities to which this comment alludes, are, of course, the land-grant institutions proposed to be activated in the water field by the bill I have introduced. The program of systematic Federal, State, and private support effectively linking education and research to which our great success in the food field is attributed is the exact pattern which would be established in the water resources field by the measure I have presented, for the language of the Water Resources Research Act is the language of the Hatch Act which started the agricultural experiment station system.

In the field of water research, the proposed act would spread centers of competence to serve the needs of the States on the same pattern which the President's Committee found the most outstanding example there is of the benefits of scientific research.

The Committee on Natural Resources of the National Academy of Sciences—National Research Council, in its study of the status of natural resources research for the President, has come to the conclusion that—

In adapting their research programs and activities to the requirements of the problems outlined in this report, governmental and nongovernmental agencies and institutions should take full advantage of the resources of the universities, contracting out especially those studies for which the universities are uniquely equipped. It should be remembered that an important byproduct of the university research is the training that accompanies it, and the committee reemphasizes the need for training research workers to deal effectively with the problems relating to natural resources. These problems require closer cooperation between natural and social scientists.

The National Science Foundation group concluded that the Federal Government should "enlist the potentials of land-grant institutions" and that—

These institutions should be encouraged to extend their interest to cover the total span of natural resources, particularly as they relate to the future well-being of the areas they serve. For example, these institutions in the coastal States could develop fisheries experiment stations similar to the agricultural experiment stations which have so successfully aided the development of agriculture in the United States.

The faculties of these universities should be called upon to serve as advisers and assistants to local and State agencies with responsibilities for resource development, planning, and management.

It is appropriate to repeat at this point that one of the facts which stimulated the original concept of S. 3579 was the Interior Committee's finding, during a committee survey of current water research and study activities, that the States, in their efforts to meet pressing water problems, are already calling on land-grant college and university faculty members for help and advice.

As the cooperative Federal-State water resources planning work recommended by the Senate select committee, and by the President, gets underway—and there is going to be water planning because of the pressure of requirements whether Congress provides an orderly method or it has to be a patchwork job—State and local officials throughout the Nation are going to have increased need for such advice and assistance.

The conclusions of the National Academy study and of the President's Science Advisory Committee that we need more centers of competence, and that they should be available to aid State and local needs, are sound and strongly support the soundness of assistance to each State to provide itself with the services of a water resources research center.

There are a great many water problems that are of interstate, regional, national, and even worldwide in character, such as saline water conversion and pollution. The soap companies sell detergents everywhere. The chemistry and the physical characteristics of the element itself are the same in New York and California, regardless of which is the bigger State. They are the same on all of the continents of the world, and much of the knowledge we gain through water research will have value in our international relationships.

But water problems also vary with every difference in the environment in which the water occurs. Environment varies with the nature of human habitation and use in the area in which it occurs, with climate, with topography, elevation, vegetative cover, or lack of it, geology and scores of other factors.

There is fully as much variation in problems, and therefore justification and need for water resources research centers by States as there was and is for the agricultural experiment stations which have had such phenomenal success.

Another point of considerable discussion concerning this water research proposal has been the scarcity of hydroscientists. Fear has been expressed that the new State centers will enlist and draw scarce manpower away from useful water research work now in progress.

There are not going to be 50 water research centers set up suddenly a week after this measure passes Congress and is signed. There must first be appropriations. The States must designate colleges and universities to establish centers, or institutes. The institutions designated will have to develop plans for competent and useful research having regard, under the terms of this revised bill, to the avoidance of any undue displacement of scientists and engineers elsewhere engaged in water resources research.

Development of the centers will come over a period of several years. It may not require 25 or 30 years, as in the case of agricultural experiment stations, but it would not all happen in 1 year. Department of Interior estimates, in its report on S. 3579, indicate that the programs will still be somewhat below maximum authorizations in the bill after 5 years.

Engineers, hydrologists, and physical scientists will not be required for all of the projects undertaken, nor for all of the tasks of training needed personnel which are involved. Water problems are social as well as physical. There is a great deal we need to know about the economic value of water in alternative uses, about the suitability and adequacy of our divergent systems of riparian and appropriation rights in water law, about the efficiency and effectiveness of the social and political institutions which administer water, the social and economic objectives of water resources development, the economic effects of interbasin transfers, the potentialities of flood plain zoning, methods of evaluating the use of water for recreation and scenic preservation, and a great many other matters outside the field of physical sciences. Many questions outside hydrology and engineering will arise in the process of planning river basins for optimum use, as we are committed to do.

We are assured that there are a great many highly trained members of the faculties of colleges and universities, trained in both the social and scientific disciplines involved in water problems who, although not classified as hydroscientists, can be enlisted to specialize on work related to water and to conduct water related research, and direct and train students in such work. A great deal of effective and competent work can be accomplished in the period in which additional pure hydroscientists are being trained, which will also contribute to their training.

The University of New Mexico has just published a very valuable study of the comparative economic values of water in alternative uses directed by Dr. Nathaniel Wollman, an economist.

The study indicates that water from our San Juan-Chama project used for recreation will add four to five times as much to the State's gross product as water used in agriculture. Water used by industry will increase gross State product 12 to 15 times more than use in recreation. A new mix of water uses is clearly in order.

Traditional social and economic concepts about water have been shaken not only in New Mexico, but in all water-short areas by the study. Things we have suspected have been factually demonstrated. A great deal of research, restudy, and replanning of water developments will need to be done to assure optimum use. There is need for research into our institutional arrangements for the transfer of water between uses. Standards and criteria for the justification of water projects must be reviewed. Repayment arrangements and pricing schedules will need restudy.

In its summary report on "Natural Resources Research" which was issued January 9, the National Science Foundation-National Research Council says in regard to water:

> Systems research directed toward simultaneous evaluation of combinations of alternative uses, operating procedures, and physical structures would greatly benefit all agencies having responsibility for regional and water basin developments. This research must utilize social as well as physical data and thus will require programs of supporting research in the social sciences as well as the physical sciences and engineering.

Any argument that we do not have adequate trained personnel to attack water problems competently and fruitfully in a very considerably expanded research program is necessarily based on a narrower concept of the nature of problems which need to be studied than the reality.

Mr. President, the reports of the executive agencies have almost unanimously endorsed the basic objectives of S. 3579. Nearly all have made suggestions for amendments. Many of them have been incorporated in the draft I have just introduced. A few have not. All will be considered, of course, in committee hearings and executive sessions on the measure.

The major departmental reports have reached the committee since the new year so there has not been time to consider all suggestions for revision as carefully as will be done with more time.

The reports, and nongovernmental endorsements of the basic program proposed in S. 3579, are convincing that the measure deserves the attention and study of the Congress.

The Department of the Interior has "strongly recommended enactment of this legislation."

The Secretary of the Army has raised several questions in regard to S. 3579, which have been clarified in the new measure, but reports:

> The Department of the Army believes that an expansion of State research in the water field, supplementing and complementing the water research of the Federal agencies, would be desirable. Moreover, it is believed that an increase in the grants which the Federal Government now makes to the States to encourage research would be justified by the benefits which would accrue to the Nation as a whole. Hence the basic objective of S. 3579 has the full support of the Department of the Army, on behalf of the Department of Defense.

The Federal Power Commission asked that the measure be amended to assure that "other interested Federal agencies," as well as departments involved in water programs, are advised and consulted. After explaining the Commission's interest in hydroelectric power development and multiple-purpose planning of river basins, Chairman Joseph C. Swidler states:

> The Commission favors enactment of legislation that would accomplish the objectives of this bill.

The Tennessee Valley Authority, while raising the question of using regional instead of State research centers, reports:

> We strongly subscribe to the bill's objective of encouraging research relating to the conservation, development and more effective use of our water resources. We believe that the proposal to make greater use of our colleges and universities in such a program is sound, not only as a means of acquiring needed technical assistance for research but also as a means of increasing the general interest of the colleges and universities in our water resources. We believe also that the problems in this field are so broad in scope and of such national importance that the Federal Government should provide direction and financial assistance in the efforts to solve them.

In his report on S. 3579, Dr. Jerome Weisner, the President's science adviser and Director of the Office of Science and Technology, prefaces his specific suggestions with this comment:

Legislation along the general lines of the bill could serve a useful purpose in providing additional authority and funds for a concerted approach to the problems in the field of water resources research. To carry out the additional research in water resources needed to assure an abundance of water of adequate quality requires augmentation of research in the universities to more effectively utilize their research potential, to bring to bear the several interrelated disciplines bearing on water resources, and to train the new scientists and engineers sorely needed for research and teaching in this field.

Some half dozen Federal departments and agencies have major responsibilities in water resources requiring research. They support research in their own laboratories and in the universities in accordance with their missions. The extent of such support is quite modest in relation to the needs for better understanding of the problems involved. Shortages of highly trained manpower would particularly limit the expansion of creative research in this field even if more funds were made available. There are many different kinds of research needed in water resources ranging from basic scientific research, on the one hand, to applications engineering and economic analyses on the other. There is a special need for research and analysis that draws on the combined talents of scientists, engineers, social scientists, economists, lawyers and others. There is also a need at local levels for technical analyses and studies to apply the findings of research. The research problems may be national or highly local in character.

As I perceive the broad objective of legislation along the lines of the bill, it should be aimed at supplementing existing agency arrangements for support of water resources research by fostering university-planned and initiated research and investigation that draws on the diverse scientific, technical and other skills throughout the schools and departments of the university or college; that is directed at State, regional or national water resources problems; and that is not shaped by the mission of a particular Federal agency providing financial support. Federal support of a program of this nature would need to be administered in the broad national interest and in the interests of all the Federal agencies having missions in water resources.

I would hope that the flavor of the foregoing remarks could better be reflected in your bill so that there would be no misunderstanding as to its objective to supplement existing forms of support in certain important respects. On the other hand, by strengthening and expanding university- and college-wide capabilities for water resources research, additional research potential would be made available to all of the interested Federal agencies.

The report of the Bureau of the Budget identifies that agency with Dr. Weisner's report and specific suggestions made in subsequent portions of his letter.

Much of the suggested flavor, as well as most of the specific modifications, which Dr. Weisner recommended, will be found in the new draft of the proposed legislation.

A point of concern emphasized by the Budget Bureau concerned coordination. Language in S. 3579 which directed the Secretary of the Interior to encourage a coordinated Federal water research program has been deleted. The word "encourage" was disregarded and the clause aroused the fears of some departments that Interior might be getting some surveillance over them. No such authority was intended. It is disclaimed in the new draft in a proviso so extensive and explicit it should end all fears.

The Executive Office of the President is working toward coordination of water resources research through the Office of Science and Technology. The Water Resources Planning Act, previously discussed, will provide coordination in the water planning field through the proposed Federal Water Resources Council, composed of the Secretaries of the Interior, Agriculture, Army, and Health, Education, and Welfare. Coordination of both planning and research is needed and can wisely be provided in the manners intended. It is neither attempted nor intended in this Water Resources Research Act.

Because administration of the proposed research program as a supplement to present work will require that the Department of the Interior know of research projects in progress and planned throughout the Government, provision is made for the Department to be advised of research projects underway and planned by all of the Departments. Since it will have this information at hand if the measure is enacted, it is further directed to make up a file, or catalog, of all the Federal projects for public as well as departmental use.

This is a bookkeeping function—not coordination. It is needed. It took our committee months to gather together data on water resources projects underway within the Federal Government last year. It is already out of date. The bill I have proposed provides for the Department of the Interior to maintain a catalog of projects on an interim basis and authorizes the President to transfer it as he determines wise upon the establishment of a central catalog on scientific research, or an overall program for keeping such information available.

It has been gratifying that a number of major groups concerned with our water resources have endorsed S. 3579 directly, or in terms of its objectives.

The Association of State Universities and Land-Grant Colleges adopted two resolutions in respect to S. 3579, one originating in its committee on water resources. The second was offered by its engineering division.

Mr. President, I ask unanimous consent to include in my remarks at this point the two resolutions approved by the association at its convention here November 12 and 13.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolutions are as follows:

REPORT FROM THE COMMITTEE ON WATER RESOURCES OF THE ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES

The water resources committee also considered the proposed legislation known as the Anderson bill, S. 3579. The committee endorses S. 3579 as recognizing problems of extreme national concern. For many years, the land-grant institutions through their research and education capabilities have been working on these problems. However, the Anderson bill provides the mechanism for them to take a concerted national action through—

(a) Providing for the establishment of universitywide water resource research institutes or the equivalent.

(b) Providing continuing financial support for research on the water resources problem.

The water resources committee believes that the Anderson bill is to be commended particularly for its forward-looking proposals in five areas:

(1) It identifies the need for basic research and a focus of multidiscipline capabilities on the water resources problem.

(2) It recognizes the need for local and regional centers of interest and activity on water resources problems.

(3) It provides a mechanism for increasing the supply of highly educated manpower capable of dealing with water resources problems.

(4) It provides for a realistic combination of funds for continuing research programs with funds for grants and contracts on a short-term, special-project basis.

(5) It creates a channel that does not now exist through which a Federal Government agency and the educational institutions of America can mutually advance the national interests in a key resources area.

The water resources committee suggests that, if practical, the language of the bill should be amended to give consideration to the following suggestions:

(a) That matching of Federal funds by the States under section 100(b) be on a dollar-for-dollar basis.

(b) That for clarity, section 106 be placed under title III.

(c) That provision for continuation of title II funds beyond 1969 be included.

(d) That the Service should use consultants and advisory boards to the fullest extent practical in identifying the research problems of most importance to be financed by title II funds.

Approved, water resources committee, November 11, 1962.

W. E. MORGAN,
Chairman.

Approved by the Senate of the Association of State Universities and Land-Grant Colleges, November 13, 1962.

RESOLUTIONS FROM THE ENGINEERING DIVISION, ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES

The Engineering Division of the Association of State Universities and Land-Grant Colleges heartily endorses S. 3579, the Anderson bill, and supports its enactment. The bill is commended for its proposals to establish State water resources research institutes, to provide funds for both continuing research programs and project research, and to establish a Water Resources Service in the Department of the Interior. The division believes that engineering research and education have much to offer to this proposed coordinated effort to focus the strength of educational institutions on the water resource problem. The member schools of engineering of the division look forward to participating in the proposed university-wide efforts. The division believes that passage of the Anderson bill will open up a much-needed channel for cross-fertilization between programs of the Department of the Interior and those of educational institutions. Copies of this resolution are to be sent to Senator ANDERSON, the Department of the Interior and the Office of Science and Technology.

Approved, engineering division, November 12, 1962.

J. D. RYDER,
Secretary.

Approved by the Senate of the Association of State Universities and Land-Grant Colleges, November 14, 1962.

Mr. ANDERSON. Mr. President, I ask unanimous consent also to include at this point in my remarks a resolution adopted by the Interstate Conference on Water Problems of the Council of State Governments at its annual meeting in Chicago on December 5, 1962.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution is as follows:

RESOLUTION ADOPTED BY THE INTERSTATE CONFERENCE ON WATER PROBLEMS OF THE COUNCIL OF STATE GOVERNMENTS REGARDING WATER RESOURCES RESEARCH

Whereas the constantly increasing demand upon the Nation's water resources necessitates an immediate and pronounced acceleration of water resources research; and

Whereas the States have a responsibility to aid in the solution of problems requiring research; and

Whereas there was introduced in the 87th Congress legislation which could be helpful in promoting such research and in assisting the States in discharging their responsibilities: Now, therefore, be it

Resolved by the Interstate Conference on Water Problems meeting in Chicago, December 5, 1962, That the States are urged to increase their support of coordinated programs of water resources research; and be it further

Resolved, That the Congress is urged to give favorable consideration to legislation providing for distribution of sums for research in furtherance of programs developed by a qualified college or university in each State and Puerto Rico, or such other substantially equivalent arrangement as the State may determine, such distribution to be made only after consultation with the Governor or appropriate State agency as the Governor may direct and for programs of coordinated research or for programs which are compatible with coordinated research programs.

Adopted, Chicago, Ill., December 5, 1962.

Mr. ANDERSON. Mr. President, I have today received a letter from the American Society of Civil Engineers saying that the "society believes that enactment of legislation along the general lines of this bill (S. 3579) would advance its aims in the field of water related research."

Mr. President, I ask unanimous consent to include the society's letter, signed by Mr. William H. Wisely, in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

AMERICAN SOCIETY OF CIVIL ENGINEERS,
January 10, 1963.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: The American Society of Civil Engineers has a continuing interest in all aspects of national water policy. On the basis of its study of all aspects of water problems, the society is convinced of the need for an increase in research in civil engineering fields related to water resources.

It is the thoughtfully considered viewpoint of this society that support should be given to the general principle of Federal-State participation in such research. Furthermore, it is essential that provision be made for better coordination of research and educational approaches to the development of water resources.

In recent months, note has been taken of the prospect of establishment of water resource institutes at each land-grant college, through the enactment of S. 3579 of the 87th Congress. The society believes that enactment of legislation along the general lines of this bill would advance its aims in the field of water-related research.

It is hoped that there will be an appropriate time and place for full discussion of future policies for water resources research. At such time, well-qualified and informed officers and members of this society would welcome the opportunity to elaborate upon this brief statement.

Cordially,

WILLIAM H. WISELY,
Executive Secretary.

Mr. ANDERSON. Mr. President, I ask unanimous consent that a resolution adopted by the policy and coordinating committee on water resources of the University of Idaho may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution is as follows:

RESOLUTION ON S. 3579 BY THE POLICY AND COORDINATING COMMITTEE ON WATER RESOURCES OF THE UNIVERSITY OF IDAHO

Whereas Senate bill 3579 which is better known as the Water Resources Research Act submitted by Senator ANDERSON, of New Mexico, is now before the Congress; and

Whereas this bill is designed to establish a water resources research institute at the various State universities to promote a more adequate national program of water research and to train competent personnel in fields related to water resources; and

Whereas the University of Idaho through its policy and coordinating committee on water resources is dedicated to assisting in formulation of coordinated research and planning for the development of the water resources of the State of Idaho and is interested in a coordinated water resources policy and program for the Nation; and

Whereas the University of Idaho recognizes that the manner in which we utilize and develop water resources will influence our health, security, economy and well-being for all time, and as such, support from this act would help to meet the needs of the University of Idaho and the Nation as a whole; and

Whereas it is the considered judgment of the policy and coordinating committee on water resources and its advisory committee, as listed below, that the bill is in the best interest of the University of Idaho, the State of Idaho, and the Nation that the proposed legislation be enacted: Now, therefore, be it

Resolved, That the congressional delegates from the State of Idaho and the Governor of the State of Idaho use their good offices to lend their support and endeavor to obtain the adoption of the Water Resources Research Act, Senate bill 3579.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2) to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities and centers of competence, and to promote a more adequate national program of water research, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy and purpose of the Congress to assure the Nation at all times an abundance of water, both as to quantities and quality, necessary to meet the requirements of its expanding population, and, to help achieve this objective, to stimulate, sponsor, and provide for the conduct of research, investigations, and experiments in the field of water and related resources as they affect water, supplementing present programs, and to encourage the training of scientists in fields related to water by assistance to colleges and universities in the development of water resources research programs.

TITLE I—STATE WATER RESOURCES RESEARCH INSTITUTES OR CENTERS

SEC. 100. (a) There is authorized to be appropriated, for the fiscal year 1964 and subsequent years, for distribution to a college or university in each State and Puerto Rico, established in accordance with an Act approved July 2, 1862 (12 Stat. 503), entitled "An Act donating public lands to the several States and territories which may provide colleges for the benefit of agriculture and the mechanic arts", or such other institutions of higher education as any State shall determine, a sum adequate to provide $75,000 to each State in the first year, to be increased by $12,500 each succeeding fiscal year for two years and to continue at $100,000 thereafter, for the purpose of establishing a collegewide or universitywide water resources research institute, center, or equivalent agency. It shall be the duty of each such institute or center to plan and conduct and/or arrange for a component or components of its college or university to conduct competent researches, investigations, or experiments, of either a basic or practical nature, or both, in relation to water resources, including but not limited to aspects of the hydrological cycle, supply and demand for water, conservation and best use of available supplies, methods of increasing such supplies, economic, legal, social, engineering, recreation, biological, geographic, ecological, and other aspects of water problems, as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States and Puerto Rico, to water research projects being conducted by agencies of the Federal Government, and to those related to agriculture being conducted by the agricultural experiment stations, and also having regard to avoidance of any undue displacement of scientists and engineers elsewhere engaged in water resources research.

(b) There is further authorized to be appropriated to the Secretary of the Interior in the fiscal year 1964 the sum of $1,000,000, increasing by $1,000,000 each year for four years to $5,000,000 in fiscal year 1968 and thereafter, which the Secretary of the Interior may use to match, on a dollar-for-dollar basis, funds made available to State water resources research institutes or centers by the States or other non-Federal sources, to meet the necessary expenses of water resources research projects which could not otherwise be undertaken, including the expense of planning and coordinating regional water resources research projects by two or more State water research agencies.

SEC. 101. Sums available to the States under the terms of section 100(a) of this Act shall be paid to the designated institution or institutions in each State in equal

quarterly payments beginning on the first day of July of each fiscal year upon vouchers approved by the Secretary of the Interior. Each such agency authorized to receive funds shall have an officer appointed by its governing authority who shall receive and account for all funds paid to the State under the provisions of this Act and shall make an annual report to the Secretary of the Interior, on or before the first day of September of each year, on work accomplished and the status of projects underway together with a detailed statement of the amount received under any of the provisions of this Act during the preceding fiscal year, and of its disbursement, on schedules prescribed by the Secretary of the Interior. If any of the moneys received by the authorized receiving officer of any State water resources research agency under the provisions of this Act shall by any action or contingency be found by the Secretary of the Interior to have been improperly diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to such States. Pending a meeting of the legislature of any State, the Secretary of the Interior shall pay sums appropriated pursuant to section 100 of this Act to a qualified institution designated by the Governor of such State.

SEC. 102. Moneys appropriated pursuant to this Act shall also be available, in addition to meeting expenses for research and investigations conducted under authority of this Act, for printing and disseminating the results of such research, retirement of employees subject to the applicable provisions of the Act approved March 4, 1940 (54 Stat. 39), administrative planning and direction, and for the purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. The State water resources research agencies are authorized to plan and conduct any research authorized under this Act in cooperation with each other and such other agencies and individuals as may contribute to the solution of the water problems involved, and moneys appropriated pursuant to this Act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research. Two or more States may cooperate in the designation of a single interstate or regional research institute or center.

SEC. 103. Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of the researches and experiments, including lists of publications available for distribution by the institutions, shall be transmitted in the mails of the United States under penalty indicia: *Provided, however,* That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such publications may be mailed from the principal place of business of the institute or center, or from an established subunit of such agency.

SEC. 104. The Secretary of the Interior is hereby charged with the responsibility for the proper administration of this Act, and, after full consultation with other Federal agencies, is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions, including requirement of a showing that agencies designated to receive funds have, or may reasonably be expected to have, the capability of doing effective work. It shall be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this Act, including participation in coordination of research initiated under this Act by the State water resources research agencies, from time to time, to indicate such lines of inquiry as to him seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several State water resources research agencies and between the State agencies and the United States Department of the Interior and other Federal establishments.

On or before the 1st day of July in each year after the passage of this Act, the Secretary of the Interior shall ascertain as to each State whether it is entitled to receive its share of the annual appropriations for water resources research under section 100(a) of this Act and the amount which thereupon each is entitled, respectively, to receive.

The Secretary of the Interior shall make an annual report to the Congress of the receipts and expenditures and work of the water resources research agencies in all States under the provisions of this Act and also whether any portion of the appropriation available for allotment to any State has been withheld and if so the reasons therefor.

SEC. 105. Nothing in this Act shall be construed to impair or modify the legal relation existing between any of the colleges or universities under whose direction State water resources research institutes or centers are established and the government of the States in which they are respectively located: *Provided,* That in any State which designates more than one such college or university to have a water resources research center the appropriations made pursuant to section 100 (a) of this Act for such State shall be divided between such institutions as the legislature of such State shall direct: *Provided further,* That in any instance where two or more States designate a single interstate or regional institute or center, the funds of each of the States under section 100(a) may, upon the direction of the States, be paid to the designated agency.

TITLE II—ADDITIONAL WATER RESOURCES RESEARCH PROGRAMS

SEC. 200. There is authorized to be appropriated to the Secretary of the Interior $5,000,000 in fiscal year 1964, increasing $1,000,000, annually for five years, and continuing at $10,000,000 annually thereafter from which he may make grants, contracts, matching, or other arrangements with educational institutions, private foundations, or other institutions; with private firms and individuals; and with local, State, or Federal government agencies, to undertake research into any aspects of water problems related to the mission of the Department of the Interior, which may be deemed desirable and are not otherwise being studied.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 300. The Secretary of the Interior shall arrange for the regular advice and cooperation of all agencies of the Federal Government concerned with water problems, of State and local governments and of private institutions and individuals, to assure that the programs authorized in this Act will supplement and not duplicate established water research programs, to stimulate research in otherwise neglected areas, and to contribute to a comprehensive, nationwide program of water and related resources research. He shall make generally available information and reports on projects completed, in progress, or planned under the provisions of this Act, in addition to any direct dissemination of information by the research agencies themselves. Each Federal agency doing water resources research or investigations shall advise the Secretary of the Interior at least once annually of work underway or scheduled by it. The Secretary of the Interior shall classify and maintain for general use a catalog of water resources research and investigation projects in progress or scheduled by Federal agencies, and by such non-Federal agencies of government, colleges, universities, private institutions, firms and individuals as may make voluntarily available information to him: *Provided,* That upon the establishment of a central or general system of cataloging current and projected scientific research in all fields encompassing the cataloging function herein authorized, the President may transfer this function as he determines to be desirable.

SEC. 301. Nothing in the foregoing section nor in this Act is intended nor shall be construed as giving its Secretary or the Department of the Interior any authority or surveillance over water resources research conducted by any other agency of the Federal Government, nor shall it be construed as repealing, superseding, or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its areas of responsibility and concern with water resources.

SEC. 302. The Secretary of the Interior is authorized to establish in the Department of the Interior a Water Resources Service for the purpose of administering programs authorized in this Act.

SEC. 303. Not to exceed 4 per centum of any funds appropriated pursuant to the provisions of this Act may be used for the purpose of administration. The Secretary of the Interior is authorized to employ a director of the Water Resources Service at civil service grade 18 and, if necessary to obtain personnel competent to administer a program involving scientific knowledge and highly trained staffs, he may employ not to exceed five employees above civil service grade 15 in addition to the number otherwise authorized by law.

SEC. 304. Contracts or other arrangements for water resources research work authorized under this Act may be undertaken without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529) when in the judgment of the Secretary of the Interior such payments are necessary to facilitate such research.

SEC. 305. Within not more than a year following the fifth year of operation of this Act, the Secretary of the Interior shall prepare and submit to the President for transmittal to the Senate and the House of Representatives a comprehensive report on progress and accomplishments under the Act, together with his recommendations on revisions of the Act, and with the independent recommendations of the governing authorities of the State colleges and universities on desirable revisions. This section is not intended to preclude any interim recommendations deemed desirable.

SEC. 306. This Act may be known as the Water Resources Research Act.

The excerpts presented by Mr. ANDERSON are as follows:

EXCERPTS FROM THE STATEMENT OF SENATOR CLINTON P. ANDERSON UPON INTRODUCTION OF S. 3579 ON JULY 27, 1962

The dollar authorizations for water resources research included in the bill are, if anything, too modest.

At the present time Federal appropriations for water and related resource development are in the order of $1¼ billion. Total national expenditures are estimated to be running $10 billion annually and they will have to double that amount, averaging $20 billion a year, during the next 20 years, if the Nation is to keep pace with water requirements.

The $20 million total maximum Federal support for water research proposed in this bill is less than 2 percent of the rate of Federal expenditures for water development, only two-tenths of 1 percent of the national rate of expenditure on water development and amounts to only 1 mill—one-tenth of 1 percent—of each dollar of average annual investment in water resources needed in the two decades just ahead.

Since the bill would establish water resources research institutes in every State to service nationwide need for research and information the comparison of cost with the total national investment in water facilities is the most appropriate.

The Interior and Insular Affairs Committee has attempted to keep in touch with the progress of the surveys being made at the President's direction and to be prepared, as soon as the reports are ready, to hold hearings and expedite needed legislation.

The committee has itself obtained reports from the executive departments and agencies most involved on their water resources research activities.

In addition, in order to have a broad national picture of the water research situation, it has obtained information from more than a hundred colleges and universities, foundations, companies, and individuals, and their suggestions and recommendations as to a national water resources research policy and program.

A few points have been emphasized repeatedly in the replies which the committee has received to its inquiries.

One of them is the need for more fundamental scientific research in the water field—the basic research to provide a better basis for natural resources planning of which the President spoke in his message.

Numerous responses to the committee's request for views and recommendations urge greater emphasis on such fundamental studies.

Another point is the large number of disciplines, or fields of specialized knowledge, involved in solving our water problems. They involve not just hydrologists but virtually every field of the physical sciences from the astronomy to geology, the social sciences, engineers, economists, and water lawyers.

In June 1961 an important symposium was held on research needs in civil engineering fields related to water resources under the joint sponsorship of the American Society of Civil Engineers, the Bureau of Reclamation, and Colorado State University. Findings of the panel on the needs for an expanded research program on conservation and utilization of water at that conference, under the chairmanship of Mr. Harvey O. Banks, formerly director of the Division of Water Resources of the State of California and now vice president of the engineering firm of Leeds, Hill and Jewett, which have been submitted to our committee, emphasize this point in telling engineers of the greatly broadened field with which they must deal in handling engineering aspects of water projects. The report said, in part:

"In past years civil engineering research has generally kept pace with national growth within the limits of a slowly growing body of basic knowledge. However, with the recent upsurge in scientific knowledge and burgeoning trends in population growth and industrialization, there are now concentrations of water demands and waste-producing activities which, coupled with new types of demand on water resources, tremendously increase the complexity of civil engineering tasks. It is clear that this requires tremendous increases in engineering knowledge in order to do the necessary job most efficiently and most economically, and to develop methods for taking care of needs at the time when total water requirements approach the limit of the available supplies.

"The scope of the research effort required includes not only basic research, that is, inquiry into basic phenomena such as soil-water-plant relationships and atmospheric physics, but also the development of new or improved designs, techniques, methodology, and procedures, through applied research and field experimentation. More research attention needs to be given to measurement and evaluation of the effects and results of operating projects in order to have the benefit of such information in the planning and management of future projects. The additional information now needed by the civil engineer in his task of water development involves not only engineering research but also the physical sciences and the social sciences. Thus, an interdisciplinary approach to research is mandatory. The following are but a few of the many disciplines involved: mathematics, physics, chemistry, geology, meteorology, statistics, bacteriology, biology, geography, soil science, agriculture, forest management, law, economics, public administration, political science, medicine, sociology.

"To the extent that most governmental agencies find it difficult to undertake interdisciplinary research into such basic subjects as objectives of planning and allocation of resources, because of the limitations in their basic legislative authorities, it will be necessary for general subjects to be attacked by legislative committees and by university research people. Research scholars will have to be drawn from the social sciences and public administration fields, but the panel believes that the concepts of the research projects should be evolved by the engineering faculties. In regard to university research, the panel wishes to emphasize that the needed research effort goes beyond the so-called basic research and that problems of applied research are equally worthy of attention. Governmental agencies should initiate or expand, as the case may be, programs for sponsorship and support of research activities at the universities."

Still another point of emphasis in the committee's responses is the shortage, not only of hydrologists, but of scientists and experts in the many related fields who are familiar with water problems.

Dr. Joseph L. Fisher of Resources for the Future wrote, in response to the committee's inquiry:

"We believe there is a genuine shortage of well-qualified personnel for water resources planning, research and administration. In view of the very large investment the Federal Government is called upon to make in water development, it may wish to consider possible arrangements for assisting universities in strengthening programs of study for graduate-level students in various aspects of water development. Particular emphasis should be placed on development of people who can conduct research in the water field and who can participate effectively in planning complex systems of water resources management."

John C. Geyer, chairman of the department of sanitary engineering and water resources at Johns Hopkins University, responding to the committee for his school, wrote:

"Scientifically trained people of exceptional ability rarely go into the water field. If an attempt were made to establish broadly based fresh water science research institutes, difficulty would be encountered in staffing them with competent people. Universities need support in developing water science training programs to provide staff for such institutes. Students should be attracted from all the sciences and professions and afforded an opportunity to pursue any of a variety of educational and research projects related to water."

Still another point of repeated emphasis, reflected in the two quotations just given, was the advantage—if not the absolute necessity—of going to the colleges and universities of the Nation for experts in the many fields involved and tying research and education together.

Prof. Carl E. Kindsvater, of the University of Georgia, wrote us, for example:

"I would emphasize that research and education cannot be considered separately, for just as education is essential to the performance of research, so is research essential to the education process. I believe, therefore, that a considerable part of the Federal Government's investment in water-related research should be earmarked for the support and intensification of university research and graduate study programs."

There was an additional point, not directly commented upon in the responses to the committee, but apparent from the nature of water resources activities reported to us by many of the colleges and universities.

That is the need for centers throughout the country where State officials concerned with State, regional and local water problems, local officials involved in municipal water supply, and waste disposal industries, farmers who are dependent on water to produce their crops, recreation planners and administrators, soil conservationists and the many, many others who have special concern with water, can turn both for research assistance and information. It is well expressed in the statement that, in addition to research, we must have a system of communication to water users through which new information and the results of research can be disseminated to water users. Users include not just a comparative few governmental officials and private industries, but all the farmers and householders and citizens in the Nation.

Reports from many of the colleges and universities show that their faculty members are already consulting with governors, State planning agencies, fish and wildlife officials, mayors and water commissioners, industries, soil conservationists and others, on State and local water problems of a widely varying nature. The problems are not confined to a few familiar fields such as control of water erosion of the land, water quality and waste disposal, but include water resource planning in the local areas, revision of water law to meet modern needs, methods of evaluating economic benefits—the whole gamut of potential problems in the field as they relate to local, State and regional situations.

It is impossible to study the materials gathered together by the Interior Committee without realizing that we must have more than a Federal water research program. We must have a nationwide program, with centers out in the States where research on local problems will be given attention along with broader and more basic research, and where local applications of knowledge developed, anywhere in the Nation, or the world, can be worked out.

The points I have outlined constitute a diagnosis of some major needs in the water resources field. The prescription to meet these needs is not difficult to write. We already have a highly successful national research system, with 75 years of experience and demonstrated worth behind it, which meets these very needs—our agricultural research establishment.

That establishment, in addition to extensive direct Federal research, includes a system of agricultural experiment stations at the land-grant colleges and State universities, established under the Hatch Act approved March 2, 1887.

These experiment stations make available the finest scientists on the college and university faculties for study of both the basic scientific concerns and the practical problems of agriculture. They combine education and research. They produce both research reports and the highly trained personnel necessary to carry on the work in the future. They serve a State and local clientele, meeting their needs for research and for information on local problems.

The bill I have introduced today to establish water resources research institutes at the land-grant colleges and State universities, and to encourage water research

at other colleges and universities, foundations, private research agencies and individuals is an effort to copy and expand the agricultural experiment station system and the pattern on which it was built.

Much of the language of the bill is from the Hatch Act of 1887, or a revision and codification of that act and laws supplementing it which was passed by Congress and approved August 11, 1955.

The pattern includes the provision of a basic appropriation to help establish a Water Resources Research Institute in each land-grant school, and to supplement this modest basic grant with matching funds for specific research projects. This is copied directly from the successful agricultural pattern. The administrative provisions—the housekeeping arrangements on which a highly satisfactory Federal-State relationship have been built by the agricultural groups over three-quarters of a century, are copied almost exactly from the Hatch Act.

The proposed Water Resources Service parallels the Department of Agriculture's Cooperative State Experiment Station Service.

The bill makes it clear that there is to be no interference with water research work done by Federal departments and agencies, just as there is no interference in agriculture with the work of the Federal Agricultural Research Service or the Economic Research Service. Federal agencies should and must continue to conduct direct research on problems within their field of responsibility, as the Department of Agriculture does at Beltsville, at numerous regional laboratories, through special research contracts, and with its own nationally oriented staff.

There is little need to discuss the success of the agricultural research system which it is proposed to copy here in Congress where we are confronted with the problem of managing agricultural surpluses. We know how well the agricultural research system has worked. Its success has been phenomenal, and although we regard as a great vexation the farm surpluses which are attributable to the technological revolution in agriculture which our research brought on, there is not one of us who would trade our food surpluses for Asia's shortages. The choice between abundance and scarcity is not a difficult one.

The proposed water resources research bill contains, in title II, a separate fund which can be used to stimulate water research in nonland-grant colleges and universities, foundations, private businesses, and by individuals. This is an expansion or extension of the agricultural research pattern.

It would not be either equitable or wise, in my opinion, to limit Federal support of water research to the land-grant schools, although they are historically related to the Federal Government. Some of our most important research on water resources has been initiated in other scientific institutions. These other institutions have a considerable proporton of the scarce personnel whose attention to water problems is so greatly needed and we need to enlist qualified personnel in water research work wherever we can find it. Many of us feel that there should be greatly increased and broadened support to higher education generally. A measure of such Federal support can be provided in this instance in equity, and in the national interest.

My purpose in introducing this water resources research bill near the close of a session, and the close of a Congress, is, as previously stated, to permit discussion, improvement and refinement of the bill in the period between Congresses.

A rough draft of the measure has already been submitted to a number of college and university officials soliciting their suggestions. Their acknowledgments have, without exception, endorsed the concept and the purposes of the measure and assured cooperation in developing a revised and refined measure which I hope many Senators will join me in introducing next year.

Dr. John A. Hannah, president of Michigan State University, wrote on July 20:

"We see considerable merit in your proposal and endorse the general program which it seeks to realize. Through its proposed implementation, the draft bill takes cognizance of the fact that the use of water constitutes one of the most complex and pressing problems confronting almost every State in the country. The bill further recognizes that because of the complexities involved an interdisciplinary approach is mandatory, that both basic and applied research are required and that there is need to collect and disseminate important information pertaining to this whole problem. At the same time, the draft bill does not exclude the possibility of supplemental funds not covered by the bill.

"As indicated, we endorse the concept and general idea expressed in the draft bill."

President W. E. Morgan of Colorado State University, who is chairman of the Water Resources Committee of the American Association of State Universities and Land Grant Colleges, earlier this month, at my request, sent copies of the first draft of the bill to the 12 college and university presidents who constitute his committee, requesting their comment.

A few days ago, President Morgan wrote me:

"Replies have not yet come from all members, but it is clear that the committee strongly favors my recommending to you that you proceed without delay to introduce the bill in substantially the text embodied in the draft at hand. Our committee will in due course have some suggestions about the text."

I am, of course, pleased that the president of my own New Mexico State University, Dr. Roger Corbett, has written me that—

"This is a splendid bill and meets a most pressing public need."

He adds:

"The benefits per dollar of research investment will probably far exceed those in many other areas where the Federal Government is now sponsoring research. These research institutes will help in coordinating and encouraging the kind of comprehensive research in the water resources field which has been urgently needed for many years."

Advancing our knowledge is not a partisan matter, nor solely a private matter, nor solely a governmental concern, particularly in a critical area such as essential water supply.

In 1960, President Eisenhower's Science Advisory Committee transmitted to President Eisenhower the findings and recommendations of its Panel on Basic Research and Graduate Education. The distinguished panel was chaired by Dr. Glenn T. Seaborg, then chancellor of the University of California at Berkeley and now Chairman of the Atomic Energy Commission. The report has been published under the title of "Scientific Progress, the Universities, and the Federal Government." The Panel's report said:

"Both the security and the general welfare of the American people urgently require continued, rapid, and sustained growth in the strength of American science. We believe that most Americans are in favor of more and better science. In a general way Americans recognize that scientific understanding is at once highly valuable in its own right and quite indispensable for the sustained progress of a modern industrialized society. Most of all we have learned to recognize that the defense and advancement of freedom require excellence in science and in technology * * * American science in the next generation must quite literally, double and redouble in size and strength. This means more scientists, better trained with finer facilities. Many forces contribute to this urgent need for growth. Our population is rapidly increasing, so that there must be more and more young people to be taught, and we have nothing like the number of qualified teachers we need even now. Science itself is expanding so fast that our efforts would have to be much increased, if we were only to keep up with its international momentum. The training of scientists takes longer than it used to, and the facilities needed in a modern laboratory are usually much more complex and expensive than those that were needed only a few years ago. Science and technology today have steadily growing mutual impact, so that the practical man has need of the closest and most immediate access to new results in basic science. Thus both science and scientists must be more and more widely diffused throughout our society. We need more men doing more things, with more support, in more places. And each of these requirements is better measured by multiplication than by addition. It is the simple truth that if this country is to safeguard its freedom and harvest the great opportunities of the next generation of science, the level of its scientific investment must be multiplied and multiplied again.

"Yet the right word is 'investment.' What this country spends on excellence in the sciences is not money gone with the wind. It is money that brings us handsome returns, and of many kinds. In immediate economic terms the proposition is clear enough: What we have done in science has brought our society riches many times greater than what science costs us, and this will be true as far in the future as we can see. In economic terms, indeed, scientific investment has quite extraordinary power. Ordinary capital investments put savings to work on laborsaving machinery that is already known and understood; the increased wealth produced is what separates the developed modern society from helpless poverty. But scientific and technological investments are still more powerful tools, since they invest in the discovery of what we do not yet understand. We are only just at the beginning of the use of scientific investment in this large sense, and returns it can bring in are literally incalculable. Simply in terms of economic self-interest our proper course is to increase our investment in science just as fast as we can, to a limit not yet in sight."

As President Kennedy has pointed out, water problems are worldwide. This Nation's findings in the field of water resources will not only serve the people of the United States but peoples around the world and thereby—as the Seaborg panel has pointed out—make a great contribution to the defense and advancement of freedom.

ESTABLISHMENT OF RULES OF INTERPRETATION GOVERNING QUESTIONS OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS

Mr. McCLELLAN. Mr. President, on behalf of myself and Senators EASTLAND, THURMOND, MUNDT, SPARKMAN, HOLLAND, CURTIS, STENNIS, BYRD of Virginia, ROBERTSON, HICKENLOOPER, HILL, RUSSELL, FULBRIGHT, ELLENDER, BENNETT, YOUNG of North Dakota, WILLIAMS of Delaware, TALMADGE, GOLDWATER, JORDAN of North Carolina, SMATHERS, JOHNSTON, TOWER, and LONG of Louisiana, I introduce for appropriate reference a bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws.

This bill is identical with the amendment in the nature of a substitute, which I—joined by many other Senators—of-

fered to Senate bill 654, the so-called Bridges bill, on August 20, 1958, in the 2d session of the 85th Congress. It will be recalled that a motion to recommit that bill was carried by a record vote of 41 to 40.

The measure I am introducing is also the same as S. 3 of the 86th and 87th Congresses. It is likewise identical with H.R. 3, which has passed the House of Representatives twice—in the 85th and 86th Congresses. This same bill was favorably reported by the House Committee on the Judiciary in the 87th Congress.

The measure is commonly referred to as the antipreemption bill. I shall not discuss it in detail as its purpose and provisions are well known to most Senators. I point out, however, that it is designed to correct the situation that exists under present rulings of the U.S. Supreme Court, to the effect that when Congress has enacted legislation on any subject, the States are deprived of the power to enact or enforce similar State laws, even though they may not be in conflict with the Federal statute.

To remedy this situation the bill I am introducing provides in section 1 that no act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates to the exclusion of all State laws on the same subject matter, unless such act contains an expressed provision to that effect. It further provides that no provision of an act of Congress shall be construed as invalidating a provision of State law which would be valid in the absence of such act, unless there is direct and positive conflict between such provisions so that the two cannot be reconciled or consistently stand together.

Section 2 of the bill relates to a particular field of law, subversion and sedition. It provides that the enactment of any Federal law prescribing a criminal penalty for subversion or sedition against the United States or any State shall not prevent the enforcement of State criminal statutes on the same subject.

Mr. President, in recent years we have seen a disturbing extension of the Federal preemption doctrine to many areas of concurrent Federal-State jurisdiction. As a result many worthwhile and constructive State laws have been nullified and voided by decisions of the Supreme Court of the United States. I have long been convinced of the very real and compelling need for the establishment of clear and concise guide rules in this area of the law, and it is to serve this need—and for this purpose—that I am introducing this measure today.

I ask unanimous consent that the bill may lie on the desk until the close of business on next Monday, January 21, in order that other Senators who may desire to do so may join as sponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Arkansas.

The bill (S. 3) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, introduced by Mr. MCCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

WILDERNESS ACT

Mr. ANDERSON. Mr. President, I send to the desk for appropriate reference, a bill to establish a National Wilderness Preservation System for the permanent good of all the people and for other purposes.

The bill is being introduced for myself, Senators KUCHEL, HUMPHREY, JACKSON, CHURCH, LAUSCHE, DOUGLAS, WILLIAMS, of New Jersey, RANDOLPH, CLARK, PROXMIRE, NEUBERGER, METCALF, and MCGOVERN. I request that it be left on the desk for 3 days so any others who care to do so may join as cosponsors.

The measure, as introduced, is identical to the wilderness bill passed by this body on September 6, 1961, by a vote of 78 yeas to 8 nays with the exception of a change of one word, which is of no particular significance. It is on page 18, line 15 of the bill printed as passed. A reference to national forest "superintendents" has been changed to national forest "supervisors." The measure will now conform to Forest Service terminology.

Mr. President, late in the final session of the 84th Congress, my predecessor, as chairman of the Senate Interior and Insular Affairs Committee, James E. Murray, introduced the first wilderness proposal in Congress. It was a study bill, introduced for the purpose of giving some original form to the idea and to stimulate discussion of it with executive agencies, proponents, and opponents of the proposal.

The original draft was greatly revised after discussions with the executive agencies, and a new bill was introduced in the 85th Congress by Senator HUMPHREY and a number of cosponsors. Extensive hearings were held on it by the full committee in June 1957. As a result of these hearings, the bill was again redrafted to eliminate objectionable provisions and to adopt constructive proposals. It was reintroduced in the second session of the 85th Congress, early in 1958, as S. 4028. Washington hearings were held on July 23, 1958. Field hearings were held in Bend, Oreg., San Francisco, Salt Lake City, and Albuquerque, N. Mex., in November 1958.

A revised measure was again introduced by Senator HUMPHREY and a number of cosponsors during the first session of the 86th Congress, which carried the number, S. 1123. Field hearings were held on it in Seattle, Wash., on March 30 and 31 and Phoenix, Ariz., on April 2, 1959. During 1960, the Interior and Insular Affairs Committee held a number of executive sessions on the bill in which the executive agencies, which were all then in support of the proposal, offered their final suggestions.

The committee did not finally bring the bill to a vote during the 86th Congress. Upon assuming chairmanship of the committee, I had the measure redrafted and introduced it together with a number of cosponsors on January 5, 1961.

Our full committee again held Washington hearings on February 27 and 28. After thorough consideration of the measure in executive sessions, the committee ordered the bill reported July 13, 1961. It was my privilege to report it to the Senate with committee amendments on July 27, 1961.

The measure was debated on the floor of the Senate for 2 days, September 5 and 6, 1961, and passed by the Senate by a vote of 78 yeas to only 8 nays, virtually 10 to 1. I was particularly gratified by this vote for it was taken during my absence in New Mexico, keeping an appointment with the surgeon. The presentation of the bill had been ably handled by the senior Senator from Idaho [Mr. CHURCH] with the assistance of the junior Senator from Montana [Mr. METCALF].

Mr. President, I have reviewed the extremely lengthy and thorough consideration of this bill and the final overwhelming support of it by the Senate to explain my reason for reintroducing it as it was passed by the Senate after 6 years of careful consideration and refinement. It is my personal belief that the bill, as passed by the Senate in 1961, was a splendid document. The overwhelming vote shows that this was the opinion of the Senate. I believe this body will want to pass it again and return it to the House sufficiently early to give that body abundant time to consider it during the present Congress.

The Senate and Interior and Insular Affairs Committee will hold further hearings on the measure at a very early date to hear any suggestions or pertinent facts which may have arisen since Senate passage in 1961. In view of the care with which the measure has previously been considered and the 2-day debate to which the measure was subjected on the Senate floor, I do not contemplate, however, that the committee will require an extensive period to complete its work and report a bill to the floor.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Mexico.

The bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

THE COLD WAR VETERANS READJUSTMENT ASSISTANCE ACT

Mr. YARBOROUGH. Mr. President, on behalf of myself and Senators HUMPHREY, HILL, SPARKMAN, MORSE, NEUBERGER, KEFAUVER, SMITH, BYRD of West Virginia, GRUENING, HARTKE, EASTLAND, LONG of Missouri, BURDICK, BIBLE, RANDOLPH, WILLIAMS of New Jersey, DOUGLAS, PELL, BARTLETT, INOUYE, MCGEE, CLARK, DODD, and MCGOVERN, I introduce, for appropriate reference, a bill entitled "The Cold War Veterans Readjustment Act."

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 5) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the bill may lie at the desk until Monday, January 21, 1963, for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, the provisions of the bill are identical with those of a similar bill introduced last year, with the exception of the vocational rehabilitation for service-connected disabled veterans provisions of that bill, which became public law last session.

A cold war GI bill I introduced in 1959 passed the Senate in the 86th Congress by a vote of 57 to 31. The cold war bill of the 87th Congress was sponsored by me with 36 other Senators and was favorably reported by the Committee on Labor and Public Welfare. The proposed legislation has always enjoyed broad public support, and its popularity among the people is greater today than ever before. The requests for its passage are vast in number.

Each year a large number of American youth embark upon 2, 3 or more years of service in our Military Establishment. They do so, Mr. President, and the country needs them to do so, because foreign powers continue to threaten the security of this Nation and of the free world.

We know that this threat to the free world is crystal clear. We know this because of the Cuban problem, which, though in a state of containment at the present time, will required armed vigilance by us until the last vestige of danger to this Nation has been removed from that island.

The Cuban danger—though closest to our shores—is not the only danger we face. In Vietnam, West Berlin, and other hot spots around the world, American youth will be required to serve their Nation for long into the future. The bill I have introduced provides an opportunity to demonstrate that we, as a Nation, do recognize the extreme, unique personal sacrifices exacted from our cold war veterans by their military service.

The cold war GI bill provides these young people 1½ days of educational assistance for each day of service, not to exceed 36 months of schooling. This aid is in the form of a monthly cash allowance to the veteran who selects his own school and pays his tuition and maintenance expense from the allowance. A single veteran would receive $110 monthly. A married veteran with two children would receive a maximum of $165 a month. The bill also provides home and farm loan assistance of a type which calls for a loan fee that will be set aside to pay for any losses under the program.

Only those persons who perform 180 days or more of military service, and who are discharged honorably, would be eligible for these benefits.

The justice and merit of the cold war GI bill are obvious to anyone willing to make an honest and objective appraisal of the facts. Each year, since January 31, 1955, thousands of young men have entered military service for the first time. Most of them give up, at the most formative time in their lives, the opportunities of getting out into the world, getting a job, or going on with their education. Instead they shoulder the burdens of helping to defend America. Nothing but honor can be found in such service. However, not all share in these burdens; statistics show that only 46 percent of our young men put aside civilian advancement, and go into uniform to serve at Fort Bliss or Berlin. They devote 2, 3, or 4 years to the service, and when they get out they have nothing but a job to look for, and a reserve commitment, without being specially trained for a civilian job.

Such a fate may be the rule in a totalitarian system but it is a matter of major concern when a democratic society lets this happen to its youth. Such a fate is also highly inconsistent with this Nation's history. Veterans have always been remembered for their services to the Nation in times of peril. In Washington's day the Revolutionary soldiers were granted land west of the Alleghenies; after the Civil War the Union veterans received beneficial legislation from the Government. Beginning in the 1920's the veterans' insurance program was developed.

By far the most farsighted veterans' program was the concept of the GI bill, which Congress passed during World War II. This is not a bonus or pension plan; it is a readjustment plan to train a veteran to become self-sufficient and thus avoid the necessity of a bonus or pension. Statistics prove the great benefit these veterans receive from educational assistance, and on-the-job training. But figures and percentages can never tell the great story of that generation's venture into a whole new life as a result of the postwar legislation and assistance which the Congress passed. It converted the hungry teenagers of the black depression into the leaders of the 1950's and 1960's. It was perhaps the most monumental public educational bill in Federal history. Of nearly 8 million GI's who received training under that bill, more than 2 million went to college, 3½ million more got precollege training, and millions more got vocational or other training.

As the Senate knows, legislation similar to this has previously been considered by the Senate. Its need and value have been amply demonstrated by earlier hearings and debate. As we enter the crucial year of 1963, a period of the cold war which President Kennedy has told us may mark the turning point in our struggle with Russian imperialism, the need for this legislation and our duty to provide for the veterans of this struggle becomes even more impressive.

The man who performs no military service achieves an unfair civilian economic advantage over those who give 2, 3, or more years of their lives to the service of their country. The man who stays behind gets a head start in life, a head start in the competition for jobs, which the serviceman, without some assistance can seldom hope to overcome.

In the words of the President himself in a December 17 TV appearance, in commenting on our military posture in Western Europe, "the United States is more than doing its part." Some of the specifics of doing more than our part were stated by the President, as follows:

> We have our troops in Western Europe [who] are the best equipped. We have six divisions, which is about a fourth of all of the divisions on the western front. They are the best equipped. They can fight tomorrow, which is not true of most of the other units. So we are doing our part there, and we are also providing the largest naval force in the world, and we are also carrying out the major space program for the free world, as well as carrying the whole burden in South Vietnam. So the United States is more than doing its part. We hope Western Europe will make a greater effort on its own, both in developing conventional forces, and in assistance to the underdeveloped world * * *.

The meaning of the whole burden in South Vietnam was highlighted by a recent Defense Department report on the action there. The Department's report summarized the recent battle near Tan Hiet in which five helicopters were downed by Red gunfire. Three Americans were killed and ten others wounded in that action. The report stated:

> In 1962, U.S. Army aviation units flew over 50,000 sorties in support of operations in Vietnam, approximately one-half of which were combat support sorties. During the period January 1–November 30, 1962, 115 U.S. Army aircraft were hit by groundfire, only 9 of which were shot down.

Mr. President, these sorties, were flown during so-called peacetime. They occurred during a period when it was quite possible for a cold war veteran to earn the Purple Heart, but not readjustment assistance. The Purple Heart in these circumstances strikes me as an honor in half measure.

So let us sum up the character of the cold war, as it affects the individual serviceman. In many parts of the world our servicemen are performing dangerous missions in circumstances which are not officially war, but certainly are not peace. Areas where this limbo between outright war and outright peace exists will probably increase as the cold war struggle proceeds from crisis to crisis. The Cuban situation, which only a few months ago nearly thrust thousands of American cold war soldiers into frontlines of nuclear combat, is by no means ended. Berlin, the Congo, and Sino-Indian conflict are tinderboxes which contain high potential for the involvement of American manpower in a shooting war. When today's youth enter the service, they have no assurance that they will spend their time in peaceful garrison duty. In fact, they have considerable assurance that a new crisis, a new outbreak of guerrilla warfare, another country threatened by Communist ag-

gression, will bring them into the middle of a hot war.

But the cold war GI bill does more than redress inequities and discharge this Nation's obligation to cold war servicemen. It will build an educational fortress which, in the long run, will be of more value in defending our freedom than all the planes, tanks, and other armaments now in existence or on the drawing boards. The strength of this fortress has already been proved by the GI bills of World War II and the Korean conflict. Under these two bills, almost 10 million veterans received educational training. More than half of the eligible Korean conflict veterans used this assistance to complete their college educations. These bills materially added to the Nation's welfare and productivity by giving us 180,000 doctors, nurses, and medical personnel, 113,000 physicists and research scientists, 450,000 engineers, and 230,000 schoolteachers, in addition to other occupations and professions. The contribution made by these educationally readjusted veterans is incalculable, especially in light of our still desperate need for more teachers, more engineers, and more scientists.

We can, therefore, expect the cold war GI bill to markedly accelerate the growth of our national product, a matter of increasing concern to all. In an era of rapid technological development, it is becoming more and more apparent that our working citizens need greater skills and education to keep up with the radical changes brought about by increasing automation. Congress has already taken action, in the passage of the Manpower Retraining and Development Act, to help our civilian workers adjust to these changing conditions. The vocational training provided by this cold war GI bill offers similar help to the young serviceman who generally has no skill or trade at all upon entering the civilian labor force.

The cold war GI bill is not a giveaway. As mentioned previously, a single veteran receives $110 monthly, while a married veteran with two children receives only $165. In most cases the veterans will have to work, or their wives will, while they pursue their education or vocational training program. Moreover, the cold war bill is a sound business investment; it is a self-liquidating, repayment kind of investment. Official statistics of the Census Bureau show that World War II veterans now pay the Federal Government a billion dollars more in taxes by reason of their increased earning power—and hence increased taxes—resulting from their GI bill education. The World War II bill will be entirely paid for by these additional taxes within another 5 or 6 years.

The cold war GI bill will likewise be self-liquidating. Consequently, the bill is not an expense to the taxpaying public; it is an investment of the taxpayer's money on which we can guarantee them a profitable dividend, because education is the one certain method of strengthening the taxpaying public.

Mr. President, I shall not attempt to cite all of the reasons for the great necessity of enacting the cold war GI bill. The documentation of need for and national values accruing from this legislation could go on ad infinitum. I shall, therefore, briefly summarize only these few additional reasons:

First. Veterans make higher grades and do better generally in colleges than nonveterans. They have proved to be the best and most economical investment in developing our brainpower yet found by the American people. Therefore, the cold war GI bill will help our Nation to produce more schoolteachers, doctors, medical technicians, scientists, and engineers, whose services are critically needed; it will help to increase the brainpower of the Nation, our most neglected asset. There is now a shortage of 134,000 schoolteachers in America, and the shortage grows yearly.

Second. Authoritative sources have warned that Russia may be ahead of us in the sciences by 1969, unless we step up our scientific educational efforts. The great danger we face from Russia is not in her present armaments, but in her efficient scientific schools. We cannot ignore this chance to nullify that threat.

Third. The Federal budget for this year has been reported to call for about $52 billion for 1 year of Defense Department activities. The highest estimate of the average annual cost of the cold war GI bill is $289.5 million over the entire life of the educational program through 1973. Thus, the cold war military expenses cost 179 times as much in 1 year as the cold war veterans education bill. The term "peacetime veterans" cannot be justified when we speak of today's servicemen, for these are the young Americans who fight and die as "advisers" in Vietnam and who man our military bases in the frozen Arctic wastes, in the planes on the Sea of Japan, on the Turkish-Russian border, and on other "live ammunition" frontiers.

Fourth. The annual cost will not upset the budget. As the expense of educating the Korean war veterans phases out, the cold war veterans educational expense will take its place. It will not be a debt for the oncoming generation to pay. Just as the cost of World War II GI bill will be paid for before 1970, by increased taxes paid for by increased earning by GI bill-trained World War II veterans alone, so the cost of the education of cold war veterans will be paid for by cold war veterans themselves through their increased taxes brought about by their brainpower and upward occupational movement.

Fifth. The cold war GI bill is not as generous with cold war veterans as was the Korean war bill. For cold war veterans, there is no mustering out pay; there are no business loans. The minimum service provisions for educational benefits requires more than 180 days of active service, instead of only 90 days required for World War II and Korean veterans. Six-months trainees under the reserve program would not be eligible. The educational allowance of $110 a month now will buy only as much as $75 would buy in 1952. So the cold war bill is not a giveaway: the average veteran will have to get a loan or hold a job on the side to go to college under the bill.

Mr. President, I wish to announce also that hearings on the bill will be scheduled in the near future, to explore the exact manner in which this program will most equitably fit the individual needs of our cold war veterans. We must begin a program that properly recognizes the personal sacrifices of the men who day in and day out wage the long struggle, often tedious, often dangerous, and sometimes deadly, which we call the cold war. Our Nation has always been proud of the fact that ours is a citizen army. I, for one, do not believe that the day has yet arrived when the citizens who make up our Armed Forces must suffer for their loyalty and willingness to serve. We must begin a program that tells America that the draft law does not cause certain of our sons to lose 2 or more years from their competitive civilian lives, but instead, provides a challenging opportunity for honorable and patriotic service—service that will be suitably recognized and not be a lifetime burden.

Mr. HUMPHREY. Mr. President, will the Senator from Texas yield?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Texas yield to the Senator from Minnesota?

Mr. YARBOROUGH. I yield.

Mr. HUMPHREY. I am very happy that the Senator from Texas has permitted me to join in the sponsorship of his veterans' education bill. I assure him that I will do everything I can to secure favorable action on the bill. I think it proposes very good legislation which is much needed.

I commend the Senator from Texas for his perseverance, his persistence, and his dedication in regard to this matter. I know of no Senator who has attempted to do more for the education of our veterans than has the Senator from Texas; and I feel it a great honor to associate myself with him in this endeavor.

Mr. YARBOROUGH. Mr. President, I thank the Senator from Minnesota for his generous remarks. He is the No. 2 Senator in sponsoring this measure; and we think that augurs well for the bill, due to his leadership in connection with so many veterans measures and so many youth measures during his service here, I think it most appropriate and helpful that he has put his stamp of approval on the bill.

He knows that the danger is that if the cold war veterans are not educated under this measure, they will be the lost generation. We educated the veterans of World War II and the veterans of the Korean conflict; but the veterans of World War I and the veterans of the cold war were ignored, and they feel bitterly about it. We should recognize that the veterans of the cold war should be educated, as well as the veterans of World War II and the veterans of the Korean conflict. This measure is not intended to replace any other education legislation. It is intended to supplement other education legislation, in order to assure that the defenders of our freedom

will not be robbed because of their investment in our freedom.

Mr. President, I ask unanimous consent that an explanation of the bill be printed at this point in the RECORD.

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

DIGEST OF THE COLD WAR GI BILL, ENTITLED THE "COLD WAR VETERANS READJUSTMENT ASSISTANCE ACT OF 1963"

This bill provides readjustment assistance for cold war veterans, i.e., persons who perform active duty in the Armed Forces during the period from January 31, 1955 (the termination of Korean conflict readjustment aid) and June 1, 1963, the date of termination of the compulsory draft law. Applicable throughout the bill is a requirement of discharge under conditions other than dishonorable. Readjustment assistance authorized by the cold war bill is similar to that previously afforded to veterans of the Korean conflict.

Educational and vocational training assistance: Eligibility is conditioned upon more than 180 days of active duty or discharge for service-connected disability. Period of education or training (not to exceed 36 months) is calculated by multiplying 1½ times each day of active duty. During educational period veteran receives monthly allowance, as follows: For full-time college training the monthly allowance would be—no dependents, $110; one dependent, $135; more than one dependent, $160. Veteran must begin education or training within 3 years after discharge or enactment of bill, whichever is later; and must complete education within 8 years after discharge or enactment of bill, as case may be. No allowance shall be paid for any period prior to September 1, 1963. Persons enrolled in courses of education on September 1, 1963, would be entitled to allowance from that date, although they could not receive payment until after bill's enactment. All education and training end on June 30, 1973, except that certain career enlistees have a later termination date determined by the date of their final discharge.

Guarantee and direct-loan assistance: Eligibility for guarantee and direct loans is conditioned upon more than 180 days of active duty, or discharge for service-connected disability. Widow of veteran who died of service-connected disability also eligible. Loans are for purpose of purchasing (a) homes, including farm homes; and (b) farm lands, livestock, etc., to be used by veteran in farming operations. Banks or other lenders make loans with Government guaranteeing 60 percent, up to $7,500, on residential real estate, and 50 percent, up to $4,000, on nonresidential real estate. Loans are subject to guarantee fee not to exceed one-half of 1 percent of loan amount, to be used to cover losses on loans. Direct loans not exceeding $13,500 may be made to veterans in certain small towns and rural areas when private capital is not available for guarantee loans. Interest rates and maturities of loans controlled by laws applicable to World War II and Korean veterans, now and in the future. (Under Public Law 86–73, maximum interest rate is 5¼ percent per annum.) Termination date of guarantee and direct loan program is July 1, 1973, except for loans on which VA commitments have been issued before such date.

MASS TRANSPORTATION

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and Senators BEALL, BIBLE, BREWSTER, CASE, CLARK, DODD, ENGLE, HUMPHREY, JACKSON, JAVITS, KUCHEL, LONG of Missouri, MCCARTHY, NELSON, NEUBERGER, PASTORE, PELL, RIBICOFF, SYMINGTON, and YOUNG of Ohio, I introduce, for appropriate reference, a bill to authorize the Housing and Home Finance Agency to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas.

The senior Senator from Ohio [Mr. LAUSCHE] has advised me that if he had been on the floor at this time, he would have indicated his acquiescence in having the bill referred to the Committee on Banking and Currency, and that at a later time he would suggest that the Commerce Committee has an appropriate interest in the bill, too.

As the list of cosponsors indicates, the bill has already attracted some bipartisan support. I hope it will stir additional interest and endorsement during the next few months, because I believe that the bill, if it becomes law, would be an antidote to confusion and fruitless debate about commuter travel in the United States today.

It would give municipal officials, agencies, and planners the encouragement and financial assistance needed to make mass transit feasible in our urban-suburban areas. As the history of the declining transit industry indicates, we will produce only talk until we put up the money at the Federal level for a comparatively small part of the job that must be done in so many areas of our Nation.

The bill I introduce today is sensible; it is modest; it can do the job.

And it is one of the most important pieces of unfinished business left behind by the 87th Congress.

Today's bill, now called the Urban Mass Transportation Act of 1963, is identical to the bill reported by the Senate Banking and Currency Committee last year as the Mass Transportation Act of 1962. A review of the fate of that bill will, I believe, remind us of the support and hopeful interest given to the proposal last year.

President Kennedy prepared the way for the bill when he asked in his transportation message last April for a program of assistance for commuter and other public mass transportation in our towns and cities.

As the President succinctly summarized the situation at that time:

To conserve and enhance values in existing urban areas is essential. But at least as important are steps to promote economic efficiency and livability in areas of future development. In less than 20 years we can expect well over half of our expanded population to be living in 40 great urban complexes. Many smaller places will also experience phenomenal growth. The ways that people and goods can be moved in these areas will have a major influence on their structure, on the efficiency of their economy, and on the availability for social and cultural opportunities they can offer their citizens. Our national welfare therefore requires the provision of good urban transportation, with the properly balanced use of private vehicles and modern mass transport to help shape as well as serve urban growth.

The President's emphasis was on balance of transportation resources, but at present no such balance exists. To help achieve some degree of balance, he offered an administration transportation bill, which was introduced last April. Twenty-one Senators cosponsored the bill. Seven of them were Republicans.

The bill then received prompt and significant committee attention.

The Housing Subcommittee of the Senate Banking and Currency Committee conducted hearings from April 24 to 27 and took 533 pages of testimony from individuals and organizations deeply concerned about a growing national crisis. Of more than 50 witnesses, only 3 opposed the bill.

Subcommittee No. 3 of the House Committee on Banking and Currency conducted even more extensive hearings. Witnesses gave testimony for 2 weeks. They represented labor, manufacturers, railroad and bus companies, and planning groups. Of 66 witnesses, only 2 opposed the bill.

One reason for the generally favorable response was that the Urban Mass Transportation Act of 1962 would have been the logical extension of an earlier program.

The Housing Act of 1961 established a temporary Federal loan, research, and demonstration program for mass transit. This historic breakthrough in urban legislation gave us reason to hope that a more adequate bill would be passed.

This hope seemed to be justified when the House and Senate committees reported favorably on the legislation. In the closing days of the session, however, the bill was referred to another committee. Additional testimony was taken; no changes were recommended; but the bill could not be called up to the floor again because of our heavy work schedule at that time.

To make certain that we will have adequate time this year, I am introducing the bill on the opening day of this session. It is my earnest conviction that the case for the bill has grown more obvious during the past year and I think we will find new evidence to support the argument that the bill would combat a problem of increasingly critical proportions in the United States today.

That problem can be summed up in a very direct way: at just the time when we anticipate our greatest period of urban growth, our ability to move large numbers of commuters in rapid transit vehicles is dwindling. Instead, we are relying—even for rush-hour transportation—on automobiles and highways, the most costly and least efficient method of moving people.

We have, in the past few years of testimony and discussion about rapid transit, accumulated a large store of depressing but persistent facts about the gradual death of transportation systems. I shall take a few of those facts from the records of our hearings from the lengthy reports issued by the House and Senate committees last year, and from other sources:

From 1956 to 1960 the number of revenue passengers carried by buses and streetcars declined by about 25 percent.

Three hundred and sixty-three transit companies were sold or abandoned be-

tween 1956 and 1962 throughout the Nation, including seven in my own home State of New Jersey.

Over 85 percent of total daily travel in most urban areas today is by automobile.

Traffic jams already cost the Nation about $5 billion a year in time and wages lost, extra fuel consumption, faster vehicle depreciation, lower tax yields, and so forth.

There are forgotten people in our cities who cannot rely on automobiles because of disability, age, or other reasons. And yet, they are faced with a decline in public transportation facilities.

These facts would not be complete if no reference was made to the mounting cost of highway construction.

Highways, of course, are needed; many parts of our Nation can be served only by automobiles, trucks, or buses.

But there should be a national concern about the growing dependence on the automobile as a major means of peak-hour travel for commuters. Highways and vehicular river crossings are built, quite often, solely because the congestion has become so bad that fast action must be taken. That something, in the absence of any other alternative, is usually to build a new highway or facility that serves automobiles only.

As a result, we are paying a high bill for highways.

Just a few weeks ago, Chicago opened an 11.2-mile strip of a 14-lane superhighway. The cost was $176,700,000, or about $16 million a mile. This is high, but it is understandable in metropolitan areas. We have heard of other city freeways that cost $20 million a mile. One projected expressway across lower Manhattan would cost up to $100 million a mile. Looking at such figures, some observers say that we should do without freeways in urban areas. Others say that we are spending so much on highways that we cannot afford transit. There are some extremists, in fact, who say that a vote for rapid transit is a vote against highways.

But our commuter problem today is simply too big to transform it into a feud between the highway people and the transit people.

The truth is that there is a major need for both methods of travel. We have provided well for highway needs—$20 billion of the $41 billion interstate highway program is scheduled for urban highway construction. We should be willing to invest $500 million over a period of 3 years in a program that will help local and State officials keep transit alive and growing when the need is great and growing greater.

The need for transit received widespread recognition last year, when the adminstration bill received support from organizations including the American Municipal Association, the National Association of County Officials, the U.S. Conference of Mayors, the National Association of Homebuilders, the National Association of Housing and Redevelopment Officials, the National Housing Conference, the American Institute of Planners, the AFL–CIO, the Association of American Railroads, the Railroad Labor Executives Association, the American Transit Association, the National Association of Mutual Savings Banks, and a number of State and local chambers of commerce around the country.

Such support, as I have already indicated, was partially induced by the existence of a temporary Federal transit program, administered by the Housing and Home Finance Agency. Even this pioneer program attracted wide interest. More than 200 communities in 48 States, small towns as well as large cities, had inquired at the HHFA last year. One of the latest demonstration grants, in my home State of New Jersey, gives some idea of the uses to which the program is being put.

On December 20, 1962, the Housing and Home Finance Agency approved a $256,000 mass transportation demonstration project calling for a 300-automobile parking lot and passenger station near New Brunswick. The project will help determine whether more people will ride commuter trains if the suburban station is more easily accessible from newly developed areas. Hundreds of commuters may decide that it makes more sense for them to take a train than to battle traffic on the highway.

Other projects approved by the Housing and Home Finance Agency give additional evidence of the growing usefulness of the program. I ask that a brief description of these projects be added at the close of this statement.

There are other signs, too, of increased receptivity to mass transportation. New York, New Jersey, and Connecticut are working together on regional transportation plans through the tristate transportation committee. New Jersey has established, through its highway department, a program of assistance and planning to help commuter railroads. In the Washington, D.C., area, planners have indicated that transit needs are among the major considerations in the year 2000 plan and other plans for the region. Philadelphia continues to plan for broadened service, and Los Angeles officials have clearly indicated that their reliance upon the freeway is inadequate.

One of the most significant of the recent events was the approval last November by the San Francisco area voters of $792 million for a regional transit system.

This was a responsible and heartening decision. Bay area residents have chosen to tie their transit program into plans for over 11 regional developments, and apparently this approach will pay dividends. I was very impressed recently when I came across an article which described the enthusiasm already generated by the project. In the December 9 issue of the San Francisco Examiner, Oakland City Manager Wayne Thompson is quoted as saying:

> There is nothing but confidence in the central business district since the passage of rapid transit last month. The future has never seemed brighter. The Broadway Station in Oakland will become the center of the world's greatest transit system.

As transit programs are approved in other areas, I think we shall see a similar upsurge of confidence and investment opportunity.

Even the most promising of present or future projects, however, will be slowed or possibly killed altogether unless Congress makes it possible, by offering a relatively small amount of funds, to overcome some of the most difficult financial problems.

Our witnesses from San Francisco last year, for example, said that the bill—the same bill that I reintroduced today—would produce great savings of time and funds. They said that a Federal contribution of $20 million a year for a 10-year period would save $383 million in principal and interest on the bond issues, would put the system into operation 4 years earlier, would reduce the tax from 65 cents per $100 assessed valuation to about 47 cents, and would produce savings of approximately another $120 million in reduced time, accidents, insurance, traffic control, and so forth. The Federal funds would accomplish all this largely because of the present local limit on the amount of bonded indebtedness than can be incurred in any 1 year. Without Federal help, the construction period would be stretched out for 9 years.

This is one example of the way in which the net project provisions of the bill could be used. The following description of the other provisions will give additional information on other ways in which the proposed bill could be helpful.

MAJOR PROVISIONS

FEDERAL GRANTS

The most important single feature of the bill is a long-range program of Federal grants to States and local public bodies to assist public and private transit systems in financing the acquisition, construction, and improvement of mass transportation facilities and equipment. The eligible facilities and equipment would include terminal facilities, rights-of-way, buses and other rolling stock, and any other property needed for an efficient and coordinated mass transportation system; except that no such assistance could be provided for the acquisition of land to be used as a public highway. Likewise, no grant funds could be used for operating costs or for the payment of ordinary governmental expenses.

A grant under this program would be made only to a public body which shows that it has the legal, financial, and technical capacity to carry out the proposed transit project. However, the public body would not necessarily have to operate the transit facilities and equipment itself. It could provide for their operation by lease or other arrangement. Thus, every locality would remain free to choose public or private operation of its transportation system or any combination of the two.

As the President stated in his transportation message:

> The program is not intended to foster public as distinguished from private mass transit operations.

The Federal grant would be based on the net project cost of providing the needed facilities and equipment. This means that portion of the project's total cost which could not reasonably be financed from fares and other revenues.

The Federal contribution could not exceed two-thirds of net project cost; the remainder would have to be provided in cash by the locality, from sources other than Federal funds of anticipated revenues. It is anticipated that the local funds would ordinarily be obtained through issuance of bonds based on the taxing powers of the local government, the transit authority, or other local public body. This local contribution would assure that there was a firm local determination of the project's need, as well as local concern for care and efficiency in the spending of the money.

To meet the Federal share of the cost, the bill proposes $100 million in grants in the current fiscal year, $200 million in fiscal 1964, and another $200 million in fiscal 1965.

FEDERAL LOANS

In some cases where local transit operations can be self-supporting there is often difficulty in obtaining loans on reasonable terms. To meet this need, the bill would make permanent the existing temporary authority for the $50 million loan fund established in 1961. At present, $10 million of that amount has already been committed. No loan would be made for a project which receives a capital grant, and a loan would be made only if financing were not available from other sources on reasonable terms. Loans could be made only to public bodies, but the equipment or facilities financed could be leased to private companies for actual operation. The interest rate would be calculated by a formula which presently produces a rate of 3¾ percent, and the loan term could be amortized over 40 years.

PLANNING REQUIREMENTS

The measure proposes strict planning requirements to assure that the aid is necessary and will be used effectively. A community or metropolitan area would be required to have an areawide transportation plan, coordinated with a comprehensive urban development plan for the area.

A number of communities have already undertaken this kind of planning with the assistance of the urban planning grants provided under section 701 of the Housing Act of 1954. The 701 program authorizes Federal grants covering up to two-thirds of the cost of planning for communities of 50,000 population or less and for metropolitan regions.

EMERGENCY PROGRAM

While long-range comprehensive planning is essential to meet urban transportation problems, there are some communities already in critical difficulty for whom it would be extremely costly if assistance had to be delayed while long-range plans were laid. To meet this problem, authority is requested, until July 1, 1966, to make reduced grants covering 50 percent of the net project cost for communities which have not completed the planning phase. If all the requirements are met within 3 years from the time of this limited grant, the project would then qualify for an additional grant to bring the Federal contribution up to the full two-thirds of net cost.

RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECTS

The demonstration grant authority in existing law is broadened to provide for a research, development, and demonstration program for all phases of urban mass transportation. The balance of the existing $25 million grant authority plus $30 million of the $500 million requested for the urban mass transportation program over the next 3 years would be available for transportation demonstration grants. The Housing Administrator could use these funds to conduct research with his own staff or through other Government agencies, universities, or research or transit firms.

The proposal retains the requirement that to be eligible for a demonstration grant, a project must be able to produce results usable in other areas. However, these demonstration grants could be provided without the present restrictions on expenditures for major long-term capital improvements and the limitation of demonstration grants to two-thirds of project cost. Communities are reluctant to share the cost of a project which is not tailored to their own needs, and the authority for grants up to 100 percent is needed in order to make sure that demonstration projects are, in fact, of widespread applicability.

RELOCATION REQUIREMENTS

It is not expected that the mass transit program would involve very substantial displacement of families and business firms. However, some displacement would no doubt occur, and the proposal would provide substantially the same relocation benefits that are now available under the urban renewal program. Displaced families would be eligible for Federal relocation payments up to $200. Displaced business firms and nonprofit organizations could, in general, receive relocation payments of up to $3,000. In turn, the community would be required to have a relocation program provide decent, safe, and sanitary homes of comparable convenience and desirability on terms which the displaced families can afford.

A COMPREHENSIVE APPROACH

As the above description indicates, the bill would serve communities of all sizes; it is not merely a big-cities bill, as some critics have said.

The first answer to this is, of course, that its opponents cannot argue both ways on this question of participation by smaller urban areas—unless they claim that the smaller towns and cities are going to be able, somehow, to make off with free Federal funds under this program without showing any local need or any matching efforts.

In fact, as I have just pointed out in summarizing the main features of the program, it is designed very carefully to provide assistance only where a locality has public transportation problems so great that it has seen fit to expend the considerable effort necessary to initiate a local public mass transportation program as a fundamental part of an overall program of planned community development.

Furthermore, a locality seeking assistance under this program will have to show that it has the legal and technical capacity, regardless of whether it will actually operate the transit system itself, to assure that the Federal funds are used in accordance with the agreed-upon program.

Most important of all, to the extent that a locality is to receive Federal funds under this program, it must match those funds with a one-third local public contribution which cannot be derived from the revenues of the system.

In short, this program is not aimed at any particular sized city, but is aimed at a particular problem wherever it exists, and wherever towns and cities feel strongly enough about the problem to be willing to take the initiative in devising ways to meet it and in carrying their share of the financial burden involved.

This problem is, in fact, widespread. The American Transit Association estimates that about 60 cities of 25,000 population or more now have no public transportation service at all. In West Virginia alone, it was pointed out that 100 bus companies had been forced out of business in a little more than 10 years, and that the local West Virginia lines lost over one-third of their riders between 1955 and 1959 alone. Many of these companies were serving small towns. A little Federal assistance, triggering additional local public assistance and private investment, might have helped many of these companies to stay in business.

ASSISTANCE FOR A PUBLIC UTILITY

It should be obvious, too, that transit in our cities and suburbs is an essential public asset that must be protected and developed with the help of public agencies where necessary. Mass transportation is not only a public utility; it is one of the very basic services a civilized community should offer to its citizens through private or public means.

Furthermore, adequate public mass transportation is for many cities not only a public utility but an essential one. This fact has already become bitterly clear to many of our cities when they have estimated what they would need to expend for public highways to serve rush hour and other commuter traffic if their ailing mass transportation systems were to be served entirely through private automobiles.

The figures are staggering. The American Municipal Association has estimated that if the five cities of New York, Chicago, Boston, Philadelphia, and Cleveland were to lose just their rail commuter service, it would cost $31 billion to build the highways necessary to serve a comparable number of people. In another city, Atlanta, it has been estimated that one expressway alone would need to have 36 lanes to handle the predicted 1970 traffic. Just where the cars would be parked is another problem of nightmare proportions.

The President's program would not provide public assistance for mass transportation services in a way that would require our citizens to abandon their free choice of transportation. In fact, it is an attempt to provide them with greater choices by providing publicly assisted mass transportation facilities in connec-

tion with and supplementary to the public highways, which are constructed with public funds.

Many people, of course, have no real alternative to using public transportation. They are too old, too young, too infirm, or too poor to drive. For them, public transportation is imperative.

FEDERAL ACTION IMPERATIVE

There can no longer be any doubt about the need for Federal concern and Federal action to combat present mass transportation inadequacies.

The basic justification for Federal financial assistance for local urban mass transportation systems is that the general welfare and the productivity of our Nation's urban areas are vitally important to the welfare and productivity of our Nation as a whole; the welfare of the citizens in our towns and cities is essential to the welfare of all of our citizens regardless of where they themselves live. The farmer from Alabama or Illinois or the cattleman from Wyoming are directly dependent upon the commerce and industry of our cities. If those cities are caught up in too many traffic jams, it is going to raise the cost of the goods and services which the city dwellers provide for the rural areas.

The Federal Government is already deeply committed to providing financial support for our urban areas. For example, the Housing Act of 1961 committed $2 billion for the urban renewal program alone. The job which this program is trying to do will become increasingly difficult unless a greatly accelerated attack can be made upon our urban transportation problems.

Federal funds, or course, are already directly involved in transportation. In underwriting 90 percent of the cost of the Interstate System, it is estimated that the Federal Government will spend over $16 billion for highways in urban areas before that system is completed in about 10 years. In addition, the Federal Government will spend well over $250 million a year on urban highways in its program of 50 percent grants for Federal-aid primary and secondary highways. Thus, large amounts of Federal funds are already available to local public authorities attempting to meet their urban transportation problems through provision of highways for private automotive use.

In this situation, objective decisions are very difficult as to whether particular urban transportation needs can best and most economically be met by private automobile or public transportation facilities. For our urban areas, this means that highway funds may be expended on projects for which mass transportation would be more suitable, while other highway needs in urban and in rural areas may be needlessly delayed.

I am aware of the need to scrutinize closely any proposal for a new Federal grant program when this country already has so heavy financial commitments both at home and abroad. However, I am convinced that any such objection to this bill does not sufficiently weigh the much more costly alternatives to his expenditure, and does not give due regard to the obligations which this Government has toward the urban areas where nearly three-fourths of our people live.

I introduce this legislation in full recognition that in its present form it may not take due cognizance of matters brought to my attention only last week by the Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America. I am particularly concerned that every effort be made in this legislation to provide safeguards for collective bargaining and arbitration, to protect employees displaced by adverse effects of new transit facilities, to protect rights of employees displaced through automation, and to review the impact of advance consent to transit compacts. I have written to officers of the amalgamated association assuring them of my desire to receive their full testimony at hearings on the bill and ask that they provide me with specific language embodying their proposals.

The support for urban mass transportation has been widespread and bipartisan, and congressional approval of the legislation is long overdue. I ask that the Senate take up where it left off on this legislation as quickly as possible.

I also ask permission to include additional information pertaining to mass transportation as a concluding note to my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the matters will be printed in the RECORD.

The bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The matters presented by Mr. WILLIAMS of New Jersey are as follows:

DEMONSTRATION GRANTS AUTHORIZED UNDER MASS TRANSPORTATION PROGRAM, HOUSING ACT OF 1961

DETROIT, MICH.; FEDERAL GRANT, $224,400; MARCH 29, 1962

A program to increase bus service substantially along the 14-mile Grand River route which runs from downtown Detroit to the northwestern part of the city. In a 2-month trial period, bus service along this main route was increased up to 70 percent during peak hours. An analysis on December 21, 1962, indicated that intervals between buses during the best period ranged from 2 minutes at rush hours to a maximum of 15 minutes on weekends, as compared to former headways of 3½ to 24 minutes. Riding showed a daily increase of nearly 3,000 passengers, or more than 12 percent, above the base period, as determined by actual counts. Wide variations were found by days of the week and by periods of the day. Fare-box revenues showed a progressive increase from 0.43 percent the first week to 8.6 percent for the eighth week as compared to the base period.

UNIVERSITY OF WASHINGTON, SEATTLE; FEDERAL GRANT, $15,000; JUNE 29, 1692

To study the monorail system at the Seattle World's Fair. The study analyzed the initial cost of operation, the degree of public acceptance, operating characteristics, mechanical problems, structural characteristics, problems involved, and other factors involved in operating the system.

COMMONWEALTH OF MASSACHUSETTS; FEDERAL GRANT, $3.6 MILLION; OCTOBER 6, 1962

An experiment conducted by the Commonwealth's mass transportation commission with three commuter railroads serving Boston, and local bus companies serving Boston and neighboring communities, and publicly owned metropolitan transit authority. The purpose of the project is to determine what effect improved service and reduced fares have on the public's use of mass transportation facilities.

SOUTHEASTERN PENNSYLVANIA TRANSPORTATION COMPACT (SEPACT); FEDERAL GRANT, $3,116,000; OCTOBER 26, 1962

Experiments in the Philadelphia metropolitan area designed to demonstrate the extent to which people in both city and suburban areas will use railroad commuter service if it is of high quality and attractively priced. The experiment includes increased and improved service, feeder-bus service with combined bus-rail fares and better parking facilities at suburban stations. The program recognizes that the car and the bus are essential coordinates to making rail facilities a vital and useful part of a mass transit scheme.

MEMPHIS, TENN.; FEDERAL GRANT, $194,950; DECEMBER 11, 1962

To the transit authority of Memphis to determine how pattern and volume of ridership is affected by establishing full-scale mass transit service in the early stages of development for representative types of suburban areas, as compared to deferred full transit service until an area has been substantially developed. The project will test whether full-scale service encourages the use of public transportation facilities as the community develops and before the residents become accustomed to their own automobiles.

TRISTATE TRANSPORTATION COMMITTEE (NEW BRUNSWICK, N.J.); FEDERAL GRANT, $256,185 DECEMBER 22, 1962

A study to determine if people will use rail facilities if the depot is located near to where they live. The grant provides funds for building a 300-car parking lot and a suburban station about a mile and a half west of the existing station that is located in the congested business district of New Brunswick. The results of the experiment should determine planning policy for the location of transportation stations in urban areas throughout the country.

LOANS UNDER THE URBAN TRANSPORTATION PROGRAM

PHILADELPHIA, PA.; TOTAL, $3 MILLION; MAY 17, 1962

A loan to the Passenger Service Improvement Corp., an agent of the city, to purchase 12 self-propelled rail diesel cars for the improvement of commuter service in the Philadelphia metropolitan area. The new cars will replace obsolete equipment now being used to serve Philadelphia commuters. In addition to replacing obsolete cars, the diesel cars will improve commuter rail service on one of Reading Railroad's lines radiating from downtown Philadelphia.

CHICAGO, ILL.; TOTAL, $7.5 MILLION; JUNE 16, 1962

A loan to the Chicago Transit Authority to aid in purchasing 180 new electric rapid transit passenger cars for the subway elevated lines in the city. The new equipment will replace old, obsolete cars that were in use along two of the authority's routes. The new cars are a part of the capital improvements made in the routes which are

expected to shave transit running time, increase transit use away from auto travel and result in operating economies estimated at nearly one-half million dollars a year.

[From Metropolitan Transportation magazine, November 1962]

THE DYNAMICS OF URBAN TRANSPORTATION—AMERICAN AUTOMOBILE ASSOCIATION NATIONAL SYMPOSIUM FOCUSES ON TRANSIT

(Historymaking precedents were set on several industry fronts last month, when national groups met to work out mounting problems in transportation and urban renewal. All at once concerted action is setting in motion the planning, engineering, legislation, and financing that will move more people more efficiently through our urban areas. In Detroit, for example, almost 1,000 experts took part in a symposium, "The Dynamics of Urban Transportation," to bring into focus basic issues that must be solved in meeting increasing demands of roads, streets, and rights-of-way. From 35 States came executives representing business, government, education, and research to attend this 2-day session sponsored by the American Automobile Association. It was the largest meeting of its kind ever held. But more impressive than that is the fact that here for the first time a united industry front is demanding—and promising—action. Impetus given transit will be felt throughout the country. Transit, be it bus, rail, moving belt or something not yet conceived, will be called upon to save the modern metropolis. It can and will meet the challenge. Here's what industry leaders said:)

SOCIAL FACTORS AND THE PATTERN OF URBAN GROWTH

(By Dr. Amos H. Hawley, professor of sociology, University of Michigan, and symposium keynoter)

For more than 40 years, the growth of population in suburban areas has outstripped that in central cities. Approximately three-quarters of present suburban residents formerly lived in their respective central cities.

Much of the suburban growth can be laid to the great freedom of choice afforded by efficient and flexible transportation facilities.

Urban areas will continue to expand due to the uninterrupted growth of service industries and further improvements in the facilities for movement in each locality, urban population will sprawl over increasingly larger territories and central business districts will find it necessary to move closer to the geometric centers of urban areas.

Urban areas will be knit together with crisscrossing flows of wide-ranging traffic.

If governmental reorganization of urban areas takes place, the planner will have a unique opportunity and abundant resources with which to work. He can develop plans which treat the central city and old suburban cities as integral parts of a single entity, instead of islands in a sea of confusion.

The goal of the urban planner should be to provide the greatest opportunity for personal development and constructive living. However, to reach this goal the first requisite is the freest circulation of people, of ideas, and of materials.

INTERACTION OF URBAN TRANSPORTATION AND LAND USE

(Moderated by John T. Howard, head of Department of City and Regional Planning, Massachusetts Institute of Technology)

Future of our cities

(By James W. Rouse, president, Community Research and Development Corp., Baltimore)

Most important single factor in fashioning the growth and development of our metropolitan areas is the Nation's highway program. It should not be planned with focus concentrated on the movement of automobiles in relationship to the total needs of the community and with an awareness of the enormous impact which highways exert for strengthening or destroying communities in which they are built.

Highways are our new river valleys. Properly planned for their most effective use, they can give shape, definition, and protection to residential neighborhoods on which they border. They can channel or discourage growth and development in the city. They can ennoble or block off forests, waterfront and hillsides. They can supplement or oppose further aspects of the city's public works program.

Thus, highway planning properly should be a part of comprehensive planning for the overall needs of the entire metropolitan area.

Living and travel patterns

(By Karl Moskowitz, assistant traffic engineer, California Division of Highways)

People who live in auto-oriented cities enjoy a mobility heretofore unknown, enabling them to travel from where they live to where they work. It also enables them to live on a higher standard.

The density of population in auto-oriented cities is low—about 3,000 per square mile except in the highest population communities. The area consumed by freeways is about 1.6 percent of the total urban area. The area consumed by parking is about 1 percent. The area used for other roads and streets is less than it was for horse-oriented communities, less by enough to cover the area consumed by freeways and parking manifold. This is because automobile transportation allows the blocks to be longer and the number of streets to be fewer.

Impact of developments

(By Larry Smith, Larry Smith & Co., real estate consultants, New York City)

Availability of transportation facilities is one of the most important economic factors influencing commercial and industrial site selection.

In recent years, a trend back to the central business district has been observed. This recentralization can be encouraged by measures to alleviate traffic congestion, parking scarcity, difficulties of site acquisition, and the poor distribution of downtown land use which fails to maximize the possible benefits from pedestrian traffic flow.

Areas outside the central business district can be aided in successfully fulfilling their functions by giving attention to the placement of highway interchanges, the planning of limited-access expressways and provision for convenient ingress and egress to commercial and industrial developments near highways.

By sound planning, transportation development can assist in clearing blighted areas, maintaining or improving the value of existing investments, and increasing the attractiveness of potential commercial and industrial sites both downtown and in the suburbs.

There is no single pattern of transportation facilities that can be recommended to encourage commercial and industrial site development. The strengths and weaknesses of individual cities must be analyzed and a transportation improvement program worked out in the light of present conditions and trends in the city, the resources available, and community goals, as well as the types of commercial or industrial functions to be served.

TRANSPORTATION SERVICE TO DOWNTOWN AREAS

(Moderated by D. Grant Mickle, Deputy Federal Highway Administrator, U.S. Bureau of Public Roads)

Balanced transportation

(By Knox Banner, executive director, National Capital Downtown Committee, Inc.)

Of all the physical parts that make up a city, downtown is most dependent on good transportation. Central business districts require a high degree of accessibility to all parts of the metropolitan region. Thus the transportation balance is most critical downtown.

First step in determining a desirable balance is to evaluate various elements of the transportation network. The basic element is a system of streets and highways to serve auto and transit needs.

Good planning will make maximum use of streets' best features and eliminate overburdening streets with many jobs.

Importance of the automobile will not diminish in the future. We couldn't keep automobiles out of downtown if we wanted to. Nor would we solve much by such drastic measures, since the number of automobile trips to downtown is a relatively small—and diminishing—percentage of total trips in our metropolitan areas.

Many people talk of substituting one form of transportation for another. This is normally not feasible, since the different modes serve different functions. Only in planning for downtown is there a reasonable degree of flexibility.

It is important to understand how downtown functions and how this function can be improved. A reasonable capacity for automobiles should be determined. If provision can be made for the remaining trips by mass transit, a good balance will result. The challenge is to make the transit system good enough and desirable enough to achieve this balance.

The freeway offers the greatest potential for community improvement. Freeways can guide and promote desirable development and create areas of beauty.

Rail, bus, and rapid transit

(By George W. Anderson, executive vice president, American Transit Association)

No authorized spokesman of the transit industry has ever advocated that automobiles be barred from public streets. The industry advocates a balance between public and private transportation—the degree to be determined by conditions and needs in each community.

Further, the industry believes that transit and the automobile are basically adapted to performing tasks of different nature under different conditions. Transit is essentially CBD-oriented and is ideally adapted to worker travel and downtown shopping trips, etc. The automobile is suburban-oriented and ideally adapted to recreational travel where space for movement and storage (parking) is abundant. Movement and parking in dense areas, like the CBD, can be the principally and predisposing cause of congestion.

Transit is ideally adapted for handling CBD-oriented peak volumes of passengers, which usually occur over two short, sharp, extremely important periods of the day. It provides such peak capacity at a high ratio of utilization to the capacity provided. It does so more efficiently and effectively than any other urban transport mode.

Downtown off-street parking

(By F. Houston Wynn, principal associate, Wilbur Smith & Associates, New Haven, Conn.)

Central cities expand vertically rather than horizontally as the city grows. Larger traffic demands are imposed on the same city streets. On-street parking is forced to yield. Off-street parking needs to increase more rapidly than parkers because: On-street parking space decreases as traffic increases; transit riders are transferring to private cars; proportion of short-term parkers (shoppers) decreases as office functions dominate the central business districts; and parking turnover in off-street spaces is less than at the curb spaces they replace.

Automobile owners seem less concerned about travel costs than about convenience

and freedom of the private vehicle and the evidence it gives that they can afford the greater cost of car travel. Motorists have accepted parking fees as a normal component of their travel cost. As parking pressures increase it seems likely that the full parking cost will more and more be borne by the motorist without objection.

Commercial parking can compete with other central city functions for the land needed for parking garages. Terminal facilities thus provided are an economic and profitable use of land in downtown areas.

Designing downtown

(By Dean Charles R. Colbert, School of Architecture, Columbia University)

Factors that shape future central business districts of our cities are in flux. One receiving major attention is the automobile.

Last year, Columbia University, representing the Downtown Property Owners Association of Dallas, Tex., developed a proposal for a catalytic unit which presented a new synthesis of the problem.

We developed a 10-acre pilot project which assumed use of three complete surfaces of the earth above which normal functions of the central business district were placed.

On the lowest level, trucks, intercity buses, public transit, and creatures of the highway were given free access. On the middle surface, automobiles, taxis, intracity buses, and creatures of the city street were allowed free movement. The uppermost continuous level was allocated to pedestrians.

Below these multiple tiers, automobiles were stored in pits drilled 600 feet into the earth. Above these distributed parking pits, vertical rights-of-way were exchanged for the grid pattern of streets which subdivide central business districts.

We found that the automobile is poorly adapted to terminal storage. The automobile industry should determine how its products may be efficiently terminated within the ventricles of our cities.

If we are to avert authoritarian control of city centers, we must reinterpret our definition of real estate and our design of the automobile.

PLANNING REGIONAL FACILITIES

(Moderated by Harold F. Hammond, president, Transportation Association of America)

Fitting plans to land-use projections

(By Dr. J. Douglas Carroll, Jr., director, Chicago Area Transportation Study, Chicago, Ill.)

To fit an optimal network to an urban region, distribution and intensity of land uses must be known or assumed. Land uses dictate travel demands, and the plan that best serves land uses is wanted. Land uses may be projected or planned. The latter is preferable but is seldom accomplished with the hardness of detail needed.

Network plans can be defined as optimal when no other conceivable plan would provide a better solution. But this idea has to be made operational by measurement and test. Given a land use pattern, and given a means of stimulating travel, it is possible to assess the performance of different plans. By converting all things valued to a single scale of worth, it is possible to measure objectively which plan gives the best performance.

The planner's search should be toward this "best" solution. And it is of importance that the path leading toward such a solution be defined. The real limiting factors or restraints of existing facilities—limited funds, planning period, state of technology—all combine to constrain the direction of the answer.

This approach emphasizes the strategy of growing toward a new stage of urban development rather than reaching for an ultimate or ideal city type.

Planning as an influence

(By Henry Fagin, professor of urban and regional planning, University of Wisconsin)

People engaged in comprehensively planning urban transportation systems have an obligation to plan transportation to serve the metropolis as it evolves and to develop a transportation system that will help shape the metropolis.

Transportation systems have had a long-run impact on patterns of urban land use. Relative accessibility has been important in determining the intensity with which land within the metropolis would be patronized. But the region and its transportation system must be such that a substantial accessibility differential exists.

An effective differential may not exist if an urban area is too small for travel times and distances to have any significance; or if the region is provided with such ubiquitous and fast transportation services that one can go equally easily from any place to any other; or finally, if its various urban activities are diffused so evenly that virtually all needs can be satisfied no matter where one is. Thus, magnitude and pattern determine the geographic scale at which appreciable differentials in accessibility occur.

Changing technology

(By Arthur E. Baylis, vice president—marketing, New York Central system)

Urban services and short-haul problems of railroads have become so acute that much of this tonnage has be n lost. Growth and progress of trucking has placed railroads in a noncompetitive service position on short hauls. Railroads are trying to bid back into this market area through improving traffic-handling technology in urban areas and on relatively short-haul traffic.

"Piggyback" and nodified forms of containerization are being accepted by customers as a better way of solving tonnage and distribution problems. Particularly is this true for off-track customers and those engaged in packaged goods handling.

Plan V, a piggyback plan offering a combination of short-haul truck and long-haul rail service, is developing rapidly. Through it the advantageous parts of each mode of transportation are available to customers.

Many new, special facilities are being provided outside of terminal areas for freight transfer. Such facilities, often used in connection with bulk freight, expedite handling and eliminate downtown congestion areas.

FINANCING AND IMPLEMENTING URBAN TRANSPORTATION

(Moderated by John C. Kohl, Assistant Administrator, Federal Housing and Home Finance Agency, Office of Transportation)

Prices and costs

(By Dr. Lyle C. Fitch, president, Institute of Public Administration, New York City)

There are many ways of economizing on transportation, including timing and number of trips taken, average length of trip, choice of route. All these choices are affected by price of transportation to users. Principle of the market system dicates that level and types of facilities should be determined by what users will pay for at prices approximating costs, but the market principle is frustrated by highly inefficient pricing systems.

Largest departure from efficient pricing is in the user charges for highways and streets. While private motor vehicles may produce enough revenues to offset their costs overall, there is reason to think they do not meet costs in large cities, and that travel on expensive urban roadways does not generate sufficient revenue to pay for roadways.

General congestion indicates that demand for road space exceeds supply, meaning that service concerned is underpriced. Congestion takes the place of adequate prices in tailoring demand to supply, but it is a grossly inefficient means of allocating space.

A major planning objective for urban road networks is to achieve a balance among various elements, including (1) capacity of arterials bringing traffic to the center, (2) capacity of local street systems which must distribute vehicles, and (3) capacity of storage space available to vehicles.

Mass transportation pricing is also inefficient in failing to take account of cost differentials. For volume movement, mass transportation can be far more economical than individual private vehicles, but it has failed to capitalize on its inherent economies.

Financing at the crossroads

(By Kermit B. Rykken, director, Highway and Legal Department, AAA)

Our greatest highway project—the 41,000-mile Interstate System which was supposed to be completed in 1972—is running into serious trouble.

Some delay in the metropolitan area portion was to be expected because of technical problems, but by far the greatest delay has been caused by well-organized minority groups whose one objective is to wreck the freeway program in urban areas.

A portion of the party line says highways are subsidized by Government and, therefore, heavy subsidies to mass transit are justified so they will be on an equal footing competitively.

Even the severest critics of the automobile admit users are more than paying their way. However, the situation is different, they claim, when you come to examine metropolitan areas. Even in urban areas, highways are not subsidized, no matter how you approach the question.

We who represent the passenger car owners of America say to all who are in positions of responsibility: Give us the facilities we need and for which we are paying our fair share and then some, and do not use our special taxes to finance deficit-ridden means of getting about.

Economics of consumer choice

(By Dr. Leon N. Moses, research director, the Transportation Center, Northwestern University)

It is commonly believed that many problems of central cities are associated with increased automobile ownership and highway construction, and that ways must be found to divert commuters to public transportation. But it is necessary to understand factors that affect consumer choice in urban transportation.

Some variables that influence choice are incomes of commuters, and time and cost characteristics of modes they can use for the work trip. With these variables a value, Z, can be determined that indicates which mode a worker will choose. Under certain circumstances, the absolute value of Z is the amount by which a commuter must either be compensated for taking a less preferred mode or the minimum charge that must be imposed in order to divert him from his preferred mode.

In research being done at the transportation center, estimates of the value of this variable were made for an actual group of commuters. Principal conclusion drawn so far is that price reductions greater than present fares would be required on each of the modes of public transportation to divert one-third or more of commuters who said that autos were their preferred mode. In other words, negative fares on public transportation would be required to carry out such diversion. If price of automobile commuting were to be raised instead, it would take at least a $1.20 increase for a round trip to divert 50 percent of the automobile commuters.

Changes in price are not the only method by which diversion may be carried out. Investments that reduce travel times and the disutility of travel by alternative modes might prove effective.

Issues in financing

(By Robert L. Sommerville, president, Atlanta Transit System)

Appeals by cities to the Federal Government and concern at the Federal level with a worsening traffic situation in cities which are calculated to upset national transportation planning, resulted in action by Congress in passing, in 1961, a first attempt to promote studies and planning for the improvement of existing urban mass transportation systems. The amount of $25 million was made available.

Financing to build or revitalize transit services is also being worked out at local and State levels and by existing private companies, mainly where the extent of such activities is in reequipping existing systems and attempting to prevent further deterioration.

Among prominent issues affecting present and forthcoming transit planning is the effect upon cities of Federal highway expenditures without equal compensating planning for other forms of transportation and especially transit. It is questioned whether the scope of present transit financing policies will be adequate.

It is suggested that concentrated and extensive studies must be made to ascertain specific needs in individual large cities.

It is also suggested that while studies of urban transportation policy continue, there is need to prevent further deterioration in existing transit services. This can readily be achieved at local levels by energetic action to reduce special taxes, by giving street-space priority for transit vehicles in proper circumstances, by provision of perimeter parking facilities and by other relatively inexpensive actions, including subsidy where this would be considered desirable to keep fares at a level to attract passengers.

[From the General Electric Forum, October–December 1962]

OUR GREATEST TRANSPORTATION NEEDS

(A Forum interview with Senator HARRISON A. WILLIAMS, JR., Democrat, New Jersey, and Senator HUGH SCOTT, Republican, Pennsylvania)

(Senator WILLIAMS, chief Senate sponsor of the administration's $500 million mass transportation bill, and Senator SCOTT, actively involved in committee action on transportation legislation, stress: "Urban transportation is our most important problem area; we must act now to prevent further exodus from cities; legislation must encourage coordinated transportation planning and greater industry research.")

Question: "Gentlemen, what do you consider to be the most important challenge facing the Nation today in transportation and what should be our priorities for action?"

Senator WILLIAMS. Our greatest challenge is posed by the national dilemma of our entire transportation network being pretty much of a patchwork quilt. Its regulations and operation have developed bit by bit, piece by piece, and we have succeeded in creating confused, inefficient, wasteful, poorly planned, outdated systems of travel. Consequently, we face today the major task of coordinating our effort, using all means of transportation for their best use, and bringing reason to where there has been anything but reason.

Within this area, our most important problems—and priorities—lie in the area of urban transportation. Certainly, the urban areas are where most of America lives and produces. In his transportation message to Congress, President Kennedy covered everything from airlines to barge canals. It is significant, I think, that he devoted more than one-fourth of the message to urban transportation. His reasons were emphatic, and they should be convincing. He said that in less than 20 years, we can expect well over half of our expanding population to be living in 40 great urban complexes.

In our urban centers, the needs of the auto have been and are met through vast Federal programs of highway building. These programs have contributed to expressway and freeway systems by providing up to 90 cents for every 10 cents obtained locally, when the urban routes are woven into an interstate system.

It would be magnificent if these highway programs could be woven into coordinated transportation systems, using rails, buses, and other means of travel. This has not been done. There has been no national program really devoted to transit travel, either bus or rapid transit or commuter lines, within metropolitan areas. We are strongly overbalanced, in my judgment, in the direction of more and more massive highways, with the concomitant development of parking garages and interchanges. Consequently, a most efficient means of moving many people and goods—the rail—has withered, declined, and in many places been abandoned altogether.

The American Transit Association, which represents about 80 percent of all the bus and transit services other than commuter rail in the country, reports that since 1954, approximately 350 transit companies have been sold or abandoned. In some cases the service has been restored, but invariably at a drastically reduced level. The association estimates that there are more than 60 cities with populations of 25,000 or more which have no public transportation service at all. And this is in light of the fact that a substantial segment of our population—perhaps as much as 40 percent—is to a great extent dependent on public transportation.

So it is my hope that we can stimulate a return to mass transportation facilities and means, much as we have stimulated communities in their highway programs, and that these programs can be planned concurrently with the highway programs.

Senator SCOTT. Perhaps the need for a much bolder approach to transportation planning could be called the greatest transportation challenge facing the Nation. Particularly is this needed by our municipalities and States. In the past, most of our transportation planning has centered around city, county, or State limits. We are moving into an era where we shall not solve these problems unless we have interstate authorities and compacts, along with plans for even larger regional arrangements.

In all areas of planning, we have got to face the fact that the Eastern United States and parts of the West soon will consist of a number of megalopolises, and that State lines are comparatively unimportant—almost totally unimportant—to the person using transportation facilities.

Question: "What action is required in meeting the Nation's urban transportation problems? What specific legislation is required?"

Senator WILLIAMS. Of course, presented to Congress this year was administration legislation (Senate bill 3615) which would build on the start we made last year when a pioneer mass transit bill was passed as part of the housing bill of 1961. This year's bill, which the White House asked me to introduce, was designed to give a broader range of assistance.

It offered, for example, an initial 3-year authorization of $500 million in the way of grants, for the construction and acquisition of mass transportation facilities and equipment such as land, right-of-way, parking facilities, buses, rail rolling stock, signal equipment stations, terminals, and so forth. The Federal share would be up to two-thirds of the net project cost—that portion of the cost that cannot be financed by revenues from the system.

I might emphasize that this is not strictly a railroad bill, any more than it is strictly a bus bill; it is a bill that would help any comprehensive, well planned, and efficient transit system no matter what the carrier is. Its aim is to help all kinds of commuter service—rail, bus, transit—whether that service is publicly owned or privately owned and operated, whether it involves the giant metropolitan areas or the rapidly growing smaller towns of 25,000 or 30,000 population.

In line with Senator SCOTT's stress on regional planning, the bill specifically provides extra features to encourage regionwide development of transportation facilities.

Summed up, the $500 million—$100 million the first year, $200 million each of the next 2 years—is in the nature of seed money that could stimulate a great deal more local spending. The bill is designed to draw forth a considerable amount of local energy. It is not a money bailout or subsidy for inefficient operations. It is a program to stimulate first the creation of coordinated plans for urban transportation. Beyond that, it is designed to stimulate coordinated transportation planning in conjunction with other urban or community planning. And these are the two prime mandates before grant money, on a matching basis, is given to a local governing body.

Senator SCOTT. I agree that the mass transportation bill, as described by Senator WILLIAMS, is necessary in that it supplements what comes from the fare boxes. It puts the challenge up to the communities to prove and produce. Yet, I think even this can be simply another temporary solution to the whole problem if we don't get people to think in much bigger terms and much longer range concepts. It is hard to plan for 1980 and 1990; yet if this isn't done, we are going to see more departures from the cities, already well begun by the department stores. I think, for example, that most Philadelphians might tell you that they have not been in the center of the city for months or years.

One of our approaches in meeting this problem in our State is what we call "Operation Northwest" in Philadelphia. The Pennsylvania and Reading Railroad commuter systems to suburban Chestnut Hill are now operating under a contractual arrangement whereby the city assumes responsibility for carrying a part of the burden. Passenger fares have been substantially lowered on this particular route. This has proved so successful that similar operations have been initiated on other lines coming into town. All totaled, the experimental operations are now carrying 6.2 million riders a year—an increase of 44 percent over ridership the year before the experiment began.

The reduction in cost of commuter fares also has led to the establishment of fairly large parking areas on the edges of the cities, with a substantial reduction in center city passenger traffic and parking.

Question: "Gentlemen, both of you have emphasized the need for balance and planning in approaching the problems of transportation. Does this mean that government, industry, all of us, should start thinking of transportation more in terms of complete systems, much as we do in the aerospace and defense areas?"

Senator SCOTT. I am inclined to think that government could establish some ground rules and standards for transportation, and then bring industry in to solve the problems. This would certainly seem appropriate in solving the problems of the eastern and western seaboard over the next 30 years. Government needs to establish the plan and program. And by government, I don't neces-

sarily mean the Federal Government; I mean the States and large communities.

Senator WILLIAMS. Right now, any governing body, Federal or local, doesn't really have enough knowledge to adequately project the long-range requirements of transportation.

That is why we need a partnership with private industry in demonstrating some of the new approaches and new ideas in transportation. The current proposed legislation provides money for the demonstration of new ideas. Both last year's bill and this year's bill call for a research program to advance new concepts and new devices to improve modern transit. We want to make sure that new ideas do get a trial—such things as monorail and hydrofoil. Private industry wants to be a partner, but it cannot pay the entire bill.

Senator SCOTT. Interestingly enough, the hydrofoil is an example of where military experimentation somewhat eases the community or industry development load. As in the case of aircraft, we often have the advantage of transportation research and expenditures as side benefits of our national defense programs.

Question: "In meeting today's transportation requirements and problems, do we, in essence, have to develop a whole new generation of thinking and planning people, starting with formal education itself?"

Senator SCOTT. There undoubtedly should be greater college emphasis on transportation. What MIT has done for the sciences might well be a real contribution in this area, if some institutions would develop a similar approach to transportation.

This could all be part of the long-range planning effort. For example, community agencies responsible for solving transportation problems should require the highest standards in planners and engineers. There should be more graduates in municipal planning and transportation planning. And governmental entities should require that all plans be submitted to highly trained and well-qualified technicians before construction approval is given. If this were done, some of the grievous errors—two-lane bridges where there should be four-lane, illogical points of ingress and egress on turnpikes, and overpriced expressways—would be eliminated.

Senator WILLIAMS. Very simply, we must start giving urban problems the focus of attention that we have given to agriculture for 100 years. We have seen the very tragic result of lack of attention to transportation in educational institutions. A new Division of Transportation, created in the Housing and Home Finance Agency as part of last year's housing bill, is still searching for competent people for its staff.

Senator SCOTT. Of course, along the lines of education, is the need for educating the citizen himself—preparing the public for what is being done in the planning area, so that we have their approval and support when the bulldozers start marching through their communities. One of the great hindrances to transportation advance is the instant reaction of citizens to that type of progress which is accompanied by noise, traffic, and a new kind of life.

Question: "Do you believe that overall transportation development in the future can be the boost to our economy that automobiles have been in the past?"

Senator WILLIAMS. I would say so for many reasons, but for one certainly: The cost of moving our articles of commerce is greatly affected by the cost of transportation. If we can create efficiency and save money, where there is now inefficiency and waste, this could be more and more of a stimulant to economic growth.

Senator SCOTT. I agree; and again, planning will be the key to the extent of impact. A current example of planning payoff is the piggyback concept which has developed into completely containerized transport of bulk commodities by and among rail, truck, and ship. This new concept came about because someone had the brains to figure it out. Containerization could well be one of the great stimuli to general economic advance of the country.

Senator WILLIAMS. That objective is encouraged by the President in his transportation message, where he says:

"Assure all carriers the right to ship vehicles or containers in the carriers of other branches of the transportation industry at the same rates available to noncarrier shippers. This change will put the various carriers in the position of equality with freight forwarders and other shippers in the use of promising and fast-growing piggyback and related techniques."

Senator SCOTT. That part of the President's message is in process of consideration in my Commerce Committee. Hearings are producing some very interesting ideas and also some very sharp areas of controversy.

Question: "As an aid to planning, would you or would you not favor what some people propose—namely, a Department of Transportation in government?"

Senator SCOTT. I would have no objection to a Department of Transportation if it were under the Department of Commerce or some relevant agency. I do not favor the overly ready solution of naming another Cabinet officer for everything that comes along.

Senator WILLIAMS. If we were to expand the Department, I think a Department of Urban Affairs should have priority over a Department of Transportation. Of course, that comes right back to the beginning, where I said our transportation priority is in urban transportation.

Question: "From your comments today, it seems that both of you gentlemen, at least in substance, support the President's transportation message. Is this correct?"

Senator SCOTT. Yes, I am supporting it, and my colleague Senator JOSEPH CLARK is supporting it. The whole problem of mass transportation and future planning for transportation needs has been of continuous concern to us for some time.

Senator WILLIAMS. It is a very comprehensive program, dealing with all aspects of the subject; and I certainly support it, recognizing that it is so broad and that it goes so deep that it will be a long laborious job to implement. The only specific area that to me seems relatively simple to enact and practice is in urban transportation, with the exception of some minor tax adjustments. There is a lot of hard work ahead, but I think we have a beginning in the urban transportation area that could pave the way for major breakthroughs in all areas of transportation improvement.

A GLOBAL TRANSPORTATION MIX FOR IMMEDIATE REACTION, INSTANT RESPONSE

(By Gen. Lyman L. Lemnitzer, commander in chief of U.S. forces in Europe, and former Chairman, Joint Chiefs of Staff)

(Future requirements are stressed by General Lemnitzer in answering these questions: "How does the Nation remain constantly mobilized for emergency action? What are the strategic demands on today's transportation system? How does civil transportation fit into military planning? What are military plans toward space transportation?")

For many years, the military art boiled down to three words—"march, shoot, and communicate." In a broad sense, it still does, although each of these elements has become exceedingly complex.

The public is generally aware of advances in firepower as applied to delivery systems, increased rate and volume, and new methods of target finding and seeking, as well as the dramatic changes brought on by the advent of nuclear fission and fusion. Such spectacular achievements as Telstar dramatize the rapid, reliable, and highly flexible communications which are replacing systems considered up-to-date just a few years ago. These advances in firepower and communications have had a major impact on military strategy, as well as on the character, composition, and complexity of the arms and forces required for national defense.

Transportation is equally fundamental to the mix of defense power ingredients. Here, technological progress has been almost as spectacular as the progress made in firepower and communications. Jet-powered transport aircraft span continents and oceans in less than half the time required by their predecessors and, at the same time, carry far greater payloads. Ocean-going ships have greater carrying capacities and improved powerplants. The nuclear-powered NS *Savannah*, for example, can cruise 300,000 nautical miles without refueling. Major improvements in the Nation's highways are apparent to millions of American motorists, who may not be aware of the major role played by the Department of the Army in the planning and development of the Interstate Highway System. New methods of cargo handling are increasing the effectiveness of sea, truck, rail, and highway transportation in both civil and military transportation systems.

Transportation possibilities in space are now being actively explored. The Mercury flights of Colonel Glenn, Commander Carpenter, and Commander Shirra and the recent X–15 space flights of Major White are important steps which we hope may hasten the approach of a space transportation system. A suborbital ballistic cargo system is also a possibility for the future. Thus, surface, air, and space systems are all moving ahead to meet the need of the modern world for the rapid, safe, and economical movement of men and the things they require.

These rapidly advancing elements of military power—firepower, communications, and transportation—must work in perfect harmony in order to achieve the up-to-date, modern defense posture we must have. A deficiency, quantitative, or qualitative, in any of these key elements reduces the capability of a nation to defend itself today or in the space age of tomorrow.

NATIONAL SECURITY NEEDS

To meet the strategic demands for a swift and effective retaliatory capability, all transportation media, commercial and military, must be responsive to a wide range of possible national security needs. On the one hand, the need may be so great as to strain our national transportation system to the point of saturation. On the other hand, we may face an important but simple task of rapidly transporting a handful of specialists to a remote location to assist a friendly government in a counterinsurgency operation. Regardless of the magnitude of the tasks, the entire system must be geared to deliver the military force—men, weapons, and supplies—to the right place at the right time. A small timely military effort can frequently stabilize a potentially dangerous situation much more effectively than a large force employed after the local condition has deteriorated seriously.

Our military strategy relies heavily on the combined civil-military transportation capability to react immediately to a situation anywhere on the globe.

In the past, the Nation could mobilize after a declaration of emergency. We had less need to maintain forces in a constant state of readiness. Today, a policy of flexible choice of means in the execution of national decisions imposes a requirement for increased mobility brought about by the advance in our own capabilities and those of our potential enemies.

CIVIL TRANSPORTATION BACKUP

The civil transportation system of the United States is now, and must remain, an important part of our strategic capability in being. In peacetime, civil transportation is essential to the support of our forces at home and abroad. During a national emergency it will be called upon to perform vital services for the military and other agencies. For example, to furnish "backup" for our military services, we need immediately available:

1. The Civil Reserve Air Fleet (CRAF) to bolster the military airlift capability. This will provide for the continuation of military air transport operations in the United States as well as overseas in times of emergency. (CRAF is a fleet of commercial cargo and passenger aircraft preallocated to the Defense Department for emergency use.)

2. Merchant marine shipping to move and support combat forces deployed overseas.

3. Rail, highway, and domestic airlift to move personnel and supplies to oversea ports and defense installations at home. Waterways and pipelines also have a very important part to play.

In his message to the Congress on April 5, 1962, President Kennedy delineated the transportation problems facing our Nation and outlined a comprehensive program for improving the national transportation system. These proposals, when fully implemented, will give us a transportation system responsive to the public, private, and defense needs of the Nation.

The United States is dedicated to the policy of preventing further Communist encroachments in free world areas. To meet this commitment, we are joined with our allies around the world in a series of mutual security agreements such as NATO, SEATO, and ANZUS. To meet our obligations under these treaties, to back up these forces stationed overseas in readiness for any contingency, we maintain strategic reserve forces in the United States. They are on continuous alert to reinforce our deployed forces or to discharge our collective security commitments anywhere in the world.

DEPLOYMENT TIME SCHEDULES

When these strategic reserve forces are required to deploy overseas, all modes of transportation make an essential contribution to the movement. Airlift is used to move the rapid reaction forces of U.S. Strike Command, spearheaded, if necessary, by the paratroopers of the XVIII Airborne Corps. Sealift must be available to move the follow-on forces together with their equipment and logistical support items. Rail and highway systems must furnish the backup to transport these forces and supplies to the aerial and seaports of embarkation for deployment overseas. The closest cooperation and coordination between military and civilian transportation agencies is required to meet our strict deployment time schedules.

FLOATING DEPOTS

Prepositioning of supplies and equipment at selected world areas for emergency use can reduce the impact of overwhelming demands on our transportation system during the early days of a large-scale military operation. But this procedure is only a partial solution. In the first place, the cost of prepositioned supplies for every world area where military operations could occur would be prohibitive. In the second place, prestocked supplies have to be replenished and, perhaps, modified to assure their serviceability. Thus, prestocking requires transportation as well as high stock levels. One possible concept involves the use of floating depots which can be shifted to the area of greatest need.

CENTRAL DIRECTION AND CONTROL

Effective transportation is so vital to the success of military operations that it must be centrally directed and controlled to assure the proper allocation of limited resources to meet the demands of each military department. Where possible, similar modes of transportation are organized functionally and integrated into a single operating agency or command.

Within the continental United States, the Defense Traffic Management Service (DTMS) is responsible for supervising the functions pertaining to the procurement and use of freight and passenger transportation services from commercial sources operating within the United States. DTMS supervises the traffic management functions for all military departments. Worldwide, the Air Force and the Navy have organized commands to furnish the necessary transport for the military services.

The Military Air Transport Service (MATS) is an Air Force Command which consists of the long-range, strategic airlift forces of the Air Force and the Navy. MATS provides the intertheater strategic airlift for all military departments. The Military Sea Transportation Service (MSTS) provides the specialized sealift required for military purposes. It also is a nucleus of wartime shipping which is instantly available for emergency operations.

MODERNIZED AIRLIFT

The Department of Defense, working hand-in-hand with industry, is constantly seeking ways and means to improve the capability of our transportation systems. One of our stated requirements is a military airlift capability to deploy combat forces to more than one theater simultaneously. Modern transport aircraft such as the C–135, C–130E, and the C–141 will provide the Department of Defense with a vastly improved deployment capability. For example, last May eight C–135 transports moved 558 combat troops nonstop from McCord Air Force Base, Wash., to Rhein-Main Air Base in Germany in 10 hours and 30 minutes—a distance of 4,483 nautical miles. This same move in older type transports would have required days instead of hours, plus many more aircraft and frequent stops en route for servicing.

INTEGRATED CARGO HANDLING

Paralleling this progress in transport aircraft is the adoption of an integrated cargo-handling system as modern and sophisticated as the aircraft it supports. Designated the U.S. Air Force 463L materials handling support system, it emphasizes a broad scope of equipment for use both in the terminal area and inside the aircraft. This system includes the mechanization of cargo terminals, with streamlined loader-unloader equipment, automatic computation of load data, automatic sorting and weighing, a 40,000-pound loader-unloader truck, and a proposed air-transportable terminal for emergency use in forward areas.

A joint Army-Air Force board located at Fort Bragg, N.C., continuously studies, tests, and evaluates loading techniques and equipment used for airborne operations. As a result of this joint effort, improved heavy drop platforms, parachutes, and aircraft loading procedures have been introduced into airborne units.

To improve our sealift, modern ships are also being developed. The Comet roll-on-roll-off ship will give us the dual capability to load and unload cargo rapidly either in conventional or primitive ports without the necessity for specialized booms and cranes. The use of this ship will reduce transportation turnaround times and, thus, speed up the entire military shipping program.

BATTLEFIELD MOBILITY

Mobility of forces within theaters of operations, including on the battlefield itself, gives each commander the ability to disperse his forces in defensive positions, but still concentrate his firepower and forces when attacking. We are constantly seeking new ways and methods to achieve combat zone mobility. New types of ground effects machines, flying jeeps, and vehicles capable of crossing swamps, ice caps, and rough terrain offer great possibilities. New concepts such as the vertical takeoff and landing (VTOL) and short takeoff and landing (STOL) aircraft are also being employed. The adoption of these new modes of transportation, now in design, development, and testing stages, will greatly increase the mobility of combat forces on the battlefields of the future.

Responsive and reliable transportation is the key to mobility at every level of operation of a modern military force. Perhaps it is not too unrealistic to visualize the doughboy of the future moving about the battlefield entirely by air and sophisticated air-ground vehicles.

WORLDWIDE DEPLOYMENT

Our increased dependence on transportation and mobility has been further highlighted by recent reorganizations within the Department of Defense. A new unified command—U.S. Strike Command—was organized last fall to provide a mobile strike force capable of worldwide deployment. STRICOM can rapidly reinforce a theater command or fight independently, if required. A rapid reaction airlift force and effective follow-on surface transportation provide the mobility for the commander, U.S. Strike Command, to meet these operational responsibilities.

In addition to our concern with Department of Defense transportation systems, we are equally concerned with the civilian transportation capability to respond during a national emergency. For instance, how vulnerable is the system to an enemy attack? How fast can it recover? How well will the military-civilian transportation resources be coordinated, controlled, and allocated to meet both military and civil needs?

The Office of Emergency Transportation, Department of Commerce, is responsible for emergency transportation planning and coordination at the national level, and is supervising Government and private agencies which are actively seeking the answers to these and other related questions.

In the final analysis it can be said that transportation, in all its forms, is the key to our global mobility. Mobility by its very nature is the great multiplier of military capability and is the foundation upon which the extension of U.S. worldwide power rests.

TRANSPORTATION AND EDUCATION: WILL OUR EXECUTIVES BE EQUAL TO THE CHALLENGE?

(By Dr. Eliezer Krumbein, director of education, transportation center at Northwestern University, in collaboration with Franklin M. Kreml, director of the transportation center)

Transportation courses in business and engineering schools are not enough.

We must prepare leaders to see transportation in its entirety.

We must train transportation statesmen.

Colleges should offer degrees in transportation.

Transportation is in many ways the heartbeat of civilization. It has designed the pattern of history and shaped the destiny of nations. So far as we know, it will determine the future, whether on earth or in space. It has not, however, found its proper place in the university curriculum.

One reason for this, of course, is that educators, up to the last decades of the 19th century, were far more concerned with the past than with the world they lived in. The standard college course consisted of the classics, mathematics, and history. Only the very advanced schools taught such "new" subjects as economics and, except in the professional schools, even the biological and physical sciences were barely accepted.

When the change came, when institutions of higher learning faced the demands of a highly dynamic society which needed more and more specialists for its increasingly urbanized, industrialized economy, the educational revolution—like most revolutions—went too far. All kinds of courses were offered, all kinds of training set up, with little attempt to relate the specialty to the overall governing principles or to the culture in which all this activity was taking place.

Thus transportation entered on the university scene not as the complex, socio-economic-legal-technological phenomenon it is, but as world trade, marketing, ratemaking, regulatory policy—in other words, fragments of a whole that was almost too large to be seen.

And there, with some few exceptions, the situation remains; for until quite recently, there existed no means by which transportation could be seen in its entirety.

ANALYTICAL TECHNIQUES

In the last few years, however, analytical techniques have been devised—such as systems analysis, linear programing, operations research, econometrics—which allow a more comprehensive and pentrating view of transportation's role in molding a society.

But perhaps it is necessary to plead the desirability of such a comprehensive view. Why not go on offering transportation courses in business schools and engineering schools and be satisfied?

The most direct reply is that if universities continue to do this, they will once again have fallen behind the times and failed to meet the need of this generation and the ones to come. No one will deny that the need is urgent. It is usually cited in terms of traffic jams, decaying central areas, suburban sprawl, labor problems arising from changing technology, rivalry between modes. It is also, importantly, the need to avoid the disastrous effects of dealing with any one of these problems without reference to the others and to the overall social and economic environment. What we shall have, otherwise, is a tragic waste of effort and ruinous expenditure of tax money.

It is folly to let the engineer build bigger and better roads without full consideration of where they can best be built, how large their capacity should be, and whom they should properly serve. It is shortsighted in the extreme to perfect commercial jet airlines without adequate preparation for their effect on the financial stability of commercial aviation. It is rash to adopt measures for the revitalization of mass transit without information and intelligence massive enough to ensure correct decisive action for or against such measures.

These considerations involve the economist, the sociologist, the geographer, the mathematician, the engineer, bringing to bear on them the highly developed new techniques mentioned above.

A MODERN TRANSPORTATION CURRICULUM

To design a modern transportation curriculum, then, one must begin with such men—plus the political scientist, the administrator, the legal expert—and engage their interest so that they will apply their special skills to transportation problems and build up a body of objective, factual information and overall understanding from which valid conclusions can be made. Only then can we begin to teach transportation—not, as in the past, merely describe a fragment of it.

This is all in keeping with a major trend in university education today. Educators realize that society is too complex, too interrelated to be cut up and served to students in neat little pieces. School after school is returning to the concept of the broadly educated man. It is the contention of this paper that transportation—as newly conceived—is a proper field of study for such a man—not, be it emphasized, a subject, but a field, embracing the many academic areas that are vital to seeing it whole.

UNDERSTANDING TRANSPORTATION

The student, therefore, who specializes in transportation today should:

Understand economics—specifically, aggregative economics, demand analysis, long-range capital investment analysis, interregional trade, etc.

Understand geography—specifically, location theory, matrix analysis, metropolitan and regional planning, etc.

Understand sociology—specifically, the analytical methods for considering social problems, from ways of predicting and controlling the consequences of automation to understanding how human beings organize themselves for work and social control.

Understand political science—specifically, the unique character of the American way of government and the relationship between men and government and institutions.

Understand the technologies of transportation—specifically, the technological characteristics of various modes and systems, and the comparative technology of these modes and systems as determined by such criteria as cost, replacement value, efficiency measures, etc.

Now understanding does not imply mastery, but neither does it mean a superficial acquaintance with the terms. To understand a special area of knowledge is to know how, where, and when that knowledge can best be employed, and to be able to relate it to other knowledge and to the total problem.

TRANSPORTATION STATESMEN

It is not too much to expect that in 1½ to 2 years of graduate work, having equipped himself with the necessary mathematical tools and a good liberal undergraduate education, a man could acquire these understandings and become not only a transportation man as his predecessors were, but, in time, a transportation statesman.

This is not to assert that these men will leave the university and start in immediately to solve the problems of the industry. They will, however, be better equipped to deal with them than if they had learned only ratemaking, traffic management, traffic engineering, marketing, and world trade. Be it noted at this point that such subjects will receive their due consideration in the new curriculum, but set in a context of basic principles, not given as case studies or abstractions.

COLLEGE DEGREE IN TRANSPORTATION

It is now time to confess that such a program as outlined above does not exist on any campus. Princeton University is planning for it; Northwestern's transportation center has for 7 years been working toward it, bringing together the academics in the several schools and departments, enlisting their interest in transportation problems, developing courses, both for graduate students and for men already working in transportation, never losing sight of the transportation man concept; but it will be at least a year more before a program leading to a degree in transportation can be offered. Still this is definitely a time of excitement, new ideas, and hope for transportation education. A recent survey of over 2,000 American colleges and universities showed that some 75 had major transportation programs. These were of the traditional pattern, it is true, but they offer the base for change and development as the pioneering institutions prove the value of their own undertakings.

PROOF OF THE PROGRAM

Such proof will be found in the real world of transportation when broadly educated transportation men, standing firmly upon the solid ground of the truly learned, embrace theoretical research; deftly, even boldly, apply theory to practice; and confidently employ modern analytical techniques in their current evaluations and decision-making processes—all of this with penetrating understanding of the economic, social, political, and technological implications and results of their actions.

From this must result a better culture, a stronger economy, a healthier society; for basic decisions in the critical area of transportation will not only be adequate to current problem solving but will be of such quality—statesmanlike in character—that long-term implications will have been taken into account and the spawning of new future problems and side effects reduced. The decision will have been a solution.

Such education, in an area of such critical importance—particularly in light of our domestic and international problems, ranging from the overridingly important consideration of war or peace, to our capacity to compete with Euromart—is worthy of our best university-level attention and effort. If given, the results may well rank as one of the most important contributions of the American university system to this century—besides which we may reap the valued extra dividend of an educational pattern which has application in many other areas of academic educational efforts.

A CASE EXAMPLE: DEVELOPING A BALANCED SYSTEM

(By Austin J, Tobin, executive director, the Port of New York Authority)

These are times of continuous expansion in population and economic activity, largely concentrated within existing or expanding urban areas. Rapidly developing metropolitan regions are struggling with the complex problem of providing adequate transportation facilities and services for the movement of people and goods.

As these urban concentrations have mushroomed out from the central urban core, the old downtown areas usually have passed through a phase of deterioration. But the reaction today in the core areas is changing to one of vigorous urban renewal. The manifold business opportunities, the rich cultural attractions, and the general magnetism of the central city are in many instances reasserting their importance to our way of life. Witness the dynamic programs of redevelopment underway in downtown and midtown Manhattan, and the replanning and reconstruction underway in the downtown areas of great cities such as Philadelphia, Detroit, Pittsburgh, New Haven, and Newark.

FLEXIBILITY—THE KEY

The transportation key to all of these demographic and economic changes is flexibility; flexibility in our transportation thinking about journeys to work and our journeys throughout the widespread suburban areas; flexibility in meeting the new and changing freight-handling requirements of our growing industrial areas, distribution centers, and of our domestic and oversea markets.

Those of us concerned with transportation policy, planning, and management must examine continually the suitability of our transportation services in the light of the ever-changing needs they are called upon to serve. We must then develop plans and provide services to move people and goods in the most economical and efficient manner possible.

This is a simple statement of the task. But its execution is enormously complex and touches all transportation modes. It requires the study and development of systems which will meet existing requirements and anticipate new needs. It recognizes that various transportation resources of an area will, at times, be underutilized, while others, at other times, may experience demands for their use which exceed capacity. Thus, the realistic approach to formulating transportation policy takes a balanced view of the interrelationships among transportation resources.

A BALANCED SYSTEM

Even in America we cannot afford the luxury of scrapping all that is old and building all new systems. Our transportation development in the years ahead must be fashioned out of what we have today, threading our way and our improvements and reconstructions through vast and growing urban areas. Our goal should be the attainment of a balanced usage of transportation facilities and balanced and realistic thinking in the transportation planning process.

In a democratic country such as ours, rigid transportation systems or formulas cannot be imposed by dictate on the people or on industry. Our metropolitan regions are areas where the roles of common carrier and proprietary transportation interplay constantly. Millions of individual daily decisions affect the utilization of our railroads, buses, automobiles, trucks, aircraft, and ships—to say nothing of all of their variegated terminal facilities. We are, therefore, confronted by a vast complex of different transportation problems and different solutions which must be individually fitted and adapted to our available transportation systems.

PASSENGER TRANSPORTATION

The problem of moving people within and between urban areas has always defied a completely satisfactory solution. Here again, transportation planners are faced with the hard fact that the ground rules are constantly changing. What is more, the problem is plagued by science-fiction extremists and high-pressure experts. And, naturally enough, every commuter, every subway rider, and every driver of an automobile has his own solution. The most common misunderstanding running through many of these solutions, both professional and amateur, is the failure to consider and make provision for the totality of the urban transportation complex.

For example, there are those who argue that railroads and fixed transit systems provide transportation for the most people at the least cost and conclude, therefore, that vehicular transportation should be discouraged. They would do this by penalizing the users of vehicular transportation through exorbitant tolls and parking fees, arbitrary traffic restrictions, and even complete bans on auto travel.

Their goal would be to put the automobile owner or bus user in a position where he would have no recourse but to go by rail, no matter how time-consuming, uncomfortable, inconvenient, or costly his travel might become. There are even those who feel that railroad travel must be encouraged by forcing alterations to the basic land use plan within a region to develop a new pattern which would more thoroughly justify the exclusive use of rail transportation.

On the other hand, there are those who are willing to allow the deterioration and even disappearance of vital commuter rail and transit facilities in large metropolitan areas, in the belief that autos or buses can do the job as well. As we have often pointed out, arterial highways and expressways, even with their capacity for expanding bus services, can never be a complete substitute for a program of maintaining and improving existing commuter rail facilities.

COMMUTER RAILROADS ESSENTIAL

Our commuter railroads perform an essential function in carrying large numbers of commuters into the major urban centers in the morning and home again at night. This peak 20-hour-a-week operation, however, has resulted in mounting and inevitable financial difficulties that have already curtailed passenger transportation in many areas and have eliminated it completely in others. Yet, over the long term, this mode of transportation for high-density population concentrations is the most efficient, appropriate, and economical. As such, it may clearly qualify as a transportation service which is essential to the public welfare and must, therefore, receive public support or be publicly operated.

In the New York metropolitan area, for example: the States of New York and New Jersey are making substantial contributions to the maintenance of commuter rail services; the city of New York subsidizes its subway operation to the extent of over $100 million a year; and the Port of New York Authority has just acquired and is operating, at estimated annual deficits of $5 million or more, the vital interstate service of the Hudson & Manhattan Railroad, which has been in bankruptcy since 1954.

Private operation of commuter rail transportation may be continued for a time through mergers, consolidations, and with modernization of equipment and methods. But inevitably, selected passenger transportation services and facilities will shift from private to public financing, operation, and management. Subsidies are simply a phase of this process. For a new transportation device or service, subsidy can be the road to self-sufficient private operation. For an old transportation method, subsidy is only a stopgap on the road to public operation.

BUSES INCREASINGLY IMPORTANT

The continued development of vehicular transportation is following a logical and national pattern in our balanced system of urban transportation. Buses, for example, will become increasingly important to metropolitan areas because they can serve the growing suburban populations with both the flexibility of the automobile and the economy of mass transportation, particularly in those areas where the density of population is not great enough to warrant fixed rail transit installations. The tremendous and widespread expansion of communities in northeastern New Jersey, for example, occurred simultaneously with the development of a widespread system of arterial expressways within and between the States of New Jersey and New York. This made possible the extension of bus service to meet the needs and offer convenient travel for tens of thousands of daily commuters to central Manhattan. Indeed, the growth of bus transport required the construction of the world's first modern bus terminal, which the port authority built in midtown Manhattan, with another now under construction at the Manhattan end of the George Washington Bridge.

WHAT ABOUT THE AUTOMOBILE?

Certainly, Americans will continue to prefer the flexibility and privacy of the automobile for much of their travel, and its use will continue to grow. Automobile usage is rapidly increasing for intersuburban business travel, local travel, and recreational purposes. It was the realistic acceptance of the major role of the automobile that led directly to popular support of the Nation's magnificent interstate highway program, which is well underway but will still take many years to complete.

Thus, we must clearly recognize and understand the advantages and the limitations of each mode of transportation and then use each segment for that purpose which it is best designed to serve. This implies that we ought to make maximum use of our existing facilities, improving them where necessary, and replacing various elements when appropriate and economically practicable.

INNOVATION NEEDED

This does not mean that innovation, fresh thinking, and advanced technology should not be pursued and weighed continuously. Innovation must, however, pass the rigid and difficult tests of suitability and practicality. It cannot be accepted purely on the basis that it sounds like a good idea or offers promise for the future. Our existing systems were established and have survived because they were realistic in their conception and development. Prudent judgment in transportation planning and development must subject today's new ideas to the same standards.

FREIGHT TRANSPORTATION

In the movement of freight, as in passenger transportation, we have a great variety of transportation tasks to be performed by a wide variety of different forms of transportation. In a properly balanced transportation system, each of these forms or modes should perform the specific job for which its peculiar characteristics make it most efficient. Thus, the railroads, which have the capacity for providing relatively fast, cheap, long-haul transportation, are best suited for hauling both bulk and general merchandise freight between relatively distant points. The mobility and flexibility of trucks make this mode of transportation most suitable for performing local delivery tasks and for providing short and medium haul intercity transportation, particularly between points not well served by major rail systems. The inland waterways provide extremely low-cost transportation of bulky commodities which do not require fast delivery. Similarly, the airlines are particularly well equipped to handle lightweight or high-value cargoes requiring speedy deliveries where great distances are involved. Pipelines also have their special role in the efficient movement of certain commodities, particularly petroleum and gas products.

COORDINATED TRANSPORTATION

The freight transportation field provides several good examples of how sound and constructive new ideas in transportation can be applied successfully. In recent years, the concept of coordinated transportation has undergone a rapid evolution. Its objective is to utilize the maximum efficiencies of two or more modes of transportation in the performance of a specific transportation task.

The recent development of piggyback freight is a good illustration of how this efficient approach has been applied. The flexibility of the truck provides for collection and delivery at the terminal ends of the freight movement, while the fast, economic over-the-road efficiencies of the railroad are utilized for the line-haul portion of the freight movement. The use of the truck body as the container for the freight thus eliminates the double handling which normally would accompany the use of several separate modes of transportation in moving freight from origin to destination.

Other innovations in the use of container are contributing to a balanced freight transportation system, making it increasingly important in the movement of cargo by land and sea in coastal service and in foreign trade. The container concept has already led to the development of more efficient and economic cargo vessels and has cut the costs of operations in highly congested terminal areas. The newest method of lifting the truck body container on and off the ship, using movable ship-based hoists, is rapidly revolutionizing cargo transportation and has already been put into use in the coastal, intercoastal, Puerto Rican and South American trades. Indeed, efficiencies and potential economic advantages of the container make it the most important single development in transportation today. The real future of land-sea interchange in freight transportation, in fact, lies in this concept.

PORT PLANNING AND DEVELOPMENT

These developments open up entirely new areas of port planning and development, since the facilities required at the port for truck and rail services are of equal importance to the facilities required to service the ship itself. The port area has thus become a point of equal interchange between land and sea, whereas previously, we had thought first of the ship's requirements and then provided whatever areas or accommo-

dations that were left over for the truck or the railroad freight car. Furthermore, the extensive port areas needed for handling containers has become attractive for tremendous development of the ancillary services of packing and repacking of cargo. Vast upland areas have therefore become a necessary adjunct of the interchange of cargo at land-to-sea and sea-to-land transfer points.

This is the direction in which we are headed in the port of New York with our new, modern port development programs at Port Newark, Port Elizabeth, and at the new Brooklyn piers. Our construction programs and our future planning at those facilities contemplate utilization of great areas of open land behind the wharves, providing space free of congestion and accessible to through highways and trunk railroads. These areas will make the marshalling of containers, as they come off the road or off the railroad, effective and economical.

A word of caution, however, is in order. While the enormous economic and technological advantages of containerization are clearly recognized by many port officials and transportation experts, both here and abroad, containerization is, in many respects, an automated operation. We must, therefore, as a matter of public policy, make provision for the effect of containerization on our labor forces. This has been done in many of the arguments that have already been worked out in recent labor negotiations. Actually, the savings and efficiencies of the container and the new markets it will open up can only result in overall economic gains, and in the greater movement of goods and the increase of jobs throughout the transportation industry itself.

WORLDWIDE COORDINATION NEEDED

Another problem which we need to come to grips with involves national and international policy. As long as we have a self-loading container ship which can discharge containers which fit the truck on land, we can have this type of operation anywhere in the world. This, however, creates the need to coordinate our port and transportation facilities and policies on a worldwide basis so that it will be possible to achieve an uninterrupted mobility of cargo from point of origin to point of destination. The day is not far off when this will be the subject of exploration and joint planning between the United States and the representatives of the Common Market.

THE TOTAL TRANSPORT TASK

Our transportation resources are perhaps the greatest asset of our metropolitan areas. As transportation planners or managers, we are faced with a mandate to plan, develop, and operate our transportation services and facilities in a manner that will produce maximum economies and efficiencies consistent with overall transportation requirements. Balancing the utilization of our total transportation resources through programs geared to a recognition of the advantages and limitations of each mode of transportation thus is of critical importance in the total transport task.

INDUSTRY'S RESPONSE—TODAY AND TOMORROW

(A panel of General Electric Co. executives discusses major transportation challenges; describes some of today's and tomorrow's technological answers; suggests a complete market industry effort; and debates merits of a systems management approach.)

Moderator: C. W. LaPierre, executive vice president.

Air: David Cochran, general manager, flight propulsion laboratory department.

Rail: Norman W. Seip, manager, equipment section, locomotive and car equipment department.

Marine: James E. Schwartz, manager, marine and defense facilities sales.

Pipeline: Charles B. Elledge, manager, industrial sales and engineering.

Information technology: Harold A. Strickland, Jr., vice president and general manager, industrial electronics division.

Human needs: Dr. Thomas O. Paine, manager, engineering applications, general engineering laboratory.

The market: John B. McKitterick, manager, marketing research service.

Moderator LAPIERRE. Gentlemen, throughout this forum, leading authorities present major transportation challenges facing the Nation. We have the rather unique opportunity to serve as industry spokesmen in relating these problems to possible answers which science and technology can help to provide.

Although we are not qualified to dwell on the political problems involved—and there are substantial ones—we sometimes are prone to use the political problems as an excuse for not evolving technological answers. Actually, over a period of time, technology often solves political problems, if for no other reason than a new technological concept sometimes can cause a political problem to disappear entirely.

There are several questions we all should keep in mind in approaching the problems of transportation. First, are we being too hidebound in our approach? Are we falling into the planner's fatal fallacy of telling people what is best for them, instead of seeking technical solutions to what people want?

For example, Edison's approach to the incandescent light began with a shrewd evalution of the sociology and economics of indoor illumination. From his social insight, he decided that what people wanted was a lot of little lights in many places. That shrewd judgment set his technical labors thereafter on a very different course from his rivals who were already installing arc lamps in stores, railroad terminals, and on streets.

Another question: Should industry endeavor to approach transportation as a complete market, rather than as an unrelated series of product lines? There is a tendency in industry to contribute piecemeal to the problem of transportation. Perhaps the role of the large corporation should be to take the great problems of transportation and break them into manageable pieces which smaller specialized companies can handle on a subcontract basis.

Should Government perhaps consider the systems management approach by industry in order to bring into play the full, creative capacities of private companies? This approach by industry has proved quite successful in meeting our Nation's defense and space needs.

To start our discussion, would each of you first analyze your respective business areas—air, rail, urban, marine, pipeline, and so on—presenting the most important challenges or problems facing the operation for which you are responsible; and second, state where and how technology can help to offer solutions?

Mr. COCHRAN. As I see it, the principal challenges to air transportation fall into four major areas: military mobility; military logistics; high-speed, commercial, intercity passenger service; and fast passenger transport on long-range flights.

MILITARY MOBILITY

For the first time, there seems to be a really major attack on the problem of providing true air mobility for Army troops. In addition to helicopters, simple vertical takeoff and landing (VTOL) aircraft are required that can fly low and slow, communicate readily with troops on the ground, and at the same time be efficient and fast enough to travel relatively long distances—at least several hundred miles from point to point.

Within the next 5 or 6 years, two or three excellent VTOL types should be developed to the point where they can be made operational; and by the early 1970's VTOL aircraft can be in actual operation, ranging in size from tiny, single-place, close-support aircraft to giant transports carrying payloads as great as 10 tons. A key to the success of vertical takeoff aircraft is the propulsion system. In our laboratories we are now experimenting with engines that will deliver as much as 15 times as much thrust as they weigh, in contrast to current jet transport engines that have a thrust-to-weight ratio of only about 4 to 1.

LONG-RANGE MILITARY LOGISTICS

Meeting the military's continuing requirement for worldwide logistics support will require aircraft of larger size and much greater fuel efficiency than is now possible.

The aircraft themselves can be made much more efficient by aerodynamic advances such as boundary layer control that increases the lifting efficiency of air foils and fuselages, perhaps doubling the lifting performance of the aircraft. In the engines there are regenerative turbine developments that can use waste heat from the engine's exhaust to add up to 50 percent to propulsion system efficiency.

Because this area has not been given the urgency of battlefield weapons, it probably will be at least 10 years before there will be a whole new generation of highly efficient transport aircraft for military logistics.

HIGH-SPEED, INTERCITY PASSENGER SERVICE

In the commercial area, what is needed are VTOL aircraft, capable of operating safely, reliably, and quietly in and out of heavily populated areas. With such aircraft, the intercity traffic now using New York's La Guardia Airport could be accommodated by a landing area the size of four football fields; this area could be situated in the heart of the city because no shallow glide angles for approach and departure would be required. Quite probably this kind of aircraft will follow in the wake of military VTOL aircraft, and should be available in the early 1970's.

HIGH-SPEED, LONG-RANGE FLIGHTS

High-speed passenger transportation on transcontinental and transoceanic flights will ultimately require supersonic transports, Mach 2 or Mach 3.

Equal to the convenience to the passenger—flying in 2 or 3 hours from the United States to Europe—is the economic advantage. The faster the airplane flies, the more passengers it can carry from point to point, and the more revenue it can generate for a given total of capital investment.

There are some tough technical problems to be solved. However, I feel that the present rate of progress is such that an aircraft design can be established within the next 3 years that will lead to the development of an operational aircraft in the early 1970's.

Mr. SEIP. Despite much recent progress, the railroads are not being given the opportunity to fulfill their needed and proper role in a balanced transportation system. Much of the answer lies in the adoption of remedial legislation, designed to eliminate outmoded Government regulations and unequal taxation.

Meanwhile, railroad operators and equipment manufacturers have the parallel task of continuing recent technological progress that has been so rapid that even in this normally evolutionary industry, it has appeared revolutionary. I speak of such sweeping changes as steam to diesel, piggyback service, freight containerization, multilevel car carriers, centralized train control, electronic classification yards, microwave communications, automatic mail sorting, and in the locomotive area—silicon rectifier electrics, gas turbines, and higher horsepower diesel electrics.

Since atomic energy is becoming more available commercially, we are often asked

the question: What is the future for atomic-powered locomotves? The nuclear-powered ship, *Savannah*, is proving that atomic reactors can be made to operate with safety in the vicinity of large population centers. However, the large weight of shielding equipment, approximately 2,000 tons in the case of the *Savannah*, indicates that the practical way for railroads to utilize nuclear power will be by means of the straight electric locomotive with wayside nuclear power stations providing the power source.

A new locomotive power source that shows promise in the long-term future is the fuel cell. Its ability to convert stored energy into electric power without rotating machinery may make high-powered locomotives with internal powerplants easier to build within the weight restrictions of undercarriage and bridge structures.

URBAN TRANSPORTATION

Regarding the challenge of urban transportation problems, technology is available for public transportation to be completely revolutionized within our metropolitan areas. Systems—attractive enough to compete with the private automobile—may include electronically controlled, air-conditioned trains that will travel quietly through subways, along center malls in expressways, and over attractive aerial structures at speeds up to 80 miles per hour, with a frequency of service unknown today, both in rush-hour and off-peak periods.

For utmost safety and maximum performance, onboard automated equipment will be able to perform all operating functions of acceleration, speed control, braking station stops, and door operation. At this time, we have an automatically operated transit vehicle on test at our Erie test track. The heart of the automated system is a speed-distance regulator that receives all necessary information from a wayside communications link.

Mr. SCHWARTZ. In the field of national defense, nuclear propulsion is one of the highest-order needs in which we already have experienced progress; we will see even more, thanks to the unrelenting efforts already being expended on our nuclear submarine fleet.

Examples of progress can be found in new nuclear reactor concepts, improved and simplified electronics systems, improved detection devices, quiet operating motors and gears, fuel cells and batteries, submersible motors, use of aircraft-type jet engines for high-burst speed on antisubmarine warfare vessels, as well as on hydrofoils.

COMMERCIAL MARINE INDUSTRY

The other important element of water transportation is, of course, the worldwide commercial marine industry, which obviously benefits from defense developments.

Containerization, automatic cargo handling, and computerized warehousing techniques are steps in the right direction; but even here, more attention must be given to variety of cargo and cargo mix, and the distribution of cargo before it enters and once it leaves the ship's hold. It is most important that our marine transportation systems are an integrated link with air, rail, and truck movements.

Engine room automation is now a reality; however, our technical ability to automate is far beyond present ability to solve labor-management relationships and problems, which prevent cost savings at this time. Ninety percent ship automation could be tackled right now with excellent chance of success, if it were desired by the industry.

EQUIPMENT PRODUCERS' GOAL

While many commercial advances will accrue from naval ship developments, it must be the equipment producers' goal to adapt these new technologies with the business well-being of the commercial operators in full focus. To quote Donald W. Alexander, head of the Maritime Administration, from a recent address:

"We need now and shall need increasingly in the future a more unified system of sea transport * * * a system that moves cargo from the factory in this country to the customer overseas with a minimum of delay, a minimum of handling, and a maximum of speed and efficiency. * * * Only with such a truly integrated system can we successfully meet and beat our growing competition from the other maritime nations of the world."

In summary, technological advance is vital in the shipping industry for the immediate future—not to produce such glamorous results as doubling or trebling the speed of water carriers but in the very practical job of bringing costs down. For unless costs are brought down, present carriers will find that they are literally pricing themselves out of the great new trade-expansion business being opened up through the European and other common markets.

Mr. ELLEDGE. The expansive growth in the use of the pipeline for conveying petroleum, petroleum products, gas, and water, has created an almost new industry over the last 25 years.

To give some idea of the extent of industry growth, the Colonial pipeline—now being built—will pass through 14 States, go from Texas to the New York Harbor area, have some 2,600 miles of lines, with a capacity equivalent to 50 oceangoing tankers. It will involve an investment of $350 million by private industry—nine interested oil companies.

Throughout the evolution of the pipeline transmission system, the emphasis has been on economy; a pipeline is used to move the product itself; there are no empties that need to go back for a next load. The increasing use of factory-packaged gas turbines to drive pumps or compressors is reducing operating costs. The gas turbine in most cases operates on pipeline fuel, and it requires very little maintenance as compared with other driving means.

Many pipeline stations are now being automated, becoming classified as unattended. Through remote control, operating directions and applicable measurements can be transmitted between a master station and a satellite station.

Of course, pipelines are not limited to just the movement of oil and gas. Probably receiving the most current attention is the coal pipeline, whereby a slurry of about 60 percent coal and 40 percent water can be run right into a boiler for burning just as if it were oil or some other liquid fuel.

ELECTRIC WIRE AS A PIPELINE

Not always thought of as such, is the fact that electric wire is in effect a pipeline. By placing an electric utility generating plant adjacent to a coal mine and converting the coal into electrical energy, transmission of electrical energy by wire can take the place of transporting the coal.

Other pipeline potential includes such areas as: high purity nitrogen pipelines (for industrial, chemical, aerospace, and other uses), as currently being built in Delaware; the movement of grain via pipeline; flexible pipelines—with pressure capability up to 2,000 to 3,000 pounds per square inch and diameters of 8 to 10 inches—that can be unrolled and have continuous length within reason; and the use of liquid pipelines to transport small encapsulated packages of all types.

Mr. STRICKLAND. Recently, I read a report that pointed out that the cost of paperwork to move a freight car from Maine to California was greater than the cost of the physical movement of the car. Actually, the common technology that underlies the solution to this and other problems mentioned by the panelists thus far is automatic information handling—the automatic engine room and automatic cargo loading mentioned by Mr. Schwartz, the automatic train discussed by Mr. Seip, automatic pipeline operation described by Mr. Elledge, and air vehicles as discussed by Mr. Cochran.

For example, take freight car identification and classification, which are prime information handling (basically sensing) functions.

Information technology, now available, can greatly increase productivity by immediately identifying availability of each car, reducing car movement to the minimum, making full use of its capacity, getting it to its destination in the shortest possible time, informing the customer where his shipment is at any given time, and providing advance notice of destination arrival.

Rolling stock required for a given amount of freight movement also can be reduced by information handling systems, and automatic systems are in place that make possible significant reduction in trackage. With automatic shunting of trains going in different directions on the same track, many roads have already found that one track can effectively do the work of two.

In the airline customer booking or reservation function, information systems can provide firm answers to an inquiry in 30 to 40 seconds. The British European Airways system, now under construction, will be able to get an answer in milliseconds and handle all bookings up to 9 months in advance. This will eliminate millions of reservation record cards, flight control sheets, and booking entries.

For flight planning, a computer can scan the country horizontally from border to border, vertically up to 40,000 feet, and thread the path through this cube that is cheapest and fastest for any given trip. In 20 seconds, the four best possibilities can be printed out in detail for the captain's and dispatcher's choice.

In rapid transit systems, automatic information handling systems can dispatch trains to meet established schedules, accommodate regular peak or unusual traffic flows, signal any departure from schedule, and institute corrective scheduling to minimize delays.

Moderator LAPIERRE. Tom Paine, I know that you have been actively involved in engineering laboratory studies concerning the importance and need for relating technology to human needs. What are your observations?

Mr. PAINE. First of all, the only reason for technology is to satisfy the needs of people. This fundamental too often gets overlooked in our fascination with new technology. For example, in transportation, there has been overemphasis in developing individual vehicles rather than integrated systems.

As the other panelists have pointed out, we have the necessary technology to meet more adequately our transportation needs; what is required is more integration of methods and modes. To do this requires systems engineering and an industry approach. Unfortunately, as is apparent throughout this discussion, a transportation industry, as compared to the communications industry or the electric power industry, does not really exist in this country. Rather, we have a badly fractionated, separately optimized and regulated series of activities.

It is interesting that the Soviet Union recently completed the full electrification of their Trans-Siberian Railroad. They were able to do this economically by combining the electric power distribution system for Siberia with the railroad electrification system. Essentially, they have produced a utility corridor running through the center of their country with both electric power and transportation available, each supporting the other.

Our growing international society is creating new needs for standardized and integrated transportation systems able to cope with increasing world travel and trade. The needs of the less-developed regions for rapid expansion of road, rail, water, and air transportation systems, using new techniques adapted to their specific environmental problems, also will lead to new technological advances responsive to these needs.

Moderator LAPIERRE. McKitterick, from a marketing viewpoint, how do we translate human needs into business opportunities?

Mr. MCKITTERICK. Through all our immediate and long-range planning, we should keep in mind that, mercifully, society always has alternate ways of improving its transportation situation, which do not require new technology and new inventions.

For example, if we don't solve the metropolitan transportation dilemma, society will accommodate the problem by simply stopping the growth of large cities. Or, if greater integration of transportation systems is slow in coming, the freight forwarder—who buys at wholesale and sells at retail—can very efficiently combine the best features of motortrucks, railroads, airlines, and marine shipments.

Once the transportation user has adapted to the alternative, he has good reason to resist proposed new systems. Therefore, proper timing of innovation is vital in meeting the transportation needs of the Nation and the world.

SPECIFIC MARKET OPPORTUNITIES

As to specific market opportunities, let me highlight a few. The removal of trade barriers between the six countries of the European Economic Community, and steps being taken to integrate their economies, will have a significant effect on transportation development. All forms of transportation among those countries will be greatly increased. A plan has been submitted for the joint operation of international routes of Common Market countries, called Air Union. If such a long-term development does not immediately suggest a course of action in marketing strategy, it at least shows where attention should be directed.

In our own country, more than $5 billion will be spent in the sixties for the development of civil aviation facilities, including $2 billion for a nationwide airway control system and $3 billion for airport development, according to a Stanford Research Institute report.

Additionally, all transportation businessmen should note the trend toward metropolitan-area government activities such as the Port of New York Authority. This approach introduces a whole new marketing factor, where industry can now plan for, develop, and deliver completely integrated systems involving air, land, and marine equipment.

Moderator LAPIERRE. Thank you, gentlemen. Now let's have any ideas or reactions, prompted by the presentations thus far, keeping in mind that we cannot sit around and wait until 1975 or 1980 for the ultimate transportation system.

Mr. PAINE. An unsolved problem in the urban transportation field is this: Once rapid transit has brought a person to a central downtown terminal, how do we get him on to his ultimate destination? A practical way to attack this problem, that appeals to us, is through a small experimental system in a place like a jet airport, where there is almost a microcosm of the metropolitan situation. New York City's Idlewild Airport is a good example of a place where people must get from parking lots to and between extremely spread out individual terminals. If we can solve this problem, we've taken the first step toward meeting the city's needs.

A jet airport system approach that ultimately might be expanded to metropolitan use, might consist of a small individual vehicle transportation system, automatically operated, that would require of the passenger only that he punch the proper button for the desired destination, just as he does in an automatic elevator.

Mr. SEIP. Carrying this further, perhaps these individual transporters could be small, drive-it-yourself, battery-electric cars that could be plugged into parking meters. A magnetized driver's license key, inserted into the car, would validate your right to drive; and by making a recording in the vehicle's meter, would be a drive now, pay later credit card.

Certainly, in the immediate future we must concentrate on the convenience factor in urban transportation. People just don't want to wait. A practical step, possible today at very little increase in expense, would by automatic handling of trains. Instead of running, say, a six-car train along half full, with automatic control it could be broken up into three two-car trains. This would immediately increase service frequency.

Mr. MCKITTERICK. Along this line, we might arrive at a system whereby instead of long trains, individual cars are dispatched as rapidly as loaded, so that there is little, if any, waiting or queueing. Another possibility with immediate potential might be to take greater advantage of existing automobile and highway systems. Perhaps we can put into each automobile an inexpensive appliance that would permit the operator to push a button and declare his origin and intended destination on a central computer. The computer would consider the prevailing traffic situation and route him by the quickest, most uncongested route to his destination.

Mr. STRICKLAND. Referring to Mr. McKitterick's earlier point that people and societies often find their own alternatives to traffic conditions, one possibility that has not been mentioned is the transmission of information itself. There is a tremendous number of unused television channels which can bring many things from the central city to the home or office, as opposed to having to transport people. If we could transmit enough information, both in visual and data form, that could reduce the need for many people to ride.

Mr. MCKITTERICK. Much purchasing could be done in the home, through accommodation of electrons, without ever traveling.

Mr. COCHRAN. Regardless of technology, we are talking about two kinds of transportation—mass and personal. Both methods require money to improve, and I feel that people are going to be more inclined to spend their money to improve their personal transportation than for improved mass transportation.

Mr. SEIP. I would like to take issue with that statement. I am convinced that people can be led to do better things. Take, for example, Cleveland's suburban Shaker Heights community. Back in the 1920's the leaders in this project decided that a very desirable residential community could be created and built around a rapid transit system which would bring people into the center of the city very quickly. This has come to pass. The rapid is a great success, real estate values have been kept up and enhanced, and the people generally regard Shaker Heights as an outstanding community where the convenience factor has contributed to better living.

Mr. COCHRAN. I agree that progress is being made, but just consider how much money gets invested every year to improve personal transportation, in the form of buying 6 to 7 million new automobiles, versus how much gets invested in improving urban transportation systems.

The day will come when reliable, inexpensive, personal air transportation will be readily available to at least every person who can now buy a higher priced automobile. And this is going to come because the individual would rather spend his money on something that he can own and control.

Mr. PAINE. I don't think the two situations are mutually exclusive. I agree that we are going to see a great emphasis on personal transportation. We already have. But at the same time our cities have simply got to have better transportation systems, integrated with civic plans.

Mr. MCKITTERICK. What puzzles me is that most of the metropolitan areas on the verge of critical commutation problems are located on water and are not using it for the transportation of people. We have high-speed hydrofoil boats, and it would be comparatively inexpensive to provide equipment and to stake out a safe right-of-way on the surface of the water with radar buoys.

Mr. SEIP. Chicago, interestingly, is doing something in the area of water transport. One of the railroads is discharging passengers at a downtown terminal, where they are loaded on boats and taken to other destinations as part of the downtown distribution. I assume that there is considerable potential in hydrofoils if the water is such that you aren't fighting the ice problem in winter. Certainly, with radar I think that this could be made most reliable.

Mr. SCHWARTZ. The use of hydrofoils for ocean travel is interesting to predict. Already proven economical for use on protected or inland waterways where high speed is tolerable and useful, they may show promise also to cope with rougher waters, particularly if techniques for submerged foils, wave height prediction, and foil control are fully exploited.

A TRANSPORTATION SYSTEMS MARKET

Moderator LAPIERRE. Let's discuss another area mentioned earlier; namely, whether or not the Government should create a transportation systems market in which private companies could compete, much as they now compete in the air, space, and defense fields.

Mr. MCKITTERICK. I have long been an advocate of Government encouragement of industry toward the systems approach to transportation problems, much as in the defense industry. I can think of nothing more suitable than corporations competing to work out economic, as well as technological solutions to such problems as New York's commutation snarl—competing to be the prime contractor for the design and implementation of such a system. In this way, large corporations would be working on tasks sufficiently complicated to really challenge their skills and resources. At the same time, through subcontracting, they would be involving specialized smaller companies in the goals or solutions.

Mr. SEIP. Part of the problem, of course, is developing customer climate for transportation systems, rather than modes. A first step by Government might be to consolidate the regulatory agencies of transportation, and develop policies which would tend to equalize, and minimize at the same time, the regulatory approach taken by agencies such as the Interstate Commerce Commission, Federal Aviation Agency, or Federal Maritime Board. In this way, perhaps, we will begin to treat each individual transportation mode equally, so that the user himself can decide objectively how he is going to be served.

Mr. STRICKLAND. Basically, we have to define the problem in order to get a real systems approach to transportation. We have much information which fills in points in the matrix, but we really haven't a transportation system model.

Mr. COCHRAN. If we had such a national transportation model in front of us, then every advance could be directed toward fitting into an ultimate system. I don't think this is unrealistic at all. This approach has proved successful in the telephone business.

Mr. SEIP. President Kennedy's recent transportation message to Congress is a major step forward, and I am optimistic that in this decade we will define—and begin implementing—a national transportation policy.

OPPORTUNITIES IN FOREIGN COUNTRIES

Moderator LAPIERRE. We have touched only briefly on transportation needs and opportunities in oversea business development, particularly in the Southern Hemisphere. Comments?

Mr. PAINE. During an extended visit to Latin America this spring, and also at an engineering research foundation conference this summer devoted to technical problems of the less-developed nations, it became very apparent that transportation is a basic requisite for national development. Before rural people can be brought into a market economy, they must have basic transportation. And these people certainly do not have to repeat all the history that we have been through. They can immediately take advantage of available technology.

Here is a great opportunity for industry to contribute to development. This area presents an enormous market, great need, tremendous potential.

Moderator LAPIERRE. Considering that the businessman has his responsibility to the shareowner, how can he go into these nations and be reasonably protected and assured of a return on his investment?

Mr. PAINE. Generally, financing and means to minimize risk, are available through the Agency for International Development and the International Bank for Reconstruction and Development (World Bank). Developing nations, with the cooperation of American business, are increasingly taking advantage of these programs to promote economic growth, with transportation improvement receiving an appropriately high priority.

THE LONG-RANGE FUTURE

Moderator LAPIERRE. Perhaps a good way to conclude this session is to make certain we haven't overlooked any of the broad, long-range approaches and social effects.

Mr. MCKITTERICK. Imagine what would happen if we ultimately have a personal air device whereby we dial a destination, push a button, and sit back and read the newspaper. People then would want to live where the scenic and climatic conditions are most attractive, which would develop many of the western and recreational resources at a very rapid rate.

With respect to marketing organization, the personal air transporter could be a real boon. We already see a tendency of the small companies to ferry around an expert selling team, rather than maintain it permanently deployed in metropolitan cities. This would lead to considerable specialization rather than a horizontal multiplication of the same skills in business. It would open up the dimensions of competition to a fantastic degree.

Mr. COCHRAN. During the past few years, so much attention has been paid to the development of missiles, space vehicles, and rockets, that the general public has come to believe that the airplane business is just about at the end of the road. This certainly is not the case. As long as man inhabits this globe, there will be travel in the earth's atmosphere. The most efficient way of doing this is to employ aircraft powered by air breathing engines.

INCREASED INDUSTRY-GOVERNMENT ACTIVITY

Mr. PAINE. Unquestionably, in the next decade there is a much more significant role for private industry in transportation systems. Government will also be giving increased attention to this area. The recent successful aiming of our Venus probe precisely toward its target was in effect a transportation feat that required a combined Government-industry program. We clearly recognized in that case the importance of the information technology link, and the importance of the systems approach. Now we must learn to do as well with respect to our earthbound transportation problems.

Mr. MCKITTERICK. In parallel, apparently today technology knows no limitations. Industry can make virtually anything the customer will specify and buy. The problem is to bring into existence a customer for the transportation systems technology we know how to provide.

Mr. PAINE. And this situation is probably the most critical limiting factor to transportation progress. Once the problem of creating a transportation systems customer is solved—by industry and Government working together—we will see great advances in the application of new technology to the better transportation of goods and people.

AMENDMENT OF HOUSING ACT OF 1961, TO FACILITATE CONSERVATION OF LAND FOR OPEN SPACE

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and Senators CLARK, BARTLETT, NELSON, ENGLE, BREWSTER, RIBICOFF, NEUBERGER, DOUGLAS, and PELL, I introduce, for appropriate reference, a bill to amend title VII of the Housing Act of 1961 to facilitate the conservation of open space land. This bill would authorize the Administrator of the Housing and Home Finance Agency to give additional assistance to States and their political subdivisions in preserving open space land in and around urban areas which, for economic, social, conservation, recreational, or esthetic reasons, is essential to the proper long-range development of the Nation's urban areas and their suburban and rural environs.

I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD at the conclusion of my remarks and that it lie at the table for 4 days so that other Senators who wish to cosponsor the bill may do so.

Mr. President, in 1961, I introduced open space legislation in the Congress for the first time. The bill was in response to the growing awareness of the wasteful sprawl of our urban areas which threatened this Nation with the disfigurement and misuse of one of its greatest natural resources—land.

The Congress responded to the threat of losing much valuable and irreplaceable open space with the first Federal open space program as title VII of the Housing Act of 1961, and declared that the purpose of the bill was "to help curb urban sprawl and prevent the spread of urban blight and deterioration, to encourage more economic and desirable urban development, and to help provide necessary recreational, conservation, and scenic areas by assisting State and local governments in taking prompt action to preserve open space land which is essential to the proper long-range development and welfare of the Nation's urban areas."

PRESENT PROGRAM

At first, progress in preserving open space under the program was necessarily slow. The difficulty of administering a new program and the time required to inform communities of the program's potential accounted for the delay. But these early obstacles are being overcome at the agency, and at the State and local levels, and the pace of the program has quickened.

Today, less than 2 years since the original statute was enacted, it is possible to see notable accomplishments being made, and the signs are abundantly clear that the spread of urban sprawl and the reckless advance of the bulldozer may eventually be effectively curbed.

To date, 27 communities in 18 States, from California to New York; from Florida to Washington, have applied for and received Federal grants under the program involving over $4.5 million. The approved grants will aid these communities in acquiring nearly 11,000 acres of land in projects ranging in size from 20 acres to several thousand. At present, more than 67 grant applications are under review and awaiting final approval from the agency. Communities in some 35 States have already begun to take advantage of the program and the others will unquestionably follow suit shortly. By the end of the current fiscal year, we can anticipate that over 40,000 acres of land will have been permanently set aside—set aside to enrich the lives of all those who will use and enjoy the land in the future.

Statistics, however, cannot sum up the many uses to which the program has been put, or crystallize the splendid progress that has been made. To give a more detailed description of the effect that the open space program has had in preserving land and insuring the well-being and orderly development of our urban areas, I ask unanimous consent that the housing and home finance agency project descriptions for each grant already approved be printed at this point in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The project descriptions are as follows:

URBAN RENEWAL ADMINISTRATION OPEN SPACE GRANT COMMITMENTS AS OF DECEMBER 31, 1962

INDIVIDUAL COMMITMENTS

Madison, Wis.—Federal grant, $99,331, December 31, 1961: The first open space land grant was approved to aid Madison in the purchase of a new park area. The land is being acquired as part of a long-range park and open space plan prepared by the city in cooperation with the surrounding communities and with assistance from several State agencies.

Massachusetts Department of Natural Resources—Federal grant, $46,500, December 13, 1961: Aid in purchasing a new park and recreation area in Taunton. The 647-acre park in Taunton will preserve a picturesque remnant of cranberry bogs which once covered much of this part of Massachusetts, and five man-made ponds. The land will be developed for recreation, conservation, and nature study purposes and will be accessible to a local population of over 300,000 in an area rapidly becoming urbanized.

Metropolitan Recreation District No. 50, Colorado—Federal grant, $19,200, March 17, 1962: Aid in the purchase of a 120-acre park and recreation area near Westminster, 5 miles northwest of Denver. The new park and recreation area, together with 80 adjacent acres previously acquired without Federal assistance, will be developed by the recrea-

tion district for public facilities to include several lakes, swimming pool and open park.

Poughkeepsie, N.Y.—Federal grant, $7,330, April 27, 1962: Aid in the purchase of 22 acres of land for the expansion of College Hill Park. The expanded park will provide facilities for boating, fishing, ice skating, and limited play field activities.

Sacramento County, Calif.—Federal grant, $205,080, June 22, 1962: Aid in the purchase of 262 undeveloped acres for expansion of three parks along the American River. The county is planning to develop some of the park land for picnic and recreation areas and to retain some in its natural state.

San Leandro, Calif.—Federal grant, $22,785, June 23, 1962: Aid in the purchase of 344 undeveloped acres of the San Leandro shoreline and marina development. This is part of a proposed 1,502-acre land acquisition program for a regional recreational area and will be developed by the city as a seaside park.

Maryland National Capital Park and Planning Commission—Federal grant $2,108,785, June 24, 1962: Aid in the aquisition of 4,005 acres, on 41 separate sites of predominantly undeveloped land in Montgomery and Prince Georges Counties. Over 1,700 acres are in six locations along the upper reaches of Rock Creek. The other 35 park, recreation and conservation areas—most of which are clustered around the boundaries of the District of Columbia—include the 686-acre Hawlings River Park in Northeastern Montgomery County, and 510-acre Clinton and 440-acre Largo regional parks in Prince Georges County.

Morris County, N.J.—Federal grant $7,500, June 26, 1962: Aid in the purchase of 50 acres for the Passaic River Park. The land is being acquired for conservation and recreational uses. Facilities for hiking, nature instruction, bicycling, and picnicking will be provided by the county. This is part of a long-range public park program that includes acquisition of more than 200 acres along the Passaic River. The county has already acquired 2,500 acres for a planned 10,000-acre countywide park system.

Berkeley Heights, N.J.—Federal grant $103,500, June 26, 1962: Aid in the purchase of land for six separate park and recreation areas throughout Berkeley Heights, a suburb of Newark. Two of the larger tracts will be developed for active recreation activities, including athletic fields, playground areas, and possibly a municipal swimming pool.

Waterbury, Conn.—Federal grant $14,000, June 26, 1962: Aid in the purchase of 78 undeveloped acres for Bucks Hill Park. This park land is being acquired for conservation and recreation. Part of the woodland will be developed by the city to provide picnic areas, playgrounds, and athletic facilities; the remainder will be retained in its natural state.

Lane County, Oreg.—Federal grant $167,341, June 26, 1962: Aid in the purchase of 214 undeveloped acres for the expansion of North Bank Park near downtown Eugene. The new park land, on the Willamette River, is to be developed locally for boating, swimming, picnicking, and other recreational facilities. This purchase will complete the acquisition of land for a 500-acre regional park.

Huron-Clinton Metropolitan Authority, Michigan—Federal grant $165,660, June 29, 1962: Aid in the purchase of 838 predominantly undeveloped acres on the Huron River. The new park land, serving the Detroit metropolitan region, will be developed locally for picnicking and camping facilities. This acquisition is part of a long-range program of the Huron-Clinton Metropolitan Authority to expand the Metropolitan Parkway area.

Northern Virginia Regional Park Authority—Federal grant $261,840, June 30, 1962: Aid in the purchase of 1,338 acres of predominently undeveloped stream valley and woodlands in southern Fairfax and Prince William Counties. The new park areas include about 450 acres to be added to Bull Run Park, from both Fairfax and Prince William Counties and the balance from the Pohick Bay area in Fairfax County. The new acreage will be used for conservation, hiking, canoeing, picnicking, weekend camping, and outdoor recreation activities.

Dade County, Fla.—Federal grant $45,000, October 26, 1962: Aid in the purchase of 50 acres of undeveloped woodland in Castellow Hammock in the Miami metropolitan area. Most of the new park area will be retained in its natural state. Some new nature trails and picnic areas are to be added. The county plans to classify, cultivate, and preserve rare plant life indigenous to the area.

Allegheny County, Pa.—Federal grant $373,440, October 25, 1962: To aid in the purchase of 1,089 predominantly undeveloped acres in the Pittsburgh urban area. The six new park sites, strategically located throughout the county, will be developed locally to serve primarily as natural forest preserves to provide leisure time retreats for the entire urban area. Sites for each regional park were chosen in accordance with an overall open space program determined as a result of a joint study by the county planning department and the Allegheny conference.

North Jeffco Metropolitan Recreation and Park District, Colorado—Federal grant $11,720, November 1, 1962: To aid in the purchase of two 10-acre predominately undeveloped sites in Arvada City, about 2 miles northwest of Denver. The new park lands are to be developed locally as neighborhood playfields.

Lexington, Ky.—Federal grant $12,000, November 1, 1962: To aid in the purchase of 35 undeveloped acres. The new park land, in the southern section of the city, includes a one-half acre fishing lake and a picnic area. The area is to be developed locally with a baseball diamond, children's play area, and shelters. Some wooded areas will be retained in their natural state for nature study.

Medford, Oreg.—Federal grant $14,700, November 14, 1962: To aid in the purchase of 47 predominately undeveloped acres in Bear Creek Park. The new park land, about 1 mile from the central business district, is to be developed for picnic and game areas, an arboretum, and an outdoor theater or band shell. A lagoon is to be developed for boating and children's fishing.

Ramsey County, Minn.—Federal grant $30,000, November 27, 1962: To aid in the purchase of 57 undeveloped acres for expansion of Battle Creek Park. The new park land, in the southeastern section of St. Paul, will be an extension of park and recreation areas on Battle Creek. It is to be developed with local funds for picnicking, hiking, games, and other recreational activities.

Glasgow, Ky.—Federal grant $4,860, November 27, 1962: To aid in the purchase of 21 undeveloped acres of VFW Park. The wooded site, formerly owned by the Veterans of Foreign Wars, is about 1 mile from the central business district. It is to be developed with local funds for picnicking and playing fields.

Warren, Mich.—Federal grant $21,100, November 27, 1962: To aid in the purchase of 21 undeveloped acres for Pinto Park Site. The site is in the southwestern section of the city. It is to be developed with local funds for children's play areas, field sports, and ice skating.

Toledo Metropolitan Park District Board, Ohio—Federal grant $201,000, November 27, 1962: To aid in the purchase of 420 undeveloped acres in the Toledo urban area for Swan Creek Park. Although the population increased by more than 30,000 during the past decade, very few park and recreational areas had been reserved. The new wooded park land, southwest of Toledo, is considered a flood plain. It is to be developed with local funds for playing fields, nature trails, nature centers, picnicking, and day camp activities. Part of the area will be retained in its natural state.

Los Angeles County, Calif.—Federal grant $264,000, November 27, 1962: To aid in the purchase of 220 undeveloped acres for Otterbein Recreation Park. The new park land, in the Los Angeles-Long Beach urban area, is to be developed with local funds for playing fields and a public golf course. A section of the site is to be retained in its natural state.

Salem, Oreg.—Federal grant $6,630, November 30, 1962: To aid in the purchase of 21 undeveloped acres known as Santiam Park. The new park land, in Marion County about 2 miles southeast of downtown Salem, is to be developed with local funds for water recreational facilities, including boating, swimming, and fishing. It will also provide for picnicking and playing fields.

Everett, Wash.—Federal grant $19,400, December 13, 1962: To aid in the purchase of 107 undeveloped acres for the Walter E. Hall Recreation Area. The new park land, about 5 miles from the central business district, is to be developed with local funds for a public golf course and park.

Polk County, Iowa—Federal grant $42,732, December 13, 1962: To aid in the purchase of 458 predominately undeveloped acres known as the Yeader Creek tract. The new park land, adjacent to the southeastern limit of Des Moines and Ewing Park, is to be developed with local funds for a marina and beach and playground facilities. A 180-acre manmade lake is also to be developed with local funds. This land is being acquired by the county conservation board as part of its 5-year development plan.

Santa Clark County, Calif.—Federal grant $66,762, December 18, 1962: To aid in the purchase of 234 undeveloped acres on four separate sites. For Sanborn Road County Park, 120 acres are to be acquired and developed with local funds for regional park uses, with overnight camping facilities. Part of the hilly site will be retained in its natural state. The Coyote Creek Park chain, planned to extend for 18 miles between San Jose and the Anderson Reservoir, will be augmented with two new sites (44 and 22 acres) to be developed with local funds for picnicking, riding, and hiking. For the Stevens Creek Park chain, a 48-acre narrow strip between Stevens Creek and Stevens Creek Parkways will be acquired and developed with local funds for picnicking and trails.

POTENTIAL OF THE OPEN-SPACE PROGRAM

Mr. WILLIAMS of New Jersey. Mr. President, as the above summary indicates, the open-space program has already helped community leaders fulfill some of their long-cherished goals. And they have been encouraged to incorporate imaginative land use patterns into urban plans which should have deep and lasting significance to small communities and to entire urban regions.

Open-space land has been set aside for recreational purposes; a need that is growing rapidly as our income, mobility, and leisure time increases.

Land has been permanently preserved for conservation.

And land has been preserved simply for natural beauty's sake so that we can continue to thrill at the marvel of God's earth in its natural state.

And, I believe, that the enormous potential of the program has not been fully explored.

The program may help the small urban watersheds meet the growing challenge of stream pollution.

It can be used to preserve the scenic features of a community, or that dwindling patch of woods at the edge of an

urban area, so that our youngsters may know what nature is really like.

It can provide sites for recreational activities right where people live, and not dozens of miles away, which is increasingly the case.

It can be used to provide outdoor conservation education facilities, such as wildlife sanctuaries and nature centers, so that children as well as adults can learn something of wildlife and conservation.

It can be used to separate communities, one from the other, so that each retains its individual identity without the mutually destructive juxtaposition of incompatible areas—for instance, residential and industrial.

It can be used to halt the spread of slums, and the deterioration of property values. In short, it can be used as a creative tool in developing more attractive, enjoyable, and livable urban and suburban communities.

PRESENT PROGRAM NEARLY EXHAUSTED

All this and much more can be accomplished if the amendments to the open-space program, which this bill proposes, are adopted by the Congress.

One of the most compelling reasons why this amendment is necessary is that the $15 million available for expenditure during the current fiscal year will be exhausted before spring. This means that if all the current pending applications were approved, money would not be available and all subsequent applications would have to be turned down, thereby calling an automatic halt to one of our Nation's most significant conservation efforts. The need to provide funds, therefore, is clearly urgent, not only to continue the existing program, but also to assure potential users that they can count upon the program's assistance.

Dr. Weaver, Administrator of the HHFA, and I have conferred at great length about this and other aspects of the program. We are in agreement that the importance of this program to the country requires the highest priority at both the legislative and administrative levels of the Federal Government, and that more funds are essential if the program is to be stepped up and moved forward. As past experience indicates, some changes in the legislation should be made in order that the purposes of it may be fully realized. To this end, I am proposing amendments which should provide impetus to the entire open-space program and get it rolling.

I ask unanimous consent that an explanation of the amendments be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

SUMMARY

Mr. WILLIAMS of New Jersey. Mr. President, the open-space program has already proven itself to be a major force for logical, orderly, and attractive urban development in the United States. Even in its present limited form, it has demonstrated that land acquisition grants can speed the fulfillment of longstanding plans; the program has also stirred new planning to help make the most of open land opportunities that, within the near future, could be lost forever. It would be pointless and pitiful for us to lose the momentum already generated by this program. The amendments I propose here today will do much to help the program live up to its full potential while it meets new challenges ahead.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 7) to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, for himself and other Senators, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of of America in Congress assembled, That (a) section 702(a) of the Housing Act of 1961 is amended by striking out the second sentence and inserting in lieu thereof the following:

"The amount of any such grant shall not exceed 30 per centum of the total cost, as approved by the Administrator, of acquiring such interests: *Provided,* That this limitation may be increased to not exceed 50 per centum in the case of a grant to a public body for the acquisition of land which, because of its size, location, projected use, or other significant factors is found by the Administrator to be essential to the growth and proper development of an urban area, or a major subregion of an urban area."

(b) Section 702(b) of the Housing Act of 1961 is amended (1) by striking out "$50,000,000" and inserting in lieu thereof "$100,000,000", and (2) by inserting before the period at the end thereof a comma and the following: "and any amounts so appropriated for grant purposes shall remain available until expended".

SEC. 2. Section 703 of the Housing Act of 1961 is amended by—

(1) striking out subsection (a) and inserting in lieu thereof the following:

"(a) In the case of land for which grants of not to exceed 30 per centum may be made, the Administrator shall make such grants only if he finds that the proposed use of the land for permanent open space conforms to a general plan for the locality in which the land is located meeting criteria he has established for such plans and that a planning process for the locality is in existence."

(2) redesignating subsection "(b)" as subsection "(c)" and adding a new subsection (b) as follows:

"(b) In the case of land for which grants of not to exceed 50 per centum may be made, the Administrator shall make such grants only if he finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of an urban area are reflected in a comprehensive plan for the urban area meeting criteria he has established for such plans and that a program of comprehensive planning (as defined in section 701(d) of the Housing Act of 1954) is being actively carried on for the urban area: *Provided,* That in those urban areas in which, because of their size and complexity, the Administrator determines that it is unlikely that a comprehensive plan (or the open space component of a comprehensive plan) for the whole urban area will be developed in the foreseeable future, such grants may be made if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of an urban area, or a major subregion of an urban area, are reflected in a comprehensive plan for a major subregion of an urban area which is not inconsistent with the program of comprehensive planning for the urban area: *Provided further,* That until July 1, 1966, the Administrator may accept an open space component of a comprehensive plan for the urban area or a major subregion of an urban area in lieu of the required comprehensive plan."

SEC. 3. Section 704 of the Housing Act of 1961 is amended by adding at the end thereof the following new sentence: "The Administrator is hereby authorized to impose in contracts for grants under this Title such terms and conditions as he deems necessary to assure that open space land for which a grant has been made under this Title shall not be converted without his approval to uses other than those originally approved by him."

SECTION-BY-SECTION ANALYSIS OF A BILL TO AMEND TITLE VII OF THE HOUSING ACT OF 1961

Section 1: This section would increase the amount of Federal grant assistance available to acquire title or to other permanent interests in open-space land to not to exceed 30 percent of the total cost of acquiring such interests, if the land to be acquired will serve local purposes, and to not to exceed 50 percent of the total cost of acquiring such interest if the land to be acquired is essential to the growth and development of an entire urban area, or a major subregion of an urban area. Fifty million dollars is added to the open-space program. In addition, this section would make grant funds, once appropriated, available until expended.

Section 2: This section would assert planning requirements which must be complied with as a condition of Federal grant assistance to acquire open-space land.

In the case of open-space land which will serve local purposes, grants, not to exceed 30 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open space (1) conforms to a general plan for the locality in which the land is located meeting criteria established by the Housing and Home Finance Administrator for such a plan, and (2) a planning process for the locality is in existence.

In the case of open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area, grants, not to exceed 50 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of an urban area are reflected in a comprehensive plan for the urban area meeting criteria he has established for such plan and that a program of comprehensive planning (as defined in sec. 701(d) of the Housing Act of 1954) is being actively carried on for the urban area. However, certain urban areas are so large and complex that it is unlikely that a comprehensive plan (or even the open space component of a comprehensive plan) for the whole urban area will be developed in the foreseeable future. In such urban areas, grants, not to exceed 50 percent, may be made if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of the urban area or a major subregion of the urban area are reflected in a comprehensive plan for a major subregion of the urban area. The subregion, of course, would have to be delineated by logical boundaries, and the comprehensive plan for the subregion could not be inconsistent with any program of comprehensive planning being carried on for the urban area

of which the subregion is a part. Until July 1, 1966, the Administrator would be authorized to accept an open-space component of a comprehensive plan for the urban area, or, where appropriate, a major subregion of the urban area, in lieu of the required comprehensive plan.

Section 3: This section would make clear the authority of the Housing Administrator to impose such terms and conditions on the recipient of Federal grant assistance as he deems necessary to prevent unauthorized conversion of open-space land acquired with Federal funds.

EXPLANATION OF PROPOSED AMENDMENTS TO TITLE VII OF THE HOUSING ACT OF 1961

The principal purposes of these amendments are (1) to increase the amount of the Federal grant available to a community to assist in acquiring open-space land, and (2) to make the larger grants now available as special incentives to the community, dependent upon the regional character of the use of the land to be acquired instead of the size of the area served by the applicant.

Amendments to title VII of the Housing Act of 1961 contained in this bill would increase the amount of Federal grant assistance available to acquire title to or other permanent interests in open-space land to not to exceed 30 per centum of the total cost of acquiring such interests, if the land to be acquired will serve local purposes, and to not to exceed 50 per centum of the total cost of acquiring such interest if the land to be acquired is essential to the growth and development of an entire urban area, or a major subregion of an urban area.

At present, the amount of Federal grant assistance available to acquire title to or other permanent interests in open-space land is limited to 20 percent of the total cost of acquiring such interests and may be increased to 30 percent to the total cost of acquiring such interests if the grant is extended to a public body which exercises open-space "responsibilities" for an urban area as a whole, or participates in the exercise of such "responsibilities" for all or a substantial portion of an urban area under an intergovernmental agreement. At present, therefore, the larger Federal grant is conditioned upon the size of the area served by the applicant making the acquisition rather than on the kind of open-space land being acquired (i.e., land which is essential to the growth of an entire urban area, or a major subregion of an urban area as against land which has only local significance).

The present grant provisions of the open-space program have proved too low to stimulate adequate State and local activity. In addition, by conditioning the larger Federal grant upon the size of the area served by the applicant, the present provisions have hampered the program by focusing too much emphasis on the kind of agency making land acquisition rather than on the function the land being acquired will serve. Increasing the amount of Federal grant asssistance available to 30 percent, if the land to be acquired will serve local purposes, and to 50 percent, if the land to be acquired is essential to the growth and development of an entire urban area or a major subregion of an urban area, will add vigor to the program, and by relating the larger grant to open-space land which serves regional purposes, encourage the acquisition of the larger open-space facilities designed to serve entire urban areas or regions which was intended by Congress when it enacted title VII.

Other amendments to title VII of the Housing Act of 1961 contained in this bill would add $50 million to the program; modify the planning requirements that must be complied with as a condition to receiving grant assistance; make grant funds, once appropriated, available until expended; and strengthen the provisions designed to prevent unauthorized conversion of open-space land to a use other than that approved by the Administrator.

Title VII presently makes no distinction between open-space land which will serve local purposes and open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area. The present planning provisions that must be complied with as a condition to receiving grant assistance are, therefore, the same with respect to either type of open-space land. Since there are differences between the sort of planning which should logically be carried on with respect to open-space land which will serve local purposes and open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area, this bill would amend the existing planning provisions and assert two new types of planning requirements.

In the case of open-space land which will serve local purposes, grants, not to exceed 30 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open space (1) conforms to a general plan for the locality in which the land is located meeting criteria established by the Housing and Home Finance Administrator for such a plan, and (2) a planning process for the locality is in existence.

In the case of open-space land essential to the growth and proper development of an urban area, or a major subregion of an urban area, grants, not to exceed 50 percent of the total cost of acquisition, will be made only if the Administrator finds that the proposed use of the land for permanent open-space and the essentiality of the land to the growth and proper development of an urban area are reflected in a comprehensive plan for the urban area meeting criteria he has established for such plan and that a program of comprehensive planning (as defined in section 701(d) of the Housing Act of 1954) is being actively carried on for the urban area.

However, certain urban areas are so large and complex that it is unlikely that a comprehensive plan (or even the open space component of a comprehensive plan) for the whole urban area will be developed in the foreseeable future. In such urban areas, grants, not to exceed 50 per centum, may be made if the Administrator finds that the proposed use of the land for permanent open space and the essentiality of the land to the growth and proper development of the urban area or a major subregion of the urban area are reflected in a comprehensive plan for a major subregion of the urban area. The subregion, of course, would have to be delineated by logical boundaries, and the comprehensive plan for the subregion could not be inconsistent with any program of comprehensive planning being carried on for the urban area of which the subregion is a part. Until July 1, 1966, the Administrator would be authorized to accept an open space component of a comprehensive plan for the urban area, or where appropriate, a major subregion of the urban area, in lieu of the required comprehensive plan.

To strengthen the provisions of title VII designed to prevent unauthorized conversion of open space land acquired with Federal grant funds to a use other than that approved by the Administrator, amendments contained in this bill would make clear the authority of the Administrator to impose on the recipient of a Federal grant such terms and conditions as he deems necessary to prevent unauthorized conversions. One such condition could be a requirement that if an unauthorized conversion of open-space land acquired with Federal grant funds takes place, the Administrator could obtain repayment of the amount of the original Federal grant, and also the amount of any profit realized from the unauthorized conversion.

Finally, an amendment to title VII contained in this bill would make grant funds, once appropriated, available until expended. This will permit more efficient administration of the program.

FEDERAL ASSISTANCE FOR CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

Mr. McNAMARA. Mr. President, on behalf of myself and my colleague, the junior Senator from Michigan [Mr. HART], I introduce, for appropriate reference, a bill to provide $500 million a year in Federal assistance—for the next 2 years—for construction of classrooms in public elementary and secondary schools.

The Federal funds would be allocated to the States on the basis of an allocation formula which measures the relative income per schoolchild of the several States.

The range of the formula would be limited to a ratio of 2 to 1—wherein the least wealthy States would receive approximately $16 per school-age child, while those with the highest per capita incomes would receive approximately $7 per school-age child. The national average would be a grant of about $11.50 per child.

Each State—in order to qualify for its full allotment—would have to maintain a school expenditure effort equal to both its past effort and the average national increase.

Using an estimated figure of $35,000 as the average national cost of classroom construction, this bill—in 2 years—would provide the funds for construction of some 38,000 classrooms.

I will not take the time of the Senate now to discuss this legislation in detail. I shall do that in the near future.

Meanwhile, I shall content myself with the observation that the necessity for congressional action in this area has increased each year during the 8 years I have been in the Senate.

It is my sincere hope that this year—1963—will see the Congress enact, for the first time, a comprehensive program of Federal assistance to the public elementary and secondary schools of this country.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 8) to provide for a program of Federal assistance for the construction of public elementary and secondary schools, introduced by Mr. McNAMARA (for himself and Mr. HART), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PARKS IN THE CITIES BILL

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to amend the Housing Act of 1949 to further assist our central cities in acquiring more open space land in urban renewal areas for park, playground, and other public recreational purposes. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

Mr. President, many of our large cities are undertaking enormous urban renewal projects, in an attempt to meet the challenges and demands of the years ahead. The Federal Government can be especially proud of the role it has played in providing the necessary legislation to assist cities in their urban renewal endeavors. The urban renewal program, the open space program, and various housing measures have all been in response to the urgent needs of our communities.

Nevertheless, there continues to be a pressing need for additional legislation to motivate greater open space efforts in our central cities. The existing open space program is designed primarily to help preserve suburban fringe land and does not address itself to the problem of providing adequate park, playground, and recreational facilities for urban citizens.

The importance of open space for parks and playgrounds has long been recognized. Countless organizations have emphasized the need to local governments and scores of articles have been written on the subject calling attention to the fact that the necessary steps to preserve open space are not being taken. In all but a few urban renewal projects, preliminary plans for open space are abandoned before the project leaves the drawing board. Although the reasons vary from community to community, there appears to be one recurring explanation for this failure to provide adequate recreational facilities. This is that parks and playgrounds cannot produce the tax revenue obtainable from commercial or residential development of the site. It is unfortunate that the need for open space in our cities must compete for recognition and approval with the illusory advantage of immediate tax revenues. This attitude denies to the residents of the area far more than is achieved through taxes, and fails to recognize the long-term advantages offered by the higher tax revenues which can be obtained from property adjacent to the park.

Our children need a playground near their homes so that they can play in the out of doors, free from the fear of a passing auto. Our elderly citizens need parks close by where they can go and relax and talk to others. In fact, our urban citizens of all ages need more sunlight and recreational facilities than are presently provided, and their needs are relatively simple—a path to walk along, a shady hillside for a picnic, or simply a place where their cities are opened up to a bit of sunlight and green earth.

The bill I am introducing today is designed to assist our large central cities in meeting this urgent demand for more open space. The bill would permit the Federal Government to assume the entire cost of acquiring land that is planned for park, playground, or other recreational uses in an urban renewal area. The city, of course, would have to forgo the tax revenue that could have otherwise been obtained by developing on the land. But if a park site is properly located, adjacent property values will rise to provide the same tax revenue as if there had been development of the park itself.

Before introducing this bill, I sought an evaluation of it by a number of organizations, as well as large city mayors in my home State of New Jersey, and I ask unanimous consent that early responses be printed at this point in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

THE AMERICAN
INSTITUTE OF ARCHITECTS,
Washington, D.C., January 2, 1963.

Hon. HARRISON A. WILLIAMS, Jr.,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for your recent correspondence to Matthew Rockwell of the institute staff concerning your proposed bill which would provide parks, playgrounds, or public recreational facilities as an amendment to title I of the Housing Act of 1949.

Your proposed bill would seem to have the similar desirable objectives as the open-space program introduced by you in the last Congress under title VII of the Housing Act of 1961, with emphasis on open space in the central city related to urban renewal projects. Namely, it would help to prevent the spread of urban blight and deterioration and help to provide necessary recreation, conservation and scenic areas by assisting public bodies to preserve open space essential to orderly long-range urban development.

The proposed capital grant for the acquisition of such open space in the cities would seem to be an incentive to local governments that lose tax revenue if such spaces were in commercial or residential use.

It is interesting to note in the Urbanisms column of the current (January 1963) issue of the AIA Journal the speculation of pressures that will face the county supervisors in land use zoning adjacent to the pristine setting of the new Dulles Airport.

As a matter of fact, much of the issue of the January Journal devoted to "Washington in Transition" reflects the concern for open space in the city and around the city. True, this issue pertains to the city of Washington, but there is much merit in the Washington Post editorial quote on page 84 of the Journal that states, "Congress has a special obligation to exercise foresight in the protection of open spaces near to the Nation's Capital, but the problems of other cities are not essentially different."

This same concern is shown in articles in the Journal by guest-editor Paul Thiry, by President Kennedy and by the Secretary of the Interior Stewart Udall. We are enclosing a copy of this issue for your review and use.

We would be glad to testify when hearings on your proposed bill are scheduled and would appreciate being informed of the time, value and nature of such testimony.

Very truly yours,

WILLIAM H. SCHEICK.

AMERICAN MUNICIPAL ASSOCIATION,
Washington, D.C., December 20, 1962.

Hon. HARRISON A. WILLIAMS, Jr.,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you very much for affording our association the opportunity of commenting on your draft bill which would provide parks, playgrounds, or public recreational facilities in urban renewal areas. We keenly appreciate your leadership in this field and our membership is certainly gratified by the leading role you have taken in urban legislation.

We feel that your proposed bill on urban renewal recreation facilities certainly merits the active support of Congress and the administration.

Our national municipal policy, 1963, representing the views of 13,500 municipal governments, states our association's views on preservation of open space as follows:

"The explosive population growth in our metropolitan areas, particularly in the suburban sections, is devouring land at a tremendous rate. The resulting physical expansion has been so rapid as to make the preservation of some remaining land for parks, playgrounds, recreation areas, buffers against the unrelieved monotony of urban development increasingly difficult. If we are to retain the amenities of civilized living in densely populated areas, it is imperative that all levels of government undertake immediate programs for the preservation of open space in urban areas.

"The new program of Federal grants which are authorized in the Housing Act of 1961 will assist local public bodies materially in the acquisition of land to be used as permanent open space, but as the administration and congressional committees have stated the present program is but a modest start on a program to preserve one of our most vital national resources—open land.

"We urge the administration and the Congress to develop long-range, comprehensive programs to assist our local governments in bringing about an orderly, healthy development of remaining open land in densely populated urban areas."

With this policy in mind, we offer our full support to your proposed bill and commend your interest and concern in the vital effort to preserve open space in our urban areas.

Sincerely yours,

PATRICK HEALY,
Executive Director.

AMERICAN SOCIETY OF
LANDSCAPE ARCHITECTS,
Washington, D.C., December 21, 1962.

Hon. HARRISON A. WILLIAMS, Jr.,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: The American Society of Landscape Architects is in cordial accord with your intention of introducing during the coming session of Congress, legislation primarily aimed to assist communities and metropolitan areas in the acquisition of open-space land for park and recreational use.

We were happy to support your Open Space and Urban Development Act of 1961, later included as title 7 in the Housing Act of 1961. It is truly disappointing to hear of the limited response for park and recreation use subsequent to its enactment.

The American Society of Landscape Architects has historically espoused the timely acquisition and development of such areas, will continue to do so with all our capabilities in the future. You can count on us for support.

You might be interested in having on hand for reference our Policy No. 18: "Timely Acquisition of Park Lands" (ASLA Bulletin, January 1962), and Policy No. 30: "Open Spaces" (Bulletin of March 1962).

Very sincerely yours,

LYNN M. F. HARRISS,
Executive Director.

TIMELY ACQUISITION OF PARK LANDS

The American Society of Landscape Architects considers it a principle of sound civic policy that all growing urban communities should choose, limit improvements upon, and acquire those lands suitable to the probable park needs of the future in order that, when such needs become imperative, the cost of acquisition may not be exorbitant or even prohibitive. This society is firm in its belief that governmental bodies—Federal, State, and local—should encourage the gen-

eral adoption of such a policy with regard to all classes of parks.

The society recommends, in those cases where outright acquisition in fee is not possible or timely, that consideration be given to the preservation of open space land for future development through the purchase of easement or development rights, or such other means as may become possible.

COMMENTARY

It is not an exaggeration to say there is no city of importance that is not compelled to forgo park areas which it would acquire but for the prohibitive cost of existing improvement on the areas.

If such cities could have foreseen their future size and if they had been properly laid out in the beginning and had not lacked imagination, leadership, legal power or financial resources, park areas would have been differently and more advantageously distributed, even though the total park area might not have been greater, and such land now built upon would have been made into parks.

The population, the need of parks, and the difficulty of acquiring them, in most cases, all increase together.

The earliest, and certainly not the least interesting and important, example of the economy and other advantages of timely acquisition are the small parks or greens, formerly common grounds, open space for assembly, outdoor functions, and so forth, in so many New England and New York towns and villages. They were usually coeval with the town; in fact the original settlement was built around them, and they were the first examples of city planning.

In a different class are the great parks that were acquired and developed in the park building era of the 19th century in New York, Philadelphia, Boston, Chicago, Minneapolis, San Francisco, and many other cities.

In another class of timely acquisition are the circles and other parked spaces and parks of Washington, D.C., and the squares of Philadelphia, part of the original city plans.

In still another class of what might be termed accidental timeliness are open spaces which were originally used for other purposes, but which became parks through disuse: such as Madison Square and Union Square in New York, which were once cemeteries. Many such fortunate accidents are to be found.

Examples of the extravagance of the neglect of timely acquisition have been observed for many years in the provision of playgrounds, to provide for which, blocks of tenements had to be removed at enormous costs, and other public open spaces built on costly sites. There is consolation, of course, in the thought that, however high the cost of these open spaces, their value to the cities is greater.

Every park or playground and every addition to them made on built-up or partially built-up land is an example of the extravagance of neglect of timely acquisition.

But the most deplorable examples of the evils of postponed acquisition are to be found in the great congested districts of all large cities and towns from which open spaces were omitted through lack of forethought and planning; the built-up spaces that should be parks and playgrounds, but that never can be by reason of the prohibitive cost except perhaps through the process of urban renewal.

Through the relatively new techniques of preserving open space through the purchase of easement or development rights, preservation has in many cases been assured at nominal cost. (Under this arrangement a farmer, for example, is permitted to continue the present use of his land but not to develop or subdivide it.)

MEMORIAL MINUTE—PHILIP HOMER ELWOOD, DECEMBER 7, 1884–AUGUST 20, 1960

(By John Fitzsimmons)

To many people in and out of the profession he was the "Prof." A title which expressed not only affection and respect, but was a summary of his greatest achievement.

Nearly half of his life was devoted to education in the field of landscape architecture. The many close contacts with students coupled with his professional work, made his influence felt throughout the country.

Upon graduation from Cornell University in 1919, he worked in the office of Charles W. Leavett, Jr., until his appointment, in 1913, to Extension Service staff at Massachusetts State College. From this education beginning he was called to organize and head the landscape architecture work at Ohio State University, remaining there until 1923. In the spring of that year he joined the staff at Iowa State University as a professor of landscape architecture.

Summer travel courses became a significant part of his method of education. His conducted tours to the Orient, to Europe and in North America, gave new horizons to many. His energy and forcefulness, his devotion to the profession and his persistent pressure brought about the establishment of the department of landscape architecture in 1929. He served as head of that department until 1950 and was honored as an emeritum professor of that university in 1958.

In addition to his great desire to teach, assist, guide and encourage worthy young people in the pursuit of landscape architecture, he also found time to practice. As a member of the Elwood-Frye firm in Columbus, Ohio, he did much to establish good examples of professional work. This desire to keep his "hand in" was the urge that, over the years, made him active in many professional endeavors.

Projects which offered an opportunity for extensive contacts with people seemed to draw him into action. As counsellor, region 6 of the National Resources Planning Board, he stumped the middle west in the cause of planning, and to guide the proper growth of vast areas of landscape. As collaborator for the National Park Service, as: consultant for the U.S. Housing Authority; a member of the Mississippi River Parkway Planning Commission; member of the highway research board; as counsellor for the Iowa Post-war Commission and as director of the Iowa State Planning Board, he carried on that desire to teach and guide public thinking toward the protection and proper use of the landscape. In 1942–43 he served as president of the American Society of Planning Officials.

Another expression of his desire to reach out to others with knowledge of landscape architecture was in the field of writing and publishing. He was editor of American Landscape Architecture and the leader and guiding inspiration for the magazine Horizons.

In addition to the design of much that is now the campus of Iowa State University, P. H. Elwood enjoyed as his favorite commissions those of Boy's Town in Nebraska, Pi Beta Phi Settlement School, Gatlinburg, Tenn., and the Argonne Cemetery in Europe.

He served as captain in the Field Artillery 1917–19.

The ASLA was a very important part of the life of Phil Elwood. He became a member in 1915 and in 1927 was elected to fellowship. He served several terms as president of the old Mississippi Valley chapter, also of the Missouri Valley chapter; trustee from the Mississippi chapter, 1932–36 and Missouri Valley chapter 1939–42. In 1941 and again in 1949 and 1950 he was vice president of the society.

Failing health forced him to leave his teaching work in 1952. He and his family settled in Tucson, Ariz., where he died August 20, 1960.

FEDERATION OF NATIONAL PROFESSIONAL ORGANIZATIONS FOR RECREATION,
WASHINGTON, D.C., *January 3, 1962.*

Hon. HARRISON A. WILLIAMS, Jr.,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: We are pleased to learn of your intention to introduce legislation which would assist cities to acquire open space for park and recreation use at no cost through the urban renewal process. This legislation is sorely needed and should be welcomed by cities, large and small.

With three-quarters of the Nation's population living in urban areas it is exceedingly important that there be recreation facilities near at hand for their enjoyment. Children have free time every day. Therefore they need neighborhood recreation areas to which they can easily walk after school, on holidays, and during summer vacations.

Adults, likewise, want tennis courts, ballfields, and swimming pools near to their homes so that they may find relaxation after a day of toil. Others seek recreation centers where they may learn leisure skills and spend their free time with neighbors and friends.

No one should be denied the opportunity to enjoy their leisure simply because they have no automobile or because public transportation is not available. State and regional parks, forests, and rivers are certainly necessary elements in a total recreation plan. However, these facilities are visited on more or less special occasions—once a month picnic, a weekend hike, or a once a year vacation. They do not meet the day-to-day needs of our children, their parents, the retired, or the aged.

The empty lot where once we played baseball now contains an apartment building; the "old swimming hole" is now a polluted storm sewer. The edge of town was once just a few minutes' walk from home, and then we could enjoy a pleasant hike through woods and dale. Now the edge of one town meets that of another and we hike dangerously over miles of concrete ribbons called highways before we can find even a grove of trees.

The Federation of National Professional Organizations for Recreation is composed of national groups concerned with parks, recreation, and camping. As its president, I shall urge all of them to lend their support to your efforts. I am sure we share your vision of parks and recreation opportunities for all people, everywhere.

Your leadership and courage is to be commended.

Sincerely yours,

MILO F. CHRISTIANSEN,
President.

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D.C., December 31, 1962.

Hon. HARRISON A. WILLIAMS, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your letter of December 18 was on my desk when I returned to the city. I had an opportunity to review the material with Mr. Gutermuth, vice president of the institute, who had responded to a similar letter received from you.

You may be sure that conservationists are interested in the objectives of your proposed legislation. There is an undeniable need for open space in metropolitan areas, and it is hoped that some satisfactory means of financing such a program can be developed.

Sincerely,

IRA N. GABRIELSON,
President.

STATE OF NEW JERSEY,
DEPARTMENT OF CONSERVATION
AND ECONOMIC DEVELOPMENT,
Trenton, N.J., December 31, 1962.

Hon. HARRISON A. WILLIAMS, Jr.,
Old Senate Office Building,
Washington, D.C.

DEAR PETE: Thank you for keeping me advised regarding your proposal to introduce a bill that would make it easier to establish parks and open space within our cities. This legislation would be particularly valuable to New Jersey where 88.6 percent of our people live in urban communities and particularly in the older cities where parks and open space are so much needed. Urban renewal and New Jersey's green acres program have not been sufficient incentive for the older cities to establish the parks and open space needed. I heartily endorse your proposal as a means for overcoming the existing deficiencies.

Congratulations on your thoughtful and progressive attitude toward these problems.

Sincerely,

K. H. CREVELING,
Director.

OFFICE OF THE MAYOR,
JERSEY CITY, N.J., *January 7, 1963.*

Hon. HARRISON A. WILLIAMS, Jr.,
U.S. Senate, Washington, D.C.

DEAR PETE: I thoroughly endorse your proposed legislation to permit the Federal Government to assume the entire cost of acquiring land planned for park, playground, or other recreational use in urban renewal areas. The key Jersey City officials dealing with planning and urban renewal and I have for a long time recognized the deficiency in Federal legislation which you mention. In fact, as you may know, I was one of the strong supporters of the green-acres referendum in the State of New Jersey. This reflected Jersey City's recognition of the need for additional open area and park activities. Unfortunately, this program does not tie in directly to all urban renewal projects.

I will urge that all possible support be given to your proposed legislation. Please be assured that if the City of Jersey City can be of any assistance in promoting passage of this bill, we shall be most happy to do so.

I am turning over a copy of your letter and the attached press release and draft of the bill to the planning staff so that they may develop statistics and information in support of the bill insofar as Jersey City is concerned. This material will be forwarded to you at a later date.

Sincerely,

THOMAS GANGEMI,
Mayor.

CITY OF LONG BRANCH, N.J.,
Long Branch, N.J., December 27, 1962.

Senator HARRISON WILLIAMS, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you very much for your letter of December 18, 1962, regarding your proposal for expediting the providing of parks and recreational areas in cities.

I think this is a wonderful suggestion and I shall support it 100 percent in every way that I can. In fact, just this type of thinking would be particularly timely in solving some acute problems of financing parks and recreation areas in the rapidly growing city of Long Branch.

If there is anything I can do to further this, please let me know. Let me extend to you my most cordial greetings for a prosperous and progressive New Year.

Very truly yours,

THOMAS L. MCCLINTOCK,
Mayor.

NEWARK, N.J.,
December 28, 1962.

Hon. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR PETE: I have your letter of December 18 and a draft copy of your bill and press release, on the matter regarding open space for the urban areas.

I am sure you recall as a Congressman, my enthusiasm for the open-space program, and now as mayor of the State's largest city I find the need for parks and playgrounds in the urban centers even more pressing.

One major concern that cities like Newark have regarding the development of parks and playgrounds, is that it takes away land which can produce ratables for the community. A city like Newark, which is in desperate need of money to adequately attack those problems that are familiar to you and which go hand in hand with the urban areas, cannot afford to let tax producing property be turned over to "open space" without some continuous return into the city treasury.

This is also true with regard to new highway development which takes away ratables, and until such time that adequate return is provided the current legislation alone will not provide the final open-space needs of big cities. The one-third write-down provision that you are suggesting, would eliminate the initial building costs for the city, but would not, I feel, give the city the monies needed to compensate for the loss of the land over the long run.

One suggested solution might be that in all urban renewal areas (be it for industrial or residential development), that a certain percentage of land be set aside as part of that particular project for open-space and public playgrounds. I can think for example of the proposed light industrial park urban renewal project in Newark which could include a park or playground to be used by the employees and neighborhood for softball leagues, outdoor recreation areas, etc. This would not be as costly to the city, and at the same time would serve as a very functional purpose for the project area itself.

I appreciate your writing to me and asking for my comments and you can be assured of my full support for this legislation.

With kind personal regards.

Sincerely,

HUGH J. ADDONIZIO,
Mayor.

CITY OF PERTH AMBOY, N.J.,
January 4, 1963.

HON. HARRISON A. WILLIAMS, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Our governing body reviewed with much interest your proposed new open-space program for central cities.

We have a multitude of areas in Perth Amboy which are now substandard which might be conducive to parking projects. We heartily endorse your program and if you feel there is anything we can do to assist in the matter, please feel free to call upon us.

With kindest personal regards and best wishes for the new year, I remain

Sincerely,

JAMES J. FLYNN, Jr.,
Mayor.

THE CITY OF RAHWAY, N.J.,
OFFICE OF THE MAYOR,
January 7, 1963.

HON. HARRISON A. WILLIAMS, Jr.,
Senate Office Building,
Washington, D.C.

DEAR PETE: This is in reply to your letter of December 18 and your expression of concern for the need of additional legislation to speed up the open-space program.

Rahway's position in relation to this is unique among all others. We have a serious need for parks, playgrounds, and other recreational facilities. Our location in the metropolitan region is responsible, in a great measure, for the scarcity of open space.

We are located between the Garden State Parkway and the New Jersey Turnpike. Within our confines, Rahway has Route 27 going north and south, and 1 mile east, Route 1 going in the same directions. The traffic problem east and west within our area of 4 square miles is made more hazardous by the preponderance of all types of traffic along several county roads. The slope of terrain is west to east.

A great burden is imposed upon us by drainage, both normal and excessive. The new construction which has taken place in Clark, Colonia, and Woodbridge adds an extra burden to our facilities which are, in many instances, old: washes out our roads, clogs our sewers and is a constant menace to the health and safety of our residents. Rahway's Police Department is greatly taxed in its endeavors to properly supply the overall protection needed by our citizens.

I know you join with me in taking pride in what we are attempting to accomplish in our old town. We have embarked on a redevelopment program; we are erecting housing for our senior citizens; we are expanding housing for our needy; we are erecting new schools; new banks have been built; numerous churches have spent thousands of dollars for additions to their houses of worship. Two completely new churches will be erected this year. I call these things to your attention because one of the most needed things that must be part and parcel of a well-rounded community program must primarily be recreation and playgrounds. Land in Rahway for this phase of living is nonexistent. Our redevelopment comes about as the result of first tearing down existing structures.

The only land in our city which could be utilized is that which is adjacent to the river near the area now being redeveloped. It would be prohibitive for the city to undertake this. It has great possibilities as a marina or park area. It would be a boon to several communities if this could be federally financed.

In the past 10 years, we have made great strides in recreation and playground activities in our city. We embrace all ages from the toddler to our senior citizen in creating worthwhile programs for their enjoyment.

The combined interest of parents, citizens and children of our play areas which was once open land is noteworthy. From the area which I previously described to you, came young men who have received national recognition in recent years. Bob Scarpitto, of Notre Dame; Joe Williams, of the University of Iowa; and numerous others in different fields. Any appropriation for this program has a very high return value.

Sincerely yours,

ROBERT E. HENDERSON,
Mayor.

Mr. WILLIAMS of New Jersey. Mr. President, not only do I believe that the bill is necessary to encourage our cities to plan more parks and open space, but also, that it is essential if our cities are to become more enjoyable places in which to live.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 9) to encourage the utilization, consistent with sound urban planning, of land included within urban renewal areas for parks, playgrounds, or other recreational facilities; introduced

by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title I of the Housing Act of 1949 is amended by adding at the end thereof a new section as follows:

"PARKS, PLAYGROUNDS, OR OTHER PUBLIC RECREATIONAL FACILITIES

"SEC. 114. (a) In recognition of the growing need in many urban areas for adequate space for healthful and recreational pursuits, it is the purpose of this section to encourage, consistent with sound planning, increased utilization of suitable land, acquired in connection with urban renewal projects, for parks, playgrounds, or other public recreational facilities.

"(b) Notwithstanding any other provisions of this title—

"(1) if, in the public interest, any land to be acquired in connection with an urban renewal project should be used in whole or in part as a site for a park, playground, or other public recreational facility, and such use is in accordance with the urban renewal plan for such project, the site shall be made available without cost to (with the approval of the governing body of) the locality in which the project is undertaken; and

"(2) the capital grant otherwise payable under this title with respect to such project shall be increased by an amount equal to that part of the gross project costs which the Administrator determines is attributable to the land which is made available for such use.

As used in this section, the term 'public recreational facility' means a facility (1) the public cost of providing the site for which comprises a substantial part of the total development cost, and (2) from which public recreational benefits are derived."

(b) The amendment made by subsection (a) of this section shall be applicable only to urban renewal projects with respect to which contracts for capital grants are entered into under title I of the Housing Act of 1949 after the date of enactment of this Act.

NATIONAL FOREIGN AFFAIRS ACADEMY

Mr. SYMINGTON. Mr. President, on January 9, 1959, I presented to the Senate a bill for the establishment for a Foreign Service Academy.

At that time I pointed out that, whereas we now support three service academies to prepare our youth for the possible hot war we pray will never come, the Government has no institution to train its men and women to handle the cold war in which we now find ourselves, all over the world.

Two years later, January 13, 1961, I again introduced such a bill, and reiterated my concern that our training program for those who conduct our affairs in this cold war was a casual and uncoordinated affair compared to the training believed necessary for our military personnel.

Neither of these proposals advanced beyond committee.

In recent months, events have again pointed up the importance of an adequate training program for our Foreign Service.

Two recent ad hoc committees have studied this problem in detail: The Committee on Foreign Service Personnel, headed by former Secretary of State Christian Herter, and the President's Advisory Panel on a National Foreign Affairs College, chaired by the Honorable James A. Perkins.

Both committees proposed, as the first legislative step, the establishment of a National Academy of Foreign Affairs.

Drawing from their recommendations, I am today introducing for appropriate reference a bill to establish such an Academy.

The Academy to be established by this bill would be a graduate level institution. It would provide inservice training for professional personnel of all Government agencies with an international interest.

Training in languages would of course be available; and there would also be training in the techniques for dealing with the great and growing problems incident to our relations with other countries.

In addition to such practical operational training, this proposed Academy would provide opportunity for learning in the broad pictures of national strategy and diplomacy; would provide, in effect, advanced courses having to do with the many component parts characteristic of the broad overall subject of foreign affairs.

The details of curriculum, enrollment and the physical plant would be worked out. The immediate need for this institution, however, is all too obvious to anyone who has studied the subject.

Some 28 Federal agencies now employ over 32,000 U.S. citizens in civilian capacities in 127 foreign countries.

About 58 percent of these employees work for the Department of Defense.

Another 37 percent are employed by the State Department, the Agency for International Development and the U.S. Information Agency.

The remaining 5 percent are scattered among 24 Federal departments and agencies.

Many of these men and women hold positions of responsibility where their decisions and actions can affect our national security.

Despite this large number of personnel, and the importance of their work, we have no integrated, adequately staffed center for their instruction and training.

Contrast this condition with that which is now in force for our military personnel.

In addition to the three military academies—West Point, the Naval Academy, and the Air Force Academy—the taxpayer supports many other institutions. There are advanced colleges of the services; and also the National War College.

That is why the overall military training concept provides a far more thorough inservice training than what is available to those who work on our foreign affairs.

The Committee on Foreign Affairs Personnel summed up this condition as follows:

The seriousness of the training deficit among the foreign affairs agencies is suggested by the proportion of officer time dedicated to training in relation to officer time in toto. Among the USIA reserve officers, this proportion is slightly over 2 percent; in the Agency for International Development, including its participating personnel, it is about the same; among Foreign Service officers and reserve officers in the Department of State, it is about 5 percent. The comparable figure in the military departments is roughly 12 percent.

At one time, there may have been some justification for this disparity, because, until recent years, diplomacy was a relatively limited, and relatively unimportant, activity of this Government.

Part of this condition resulted from our two great, but now lost, allies, the Atlantic and Pacific Oceans; and up to the second decade of this century, a position of relative isolationism met with the support of a large majority of the American people.

In the nuclear space age of today, with the telescoping of time and space, those conditions are gone forever.

Today, as representatives of the interests of the United States, our foreign affairs personnel often participate actively in the economic and political affairs of their host country. They must deal rapidly and efficiently with constantly changing conditions. Their training is fully as demanding, and often as dangerous, and obviously as important, as that training given the members of our military services.

But the training procedures for these men and women have been developed haphazardly, with each international agency forced to squeeze its own instruction into an already crowded program and budget.

As a result, it is not training of the highest caliber. Often it reflects the parochial view of the particular agency involved, rather than overall interest in our national foreign policy.

For many years I have believed the Congress should give this matter legislative attention.

We should place highest national priority on a training program which would provide those who carry out our foreign policy the means to do this important work with maximum skill.

Until this priority is established, we can only continue to find ourselves lacking in a field of future critical importance to our security, as well as our prosperity.

When first introducing a Foreign Service Academy bill in 1959, I noted that dedicated, well-trained representatives are at work for the Communist cause, all over the world. We have not matched this effort, either in size or degree of training.

Since that time cold war tensions have increased. The Communists continue their efforts toward their goal of world conquest, in psychological and economic fields as well as through growing military strength.

Surely with the stakes so high, and with the catastrophic costs of the hot war we all hope to avoid becoming so enormous, we can and should make this nominal investment in today's most vital business—the business of securing and maintaining the peace.

A recent editorial in the Washington Post sums up this problem well:

> Our foreign affairs are no longer a matter of "listening abroad" and responding through diplomatic channels.
>
> The United States is deeply involved in a great number of programs designed to aid and influence other governments in many parts of the world. The new diplomacy relies on technical assistance, military aid, cultural programs, trade, educational exchanges and dissemination of information no less than upon diplomacy, intelligence, and international law. The complex system that has been devised for employment of these tools is in need of major repairs at the hands of both Congress and the administration.

I agree with these observations; and therefore introduce for appropriate reference this bill to establish a National Foreign Affairs Academy.

Mr. President, I ask unanimous consent that this bill lie on the Secretary's desk for a week in order that Senators wishing to cosponsor it may so indicate.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Missouri.

The bill (S. 15) to establish a National Academy of Foreign Affairs, introduced by Mr. SYMINGTON, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. YARBOROUGH. Mr. President, today the distinguished senior Senator from Missouri [Mr. SYMINGTON] has introduced a bill to create a Foreign Service Academy. He has requested that the bill remain at the desk for 10 days, in order to enable other Senators to join in sponsoring the bill. I ask that my name be added as one of its cosponsors; and I commend the Senator from Missouri for introducing the bill.

In previous Congresses, I have introduced similar bills. In fact, before I came to the Senate, I campaigned on that issue; such a proposal was included by me as a campaign plank. In fact, I discussed it even before then.

Mr. President, we are wholly lacking such a public academy to train the vast number of persons we need today as public servants in the field of foreign service, with 110 independent nations on the earth and with the United Nations calling for others there. I think this measure is a fine one, and I hope it will be passed. I am happy to join in sponsoring it.

I had planned to introduce a similar measure. However, I shall not now do so, for I think it better to join in sponsoring the measure the Senator from Missouri has introduced, so as to put all our efforts behind the one bill.

THE OZARK NATIONAL RIVERS

Mr. SYMINGTON. Mr. President, on behalf of my colleague from Missouri [Mr. LONG] and myself, I introduce for appropriate reference a bill to authorize the establishment and development of the Ozark national rivers in the State of Missouri.

The proposed area would be comprised of not to exceed 94,000 acres along the Current and Jacks Fork Rivers in southeastern Missouri.

This area would include a portion of our country that is still relatively wild and natural, where clear spring-fed rivers flow through the rolling Ozark hills, the oldest mountains in America.

These unique river valleys are pocketed with caves and sinks created by waters of the past, and include many cold, free flowing springs. The largest single spring in America—Big Spring at Van Buren, Mo.—flows into the Current River.

It is all unspoiled country, and the unusual diversity and beauty of its natural features are well worth preserving for future generations.

The Jacks Fork portions of the upper Current River have truly wild qualities, and are ideally suited for wilderness-type experience, with minimum development. Portions of the lower Current River, near long-established Ozark Mountain communities, lend themselves to more diversified public use.

Preservation of this unique country is the foremost goal. Development of recreational opportunities in the national and State forests, and also the privately owned lands, however, would be a stimulus to the economy of many bordering communities.

As early as 1950, the State of Missouri recognized the need to preserve the unique natural qualities of the Current and Jacks Fork Rivers.

In 1959, the Missouri State Legislature requested Congress to enact legislation.

The 1st session of the 86th Congress made funds available. That study was completed in January 1960. The Department of the Interior—National Park Service—therefore issued a proposal for the establishment of the Ozark Rivers National Monument.

During the 87th Congress, a hearing was held on the proposed Ozark Rivers National Monument by the Subcommittee on Public Lands of the Senate Interior and Insular Affairs Committee; and subsequently, through personal visits to the area, Members of the Senate—also, Secretary of Interior Udall—learned first hand about the extraordinary beauty of this country.

In his conservation program message to the 87th Congress, President Kennedy urged favorable action on this legislation.

As the result of a great many meetings, and long discussions with residents of the area, along with others interested in these communities, Senator LONG, Congressman ICHORD, of the district in question, and I are asking that this area be designated the first national rivers in the Nation under administration of the National Park Service. Congressman ICHORD is today introducing a similar bill in the House.

We are confident that the Congress will now set aside for posterity these unique streams and valleys of unsurpassed natural beauty, before they are spoiled forever.

It would be very difficult to find any other part of the United States where so much natural beauty and geological variety can be preserved in such a relatively small area.

I introduce this bill for appropriate reference, and ask unanimous consent to have it printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 16) to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes, introduced by Mr. SYMINGTON (for himself and Mr. LONG of Missouri), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of conserving and interpreting unique scenic and other natural values and objects of historic interest, including preservation of portions of the Current River and the Jacks Fork River in Missouri as free-flowing streams, preservation of springs and caves, protection of wildlife, and provision for use and enjoyment thereof by the people of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall designate for establishment as the Ozark National Rivers an area (hereinafter referred to as "such area") not exceeding 94,000 acres and being generally depicted on map No NR–OZA–7000 entitled "Proposed Ozark National Rivers" dated January 1963, which map is on file for public inspection in the Office of the National Park Service, Department of the Interior: *Provided,* That no lands shall be designated within two miles of the municipalities of Eminence and Van Buren, Missouri.

SEC. 2. The Secretary of the Interior may, within the area designated or altered pursuant to section 4, acquire lands and waters, or interests therein, including scenic easements, by such means as he may deem to be in the public interest: *Provided,* That scenic easements may only be acquired with the consent of the owner of the lands or waters thereof and provided further than any parcel of land containing not more than five hundred acres, which borders either the Current River or the Jacks Fork River, and which is being primarily used for agricultural purposes, shall be acquired by the Secretary in its entirety unless the owner of any such parcel consents to the acquisition of a part thereof. Lands and waters owned by the State of Missouri within such area may be acquired only with the consent of the State. Federally owned lands or waters lying within such area shall, upon establishment of the area pursuant to section 4 hereof, be transferred to the administrative jurisdiction of the Secretary, without transfer of funds, for administration as part of the Ozark National Rivers.

SEC. 3. Any owner or owners, including beneficial owners (hereinafter in this Section referred to as "owner"), of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term ending at the death of such owner, or the death of his spouse, or at the death of the survivor of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

SEC. 4. When the Secretary determines that lands and waters, or interests therein,

have been acquired by the United States in sufficient quantity to provide an administrable unit, he shall declare establishment of the Ozark National Rivers by publication of notice in the Federal Register. The Secretary may thereafter alter such boundaries from time to time, except that the total acreage in the Ozark National Rivers shall not exceed 94,000 acres.

SEC. 5. (a) In order to provide compensation for tax losses sustained by counties in the State of Missouri as a result of certain acquisitions by the Secretary of privately owned real estate and improvements thereon pursuant to the provisions of this Act, payments in lieu of taxes shall be made to each such county in which such real estate is located, and which has been authorized, under the laws of Missouri, to assess taxes upon real estate to the person who is in possession thereof and to assess taxes upon any present interest in real estate to the owner of such interest, in accordance with the following schedule: For the calendar year in which the real estate is acquired in fee simple absolute, an amount which bears the same proportion to the full amount of tax assessed thereon in such year as the number of days remaining in such year after the date of acquisition bears to the number of three hundred and sixty-five. In any case where an amount in excess of the difference between such proportionate amount and such full amount has already been paid to the county by or on behalf of the owner or owners from whom the real estate was so acquired, payment of such excess amount shall be made as reimbursement to such owner or owners out of such proportionate amount and only the balance remaining of such proportionate amount shall be paid to the county. For the two succeeding calendar years there shall be paid on account of such real estate an amount equal to the full amount of tax assessed thereon in the year of acquisition.

(b) No payments in lieu of taxes shall be made on account of real estate and improvements thereon in which the Secretary has ever acquired less than a fee simple and absolute under this Act.

(c) As soon as practicable after real estate taxes have been assessed by such counties in each calendar year, the Secretary shall compute and certify the amount of payments in lieu of taxes due to each of such counties, and such amounts shall be paid to the respective counties by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated.

(d) The provisions of this section shall not apply to any property acquired by the Secretary after December 31 of the twenty-fifth year following the date of enactment of this Act.

SEC. 6. (a) In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with the State of Missouri, its political subdivisions, and other Federal agencies and organizations in formulating comprehensive plans for the Ozark National Rivers and for the related watersheds of the Current and Jacks Fork Rivers in Missouri, and to enter into agreements for the implementation of such plans. Such plans may provide for land use and development programs, for preservation and enhancement of the natural beauty of the landscape, and for conservation of outdoor resources in the watersheds of the Current and Jacks Fork Rivers.

(b) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Ozark National Rivers area in accordance with the laws of Missouri. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted, for reasons of public safety, administration, or public use and enjoyment and shall issue regulations after consultation with the Conservation Commission of the State of Missouri.

SEC. 7. The Ozark National Rivers shall be administered in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accordance with other laws of general application relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 8. (a) There is hereby established an Ozark National Rivers Commission. The Commission shall cease to exist ten years after the date of establishment of the area pursuant to section 4 of this Act.

(b) The Commission shall be composed of seven members each appointed for a term of two years by the Secretary as follows:

(1) Four members to be appointed from recommendations made by the members of the county court in each of the counties in which the Ozark National Rivers is situated (Carter, Dent, Shannon and Texas), one member from the recommendations made by each such court;

(2) Two members to be appointed from recommendations of the Governor of the State of Missouri; and

(3) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary shall reimburse members of the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(e) The Secretary or his designee shall from time to time consult with the members of the Commission with respect to matters relating to the development of the Ozark National Rivers, and shall consult with the members with respect to carrying out the provisions of this Act.

(f) It shall be the duty of the Commission to render advice to the Secretary from time to time upon matters which the Secretary may refer to it for its consideration.

SEC. 9. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

SEC. 10. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to any person or circumstance other than that to which it is held invalid, shall not be affected thereby.

Mr. LONG of Missouri. Mr. President, it is a proud privilege to join with my distinguished colleague as a sponsor of the Ozark national rivers bill, which he has just introduced on behalf of himself and me.

These wonderfully unique and beautiful wooded hills in southern Missouri, which my colleague has so aptly described as "land and streams of unsurpassed natural beauty," have long been one of the most attractive scenic sections in all of America. Yet there has been maintained an individualism of character that truly sets them apart.

By preserving this wonderous river country as it is today—virtually untouched by the material exploitation that has swallowed such a great portion of America's natural beauty—we will be making a lasting contribution of unmeasurable value to present and future generations. I am thankful that at a point in history such as now, when much of what we do today quickly obsolescent, there is still an opportunity to make this timeless contribution to posterity.

The lightning pace of development makes time of the essence. A delay of even a comparatively short time, could well find this virgin wilderness spoiled by the bulldozer. If we are to save a natural splendor such as the Ozark Rivers, we must act now, while we have the opportunity. For the opportunity we have today may well be gone by tomorrow.

Mr. President, I now ask unanimous consent that editorials from the St. Louis Post-Dispatch and the Kansas City Times, which are representative of what I believe to be the views of Missourians concerning the Ozark national rivers, be printed at this point in the CONGRESSIONAL RECORD.

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

[From the St. Louis Post-Dispatch, Nov. 27, 1962]

A NEW OZARKS BILL

It was almost carrying coals to Newcastle when Interior Secretary Udall said recently in St. Louis that Americans must move quickly to preserve their remaining scenic treasures, if these are not to be lost irretrievably. Missourians know they have such a treasure in the Ozark hill and river country. They know, too, that if the chance to save it in something like its natural condition is not soon taken, it may be gone forever.

The Ozarks were ruthlessly despoiled by timbering in the World War I period, but time—which, indeed, heals all—again covered the hills with green. The big springs still yield abundantly the water which runs, clear and cold, in the Eleven Point, the Jacks Fork and the Current. But the warnings are up again. If not the lumberman with his axe, then the "developer" who destroys beauty in his eagerness to exploit it is the new threat.

Rightly convinced that at least part of the upland should be preserved for generations to come, Federal specialists and University of Missouri experts developed the plan to preserve the rivers and their banks as the Ozark Rivers National Monument, under the direction of the National Park Service. It has been repeatedly indorsed by Missouri legislators and governors. It has been adopted as one of the projects of the Department of the Interior, and was recommended to Congress last March by President Kennedy. Hearings were held, but the bill to create the monument expired with the session.

This, however, cannot stand as the end of the story. A new bill should be introduced in the new Congress. In order to maximize its chances of passage, it needs the active support of the entire Missouri delegation in both branches. Senators SYMINGTON and LONG, with Representative ICHORD, should take the initiative to discover whether such a bill cannot be written.

Since some opponents of the project have urged the use of scenic easements rather than outright land purchase, we should think the National Park Service might be given full discretion to use either method, or a combination of both, depending upon what it felt was necessary to obtain control over the narrow strips of land along the streams. The

task of preserving the Ozarks should, in our judgment, be entrusted to one agency, and the Park Service is the logical agency because it is in the recreation business exclusively.

The Park Service should be given a clear mandate to preserve the area as nearly intact as possible for the benefit of visitors now and in the future. Since the land strips needed are so shallow, they should be exclusively devoted to the purposes of the monument, and not subjected to multiple use. Public accommodations should be kept outside the confines of the monument, so that they will not spoil its appearance, yet will contribute to the economic welfare of the Ozark country. Overuse of the wilderness areas should be carefully guarded against.

These, in our opinion, are the essentials of a good bill. Whether the method used to attain them is land purchase or scenic easements might well be left to the Park Service, provided, of course, it retained full freedom of choice and normal condemnation powers.

Mr. Udall as well as Members of the House and of the Senate have familiarized themselves with the area by floating its streams. Its assets have been described in detail in the reports of State and Federal agencies and at House and Senate hearings. Mr. Kennedy is convinced that this portion of the Ozark country is a natural treasure which should be preserved by the Nation. But as Mr. Udall said, Americans—and especially Missourians—must move promptly or see it lost irretrievably.

[From the Kansas City (Mo.) Times, Oct. 17, 1962]

ANOTHER CHANCE FOR THE PARKS—MISSOURI AND KANSAS PROJECTS DESERVE TOP PRIORITY IN THE NEW CONGRESS

Among the many bills that died with the 87th Congress were two that would have created Prairie National Park in Kansas and the Ozark Rivers National Monument in Missouri. Both were high priority projects at the beginning of the session. We believe they are priority projects today. An intensive effort should be made to add both areas to the national park system during the 88th Congress.

On his visit to Kansas City, Conrad L. Wirth, the National Park Director, again emphasized the importance of both of the proposed parks. Wirth is not alone in this belief. This year, however, both were squeezed out by projects that had greater political priority.

Repeatedly the Current River, especially in spring and autumn, has been described as the most beautiful free-flowing river left in America. This stream and others—the eleven Point and Jacks Fork—meander through the Missouri wilderness of dense forest and rolling hills. Although some 20 million Americans live within an easy day's drive, this Ozark area remains today much as it appeared when the first white man saw it.

Prairie Park would be carved from the Flint Hills of Kansas. An area of about 60,000 acres touching on the shore of the Tuttle Creek Reservoir, near Manhattan, would be set aside to preserve an area rich in beauty and history. Here the trappers and the wagon trains passed on the way west, as the frontier was pushed toward the Pacific. The land would be returned to its original state of tall prairie grass and the original game, buffalo, elk, antelope, and deer. The project has inspired tremendous interest because it would be unique.

The administration has an added obligation to the Middle West. The President has been determined in his drive to turn more land over to the National Park Service. These successes have already been achieved: Cape Cod (in the President's home State), Padre Island (in the home State of the Vice President) and Point Reyes (in California, where Pat Brown, the Democratic Governor, won reelection against Richard Nixon, the former Vice President).

In all fairness, these three natural wonderlands belong to the Nation. They merit preservation and they are now in the process of becoming a part of the national park system. It seems to us that the Ozark Rivers and Prairie Park, among others, also belong to the Nation and should be preserved.

In the early days of the 88th Congress, bills will again be introduced to carve out Prairie and the Ozark playgrounds. The Middle West will expect the administration to be as determined an advocate for these proposed parks as it was for Cape Cod, Padre Island, and Point Reyes. If Prairie and Ozark Rivers are approved, the Middle West would take its proper place on the national park map of America.

DEVELOPMENT OF EFFECTIVE PROGRAMS RELATING TO OUTDOOR RECREATION

Mr. ANDERSON. Mr. President, I introduce, for appropriate reference, for myself, Senator JACKSON, Senator MILLER, Senator METCALF, and Senator AIKEN, the bill transmitted to the Congress under date of January 11, 1963, by Secretary of Interior Udall known as the Organic Act for the Bureau of Outdoor Recreation.

In 1958 Congress approved the establishment of an Outdoor Recreation Resources Review Commission to make a study of the Nation's needs in the recreation field. The study was made and disclosed rapidly mounting demands on our recreational facilities and resources. Our citizens engaged in about 4 billion recreation activity occasions in 1960. That will triple by the year 2000.

The Commission, chaired by Mr. Laurance Rockefeller, included four Members of the Senate, four Members of the House of Representatives and seven citizens appointed by the President. At the conclusion of its studies, the Commission recommended the establishment of a Bureau of Outdoor Recreation in the Department of the Interior to perform several staff functions which would assist local governments, States, and the Federal agencies in meeting recreation facility needs in an adequate and orderly way.

Secretary of the Interior Udall established the Bureau last year, appointing Edward C. Crafts, an Assistant Chief of the Forest Service from the Department of Agriculture, as its Director. Existing recreation planning functions of the Secretary of the Interior were placed in the new Bureau. But the Secretary did not have the authority to give the Bureau several assignments recommended by the Outdoor Recreation Resources Review Commission.

There is needed a continuing inventory of outdoor recreation facilities in the Nation, so we will know where we stand in meeting the growing demand for recreational opportunity. There is needed a common system of classification of such facilities, so their usefulness in providing varying types of recreational opportunity can be identified.

The Outdoor Recreation Resources Review Commission found that the States would be key in meeting the Nation's recreation facility needs. The greatest demand will be for areas relatively close to centers of population—not more than 100 to 150 miles from home—where people can enjoy the simpler pleasures: picnicking, swimming, walking or hiking, bicycling and sightseeing. There is need for State planning and State programs to meet this demand, and consequently for a national center to which the States can turn for guidance and technical assistance and information in meeting their responsibilities.

The authorities and responsibilities given the Secretary of the Interior, to be administered through the Bureau of Outdoor Recreation, through the bill just introduced include maintenance of an inventory, establishment of a classification system, provision of technical assistance, encouragement of regional cooperation by the States in developing facilities, conducting research in the recreation field which the Outdoor Recreation Resources Review Commission found to be needed, cooperating with educational institutions in developing personnel and disseminating knowledge of recreation, and promoting coordination of Federal activities in the recreation field.

The Bureau will also serve as the staff agency for the Recreation Advisory Council, composed of the Secretaries of Interior, Agriculture, Defense, Commerce and HEW, and the administrator of the Housing and Home Finance Agency.

This measure parallels a bill enacted by the Senate in the last session of Congress with one major exception. Last year's bill provided for aid to States in developing State recreation plans. This provision is omitted from the present bill and is to be included in a companion measure establishing a conservation fund which will be shared by the States and Federal Government to finance planning, acquisition and development of recreation facilities.

Secretary Udall hopes to clear the conservation fund bill with other Departments of the executive branch, as the bill now offered has been cleared, and submit it to the Congress very soon.

It is my hope that these measures can be considered and enacted without undue delay by the Congress so the program which the Congress started in 1958 to meet the Nation's recreation needs can move forward.

Mr. President, I ask unanimous consent to have Secretary Udall's letter to the President of the Senate and the text of the bill he transmitted, which is now introduced, printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and bill will be printed in the RECORD.

The bill (S. 20) to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, and re-

ferred to the Committee on Interior and Insular Affairs.

The letter and bill presented by Mr. ANDERSON are as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 11, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of proposed legislation, "to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes."

We suggest that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

This proposed legislation is intended primarily as the organic act for the Bureau of Outdoor Recreation. Its purpose is to outline the general administrative responsibilities and functions to be exercised in the future by this Department through that Bureau. It is designed to accomplish as effectively as possible certain purposes expressed by the Outdoor Recreation Resources Review Commission in its report of January 31, 1962, to the President and to the Congress as required by the act of June 28, 1958 (72 Stat. 238).

The report of the Outdoor Recreation Resources Review Commission emphasizes the fact that the provision of adequate and diverse outdoor recreation opportunities for the American people requires carefully planned and effectively coordinated efforts by all levels of government and by private citizens and interests. Also, in the President's 1962 message to the Congress on conservation, he proposed executive and legislative action to implement certain recommendations of the Outdoor Recreation Resources Review Commission. To this end, the President issued an Executive order establishing a Cabinet level Recreation Advisory Council.

In addition, the Bureau of Outdoor Recreation has been created as a result of the recommendations made by the Outdoor Recreation Resources Review Commission. In this connection, we wish to commend the Commission for its thorough and farsighted report which, in our judgment, will be of incalculable value to the Nation. We note that the Senate Committee on Interior and Insular Affairs, in its Report No. 1825, on S. 3117, 87th Congress, a bill that is similar in part to this proposal, stated: "Two of the Commission's major recommendations were (1) that a Bureau of Outdoor Recreation should be established in the Department of the Interior to have 'overall responsibility for leadership of a nationwide effort by coordinating the various Federal programs and assisting other levels of government to meet the demands for outdoor recreation,' and (2) that the States should play a pivotal role in making outdoor recreation opportunities available to citizens."

We are now carrying out through the Bureau of Outdoor Recreation the functions of general park, parkway, and recreation area planning and cooperation with the States and other agencies pursuant to the act of June 23, 1936 (16 U.S.C. 17 k–n). We have assigned to the Bureau also certain responsibilities relating to the disposal of Federal surplus real properties to States and political subdivisions thereof for park, recreation, and historic monument purposes (sec. 203 of Federal Property and Administrative Services Act, as amended (40 U.S.C. 484)). It is responsible also for cooperation with the Housing and Home Finance Administrator with regard to the making of Federal grants for the acquisition of open space (title VII, sec. 702(e) of the Housing Act of 1961 (75 Stat. 149)).

In addition to the above functions the Bureau of Outdoor Recreation also serves in a staff or secretariat capacity to the Recreation Advisory Council established by President Kennedy in Executive Order 11017 issued on April 27, 1962, as amended by Executive Order 11069 of November 28, 1962. This Council is composed of the Secretary of the Interior, Secretary of Agriculture, Secretary of Defense, Secretary of Commerce, Secretary of Health, Education, and Welfare, and the Administrator of the Housing and Home Finance Agency. The Secretary of the Interior is at present Chairman of the Council but the chairmanship is to be rotated among the officials in the order named for terms of 2 years each. The independence of the Bureau, without regard to the department in which it may be housed, in its actions and contacts whenever it is serving in its capacity of staff or secretariat to the Council is essential for the Council to function properly and to make effective use of the Bureau. This independence is now recognized and maintained. It would be preserved and would continue upon enactment of the draft bill.

The proposed bill herewith transmitted is essentially the same as the provisions of title I of S. 3117 of the 87th Congress, which was passed by the Senate. Briefly, this proposed legislation will provide a more appropriate administrative basis for our activities in the field of outdoor recreation. The bill would authorize the Secretary of the Interior, in carrying out the purposes of the act, to prepare and maintain a continuing inventory and evaluation of all outdoor recreation needs and resources of the United States, including, to the extent practicable, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. It provides for the preparation of a system for the classification of outdoor recreation resources as a basis for the most effective and beneficial use and management of such resources. It provides for the formulation and maintenance of a comprehensive nationwide outdoor recreation plan. Technical assistance and advice to the States, political subdivisions, and nonprofit organizations for purposes of the act would be authorized. In recognition of the key role of the States and for proper coordination, we anticipate that assistance to political subdivisions will be rendered through or in cooperation with State agencies. The Secretary would be authorized also to encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources. Research and education in this field also would be prescribed, which would be an important phase of our work. An important feature of the bill relates to interdepartmental cooperation, which we are hopeful will provide a satisfactory basis for the exchange of information and the rendering of assistance in accomplishing the purposes of the Federal Government through its several agencies relating to outdoor recreation. Lastly, the bill would authorize the acceptance and use of donations of money and other property, personal services, or facilities for purposes of the act.

In conclusion, we feel that the enactment of this bill is essential for us to carry out our responsibilities in this field. It will permit us to cooperate with and assist other Federal agencies which are similarly interested. We appreciate the considerable interest that has been shown by Members of the Congress in this matter and believe this proposal has a very high potential in terms of future public benefits in the field of outdoor recreation, which is recognized to be of tremendous but incalculable value to the Nation.

We have been advised by the Bureau of the Budget that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

A BILL TO PROMOTE THE COORDINATION AND DEVELOPMENT OF EFFECTIVE FEDERAL AND STATE PROGRAMS RELATING TO OUTDOOR RECREATION, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares that the general welfare of the Nation requires that all American people of present and future generations shall be assured such quantity and quality of outdoor recreation resources as are necessary and desirable, and that prompt and coordinated action is required by all levels of government and by private interests on a nationwide basis to conserve, develop and utilize such resources for the benefit and enjoyment of the American people.

SEC. 2. In order to carry out the purposes of this Act, the Secretary of the Interior is authorized, after consultation with the Recreation Advisory Council and with the heads of Federal departments and agencies concerned, to perform the following functions and activities:

(a) INVENTORY.—Prepare and maintain a continuing inventory and evaluation of outdoor recreation needs and resources of the United States, including to the extent practicable the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(b) CLASSIFICATION.—Prepare a system for classification of outdoor recreation resources to assist in the effective and beneficial use and management of such resources.

(c) NATIONWIDE PLAN.—Formulate and maintain a comprehensive nationwide outdoor recreation plan, taking into consideration the plans of the various Federal agencies, States, and their political subdivisions. The plan shall set forth the needs and demands of the public for outdoor recreation and the current and foreseeable availability in the future of outdoor recreation resources to meet those needs. The plan shall identify critical outdoor recreation problems, recommend solutions, and identify the desirable actions to be taken at each level of government and by private interests. The Secretary shall transmit the initial plan, which shall be prepared as soon as practicable within five years hereafter, to the President for transmittal to the Congress. Future revisions of the plan shall be similarly transmitted at succeeding five-year intervals. When a plan or revision is transmitted to the Congress, the Secretary shall transmit copies to the Governors of the several States.

(d) TECHNICAL ASSISTANCE.—Provide technical assistance and advice to and cooperate with States, political subdivisions, and nonprofit organizations with respect to outdoor recreation.

(e) REGIONAL COOPERATION.—Encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources.

(f) RESEARCH AND EDUCATION.—(1) Sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements, and make payments for such purposes without regard to the limitations of section 3648 of the Revised Statutes (31 U.S.C. 529) concerning advances of funds when he considers such action in the public interest; (2) undertake studies and assemble information concerning outdoor recreation, directly, or by contract or cooperative agreement, and disseminate such information without regard to the provisions of 39 U.S.C. 321n; (3) cooperate with educational institutions and others in order to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.

(g) INTERDEPARTMENTAL COOPERATION.—(1) Cooperate with and provide technical assistance to Federal departments and agencies and obtain from them information, data,

reports, advice, and assistance that are needed and can reasonably be furnished in carrying out the purposes of this Act; (2) promote coordination of Federal plans and activities generally relating to outdoor recreation. Any department or agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement, as may be agreed to by that agency.

(h) DONATIONS.—Accept and use donations of money, property, personal services, or facilities for the purposes of this Act.

COMPULSORY ARBITRATION OF MARITIME STRIKES AND LOCKOUTS

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill to amend title VI of the Merchant Marine Act, 1936, with respect to the operation of vessels as to which operating differential subsidy is paid. I ask unanimous consent that a statement prepared by me, relating to the bill, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 21) to amend title VI of the Merchant Marine Act, 1936, with respect to the operation of vessels as to which operating differential subsidy is paid, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. DIRKSEN is as follows:

STATEMENT BY SENATOR DIRKSEN

Senator EVERETT M. DIRKSEN, Republican, of Illinois, minority leader of the Senate, today introduced a bill to provide for compulsory arbitration in the case of maritime strikes and lockouts.

The bill amends the Merchant Marine Act of 1936 and provides for the filing of a petition by either party to a maritime dispute where wages, scales, benefits, overtime, working conditions, hiring practices, or other terms and conditions of employment may be in dispute and whenever a good faith offer by either party to arbitrate has been refused and results in a strike or lockout or a threatened strike or lockout.

The bill sets up procedures under which the services of the Secretary of Commerce and Secretary of Labor would be utilized after a reasonable lapse of time to make findings of fact and appoint a panel of three arbitrators to hear and settle the dispute.

The bill also empowers the Attorney General to seek an injunction where the national interest is involved and to make the injunction effective for as much as a year if the President deemed this necessary.

RELEASE OF RIGHT, TITLE, OR INTEREST IN CERTAIN STREETS TO THE VILLAGE OF HEYBURN, IDAHO

Mr. CHURCH. Mr. President, I send to the desk a bill to release the right, title or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve, and I ask that the bill be referred to the appropriate committee.

Mr. President, as a brief explanation of this bill, I wish to state that the land in question was originally granted to the village of Heyburn, Idaho, by the Federal Government for a reclamation townsite. The streets were dedicated to the public upon the filing of the townsite plat. I am informed that, under existing law, if the streets are vacated, the title to the land upon which the streets are located reverts to the Federal Government. The village of Heyburn has grown considerably in the past few years, and this growth is expected to continue. Some of the original streets as contained in the original plat, are no longer necessary or desirable for public use. Adjoining landowners have built homes in the area of the vacated streets, and a problem has arisen as to the title of the property. This proposed legislation would clear the title to this land, so that the owners could acquire clear title.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 22) to release the right, title, or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

GREAT SALT LAKE NATIONAL MONUMENT

Mr. MOSS. Mr. President, as every schoolboy knows, there exists in my State of Utah a famous inland sea called the Great Salt Lake. Unique among American bodies of water, Great Salt Lake possesses singular scientific and recreational attraction for millions of Americans, together with a strange, windswept beauty which haunts all who see it.

But few visitors to Utah have been able to enjoy our most unique possession in these last few years, because Saltair, our great resort, has been closed down, and other lakeshore facilities are very limited. Many, many people have left our State sorely disappointed.

I am today introducing a bill to set aside part of Antelope Island—the largest island in Great Salt Lake—as a national monument. The monument would embrace the western side of the island, and the deep water offshore. Most of the eastern side of the island, where an operating cattle ranch is now located, would be excluded.

The monument boundaries would encompass enough of the rugged mountain range which runs down the center of the island to provide for an entertaining and educational display of the geologic history of the Great Basin area from the present time back to the Ice Age. The monument would also embrace enough of the shoreline to allow the erection of suitable facilities for public bathing in its buoyant, briney water which is unlike any other this side of the Dead Sea. Boating could be had from the salt-imbedded beaches into the dense, blue, clear brine, nearly one-third salt in content.

In both the 86th and the 87th Congresses, I was the sponsor of a bill to establish a Great Salt Lake National Park which would have included all of both Antelope and Fremont Islands, and a substantial portion of the lake itself. The boundaries of this suggested park were approximately 28 miles long by 8 miles wide. I recognized at that time that before a park of this size and scope could be established a full National Park Service study would have to be made to analyze in detail the scientific, recreational and scenic potentials of the area, and it would be necessary to summarize local and state viewpoints before the area could be made desirable for park development. At the present, sections of Great Salt Lake are precluded from recreational use because of industrial and municipal pollution.

To prepare the way for the park, I cosponsored the shorelines study bill last session, and was successful in having it amended by the Senate Interior and Insular Affairs Committee to authorize a study of the Great Salt Lake area. But although the measure was passed by this body, it died in the House, and we must start all over again. This means that completion of shoreline studies, and their evaluation, are remote, at best.

I feel, therefore, that the time has come when I should concentrate my efforts on setting aside as a national monument those sections of Antelope Island and its environs which are of special scientific and geological interest, and which are ready for monument status without further delay. The scientific and educational values of the area the monument would encompass are recognized by scientists and laymen alike. The waters involved are clear and clean. The boundaries would be only about 14 miles long and 4 miles wide—enclosing approximately 16,300 acres of land, and 4,500 acres of water.

While Great Salt Lake is remarkable in itself, it is the key to a much broader geological study, as I have indicated. Schoolchildren are taught throughout our land that the lake is the remnant of vastly larger ancient lakes that were formed in the Great Basin during the Ice Age of the Pleistocene epoch, beginning roughly 1 million years ago and ending only about 10,000 years ago.

At different levels above the present surface of Great Salt Lake, the shorelines of the larger ancestral lakes occupying the area are easily recognized. These lake levels extend up across the beaches of Antelope Island and on up its rugged mountain range. Each lake bears a different name—Bonneville, Provo, Stansberry, and Gilbert. The ancient lake which eroded the highest level has been named in honor of Capt. B. L. E. Bonneville who explored much of the area between 1832 and 1836. At its maximum size, Lake Bonneville occupied much of western Utah, and extended more than 300 miles from the extreme southern part of Idaho nearly as far as the Arizona boundary. The waters lapped against the Wasatch Mountains on the east and spread 180 miles to the west into Nevada. Its total area was approximately 20,000 square miles—more than twice the area of Massachusetts.

Geologists estimate that Lake Stansberry, corresponding to the shoreline 300

feet above the present lake, existed some 23,000 years, while Lake Gilbert existed a short time and shrunk to a level only about 400 feet above the present lake. This whole story is etched on Antelope Island.

For those who want scenery with their geology, the ravines between the peaks are filled with gray-green sage, service berries, and willows, and, in season, with starchroot, sunflowers, and wild roses. Mountain climbing and hiking are a challenge with a spectacular view in every direction. To the west is the burnt umber of the Oquirrh Mountains—to the east the smoky brown of the Wasatch Range, with towering snow-covered peaks of the Wasatch Front—a great geologic fault of ancient days.

My bill would permit the Secretary of the Interior to construct, operate, and maintain public boating and bathing facilities on Antelope Island beaches if he wishes to do so. This would give visitors to the monument an opportunity to do some scientific investigation of their own as to the salt content and buoyancy of the lake's heavy, undulating waters. Should suitable private or State-owned recreational facilities be established elsewhere on the lake, development of bathing and boating facilities within the monument would become unnecessary.

The fascination of Great Salt Lake is well described in a magnificent book on it written by Dale L. Morgan. I quote him:

> Visitors have called its waters bright emerald, grayish green, and leaden gray; they have called them sapphire and turquoise and cobalt—and they have all been right. Its colors varies with the time of day, the state of the weather, the season of the year, the vantage point from which it is seen. It can lie immobile in its mountain setting like a vast, green light-filled mirror, or lashed by a sudden storm, rise wrathful in its bed to assault boats and its shoreline with smashing 4-foot waves. The wind is its only master.

Thousands of Americans have seen the lake from the windows of a pullman car, as they crossed the Lucin Cutoff. This, Mr. Morgan holds, is to miss the real lure of the lake. He sums it up this way:

> The feel of the sun and the salt on your skin, the wide sweep of the open sapphire sky, the strangely scented wind raucous with the screaming of the gulls, the intermingled beauty and striped ugliness of the lake and the shore * * * in all these things is something of the experience of Great Salt Lake.

During the three centuries of written history, the lake has been a magnet for all types of men. Spaniards, mountain explorers, and other adventurers sought it out. For years this strange body of water beckoned the intrepid and the fearless. Many expeditions charted and studied it. Later the Mormons found it and in the Great Salt Lake Valley their promised land.

During the years of the westward migrations, the lake and the blazing salt deserts to the west of it formed a barrier to the march to California, lengthening the trail by many miles. Those who tried to cross the salt desert directly lost their wagons, their animals, and sometimes their lives, and wrote tragic chapters in pioneer history.

Years later—in your time and mine—these salt flats came into their own as an internationally famous track for the great racing meets beginning in the thirties, when world speed records were broken by Utah's own Ab Jenkins, England's Sir Malcolm Campbell, and others. The salt beds thus became and are today a testing ground for better and safer cars.

Construction of an improved access highway across the lake would bring Antelope Island within less than a 30-minute drive from Salt Lake City. This bill to establish the monument provides that the Secretary of the Interior may construct a causeway or causeways to the island. Because of the shallow east shoreline area roads could be built readily.

The bill also contains a section protecting all present rights of the State of Utah, its political subdivisions, and persons, to water flowing into the lake, to minerals there—including oil and gas—and to chemicals outside the monument boundaries. No effort will be made to control the lake level and no requirement so to do may be laid on the National Park Service. The monument will not limit or impair private recreation facilities, nor mining of salt or other minerals elsewhere on the lake.

The public hearings held in Salt Lake City in the fall of 1960 on my Great Salt Lake National Park bill indicated that the vast majority of the people of Utah want something done to preserve the unique and scientific features of Great Salt Lake and to make it more attractive. I am confident that they will support the modified bill I am introducing today, as the best first step toward this end.

I am hopeful that the measure will also receive support from the remainder of the country, and from the Department of the Interior and the National Park Service. It would preserve an area unduplicated in any of our other national parks or monuments for the wonderment and enjoyment of generations to come.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 25) to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

DIXIE PROJECT, SOUTHWESTERN UTAH

Mr. MOSS. Mr. President, I send to the desk, for appropriate reference, a bill to authorize the Dixie project in southwestern Utah, near the Arizona and Nevada border. A multipurpose water resource development project, it would provide a supplemental and full irrigation supply to about 21,000 acres in Washington County by regulating the flows of the Virgin River and its tributary, the Santa Clara River.

In addition to irrigation water, the project would provide municipal and industrial water supply to the city of St. George, Utah, and would generate hydroelectric energy for use in the project area. Flood control would be afforded to downstream areas, fish and wildlife resources would be developed, and new recreation opportunities would be created.

The Bureau of Reclamation has estimated that benefits from the project will exceed the costs by a ratio of 2 to 1. The total cost of constructing the project will be in the neighborhood of $45 million. The Secretary of the Interior has recommended its authorization to the President, and I am confident that this favorable report will be in the hands of the Congress early this session.

Construction of the Dixie project will be the realization of a dream of many years for the people of the city of St. George and Washington County. It has been actively sought for more than a decade—dreamed of long before that. The city is willing to contract for the municipal and industrial water supply and for the energy developed by the project.

In this dry and arid area, storage of water in the spring for use the rest of the year will be a great boon. Dixie will provide for the conservation and orderly release of water that is now wasted—water that can be used to revitalize and modernize farming in an area that has become relatively static because of the inadequate and undependable nature of the present water supply. Washington County residents also have high hopes that a firm supply of municipal and industrial water will permit the development of local industry which will make jobs for our people by using local natural resources.

The State of Utah is likewise enthusiastically back of the Dixie project, and is anxious to cooperate with the Congress in enacting the necessary legislation.

The Virgin River, as you all know, is a tributary to the Colorado River at Lake Mead, above the Hoover Dam, and is part of the Lower Colorado River Basin, as defined in the Colorado River Compact. My bill, therefore, provides that the use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River Compact, the Boulder Canyon project and the Mexican Water Treaty. The bill provides that the portion of the costs which is properly allocable to irrigation, and beyond the ability of the water users to repay in 50 years, plus a 10-year development period, shall be returned to the reclamation fund by revenues derived from the disposition of power in Federal power projects in the lower basin.

The bill also establishes measures to dispose of saline springs water now entering the Virgin River in order to assure that irrigation water delivered downstream shall be of suitable quality, and provides for the indemnification of downstream users for any impairment of water quality for irrigation purposes attributable to Dixie project operations.

I sincerely urge prompt hearings on this bill and a favorable report by the Interior and Insular Affairs Committee. The Congress, I am sure, will approve this project so vital to Utah and the

southwest region of the United States. In some respects, it is a small project, but it looms large indeed to my people in southern Utah—it means life and death to the growth of their area of Utah.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 26) to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CANYONLANDS NATIONAL PARK, UTAH

Mr. MOSS. Mr. President, I am today introducing a bill to establish a Canyonlands National Park in southeastern Utah. The park will encompass the area surrounding the confluence of the Green and the Colorado Rivers, some of the wildest and most spectacular scenery in the world, and a geographic and visual entity.

Canyonlands represents one of the last opportunities in the United States to establish a national park in an area of untouched and primitive beauty, of invaluable prehistoric ruins, and of great geological, scientific, and archeologic significance.

That it is of national park stature and quality is undisputed. The park would be the scenic heart of a region so visually compelling that most people who see it want to push the boundaries of the proposed park back, and back again. It contains probably a greater diversion of erosional grandeur than any other section of the country, and I believe it is not extravagent to claim that it is the world's most massive exposure of red rock canyons and windswept sculpture.

Frankly, the bill I am introducing today is a compromise—an effort to take some of the controversy out of canyonlands. It is a considerably modified version of S. 2387, the measure I sponsored last session, which was favorably reported by the Senate Interior Committee, but not brought to the floor due to the lateness of the session and lack of time.

Though the bill was looked upon with favor here in Washington, canyonlands, like too many other bills to establish national parks in the West where much of the land is already controlled by the Federal Government, became a storm center in the State in which it was to be located. The bill reported last session was opposed by those who put commercial gain first, as a land grab, as a locking up from further commercial development of a huge area in southern Utah. But this is now Federal land which should be unlocked.

Moreover, S. 2387, proposed a park of some 332,000 acres, one-seventh the size of Yellowstone, and about half as large as the Grand Canyon National Park. In terms of Utah's land mass, it embraced less than 1 percent of the more than 54.3 million acres in the State. I felt then, and still feel, that the arguments against the bill on the basis of size had no validity.

However, this is an argument I see no purpose in pursuing. I want for my State what is best for it and for all of the people in it. I am more interested in drafting a bill upon which all factions can unite than I am in prolonging a controversy about it, no matter how justified I may feel my position to be. In the interests of harmony, I have, therefore, cut about 75,000 acres from my previous proposal, and now offer a bill which would establish a Canyonlands National Park of approximately 253,000 acres.

I realize that in shaving back the proposed park boundaries, I run the risk of pulling down upon my head the wrath of the many people who feel that the park was already far too small to protect and properly display the awesome beauty and grandeur of this land of basalt and sandstone, and to assure that posterity will be able to visit, in their natural state, the 25,000-year-old campsites, the granaries, and the ruined villages of the Anasazi which dot the area. To them I say that I feel it more important to establish a smaller park than to stir again the fires of controversy about it—more important to provide the people of Utah and the entire Nation with additional space for play and for rest and for the spiritual rehabilitation that comes with communion with nature. And it is more important to start toward Utah the hegira of tourists which the park will attract, and to give to the region of the State in which it will be located the substantial economic shot in the arm which those tourist dollars will provide. We must sweep away the controversy, and get on with the job.

I am offering this compromise because I feel that it is my responsibility to take the lead in working out a Canyonlands National Park bill which will engender wide support. I was the first member of the Utah congressional delegation to offer a bill to establish a national park in the treasured canyonlands area of our State. I have been associated with the move from the start. Furthermore, I have spent weeks and months developing the legislation. As a member of the Senate Interior and Insular Affairs Committee, and of the Public Lands Subcommittee, I requested that both the Utah and the Washington hearings be held on the bill last session, and was in attendance at every moment of all of them. It was on my motion, that the bill was reported by the Senate Interior Committee last session. I will have the responsibility of getting the bill out of the committee again this session, and, I trust, through this body itself.

Through my long and close association with the canyonlands bill, I believe I sense and feel what the majority of the people of Utah and of the country want, including those millions who have a special interest in conservation legislation.

It was not easy to cut back the acreage of the proposed Canyonlands National Park. The new boundaries were worked out almost inch by inch, after endless study, in somewhat the same way as the Green and the Colorado, winding endlessly through the red sandstone, have worn away the rock of the canyons.

The cut made on the western side of the park, in the area known as the maze, was chosen because the very inaccessibility of this region gives it protection. It is a network of little-known canyons, a wilderness of alcoves and pockets, ridges and fins, some of which in all probability no white man has ever seen. It will probably sleep on, little disturbed, until easier access is provided. It is possible to enter it, however, should those prospecting for oil or gas or minerals want to check it out, and under the new bill prospectors can comb this virgin territory without restriction. It can still be viewed as a sweeping expanse from the Island in the Sky from within the park—a sight which stretches across to the orange cliffs, broken and cut by passes and even more distant vistas.

A second cut was made on the northern edge of the proposed park. About a mile was cut back here, both to give a wide berth to the only producing oil-well in the area and to allow unrestricted drilling in the country around it. It also widens the area between the park borders and Dead Horse Point State Park. This cut, however, is about the last which can be made on the northern side of the park and still leave a satisfactory area for an operational base in the north when the park is established.

The third and biggest cut was made in the South—the park was cut back about 3 miles all the way along. This area was cut because the structures and monuments which have names and identifications generally are not located in this area, and because it is a section of the park which orients itself toward Beef Basin where there is some grazing. Also, it is my understanding that most of the deer which drift from higher mountain areas to winter go in this direction, so it is safe to say that this is the area in which most of the hunting could be found.

In making these cuts, we have been able to save most of the areas and formations whose names have already become part of the scenic lore of America—Chesler Park, Virginia Park, Druid Arch, Angel Arch, Castle Arch—to name a few. They are in. So is Elephant Canyon and Upheaval Dome and the Doll House. The Navajo Baby will still march along with its elders in The Needles. The great edifices that tower high above the white bench and stark against the sky in the Basin of Standing Rocks will be protected and preserved under my bill. Within the park there will still be a selection of the choicest of the cathedrals, the minarets, the spires and the domes, the mesas and the canyons which nature, the Supreme Architect, has created. Nor will there be any change in the sweeping vistas, or the plunging views of the ever-shifting colors in the chasms of the deep canyons. Canyonlands will still unquestionably be an area whose care and treatment should be entrusted to the National Park Service—and at the earliest possible date.

Because, as I have pointed out, the new park boundaries would eliminate almost entirely the area in which deer have been seen, I have dropped the section of the bill which would set up the

machinery to allow hunting in canyonlands. This, I hope, will remove another area of controversy. But I do want to make it clear that I still most strongly support the principle of hunting in national parks, and am demonstrating this by reintroducing my bill to allow hunting in the Utah portions of the Dinosaur National Park where there are abundant deer and other wildlife—and that the deer especially need harvesting.

The section of my original bill which would phase out grazing in 25 years, or in the lifetime of the immediate relatives of present holders of grazing permits on lands which would be encompassed by canyonlands, appears also in the new bill. Again, since the area which has been cut in the south is the principal area where there are any grazing permits, I feel that phasing out grazing in the reduced park could not possibly cause any real hardship. It is my understanding that only a handful of animals would be involved.

I have amended the section of my earlier bill which permitted perpetual exploration for minerals—including oil and gas—to provide that prospecting be phased out in 25 years. All existing mineral rights and leases would be completely protected under this section, as would the operation of any mine or oil well discovered and put into operation during the 25-year period. These operations would then be subject only to mining laws on the books at that time, and general regulations of the Secretary.

There is a precedent for a phase-out period in the establishment of national parks; such an arrangement was used in the case of the Everglades National Park in Florida. I believe a 25-year period will give prospectors ample time to explore canyonlands and to establish any productive properties. Going mines or wells will continue, but after 25 years further prospecting will cease. This will meet the objections of those opposed to a permanent change in national park standards against mining. It also permits prospectors and drillers time to test the foundations and to produce any minerals found, to the benefit of Utah's economy.

The changes I have described represent my effort to write a canyonlands bill which goes as far as possible in satisfying all points of view. The legislative process is a process of compromise, as we all know, and I hope this bill will be accepted in the spirit in which the changes are proposed. I have yet no indication as to what attitude may be taken by the National Park Service or the Department of the Interior, but I trust they will cooperate.

Last session, on the eve of the opening of the Washington hearings on canyonlands, I talked for some time in this Chamber about canyonlands. I spoke then, as I do now, as a Member of the U.S. Senate and a citizen of Utah, dedicated, and I quote "to the conservation of this awesome and splendid area bequeathed to us by a loving Creator. It is an unparalled natural heritage which belongs to all of the people." I continued, "It must be honored for the spiritual and economic reasons of major importance to Utah and the Nation."

I cannot say it better now than I said it then. I will not take the time of this body to describe again this glorious area, but refer you to that speech and to the masterful report of the Senate Interior Committee. Nor will I again detail the reasons why I am convinced that in the case of canyonlands, greater economic benefits would flow to the people of Utah from its development as a tourist attraction than for other income-producing uses. The study made by the University of Utah on the economic impact of canyonlands indicates that the unique, the wonderful, and the breath-taking qualities of canyonlands could be attracting half a million tourists each year into our State. I feel this would be worth far more, in economic terms alone, to Utah than any mineral wealth which might possibly be foregone 25 years from now.

In closing, I should like to point out that the bill as now drafted is fully consistent with the multiple use principles recommended by the Outdoor Recreation Resources Review Commission, and it follows, in almost every detail, already established precedents in national parks. It is sound, and I hope will win wide support.

Let us get along then with the task of preserving this mighty area—these canyonlands of Utah which defy adequate description for form, color, and heroic view—for the enjoyment of all of our people, beginning now and for the decades and centuries to come.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ADDITIONAL INCOME TAX EXEMPTION FOR DEPENDENT CHILD WHO IS A FULL-TIME STUDENT ABOVE THE SECONDARY LEVEL

Mr. PEARSON. Mr. President, in his state of the Union message today, the President of the United States cited the importance of fully utilizing the talents of the youth of this Nation and placed particular emphasis upon the need to assure a complete educational opportunity through college and graduate levels. I heartily concur in this objective although there remains disagreement as to means.

The President's message also recommended certain revisions in our tax structure which would serve to encourage the direction of private capital into productive enterprises which would expand the capacity of this Nation to compete in the world on behalf of freedom. I can think of no investment which would produce a greater return than investment in the education of the youth of this Nation.

The Congress, in previous session, has seen fit to provide a number of programs designed to assist students desiring to prepare themselves in specific fields of endeavor through the appropriation of funds for scholarships and support of educational programs.

Public and private funds underwrite a significant portion of the expense of higher education; however, increased enrollments, expanded fields of opportunity and the growing cost of advanced education require that we find new ways to assure that as large a number of our young people as possible can continue their education in our colleges and universities.

I am today introducing a bill which is not new to the Congress. It will provide that the head of the household may claim a double exemption for a dependent attending an institution of higher learning. This bill and its subject matter should be considered as Congress considers both means in providing educational opportunities for its young people and in revising its tax structure. This is a simple and equitable plan which will further encourage parents to see their children through college without complete dependence upon public financing. It will assure students of the widest range of choice in selecting a field of study. It requires only a minor alteration in income tax reporting and consequently eliminates any need for a new bureaucratic administrative structure.

I ask that the bill be received, appropriately referred, printed in the RECORD, and held at the desk until next Tuesday, January 22, for possible cosponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Kansas.

The bill (S. 34) to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 for a dependent child of the taxpayer who is a full-time student above the secondary level, introduced by Mr. PEARSON, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That section 151 of the Internal Revenue Code of 1954 (relating to deductions for personal exemptions) is amended by adding at the end thereof the following new subsection:

"(g) ADDITIONAL EXEMPTION FOR DEPENDENT CHILDREN ATTENDING SCHOOL ABOVE THE SECONDARY LEVEL—

"(1) IN GENERAL.—An additional exemption of $600 for each dependent (as defined in section 152)—

"(A) who is a child of the taxpayer for whom the taxpayer is entitled to an exemption under subsection (e)(1) for the taxable year, and

"(B) who, during at least four calendar months during the calendar year in which the taxable year of the taxpayer begins, is a full-time student above the secondary level at an educational institution.

"(2) DEFINITIONS.—For purposes of paragraph (1)—

"(A) CHILD.—The term 'child' means an an individual who (within the meaning of section 152) is a son, stepson, daughter, or stepdaughter of the taxpayer.

"(B) EDUCATIONAL INSTITUTION.—The term 'educational institution' has the meaning assigned to it by subsection (e)(4)."

SEC. 2. Section 213(c) of the Internal Revenue Code of 1954 (relating to maximum limitations on deductions for medical, dental, etc., expenses) is amended by striking out "subsection (c) or (d), relating to the additional exemptions for age or blindness" and inserting in lieu thereof "subsection (c), (d), or (f), relating to certain additional exemptions".

SEC. 3. Section 3402(f)(1) of the Internal Revenue Code of 1954 (relating to withholding exemptions) is amended—

(1) by striking out "and" at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon; and

(3) by adding after subparagraph (E) the following new subparagraph;

"(F) one additional exemption for each individual with respect to whom, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 151(f) (relating to dependent children attending school above the secondary level) for the taxable year under subtitle A in respect of which amounts deducted and withheld under this chapter in the calendar year in which such day falls are allowed as a credit."

SEC. 4. The amendments made by this Act, other than the amendments made by section 3, shall apply to taxable years beginning after December 31, 1962. The amendments made by section 3 shall apply with respect to wages paid on or after the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO NONMARRIED PERSONS OVER 35

Mr. MCCARTHY. Mr. President, I introduce for appropriate reference, in behalf of myself, the senior Senator from Minnesota [Mr. HUMPHREY], the Senator from Kansas [Mr. CARLSON], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Vermont [Mr. PROUTY], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Maine [Mrs. SMITH], and the Senator from North Dakota [Mr. YOUNG], a bill to amend the Internal Revenue Code in respect to nonmarried persons over 35.

This bill is the same as one which I introduced at the last session. Its purpose is to correct one of the inequities which have become manifest regarding the treatment of individuals and families.

The measure would extend the head-of-household benefits in the tax schedule to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; it would also provide the head-of-household tax status for unremarried widows and widowers.

There are about 18 million nonmarried persons age 35 or over, of whom about 13 million are women. These citizens characteristically maintain households, but unless they meet certain conditions such as providing residence for a dependent parent or child, they cannot claim head-of-household benefits.

The adoption of this bill would provide some relief from tax discrimination for single persons over 35 and also some recognition of their general contribution to society.

I ask that the bill lie on the desk for 1 week for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 35) to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, introduced by Mr. MCCARTHY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF SECTION 35 OF MINERAL LEASING ACT OF 1920

Mr. MCGEE. Mr. President, I have just introduced a bill that I believe will correct a long-standing inequity in the treatment afforded States in the western portion of our Nation. The purpose of this bill can be easily explained. It would increase to 90 percent the amount of mineral royalties from Federal lands that are returned to the States which contain that land.

The Members of this body are well aware that a large portion of the Western United States is still owned by the Federal Government. In my State 70 percent of the mineral rights are controlled by the Federal Government which owns approximately one-half the State. In 11 Western States Federal ownership runs from 86 to 29 percent. It is true that between 37½-percent royalty return, which is earmarked for specific State program, and 52½-percent return to the reclamation fund the West generally recovers 90 percent of the mineral royalties. But there seems little logic in the 52½-percent payment to the reclamation fund. This payment assures unequal distribution of the moneys collected because of the variance in reclamation programs from State to State and also puts money into programs which are designed to be self-liquidating. It would be much simpler, more logical and certainly more just to return this money directly to the States of origin. The remaining 10 percent would allow the Federal Government to recover management costs.

Mr. President, this is an era of increased Government spending at all levels. Just as I believe that the Federal Government must accept its responsibilities to provide services where they are needed, so must it accept the responsibility of avoiding involvement in areas where local governments can do an adequate job. I would suggest that one constructive step that we could perform to help the States meet the increasingly heavy financial burdens thrust upon them and help them to maintain a high level of performance of State obligations would be to pass this bill. The alternative is to see the States come to Washington for programs that they might have done themselves.

Congress has already recognized the principle of this bill by granting 90 percent royalty return to the State of Alaska upon its admission to the Union. I realize that Alaska has problems not common to the other States but, I submit, so does Wyoming and so do the other Western States, none sharing exactly the same physical characteristics. The States in the East, because they retained title to all their public land, receive direct royalties from the same type of lands for which Western States disclaimed title. We now have the situation, to paraphrase George Orwell that "all States are equal but some are more equal than others."

Mr. President, this bill is an easy remedy to an unfair situation. I hope that this body and this Congress will support this proposal to afford equal treatment to all States and to give to the States the increased ability to proceed on constructive programs of capital improvement and public service on their own.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 59) to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act, introduced by Mr. MCGEE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

REPRESENTATION OF INDIGENT DEFENDANTS IN CERTAIN CRIMINAL CASES

Mr. HRUSKA. Mr. President, I send to the desk a bill providing for the representation of indigent defendants in criminal cases in the U.S. district courts. It is, with slight modification, the same measure which passed the Senate on October 4, 1962.

To those of us who have urged passage of this bill, and have worked to that end for several years, the remarks of the President in his state of the Union message this afternoon were understandably gratifying. The expressed declaration of administration support of this effort, coupled with that of the American Bar Association and the Federal judiciary, will, I am confident, increase the prospects for passage by both Houses in the current session.

In order that my colleagues may become familiar with the history of the bill, as well as its substance, I ask unanimous consent to insert at this point in my remarks the statement included in the committee report last session and the text of the bill itself.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 63) to provide for the representation of indigent defendants in criminal cases in the U.S. district courts, introduced by Mr. HRUSKA (for himself and other Senators), was received, read twice by its title, referred to the Com-

mittee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Public defenders; representation of defendants

"(a) Each United States district court may, with the approval of the judicial council of the circuit, appoint a public defender at each place where it holds a term of court. Whenever a district court is satisfied that the number of cases assigned to a public defender is greater than can be efficiently conducted by him, it may, with the approval of the judicial council of the circuit, appoint one or more assistant public defenders. The public defender, upon authorization by the court, may appoint such clerks and investigators as he determines necessary to enable him to carry out his duties under this section. Any such appointment shall be made subject to the approval of the Director of the Administrative Office of the United States Courts. Public defenders or assistant public defenders may be full-time or part-time officers as, in the judgment of the court, the volume of work of the court requires.

"(b) Whenever a district court in which there is a public defender is satisfied that a defendant charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) is unable to employ counsel because he is indigent, it may assign the public defender to represent such defendant unless counsel has been properly waived. In any case in which the court determines that the interest of any such defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel to represent such defendant.

"(c) Any public defender or counsel appointed pursuant to this section to represent any defendant shall represent such defendant at every stage of the proceedings, including preliminary examination, arraignment and appeal, unless after such appointment the court is satisfied that the defendant is able to employ other available counsel or that there is just cause why the public defender or counsel so appointed should be permitted to withdraw. Each district court may adopt appropriate rules governing the conduct of public defenders not inconsistent with general regulations issued by the Judicial Conference of the United States.

"(d) Appointment of public defenders under this section shall be made by and with the advice and consent of the Senate and shall, unless otherwise provided by the Judicial Conference of the United States, be limited to attorneys who have practiced for five years or more before the bar of the State or possession in which the appointing district court is located. Each public defender and assistant public defender shall be (1) appointed for a term of four years, (2) paid a salary based upon the service to be performed in an amount fixed by the Judicial Conference of the United States, and (3) reimbursed for reasonable expenses necessarily incurred by him (including the costs of technical experts required by the defense) in the performance of his duties and approved by the district court; except that in no case shall the salary of any public defender appointed under this section to serve in any district exceed the salary paid the United States attorney in such district.

"(e) If any district court considers that the representation of indigent defendants charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) can best be provided for by the appointment of counsel rather than by the appointment of a full-time or part-time public defender as provided under subsection (a), the court shall have the authority to appoint counsel to represent indigent defendants in particular cases; except that no district court in a district having one or more cities of over five hundred thousand population shall exercise such authority without the approval of the judicial council of the circuit.

"(f) Any counsel appointed by the court pursuant to this section to represent any defendant shall be (1) compensated by the court for his service upon the conclusion of such service at a rate not in excess of $100 a day for time necessarily and properly expended in preparation and defense of the case and any appeal; and (2) reimbursed for all reasonable expenses determined by the court to have been necessarily incurred by him in the representation of the defendant in accordance with the provisions of this section, including any expenses incurred in employing investigators and other personnel.

"(g) Whenever a district court in which there is a public defender is satisfied that a defendant charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) is unable to obtain counsel for any reason other than the fact that such person is indigent, the district court may assign a public defender to represent such defendant, unless counsel has been properly waived. The court determines that the interest of a defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel to represent such defendant.

"(h) Whenever any public defender or other counsel is assigned to represent any defendant under this section, such public defender or counsel shall not request or receive any payment, from or on behalf of such defendant, except upon approval of the court. If such approval is granted to the public defender, the amount so approved and received from or on behalf of the defendant shall be paid to the Administrative Office of the United States Courts and used by such office in carrying out the provisions of this section. If such approval is granted to counsel other than the public defender, the amount so approved and received by counsel shall be credited against the sum which the United States would otherwise pay to counsel under the provisions of this section.

"(i) There are hereby authorized to be appropriated to the United States Courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section. Notwithstanding any other provision of law or of the Federal Rules of Criminal Procedure, the salaries and expenses, including witness fees, of public defenders and assistant public defenders, and compensation and expenses, including witness fees, of counsel appointed to represent defendants in particular cases, above provided for, shall be paid out of appropriations made to the judiciary for operation of the public defender system under the supervision of the Director of the Administrative Office of the United States Courts.

"(j) The terms 'United States district court' and 'district court' as used in this section shall include the District Court of the Virgin Islands, the District Court of Guam, the District Court of the Canal Zone, and the district courts of the United States created by chapter 5 of title 28 of the United States Code."

SEC. 2. The analysis of chapter 201 of title 18 of the United States Code is amended by adding immediately after item 3006 the following new item:

"3006A. Public defenders; representation of defendants."

The statement presented by Mr. HRUSKA is as follows:

STATEMENT

Bills to authorize the appointment of a public defender to represent indigent defendants in the Federal district court were approved by the committee and passed by the Senate in the 85th (S. 3275) and 86th (S. 895) Congresses. In the same period the House Judiciary Committee undertook an extensive survey of professional opinion on appropriate and feasible public defender legislation, the findings of which have been published as a committee report.

S. 2900 has the approval of the Judicial Conference of the United States. The Judicial Conference has for many years recommended the enactment of legislation to provide a system of public defenders, as well as compensation for counsel appointed to represent indigent defendants in the U.S. district courts, similar to that which would be afforded by this legislation. The Department of Justice recommends the enactment of S. 2900 as here amended.

The sixth amendment to the Constitution provides that in all criminal prosecutions the accused shall enjoy the right "to have the Assistance of Counsel for his defence." Implementation of this right to counsel is found in rule 44 of the Federal Rules of Criminal Procedure, which reads:

"If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel."

But the ability of the Federal courts to comply with the constitutional provision which rule 44 contemplates is sharply circumscribed. A court can assign a member of the bar to serve as defendant's counsel but cannot make provision for his compensation or for defrayal of expenses incurred, with a few limited exceptions.

An anomalous situation has thus arisen. With a substantial number of the thousands of persons annually accused of committing a Federal crime relying upon assigned counsel for representation, the very jurisdiction of the courts to try these indigents turns upon the availability and response of unpaid advocates.

The necessity for legal representation has two fundamental aspects—that of the individual and that of society. The individual defendant requires representation because he does not have the technical skills to conduct his own defense; nor can he be protected entirely by the efforts of the judge or the U.S. attorney alone.

Our democratic society has an interest in providing representation to every accused person so that the scales of justice can be equally balanced. Citizens want to know that justice is done to all whether rich or poor; their respect for the administration of justice will be increased by treating all defendants fairly and equally. Moreover, there is a greater chance of rehabilitating the guilty if they are prosecuted in such a way that they realize their rights are being respected. Convictions obtained short of this mark often cause resentment in the convicted man, as well as create disturbing doubts in the public. It seems clear that our society has a deeply rooted and legitimate concern about the representation of an accused. This interest should not be lessened simply because a defendant is financially unable to hire his own counsel.

It is in response to this requirement that S. 2900 was introduced. The proposed legislation provides that—

"1. Each U.S. district court may, with the approval of the judicial council of the circuit, appoint a public defender at each place where terms of court are held;

"2. Whenever a district court is satisfied that the number of cases assigned to a public defender is greater than can be efficiently conducted by him, it may, with the approval of the judicial council of the circuit, appoint one or more assistant public defenders;

"3. The public defender, upon the authorization of the court, may appoint such clerks and investigators as are necessary, subject to the approval of the Director of the Administrative Office of the U.S. Courts;

"4. Public defenders or assistant public defenders may be full-time or part-time officers as, in the judgment of the court, the volume of work of the court requires;

"5. Whenever a court, in which there is a public defender, is satisfied that a defendant is unable to employ counsel because he is indigent, the court may assign the public defender to act as counsel;

"6. In any case involving conflicting interests and where the court determines that the interest of any indigent defendant cannot adequately be represented by a public defender, the court may appoint counsel to represent such defendant;

"7. The public defender or appointed counsel shall represent the defendant at every stage of the proceedings, unless after the assignment the court is satisfied that the defendant is able to employ counsel or that there is a just cause why the public defender or appointed counsel should be permitted to withdraw;

"8. Each district court may adopt appropriate rules governing the conduct of public defenders not inconsistent with general regulations issued by the Judicial Conference of the United States;

"9. Appointment of public defenders shall, unless otherwise provided by the Judicial Conference of the United States, be limited to attorneys who have practiced for 5 years or more in the State in which the appointing district court is located;

"10. Each public defender and assistant public defender shall be appointed for a term of 4 years, paid a salary in an amount fixed by the Judicial Conference of the United States, and reimbursed for reasonable expenses necessarily incurred by him in the performance of his duties and approved by the district court; except that the salary of any public defender will not exceed the salary paid the U.S. attorney in that district;

"11. Any district court, if it considers that the representation of indigent defendants can best be provided for by the appointment of counsel rather than by the assignment of a full-time or part-time public defender, shall have the authority to make such designations except that a district court in a district having one or more cities of over 500,000 population cannot exercise such authority without the approval of the judicial council of the circuit. The committee calls attention to the fact that those Federal jurisdictions which now have statutory authority for the appointment of a public defender, such as the District of Columbia and the Canal Zone, would not be required also to establish an office as provided for in this bill. Quite logically those jurisdictions now having adequate statutory authority should continue to operate under it and such provision ought to be taken into consideration by the judicial council of the circuit and appropriate accommodation made to it.

"12. Any counsel appointed by the court to represent any defendant shall be compensated by the court upon the conclusion of such service at a rate not in excess of $100 a day for time necessarily and properly expended in preparation and defense of the case or the appeal, and reimbursed for all reasonable expenses determined by the court to have been necessarily incurred in the representation, including expenses for the employment of investigators and other personnel;

"13. Whenever a district court in which there is a public defender is satisfied that a defendant is unable to obtain counsel for any reason other than the fact that such person is indigent, the district court may assign a public defender to represent such defendant. If a public defender has not been appointed for that district court or if the court determines that the interest of a defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel.

"14. When any public defender or other counsel is assigned to represent any defendant, he will not request or receive any payment or promise of payment, from or on behalf of such defendant, except upon approval of the court. If such approval is granted to the public defender, the amount so approved and received from or on behalf of the defendant shall be paid to the Administrative Office of the U.S. Courts and used by such Office in carrying out the provisions of this bill. If such approval is granted to counsel other than the public defender, the amount so approved and received by counsel shall be credited against the sum which the United States would otherwise pay to counsel under the provisions of this bill.

"15. There are authorized to be appropriated to the U.S. courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this bill. The salaries and expenses, including witness fees, of public defenders and assistant public defenders, and compensation and expenses, including witness fees, of counsel appointed to represent defendants in particular cases, above provided for, will be paid out of appropriations made to the judiciary for operation of the public defender system under the supervision of the Director of the Administrative Office of the U.S. Courts.

"At the present time, the fees and expenses of all witnesses subpenaed by either the Government or an indigent defendant are paid out of an appropriation made to the Department of Justice. The proposed legislation changes existing law insofar as it shifts responsibility for the fees and expenses of witnesses subpenaed by indigents from the Department of Justice to the U.S. courts. It is believed that the proposed shift in responsibility is desirable, since it will help centralize in one appropriation all of the costs of the public defender system. Moreover, the agency of Government which carries on the prosecution should not be put in the position of having—or appearing to have—the power to influence the number or kind of witnesses called to testify on behalf of indigent defendants. To accomplish this improvement, it will, of course, be necessary to transfer from the Department of Justice to the Judicial Establishment an amount equal to the appropriation which the Department would have received for this purpose had subsection (i) of the proposed legislation not worked this change in responsibility for the fees and expenses of witnesses subpenaed by indigent defendants in criminal cases."

The principle that every defendant in a criminal trial has a right to legal counsel unless he expressly waives that right was first enunciated in the case of *Johnson* v. *Zerbst* (304 U.S. 458 (1938)). The Supreme Court held that the grant to an accused of the right to counsel was necessary for the jurisdiction of the court to try him, and that without it any judgment rendered against him was void.

Three years later the Supreme Court further defined the right to counsel by holding, in the case of *Walker* v. *Johnston* (312 U.S. 275 (1941)), that a sentence imposed upon a plea of guilty is invalid if such plea was entered through deception or coercion of the prosecuting attorney, or in reliance upon erroneous advice given by a lawyer in the employ of the Government, where the defendant did not have the assistance of counsel and had not understandingly waived the right to such assistance.

Then in the case of *Vol Moltke* v. *Gillies* (332 U.S. 708 (1948)), the Supreme Court, speaking through Justice Black, stated:

"It is the solemn duty of a Federal judge before whom a defendant appears without counsel to make a thorough inquiry and to take all steps necessary to insure the fullest protection of this constitutional right at every stage of the proceedings * * *. This duty cannot be discharged as though it were a mere procedural formality.

"To discharge this duty properly in light of the strong presumption against waiver of the constitutional right to counsel * * * a judge must investigate as long and as thoroughly as the circumstances of the case before him demand. The fact that an accused may tell him that he is informed of his right to counsel and desires to waive this right does not automatically end the judge's responsibility * * *. A judge can make certain that an accused's professed waiver of counsel is understandingly and wisely made only from a penetrating and comprehensive examination of all the circumstances under which such a plea is tendered.

* * * * *

"The admitted circumstances here cannot support a holding that petitioner intelligently and understandingly waived her right to counsel. She was entitled to counsel other than that given her by Government agents. She is still entitled to that counsel before her life or her liberty can be taken from her."

Such emphatic language does much to strengthen the rule of a strong presumption against the waiver of legal counsel and to point up the need of providing adequate counsel for indigent defendants in Federal courts.

The Supreme Court has recently spoken in this area of the law. On April 30, 1962, in the case of *Willard Carnley* v. *H. G. Cochran, Jr., Director of the Division of Corrections, State of Florida* (369 U.S. 506), the Court stated:

"We hold that petitioner's case was one in which the assistance of counsel, unless intelligently and understandably waived by him, was a right guaranteed him by the 14th amendment."

Here the denial of counsel to an accused, an illiterate of low mentality on trial in a State court for a serious crime, was thus found to constitute "a denial of fundamental fairness, shocking to the universal sense of justice." By such terms the Supreme Court all but expressly held that defendants in State courts have the same right to counsel under the 14th amendment as defendants in Federal courts have been held to have by virtue of the 6th amendent.

On the same day, the Supreme Court handed down the decision in *Mark Coppedge, Jr.*, v. *United States* (369 U.S. 438). The Court, in addressing itself to the specific problem of the request of an indigent for leave to appeal in forma pauperis, focused attention broadly on the problem at hand. Speaking this time through the Chief Justice, the Court said:

"It is our duty to assure to the greatest degree possible, within the statutory framework for appeals created by Congress, equal treatment for every litigant before the bar."

In light of both the established need and growing legal precedent, it is appropriate for Congress to take action on public defender legislation this session. The courts, the legal profession, the Department of Justice, and the Congress have at various times expressed dissatisfaction with the operation of the present system of assigned counsel in Fededal courts. Each has freely acknowledged the inadequacy of this system to in-

sure even-handed justice in a nation dedicated to equal justice under the law.

The fact that there is provision for legal counsel for indigent criminal defendants appearing before the U.S. district courts is not enough. Additional legislation is necessary. So long as there is no law even authorizing the compensation of counsel for the time and expense involved in defending indigent Federal prisoners, there can scarcely be "equal treatment for every litigant before the bar."

The inequities arising from the day-by-day operation of the present system, not to mention the shortcomings inherent in its administration, must be borne in mind. Because no provision is made for the compensation of lawyers who supply legal assistance, the defendants must rely upon those lawyers who will respond to assignments by the court. Among these counsel, of course, are lawyers of talent and experience who furnish the finest caliber of representation to the persons to whom they are assigned. However, a great number of the counsel are younger lawyers with little, if any, background in criminal trial practice. Even when conscientiously pursuing their duties, these inexperienced attorneys are not able to supply the indigent defendants with really effective legal advice. Moreover, the younger lawyers who receive the bulk of these assignments are the least able to bear the expenses of what may turn out to be a costly trial and frequently do find the cost of pretrial investigation and the costs of appeal prohibitive.

The result is that in many instances an indigent will receive a perfunctory or ineffective defense. Such a situation is contrary to the spirit of the sixth amendment and the concept of equal justice under the law. We have, in effect, a double standard of justice: one for those who can afford to retain competent and experienced lawyers and another for those who must, in many instances, rely on counsel provided for them by a court assignment.

S. 2900 is a flexible bill which is the product of careful study. It is particularly designed to eliminate the problem of a double standard of justice which has so long plagued the bench, bar, and the public—a standard which has no place in our free society. It contains ample means for providing adequate legal aid in those cases where it is needed. If the Americn system of justice is to continue to be known as a fair one, it behooves the Congress to furnish the kind of assistance of counsel this bill affords.

Attached and made a part of this report are (1) a letter dated June 29, 1962, from the Department of Justice; (2) a letter dated March 28, 1962, from the Department of Justice; and (3) a letter dated March 21, 1962, from the Administrative Office of the U.S. Courts.

HOSPITAL INSURANCE BENEFITS ACT

Mr. McNAMARA. Mr. President, I again submit a proposal designed to resolve a persistent and pervasive national problem—the financing of adequate hospital and related care for older Americans.

My objective has been to develop an equitable and meaningful program which would materially assist our senior citizens to retain their independence and dignity.

I believe that enactment of the bill which I now offer would achieve that objective.

The Democratic Party platform contains a commitment to the American people which would be fulfilled by passage of my bill. The platform states:

> The most practicable way to provide health protection for older people is to use the contributory machinery of the social security system for insurance covering hospital bills and other high cost medical services.
>
> For those relatively few of our older people who have never been eligible for social security coverage, we shall provide corresponding benefits by appropriations from the general revenue.

Existing measures, including the Kerr-Mills medical assistance for the aged program, are manifestly inadequate in terms of both the number of people helped and the quality of the benefit provided. The Kerr-Mills program, for example, more than 2 years after its adoption by the Congress is available in only 25 of the 50 States. Where Kerr-Mills is available, it usually offers inadequate help in invariably degrading fashion.

The program which I offer is the product of careful study and of my years of experience as chairman of the Special Committee on Aging and the former Subcommittee on Problems of the Aged and Aging. It is my firm belief that the bill I introduce today represents a national solution to a national problem.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 65) to provide for payment for hospital and related health services, for retired persons 65 years of age and older through the old-age, survivors, and disability insurance program, and for other purposes, introduced by Mr. McNAMARA, was received, read twice by its title, and referred to the Committee on Finance.

AUTHORIZATION FOR COAST GUARD APPROPRIATIONS

Mr. BARTLETT. Mr. President, I introduce for appropriate reference a bill to amend title 14 of the United States Code to require authorization for certain Coast Guard appropriations. The purpose of the bill is to assist the Coast Guard by providing for authorization of certain major construction and procurement projects in a manner similar to that now provided for the Department of Defense. Under the present law the powers given the Secretary of the Treasury are sufficiently broad as to permit the Coast Guard to initiate without specific authorization projects such as those involving the procurement of vessels and aircraft or the construction of shore or offshore establishments which would require specific authorization if initiated by the Department of Defense. While the armed services are given an opportunity to have a hearing by the legislative committee having jurisdiction, the Coast Guard at present has no such possibility. This procedure for authorization of major projects for the Department of Defense has proved beneficial to both the committees and the armed services.

A legislative proposal to meet this problem was introduced in the House of Representatives during the 87th Congress. After receiving constructive comments from the Department of the Treasury an amended bill was reported favorably from the House Committee on Merchant Marine and Fisheries and was passed by the House of Representatives during the last days of the past session. The Senate did not have an opportunity to act on this legislation due to its late passage by the House of Representatives. I am taking this first opportunity to introduce and call for early hearings on this legislation in anticipation that some action may be taken before the close of this fiscal year.

The U.S. Coast Guard is an agency that has served the public long and with distinction. It should no longer be denied an opportunity to present its major procurement and construction programs before the legislative committee which has substantive jurisdiction over Coast Guard activities. In the U.S. Senate this is the Committee on Commerce. I sincerely hope, Mr. President, that this will receive early attention and that the Senate will be in a position to take up, consider, and favorably act upon this at an early date.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 82) to amend title 14, United States Code, to require authorization for certain appropriations, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Commerce.

NATIONAL MILK SANITATION ACT

Mr. HUMPHREY. Mr. President, on behalf of Senators McCARTHY, PROXMIRE, NELSON, and myself I introduce, for appropriate reference, a bill which is designed to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce.

This proposal is identical to the milk sanitation bill which I introduced in the 87th Congress. It already has been introduced by Representative LESTER JOHNSON, of Wisconsin, in the House of Representatives.

In the 86th Congress, extensive hearings were held on this legislation by the Subcommittee on Health of the Senate Labor and Public Welfare Committee and by the House Subcommittee on Health and Safety. In addition, hearings were held in the 87th Congress by the Committee on Interstate and Foreign Commerce of the House of Representatives. It might be pointed out that these hearings have shown that there is a serious need for legislation of this type.

At present, local communities have their own health regulations concerning the shipment of milk. This in itself is not bad, but it has been stated by the Department of Agriculture that these regulations sometimes have as their purpose the cutting down of milk shipments. This should not be the purpose of such regulations.

Milk and milk products are now the only agricultural products prevented from moving freely in interstate commerce. This is unfair to producers who live in areas such as Minnesota and Wisconsin, which provide the most suitable conditions for large scale production. It

also is unfair to the consuming public to deny it the numerous benefits that would result from the free flow of trade in milk and milk products.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 86) to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Milk Sanitation Act".

SEC. 2. The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE VIII—MILK SANITATION

"Congressional findings

"SEC. 801. The Congress hereby finds that the sanitary control of fluid milk and certain milk products is necessary to protect the public health and recognizes that the exercise of such sanitary control is primarily the responsibility of State and local governments, but that no State or local government has the right to obstruct the free movement in interstate commerce of milk and milk products of high sanitary quality by use of unnecessary sanitary requirements or other health regulations.

"Definitions

"SEC. 802. For purposes of this title—

"(1) The term 'milk' means the lacteal secretion, practically free from colostrum, obtained (A) by the complete milking of one or more healthy cows, which contains not less than 8¼ per centum milk solids-not-fat and not less than 3¼ per centum milkfat, or (B) by the complete milking of healthy goats.

"(2) The term 'milk product' means (A) cream, sour cream, light cream, whipping cream, light whipping cream, heavy whipping cream, half and half, reconstituted half and half, whipped cream, concentrated milk, concentrated milk products, skim milk, nonfat milk, flavored milk, flavored drink, flavored reconstituted milk, flavored reconstituted drink, buttermilk, cultured buttermilk, cultured milk, vitamin D milk, reconstituted or recombined milk, reconstituted cream, reconstituted skim milk, cottage cheese, and creamed cottage cheese, as such products are defined in the edition of the Public Health Service's recommended Milk Ordinance and Code (unabridged form) which is current on the date of enactment of this tile; (B) any other fluid product made by the addition of any substance to milk or to a product specified in clause (A) if the Surgeon General, by regulation, designates the product so made as a milk product for purposes of this title on the basis of a finding that such product is used for purposes similar to those of milk products specified in clause (A) and is shipped in interstate commerce in sufficient quantities to be of public health importance and to warrant its control under this title; and (C) nonfat dry milk products and other dry milk products, when used or intended for use in the manufacture of a milk product specified in clause (A) or pursuant to clause (B): *Provided,* That upon the becoming effective, under section 401 of the Federal Food, Drug, and Cosmetic Act, of a definition and standard of identity for milk, or for any milk product specified in or pursuant to this paragraph, such definition and standard of identity shall govern to the extent of any inconsistency between it and the definition specified in or under this or the preceding paragraph.

"(3) The term 'interstate milk plant' means, except as otherwise provided in this paragraph, any establishment or facility (including equipment, vehicles, and appurtenances in, or operated in connection with, such establishment or facility) (A) in which milk or milk products are collected, handled, processed, stored, pasteurized, or bottled or otherwise packaged or prepared for distribution, and (B) from which milk or milk products are shipped in interstate commerce. In any case in which, in lieu of utilization of a fixed establishment or facility, an interstate milk shipper utilizes one or more trucks or other mobile facilities for collecting milk or milk products (or performing any other function or functions specified in clause (A) of the preceding sentence) and directly shipping such milk or milk products in interstate commerce, such truck or trucks or other mobile facilities, and equipment and appurtenances operated in connection therewith, shall collectively, in accordance with regulations, be deemed to be an 'interstate milk plant'.

"(4) The term 'milk supply', when used with respect to an interstate milk plant, means the dairies, dairy farms, and plants directly or indirectly supplying the plant with milk or milk products.

"(5) The term 'State milk sanitation rating agency' means the State health authority, except that in any State in which there is a single State agency, other than the State health authority, engaged in making sanitation ratings of milk supplies, the term shall mean such other State agency.

"(6) The term 'receiving State' means any State into which any milk or milk product emanating from an interstate milk plant is introduced or offered for introduction; and the term 'receiving locality' means any municipality or other political subdivision of a State into which any milk or milk product emanating from an interstate milk plant in another State is introduced or offered for introduction.

"Federal Milk Sanitation Code

"SEC. 803. For the purposes of rating certification, and listing of interstate milk plants and their milk supply as provided by this title, the Surgeon General shall by regulation promulgate, and may from time to time amend, a Federal Milk Sanitation Code which shall set forth milk and milk product sanitation standards and sanitary practices (including standards as to inspections, laboratory examinations, and other routine official supervision by local or State milk sanitation authorities, or by both) which, if effectively followed, would in his judgment result in a supply of milk and milk products of a sanitary quality at least equivalent to that of—

"(1) grade A raw milk for pasteurization and grade A pasteurized milk, respectively, and

"(2) milk products containing only grade A raw milk as their milk component and intended for pasteurization, and milk products containing only grade A pasteurized milk as their milk component, respectively, produced or processed, or both, in conformity with the provisions of the edition of the Public Health Service's recommended Milk Ordinance and Code (unabridged form) which is current on the date of enactment of this title.

"Compliance ratings

"SEC. 804. (a) The Surgeon General shall by regulation promulgate, and may from time to time amend, standard rating methods and criteria for determining through compliance ratings, with respect to milk and milk products, the degree to which interstate milk plants and their milk supply comply with the Federal Milk Sanitation Code. Such ratings shall be expressed in terms of percentages of full compliance.

"(b) The Surgeon General shall announce, by regulation, the minimum compliance rating (pursuant to such rating standards) which, in his judgment, are necessary to give satisfactory assurance that milk and milk products shipped from interstate milk plants receiving such ratings will have been produced, handled, transported, and processed in substantial conformity with the Federal Milk Sanitation Code, except that the minimum so prescribed shall not be less than 90 per centum.

"Submission of State plans

"SEC. 805. The State milk sanitation rating agency of any State which wishes to obtain for its interstate milk shippers the benefits of this title shall submit to the Surgeon General for approval a State plan for periodically (but not less often than annually) rating interstate milk plants located in such State, and their milk supply, on the basis of the standard rating methods and criteria in effect under section 804(a), and certifying to the Surgeon General those interstate milk plants and their milk supply receiving a compliance rating at least equal to the minimum ratings established under section 804(b). Such plan shall be accompanied or supplemented by such information concerning milk sanitation control activities of the State agency and of local official milk sanitation control agencies, and such other relevant information, as the Surgeon General may request.

"Approval, suspension, and revocation of State plans

"SEC. 806. (a) The Surgeon General shall approve a State plan submitted under section 805 if it meets such requirements as he determines to be necessary to obtain reliable ratings for the purpose of maintaining the list provided for by section 807, including a requirement that such ratings will be made only by State rating officials who are full-time employees of the State milk sanitation rating agency (or under interstate arrangements, by full-time employees employed by a sister State having an approved plan or by both States jointly) and hold a currently valid certificate of qualification issued or renewed by the Surgeon General. Approval of a State plan shall be for such period (but not exceeding three years) as may be fixed by regulation.

"(b) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State milk sanitation rating agency, finds that—

"(1) the State plan has been so changed that it complies with neither the requirements for State plan approval in effect at the time such plan was last approved, nor with the requirements for State plan approval as last amended, or

"(2) in the administration of the State plan there is a failure to comply substantially with any provision contained in such plan,

the Surgeon General shall revoke his approval of such State plan. The Surgeon General may suspend his approval of a State plan at any time after giving the notice of hearing referred to above and pending such hearing and decision thereon if in his judgment the protection of the public health so requires.

"Listing of certified interstate milk plants

"SEC. 807. (a) The Surgeon General shall establish and maintain a list of certified interstate milk plants, and shall publish such list, or revisions or amendments thereof, not less often than quarterly. Except as provided in subsection (b), an interstate

milk plant shall be included on such list if such plant and its milk supply, by a certificate currently in effect at the time of such listing, has been certified to the Surgeon General by a State milk sanitation rating agency under an approved State plan as having compliance ratings at least equal to the minimum ratings established by the Surgeon General under section 804(b). Such list shall identify the interstate milk plant or plants involved in any such certification, the persons having legal ownership or control thereof, and in accordance with the regulations, the milk and milk products covered by the certification.

"(b) The Surgeon General shall not include or permit to remain on the list provided for under subsection (a) any interstate milk plant if—

"(1) the person having legal ownership or control thereof does not consent to the listing of the interstate milk plant, or

"(2) the last rating upon which the certification of the plant and its milk supply was based is more than one year old, or

"(3) the State milk sanitation rating agency gives written notice to the Surgeon General that the plant and its milk supply is no longer entitled to the minimum rating required for listing, or

"(4) the Surgeon General, after investigation made on his own initiative or upon complaint of a receiving State or locality, finds that the plant and its milk supply, though duly certified, is not entitled to the minimum rating required for such certification.

"(c)(1) Any decision of the Surgeon General—

"(A) to exclude or remove an interstate milk plant from the list pursuant to paragraph (4) of subsection (b) of this section or pursuant to section 810(b), or

"(B) not to take such action upon complaint of a receiving State or locality under paragraph (4) of subsection (b),

shall, in accordance with regulations, be made by order stating the findings and conclusions upon which it is based. Notice of such order shall be given to the person having legal ownership or control of such plant, the State milk sanitation rating agency whose rating of such plant is involved, and the complainant State or locality, if any, and such order shall, except as otherwise provided in paragraph (3) of this subsection, become effective on the date specified therein but in no event earlier than the thirtieth day after the date of its issuance.

"(2) At any time before an order pursuant to paragraph (1) or (3) of this subsection is issued or becomes effective, the Surgeon General may by order defer or suspend the listing of any plant when, in his judgment, the protection of the public health so requires.

"(3) At any time before the effective date of an order issued pursuant to paragraph (1), any person (including any complainant receiving State or locality) adversely affected by such order and entitled to notice thereof, and the State milk sanitation rating agency (if any) whose rating of an interstate milk plant is involved, may file objections thereto (stating the grounds of such objections) and request a public hearing, and the filing of such objections and request shall operate to stay the effectiveness of such order, but shall not operate to stay any order of deferment or suspension under paragraph (2) of this subsection. The Surgeon General shall, upon the basis of the record of such hearing, by order confirm, modify, or set aside his prior order and the findings and conclusions stated therein, and specify the date, not later than thirty days after its issuance, on which the order entered after such hearing shall take effect.

"(d)(1) Any person (including any complainant receiving State or locality) adversely affected by an order of the Surgeon General issued pursuant to paragraph (3) of subsection (c) of this section and entitled to notice under paragraph (1) of subsection (c), and the State milk sanitation rating agency (if any) whose rating is involved, may appeal to the United States court of appeals for the circuit in which the interstate milk plant involved is located by filing with such court, not later than sixty days after the date of issuance of the order based upon the record of such hearing, a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice of appeal. A copy of such notice of appeal shall be forthwith transmitted by the clerk of the court to the Surgeon General or any officer designated by him for that purpose. The Surgeon General shall thereupon file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order.

"(2) The court shall have jurisdiction to enter, upon the basis of the record of the proceedings filed with it in accordance with paragraph (1) of this subsection, a judgment affirming or setting aside, in whole or in part, the decision of the Surgeon General. The findings of the Surgeon General as to any fact, if supported by substantial evidence when considered on the record as a whole, shall be sustained, but the court may, on good cause shown, remand the case to the Surgeon General to take additional evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous order, and shall file with the court any such modified findings of fact and order, together with the record of the further proceedings. Such additional or modified findings of fact and order shall be reviewable only to the extent provided for review of the findings of fact and order originally filed with the court. The judgment of the court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

"Prohibition against discrimination against sanitary out-of-State milk and milk products

"SEC. 808. (a) Except as provided in subsection (b)—

"(1) no milk or milk product which emanates from an interstate milk plant in another State, while such plant is listed by the Surgeon General under section 807 with respect to the milk or milk product, as the case may be, shall be subject to seizure or condemnation in, or to exclusion from, a receiving State or locality, or from transportation, distribution, storage, processing, sale, or serving in such State or locality, and

"(2) no processor, producer, carrier, distributor, dealer, or other person handling such milk or milk product shall be subject to punishment, or to denial of a required license or permit,

by reason of the failure of such milk or milk product, or of the sealed container or vehicle (complying with the Federal Milk Sanitation Code) in which such milk or milk product was brought into the State, or of an interstate milk plant in another State or its milk supply, or of any transportation or handling facility, in which such milk or milk product was produced, processed, carried, or handled, to comply with any prohibition, requirement, limitation, or condition (including official inspection requirements) relating to health or sanitation and imposed by or pursuant to any State or local law, regulation, or order of the receiving State or locality, or by any officer or employee thereof. In the event any milk or milk product emanating from a listed interstate milk plant in another State and complying with the Federal Milk Sanitation Code is commingled with milk or milk products from within the receiving State the provisions of the preceding sentence shall apply to the resulting mixture, except that nothing in this section shall be construed to prevent the application of such State or local laws, regulations, or orders to such mixture by reason of the failure of such milk or milk product of intrastate origin not emanating from an interstate milk plant in another State, to comply therewith immediately prior to such commingling.

"(b) Subsection (a) shall not be deemed to prohibit any receiving State or locality from—

"(1) subjecting any milk or milk product, upon its arrival from another State, to laboratory or screening tests in accordance with standard methods for the examination of dairy products provided for in the Federal Milk Sanitation Code, and rejecting the shipment if upon such examination it fails to comply with the bacterial and coliform count standards, temperature standards, composition standards, and other criteria of such code relating to the then physical condition of such milk or milk products, and

"(2) enforcing sanitary laws and regulations, equally applicable to milk or milk products not coming from outside the State—

"(A) to require pasteurization of raw milk or raw milk products brought into the State before delivery to retail sale or consumer-serving establishments or before use in making milk products or other products,

"(B) to otherwise protect milk or milk products from contamination or deterioration after arrival through requirements as to temperature and sanitary handling, transportation, and storage: *Provided*, That the State or locality may not, except as provided in subparagraph (C), reject the sealed container or vehicle, as such, in which the milk or milk product arrived in the State, if it complies with the Federal Milk Sanitation Code, or

"(C) as to the type of container in or from which milk or milk products may be sold at retail or served to customers.

"Civil action to restrain interference with operation of title

"SEC. 809. The United States district courts shall, regardless of the amount in controversy, have jurisdiction of any civil action to restrain the application of any law, ordinance, regulation, or order of any State or political subdivision of a State, or to restrain any action of an officer or agency of a State or political subdivision of a State, which interferes with, conflicts with, or violates any provision of this title. Such action may be brought by the United States, or by any interested person. Nothing in this section shall be deemed to deprive any court of a State or jurisdiction which it would otherwise have to restrain any such application or action which interferes with, conflicts with, or violates any provision of this title.

"Inspection by Surgeon General

"SEC. 810. (a) The Surgeon General may make such inspections of interstate milk plants and plants proposing to become interstate milk plants, and of their milk supply, and such laboratory examinations, studies, investigations, and ratings, as he may deem necessary in order to carry out his functions under this title and to promote uniformity in the application of the Federal Milk Sanitation Code and the Surgeon General's standard rating methods and criteria.

"(b) The Surgeon General shall remove any interstate milk plant from the list provided for under section 807 if the State or any local milk sanitation authority or laboratory refuses to permit representatives of the Service to inspect and copy relevant records

pertaining to State or local health and sanitary supervision of such milk plant or any part thereof or facility connected therewith and its milk supply, or if the person in charge of such plant or of any part of the milk supply of such plant, or any person under his control, refuses to permit representatives of the Service, at all reasonable times, to—

"(1) enter such interstate milk plant or any establishment, premises, facility, or vehicle where milk or milk products intended for such interstate milk plant are produced, processed, packed, held, or transported,

"(2) inspect such plant, establishment, premises, facility, or vehicle, and all pertinent personnel, dairy animals, equipment and utensils, containers and labeling, and milk and milk products, and

"(3) inspect and copy pertinent records.

"Research, studies, and investigations concerning sanitary quality of milk

"SEC. 811. The Surgeon General shall conduct research, studies, and investigations concerned with the sanitary quality of milk and milk products, and he is authorized to (1) support through grants, and otherwise aid in, the conduct of such investigations, studies, and research by State agencies and other public or private agencies, organizations, institutions, and individuals, and (2) make the results of such research, studies, and investigations available to State and local agencies, public or private organizations and institutions, the milk industry, and the general public.

"Training milk sanitation personnel

"SEC. 812. The Surgeon General is authorized to—

"(1) train State and local personnel in milk sanitation methods and procedures and in the application of the rating methods and criteria established in regulations pursuant to section 804,

"(2) provide technical assistance to State and local milk sanitation authorities on specific problems,

"(3) encourage, through publications and otherwise, the adoption and use, by State and local authorities throughout the United States, of the sanitation standards and sanitation practices specified in the Federal Milk Sanitation Code, and

"(4) otherwise cooperate with State milk sanitation authorities, other public and private organizations and institutions, and industry in the development of improved programs for the control of the sanitary quality of milk and milk products.

"Savings provisions

"SEC. 813. (a) The provisions of this title shall not apply to manufactured dairy products, including but not limited to butter, frozen deserts, condensed milk, evaporated milk, sterilized milk or milk products not requiring refrigeration, all types of cheese except cottage cheese and creamed cottage cheese, and nonfat dry milk, dry whole milk, or part fat dry milk unless used or intended for use in the preparation of fluid milk products. As used in this section the term 'manufactured dairy products' does not apply to the milk products defined in section 802(2).

"(b) Nothing in this title shall be deemed to make lawful or authorize the application of any State or local law or requirement of any receiving State or locality discriminating against milk and milk products which would not be lawful or authorized if this title were not in effect.

"(c) Nothing in this title shall be deemed to supersede or modify any provision of the Federal Food, Drug, and Cosmetic Act, or of any provision of the Public Health Service Act (other than this title).

"Appropriations

"SEC. 814. There are hereby authorized to be appropriated annually to the Service such sums as may be necessary to enable the Surgeon General to carry out his functions under this title."

SEC. 3. Section 2(f) of the Public Health Service Act is amended to read as follows:

"(f) The term 'State' means a State or the District of Columbia, Puerto Rico, or the Virgin Islands, except that, as used in section 361(d) and in title VIII, such term means a State or the District of Columbia;".

SEC. 4. (a) Section 1 of the Public Health Service Act is amended to read as follows:

Short title

"SECTION 1. Titles I to VIII, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) The Act of July 1, 1944 (58 Stat. 682), is further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX, and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914, respectively.

SEC. 5. The amendments made by this Act shall become effective on the first day of the first fiscal year beginning more than one hundred and eighty days after the date of the enactment of this Act.

ELIMINATION OF CERTAIN ABUSES IN LABOR-MANAGEMENT RELATIONS

Mr. GOLDWATER. Mr. President, in the closing days of the previous Congress, I announced on the floor of this body that I intended to introduce legislation at the opening of this Congress to restore a more reasonable and workable balance in the Nation's labor-management relations. At that time I pointed out how heavily the scales were weighted in favor of labor unions and labor leaders as against not only management, but as against employees, the general public, and substantial segments of their own membership as well.

To refresh your memories, I would like once again to give you some conception of the preferred position held by today's unions in the economic, social, and political scheme of things. I have compiled a list of special privileges, immunities, rights, and powers enjoyed by labor unions under Federal law. Again, I wish to emphasize that while some of these special advantages may have been justified when they were initially granted to the labor movement because of the latter's weakness and lack of size, their continued existence and expanding scope in today's era of monopolistic union power can no longer be justified. Here are some of these advantages:

Almost total immunity under the antitrust laws.

Immunity from taxation.

Immunity from injunctions by Federal courts.

Authority to use union funds for purposes not related to collective bargaining even where union membership is compulsory.

Power to compel workers to join the union as a condition of continued employment.

The right of a union selected by a majority of the workers to bargain for all employees. This includes the right to bargain for those who were compelled to join the union as well as those who can be arbitrarily denied membership.

Power to compel the employer to bargain exclusively with the majority union.

Absolute authority to deny union membership to workers employed in the bargaining unit, on any grounds or for no reason at all.

The right, in some situations, to invade the privacy of workers, even against their wishes. This deprives them of a legal right enjoyed by all other members of society.

The right, in some situations, to compel employers to make available for union use the private property of the employer.

The right to compel the employer to provide protection against any physical violence on the part of workers who resist invasion of their privacy.

Unions are immune from the payment of damages for personal and property injuries inflicted on employers or others by union members engaged in activities, such as strikes or picketing. And this immunity stands even in situations where such activities have been officially authorized and directed by the union.

The right to strike for objectives wholly unrelated to any proper subject of collective bargaining. This is in contrast to the severely limited right of an employer to engage in a lockout.

The right, in some situations, to examine an employer's books and records—including those containing such confidential data as costs, profits, and prices.

Under postal laws, certain nonprofit organizations or institutions are permitted to mail their literature and printed material at 50 percent of the regular third-class postage rate. This means that the tens of millions of pieces of union publications, most of it crammed with the most nakedly, partisan political propaganda, and which runs to millions of dollars in mailing costs, is being subsidized to the extent of one-half such cost by the American taxpayer. On the other hand, nonprofit business associations, such as a chamber of commerce, for example, have been denied this unbelievable, and largely unsuspected, benefit.

And finally, the almost complete immunity of unions from any liability, penalty, or restriction under State law under the doctrine of Federal preemption.

Mr. President, no other private organization, institution, association, or individual in the United States is the beneficiary of such a powerful combination of immunities, benefits, privileges, rights, and powers—under either State or Federal law.

In listing the special grants and immunities, I do it not to suggest that all of them should necessarily be removed, but to illustrate just what powers unions have. I certainly do not feel that the public interest—a popular phrase with the New Frontier—is served by the possession of monopolistic power by unions and I am convinced that it must be limited. Hence, the bill I am introducing today constitutes only a small, but in my opinion essential, step in an effective program for diminishing the

unjustified concentration of labor union power, power which has resulted from the grant of special legal privileges under Federal law.

Free and voluntary collective bargaining is the surest guarantee of the preservation of a genuinely democratic society based primarily on an economic system of free enterprise. An indispensable element of free collective bargaining is the right of employees, acting in concert, to withhold their labor in their effort to induce employers to grant them favorable terms and conditions of employment. This right to strike, subject to certain necessary limitations in the public interest, constitutes a basic civil liberty. And even though strikes sometime inflict some economic hardship on the public, a democratic society must be willing to pay that price and insist upon the preservation of the right.

There is, however, another aspect of the right to strike which our governmental officials, and the public itself, have largely ignored. Although strikes may sometimes inconvenience the public, they always impose hardship on the strikers and their families. The loss of wages resulting from even a short-lived strike can mean economic disaster for the striking employee and his dependents. Thus no strike should be embarked on or prolonged, unless the decision to do so unquestionably reflects the wishes of the employees themselves, the very people who are sure to suffer hardship because of the strike.

It is true that many union constitutions require a favorable strike vote by a majority of the union members actually voting before the union officers are authorized to call a strike. However, there is no law requiring that such a vote be taken. As a result, many strikes are called by union leaders without adequate consultation with their membership; others are begun on the basis of votes taken by a show of hands in an open union meeting where those who do not favor a strike fear to indicate their opposition. In these situations, the rank-and-file union member is virtually ignored or contemptuously pushed aside, and no genuine effort is made to determine his wishes.

I strongly believe that in reaching a decision of such momentous import to all the wage earners in the struck establishment, certain minimum safeguards should be established by law to guarantee that the decision truly reflects the real wishes of an actual majority of the employees in such establishment. Only by such legislation can the American people be certain that the principles of personal responsibility and individual obligation, as well as democratic social or collective action, are being effectively preserved.

My bill, therefore, contains a strike vote procedure based on the following simple requirements:

First. A strike shall be unlawful unless notice of intention to strike is given to all those concerned at least 30 days prior to the actual beginning of the strike; and

Second. At any time after such notice has been given, a petition may be filed with the National Labor Relations Board by an employee in the enterprise to be affected, asking the Board to conduct an election by secret ballot among the employees in the establishment to be or being struck, on the question of whether they favor a strike or its continuation. If such a petition is supported by 30 percent of said employees, the Board shall conduct such an election and the strike or its continuation shall be lawful only if a majority, so voting, cast their ballots in favor thereof.

This procedure has ample precedent in the existing law governing representation, decertification, and deauthorization elections presently conducted by the Board, and the Board's own administrative requirements and procedures in connection with such elections. These are all based on the principle that such elections will be held upon a showing that a substantial minority of the employees involved—never in any case more than 30 percent—want such election to be held. The principle is eminently sound and it is entirely appropriate to extend it to the important matter of the strike vote.

Mr. President, as I have pointed out, labor unions enjoy many special rights, privileges, and immunities under Federal law. By far the most important of these is the exclusive right to represent all the employees in the unit for purposes of collective bargaining even if the union has been selected as bargaining agent by only a narrow majority, which in many circumstances under our existing law in fact constitutes merely a minority. Under the law, those employees who do not wish to join, as well as those whom the union for whatever reason excludes from membership, can neither bargain for themselves, nor select any person or agency, other than the union so designated to bargain for them. They are, in reality, the involuntary principals of agents imposed upon them by law.

In granting unions this right, the Federal Government, in effect, has bestowed upon them the power of government itself. Although this provision of law has a certain usefulness in the area of collective bargaining, it results in the most serious injustice to those employees who wish to join the union but are excluded by the union itself. They have no voice in helping to determine the union's bargaining demands and policies, are not permitted to do their own bargaining, and they are compelled to accept and work under the terms and conditions of the agreement between the union and the employer, even if they find such terms and conditions highly unsatisfactory.

Moreover, in certain industries there is a widespread practice whereby employers recruit their labor force through the local unions in the particular area. This is especially true in those industries where the most highly skilled, and consequently the most highly paid, employees are needed to perform the work. It is precisely in these industries where union membership exclusionary policies are most widely and persistently applied. As a result, untold numbers of completely qualified workers, who for one reason or another are denied admission to union membership, are excluded not only from many jobs, but particularly from the most highly paid jobs as well.

It is my profound conviction that this power of exclusion on the part of unions must, for the sake of justice and equity, be terminated. My bill provides that no union shall be permitted to enjoy the unique and precious privilege of exclusive representation in collective bargaining, if it arbitrarily excludes from membership those qualified workers within the bargaining unit who wish to join the union.

Mr. President, the sad plight of the employee who wishes to join the union which acts as his bargaining agent but who is denied membership, is matched by the employee who does not want to join a union or pay tribute to it, but who is compelled to do so in order to hold his job. Under existing law, the only alleviating circumstance is the provision in the National Labor Relations Act—section 14(b)—which permits the States if they so desire, to adopt their own laws limiting or completely prohibiting any form of compulsory union membership. Nineteen States have enacted such so-called right-to-work statutes.

Mr. President, after considerable study and research I have come to the conclusion that in adopting this approach when it passed the Taft-Hartley Act in 1947, Congress, without full awareness of the implications and the consequences, put the cart before the horse. Instead of permitting compulsory unionism but authorizing the States to forbid it, Congress should have prohibited all forms of compulsory membership in or financial support of unions, and provided that the States, acting affirmatively, could permit the limited form of union security now authorized in the law. This approach would have been consistent with the spirit of the Wagner Act which labor has termed its "Magna Carta" and to which they always profess a desire to return.

Thus, up to 1935, the year the Wagner Act became law, compulsory unionism was legal in some States, and partially or wholly unlawful in others. If the Wagner Act had adhered to its basic principle of forbidding all hiring and personnel practices which discriminated against employees or applicants for employment because they did or did not belong or contribute to a union, then every form of union security or agency shop would have been outlawed as constituting such a discrimination.

Recognizing the inevitability of these consequences, Senator Wagner included in his bill which eventually became law, a specific proviso permitting the unions and employers to execute and apply compulsory union membership agreements. Senator Wagner's justification for this was most interesting—it was a pure and unadulterated plea for States rights. He pointed out that unless his proviso were included, then all State laws permitting compulsory unionism would be nullified by the Federal law.

Here is what he said in a statement on the floor:

Equally erroneous is the belief that the bill creates a closed shop for all industry. It

does not force any employer to make a closed-shop agreement. It does not even state that Congress favors the policy of the closed shop. It merely provides that employers and employees may voluntarily make closed-shop agreements in any State where they are now legal. Far from suggesting a change, it merely preserves the status quo. (CONGRESSIONAL RECORD, Senate, Feb. 21, 1935, 79th Cong., RECORD 2368, vol. I, p. 1311, Legislative History of the Wagner Act.)

This view of existing law on compulsory unionism was confirmed by the statement made by the Senate Labor Committee in comparing Senator Wagner's 1935 bill (S. 1958) with his previously introduced 1934 bill—S. 2926. I quote:

Section 8(3): The two drafts are substantially identical. The purpose here is to cover all forms of discrimination in hire or tenure of employment or conditions of employment, including the "yellow dog contract," whose enforcement in the Federal courts is already outlawed by the Norris (La Guardia) Anti-injunction Act (of 1932). Precedents for the provision are subdivision (2) of sec. 7(a) of the NIRA (National Industrial Recovery Act).

The proviso in the two drafts are similar in purpose. They are intended merely to preserve the status quo as to the legality of closed shop agreements under the common law in the different States, and to make clear that neither sec. 7(a) (of the NIRA) nor any other statute of the United States precludes such agreements.

The proviso does not make closed shop agreements legal; it merely says that nothing herein should illegalize them. The operation of State common law on the subject is left unaffected.

Unless this change is made as provided in S. 1958, most strikes for a closed shop or even for a preferential shop would by this act in effect be declared to be for an illegal purpose, and hence would be enjoinable in many States. The law on the question is in great confusion in the State courts, and any uniform rule as a Federal statute would work hardship and injustice in many areas. This is accentuated by the fact that the law in many States is in a state of change.

As the legislative history of 7(a) (of the NIRA) demonstrates, nothing in that section was intended to deprive labor of its existing right in many States to contract or strike for a closed or preferential shop. No reason appears for a contrary view here. (Committee print, Senate Labor Committee, Mar. 11, 1935, 79th Cong.).

Thus, the history of the Wagner Act, as well as its structure and the underlying principles of its approach to labor-management relations, all make it very clear that compulsory union membership or compulsory financial support of a union are forms of discrimination which are fundamentally in violation of this approach and these principles. In 1935, Congress, as well as the authors and sponsors of the Wagner Act recognized this, and justified the inconsistency on the grounds of States rights, that the proviso was necessary in order to preserve State laws permitting compulsory unionism.

Mr. President, my bill would rectify the present inconsistent approach of the present statute. It would declare, as a matter of Federal law, that all forms of discrimination because of membership or nonmembership in, or support or nonsupport of a union are unfair labor practices, but permit the present limited form of union security to be imposed only in those States whose law affirmatively so provides. Existing or future State right-to-work laws would be unaffected, although the need for them would largely have disappeared.

Mr. President, in 1959, Congress adopted the Landrum-Griffin Act by overwhelming margins and it was signed into law by former President Eisenhower. In so doing, our Government for the first time recognized the need for Federal regulation of labor unions in order to eliminate corruption and crime, and to protect rank-and-file union members against the tyranny, possible and sometimes actual, of their own labor leaders.

I strongly supported the enactment of this law and, it goes without saying, I will as strongly resist any effort to weaken the safeguards for the American worker which it provides. In fact, it is my firm belief that the bill of rights provisions in the Landrum-Griffin Act which protect rank-and-file members in the exercise of their rights as union members needs strengthening. And they need it precisely in that area where a huge majority of the Democratic Party in the Senate succeeded in seriously weakening these safeguards by compelling the union member to bring a private suit to enforce his rights instead of requiring an appropriate Federal official or agency to bring such suit in his behalf, as was originally provided by the proposal offered by Senator MCCLELLAN, the chairman of the Senate's Special Labor Racketeering Committee.

My proposal, therefore, includes an amendment to the Landrum-Griffin Act to remedy this serious defect by giving the rank-and-file union member the aid and support of the Federal Government in seeking to vindicate his legal rights which have been violated by his union or its leaders.

The right of an American citizen to express his political preferences, and to give his support to the candidates and party of his choice is the fundamental political right on which our democratic society is based. Any interference with this right must be viewed with the greatest alarm. One of the most vicious forms of such interference is to exert economic coercion on a citizen in order to compel his support for a particular party, candidate, or program by threatening him with the loss of his livelihood if he withholds such support.

Thus, to take a hypothetical example, if an employer compelled his employee to contribute to a particular candidate or party as a condition of holding his job, the American public would be shocked, nay incensed, beyond measure. An outraged public opinion would quickly compel such an employer to desist from this exercise in political blackmail. Fortunately, instances of this type are so rare, as for all practical purposes to be nonexistent.

Yet, there is one important and substantial area of American life in which precisely this form of political blackmail is well-nigh universal. Today, the vast majority of labor unions operate under collective bargaining agreements which require employees to join the union and pay periodic dues and initiation fees as a condition of holding their jobs. Regardless of what use the union makes of such funds, no matter how objectionable the dragooned union member finds such use to be, if he refuses for that reason to pay his dues, the union can, and usually does, force the employer to fire him under the union shop contract.

Every union today is using substantial portions of the funds collected from membership dues and initiation fees in behalf of specific candidates, parties, and political programs. The overwhelming majority of these unions have compulsory union membership contracts. Many employees who favor rival candidates, parties, and platforms, are nevertheless compelled to contribute their money to support candidates, parties, and political programs they bitterly oppose or lose their jobs. This widespread practice constitutes the most nakedly brazen form of political coercion which exists in our society, and around which the liberal-labor elements have succeeded in erecting an "Iron Curtain" of public misinformation and consequent apathy. As a result of this conspiracy of silence and of the sentimental belief that a union is always the underdog in its dealings with an employer, a belief assiduously cultivated by union leaders and their liberal allies, unions have been able to destroy the fundamental civil rights of an untold number of their members, who are truly the underdogs in their relations with their union leaders.

I have, therefore, included in my bill provisions which are designed to correct this intolerable injustice by restoring to all of our citizens, more specifically the politically dissident rank-and-file union members, their basic human and constitutional rights to express and support their political preferences completely free from any form of restraint, interference, coercion, or economic pressure.

Mr. President, these proposals, as embodied in the bill I am offering, are a modest first approach to a problem which must be solved if our social and economic, as well as our political institutions, are not to be dangerously undermined. Excessive labor union power must be curtailed and I submit that the program I offer is not only justified on the basis of equity and morals but that its adoption would not in any way impair the exercise of proper labor union functions.

Mr. President, I have prepared an analysis of my bill and I ask unanimous consent for permission to have it and the text of the bill appear at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 87) to eliminate certain abuses in labor-management relations, to protect the rights of employees, and for other purposes, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by its title, referred to the Committee on

Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

SECTION 1. This Act may be cited as the "Labor-Management Reform Act of 1963".

SEC. 2. Section 8 of the National Labor Relations Act, as amended, is amended by adding the following new subsection:

"(g)(1) No strike or work stoppage shall be called or sanctioned by a labor organization unless at least thirty days prior to the commencement of such strike or work stoppage such labor organization shall have given notice thereof in writing to the Board and the employer and either individually in writing, or by announcement at a meeting of the membership of the organization, to the members of such organization in the bargaining unit or units involved in the strike or work stoppage;

"(2) Upon the filing with the Board, upon or at any time after receipt by the Board of a notice given under paragraph (1), of a petition therefor signed by at least thirty per centum of the employees in the bargaining unit or units involved in the strike or work stoppage, the Board shall conduct a referendum by secret ballot on the question of whether such strike or work stoppage should be called or continued. If a majority of those voting in the referendum vote against the strike or work stoppage, no strike shall be called or sanctioned by the labor organization until at least ninety days have elapsed following the referendum, and a new notice has been given in accordance with paragraph (1). If a majority of those voting in the referendum vote in favor of the strike or work stoppage, no subsequent petition may be filed under this subsection until at least ninety days have elapsed following such referendum, and unless such subsequent petition has been signed by at least thirty-five per centum of the employees in the unit or units involved in the strike or work stoppage;

"(3) It shall be an unfair labor practice for any labor organization to fail to comply with the provisions of this subsection, and the provisions of subsection 10(1) of this Act, as they apply to charges of unfair labor practices within the meaning of section 8(b)(4)(A)(B) and (C), shall be applicable whenever it is charged that any labor organization has engaged in an unfair labor practice within the meaning of this subsection.

"(4) Section 303(a) of the Labor-Management Relations Act, 1947, as amended, is amended by inserting after the words "section 8(b)(4)" the words "or section 8(g)."

"(5) Any individual who participates in a strike or work stoppage which has been called without notice as required by paragraph (1), or which has been called or continued after a majority of the employees in the bargaining unit or units involved in the strike or work stoppage voting in the most recent referendum conducted with respect to such strike or work stoppage under this subsection shall have voted against such strike or work stoppage, shall not during the strike or work stoppage or thereafter, unless reemployed or reinstated by the employer, be considered to be an employee of such employer for the purposes of this Act;

"(6) Nothing contained in this subsection shall be construed to supersede or modify in any way the requirements of section 8(d) of this Act."

SEC. 3. (a) The first proviso of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by inserting after the word "That" where it first appears, a comma and the words "in any State or Territory where state or territorial law so authorizes," and after the word "therein" inserting the words "or payments thereto".

(b) Subsection (b) of section 14 of the National Labor Relations Act, as amended, is amended to read as follows:

"(b) Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in or payments to a labor organization as a condition of employment in any State or Territory unless such agreements are in conformity with the applicable State or Territorial law and in accordance with the provisions, conditions, and limitations set forth in paragraph (a)(3) of section 8."

SEC. 4. Section 9(a) of the National Labor Relations Act, as amended, is amended by inserting before the period at the end thereof a colon and the following: *"Provided further,* That no labor organization which does not admit to membership all of the employees it seeks to represent in a unit appropriate for that purpose, on the same terms and conditions generally and uniformly applicable to and with the same rights and privileges generally and uniformly accorded to all members thereof, shall be the exclusive representative of employees in such unit for the purpose of collective bargaining within the meaning of this section. Nothing in the foregoing sentence shall be construed to prevent a labor organization from denying membership to any person on the ground that such person is a member of the Communist Party or of an organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods."

SEC. 5. Section 102 of the Labor-Management Reporting and Disclosure Act of 1959 (Act of September 14, 1959, P.L. 86–257, 73 Stat. 523) is amended to read as follows:

"SEC. 102. The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, may bring an action in a district court or other court of the United States for such relief as may be appropriate, including but without limitation, injunctions to restrain any such violations and to compel compliance with this title. Any such action against a labor organization may be brought in the United States District Court for the District of Columbia or in the district court or other court of the United States where the violation occurred."

SEC. 6. Title I of the Labor-Management Reporting and Disclosure Act of 1959 (Act of September 14, 1959, P.L. 86–257, 73 Stat. 523) is amended by adding a new section as follows:

"COMPULSORY UNIONISM AND USE OF UNION PROPERTY

"SEC. 106. (a) Any employee or group of employees whose employment is conditioned on membership in or payment to a labor organization, may file a written charge with the Secretary of Labor alleging that such labor organization is using or expending funds or property of the organization for purposes or activities other than collective bargaining. The charge shall set forth the information upon which such allegation is based. The Secretary shall investigate and if he has reason to believe that such charge is true, he shall, if such labor organization refuses, upon demand, to refund to such employee or employees the moneys paid by such employee or employees to such labor organization as fees or dues since the effective date of the collective bargaining contract requiring such payment, bring in behalf of such employee or employees a civil action in any appropriate district court of the United States against such labor organization for the recovery of such moneys together with the interest thereon and for injunctive relief against the continuation, during the term of the collective bargaining agreement, of such use or expenditure of the organization's funds or property. Any amount so recovered shall be paid to the employee or employees in whose behalf such action was brought and in whose favor judgment was rendered.

"(b) Upon the rendering of a judgment against a labor organization in an action brought by the Secretary pursuant to subsection (a), such labor organization shall be ineligible (1) to be certified or recognized as the representative of any employees by the National Labor Relations Board or any other department or agency of the United States Government, (2) to file an unfair labor practice charge under section 10(b) of the National Labor Relations Act, as amended, or to file with any department or agency of the United States Government any other charge, complaint, or petition as the representative of or on behalf of any employees, and (3) to obtain or retain the exemption from Federal income taxes provided by section 501 (a) and (c)(5) of the Internal Revenue Code of 1954, as amended. Such ineligibility shall continue until the judgment against such labor organization is satisfied, is reversed on appeal, or the collective bargaining agreement containing the provision requiring membership in or payment to the labor organization has terminated, whichever occurs sooner: *Provided,* That such ineligibility shall continue during the entire term of such collective bargaining agreement despite the satisfaction of such judgment, if the labor organization at any time during the term of the agreement fails to comply fully with any injunctive relief granted by the court."

The analysis presented by Mr. GOLDWATER is as follows:

ANALYSIS OF SENATOR GOLDWATER'S LABOR BILL

Section 1 sets forth the name of the bill as the "Labor-Management Reform Act of 1963."

Section 2 establishes a procedure for a secret strike ballot conducted by the National Labor Relations Board by adding a new subsection (g) to section 8 of the National Labor Relations Act (title I of the Taft-Hartley Act).

Paragraph 1 makes the calling or continuation of any strike or work stoppage by a labor union unlawful, if notice of such activity is not given at least 30 days in advance thereof to the employer, the union members employed in the official unit, and the NLRB.

Paragraph 2 provides that at any time on or after the filing of such notice with the NLRB, 30 percent or more of the employees employed in the affected unit may petition the NLRB for a secret ballot on the question of calling such strike, or if it has already begun, on the question of continuing it.

If a majority of those voting, vote against the strike, no new 30-day strike notice may be given by the union until at least 90 days have elapsed since the balloting, and no strike may take place during that period. If a majority of those voting, vote in favor of the strike, no new petition for another referendum may be filed for at least 90 days following the balloting, and such new petition must be signed by 35 percent, rather than 30 percent, of the eligible employees.

Paragraph 3 makes it an unfair labor practice for a union to fail to comply with the foregoing requirements, and makes such an unfair labor practice charge subject to the same requirements and procedures for injunctions under section 10(1) as are charges presently filed under the Taft-Hartley Act alleging unlawful secondary boycotts. Where the Board has reason to believe the charge is true it must immediately seek an injunction in the appropriate Federal district court.

Paragraph 4 gives parties who claim to have been damaged by this unfair labor practice the right to sue for damages in the Federal district courts in exactly the same

way as they may now sue for damages because of unlawful secondary boycotts.

Paragraph 5 provides that an employee who participates in a strike which is unlawful because it violates these new provisions, loses his status as employee and hence his protection under the act, unless and until such time as the employer reinstates or reemploys him.

Paragraph 6 affirms that nothing in these new provisions shall in any way modify or supersede the requirements of good faith collective bargaining laid down in section 8(d).

Section 3: Under existing law (sec. 14(b) of title I of Taft-Hartley), the States are authorized to prohibit or limit all forms of compulsory union membership arrangements, including the limited form of union security permitted by Taft-Hartley. Such State laws are known as "right-to-work" laws. The proposed amendment would outlaw all forms of compulsory union membership and financial support except in those States which have or enact laws permitting such arrangements, but in no case would the permitted arrangement extend beyond what is now permitted by way of union security under Taft-Hartley.

Section 4: Under existing law, a union which is selected by a majority of the employees in the unit becomes the exclusive bargaining agent for all the employees in the unit, even those whom the union excludes from membership. The proposed amendment denies the status of exclusive bargaining representative to any union which does not admit to membership on equal terms and with equal privileges all the otherwise eligible employees in the bargaining unit. The sole exception is the denial of membership to members of the Communist Party or of organizations believing in or teaching violent, illegal, or unconstitutional destruction of the U.S. Government.

Section 5: Title I of the Landrum-Griffin Act guarantees certain rights to union members as against their unions and union officials. This title is known as the bill of rights. When an employee claims that these rights are being violated, his only recourse under existing law is to bring suit himself in a Federal court. The proposed amendment would give to the Secretary of Labor the duty to bring such suit in behalf of the aggrieved union member.

Section 6: This proposed amendment provides that where a union has a collective bargaining agreement providing for compulsory union membership, a union member may complain to the Secretary of Labor that the union is using its funds for purposes unrelated to collective bargaining. If upon investigation the Secretary believes the charge to be true, he must bring suit for the benefit of the complaining union member to recover all dues and fees paid by such member to the union since the beginning of the contract. In addition, the Secretary must ask the court for an injunction against the continued use of its funds by the union for the purposes found not to be related to collective bargaining.

If a judgment against the union is recovered, then, until such judgment is satisfied, or reversed on appeal, or the collective bargaining agreement requiring union membership or financial support is terminated, the union is ineligible (1) to be certified or recognized by the NLRB as bargaining representative of employees, (2) to file any charges of unfair labor practices with the NLRB, or to file any other charge, complaint, or petition as representative of or in behalf of employees, with any Federal Government agency, and (3) to receive or enjoy any Federal income tax exemption.

Mr. GOLDWATER. I ask unanimous consent that the bill may lie at the desk for 10 days so that Senators who are interested in doing so may cosponsor it.

The VICE PRESIDENT. Without objection, it is so ordered.

REMOVAL OF SNOW AND ICE FROM PAVED SIDEWALKS OF DISTRICT OF COLUMBIA

Mr. BEALL. Mr. President, following the recent snow storm, the hospitals of the District of Columbia were crowded with hundreds of cases of persons who had been seriously injured in falls caused by icy sidewalks. The bill which I am introducing would repeal the existing law of the District of Columbia requiring the removal of snow and ice from paved sidewalks and would establish a more effective law. Under existing law, a person in control of a building who fails to clean a sidewalk is not liable for any penalty; all that can happen to any such negligent property owner is that the District government can have the sidewalk cleaned and bill the owner for the cost. Under the bill which I am introducing, if a person in charge or control of any building, lot, or parcel of land in the District of Columbia fails to clean the snow and ice off of his sidewalk within the first 8 hours of daylight following a snowstorm, he may be fined not more than $100. The bill provides that if ice has accumulated on the sidewalk in such a way that it cannot be removed without damage to the paving that the party in control of the property may make the sidewalk reasonably safe for travel by sprinkling sand, ashes, cinders, or other abrasive substances on the ice, and then as soon as the weather permits, clean the sidewalk of ice and accumulated sand.

Mr. President, I ask unanimous consent to have printed in the RECORD, as part of these remarks, a brief analysis pointing up the advantages of this measure over the existing law.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 96) to provide for the removal of snow and ice from the paved sidewalks of the District of Columbia, and for other purposes, introduced by Mr. BEALL, was received, read twice by its title, and referred to the Committee on the District of Columbia.

The analysis presented by Mr. BEALL is as follows:

ANALYSIS OF BILL AND COMPARISON WITH EXISTING LAW

The purpose of the bill is to provide a more enforceable snow removal law than the current law (42 Stat. 845; sec. 7–801, et seq., D.C. Code, 1951 edition) by the addition of criminal sanctions, and at the same time provide a just and equal law for all those required to act under its provisions.

Section one of the current snow removal law, enacted in 1922, requires that any person in charge or control of any building or lot of land within the fire limits of the District of Columbia, fronting or abutting on a paved sidewalk, whether as owner, tenant, occupant, lessee, or otherwise, shall, within the first 8 hours of daylight after the ceasing to fall of any snow or sleet, remove, or cause to be removed, such snow or sleet, from such sidewalk.

The first section of the bill eliminates the phrase "within the fire limits of the District of Columbia" thereby expanding its scope to include the entire District of Columbia. Also, the term "any person in charge or control" is defined in item (3), section 7(b), thereby clarifying and pinpointing the area of responsibility in the first section.

The term "within the fire limits of the District of Columbia" also occurs in sections 2, 3, and 4 of the current law, and such term has been eliminated from the corresponding sections of the bill.

The first section of the bill requires that the snow or sleet be removed from the paved sidewalk to a width of only 4 feet, thereby establishing a reasonable norm, and if the paved sidewalk is of a lesser width, then to its entire width.

Sections 2 and 3 of the current law require that the Commissioners or the Director of the National Park Service shall remove, or cause to be removed, within the same time as that specified in section one, the snow and sleet from sidewalk space in front of or adjacent to all buildings owned or leased by the District of Columbia, or the United States, and if the snow and sleet cannot be removed without damage to the sidewalk, then the hardened snow or sleet shall be sprinkled with sand or ashes so as to make such area reasonably safe for travel, and such area shall be thoroughly cleaned as soon thereafter as the weather shall permit.

Sections 2 and 3 of the bill are quite similar to sections 2 and 3 of the current law, except that substances which may be sprinkled are enlarged to include "cinders, or other abrasive substance."

Section 4 of the current law requires that persons in charge or control of lots and buildings not owned or leased by the District of Columbia or the United States which front upon or abut sidewalks from which snow or sleet cannot be removed without injury to such sidewalks due to hardening, shall sprinkle such sidewalks with sand or ashes and thereafter clean such sidewalks as soon as weather permits.

Subsection (a) of section 4 of the bill contains language similar to section 4 of the current law, with the addition of "cinders, or other abrasive substances."

Subsection (b) of section 4 of the bill authorizes the Commissioners, in their discretion, to make available any substance within the purview of subsection (a) of section 4 to such persons, at such places, and under such conditions, as they may by regulation provide. The purpose of this subsection is to enable the householder, in the event he is unable to procure such substances himself, to procure sand, or other substances from the District when the District has it available in order that the sidewalks may be made reasonably safe as required by subsection (a) of section 4.

Section 5 of the current law authorizes the Commissioners to remove the sleet or snow from sidewalk areas when the persons in charge or control of lots or buildings abutting such areas (other than areas adjacent to District of federally owned or leased property), fail to remove the snow or sleet therefrom or to make such areas reasonably safe for travel by sprinkling them with sand or ashes. Section 6 of the current law authorizes the Corporation Counsel to sue for and recover from the defaulting persons the cost of removal of the sleet or snow or the cost of making such areas reasonably safe.

It has been impossible to enforce these two sections of the present law for the reason that all available municipal manpower has been required to keep the main arterial highways and bridges open for vehicular traffic.

It should be noted that the District's appropriations for snow removal have never been sufficient to permit it to remove the snow from the sidewalks throughout the city. In the second place, assuming money were available, sufficient manpower could not be obtained in the necessary time to remove the snow from the sidewalks abutting private property. Even assuming the snow could be removed from the sidewalks of defaulting property owners by municipal employees, the duty imposed upon the Corporation Counsel of bringing and prosecuting many thousands of civil suits a year to obtain judgments for the cost of such snow removal, with the further work of attempting to collect the judgments after they were obtained, would necessitate a considerable addition to his force.

For the above-stated reasons these requirements of the current law have been omitted from the bill.

In lieu of sections 5 and 6 in the current law, criminal sanctions have been placed in section 6 of the bill which authorizes a fine of not more than $100 for anyone who shall fail or refuse to comply with any provision of the bill or of any regulation promulgated pursuant to authority contained in the bill. Thus, for the first time, it is proposed to make all persons coming within the purview of the snow removal law amenable to its criminal sanctions, thereby curing one of the defects present in the 1904 District Snow Removal Act (33 Stat. 12) which caused the U.S. Court of Appeals for the District of Columbia Circuit to declare such Act void (cf. *McGuire* v. *District of Columbia*, 24 App. D.C. 22).

Section 9 of the bill repeals the current snow removal law (42 Stat. 845; sec. 7–801, et seq., D.C. Code, 1951 ed.).

AMENDMENT OF FEDERAL DEPOSIT INSURANCE ACT AND TITLE IV OF NATIONAL HOUSING ACT

Mr. WILLIAMS of Delaware. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Deposit Insurance Act by striking out "$10,000" and inserting in lieu thereof "$125,000". The purpose of the bill is to increase the amount of the insurance that would be granted to depositors of the respective institutions.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 106) to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Banking and Currency.

APPOINTMENT OF CERTAIN POSTMASTERS BY POSTMASTER GENERAL

Mr. WILLIAMS of Delaware. Mr. President, I introduce, for appropriate reference, a bill to provide for the appointment by the Postmaster General of certain postmasters.

The purpose of the bill is to repeal the section of the law which now requires the Senate to confirm the nomination of postmasters. This is an obsolete function of the Senate and should no longer be enforced.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 107) to provide for the appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

DESIGNATION OF COLUMBUS DAY AS A LEGAL HOLIDAY

Mr. WILLIAMS of Delaware. Mr. President, on behalf of my colleague, the junior Senator from Delaware [Mr. BOGGS], and myself, I introduce, for appropriate reference, a bill making Columbus Day a legal holiday. My colleague asked that the bill lie on the desk for 10 days for cosponsorship. The purpose is to set aside Columbus Day, October 12, as a legal holiday.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Delaware.

The bill (S. 108) making Columbus Day a legal holiday, introduced by Mr. WILLIAMS of Delaware (for Mr. BOGGS and himself), was received, read twice by its title, and referred to the Committee on the Judiciary.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to restore home rule to the citizens of the Nation's Capital. The Neely-Morse-Bible home rule measure which I am reintroducing today is almost identical to home rule bills which I have introduced in previous Congresses and which passed the Senate in the 84th and 86th Congress.

The format of my home rule bill includes: First, the election of a Mayor by the citizens; second, an elected Council elected by wards; and, third, procedures to assure that the citizens of the District of Columbia can make their desires known to their elected representatives.

The major provisions of the Neely-Morse-Bible bill provide for:

First. An elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia to exercise the municipal authority conveyed to the District.

Second. A Council to be endowed with local legislative power, including taxing and borrowing power, subject to certain restrictions, and to the ultimate power of Congress to repeal, amend, or initiate legislation, and to modify or revoke the charter itself.

The Council replaces the Board of Commissioners.

Third. Giving the Council authority to abolish the Board of Education and determine the type of school administration the District of Columbia should have.

Fourth. Borrowing for capital improvements, payments of bonds and notes, and the preparation of a budget by a specified period of time.

Fifth. Initiative, referendum, and recall to enable the citizens of the District to propose and approve legislation, to take action for or against any action of the Council, and to recall any elective officer of the District.

Mr. President, my bill provides the procedural basis for an efficient municipal government in the District of Columbia while at the same time retains ultimate control by Congress as required by the Constitution.

Many of my colleagues will recall that I have been a consistent advocate for a much larger Federal payment to the District than Congress has authorized and appropriated. I feel very strongly that a very substantial increase in the Federal payment constitutes the only hope of achieving the urgently needed reforms which we have heard so much about in recent years. I shall discuss some of these urgent problems in the Senate during this session of Congress.

In my judgment many of the critical and urgent problems confronting the District Commissioners this year can be laid squarely on the doorstep of Congress because Congress has not acted in a statesmanship manner in living up to its responsibility to the District of Columbia. I am convinced that District of Columbia officials have done a pretty good job of administering the affairs of the city considering the many financial and other handicaps imposed upon them by Congress.

I am pleased to read in the press that the President plans to submit some new and perhaps revolutionary proposals to the Congress this week designated to meet the problems facing this Capital City. Though I do not know what is contained in the President's proposals, I sincerely hope that Congress will study them carefully.

In closing, Mr. President, I wish to assure the President as well as my colleagues on the Senate Committee on the District of Columbia my continued cooperation in bringing about the best home rule bill that we can possibly get passed. I shall also cooperate with them in nailing down a precise Federal payment formula for the District.

I ask unanimous consent to have the bill printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 144) to provide an elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes, introduced by Mr. MORSE (for himself and Mr. BIBLE), was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to

the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation. Finally, it is recognized that the restoration of the powers of local self-government to the inhabitants of the District by this Act will in no way change the need, which arises from the unique character of the District as the Nation's Capital, for the payment by the Federal Government of a share of the expenses of the District government; and it is intended that an equitable share thereof shall be paid annually.

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TITLE I—DEFINITIONS

Definitions

SEC. 101. For the purposes of this Act—

(1) The term "District" means the District of Columbia.

(2) The terms "District Council" or "Council" means the Council of the District of Columbia provided for by title III.

(3) The term "Chairman" means the Chairman of the District Council provided for by title III.

(4) The term "Mayor" means the Mayor provided for by title IV.

(5) The term "qualified elector" means a qualified elector of the District as specified in section 806, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the District Council, except where the term "Act" is used to refer to this Act or other Acts of Congress herein specified.

(7) The term "District Primary Act" means the Act of August 12, 1955 (Public Law 376, Eighty-fourth Congress; 69 Stat. 699).

(8) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(9) The term "capital project", or "project", means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(10) The term "pending", when applied to any capital project, means authorized but not yet completed.

(11) The term "Board of Elections" means the Board of Elections created by section 3 of the District Primary Act.

(12) The term "election", unless the context otherwise indicates, means an election held pursuant to the provisions of this Act.

(13) The term "domicile" means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

(14) The term "municipal office" means an office of any governmental unit subordinate to a State government.

(15) The terms "publish" and "publication", unless otherwise specifically provided herein, mean publication in a newspaper of general circulation published in the District.

(16) The term "municipal courts of the District of Columbia" means the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, the District of Columbia Tax Court, the juvenile court of the District of Columbia, and such other municipal courts as the District Council may hereafter establish by act.

TITLE II—STATUS OF THE DISTRICT

Status of the District

SEC. 201. (a) All the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia is hereby declared to

be a body politic and corporate in perpetuity for governmental purposes and as such may sue and be sued, contract and be contracted with, and have a corporate seal. Such body politic and corporate is the successor of the District of Columbia created by section 2 of the Revised Statutes relating to the District of Columbia and continued by the first section of the Act of June 11, 1878 (D.C. Code, 1951 edition, sec. 1–102). So far as is consistent with the provisions of this Act, all powers, rights, privileges, immunities, duties, obligations, assets, and liabilities of the District of Columbia created by such section 2 are hereby transferred to, vested in, and imposed upon the body politic and corporate created by this section.

(b) Section 1 of the Act of February 21, 1871 (16 Stat. 419), and section 1 of the Act of June 11, 1878 (20 Stat. 102), are hereby repealed.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

TITLE III—THE DISTRICT COUNCIL

Part I—Creation of the District Council

Creation and Membership

SEC. 301. There is hereby created a Council of the District of Columbia consisting of nine members elected as provided in title VIII.

Qualifications for Holding Office

SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified elector, (2) is domiciled in the District and resides in the ward from which he is nominated, has, during the three years next preceding his nomination resided and been domiciled in the District and has for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation

SEC. 303. Each member of the District Council, except the Chairman, shall receive compensation at a rate of $6,500 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of $8,500 per annum, payable in periodic installments. All members shall receive such additional allowances for expenses as may be approved by the District Council to be paid out of funds duly appropriated therefor.

Changes in Membership and Compensation of District Council Members

SEC. 304. The number of members constituting the District Council, the qualifications for holding office, and the compensation of such members may be changed by act passed by the District Council: *Provided*, That no such Act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election on the proposition set forth in any such Act.

Part 2—Principal functions of the District Council

Functions Heretofore Exercised by the Board of Commissioners

SEC. 321. (a) Except as otherwise provided in this Act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

(b) The Board of Commissioners of the District is hereby abolished, and all provisions of law providing for the Board of Commissioners of the District, and the offices of Commissioner, Engineer Commissioner, and Assistants to the Engineer Commissioner of the District, are hereby repealed.

(c) The Board of Education provided for in section 2 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906 (34 Stat. 316), is hereby abolished and its functions are hereby transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

Functions Relating to Zoning and Other Agencies

SEC. 322. (a) The Zoning Commission created by the first section of the Act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D.C. Code, sec. 5–412), is hereby abolished, and its functions are transferred to the District Council.

(b) The Public Utilities Commission of the District of Columbia; the District of Columbia Redevelopment Land Agency; the Armory Board; and the National Capital Housing Authority are hereby abolished and their functions transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

Certain Delegated Functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

Powers of and Limitations Upon District Council

SEC. 324. (a) Except as provided in subsection (b) and subject to the reserved powers of the Congress as provided in section 324(d), there shall be vested (1) in the District Council, and (2) in the qualified electors of the District of Columbia as provided in section 1701 of this Act, complete legislative power over the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District: *Provided*, That such subjects are within the scope of the power of Congress in its capacity as the legislature for the District of Columbia as distinguished from its capacity as the National Legislature. Except as otherwise provided in sections 321 and 322, nothing in this section shall be construed as vesting in the District government any greater authority over the Commission on Mental Health, the National Zoological Park, the Washington Aqueduct, the National Guard of the District of Columbia, or any Federal agency, than the authority which was vested in the Board of Commissioners prior to the date of the enactment of this Act. The District Council shall, by majority vote of those present, confirm or reject nominees proposed by the Mayor, and shall have power, by vote of two-thirds of its members, to override any veto by the Mayor.

(b) The qualified electors of the District of Columbia or the District Council may not pass any act contrary to the provisions of this Act or—

(1) impose any tax on property of the United States;

(2) grant any exclusive privilege, immunity, or franchise;

(3) authorize any lottery or the sale of lottery tickets or authorize any form of gambling;

(4) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

(5) lend the public credit for support of any private undertaking;

(6) authorize the issuance of bonds except in compliance with the provisions of title VI; or

(7) pass any act inconsistent with or contrary to the Act of June 6, 1924 (43 Stat. 463), as amended by the Act of April 30, 1926 (44 Stat. 374), the Act of July 19, 1952 (66 Stat. 781); and the Act of May 29, 1930 (46 Stat. 482), and the people or the Council shall not pass any act inconsistent with or contrary to any provision of any Act of Congress as it specifically pertains to any duty, authority, and responsibility, of the National Capital Planning Commission; except insofar as the above-cited or other referred to Acts refer to the Engineer Commissioner or the Board of Commissioners, the former of which terms, after the enactment of this Act, shall mean the Mayor or some District Government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the District Council.

(c) An act, except as otherwise provided in this Act, shall become effective thirty days after its passage or at such later time as the Council may designate: *Provided*, That an act may become effective at any time after its passage if the Council by vote of two-thirds of its members shall state in such act that an emergency exists requiring such earlier effective date. Every act or resolution shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act or resolution shall be published, within seven days after its passage, as the District Council may direct.

(d) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the qualified electors of the District of Columbia and the District Council by this Act, including without limitation legislation to amend or repeal any law in force in the District of Columbia prior to or after the enactment of this Act and any act or resolution passed by the Council or any act passed by the qualified electors of the District of Columbia.

(e) Upon the effective date of this title, jurisdiction over the municipal courts of the District of Columbia shall vest with the District Council in all matters pertaining to the organization and composition of such courts, and to the appointment or selection, qualification, tenure, and compensation of the judges thereof. Nothing in this Act shall be construed to change the tenure of any judge occupying the position of a judge of one of the municipal courts of the District of Columbia on the date of the enactment of this Act, except that his compensation may be increased.

(f) On or after the effective date of this title, any person appointed or elected to serve as judge of one of the municipal courts of the District of Columbia shall not (1) be appointed or elected to serve for a term of less than ten years, or (2) receive as compensation for such service an amount less than the amount payable to an associate judge of the District of Columbia Court of General Sessions on the date of enactment of this Act.

(g) Nothing in subsection (e) of this section shall be construed to curtail the jurisdiction of the United States District Court

for the District of Columbia or any other United States court other than the municipal courts of the District of Columbia.

Part 3—Organization and Procedure of the District Council

The Chairman

SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the District Council and a Vice Chairman, who shall preside in the absence of the Chairman. When the Mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the Chairman shall be for two years.

Secretary of the District Council; Records and Documents

SEC. 332. (a) The District Council shall appoint a secretary as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this Act, the compensation and other terms of employment of such secretary, assistants, and clerical personnel shall be prescribed by the District Council.

(b) The secretary shall (1) keep a record of the proceedings of the District Council, (2) keep a record showing the text of all acts and resolutions introduced, and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the District Council, and (4) perform such other duties as the District Council may from time to time prescribe.

Meetings

SEC. 333. (a) The first meeting of the District Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title VIII. He shall preside until a Chairman is elected. The first meeting of the District Council in each odd-numbered year commencing with the first odd-numbered year next following such election shall be called by the Secretary of the District Council for a date not later than January 7 of such year.

(b) The District Council shall provide for the time and place of its regular meetings. The District Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

(c) Meetings of the District Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Council provided for in section 332(b) shall be open to public inspection and available for copying during all regular office hours of the Council Secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings, within reasonable limits as set by the Council Chairman, the Council concurring.

Committees

SEC. 334. The Council Chairman, with the advice and consent of the Council, shall appoint such standing and special committees as may be expedient for the conduct of the Council's business. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

Acts and Resolutions

SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall enact acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the District Council of a special or temporary character.

(b)(1) The enacting clause of all acts passed by the District Council shall be, "Be it enacted by the Council of the District of Columbia:".

(2) The resolving clause of all resolutions passed by the District Council shall be "The Council of the District of Columbia hereby resolves,".

(c) A special election may be called by resolution of the District Council to present for referendum vote of the people any proposition upon which the District Council desires to take such action.

Passage of Acts

SEC. 336. The District Council shall not pass any act before the thirteenth day following the day on which it is introduced. Subject to the other limitations of this Act, this requirement may be waived by the unanimous vote of the members present.

Procedure for Zoning Acts

SEC. 337. (a) Before any zoning act for the District is passed by the District Council—

(1) the District Council shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall within thirty days after the date of such deposit, report to the District Council whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The District Council may not pass the act unless it has received such report or the Commission has failed to report within the thirty-day period above specified; and

(2) the District Council (or an appropriate committee thereof) shall hold a public hearing on the act. At least thirty days' notice of the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The District Council (or committee thereof holding the hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The District Council shall deposit with the National Capital Planning Commission each zoning act passed by it. If in the opinion of the Commission such act as passed would adversely affect the interests of the Federal Government, the Commission shall within thirty days after the date of such deposit certify to the District Council its disapproval of such act. If such certification of disapproval is not made within such thirty-day period, the zoning act shall take effect as law on the day following the expiration of such period. If the Commission makes such certification of disapproval within the thirty-day period above specified, the zoning act shall take effect as law only if, within thirty days after the day on which such certification is received, the act be readopted by the affirmative vote of at least two-thirds of the members of the District Council; in which case the zoning act shall take effect as law on the day following the day on which it is readopted, or at such later date as the Council may designate.

Investigations by District Council

SEC. 338. (a) The District Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the District Council (if the District Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the District Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

TITLE IV—MAYOR

Election, Qualifications, and Salary

SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title VIII.

(b) No person shall hold the office of Mayor unless he (1) is a qualified elector, (2) is domiciled and resides in the District and has during the three years next preceding his nomination been resident in and domiciled in the District, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

(c) The Mayor shall receive an annual salary of $15,000, and an allowance for official expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually. Such salary shall be payable in periodic installments.

(d) Notwithstanding any other provision of this Act, the method of election, the qualifications for office, the compensation and the allowance for official expenses pertaining to the office of Mayor may be changed by act passed by the District Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election of the proposition set forth in any such act.

Powers and Duties

SEC. 402. The Mayor shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of the Mayor, the Chairman and the Vice Chairman of the District Council, execute and perform all the powers and duties of the Mayor.

(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel and such members shall, until such time as legislation is enacted by the District Council superseding such laws and establishing a permanent civil service system or systems, based on merit, pursuant to

section 402(4) continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government; to section 1001(d) of this Act, and, where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign personnel to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners and shall have power to remove such personnel from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this Act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent civil service system or systems, based on merit, pursuant to section 402(4): *Provided,* That all appointments of department heads and members of boards and commissions; all appointments and assignments to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District, and appointments made pursuant to section 804 of this Act, shall be by and with the consent of the Council.

(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this Act. Personnel legislation enacted by Congress, prior to or after the effective date of this section, including, without limitation, legislation relating to appointments, promotions, discipline, separations, pay, unemployment compensation, disability and death benefits, leave, retirement, insurance, and veteran's preference, applicable to employees of the District government, as set forth in section 1002(c), shall continue in effect until such time as the Council shall, pursuant to this section, provide similar or comparable coverage under a District civil service system or systems, based on merit. The District civil service system or systems shall be established by legislation of the Council and shall provide coverage similar or comparable to, or shall provide for continued participation in, all or part of the Federal civil service system. The District civil service system or systems shall take effect not earlier than one year or later than five years after the effective date of this section.

(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the Council within ninety days after the close of the fiscal year.

(7) He shall keep the District Council advised of the financial condition and future needs of the District and make such recommendations to the Council as may seem to him desirable.

(8) He may submit drafts of acts to the District Council.

(9) He shall perform such other duties as the District Council, consistent with the provisions of this Act, may direct.

(10) He may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, and if the Council has given assent, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

(11) The Mayor or the District Council may propose to the executive or legislative branches of the United States Government, legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this Act.

(12) As custodian he shall use and authenticate the corporate seal of the District in accordance with the rules of the Council.

(13) He shall have the right, under the rules to be adopted by the District Council, to be heard by the Council or any of its committees.

(14) If empowered by the District Council, he is authorized and directed to promulgate, adopt and enforce such rules and regulations, not inconsistent with any Act of the Congress or any act of the Council, as are necessary to carry out his functions and duties.

(15) He shall within ten days after the adoption of any act by the District Council approve or disapprove such act, in the event of disapproval stating his reasons therefor. If the Mayor shall not act thereon within ten days, such act shall become law as provided in this Act. Upon such disapproval such act shall not become law unless pursuant to section 324(a) it shall subsequently within thirty days after such veto be readopted by vote of two-thirds of the members of the District Council, whereupon it shall become law in accordance with the provisions of this Act.

TITLE V—THE DISTRICT BUDGET

Fiscal Year

SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

Budgetary Details Fixed by District Council

SEC. 502. (a) The Mayor shall prepare and submit, not later than April 1, to the District Council, in such form as the Council shall approve, the annual budget estimates of the District and the budget message.

(b) The Mayor shall, in consultation with the District Council, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs as shown by the accounts.

Adoption of Budget

SEC. 503. The District Council shall by act adopt a budget for each fiscal year not later than May 15, except that the District Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

Budget Establishes Appropriations

SEC. 504. The adoption of the budget by the District Council shall, from the effective date thereof, operate to appropriate and to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

Supplemental Appropriations

SEC. 505. The District Council may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

TITLE VI—BORROWING

Part I—Borrowing for capital improvements

Borrowing Power; Debt Limitations

SEC. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided,* That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued in an amount which, together with indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 per centum of the average assessed value of the taxable real and tangible personal property of the District subject to taxation by the District as of the first day of July of the ten most recent fiscal years for which such assessed values are available, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with highway, water and sanitary sewage works purposes or other revenue-producing capital projects which are determined by the District Council to be self-liquidating exceed 6 per centum of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the District Council from time to time in amounts in the aggregate at any time oustanding not exceeding 2 per centum of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified electors of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indebtedness within all of the aforesaid limitations at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The District Council shall make provision for the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

Contents of Borrowing Legislation; Referendum on Bond Issue

SEC. 602. (a) An Act authorizing the issuance of bonds may be enacted by a majority of the District Council members at any meeting of the Council subsequent to the meeting at which such Act was introduced, and shall contain at least the following provisions:

(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

(3) The maximum rate of interest to be paid on such indebtedness; and

(4) In the event the District Council is required by this part, or it is determined by the Council in its discretion, to submit the question of issuing such bonds to a vote of the qualified electors of the District, the date

on which such election will be held, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall be in such form as to permit the electors to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

(b) The District Council shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified electors at the first general election to be held in the District not less than forty days after the date of enactment of the Act authorizing such bonds, or upon a vote of at least two-thirds of the members of the District Council, the Council may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Council not less than forty days after the enactment of such Act.

(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the District Council as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the proposition or propositions to be voted on and the designated polling places in the various precincts and wards in the District, which said notice shall be published at least once a week for four consecutive calendar weeks on any day of the week, the first publication thereof to be not less than thirty nor more than forty days prior to the date fixed by the District Council for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the District Council in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within three days following the date of the election.

Publication of Borrowing Legislation

SEC. 603. The Mayor shall publish any act authorizing the issuance of bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"Notice

"The following act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action, or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire twenty days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified electors, twenty days after the date of publication of the promulgation of the results of the election ordered by said act to be held).

——— ———,
Mayor".

Short Period of Limitation

SEC. 604. Upon the expiration of twenty days from and after the date of publication of the notice of the enactment of an act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified electors, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

(1) Any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

(2) Such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this Act and of all laws applicable thereto;

(3) The validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty days.

Acts for Issuance of Bonds

SEC. 605. After the expiration of the twenty-day limitation period provided for in section 604 of this part, the District Council may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to 604, inclusive, hereof. An issue of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this Act until the bonds shall have been sold, delivered, and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the District Council shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning not more than three years after the date of the bonds and ending not more than thirty years from such date. The amount of said series to be payable in each year to be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 per centum of the total authorized amount of such series. Such act shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of $1,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the District Council may determine.

Public Sale

SEC. 606. (a) All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the District Council after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in a newspaper of general circulation published in the District. Such notice shall state among other things that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of bonds bid for, and the District Council shall reserve the right to reject any and all bids.

(b) The Treasurer of the United States, and any administrative officer or agency of the United States Government may purchase bonds issued under this part with funds under the control of such officer or agency to the same extent as the Treasurer, officer, or agency is permitted by law to invest such moneys in obligations of the United States Government, and such sale may be negotiated without the necessity of complying with the provisions of this section, relative to a public sale of the bonds.

Part 2—Short-term borrowing

Borrowing To Meet Supplemental Appropriations

SEC. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the District Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 per centum of the total appropriations for the current fiscal year, each of which shall be designated "supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

Borrowing in Anticipation of Revenues

SEC. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the District Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 per centum of the total anticipated revenue, each of which shall be designated "Revenue Note for the Fiscal Year 19 ". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

Notes Redeemable Prior to Maturity

SEC. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

Sale of Notes

SEC. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

Part 3—Payment of bonds and notes

SEC. 631. (a) The act of the District Council authorizing the issuance of bonds pursuant to this title, shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected

shall be set aside for the purpose of paying such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the act authorizing the issuance thereof.

Part 4—Tax exemption—Legal investment

Tax Exemption

SEC. 641. Bonds and notes issued by the District Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

Legal Investment

SEC. 642. Notwithstanding any restriction on the investment of funds by fiduciaries contained in any other law, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the District Council to the same extent as national banking associations are authorized by paragraph seven of section 5136 of the Revised Statutes (title 12, U.S.C., sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided*, That nothing contained in this section shall be construed as relieving any person, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

Part 1—Financial Administration

Surety Bonds

SEC. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the District Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

Financial Duties of the Mayor

SEC. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form and manner prescribed by the District Council under section 502 the annual budget estimates and budget message;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(3) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities,

(B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets: *Provided*, That as soon as practicable after the date of enactment of this Act, the Mayor shall cause the accounts of the District to be maintained on a basis that will facilitate the preparation of cost-based budgets;

(4) submit to the District Council a monthly financial statement, by appropriation and department, and in any further detail the District Council may specify;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any court, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the District Council;

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration, or exchange.

Control of Appropriations

SEC. 703. The District Council may provide (1) the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

Accounting Supervision and Control

SEC. 704. The Mayor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

When Contracts and Expenditures Prohibited

SEC. 705. No officer or agency of the District shall, during any budget year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated for any item of expenditure. Any contract, verbal or written, made in violation of this Act shall be null and void. Any officer or employee of the District who shall violate this section, upon conviction thereof, may be summarily removed from office. Nothing in this section, however, shall prevent the making of contracts or of expenditures for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

General Fund

SEC. 706. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

Contracts Extending Beyond One Year

SEC. 707. No contract involving expenditure out of the appropriations for more than one year shall be made for a period of more than five years; nor shall any such contract be valid unless made or approved by act of the District Council.

Part 2—Audit by General Accounting Office

Independent Audit

SEC. 721. (a) The financial transactions shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) (1) The Comptroller General shall submit such audit reports as he may deem necessary to the Congress, the Mayor, and the Council. The reports shall set forth the scope of the audits and shall include such comments and information as may be deemed necessary to keep the Mayor and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The reports shall show specifically every program, expenditure, and other financial transactions or undertaking which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the Mayor and his duly authorized subordinates have had an opportunity to be heard, the Council shall make such report, together with such other material as it deems pertinent thereto, available for public inspection.

(3) The Mayor, within ninety days after the report has been made to him and the Council, shall state in writing to the Council what has been done to comply with the recommendations made by the Comptroller General in the report.

Amendment of Budget and Accounting Act

SEC. 722. Section 2 of the Budget and Accounting Act, 1921 (U.S.C., title 31, sec. 2), is hereby amended by striking out "and the municipal government of the District of Columbia".

Part 3—Adjustment of Federal and District expenses

Adjustment of Federal and District Expenses

SEC. 731. Subject to section 901 and other provisions of law, the Mayor, with the advice and consent of the District Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

TITLE VIII—ELECTIONS IN THE DISTRICT

Board of Elections

SEC. 801. (a) The members of the Board of Elections in office on the date of enactment of this Act shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed without regard to political affiliations, by the Mayor by and with the advice and consent of the District Council. The term of each such successor (except in the case of an appointment to fill an unexpired term) shall be three years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Primary Act is hereby modified to the extent that it is inconsistent herewith.

(b) In addition to its other duties, the Board of Elections shall also, for the purposes of this Act—

(1) maintain a permanent registry;

(2) conduct registrations and elections;

(3) in addition to determining appeals with respect to matters referred to in sections 807 and 811, determine appeals with respect to any other matters which (under regulations prescribed by it under subsection (c)) may be appealed to it;

(4) print, distribute, and count ballots, or provide and operate suitable voting machines;

(5) divide the District into three wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible, and establish voting precincts therein;

(6) operate polling places;

(7) certify nominees and the results of elections; and

(8) perform such other functions as are imposed upon it by this Act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of this title, including regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 807 and 811) and for determination by it of appeals.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

(f) The Board of Elections, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 801 and 807. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this Act.

(h) Each member of the Board of Elections shall be paid at the rate of $1,500 per annum in periodic installments.

What Elections Shall Be Held

SEC. 802. (a) The Board of Elections shall conduct a general election—

(1) in any even-numbered calendar year commencing with 1964; and

(2) in any odd-numbered calendar year commencing with 1965, if an act authorizing the issuance of bonds required by section 602 to be submitted for a referendum at an election is enacted at least 40 days prior to the date for conducting the election in such year.

(b) Such general elections shall be held on the fourth Tuesday before the Tuesday in November prescribed hereafter for runoff elections.

(c) Any runoff elections required to be held pursuant to section 805 shall be held on the first Tuesday after the first Monday in November.

Elective Offices; Terms of Office

SEC. 803. (a) The offices of the District to be filled by election shall be the elective offices on the District Council, the Mayor and the District Delegate.

(b) The term of an elective office on the District Council shall be two years beginning on January 1 of the odd-numbered year following such election.

(c) The term of office of the Mayor shall be four years, beginning on January 1 of the odd-numbered year next following his election.

(d) The term of office of the District Delegate shall be two years beginning at noon on January 3 of the odd-numbered year following such election.

Vacancies

SEC. 804. (a) Vacancies in the office of Mayor or in the District Council shall be filled at the next general election held pursuant to section 802 for which it is possible for candidates to be nominated following the occurrence of the vacancy. A person elected to fill a vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such term.

(b) If the office of Delegate becomes vacant at a time when the unexpired term of such office is six months or more, a special election and, if necessary, a runoff election shall be held, at such time and in such manner (comparable to that prescribed for general elections) as the Board of Elections shall prescribe.

(c) Until a vacancy in the office of Mayor or in the District Council can be filled in the manner prescribed in subsection (a) hereof, a vacancy in the office of Mayor shall be filled by appointment by the District Council; and a vacancy in the District Council shall be filled by appointment by the Mayor. No person shall be qualified for appointment to any office under this subsection unless, if nominated, he would have been a qualified candidate for such office at the last election conducted prior to or on the date the vacancy occurred. A person appointed to fill a vacancy under this subsection shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

What Candidates Are Elected

SEC. 805. At any general election, a candidate for Delegate or a candidate for Mayor who receives a majority of the votes validly cast for such office shall be elected. At any general election, each of the three candidates in each ward for positions on the District Council receiving the highest number of valid votes, shall be elected if he receives more than one-sixth of the total number of votes validly cast for all candidates in his ward for the position for which he is a candidate. In case any office is unfilled because of failure of any candidate to receive in any general election the necessary proportion of votes validly cast, there shall be a runoff election to fill such office. In such runoff election the candidates shall be the persons who were the unsuccessful candidates for the unfilled offices in the general election, and who received the highest number of valid votes in that election, to the number of twice the offices to be filled. The candidate or candidates receiving the highest number of votes validly cast in the runoff election shall be elected. In any election in which there are two or more similar positions to be filled in any ward, a vote for any candidate for such a position in that ward will be valid only if the ballot records votes for as many candidates for such positions in that ward as there are positions to be filled.

Recall

SEC. 805a. (a) Any elective officer of the District of Columbia shall be subject to recall by the qualified electors of the District. Any petition filed demanding the recall by the qualified electors of the District of any such elective officer shall be signed by not less than 25 per centum of the number of qualified electors of the District voting at the last preceding general election. Such petition shall set forth the reasons for the demand and shall be filed with the Secretary of the District Council. If any such officer with respect to whom such a petition is filed shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as provided by law for filling a vacancy in that office arising from any other cause. If he shall not resign within five days after the petition is filed, a special election shall be called by the Council to be held within twenty days thereafter to determine whether the qualified electors of the District will recall such officer.

(b) There shall be printed on the ballot at such election, in not more than two hundred words, the reason or reasons for demanding the recall of any such officer, and, in not more than two hundred words, the officer's justification or answer to such demands. Any officer with respect to whom a petition demanding his recall has been filed shall continue to perform the duties of his office until the result of such special election is officially declared by the Board of Elections. No petition demanding the recall of any officer filed pursuant to this section shall be circulated against any officer of the District until he has held his office six months.

(c) If a majority of the qualified electors voting on any petition filed pursuant to this section vote to recall any officer, his recall shall be effective on the day on which the Board of Elections certifies the results of the special election, and the vacancy created thereby shall be filled immediately in a manner provided by law for filling a vacancy in that office arising from any other cause.

(d) The Board of Elections shall prescribe such regulations as may be necessary or ap-

propriate (1) with respect to the form, filing, examination, amendment, and certification of a petition for recall filed pursuant to this section, and (2) with respect to the conduct of any special election held pursuant to this section.

Qualified Electors

SEC. 806. No person shall vote in an election unless he meets the qualifications of an elector specified in this section and has registered pursuant to section 807 of this Act or section 7 of the District Primary Act. A qualified elector of the District shall be any person (1) who has maintained a domicile or place of abode in the District continuously during the one-year period ending on the day of the election, (2) who is a citizen of the United States, (3) who is on the day of the election at least twenty-one years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within one year immediately preceding the election, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot.

Registration

SEC. 807. (a) No person shall be registered unless—

(1) he shall be able to qualify otherwise as an elector on the day of the next election; and

(2) he executes, in the presence of an employee of the Board of Elections authorized to take oaths for such purposes a registration affidavit on a form prescribed by the Board of Elections showing that he will meet on the day of the election all the requirements of section 806 of this Act.

(b) If a person is not permitted to register, such person, or any qualified candidate, may appeal to the Board of Elections, but not later than three days after the registry is closed for the next election. The Board shall decide within seven days after the appeal is perfected whether the challenged elector is entitled to register. If the appeal is denied the appellant may, within three days after such denial, appeal to the District of Columbia Court of General Sessions. The court shall decide the issue not later than eighteen days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged elector may cast a ballot marked "challenged", as provided in section 811.

(c) For the purposes of this Act, the Board of Elections shall keep open, during normal hours of business, Saturdays, Sundays, and holidays excepted, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes in registrations for such period, not exceeding thirty days, next preceding any election as it may deem necessary and appropriate.

Qualified Candidates

SEC. 808. The candidates at an election in the District shall be the persons, registered under section 807 of this Act or under section 7 of the District Primary Act, who have been nominated as provided in section 809 of this Act: *Provided,* That no member of the Board of Elections may be such a candidate.

Nominations

SEC. 809.(a) Nomination of a candidate shall take place when the Board of Elections receives a petition in accordance with rules, not inconsistent with this Act, prescribed by the Board either—

(1) a declaration of candidacy accompanied by a filing fee equal to 5 per centum of the annual compensation for which nomination is sought; and said fee to be refunded—

(A) if the candidate withdraws his candidacy in writing received by the Board not more than three days after the last day on which nominations may be made; or

(B) if the candidate polls 10 per centum or more of the total vote cast for that office; or

(2) A nominating petition signed by the number of registered voters specified below, without payment of a filing fee: *Provided*—

(A) that any petition for a candidate for the office of District Delegate or Mayor be signed by six hundred qualified electors registered in the District, and

(B) that any petition for a candidate for the District Council be signed by three hundred qualified electors registered in the ward from which he is nominated for such office.

(b) No person may be a candidate for more than one office in any election. If a person is nominated for more than one office, he shall, within three days after the last day on which nominations may be made (as prescribed by the Board of Elections), notify the Board of Elections for which such office he elects to run.

(c) The Board of Elections is authorized to accept any nominating petition as bona fide with respect to the qualifications of the signatories thereto: *Provided,* That the originals or facsimile copies thereof shall have been posted in a suitable public place for at least ten days: *And provided further,* That no challenge as to the qualifications of the signatories shall have been received in writing by the Board of Elections within ten days of first posting of such petition.

(d) The Board of Elections may, at its discretion, declare elected, without an actual count of the votes cast, any unopposed candidate.

Nonpartisan Elections

SEC. 810. (a) Ballots and voting machines shall show no party affiliations, emblem, or slogan.

(b) Section 16 of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (53 Stat. 1147), is amended by inserting immediately after "exists in" the following: "the District of Columbia or".

Method of Voting

SEC. 811. (a) Voting in all elections shall be secret. Voting may be by paper ballot or voting machine.

(b) The ballot shall show the wards from which each candidate (other than for District Delegate and Mayor) has been nominated. Each voter shall be entitled to vote for three candidates for the District Council from the ward in which such voter resides; for one candidate for Mayor and for one candidate for District Delegate. No person shall be a candidate from more than one ward.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee balloting shall be permitted under regulations adopted by the Board of Elections.

(e) At least ten days prior to the date of any referendum or other election, any group of citizens or individual candidates interested in the outcome of the election may petition the Board of Elections for credentials authorizing watchers at any and all polling places during the voting hours and until the count has been completed. The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

(f) If the official in charge of the polling place, after hearing both parties to any challenge or acting on his own with respect to a prospective voter, reasonably believes the prospective voter is unqualified to vote, he shall allow the voter to cast a paper ballot marked "challenged". Ballots so cast shall be segregated, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within three days after election day. The Board shall decide within seven days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or to operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) In any election held pursuant to this Act, any voter entitled to vote for any office shall not vote more than once for that office.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as an elector.

Recounts and Contests

SEC. 812. (a) The provisions of section 11 of the District Primary Act with respect to recounts and contests shall be applicable to any election or referendum held under this Act, except that in the case of any initiative, referendum, or recall election any qualified voter who has voted in any such election may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required of a candidate for office under section 11(a) of the District Primary Act.

(b) If the court voids all or part of an election under this section, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 804.

Interference With Registration or Voting

SEC. 813. (a) No one shall interfere with the registration of voting of another person, except as it may be reasonably necessary in

the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for a breach of the peace then committed or for treason or felony.

Violations

SEC. 814. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this title, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than six months, or both.

TITLE IX—MISCELLANEOUS

Agreements with United States

SEC. 901. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to a contract (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, by and with the advice and consent of the District Council. Each such contract shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the Government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any contract negotiated and approved pursuant to subsection (a), any District officer or agency may in the contract delegate any of his or its function to any Federal officer or agency, and any Federal officer or agency may in the contract delegate any of his or its functions to any District officer or agency. Any function so delegated may be exercised in accordance with the terms of the delegation.

(c) The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the District Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the Congress to the Federal officers and agencies to which such services are furnished.

Personal Interest in Contracts or Transactions

SEC. 902. No member of the District Council and no other officer or employee of the District with power of discretion in the making of any contract to which the District is a party or in the sale to the District or to a contractor supplying the District of any land or rights or interests in any land, material, supplies, or services shall have a financial interest, direct or indirect, in such contract or sale. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the District found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge express or implied of the person contracting with the District shall render the contract voidable by the Mayor or the District Council.

Compensation From More Than One Source

Sec. 903. (a) Except as provided in this Act, no person shall be ineligible to serve or to receive compensation as a member of the District Council, or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the District Council or such Board, if such service does not interfere with the discharge of his duties in such other office or position.

(c) For the purpose of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99), no person shall, by reason of membership on the District Council, or the Board of Elections or by reason of his serving in any position in or under the government of the District of Columbia, be considered to be an officer or employee of the United States.

Assistance of United States Civil Service Commission in Development of District Merit System

SEC. 904. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the District Council in the further development of the merit system required by section 402(3) and the said Commission is authorized to enter into agreements with the District of Columbia government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 901 of this Act.

TITLE X—SUCCESSION IN GOVERNMENT

Transfer of Personnel, Property, and Funds

SEC. 1001. (a) In each case of the transfer, by any provision of this Act, of functions to the Council or to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to the Council or to such agency or to the agency of which such officer is the head, for use in the administration of the functions of the Council or such agency or officer, the personnel (except the members of boards or commissions abolished by this Act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

(2) in the case of other functions (A) by the District Council, or in such manner as the District Council shall provide, if such functions are transferred to the District Council, and (B) by the Mayor if such functions are transferred to any other officer or agency.

(c) Any of the personnel transferred to the Council or any agency by this section which the Council or the head of such agency shall find to be in excess of the personnel necessary for the administration of its or his functions shall, in accordance with law, be transferred to other positions in the District or Federal Government or be separated from the service.

(d) No officer or employee shall, by reason of his transfer by this Act, be deprived of a civil-service status held by him prior to such transfer.

Existing Statutes, Regulations, and So Forth

SEC. 1002. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this Act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this Act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes any rule, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided, nothing contained in this Act shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the District Council may otherwise elect to provide similar and comparable coverage as provided in section 402(4).

Pending Actions and Proceedings

SEC. 1003. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this Act, but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this Act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

Vacancies Resulting From Abolition of Board of Commissioners

SEC. 1004. Until July 1, 1965, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions, but such agency may take action only if a majority of the members holding office vote in favor of it.

TITLE XI—SEPARABILITY OF PROVISIONS

Separability of Provisions

SEC. 1101. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE XII—TEMPORARY PROVISIONS

Powers of the President During Transition Period

SEC. 1201. The President of the United States is hereby authorized and requested to take such action during the period following the date of the enactment of this Act and ending on the date of the first meeting of the District Council, by Executive order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Board of Elections properly to perform their functions under this Act.

Reimbursable Appropriations for the District

SEC. 1202. (a) The sum of $500,000 is hereby authorized to be appropriated for the District of Columbia, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this Act.

(b) The full amount of expenditures out of the appropriations made under this authorization shall be reimbursed to the United States, without interest, during the fiscal year ending June 30, 1966, from the general fund of the District of Columbia.

TITLE XIII—EFFECTIVE DATES

Effective Dates

SEC. 1301. (a) As used in this title and title XIV the term "charter" means titles I to XI, both inclusive, and titles XV, XVI, and XVII.

(b) The charter shall take effect only if accepted pursuant to title XIV. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1406) except that—

(1) part 2 of title III, title V, and title VII shall take effect on the day upon which the council members first elected take office, and

(2) section 402 shall take effect on the day upon which the mayor first elected takes office.

(c) Titles XII, XIII, and XIV shall take effect on the day following the date on which this Act is enacted.

TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

Charter Referendum

SEC. 1401. (a) On a date to be fixed by the Board of Elections, not more than nine months after the enactment of this Act, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified electors of the District of Columbia accept the charter.

(b) As used in this title, a "qualified elector" means a person who meets the requirements of section 806 on the day of the charter referendum.

Board of Elections

SEC. 1402. (a) In addition to its other duties, the Board of Elections established under the District Primary Act shall conduct the charter referendum and certify the results thereof as provided in this title.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 801 of this Act shall govern the Board of Elections in the performance of its duties.

Registration

SEC. 1403. (a) The Board of Elections shall conduct within the District of Columbia a registration of the qualified electors commencing as soon as practicable after the enactment of this Act and ending not more than thirty days nor less than fifteen days prior to the date set for the charter referendum as provided in section 1401 of this title.

(b) Prior to the commencement of such registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(c) The applicable provisions of section 807, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the registration of voters for this charter referendum.

Charter Referendum Ballot; Notice of Voting

SEC. 1404. (a) The charter referendum ballot shall contain the following, with the blank space appropriately filled:

"The District of Columbia Charter Act, enacted _____, proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified electors of the District in this referendum.

"By marking a cross (X) in one of the squares provided below, show whether you are for or against the charter.

☐ For the charter

☐ Against the charter"

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than three days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

Method of Voting

SEC. 1405. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of sections 811, 812, 813, and 814 of this Act shall govern the method of voting, recounts and contests, interference with registration or voting, and violations connected with this charter referendum.

Acceptance or Nonacceptance of Charter

SEC. 1406. (a) If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

TITLE XV—DELEGATE

District Delegate

SEC. 1501. (a) Until a constitutional amendment or subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the "Delegate from the District of Columbia", who shall be elected as provided in this Act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for two years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified elector, (2) is at least twenty-five years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the three years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the District) for any candidate for public office. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(c) (1) Subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended, is hereby amended by striking out "from the Territories".

(2) Clause (b) of setcion 1 of the Civil Service Retirement Act of May 29, 1930, as amended (70 Stat. 743), is hereby amended by striking out "from a Territory".

(3) The second paragraph under the heading "House of Representatives" in the Act of July 16, 1914 (U.S.C. title 2, sec. 37), is hereby amended by striking out "from Territories".

(4) Paragraph (1) of section 302 of the Federal Corrupt Practices Act, 1925, as amended (U.S.C., title 2, sec. 241), is hereby amended by inserting after "United States" the following: "and the District of Columbia".

(5) Section 591 of title 18, United States Code, is hereby amended by inserting "and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and possessions" the following: "or the District of Columbia". The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columbia".

TITLE XVI—REFERENDUM

Power of Referendum

SEC. 1601. (a) The qualified electors (as defined in section 806) shall have power, pursuant to the procedure provided by this title, to approve or reject in a referendum any act of the District Council, or part or parts thereof, which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which shall be subject to the referendum provisions contained in section 602, or to acts continuing existing taxes or making appropriations which in the aggregate are not in excess of those for the preceding fiscal year. Within forty-five days after an act subject to this title has been enacted, a petition signed by qualified electors equal in number to at least ten per centum of the number who voted at the last preceding general election may be filed with the Secretary of the District Council requesting that any such act or any part or parts thereof, be submitted to a vote of the qualified electors.

(b) The Board of Elections shall prescribe such regulations as may be necessary or appropriate with respect to the form, filing, examination, amendment, and certification of petitions for referenda and with respect to the conduct of any referendum held under this title.

Effect of Certification of Referendum Petition

SEC. 1602. (a) When a referendum petition has been certified as sufficient, the act, or the one or more items, sections or parts thereof, specified in the petition shall not become operative, or further action shall be suspended if it shall have become operative, until and unless approved by the electors, as provided in this title. The filing of a referendum petition against one or more parts of an act shall not alter the operative effect of the remainder of such act.

(b) If, within thirty days after the filing of a referendum petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed sufficient for the purposes of this title.

Submission to Electors

SEC. 1603. An act with respect to which a petition for a referendum has been filed and certified as sufficient shall be submitted to the qualified electors at a referendum to be held in connection with the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of the sufficiency of the petition. The District Council shall, if no general election is to be held within such period, provide for a special election for the purpose of conducting the referendum.

Availability of List of Qualified Electors

SEC. 1604. If any organization or group requests it for the purpose of circulating descriptive matter relating to the act to be voted on at a referendum, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

Results of Referendum

SEC. 1605. An act which is submitted to a referendum which is not approved by a majority of the qualified electors voting thereon shall thereupon be deemed repealed. If a majority of the qualified electors voting thereon approved the act, it shall become operative on the day following the day on which the Board of Elections certifies the results of the referendum. If conflicting acts are approved by the electors at the same referendum, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. As used in this section, the word "act" shall mean the complete act, or any part or parts thereof, specified in the petition for referendum.

TITLE XVII—INITIATIVE

SEC. 1701. (a) Subject to the provisions of section 324 of this Act, the qualified electors of the District shall have the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District.

(b) In exercising the power of initiative conferred upon the qualified electors by subsection (a) of this section, not more than 10 per centum of the number of qualified electors voting in the last preceding general election shall be required to propose any measure by an initiative petition. Every such petition shall include the full text of the measure so proposed and shall be filed with the Secretary of the District Council to be submitted to a vote of the qualified electors. Any such petition which has been filed with the Secretary, and certified by him as sufficient, shall be submitted to the qualified electors of the District at the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of sufficiency. The Council shall, if no general election is to be held within such period, provide for a special election for the purpose of considering the petition. Any measure so proposed by the petition shall, if approved by a majority of the qualified electors voting thereon in such election, take effect and become law on the day following the day on which the Board of Elections certifies the results of such election or on the date provided for by such measure. If conflicting measures proposed are approved by the electors at the same election, the measure receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(c) If, within thirty days after the filing of a petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed certified as sufficient for purposes of this section.

(d) The style of all measures proposed by initiative petition shall be as follows: "Be it enacted by the People of the District of Columbia".

(e) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of initiative petitions, and (2) with respect to the conduct of any election during which any such petition is considered.

(f) If any organization or group request it for the purpose of circulating descriptive matter relating to the measures proposed to be voted on, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

TITLE XVIII—TITLE OF ACT

SEC. 1801. This Act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such Act, may be cited as the "District of Columbia Charter Act".

U.S. NATIONAL ARTS FOUNDATION

Mr. JAVITS. Mr. President, I introduce for appropriate reference, on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Rhode Island [Mr. PELL], a bill to establish a U.S. National Arts Foundation.

During the 87th Congress, extensive hearings were held by the Committee on Labor and Public Welfare on my bill (S. 1250) to establish a U.S. Arts Foundation; on the bill (S. 785) by the Senator from Pennsylvania [Mr. CLARK], which provided assistance for the arts to the States on a matching basis; and on S. 741, a bill introduced by the Senator from Minnesota [Mr. HUMPHREY], to establish a Federal Advisory Council on the Arts.

The bill which the Labor and Public Welfare Committee reported favorably combined the essential features of the U.S. Arts Foundation and the program to assist the States. Because of the lateness of the session the Senate did not have an opportunity to act on this proposal. Therefore, with Senators HUMPHREY, CLARK and PELL, I now introduce this bill to establish a U.S. National Arts Foundation. Except for minor revisions it is identical with the bill favorably reported by the Committee on Labor and Public Welfare.

I introduce the bill with a sense of urgency derived from the increasingly sharp cultural competition abroad which the United States faces from the Soviet bloc countries. Our cultural exchange program is rapidly expanding because it is recognized as a reflection of the "state of the visual and performing arts in America, both in terms of creative cultural vitality and of the desire and capacity of a free people to support the development of a flourishing national culture." These are the words used in a recent report to the Department of State by the U.S. Advisory Commission on International Educational and Cultural Affairs, and they should emphasize to us the need to develop a cultural base in depth within our own borders by broadening the range of our cultural institutions and activities.

Support for the visual and performing arts now comes in large part from private benefactors, but the difficulties faced by our cultural institutions were dramatically emphasized by the labor dispute that for a time threatened to close the Metropolitan Opera House for an entire season. This situation has also resulted in a limitation of the visual and performing arts out of all proportion to our resources and to the interest of the American people. Moreover, it has tended to concentrate the development of cultural programs in centers of wealth, leaving wide areas of the country without opportunity to enjoy and participate in the visual and performing arts.

The U.S. National Arts Foundation would encourage by matching grants and subventions to nonprofit groups the distribution of live performances and exhibits in cities and towns which could not otherwise receive and support them. It would help to stimulate a revival of the arts in entire regions through the work of nonprofit groups, municipalities and State agencies able to provide cultural services because of the subvention available from the Foundation to cover the difference between production costs and admissions. Within the framework of private nonprofit enterprise and with no Federal control, the Foundation would help in the development and training of new talent in the fields of the visual and performing arts, and also make it possible for many more people in many more places to see and hear the best in American culture.

The Foundation would require in its first year an appropriation from the Federal Government of $5 million for the entire country and $10 million in succeeding years, half of which shall be available for grants to the States. This would serve essentially as seed money with the largest amount of its expenditures anticipated to come from funds contributed by private foundations and other benefactors interested in the advancement of the arts. I expect that this modest Federal appropriation could stimulate the expenditure of as much as $50 million a year in non-Government support for the arts.

This proposal has the support of a great many artists of international fame as well as many organizations in the performing, academic, and cultural world. It would supplement and enhance other Federal Government activities, such as our cultural exchange program; contribute to the artistic education of the American people; and expand the areas served by theater, opera, ballet, music, the graphic arts, painting, sculpture, and other cultural resources so that no populated place would have to be culturally starved.

It would enable the United States to hold its place abroad in terms of cultural competition as effectively as we wish it to hold its place at home.

Mr. President, I ask unanimous consent that the text of the bill may be printed as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 165) to establish a U.S. National Arts Foundation, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "United States National Arts Foundation and Cultural Development Act."

DECLARATION OF POLICY

SEC. 2. The Congress finds that Americans desire increased opportunities to view and enjoy the visual and performing arts; that the Nation's prestige and general welfare will be promoted by recognizing the status of the visual and performing arts as a cherished and valued part of the Nation's cultural resources and by encouraging the development and dissemination of these resources throughout the country; and that it is desirable to establish an agency in the Federal Government to provide such recognition and to stimulate and assist the Nation's cultural progress.

ESTABLISHMENT OF FOUNDATION

SEC. 3. There is hereby established in the executive branch of the Government an independent agency to be known as the United States National Arts Foundation (hereinafter referred to as the "Foundation").

TRUSTEES OF FOUNDATION

SEC. 4. (a) The Foundation shall be subject to the general supervision and policy direction of a Board of Trustees which shall consist of the Director of the Foundation (hereinafter referred to as the Director) and twenty-four members, such twenty-four members to be appointed by the President, by and with the advice and consent of the Senate, from among those individuals of the American public who are widely recognized for their knowledge of or experience in, or for their profound interest in, one or more of the visual or performing arts and who collectively will provide an appropriate balance of representation among the major art fields cited in this Act. In making such appointments, the President is requested to give due consideration to the recommendations for nomination submitted to him by leading national organizations in these fields.

(b) The term of office of each trustee of the Foundation shall be six years; except that the terms of the trustees first taking office after the enactment of this Act shall expire, as designated by the President at the time of appointment, eight at the end of two years, eight at the end of four years, and eight at the end of six years. A vacancy shall be filled only for the unexpired portion of the term. Any person who has been a trustee of the Foundation for twelve consecutive years shall be ineligible for appointment during the following two-year period: *Provided,* That the provisions of this subsection shall not apply to the Director.

(c) The President shall call the first meeting of the trustees of the Foundation, at which the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve until two years after the date of enactment of this Act. Thereafter each Chairman and Vice Chairman shall be elected for a term of two years in duration and each such election shall take place at the annual meeting occurring at the end of each such term. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Foundation shall elect an individual from among the trustees to fill such vacancy.

(d) The trustees of the Foundation shall meet at the call of the Chairman, but not less than four times each year. The Chairman shall also call a meeting whenever one-third of the trustees so request in writing. A majority of the trustees of the Foundation shall constitute a quorum. Each trustee shall be given notice, by registered mail mailed to his last known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

DIRECTOR OF FOUNDATION

SEC. 5. (a) The Director of the Foundation shall be appointed by the President, by and with the advice and consent of the Senate. In the appointment of the Director of the Foundation, the President is requested to give due consideration to any recommendations submitted to him by the Board of Trustees. The Director shall serve as an ex officio trustee of the Foundation. In addition, he shall be the chief executive officer of the Foundation. The Director shall receive compensation at the rate of $25,000 per annum and shall serve for a term of six years unless previously removed by the President: *Provided,* That at any time a majority of the Board of Trustees may recommend the Director's removal to the President.

(b) The Director may appoint, with the approval of the Board of Trustees, a Deputy Director, who shall perform such functions as the Director, with the approval of the trustees, may prescribe, be Acting Director during the absence or disability of the Director or in the event of a vacancy in the office of the Director, and receive compensation at a rate not to exceed $20,000 per annum.

(c) The Director shall have general authority to carry out and execute the programs of the Foundation on a full-time, continuous basis, to recommend programs to the Foundation, and to discharge such other functions as the Foundation may delegate to him consistent with this Act.

(d) The Director and the Deputy Director shall be allowed travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Subsistence Act of 1949, as amended, and the Standardized Government Travel Regulations.

GENERAL POWERS OF FOUNDATION

SEC. 6. The Foundation is authorized to—

(1) stimulate and encourage cultural development throughout the United States and to advance public interest therein; and

(2) foster and encourage professional and civic and nonprofit, private, public, educational, institutional, or governmental groups which are engaged in or directly concerned with the performing and visual arts.

GRANTS TO GROUPS AND STATES

SEC. 7. (a) The Foundation is authorized to provide, through direct grant or otherwise, financial assistance and support from the funds appropriated to the Foundation or otherwise obtained pursuant to section 8(a) (3) or (4) of this Act, to professional groups, groups meeting professional standards, and educational groups engaged in or concerned with the performing or visual arts, for the purpose of enabling such groups to provide productions of the performing and visual arts, (1) of both new works and existing works of these arts, which have substantial artistic or historic significance, giving preference to encouraging the works of residents of the United States, and (2) of such types as would be unavailable to audiences in many areas without such assistance. Such groups shall be eligible for financial assistance only if no part of net earnings inures to the benefit of any private stockholder, or stockholders, or individual or individuals, and if such groups satisfy the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954 so as to authorize deductions from gross income of donations to such groups. The Foundation shall, wherever practicable, develop the principle of matching funds with interested public or private agencies.

(b) (1) The Foundation is authorized to make grants to assist the several States in supporting existing projects and programs which are making a significant public contribution in one or more of the performing or visual arts, and in developing programs and projects in these arts in such a manner as will, in conjunction with existing programs and facilities, furnish adequate programs, facilities and services in these arts to all the people and communities in each State. In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Foundation finds—

(A) designates a State agency (hereinafter in this Act referred to as the "State agency") as the sole agency for the administration of the State plan;

(B) provides that funds paid to the State under this Act will be expended solely on programs and projects approved by the State agency which carry out one or more of the objectives of this Act;

(C) provides that the State agency will make such reports, in such form and containing such information, as the Foundation may from time to time require; and

(D) provides for the coordination of the projects and programs carried out under the plan with the artistic and cultural programs and activities of educational and other public and nonprofit institutions in the State.

(2) Each State which has a plan approved by the Foundation in effect on the first day of the fiscal year beginning July 1, 1964, or any succeeding fiscal year, shall be entitled to a maximum allotment in any such fiscal year of an amount equal to half the total amount appropriated to the Foundation for such fiscal year divided by the total number of States. In the event that any sum is remaining out of the maximum allotment available for State grants in any fiscal year after all allotments are made to States with approved plans in effect on the first day of such fiscal year, the Foundation, in its discretion, may grant such remaining sum or any portion thereof to any group or State agency for projects and programs which the Foundation finds will encourage the visual and performing arts in areas where such assistance will be of value.

(3) The amount of any grants allotted to any State under this Act for any program or project shall not exceed 50 per centum of the total cost of such program or project.

(c) Whenever the Foundation, after reasonable notice and opportunity for hearing to any group or State agency, finds that—

(1) any such group is not complying substantially with the provisions of this Act;

(2) any such agency is not complying substantially with the terms and conditions of its State plan approved under this Act; or

(3) any funds granted to such group or agency under this Act have been diverted from the purposes for which they were allotted or paid

the Foundation shall immediately notify the Secretary of the Treasury and the group or State agency concerned that no further grants will be made under this Act with respect to such group or State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the group or State repays or arranges

the repayment of the Federal funds which have been improperly diverted or expended.

ADMINISTRATIVE POWERS AND DUTIES

SEC. 8. (a) The Foundation is authorized to—

(1) prescribe such rules and adopt such bylaws as it deems necessary governing the manner of its operation and its organization and personnel;

(2) make expenditures, and enter into contracts or other arrangements, as may be necessary for administering the provisions of this Act, without regard to the provisions of section 3709 of the Revised Statutes (4 U.S.C. 5);

(3) acquire by loan or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(4) receive and use funds or marked gifts or property donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Foundation;

(5) accept and utilize the services of voluntary and uncompensated personnel;

(6) pay fees for and enter into contracts with persons for the performance of services required by the Foundation;

(7) pay to persons rendering services to the Foundation, whether on an uncompensated basis or on a fee or contract basis as provided in paragraphs (5) and (6) of this subsection, travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations; and

(8) maintain an office in the District of Columbia.

(b) The Foundation may appoint committees, councils, or panels concerned with particular regions of the country or with particular aspects of the arts, or both, and composed of persons who need not be trustees of the Foundation.

(c) The Foundation shall not itself produce or present any production.

(d) The Foundation shall render an annual report to the President for submission on or before the 15th day of January to the Congress, summarizing the activities of the Foundation and making such recommendations as it may deem appropriate.

GENERAL PROVISIONS

SEC. 9. (a) The Director shall, in accordance with such policies as the Foundation shall from time to time prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Such appointments shall be made and such compensation shall be fixed in accordance with the provisions of the civil service laws and regulations and the Classification Act of 1949, as amended, except that the Director may, in accordance with such policies as the Foundation shall from time to time prescribe, employ such technical and professional personnel or personnel with experience in or relating to any of the performing or visual arts, and fix their compensation without regard to such laws, as he may deem necessary for the discharge of the responsibilities of the Foundation under this Act. The Deputy Director and the members of the councils, committees, or panels, shall be appointed without regard to the civil service laws or regulations; except that neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director; or hold any office in, or act in any capacity for, any organization, agency, or institution with which the Foundation makes any contract or other arrangement under this Act.

(b) The trustees of the Foundation, and the members of the councils, committees, and panels shall receive compensation at the rate of up to $50 for each day in which they are actually engaged in the business of the Foundation pursuant to authorization of the Foundation, and shall be allowed travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Subsistence Act of 1949, as amended, and the Standardized Government Travel Regulations.

(c) Persons holding other offices in the executive branch of the Federal Government may serve as members of the councils, committees, or panels, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

(d) Service of an individual as a trustee or employee of the Foundation, or a council, committee, or panel, shall not be considered as service bringing him within the provisions of section 281 or 283 of title 18 of the United States Code or section 99 of title 5 of such code, unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such sections, is with respect to any particular matter which directly involves the Foundation or in which the Foundation is directly interested.

(e) Agencies of the United States are authorized to render assistance to the Foundation by the donation or loan of employee services and by the donation or loan of supplies, office or building space, or other property, either on a reimbursable or nonreimbursable basis.

APPROPRIATIONS

SEC. 10. (a) For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1964, such sum, not exceeding $5,000,000, and for each fiscal year thereafter such sum, not exceeding $10,000,000 annually, as the Congress may determine. The moneys appropriated to the Foundation shall remain available for expenditure for two years following the expiration of the fiscal year for which appropriated.

(b) Moneys received by the Foundation under section 8(a) (3) and (4) of this Act, shall not be covered into the Treasury as miscellaneous receipts, but shall be kept in a special account, maintained by the Treasury Department, or kept by the Foundation in commercial banking institutions or invested in securities eligible for trust funds in the District of Columbia, and shall be available to the Foundation for the purposes of this Act.

(c) The Director shall determine any payments to be made under this Act and certify to the Secretary of the Treasury the amounts thereof. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Sums allotted to any group or State for any fiscal year under this Act and not transferred during that fiscal year shall remain available to such group or State for the same purposes for the next fiscal year in addition to the sums allotted for such next fiscal year.

DEFINITIONS AND TITLE

SEC. 11. As used in this Act—

(a) The term "visual and performing arts" (1) means the arts of drawing, painting, sculpture, graphic, photographic and craft arts, and architecture and allied arts; and (2) means the arts related to performance of theatrical plays, dance, ballet and choral performances, and performances of musical works (instrumental, voice, and/or operatic), including the arts of acting, directing, staging, scenic and costume design.

(b) The term "productions" means plays (with or without music), ballets, dance and choral performances, exhibitions, readings, concerts, recitals, operas, and any other performances before members of the public involving the execution or rendition of any of the visual or performing arts and meeting such standards as may be established by the Foundation.

(c) The term "group" includes any society, institution, organization, or association, whether or not incorporated.

THE ELEANOR ROOSEVELT FOUNDATION

Mr. HUMPHREY. Mr. President, within days after the passing of Mrs. Eleanor Roosevelt, associates and admirers of that gallant lady were suggesting ways to pay proper tribute to her. The family, the White House, and many of the organizations with which she was closely identified were overwhelmed with suggestions. It was the family's wish that one unified national program be organized.

At the family's request, the President invited a number of distinguished Americans, under the chairmanship of the Honorable Adlai E. Stevenson, U.S. representative to the United Nations, to meet with him at the White House to consider the most appropriate tribute to Mrs. Roosevelt.

This committee gave much thought to the matter and concluded that there was only one appropriate way to do honor to Eleanor Roosevelt—to continue supporting the very causes to which she had given such noble service. To do this, it was decided to seek congressional chartering of an Eleanor Roosevelt Foundation. The group then constituted itself as the Eleanor Roosevelt Foundation Committee, and at a meeting on December 21, 1962, dedicated itself to continuing the humanitarian endeavors of Eleanor Roosevelt in the five broad areas of her tireless effort:

To strengthen the United Nations in the quest for man's universal hope for a just peace.

To protect and extend human rights and equal opportunity for all people everywhere.

To wage a ceaseless and worldwide attack against sickness and disease.

To promote maximum growth and development for every individual.

To assure the worth and dignity of each human being.

The wide and impressive range of friendship and respect which Mrs. Roosevelt achieved in her lifetime is reflected in the membership of the corporation as contained in the bill being submitted today. In addition to Ambassador Stevenson, the charter members of the corporation include Miss Marian Anderson, Robert S. Benjamin, William Benton, Dr. Ralph J. Bunche, Henry Crown, David Dubinsky, Myer Feldman, Mrs. Ruth Field, Raymond Firestone, Arnold Grant, Arthur Hanisch, Dr. John R. Heller, Mrs. Audrey Hess, Mrs. Anna Rosenberg Hoffman, Mrs. Trude Lash, Mrs. Mary Lasker, Herbert Lehman, Archibald MacLeish, Dr. Charles Mayo, John J. McCloy, George Meany, Mrs. Agnes Meyer,

Walter P. Reuther, Dore Schary, Herman Steinkraus.

Mr. President, I ask that the bill remain at the desk for 4 days so that additional Senators who desire to sponsor the proposed legislation may add their names.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that two deeply moving and inspired statements by Ambassador Adlai Stevenson, one delivered in plenary session of the United Nations and one delivered at a memorial service for Mrs. Roosevelt, be printed at this point in the RECORD. I also ask unanimous consent that the full text of the bill be printed.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, and statements will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 171) to incorporate the Eleanor Roosevelt Foundation, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons designated by the President of the United States of America:

The Honorable Adlai E. Stevenson, as Chairman, New York, New York;

Miss Marian Anderson, Danbury, Connecticut;

Robert S. Benjamin, New York, New York;

William Benton, Southport, Connecticut;

Doctor Ralph J. Bunche, New York, New York;

Henry Crown, Chicago, Illinois;

David Dubinsky, New York, New York;

Myer Feldman, Washington, District of Columbia;

Mrs. Ruth Field, New York, New York;

Raymond Firestone, Akron, Ohio;

Arnold Grant, New York, New York;

Arthur Hanisch, Pasadena, California;

Doctor John R. Heller, New York, New York;

Mrs. Audrey Hess, New York, New York;

Mrs. Anna Rosenberg Hoffman, New York, New York;

Mrs. Trude Lash, New York, New York;

Mrs. Mary Lasker, New York, New York;

Herbert Lehman, New York, New York;

Archibald MacLeish, Conway, Massachusetts;

Doctor Charles Mayo, Rochester, Minnesota;

John J. McCloy, Washington, District of Columbia;

George Meany, Washington, District of Columbia;

Mrs. Agnes Meyer, Washington, District of Columbia;

Walter P. Reuther, Detroit, Michigan;

Dore Schary, New York, New York;

Herman Steinkraus, Westport, Connecticut;

and their successors who shall be duly designated by the President of the United States of America, are hereby created and declared to be a body corporate in the District of Columbia by the name of the Eleanor Roosevelt Foundation (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are hereby authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the Eleanor Roosevelt Foundation shall be exclusively charitable and educational, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual, and no substantial part of the activities of which shall be carrying on propaganda, or otherwise attempting to influence legislation, or participating in or intervening in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office, and in furtherance of the above purposes and no others: To continue certain major interests to which Eleanor Roosevelt dedicated her life, more particularly, the relief of the poor and distressed and the underprivileged; promotion of the social welfare; the defense of human rights secured by law; the promotion of the public health; and the instruction of the public in regard to the affairs and problems of the United Nations.

CORPORATE POWERS

SEC. 4. In furtherance of its charitable and educational purposes the corporation shall have the following powers:

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may from time to time require;

(5) to adopt, amend, and alter its charter and bylaws; not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to solicit, accept, receive, hold, invest, reinvest, and to use, administer, expand and otherwise dispose of, in the sole and absolute discretion of the board of trustees, gifts, legacies, bequests, devises, grants, funds, money and property of every kind and description, and to apply the income and principal thereof exclusively for the purposes of the corporation by such agencies and means as shall, from time to time, be found appropriate therefor and to do any and all other things necessary or proper in connection with the purposes of this corporation; subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(7) to contract and be contracted with;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights, privileges, and designation of members shall, except as provided in this Act, be determined as the bylaws of the corporation may provide.

BOARD OF TRUSTEES: COMPOSITION, RESPONSIBILITIES

SEC. 6. (a) Upon the enactment of this Act the membership of the initial board of trustees of the corporation shall consist of the persons named in the first section of this Act and such additional persons, if any, as shall be appointed by the President of the United States of America.

(b) Thereafter, the board of trustees of the corporation shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in this charter and the bylaws of the corporation.

(c) The board of trustees shall be the governing board of the corporation, and a quorum thereof shall be responsible for the general policies and program of the corporation and for the control of all funds of the corporation. The board of trustees may appoint committees which shall have and exercise such powers as may be prescribed in the bylaws or by resolution of the board of trustees, and which may be all of the powers of the board of trustees.

OFFICERS: ELECTION AND DUTIES OF OFFICERS

SEC. 7. (a) The officers of the corporation shall be a chairman, a secretary, and a treasurer, and such other officers as may be provided in the bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the charter and bylaws of the corporation.

PRINCIPAL OFFICE, SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA

SEC. 8. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be later determined by the board of trustees, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the territory of the United States, and in the discretion of the board of trustees elsewhere in the world.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

USE OF INCOME: LOANS TO OFFICERS, TRUSTEES, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, trustees, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of trustees of the corporation.

(b) The corporation shall not make loans to its officers, trustees, or employees. Any trustee who votes for or assents to the making of a loan or advance to a member, officer, trustee, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 10. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 11. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS: INSPECTION

SEC. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of trustees, and committees having any authority under the board of trustees, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC.13. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, acounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the President of the United States and to the Congress not later than March 1 of each year concerning its activities for the preceding fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF NAME

SEC. 14. The corporation shall have the sole and exclusive right to the name "The Eleanor Roosevelt Foundation" and to have and to use in carrying out its purposes, distinctive insignia, emblems and badges, descriptive or designating marks, and words or phrases, as may be required in the furtherance of its functions. No powers or privileges hereby granted shall, however, interfere or conflict with established or vested rights.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution of final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed only in furtherance of the purposes of the corporation to one or more organizations organized and operated exclusively for charitable and educational purposes within the meaning of the Internal Revenue Code.

ACQUISITION OF ASSETS AND LIABILITIES OF EXISTING COMMITTEE

SEC. 16. The corporation may acquire the assets of the Eleanor Roosevelt Foundation Committee, an unincorporated association formed in anticipation of the present incorporation upon discharging or satisfactorily providing for the payment and discharge of all of the liabilities of such committee.

ANNUAL REPORT

SEC. 17. The corporation shall report annually to the President of the United States and to the Congress concerning its proceedings and activities for the preceding calendar year.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHAPTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

The statements presented by Mr. HUMPHREY are as follows:

TEXT OF A EULOGY DELIVERED BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, AT A MEMORIAL SERVICE FOR MRS. ELEANOR ROOSEVELT, AT THE CATHEDRAL OF ST. JOHN THE DIVINE, NEW YORK CITY, SATURDAY, NOVEMBER 17, 1962

One week ago this afternoon, in the Rose Garden at Hyde Park, Eleanor Roosevelt came home for the last time. Her journeys are over. The remembrance now begins.

In gathering here to honor her, we engage in a self-serving act. It is we who are trying, by this ceremony of tribute, to deny the fact that we have lost her, and, at least, to prolong the farewell, and—possibly—to say some of the things we dared not say in her presence, because she would have turned aside such testimonial with impatience and gently asked us to get on with some of the more serious business of the meeting.

A grief perhaps not equalled since the death of her husband 17 years ago is the world's best tribute to one of the great figures of our age—a woman whose lucid and luminous faith testified always for sanity in an insane time and for hope in a time of obscure hope—a woman who spoke for the good toward which man aspires in a world which has seen too much of the evil of which man is capable.

She lived 78 years, most of the time in tireless activity as if she knew that only a frail fragment of the things that cry out to be done could be done in the lifetime of even the most fortunate. One has the melancholy sense that when she knew death was at hand, she was contemplating not what she achieved, but what she had not quite managed to do. And I know she wanted to go—when there was no more strength to do.

Yet how much she had done—how much still unchronicled. We dare not try to tabulate the lives she salvaged, the battles—known and unrecorded—she fought, the afflicted she comforted, the hovels she brightened, the faces and places, near and far, that were given some new radiance, some sound of music, by her endeavors. What other single human being has touched and transformed the existence of so many others? What better measure is there of the impact of anyone's life?

There was no sick soul too wounded to engage her mercy. There was no signal of human distress which she did not view as a personal summons. There was no affront to human dignity from which she fled because the timid cried "danger." And the number of occasions on which her intervention turned despair into victory we may never know.

Her life was crowded, restless, fearless. Perhaps she pitied most not those whom she aided in the struggle, but the more fortunate who were preoccupied with themselves and cursed with the self-deceptions of private success. She walked in the slums and ghettos of the world, not on a tour of inspection, nor as a condescending patron, but as one who could not feel complacent while others were hungry, and who could not find contentment while others were in distress. This was not sacrifice; this, for Mrs. Roosevelt, was the only meaningful way of life.

These were not conventional missions of mercy. What rendered this unforgettable woman so extraordinary was not merely her response to suffering; it was her comprehension of the complexity of the human condition.

Not long before she died, she wrote that "within all of us there are two sides. One reaches for the stars, the other descends to the level of beasts." It was, I think, this discernment that made her so unfailingly tolerant of friends who faltered, and led her so often to remind the smug and the complacent that "There but for the grace of God * * *."

But we dare not regard her as just a benign incarnation of good works. For she was not only a great woman and a great humanitarian, but a great democrat. I use the word with a small "d"—though it was, of course, equally true that she was a great Democrat with a capital "D." When I say she was a great small d democrat, I mean that she had a lively and astute understanding of the nature of the democratic process. She was a master political strategist with a fine sense of humor. And, as she said, she loved a good fight.

She was a realist. Her compassion did not become sentimentality. She understood that progress was a long labor of compromise. She mistrusted absolutism in all its forms—the absolutism of the word and even more the absolutism of the deed. She never supposed that all the problems of life could be cured in a day or a year or a lifetime. Her pungent and salty understanding of human behavior kept her always in intimate contact with reality. I think this was a primary source of her strength, because she never thought that the loss of a battle meant the loss of a war, nor did she suppose that a compromise which produced only part of the objective sought was an act of corruption or of treachery. She knew that no formula of words, no combination of deeds, could abolish the troubles of life overnight and usher in the millennium.

The miracle, I have tried to suggest, is how much tangible good she really did; how much realism and reason were mingled with her instinctive compassion; how her contempt for the perquisites of power ultimately won her the esteem of so many of the powerful; and how, at her death, there was a universality of grief that transcended all the harsh boundaries of political, racial, and religious strife and, for a moment at least, united men in a vision of what their world might be.

We do not claim the right to enshrine another mortal, and this least of all would Mrs. Roosevelt have desired. She would have wanted it said, I believe, that she well knew the pressures of pride and vanity, the sting of bitterness and defeat, the gray days of national peril and personal anguish. But she clung to the confident expectation that men could fashion their own tomorrows if they could only learn that yesterday can be neither relived nor revised.

Many who have spoken of her in these last few days have used a word to which we all assent, because it speaks a part of what we feel. They have called her a lady, a great lady, the first lady of the world. But the word "lady," though it says much about Eleanor Roosevelt, does not say all. To be incapable of self-concern is not a negative virtue; it is the other side of a coin that has a positive face—the most positive, I think, of all the faces. And to enhance the humanity of others is not a kind of humility; it is a kind of pride—the noblest of all the forms of pride. No man or woman can respect other men and women who does not respect life. And to respect life is to love it. Eleanor Roosevelt loved life—and that, perhaps, is the most meaningful thing that can be said about her, for it says so much beside.

It takes courage to love life. Loving it demands imagination and perception and the kind of patience women are more apt to have than men—the bravest and most understanding women. And loving it takes something more beside—it takes a gift for life, a gift for love.

Eleanor Roosevelt's childhood was unhappy—miserably unhappy, she sometimes said. But it was Eleanor Roosevelt who also said that "one must never, for whatever reason, turn his back on life." She did not mean that duty should compel us. She meant that life should. "Life," she said, "was meant to be lived." A simple statement. An obvious statement. But a statement that by its obviousness and its simplicity challenges the most intricate of all the philosophies of despair.

Many of the admonitions she bequeathed us are neither new thoughts nor novel concepts. Her ideas were, in many respects, old fashioned—as old as the Sermon on the Mount, as the reminder that it is more blessed to give than to receive, as the words of St. Francis that she loved so well: "For it is in the giving that we receive."

She imparted to the familiar language—nay, what too many have come to treat as the cliches—of Christianity a new poignancy and vibrance. She did so not by reciting them, but by proving that it is possible to live them. It is this above all that rendered her unique in her century. It was said of her contemptuously at times that she was a do-gooder, a charge leveled with similar derision against another public figure 1,962 years ago.

We who are assembled here are of various religious and political faiths, and perhaps different conceptions of man's destiny in the universe. It is not an irreverence, I trust, to say that the immortality Mrs. Roosevelt would have valued most would be found in the deeds and visions of her life inspired in others, and in the proof that they would be faithful to the spirit of any tribute conducted in her name.

And now one can almost hear Mrs. Roosevelt saying that the speaker has already talked too long. So we must say farewell. We are always saying farewell in this world—always standing at the edge of loss attempting to retrieve some memory, some human meaning, from the silence—something which was precious and is gone.

Often, although we know the absence well enough, we cannot name it or describe it even. What left the world when Lincoln died? Speaker after speaker in those aching days tried to tell his family or his neighbors or his congregation. But no one found the words, not even Whitman. "When lilacs last in the dooryard bloomed" can break the heart, but not with Lincoln's greatness, only with his loss. What the words could never capture was the man himself. His deeds were known; every school child knew them. But it was not his deeds the country mourned: it was the man—the mastery of life which made the greatness of the man.

It is always so. On that April day when Franklin Roosevelt died, it was not a President we wept for. It was a man. In Archibald MacLeish's words:

"Fagged out, worn down, sick. With the weight of his own bones, the task finished, the war won, the victory assured, the glory left behind him for the others. (And the wheels roll up through the night in the sweet land in the cool air in the spring between the lanterns)."

It is so now. What we have lost in Eleanor Roosevelt is not her life. She lived that out to the full. What we have lost, what we wish to recall for ourselves, to remember, is what she was herself. And who can name it? But she left "a name to shine on the entablatures of truth, forever."

We pray that she has found peace, and a glimpse of sunset. But today we weep for ourselves. We are lonelier; someone has gone from one's own life—who was like the certainty of refuge; and someone has gone from the world—who was like a certainty of honor.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE, IN PLENARY SESSION, IN TRIBUTE TO MRS. ELEANOR ROOSEVELT

Mr. President, I stand here for the second time in little more than a year sad in heart and in spirit. The United States, the United Nations—the world—has lost one of its great citizens. Mrs. Eleanor Roosevelt is dead; a cherished friend of all mankind is gone.

Yesterday I said I had lost more than a friend. I had lost an inspiration. She would rather light candles than curse the darkness, and her glow had warmed the world.

My country mourns her, and I know that all in this Assembly mourn with us. But even as we do, the sadness we share is enlivened by the faith in her fellow man and his future which filled the hears of this strong and gentle woman.

She imparted this faith, not only to those who shared the privilege of knowing her and of working by her side, but to countless men, women, and children in every part of the world who loved her even as she loved them. For she embodied the vision and the will to achieve a world in which all men can walk in peace and dignity. And to this goal—a better life—she dedicated her tireless energy, the strange strength of her extraordinary personality.

I do not think it amiss to suggest that the United Nations is, in no small way, a memorial to her and to her aspirations. To it she gave the last 15 years of her restless life. She breathed life into this organization. The United Nations has meaning and hope for millions, thanks to her labors, her love, no less than to her ideals—ideals that made her, only weeks after Franklin Roosevelt's death, put aside all thoughts of peace and quite after the tumult of their lives, to serve as one of this Nation's delegates to the first regular session of the General Assembly. Her duty then—as always—was to the living, to the world—to peace.

Some of you in this hall were present at that first historic assembly in London 17 years ago. More of you were witnesses to her work in subsequent assemblies in the years that followed. The members of the Third Committee—the Committee on Social, Humanitarian, and Cultural Questions—and the Commission on Human Rights, which she served so long as Chairman—you in particular will remember the warmth, the intelligence, and infectious bouyancy which she brought to her tasks. You know, better than any of us, the unceasing crusade that helped give the world, after years of painstaking, patient travail, one of the noblest documents of mankind, "The Declaration of Human Rights."

This is not the time to recount the infinite services of this glorious, gracious lady; the list is as inexhaustible as her energies. But devotion to the world of the charter, to the principles of the United Nations, to a world without war, to the brotherhood of man, underscored them all. And, happily for us all, she could communicate her devotion, her enthusiasm to others. She saw clearly; she spoke simply. The power of her words came from the depth of her conviction.

"We must be willing," she said, "to learn the lesson that cooperation may imply compromise, but if it brings a world advance it is a gain for each individual nation. There will be those who doubt their ability to rise to those new heights, but the alternative is not possible to contemplate.

"We must build faith in the hearts of those who doubt, we must rekindle faith in ourselves when it grows dim, and find some kind of divine courage within us to keep on till on earth we have peace and good will among men."

While she lived, Mrs. Roosevelt rekindled that faith in ourselves. Now that she is gone, the legacy of her lifetime will do no less. Albert Schweitzer wrote:

"No ray of sunlight is ever lost, but the green which it wakes * * * needs time to sprout, and it is not always granted to the sower to live to see the harvest. All work that is worth anything is done in faith."

Mr. President, I trust you will forgive me for having taken the time of this Assembly with these very personal thoughts. The issues we debate in this hall are many and grave. But I do not think we are divided in our grief at the passing of the great and gallant human being—who was called the First Lady of the World.

AMENDMENT OF CIVIL SERVICE ACT, RELATING TO RETIREMENT AND FULL ANNUITY AT AGE 55 AFTER 30 YEARS OF SERVICE

Mr. JOHNSTON. Mr. President, I send to the desk, for referral to the appropriate committee, a bill to amend the Civil Service Retirement Act so as to provide for retirement on full annuity at age 55 after 30 years of service.

This measure would make a change in the reduction formula for a Federal employee who retires under 60 years of age on an immediate annuity.

Under existing law, the annuity of a person under 60 is subject to a reduction of 1 percent for each full year he is under age 60 at the time of retirement. Additionally, his earned annuity is further reduced 2 percent for each full year he is under 55 at the time of retirement.

This bill strikes out the 1 percent reduction now applicable, but leaves in force the 2 percent per year reduction applicable to a person under 55 at the time of retirement. It is a liberalization of the Federal retirement program which I strongly feel requires congressional attention.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 176) to amend the Civil Service Retirement Act so as to provide for retirement on full annuity at age 55 after 30 years of service, introduced by Mr. JOHNSTON, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

COMMISSION ON CONGRESSIONAL REORGANIZATION

Mr. CASE. Mr. President, on behalf of myself and the senior Senator from Pennsylvania [Mr. CLARK], I introduce, for appropriate reference, a bill creating a Commission on Congressional Reorganization to study the present organization of the Congress and the functioning of the legislative process. I ask unanimous consent that the bill be permitted to remain at the desk for the remainder of this week, open to cosponsorship by any Senators who may wish to join us.

I also ask unanimous consent to place in the RECORD at this point the full text of the bill and two statements which I have made in connection with the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statements will be printed in the RECORD, and the bill will lie on the desk, as

requested by the Senator from New Jersey.

The bill (S. 177) to establish a Commission on Congressional Reorganization, and for other purposes, introduced by Mr. CASE (for himself and Mr. CLARK), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Commission on Congressional Reorganization Act".

DECLARATION OF PURPOSE AND POLICY

SEC. 2. (a) It is the purpose of this Act to provide for a comprehensive and impartial study of the organization and functioning of the Congress through establishment of a Commission on Congressional Reorganization charged with the duty of determining means and measures for the improvement of the legislative processes of the Congress in the public interest.

(b) It is the sense of the Congress that each Member of the Congress, each officer and employee of every committee of the Congress or of either House thereof, and each officer and employee of every department, agency, and instrumentality of the United States should render all practicable assistance to such Commission for the prompt, effective, and impartial performance of its duties.

ESTABLISHMENT OF THE COMMISSION ON CONGRESSIONAL REORGANIZATION

SEC. 3. (a) There is hereby established a bipartisan commission to be known as the Commission on Congressional Reorganization (referred to hereinafter as the "Commission").

(b) The Commission shall be composed of twelve members as follows:

(1) Three appointed by the President of the Senate from Members of the Senate;

(2) Three appointed by the Speaker of the House of Representatives from Members of the House of Representatives; and

(3) Six appointed by the President of the United States from individuals in private life who are specially qualified by training and experience to contribute to the solution of problems of public administration or the functioning of legislative bodies.

(c) Not more than two members of the Commission appointed from Members of the Senate, and not more than two members of the Commission appointed from Members of the House of Representatives, may be members of the same political party. Not more than three members of the Commission appointed by the President of the United States may be members of the same political party.

(d) Vacancies in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(f) Seven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 4. (a) Members of the Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed by the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties of the Commission.

(b) Each member of the Commission appointed from private life shall receive compensation at the rate of $75 per diem for each day on which he is engaged in the performance of duties of the Commission, and shall be reimbursed by the Commission for travel, subsistence, and other necessary expenses incurred by him on the performance of such duties.

STAFF OF THE COMMISSION

SEC. 5. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

DUTIES OF THE COMMISSION

SEC. 6. (a) The Commission shall make a comprehensive and impartial study of the present organization of the Congress and the functioning of the legislative and investigative processes thereof with a view to determining means and measures whereby those processes may be improved in the public interest.

(b) Such study shall include, but shall not be limited to, a full and complete consideration of each of the following topics:

(1) The scheduling of measures for consideration and action;

(2) The structure, staffing, and operation of congressional committees;

(3) The workload of the Congress and the committees thereof;

(4) Congressional rules and floor procedures;

(5) Conflicts of interest of Members of the Congress;

(6) The term of office of Members of the House of Representatives;

(7) Communications, travel, and other allowances of Members of the Congress;

(8) The financing of congressional election campaigns;

(9) The duties of Members of Congress incident to the appointment of postmasters and the making of appointments to military service academies and other Government academies;

(10) The legislative oversight of the administration of laws;

(11) The strengthening of the congressional power of the purse; and

(12) The operation and effectiveness of existing laws with respect to lobbying.

(c) During the course of its study, the Commission may submit to the Congress such reports as the Commission may consider advisable. On or before March 31, 1965, the Commission shall make a final report of its findings and recommendations to the Congress. The Commission shall cease to exist sixty days after the submission of its final report to the Congress.

POWERS OF THE COMMISSION

SEC. 7. (a) (1) The Commission or any duly authorized subcommittee thereof may, for the purpose of carrying out its duties under this Act, hold such hearings, sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In the case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection by any person (other than a Member of the Congress or a member of the staff of any committee of the Congress or of either House thereof) who resides, is found, or transacts business within the jurisdiction of any district court of the United States, the United States court of any possession of the United States, or the District Court of the United States for the District of Columbia, such court, upon application made by the Attorney General of the United States, shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by the court as a contempt thereof.

(b) Upon request made by the Chairman or the Vice Chairman, the Commission may procure such information, advice, and assistance as it deems necessary to carry out its functions under this Act from—

(1) Any Member of the Congress, with the consent of such Member;

(2) Any joint committee of the Congress, or any committee of either House of the Congress, with the consent of the chairman of such committee; or

(3) Any department, agency, or instrumentality of the executive branch of the Government, or any independent agency of the United States, with the consent of the head thereof.

EXPENSES OF THE COMMISSION

SEC. 8. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

The statements presented by Mr. CASE are as follows:

STATEMENTS BY SENATOR CASE

I

There has been no comprehensive attempt to modernize congressional procedures since the enactment of the La Follette-Monroney Congressional Reorganization Act in 1946.

Since then, our Nation has gained two new States, has entered the complex age of space exploration, has accepted the challenge of international communism, has moved into the volatile world of hydrogen bombs and nuclear submarines, and is struggling to solve the human problems arising from rapid growth of automation and cold war insecurity. And our Nation numbers 50 million more in population than in 1946.

As a result of more than 17 years of service in the House of Representatives and in the Senate, I have come to the conclusion that it would be useful to revise the ways in which Congress functions. In the coming session, I plan to press for action on legislation in this field. For in the past session we were very slipshod in the way we got our work done, and much of it didn't get done at all. And the result is that the public is beginning to lose confidence in the ability of Congress to meet the problems of the 20th century.

One of the first steps which we must face up to is revision of Senate rule XXII, the so-called filibuster rule. This year the Senate was tied up by two filibusters. The first was on a moderate attempt to block the abuse of literacy tests in establishing voting qualifications. In this case a southern minority of the Senate was able to force the Senate to put the legislation aside.

Then a few months later, another filibuster broke out, this time over the communications satellite bill. Although cloture was finally imposed after 12 days of debate, this was the first time in 35 years that cloture was successful.

The year before, in the 1st session of the 87th Congress, we had another two filibusters, both dealing with revision of rule XXII. And the end result was no action. Our present filibuster rule provides that debate can be shut off by the affirmative vote of two-thirds of the Senators who are present at the time the vote is taken. This makes cloture a very difficult thing to achieve and means that a minority can effectively block a majority from taking necessary legislative action.

I favor legislation to permit cloture to be imposed by a vote of a majority of those present and voting. This, of course, would include a provision permitting at least 15 days of debate before cloture could take effect.

Another area, in which I have long been interested, is legislative action dealing with conflicts of interest. The public continues to be concerned, and rightly, about a double standard in which the Senate will insist that Cabinet officers and others subject to confirmation divest themselves of stock holdings in order to avoid conflicts of interest. Yet, at the same time, Members of the Senate and the House maintain interests in law practice or stock holdings, which can be affected substantially by legislative action. I have introduced legislation requiring Members of Congress and members of the executive branch in policymaking and important positions to disclose annually their assets and liabilities, and their income, including gifts and the sources of them, where they amount to anything significant at all.

I think disclosure is the real curative here and will make for prevention, more effective than punishment. The public will then know, when a man votes, what interests he has and can take the appropriate action at the ballot box.

Another provision which I have long advocated is that when any Member of Congress communicates, orally or by letter, with an officer of a Federal agency which has before it a matter for adjudication or decision, that letter or oral communication must be placed on the record so that all the people in the country can know what has been done there.

A further suggestion is that we should review the matter of committee jurisdiction. This year three Senate committees dealt with the communications satellite bill and later three considered various phases of the President's transportation program. The Senate Public Works Committee took roads and the Senate Banking and Currency and the Senate Commerce Committees both reviewed mass transportation. I think it is time to update our committee jurisdictions and to delineate the jurisdiction more clearly.

Throughout the country there is a growing interest in streamlining the activities of Congress. I am hopeful that in the next session we will rid ourselves of archaic and shackling rules, and make Congress better able to meet the huge demands which the times have placed upon us.

II

Senator CLIFFORD P. CASE, Republican, of New Jersey, announced yesterday that he will introduce a bill creating a Commission on Congressional Reorganization, modeled on the Hoover Commission, to study the present organization of the Congress and the functioning of the legislative process.

Senator CASE's proposal provides for the appointment of a 12-man Commission—3 Members of the Senate, 3 Members of the House of Representatives, and 6 individuals in private life who are specially qualified by training and experience to contribute to the solution of problems of public administration or the functioning of legislative bodies.

Senator CASE's bill will require the bipartisan commission to report on 12 specific problem areas. They are:

1. The scheduling of measures for consideration and action.
2. The structure, staffing, and operation of congressional committees.
3. The workload of the Congress and the committees thereof.
4. Congressional rules and floor procedures.
5. Conflicts of interest of Members of the Congress.
6. The term of office of Members of the House of Representatives.
7. Communications, travel, and other allowances of Members of the Congress.
8. The financing of congressional election campaigns.
9. The duties of Members of Congress incident to the appointment of postmasters and the making of appointments to military service academies and other Government academies.
10. The legislative oversight of the administration of laws.
11. The strengthening of the congressional power of the purse.
12. The operation and effectiveness of existing laws with respect to lobbying.

Senator CASE's plan differs from earlier legislative proposals which have limited such a commission to Members of the House and Senate. Senator CASE said, "I do not believe that the procedures of Congress should be considered the exclusive concern of the Members of Congress. The electorate has a substantial stake in the smooth and effective functioning of the legislative procedures, and I think, therefore, that we should try to obtain the best possible counsel we can in bringing our procedures up to date."

Senator CASE's bill also varies from earlier resolutions in that it would require the commission to study at least 12 major problem areas and report back on these and other things. Earlier proposals have assigned to a reorganization commission the broad subject, rather than outlining particular areas which should be included in a broad study.

In announcing his plan to introduce the bill shortly, Senator CASE said:

"There has been no comprehensive attempt to modernize congressional procedures since the enactment of the La Follette-Monroney Congressional Reorganization Act in 1946. Since then, our Nation has gained two new States, has increased its population by 50 million, and has moved into an entirely new range of international and national problems.

"In the past session we were very slipshod in the way we got our work done in the Congress, and much of it did not get done at all. The result is that the public is beginning to lose confidence in the ability of the Congress to meet the problems of the 20th century.

"The current attempt to revise Senate rule XXII, the filibuster rule, is one step in this direction, and I am hopeful that we will make firm progress toward removing this obstacle to effective legislative action.

"But there remain many other areas which require careful study. Archaic and shackling rules hamper the Congress in meeting the huge demands which the times have placed upon us. In more than 17 years in the House and Senate, I have come to realize that it is essential to revise the ways in which Congress functions.

"Last September, in the closing days of Congress, Senator JOSEPH CLARK, Democrat, of Pennsylvania, and 21 other Senators, including myself, joined in sponsoring a resolution creating a commission for a similar purpose. I understand that Senator CLARK is planning to reintroduce his resolution, and I have accepted his invitation to join in sponsoring it."

COMMISSION ON OBSCENE MATERIALS

Mr. MUNDT. Mr. President, in the 87th Congress I had the priviledge of cosponsoring along with several of my colleagues a measure which would establish a Commission on Noxious and Obscene Matters and Materials. The Senate approved the measure in 1961 but no action was taken in the other body. I am reintroducing this same proposal today with the hope that it may be enacted in the 88th Congress.

Mr. President, we owe it to the youth of America to set up this Commission and we owe it to their parents who are striving to create a moral and a healthy atmosphere for their children. Those of us sponsoring this bill recognize the part this nefarious practice plays in contributing to juvenile delinquency. It must be stopped and the filth merchants should be exposed and prosecuted.

This proposal does not call for censorship or repression of any kind. It would simply provide for a study and subsequent recommendation by qualified experts on a national problem which has now reached the point of a national emergency. This bill would deal an effective blow against this traffic in obscene materials. We have hesitated long enough. It is time that we take considered and deliberate action.

I ask unanimous consent that the bill lie on the desk for the remainder of the week for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from South Dakota.

The bill (S. 180) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

HONORARY CITIZENSHIP FOR WINSTON CHURCHILL

Mr. YOUNG of Ohio. Mr. President, earlier today I introduced a joint resolution to confer honorary citizenship upon Winston Churchill. During the 2d session of the 87th Congress I introduced the same joint resolution, which would bestow the honor of American citizenship upon one of the great men of history—Winston Churchill.

Associated with other Senators, including my colleague the Senator from Ohio [Mr. LAUSCHE], the Senator from Oregon [Mr. MORSE], and the Senator from Tennessee [Mr. KEFAUVER], as cosponsors of the joint resolution, we intend to strive zealously to secure passage of the resolution by both Houses of Congress during the present session.

During the last session of Congress I was informed that the joint resolution which would confer honorary citizenship upon this great man was viewed favorably by many of our colleagues on the Committee on the Judiciary, to which

the resolution was referred. Unfortunately no action was taken on the measure and in the very busy closing days of the session it was left in the committee.

I am certain that both the majority leader and the minority leader of the Senate and a majority of Senators favor adoption of the resolution. There is ample precedent for bestowing honorary citizenship upon Winston Churchill. Early in our history, Maryland and Virginia, by action of their legislatures, conferred honorary citizenship of the United States upon the Marquis de Lafayette for his great services during the Revolution.

Mr. President, it has been given to very few individuals to make as many notable contributions to their time as it has to Winston Churchill in the 20th century. The entire world is indebted to him for his leadership against nazism fascism, and communism. A thousand years from now people in far places will give thanks that in a dark and grave period in history this indomitable man grasped leadership of free men and women and threw back in bitter defeat the powerful forces of tyranny. It is in great part due to him that the terror of nazism was crushed and millions of people were restored to their simple dignity as creatures of God. He is one of those few whose names themselves speak for their achievements.

As one of the great masters of the English language he has earned himself a place among the literary giants of the English-speaking world. As the son of an American mother and an English father, he truly represents the close friendship and special ties between the United States and Great Britain.

I recall Mr. Churchill stating before a joint meeting of the Congress at the time I was a Member of the other body, shortly after Pearl Harbor, that had his father, instead of his mother, been an American, he no doubt would have been a Member of the Congress at that time.

As he himself recently stated on his 88th birthday, "I feel on both sides of the Atlantic."

President Kennedy has voiced the hope of an eventual Atlantic union. I suggest that one way in which we can inaugurate this great hope is by bestowing honorary citizenship on Winston Churchill. In reality, doing so would only affirm in law what already prevails in the hearts of millions of Americans.

This proposal was first suggested by a longtime friend of the Churchill family, Miss Kay Halle, radio and television commentator, journalist, author, world traveler of note, and one of our country's outstanding women. President Kennedy, while still a Senator from Massachusetts, was an early proponent of the idea. In a speech in the Senate Chamber on April 15, 1959, he stated:

> I believe now that Sir Winston Churchill has left active political office that a grant of Honorary U.S. citizenship to him would be a worthy and fully deserved gesture.

Only once before, in the case of Lafayette, has Congress been moved to such a unique expression of public sentiment. However, strictly speaking, Lafayette did not become an American citizen by act of Congress. He was first made a citizen of the States of Maryland and Virginia, before the Constitution was ratified and the Federal Congress established. At that time, the individual States could establish their own naturalization rules. Later, these State acts were accepted as part of the Federal law. If there has ever been a case since then for a foreigner to receive exceptional honor here, it would seem to be now with Winston Churchill.

Mr. President, since I first introduced this resolution I have discovered a great wellspring of public sentiment in favor of its adoption. This has been exemplified in numerous articles and editorials in newspapers and magazines. In its issue of September 21, 1962, Life magazine had an excellent editorial entitled "An Honor Due to a Great Friend," urging passage of this resolution. More recently on January 9, 1963, the Washington Post and Times Herald in an editorial entitled "Citizen Churchill," likewise called for the same action. I ask unanimous consent that these editorials be printed in the RECORD at this point as part of my remarks.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the editorials will be printed in the RECORD.

The joint resolution (S.J. Res. 5) authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America, introduced by Mr. YOUNG of Ohio, was received, read twice by its title, and referred to the Committee on the Judiciary.

The editorials presented by Mr. YOUNG of Ohio are as follows:

[From Life magazine, Sept. 21, 1962]

AN HONOR DUE TO A GREAT FRIEND

We know Congress is busy with a hopper full of gnarled and knotty legislation. But there is one agreeable act which would take the legislators about 5 minutes and which we hope they will find time to perform before adjourning. As a graceful present to Sir Winston Churchill, now recovering from a broken thighbone, they could make that indomitable and seemingly indestructible man an honorary American citizen.

During his hospital stay Sir Winston received from all over the world hundreds of gifts he couldn't use, including quack medicines and enough flowers to stock a greenhouse. But the power to bestow this one gift, which he has remarked privately he would very much like to have, lies with the U.S. Congress. Senator John F. Kennedy proposed it in 1959. Senator YOUNG of Ohio has introduced a resolution which is now before the Judiciary Committee. There is a perfectly good precedent—the United States showed its gratitude to the Marquis de Lafayette by making him a citizen. Now it is Sir Winston, son of an American mother and a British father, who "truly epitomizes," in YOUNG's words, "the union between the two great English-speaking peoples."

A joint resolution of Congress would enable the President to do the trick without fuss, feather, or controversy. Not only would it please Sir Winston, but it would be pleasant indeed to act on one issue on which the Congress, the President and the overwhelming majority of Americans could immediately agree.

[From the Washington Post, Jan. 9, 1963]

CITIZEN CHURCHILL

The Congress of the United States, which gathers in Washington today, can demonstrate in a thousand ways and by a hundred legislative acts, the power and wisdom and virtue of what has become beyond all doubt the world's greatest legislative body. These demonstrations will not startle or amaze a world grown accustomed to the might and authority of this august assembly of the chosen representatives of the world's foremost republic.

There is one way, which all may hope it will not neglect, of demonstrating besides, its subtle, sensitive and perceptive appreciation of those mysterious forces above the ordinary objects of legislation. There is one action by which it can show how truly it reflects the sentiment, the gratitude, and the understanding of the American people. There is one way of demonstrating to the world that representative government is moved by impulses rising in the hearts of common people, springing from their instincts of generosity and affection, and having nothing to do with the expectation of future gain. There is one means by which it can stir in our minds old memories and in our hearts new hopes.

This Congress should swiftly move, by appropriate legislation, to confer American citizenship upon the former Prime Minister of Great Britain, Winston Churchill. Such legislation, to be sure, will only affirm in the law what already prevails in the essence of things, but it will be an affirmation that will brighten the twilight that slowly gathers about the aged man whose inspired union of noble words and great deeds was our salvation and solace in dreadful days.

Only once before, in the case of Lafayette, has Congress been moved to this unique expression of national sentiment. It is the most appropriate gift and token that it is within its power to convey and the one that more than any other symbolizes the warmth and affection and reverence that a grateful people feels toward a noble friend.

It is such a gift as we may safely think will inspire the aged hero to turn once more toward the west, to murmur again the magic lines of Arthur Hugh Clough with which he lifted Great Britain from despair in the darkest days of the war:

"And not by eastern windows only,
When daylight comes, comes in the light,
In front, the sun climbs slow, how slowly,
But westward, look the land is bright."

Mr. YOUNG of Ohio. Mr. President, there may be little time to lose if we are to make one of the greatest of our friends, Winston Churchill, truly one of us. The gift of honorary citizenship is something that no man can buy or acquire in any way except through the grateful generosity of the American people. It is the most appropriate gift that we can convey to symbolize the warmth and affection that a grateful people feel toward him.

BROAD CONGRESSIONAL REFORMS

Mr. CLARK. Mr. President, on behalf of myself and 30 other Senators, I submit a concurrent resolution which I hope will be given the number Senate Concurrent Resolution 1. The cosponsors of the resolution come from both sides of the aisle, and include both the majority whip and the minority whip. I ask unanimous consent that the resolution lie on the desk for the remainder of this week, in the hope that other Senators will join in sponsoring it.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CLARK. Mr. President, the purpose of the resolution is to establish a Joint Committee on the Organization of Congress, to be composed of seven Members of the Senate and seven Members of the House. The committee would conduct a comprehensive survey of the rules, the procedures, the customs, and the manners of the Congress. In my opinion and in the opinion of the 30 cosponsors, the improvement of congressional procedures is an urgent national need.

General procedural and organization problems have not been considered by the Congress since the LaFollette-Monroney Legislative Reorganization Act of 1946. That act, useful as it was, failed to accomplish many needed reforms. Some of the reforms it achieved have been undone.

The volume and complexity of Federal legislation have increased enormously in the last 16 years. Science and technology have involved the Congress in subjects unheard of in 1946, or even in 1956. Two new States and 50 million additional persons are now represented in Washington. The responsibilities of the Federal Government have grown substantially.

Adjournment has come at progressively later dates in recent years. More and more serious legislative proposals have failed to receive consideration.

It is increasingly evident to all serious students of Congress that the rules, procedures, and customs under which both Chambers now operate must be modernized. Until this happens, Congress will not be able to meet effectively its constitutional responsibilities.

Specific reforms are also needed at the opening of the 88th Congress, as indicated by the strong pending effort to change rule XXII. But such procedural reform will not get at the heart of the problem. A broad-scale general review and reform of our procedures is long overdue. These two efforts are complementary not contradictory. The sponsors of this resolution urge widespread public attention to the need for Congress to put its own houses in order.

The 30 cosponsors of the concurrent resolution include Senators HUMPHREY, KUCHEL, ENGLE, SALTONSTALL, METCALF, CASE, WILLIAMS of New Jersey, NEUBERGER, MOSS, RANDOLPH, MUSKIE, HART, NELSON, DODD, MCCARTHY, SCOTT, COOPER, MCGEE, DOUGLAS, PELL, BOGGS, BURDICK, CHURCH, GRUENING, KEATING, MILLER, BARTLETT, KEFAUVER, and JAVITS.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HUMPHREY. I commend the Senator for his continuing initiative on the subject of congressional reorganization. I have said before, and I repeat, that the Congress of the United States has a duty to itself and to the people of our country to put its institutions and procedures in order in terms of modern needs and modern commitments. The proposal of the Senator from Pennsylvania, in which I am privileged to join, along with many of his colleagues, is one which I think can put us on the right course of action. It provides for a joint committee that can review the present institutions and procedures of Congress, which I find to be, from my limited understanding in this body, inadequate for the requirements of the day. The Senator is doing a great service. I am hopeful that we shall have rather prompt action on the establishment of the joint committee. I pledge myself to that course of action.

Mr. CLARK. I thank my friend for his kind words. His support will be one of the things which I think will be most effective in persuading the leadership on both sides of the aisle to give the green light to the concurrent resolution, to get it out of the Rules Committee, and get the commission appointed.

While we are haggling about a great many other subjects, a serious study of rules change, which is so badly needed, can be underway, in the hope that before we adjourn the 1st session of the 88th Congress, we shall bring the Senate and the House of Representatives of the United States back to the point at which once again they can effectively and efficiently perform the constitutional duties with which they are charged.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred and, without objection, it will lie on the desk for additional sponsors for the remainder of the week.

The concurrent resolution (S. Con. Res. 1), submitted by Mr. CLARK (for himself and Senators HUMPHREY, KUCHEL, ENGLE, SALTONSTALL, METCALF, CASE, WILLIAMS of New Jersey, NEUBERGER, MOSS, RANDOLPH, MUSKIE, HART, NELSON, DODD, MCCARTHY, SCOTT, COOPER, MCGEE, DOUGLAS, PELL, BOGGS, BURDICK, CHURCH, GRUENING, KEATING, MILLER, BARTLETT, KEFAUVER, and JAVITS) was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of seven Members of the Senate (not more than four of whom shall be members of the majority party) to be appointed by the President of the Senate, and seven Members of the House of Representatives (not more than four of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

SEC. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying and expediting its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; the structure of, and the relationships between, the various standing, special, select, and conference committees of the Congress, the rules, parliamentary procedure, practices, and/or precedents of either House, the consideration of any matter on the floor of either House, and the consolidations and reorganization of committees and committee jurisdictions.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(c) The expenses of the committee, which shall not exceed $_____, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman.

(d) The committee shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than four months after the committee is established. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the committee shall, when received, be referred to the Committee on Rules and Administration of the Senate and the Committee on Rules of the House.

NOTICE TO AMEND RULE XXII—RESOLUTION

Mr. HUMPHREY. Mr. President, on behalf of Senator KUCHEL and myself, and Mr. DOUGLAS, Mr. CASE, Mr. CLARK, Mr. JAVITS, Mr. HART, Mr. KEATING, Mr. WILLIAMS of New Jersey, Mr. SCOTT, Mr. ENGLE, Mr. RANDOLPH, Mr. BEALL, and Mr. FONG, and in accordance with article I, section 5 of the Constitution which declares that "each House may determine the rules of its proceedings," I send to the desk and offer a notice of a motion to amend rule XXII and a resolution to amend the said rule to permit cloture of debate by a vote of a constitutional majority of the Senate after full and fair discussion.

The VICE PRESIDENT. The notice will be read.

The legislative clerk read as follows:

NOTICE OF MOTION TO AMEND CERTAIN SENATE RULES

In accordance with the provisions of rule XL of the Standing Rules of the Senate and without prejudice to the constitutional right of a majority of the Senate of the 88th Congress to accept, reject or modify any such rule, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the standing rules in the following particulars, namely:

Rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of Rule III or Rule VI or any other

Rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea and nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if the question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect, thereto shall be limited in all, unless additional time is provided in accordance with this rule, to not more than one hundred hours, of which fifty hours will be controlled by the majority leader, and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however,* That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"SEC. 3. Redesignate section 3 of the Standing Rules of the Senate as section 4."

The purpose of the proposed amendment is to provide for bringing debate to a close by a majority of the Senators duly chosen and sworn after full and fair discussion.

NOTICE OF MOTION TO AMEND THE RULE RELATING TO CLOTURE

Mr. MORSE submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to offer an amendment to S. Res. 9, to amend the cloture role of the Senate, as follows:

"Resolved, That subsection 2 of the rule XXII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

" 'Notwithstanding the provisions of rule III or VI or any other rule of the Senate, if at any time at which any measure, motion, or other matter, or the unfinished business, has been pending before the Senate for not less than seven calendar days, a motion, signed by sixteen Senators, to bring to a close the debate upon that measure, motion, matter or business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" ' "Is it the sense of the Senate that the debate shall be brought to a close?"

" 'And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

" 'Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; except that any Senator may yield to any other Senator all or any part of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. No dilatory motion, dilatory amendment, amendment not germane, or motion to table any germane amendment offered to the said measure, motion, matter, or business shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.'

"SEC. 2. Subsection 3 of such rule is hereby repealed."

MORSE CLOTURE RESOLUTION

This amendment permits a simple majority of those present to terminate debate.

The petition requestion cloture may not be presented until the Senate has considered its pending business for at least seven calendar days. Sixteen Senators must sign the cloture petition.

If cloture is voted, each Senator is allowed one hour of debate. That hour must cover the pending business and all amendments and motions relating to it. However, a Senator may yield all or any portion of his time to another Senator, who may use it in addition to his own time.

Amendments offered during the imposition of cloture must be germane.

No motion to table germane amendments will be in order. Thus, the 100-hour ceiling on time will be the only curb on debate, assuming that Senators who have used all their own time are able to obtain time allotted to others. If not, then there will not be even 100 hours of debate.

The tabling motion in itself is the most complete possible curb on debate insofar as amendments are concerned. It is both unnecessary and undesirable to apply both cloture and tabling procedures at one and the same time. Surely 100 hours of debate is limitation enough on an issue important enough as to bring about cloture. Amendments should be freely presented and debated within that 100 hours.

(Mr. MORSE also submitted an amendment, intended to be proposed by him, to Senate Resolution 9, submitted by Mr. ANDERSON, which was ordered to lie on the table and to be printed.)

AMENDMENT OF SENATE RULES

Mr. MILLER. Mr. President, I send to the desk two amendments and ask unanimous consent that they be printed in the RECORD and lie on the desk.

The PRESIDING OFFICER (Mr. BAYH in the chair). The amendments will be received, and, without objection, will be printed in the RECORD, and will lie on the desk.

The amendments submitted by Senator MILLER are as follows:

Amend the Anderson et al. resolution by changing the third paragraph of section 2 of the proposed change to rule XXII to read as follows:

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting and also by a majority of the Senators affiliated with each of the two major political parties present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

Amend the Humphrey et al. resolution by changing the third paragraph of section 3 of the proposed change to rule XXII to read as follows:

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn and also by a majority of the Senators affiliated with each of the two major political parties present and voting, then said measure, motion or other matter pending before the Senate or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

Mr. MILLER. Mr. President, in connection with the amendments I wish to point out that one is a proposed amendment to the Anderson and others resolution. The other is an amendment to the proposed substitute resolution offered by the Senator from Minnesota [Mr. HUMPHREY] and others.

The purpose of the amendments is to make clear that regardless of whether a so-called three-fifths rule or a simple majority rule is adopted, in either event there must also be a majority of Senators of each of the two political parties present and voting for cloture.

Mr. President, the purpose behind the amendments is to assure bipartisanship in connection with the great national issues over which filibusters might rage and to assure that there will be bipartisan support of any imposition of cloture with respect to these great national issues.

It seems to me, Mr. President, that any clear-thinking American believes in a viable two-party system; and, by assuring a two-party system support of such an important measure as the imposition of cloture, I think the objective of a viable two-party system will be assured.

NOTICE OF ANNUAL MEETING OF THE U.S. GROUP, INTERPARLIAMENTARY UNION

Mr. ROBERTSON. Mr. President, I wish to announce that in accordance with its bylaws, the annual meeting of the U.S. Group of the Interparliamentary Union will be held on the third Monday in January, which is January 21. The Group will meet at 10:30 a.m. in the conference room, S–207, on the principal floor in the Senate wing of the Capitol.

The agenda of the annual meeting will include the following matters:

First. Report of the President.

Second. Report of the Executive Secretary.

Third. Report of the delegation to the 51st Interparliamentary Conference.

Fourth. Resolutions adopted by 51st Conference.

Fifth. 1963 spring meeting in Lausanne—program of study committees.

Sixth. Plans for third American regional meeting.

Seventh. Proposed increase in our annual contribution to Interparliamentary Union Bureau.

Eighth. Belgian request for a Belgo-American Parliamentary Group.

Ninth. Election of officers for 88th Congress.

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. RANDOLPH:

Excerpts from remarks in presenting the Richard L. Neuberger Award of the Society of Magazine Writers to John Fisher, editor of Harper's magazine.

Article appearing in the January 5, 1963, issue of the Charleston Gazette, reporting on the Emancipation Proclamation anniversary banquet held in that city, and excerpts from his own remarks prepared for delivery at that occasion.

EDUCATION: A MAJOR INVESTMENT

Mr. MORSE. Mr. President, in the November 15 issue of Oregon Education, a publication of the Oregon Education Association, there appears an excellent article written by Dr. Sam M. Lambert, director of the research division of the National Education Association, which I feel will be most helpful to Senators in connection with our consideration during this session of education bills.

Dr. Lambert has summarized most concisely and competently many of the important considerations which deserve our careful attention. He has set forth the cold statistics which, to my mind at least, are compelling reasons for Federal aid to our educational process. I call attention, for example, to a statement that by 1970 the cost of operating our public schools will be roughly equal to the cost of all local and State government, including education, in 1959. His description of the effect of our population growth in the school-attending ages shows how it will be necessary for us to face realistically the expenditure of sums of the magnitude he forecasts. We cannot long postpone coming to grips effectively with the needs and requirements of our Nation in the educational sector. As I have said many times before, our school age youngsters are our most important national resource. In justice to them and to ourselves it becomes imperative that we provide the necessary finances to assure ourselves that this resource will not be wasted.

Mr. President, I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

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

EDUCATION: A MAJOR INVESTMENT

(By Sam M. Lambert)

(Reprinted from New Mexico School Review)

If we are going to find some solution to our problems of financing education, some way or another we have to get the American people to understand the sheer size of this business called education. It is quite different from what it was 60 years ago, or even 30 years ago.

At present, one in four persons in our population is in school—in a public elementary or secondary school, a private or parochial school, or in a college or university. One in five persons in our population is in a public elementary or secondary school.

And, education is getting bigger every year. Let me give you some idea of what we shall face in the future.

1. If costs keep going up $1 billion per year—and there is no chance of a smaller increase—we will spend more for education in the decade of the 1960's than we have spent in the last 100 years.

2. The cost of public schools by 1970 will be roughly equivalent to the cost of all local and State government, including education, in 1959.

3. It is quite possible that in another two or three decades public education may displace national defense as our most expensive public enterprise. The trouble is we are trying to finance out of our change purse instead of our billfold.

IMBALANCE GROWING

To complicate our problems in the 1960's, there will be a growing imbalance between the number of persons working and paying taxes and the number of persons to be supported by the workers and taxpayers. Between 1960 and 1970 the population of this country is expected to increase 19 percent. The way this increase will be distributed, however, will cause the maximum of trouble.

Let's take a look at this increase by population age segments. The age group 22 to 64, which will contain most of the producers, wage earners, and taxpayers, by and large will support the other age segments. However, this age group is expected to increase only 12.2 percent. Here is what will happen to the others:

1. The age group under 5 is a totally dependent group. It is expected to increase 21 percent, or almost twice as fast as the wage-earning segment.

2. The age group 5 to 13, those who will be in elementary school, will increase 17.1 percent—nearly 1½ times as fast.

3. Those in the 14 to 17 age bracket, the high school age group, will increase 42.7 percent, or 3½ times as fast.

4. The age group 18 to 21, those in college and looking for a job, will increase 56.6 percent, or more than 4½ times as fast.

I think the implications of this imbalance in population growth and of the rapidly increasing size of the education enterprise are quite clear. For education we must have the broadest possible tax base. We will have to tax the wealth of the country both efficiently and effectively. We will have to raise more money at the local level, at the State level, and at the national level.

PROPERTY TAX LIMITED

National defense has the broadest of all tax bases; the income of the people and of the corporations. Education now has property as our most important tax base, but this is declining rapidly as an index of wealth. There is no question but that property taxation is in for some rough sledding in the next few years. Here are two reasons why we are headed for trouble.

1. The rapid increase in the number of retired persons living on fixed incomes.

In the 1950's the number of persons in the 65 and over age bracket increased one-third; in the 1960's the number will go up one-fifth. This is enough to make the difference between victory and defeat in many elections involving tax rates. The property tax is the most difficult tax that many retired persons have to pay.

Consider for example, a retirement income of $3,000 for a man and his wife, both over 65. Federal income taxes amount to little or nothing because of the double exemption for persons over 65 and the exemption of social security. On the other hand, such a couple, which may have had an income of $10,000 per year prior to retirement, may be struggling to pay a $400 or $500 tax bill in order to hold on to the home. For example, in New Mexico for every 100 persons aged 65 or more, in 1950, there will be 215 in 1970.

2. The property tax is the most regressive of all taxes; it works backward in relation to income.

According to a study of the Tax Foundation, property taxes amount to 5.9 percent of family income of less than $2,000. On the other hand, this tax averages only 2.1 percent of a family income of $15,000 or more.

ABILITY IS HERE

Some people may ask, "Can we really afford the increasing costs of public education?" The answer is obviously "Yes." If there is any doubt in your mind, think of the number of two-car families, the number who now own a boat, and the number who even own two homes.

Other countries in the world have considered themselves extremely fortunate when they could provide their people with the basic necessities of food, clothing, and shelter. This country is the only country in history that can afford to spend millions of dollars each year on low-calorie foods. Our problem is not lack of wealth; it is only a matter of how to get at the wealth.

Now, one last point before we consider the returns of education: High property taxes, high income taxes, high sales, in New Mexico or anywhere else, won't deter industry anywhere nearly as much as a second-rate school system.

EDUCATION AS INVESTMENT

Now for my second point. How does education pay dividends? Many persons have a strange attitude toward public spending. They think of it as money down a rathole, and the further away from home the bigger the rathole. They don't seem to view a highway as a public investment—only as a public expenditure.

This is the point that bothers me most. There are many things we spend public money on that comes back to us—individually and state—with a high rate of interest. Let me describe one or two in addition to education.

FARMING

Modern farming provides one of the best illustrations we have of how productivity can be stimulated by public money. Let's examine this success story which no other country has been able to even approach, much less equal.

At the beginning of this century, 90 percent of the people in the United States were involved in producing the food and fiber needed by the population. We are doing it today—and doing it better—with 10 percent of the population. In Russia today 50 percent of the population is needed to produce its food and fiber.

Another interesting fact: In just a little over a decade (from 1947 to 1960) we have increased our farm output per man-hour of labor 96 percent. Other countries haven't

made this much progress in the past 2,000 years.

In analyzing how and why we've been so successful in the field, the Economist Harold Groves assigns the credit to a politically favored enterprise which has been well financed for several years. Specifically, the agricultural colleges, the experimental stations, and the extension services—all well supported with Federal and State funds—have provided the key to progress. They have developed into a system that is the envy of the world. Although they may be called cow colleges, they have lifted the business of farming out of folklore into scientific agriculture.

HEALTH GAINS

My second example of a productive enterprise is drawn from fields of medicine and health. We have made tremendous progress in this field—but it's not easy to separate public and private investments and the return from each. Let me give you one of two sets of figures. They were a great surprise to me.

1. I wonder if you know that the number of days lost from work due to sickness dropped from 10.1 per worker in 1958 to 5.6 in 1960. That's just 3 short years.

2. A conservative estimate of the annual value of these days gained is $68.17 per worker in the labor force or a total of over $3 billion for all workers. The tax take on this for the Federal Government alone is $600 million per year.

3. It is interesting to compare this $3 billion with our annual investment in research on drugs and medicines which amounts to $127 million from public and private sources. This is about 3 percent of value of the days gained.

EDUCATION GAINS

Now, let's move to the public investment in education. What evidence do we have on the return to the individual and the tax system?

Economic growth—the net national product—has been increasing at about 3.5 percent per year for the last 80 to 90 years. Economists have found they can account for only one-half of this by increases in the labor force and the stock of conventional capital. The remainder is coming from the upgrading of labor, from innovation and change resulting from education, and from various other changes in human beings. The median years of schooling increased from 8.4 to 10.6 years between 1940 and 1959. This should result in a person doing something better.

Recently a fellow named Becker has been trying to place an estimate on the economic return of a college education as compared with a high school education. His study is based on urban males adjusted for ability, race, unemployment, and mortality. He comes up with a return of 9 percent total college costs, with public costs and private costs figured in the investment, and with earnings foregone while in college deducted from the return of higher lifetime earnings. Others have come up with figures ranging from 9 to 11 percent.

If these figures are anywhere near a final answer, the return of investments in education is certainly equivalent to the net return of capital invested in traditional ways. It has this meaning: a good junior college in many communities will pay a return equal to that of a shoe factory.

Let's examine return of cost of a college education. Assuming a productive career of 43 years, the difference between a high school education and a college education will average out to $4,000 per year. From this $100 will return to the tax system to repay public investment, and $3,000 will go to the individual for private investment.

The difference between high school education and grade school education averages out to $1,600 per year. That means $400 to the tax system and $1,200 to the individual.

Of course, my reasoning here might be questioned. Some will say that if we keep going upward to ever higher levels of education we might create a surplus of well-educated workers. Competition for jobs in this case would offset the apparent benefits to the revenue system and to the individual. Personally, I am not going to worry about the law of diminishing returns setting in anytime soon. The great problem of unemployment now is among those with less than a high school education.

This will continue as an increasingly serious problem for at least one or two decades. In fact, the high school dropouts in the next 10 years will glut the labor market to the extent that a large proportion of these youths will be a burden on the economy rather than an asset to it. There will be an estimated 7½ million dropouts in the 1960's.

This could mean an impossible burden to relief and welfare roles, our police and courts. It is far, far cheaper to educate them than to pay for side effects.

QUALITY TEACHERS

Everyone is talking about quality education, and I am certain you will agree that 90 percent of whatever quality we have ever had in education has come from quality manpower in the classrooms. However, we cannot compete successfully for talent without paying competitive salaries for college graduates.

If you think this salary business is not important, let me tell you about a study recently completed at Teachers College, Columbia University. The study began with two researchers getting their hands on the results of a battery of induction tests administered by the Air Force in 1943. These test results proved to be a gold mine of useful information.

Among those tested by the Air Force were several hundred public school and college teachers. Following up in 1959, the researchers found some who were still teaching and some who had left teaching for other fields of work. In 1959 all were from 34 to 42 years of age, old enough to be well-established in whatever they were doing.

The average salary of those still in public school teaching was $475 per month; the average of those who had left public school teaching was $610 per month. The average monthly salary of those still in college teaching was $600; of those who had left college teaching, $835 per month.

This study provides impressive evidence that men can advance themselves quite rapidly leaving teaching and going into other fields of work. Yet the study provides something even more important. A study of the induction test results showed that those who left teaching were clearly a superior group in reading comprehension, arithmetic reasoning, and mathematics.

This is the great tragedy in American education.

TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT

Mr. MORSE. Mr. President, during the months ahead the Senate will be called upon to consider many items relating to education legislation. This morning, as a background for our discussion of one very important area—amendments to the National Defense Education Act of 1958—I feel it would be helpful for Senators to have the opportunity to review a statement prepared by the 53 university foreign language and area centers directors of title VI of the National Defense Education Act. This statement appeared in the December 1962 issue of the newsletter issued by the American Council of Learned Societies. It gives, in short compass, a clear and lucid description of the accomplishments of title VI since its inception.

I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

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

STATEMENT OF 53 UNIVERSITY FOREIGN LANGUAGE AND AREA CENTER DIRECTORS ON TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT

Title VI of the National Defense Education Act of 1958 was enacted in order to make good the Nation's educational deficiency in modern foreign languages. Many languages of national importance were found not to be available in American education, others were in seriously short supply, others were ineffectively taught. America's commitments during and after World War II made these deficiencies glaringly apparent. As directors of the 53 language and area centers supported under title VI of the act, we feel it proper to express our judgment on the working of the act in its first 4 years, and on the need for its extension.

Title VI established three programs on which we can speak with authority. It has made possible the development of 53 centers in 33 universities, offering instruction in 66 critical languages and related area studies. Each center provides regular courses, frequently through existing university departments, along with specialized library and teaching materials, supplementary lectures, and frequently supporting research. The faculty assembled in these centers, comprising 212 language specialists and 246 specialists in the culture or institutions of the foreign areas, is a national resource of great value.

New language teaching methods and materials have been prepared, largely through university research supported by the National Defense Education Act. As a result, language learning is being accelerated, and adapted with precision to the students' needs.

About 1,600 graduate students have been supported in learning the critical languages and the related area subjects through national defense foreign language fellowships. They will, on completion of their training, help fill the Nation's increasing needs for language-trained personnel at home or overseas.

Every dollar of Federal money that supports the centers is matched by a dollar of university funds; in fact universities have spent considerably more than the matching requirement. In this way, Government funds have stimulated the universities to expand their own activities and at the same time have enabled the universities to accomplish a task wholly beyond their own resources. Thanks to the statesmanlike and educationally informed way in which title VI of the act has been administered by the Language Development Branch, Government funds have made it possible for the universities to make a major contribution to the Nation's language resources while preserving their own freedom of action and maintaining their own distinctive character.

These results demonstrate the wisdom of the decision 4 years ago to enact the National Defense Education Act, incorporating title VI. The need to extend and enlarge the provisions of the legislation will in 1963 present the Nation and the Congress with a similar occasion for farsighted decision. Not only is there need for instruction in critical languages and related area courses to grow in proportion to university enrollments:

many critical languages are not yet taught in this country; others are taught only on the introductory level. In spite of the training of new specialists under provisions of the act, we lack sufficient faculty with competence in all the areas of importance to the United States. Upon us will now fall a large share of the duty of training the teachers who will introduce languages in much earlier stages of school and college education. The same considerations of national interest which led to the enactment of the National Defense Education Act in 1958 are more pressing now than then, and call for its extension and enlargement by the next Congress.

MIDDLE SNAKE RIVER—RESOLUTION BY WALLOWA COUNTY POMONA GRANGE NO. 22

Mr. MORSE. Mr. President, in accord with my custom on inserting in the CONGRESSIONAL RECORD resolutions of Oregon organizations on public issues, I ask unanimous consent to have printed in the body of the RECORD a resolution I have recently received from the Wallowa County Pomona Grange No. 22 on the subject of development of the middle Snake River.

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

RESOLUTION BY WALLOWA COUNTY POMONA GRANGE NO. 22 ON HIGH MOUNTAIN SHEEP DAM PROJECT NO. 2243

Whereas on March 31, 1958, Pacific Northwest Power Co. filed an application with the Federal Power Commission for license to construct a high multipurpose dam on Snake River at the high Mountain Sheep site, known as project No. 2243; and

Whereas since March 31, 1958, many hearings have been held on this application, both in the area near the proposed dam and also in our National Capitol, also a large amount of money has been expended and much exploratory work has been done by Pacific Northwest Power Co. during this time to support their application and to furnish evidence of the feasibility of this project and to justify its construction as a part of the comprehensive multipurpose development of this water resource; and

Whereas ample opportunity has been provided for interested individuals, and organizations to present evidence either favoring or opposing this application, and such interested parties did so present their evidence; and

Whereas your presiding examiner is required to conduct these hearings, carefully consider and evaluate the evidence presented, and at the conclusion of the hearing submit to the Federal Power Commission his findings accompanied by an order, subject to Commission review, as to action taken on the license application; and

Whereas on October 8, 1962, after 4½ years of hearings and presentation of evidence by hundreds of people, Presiding Examiner William C. Levy did submit his findings on high Mountain Sheep project No. 2243 and said examiner's report did support the application of Pacific Northwest Power Co. and recommend that license be granted: Therefore be it

Resolved, That Wallowa County Pomona Grange No. 22, in regular session assembled at Lostine, Oreg., on December 1, 1962, does approve the presiding examiner's report and recommendation regarding high Mountain Sheep Dam project No. 2243 and said grange does respectfully request that license for construction of this project be granted by the Federal Power Commission to the Pacific Northwest Power Co. at an early date; and be it further

Resolved, That the secretary be instructed to send copies of this resolution to the following: Chairman of the Federal Power Commission, Washington, D.C.; Gov. Mark Hatfield, State Capitol Building, Salem, Oreg.; Senators Wayne Morse and Maurine Neuberger, Senate Office Building, Washington, D.C.; Representative Al Ullman, House Office Building, Washington, D.C.; Oregon State Grange, Portland, Oreg.; and the Secretary of the Interior, Washington, D.C.

Adopted December 1, 1962.

BERNARD BOHNA,
Master.
MAX WILSON,
Secretary.

COMMUNITY BUSINESS ETHICS

Mr. MORSE. Mr. President, recently I received a letter from Mr. Harold K. Cherry, field office manager of the U.S. Department of Commerce office in Portland, Oreg. The letter was also signed by Mr. Carl Donaugh, the assistant manager. The letter refers to the Committee of One Hundred, formed by Sid Woodbury, of Portland, to review and study community business ethics. They also make reference to an article on this subject by Commerce Secretary Luther Hodges which appeared recently in the Rotarian magazine of November 1962.

I ask unanimous consent that the letter from Mr. Cherry and Mr. Donaugh be printed at this point in the CONGRESSIONAL RECORD, followed by Secretary Hodges' article from the Rotarian.

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

U.S. DEPARTMENT OF COMMERCE,
Portland, Oreg., November 29, 1962.

Hon. WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Undoubtedly you are familiar with the ethics program initiated by Secretary of Commerce Luther H. Hodges through the appointment of a Business Ethics Advisory Council in 1961. The Council first met in May of 1961.

However, you may not have had occasion to read the article of the Secretary of Commerce as published in the Rotarian magazine of November 1962. We are pleased to enclose a copy herewith.

In the Rotary article you will note reference to our activities through the Portland field office and the Committee of One Hundred formed by Sid Woodbury, of Portland. This committee continues and we have quite an active executive committee as a means of contact with business and industry, etc.

For your files we are also pleased to enclose "A Statement on Business Ethics" issued by the Business Ethics Advisory Council and a copy of the minutes of the first general meeting held in Portland.

Sincerely,

HAROLD K. CHERRY,
Field Office Manager.
CARL DONAUGH,
Assistant Manager.

IT'S UP TO MANAGEMENT

(By Luther H. Hodges)

Shortly after I took office as U.S. Secretary of Commerce, a group of nationally prominent corporation executives convicted of violating our antitrust laws in price fixing came up for sentencing.

The Federal judge before whom they stood said: "What is at stake here is the survival of the kind of economy under which America has grown to greatness, the free enterprise system. The conduct of the corporate and individual defendants alike has flagrantly mocked that image and destroyed the model we offer today as a free world alternative to state control or socialism and eventual dictatorship."

His words of warning might also have been applied to those involved in TV quiz show scandals, collusion with corrupt labor leaders, and conflicts of outside business interests with corporate responsibilities.

Coming in fairly rapid succession, it seemed to me that these actions of a few selfish, irresponsible businessmen threatened to undermine the public confidence in business which had been built so painstakingly over the span of many years.

As a longtime Rotarian, I was—and am today—devoted to the Rotary ideal of high ethical standards in business and professions, and knew that most businessmen were high principled. The days when a businessman thought only of his immediate profit, without regard to the long-range consequences to society—and to himself, since he is inescapably a part of society—had long since passed. Indeed, they were on their way out when I first went to work some 50 years ago.

But if allowed to stand unchallenged, the misdeeds of a few might have caused the impression to spread that the moral fiber of business generally was decaying. This would have been unfair and intolerable. The worst thing that could be said of the business community as a whole was that it had not been making a broad and vigorous effort to examine some of the ethical questions for which there were no easy or clear answers in law or regulation.

What was needed, it seemed to me, was a positive approach by business itself—for who else could translate high business principle into daily practice? Important help could be given, however, by the forces of moral leadership in our communities.

The Department of Commerce, as the agency responsible for fostering business, could, I felt, appropriately serve as a catalyst in bringing these elements together to explore the problem. With the approval of President Kennedy, I therefore convened a group of outstanding businessmen, educators, religious leaders, and journalists as a business ethics advisory council.

The council first met in May of 1961. In this and succeeding meetings it hammered out a statement on business ethics and a call for action, together with a set of questions for businessmen to use in examining their ethical standards and behavior. The statement begins by acknowledging the effectiveness of ethical standards deriving from our religious heritage and our traditions of social, political, and economic freedom, but notes that the ever-increasing complexity of society constantly creates new ethical problems for which businessmen must find new and appropriate standards.

At the same time, the Council pointed to the steady improvement over the years in the ethical standards guiding business enterprise in the United States of America. This has been accompanied by a public demand for proper performance and a keen sensitivity to violation of ethical conduct. As I see it, we keep improving our standards, setting ever higher goals, trying to live up to them, and, as loopholes appear, reshaping our goals on a higher plane.

Part of the problem, the Ethics Council correctly states, stems from the relationships that businesses have with group of varying, often conflicting interests. An enterprise owes a duty to its stockholders, of course, but what about employees, customers, suppliers, Government, and the public in general? To some degree, the relationships of an enterprise to these groups are regulated by law, but the law provides only a minimum standard of conduct, beyond which

businessmen must take into account the proper claims of those affected by their activities as well as society as a whole.

Then, too, one is not always faced by a simple choice between what is right and what is wrong. Is the gift of a handsome desk accessory to be considered acceptable, but dinner at a plush restaurant corrupting? Should all socializing with business contacts be banned to avoid any possibility of favoritism, or may an element of judgment be permitted?

What is important, the Council emphasizes, is that business discharge its obligation of leadership: "The primary moral duty to establish high ethical standards and adequate procedures for their enforcement in each enterprise must rest with its policy-making body—its board of directors and its top management."

We regard this statement and the set of questions which accompanies this article [pp. 14–15] only as starting points from which businessmen will be moved to initiate programs of ethical inquiry in their own companies, in their own local business groups, in their own trade associations.

When they have completed such inquiries, we hope they will come up with codes dealing concretely with the problems they face, win acceptance and understanding of the codes by all affected personnel, and establish enforcement procedures.

An outstanding example of what can be done is the work of a group in Portland, Oreg., sparked by Rotarian Sidney F. Woodbury. Sid had written me that many hard-working, intelligent, experienced business leaders in the senior active group in Rotary Clubs were interested in volunteer public service. He supplied a list of Portland men in this category.

After our Business Ethics Advisory Council had issued its call to action, it occurred to me that here was an area where these public-spirited Rotarians could be of real service. I asked them if they would undertake to mount a business-ethics program in the Portland community, and they responded enthusiastically.

With Sid Woodbury taking the lead, and getting active support from Harold Cherry, Manager of the Department of Commerce Field Office in Portland, a Committee of One Hundred was formed. It includes leaders of industry, religion, and the professions, labor leaders, educators, and a former Governor of Oregon. They are going about their task in an orderly, thoughtful manner. Through 15 working committees, they hope to work back from the community level to industries and individual companies.

We are now in the stage where consistent, methodical work is needed in many quarters to achieve the continuing goals of the business-ethics program. Such work is underway, of course, but must be expanded to the full dimensions of the business world. The American Management Association in New York City, for example, has agreed to make available its large library of codes and standards to those wishing to formulate their own codes, and is preparing to conduct regional seminars on ethics for business leaders with a text and other aids. Religious leaders on the council are working on the development of retreats and study groups for their congregations. Educators on the council are concentrating on the study of business ethics in the collegiate schools of business administration.

Rotary has, of course, been active in this field on its own through half a century. Its booklet "The Rotarian and His Trade Association, Including a Specimen Code" is a very valuable tool for putting into effect proper standards of business practice. I hope that every Rotarian will consider earnestly what he can do, both as an individual and through his organizations, to elevate the standards of business ethics and to promote the most widespread adherence to them.

If the democratic way of life is, as I deeply believe, the best way for men all over the world to realize their aspirations, then we who represent that way of life must offer an example worthy of our system. Partisans of other social and economic orders malign us as cynical exploiters. The most effective answer we can give is in our deeds, not just in words.

Let us apply to our business dealings abroad and at home the Rotary Four-Way Test, which I keep on my desk at all times:

1. Is it the truth?
2. Is it fair to all concerned?
3. Will it build good will and better friendships?
4. Will it be beneficial to all concerned?

In Hamlet we find as fine an expression of ethics as has ever been written: "To thine own self be true and it must follow * * * thou canst not then be false to any man."

Every businessman in his own heart knows right.

YOUR BUSINESS ETHICS—A CHECKLIST

(Answer questions, "Yes," or "No.")

These questions were developed by a Business Ethics Advisory Council appointed by Luther H. Hodges, Secretary of Commerce of the United States of America and longtime Rotarian, who tells of that Council and its work on preceding pages. The questions said the authors of them, "are designed to facilitate the examination by businessmen of their ethical standards and performance. Every reader will think of others. No single list can possibly encompass all the demands for ethical judgments that must be met by men in business."

1. GENERAL UNDERSTANDING

Do we have in our organization current, well-considered statements of the ethical principles that should guide our officers and employees in specific situations that arise in our business activities, both domestic and foreign?

Do we revise these statements periodically to cover new situations and changing laws and social patterns?

Have those statements been the fruit of discussion in which all members of policy-determining management have had an opportunity to participate?

Have we given to our officers and employees at all levels sufficient motivation to search out ethical factors in business problems and apply high ethical standards in their solution?

What have we done to eliminate opposing pressures?

Have we provided officers and employees with an easily accessible means of obtaining counsel on and resolution of ethical problems that may arise in their activities?

Do they use it?

Do we know whether our officers and employees apply in their daily activities the ethical standards we have promulgated?

Do we reward those who do so and penalize those who do not?

2. COMPLIANCE WITH LAW

Having in mind the complexities and ever-changing patterns of modern law and Government regulation: What are we doing to make sure that our officers and employees are informed about and comply with laws and regulations affecting their activities?

Have we made clear that it is our policy to obey even those laws which we may think unwise and seek to have changed?

Do we have adequate internal checks on our compliance with law?

Have we established a simple and readily available procedure for our officers and employees to seek legal guidance in their activities?

Do they use it?

3. CONFLICTS OF INTEREST

Do we have a current, well-considered statement of policy regarding potential conflict-of-interest problems of our directors, officers, and employees?

If so, does it cover conflicts which may arise in connection with such activities as: transactions with or involving our company; acquiring interests in or performing services for our customers, distributors, suppliers, and competitors; buying and selling our company's securities; or the personal undertaking of what might be called company opportunities?

What mechanism do we have for enabling our directors, officers, and employees to make ethical judgments when conflicts of interest do arise?

Do we require regular reports?

Or do we leave it to our directors, officers, and employees to disclose such activities voluntarily?

4. ENTERTAINMENT, GIFTS, EXPENSES

Have we defined our company policy on accepting and making expenditures for gifts and entertainment?

Are the criteria as to occasion and amount clearly stated or are they left merely to the organizations with which we deal?

Do we disseminate information about our company policy to the organizations with which we deal?

Do we require adequate reports of both the giving and the receiving of gifts and entertainment?

Are they supported in sufficient detail?

Are they subject to review by appropriate authority?

Could the payment or receipt be justified to our stockholders, the Government, and the public?

5. CUSTOMERS AND SUPPLIERS

Have we taken appropriate steps to keep our advertising and sales representatives truthful and fair?

Are these steps effective?

How often do we review our advertising, literature, labels, and packaging?

Do they give our customers a fair understanding of the true quality, quantity, price, and function of our products?

Does our service as well as our product measure up to our basic obligations and our representations?

Do we fairly make good on flaws and defects?

Is this a matter of stated policy?

Do we know that our employees, distributors, dealers, and agents follow it?

Do we avoid favoritism and discrimination and otherwise treat our customers and suppliers fairly and equitably in all our dealings with them?

6. SOCIAL RESPONSIBILITIES

Every business enterprise has manifold responsibilities to the society of which it is a part. The prime legal and social obligation of the managers of a business is to operate it for the long-term profit of its owners. Concurrent social responsibilities pertain to a company's treatment of its past, present, and prospective employees and to its various relationships with customers, suppliers, Government, the community, and the public at large. These responsibilities may often be, or appear to be, in conflict, and at times a management's recognition of its broad responsibilities may affect the amount of an enterprise's immediate profits and the means of attaining them.

The problems that businessmen must solve in this area are often exceedingly perplexing. One may begin his reflections on this subject by asking: Have we reviewed our company policies in the light of our responsibility to society?

Are our employees aware of the interaction between our business policies and our social responsibilities?

Do we have a clearly understood concept of our obligations to assess our responsibilities to stockholders, employees, customers, suppliers, our community, and the public?

Do we recognize and impress upon all our officers and employees the fact that our free enterprise system and our individual business enterprises can thrive and grow only to the extent that they contribute to the welfare of our country and its people?

RESOLUTIONS OF OREGON WOOL GROWERS ASSOCIATION

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD the summary of resolutions adopted by the Oregon Wool Growers Association's 67th Annual Convention in Portland, November 4–6, 1962. This summary is taken from the December issue of the National Wool Grower.

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

GENERAL RESOLUTIONS

Proposed that the constitution of the association be amended to allow for the organization of county or area producer groups as official component groups of the State association. Further recommended that the member of the State executive committee representing these groups or areas be designated by the local groups.

Instructed the president and secretary to prepare the necessary amendment and implement the procedures necessary so that this can be voted on at the next annual meeting.

Commended the ASPC, Woolknit Associates and Woolens and Worsteds of America and private enterprises for their excellent work in promoting domestic consumption of wool and lamb.

Thanked the Imperial Hotel for convention accommodations and support of lamb and wool industries by purchases at the 1962 Pacific International Livestock Exposition. Also thanked all others who contributed to success of convention.

Thanked wool trade for making deductions for association dues.

Thanked NWGA President Penrose B. Metcalfe for his time and work for the wool and lamb producer and for his pioneer negotiations with New Zealand and Australian producers of lamb and mutton and for the continuation of the present oversea trade program.

Thanked all those who contributed to the success of the make-it-yourself-with-wool contest.

Commended National Wool Grower for recognition of the farm flock industry and strongly urged they continue such efforts.

Expressed importance of a diligent and continuing program of basic research in all fields pertaining to the wool and mohair industries. Urged that research in the fields of meat and wool production, processing and use, breeding and feeding of sheep and lambs, land use and control and eradication of sheep diseases be continued and accelerated.

Commended all agencies, both public and private, who are doing basic research in these fields.

Extended special commendation to the Albany branch of the USDA reseach station for their development of Wur-lan shrinkproof process for wool.

LAMB AND WOOL

Expressed appreciation and highly commended Pacific Wool Growers in wool promotion efforts at the Pacific International, Oregon State Fair, Washington State Fair, and other showings. Further recommended holding of wool shows at spring lamb shows, county fairs, and other events of this nature.

Continued traditional support of Wool Products Labeling Act and commended Federal Trade Commission for its work in enforcing the act. Recommended that they increase their activities in regard to imported wool.

Urged acceleration of carcass research programs now underway. Expressed belief that effort be made to emphasize lesser known cuts of lamb and present them in more appealing fashion for the housewife.

Endorsed and recommended continuation of carcass study and research work carried on by animal science department at Oregon State University. Urged Oregon growers and research studies to keep high yield and a high percent of lean red meat as their goal in progress.

Commended all members of wool industry for cooperation with ASPC with tie-in advertising of domestic wool and wool products. Recommended continuation of make-it-yourself-with-wool contest.

Stated that the U.S. tariff on lambs and mutton are inadequate and that current rates encourage imports of live and frozen lamb and mutton which are in direct competition with domestic production. Since the National Wool Act was enacted to encourage domestic production, urged an increase in tariff or suitable import quota which would provide some protection and encouragement for U.S. producers.

Recommended adequate tariff or quotas to put foreign and domestic production on a competitive basis.

Commended Oregon State University for assistance rendered in lamb and wool marketing program and especially expressed appreciation to the county extension service for their help in developing and promoting their lamb and wool pools. Solicited their continued support.

Recommended to the USDA and the U.S. Treasury Department that methods developed for basing official wool grading standards on micron measurements be adopted at the earliest possible date, but that such standards conform as closely as possible to commercial mill usage. Recommended that these standards be used in appraising wool for assessing tariffs on all wool imported into the United States.

SANITATION AND DISEASE

Recommended that the committee composed of representatives from Oregon Wool Growers, Oregon Purebred Sheep Breeders, Oregon State University, and the State department of agriculture continue to operate and carry on the program for eventual control and elimination of foot rot.

Recognized the value of the annual sheep and wool day at Oregon State University and recommended that the event be continued and that, if possible, the university sponsor such events on a regional basis in other areas of the State.

Commended Oregon State University for the good work done in sheep science, and recommended continuing research in sheep diseases, parasites, fertility, nutrition, and other management problems.

Recognized successful program initiated this year of clinical inspection for show sheep as they enter the show and recommended that the program be continued as at present.

PUBLIC LANDS

Asked that in the implementation of any reasonable upward adjustment of grazing fees, increases be returned to the grazing districts for use through range improvement practices. Asked further that any increase be tied to the basic formula now in use.

Recommended that when feasible and practical, a program of controlled burning be established as a range improvement practice.

So that users of public range lands can better plan their operations, urged administrators of public lands to thoroughly discuss and plan any contemplated range improvement projects with the users before projects are begun.

Expressed appreciation for program of range rehabilitation which has been started in the Vale district and urged continued support of the project. Approved the overall principle of making a concentrated effort to increase the carrying capacity of the range through proven rehabilitation practices rather than resorting to the method of attempting to improve range conditions through drastic cuts in livestock numbers.

Reiterated support of the Multiple Use Act in the management of forest and other public lands.

Recognized and appreciated the improved cooperation that exists between users of public lands and public agencies charged with the administration of those lands. Being convinced that this improved relationship would result in benefits to users and the public, commended both administrators and users for this realistic attitude.

Expressed confidence in Oregon State Game Commission and endorsed their management program.

PREDATORY ANIMAL AND WILDLIFE CONTROL

Recommended readoption of resolutions passed at last year's convention on predatory animal and wildlife control.

Requested association officers to follow through on proposed dog control bill to be introduced at the 52d State legislature. Requested association notify county groups when the bill is introduced so they can advise their local legislators accordingly.

Recommended that the association direct a letter to all county courts in the State during the month of January commending them for excellent support of predatory animal control program and requesting their continued support. Further recommended that a copy of the letter be directed to all county livestock associations so that they may follow through in contacting the county court.

Further recommended that all local wool growers attend respective county budget meetings to assure continuation of county predator control program.

Recommended the association appoint a committee to attend meeting of Oregon State Game Commission when the big game seasons are discussed.

Recommended that the association lend its support in reactivating the Red Hat Days program.

Recommended that committee resolutions be referred to Oregon Wool Growers executive committee for action either by committees or whatever procedures the executive committee may determine and that said committee or committees give a progress report to the convention the following year.

LEGISLATION, TAXATION, AND TRANSPORTATION

Requested that a committee of woolgrowers meet prior to the annual county assessor's meeting to arrive at a true cash value for livestock and land and make recommendations for consideration in setting assessed valuations.

Further requested that representatives from the woolgrowers committee meet with the assessors in their annual meeting.

Urgently requested Oregon Bureau of Labor and Employment Service to relax their restriction relative to the contract agreement for the employment of trained, qualified, young foreign sheepherders so that the sheep operator may be assured of a continuing supply of personnel.

Opposed feather bedding practices in the transportation industry and asked that the NWGA continue their study of means to eliminate this practice.

Favored original intent of the Oregon basic school support law and recommended that State funds be provided equal to 50 percent of the cost of education.

Recommended Oregon State Legislature study the possibility of broadening the State tax base which would create a more favorable situation for business, agriculture and industry.

Recommended that the next session of the Oregon State Legislature enact legislation that will exclude picketing of agricultural operations.

Expressed belief that Federal agencies having responsibilities for water program should abide by the letter and spirit of State water laws and that water rights be regarded as property rights.

Emphasized urgency of acting now on question of assuring State control rather than Federal control over water rights.

A TAX CUT AND ECONOMIC GROWTH

Mr. MORSE. Mr. President, since one of the major orders of business this year will be a general tax cut, I believe the Congress and others who read the CONGRESSIONAL RECORD will be interested in some observations on this subject by Prof. Robert Lekachman, an associate professor of economics at Barnard College. Writing in the New Leader for November 26, 1962, Professor Lekachman relates a tax cut to the general objective of an increase in the rate of our economic growth. I may say that I am in complete agreement with his conclusion; to wit:

In sum, it is dubious whether a tax cut is by itself capable of restoring a high rate of economic growth. But at this point in time, a general tax reduction is just about the minimum response that any intelligent American President could make to the urgencies of the new economic stagnation.

I ask unanimous consent that the full text of Professor Lekachman's article be printed in the body of the RECORD.

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

ARE TAX CUTS ENOUGH?

(By Robert Lekachman)

The approach of the holiday season conventionally stimulates the economic forecasters to confide their projections to a larger public than their professional colleagues. This year by and large the prophets are in a glum mood. The most optimistic among them predict moderate expansion in 1963, and the pessimists anticipate a new recession.

At a recent conference under the auspices of the University of Michigan, it was the consensus of a group of 30 economists that average unemployment would rise to about 5.7 percent in 1963. While they also expected gross national product to increase by 2.5 percent, the economists did not think that such an increase would suffice to absorb over a million new entrants to the labor force. Still more cheerlessly, the economists concurred in the expectation that business investment will diminish slightly next year.

The mood of the meeting emerged in the statement that Dr. Geoffrey Moore of the National Bureau of Economic Research offered his colleagues: "The prospects for a vigorous renewal of business expansion in the near future don't appear bright." Although he added that "recession-around-the-corner views aren't clearly justified either," the tenor of his judgment was far from euphoric.

In short, 1963 threatens to continue the decade-long sluggishness of American economic growth, by now a bipartisan phenomenon. Unemployment will be substantial. Steel will operate at low percentages of capacity. As usual, unemployment will be particularly grave among the least-protected and lowest-paid groups—Negroes and Puerto Ricans. The encouraging narrowing of white-Negro income differentials and the approach toward greater equality of general income distribution, which were hailed in the 1940's, will not resume in 1963. In the past decade our society has moved scarcely at all in the direction of more substantial economic justice and fuller employment of men and machines. And nothing suggests that 1963 will substantially transform the prospect.

No administration 2 years away from a Presidential election could ignore the 1963 outlook. The Kennedy administration's specific for the malady of economic inertia is a revision of the tax system. Dr. Walter W. Heller, Chairman of the President's Council of Economic Advisers, has often argued that the progressive nature of the personal income tax and the burden of a heavy corporate income tax have the effect of generating budget surpluses so early in the course of economic recovery as to curtail these recoveries well short of full employment of men and resources.

After all, in any general business expansion corporate profits and individual incomes rise. A steeply progressive tax system draws off ever larger percentages of the increases in personal income. A heavy corporate income tax diverts more than half of new profits into the hands of the tax collector. Hence the tax system operates to discourage spending, diminish investment, and check expansion long before such checks are advisable on anti-inflationary premises.

Secretary of the Treasury C. Douglas Dillon appears partially converted to this hypothesis, even though he has couched recent statements in the older and more conventional vein of encouraging incentives to investment and spending. But at the same time he has emphasized that the objective of rate revision will be to produce balanced budgets at full employment, though presumably not before that point. Such an objective implies considerable sophistication in any Secretary of the Treasury, for it implicitly accepts the Keynesian implication that budget deficits are appropriate at positions short of full employment.

What so far remains unclear, however, is precisely what sort of tax program the Treasury plans to present to Congress next January. Like the President, Dillon has coupled tax reductions with tax reforms, but he has opened the door to the enactment of some of the tax reductions early in the session. The assumption is that the remainder of the tax cuts would serve as a means of persuading Congress to enact some tax reforms in the same act.

Whose taxes does the administration plan to cut and by how much? Dr. Heller has been recorded in favor of a $5 billion reduction, including a slash in the corporate income tax rate from 52 to 47 percent. Secretary Dillon has stated that "there will be sizable rate cuts, across the board." He added that since corporations had already been granted major concessions in 1962—presumably in the shape of liberalized depreciation allowances and tax credits for new investment—by far the major part of the reduction in 1963 should apply to individual tax rates.

Thus the omens are favorable that personal income tax rates, and probably corporate income tax rates as well, will be lowered in 1963. In the campaign for these changes, the administration appears to be employing the same coordinated barrage of official statements and endorsements from private groups that proved so successful in its single success of the last Congress, the Trade Expansion Act.

Is a tax cut in 1963 a good thing? On the whole, it is. The economy is suffering from a chronic deficiency of aggregate demand for goods and services. Tax cuts will unquestionably stimulate consumer spending and may enlarge business investment, though the latter is the chancier of the two.

It is discouraging that business investment is expected to decline next year in spite of the incentives which a solicitous Congress offered in 1962. The danger of inflation from a larger budget deficit is minimal in an economy running so far below capacity. Even that darling of conservative financial opinion, Dr. Per Jacobsson of the International Monetary Fund, has taken an increasingly benign view of American budget deficits which are explicitly designed to promote U.S. economic expansion.

But how good the tax cut will be depends on the manner and the incidence of the reductions. Take a program which concentrates upon the top incremental rates in the personal income tax schedule. Many economists have proposed the reduction of the 91-percent maximum to something like 65 percent. Such a change would be sensible if it were joined to the elimination of some of the loopholes which enable the recipients of large incomes to avoid paying much of their taxes at this and lower rates. These loopholes are known to center on stock option arrangements, capital gains provisions, and mineral depletion allowances. If rates were made somewhat lower, but opportunities to avoid paying them were diminished, then there would be genuine merit in cutting apparently punitive top rates, which now largely serve the purpose of creating mistaken public sympathy for the individuals who are allegedly incurring these rates.

Given the realities of politics, the danger exists that higher personal income tax rates in general will be reduced and loopholes will be left undisturbed. In its 1962 tax act, Congress proved much readier to open new loopholes than to close old ones. Such an outcome would be highly undesirable on two grounds, at the least.

In the first place, the result is inequitable. The recipients of large incomes have already been potentially aided by the investment tax credit and the new depreciation policies. In the second place, tax reductions which benefit largely upper-income recipients will encourage smaller increases in consumer demand than tax cuts which benefit individuals whose incomes are small or moderate. It is reasonable to assume that the poor spend more of any increase in their incomes than do the prosperous. The simplest way of concentrating benefits upon those who will spend them most enthusiastically is to increase the present $600 exemption to $900 or $1,000. The drawback to tax cuts which reward the well-to-do is an intensification of the very economic inequality which may already be part of the problem of economic sluggishness.

There is a second qualification to this endorsement of tax cuts in 1963. This is the possibility that the tax cut will be accepted by the administration as an adequate alternative to Federal expenditures on schools, medical care, housing, urban slum clearance, and other elements of social investment. Ominous hints have been made that the President and the Bureau of the Budget have been taking a tough line with department bids for new programs and larger support of old ones.

It is a misfortune of general tax reduction that it is unlikely to stimulate expenditure on the very things that our society most desperately needs. If the President economizes on domestic programs in order to improve the prospect of tax reduction and tax reform, he will make a bad trade from the standpoint of the national need. J. K. Galbraith's contrast of public squalor with private opulence is no less pertinent in 1962 or 1963 than it was in 1958 when he momentarily shocked the Nation with "The Affluent Society."

Concretely, a tax cut in 1963 is going to make it harder for the President to push through Congress a meaningful program of support for higher education or for secondary and elementary education. It will also intensify the difficulty of securing appropriations to support promising programs in manpower retraining under the Redevelopment Act and Manpower Retraining Act. And it will offer another excuse for opposition to the already mangled foreign aid program.

On social grounds we need more public investment instead of a tax cut. In his provocative book, "The Question of Public Spending," MIT's Dr. Francis Bator has demonstrated that we are actually spending a smaller proportion of our gross national product on nondefense government programs than we did before World War II. What we might gain by widening the scope of government action is suggested by Edward Dennison's more recent "Sources of Economic Growth." Dennison calculates that we should add one-tenth of 1 percent to our annual growth rate (say, $3.3 billion every year) by so simple a step as increasing the average length of schooling by a year and a half. This says nothing about the possible gains to be had from an improvement in the quality of education.

My final reservation concerns adequacy. We are in the midst of an industrial transformation which promises—the better word may be "threatens"—to automate our offices as well as our factories. Since much new capital investment economizes on labor, one consequence of encouraging new investment is increasing unemployment in specific places. The new shape of the demand for labor penalizes the unskilled and the semiskilled. These are predominantly Negroes and Puerto Ricans. A general tax cut will do little to ameliorate their hardships.

In sum, it is dubious whether a tax cut is by itself capable of restoring a high rate of economic growth. But at this point in time, a general tax reduction is just about the minimum response that any intelligent American President could make to the urgencies of the new economic stagnation.

EXPENDITURES ON TRIPS ABROAD BY MEMBERS OF CONGRESS AND THEIR FAMILIES

Mr. MORSE. Mr. President, there appeared in the December 7, 1962, issue of the Bulletin of the Portland Chamber of Commerce a very pertinent comment from its Washington correspondent about the expenditures made by Members of Congress and their families on trips abroad. The writer, Mr. Harold B. Say, points out that under the tax bill passed last year, the Internal Revenue Service is now laying down the specific rules for reporting of expense account deductions. All of us have heard a wide protest from our constituents about these proposed rules. While I personally feel that regulations must be established that will carry out both the intent and the spirit of Congress in tightening expense account deductions, Mr. Say makes a very valid point when he notes that Members of Congress decline to publish their own expense accounts which are charged to the public for trips overseas.

As one who has made a point of publishing in my reports to the Congress on my trips abroad all the expenses I claimed, I am strongly of the opinion that it should be a general requirement that all Members of Congress who travel abroad at public expense make known to the public their expense accounts.

I ask unanimous consent that Mr. Say's column be printed in the body of the CONGRESSIONAL RECORD.

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

REPORT FROM THE CAPITAL

(By Harold B. Say)

One group of citizens who will not be worried over Internal Revenue Service's new regulations on expense accounts are Senators and Representatives who travel abroad at the cost of the taxpayers of the United States. They, incidentally, voted the new rules for the general taxpayer. Some 75 of them after the November elections took off for far parts. A number of them are "lameducks" who will not be in the new Congress next January.

While the ordinary taxpayer will have to show receipts or proof for travel and entertainment, the traveling lawmakers will have no such irritations. Abroad they need only to walk into a U.S. embassy, request and receive such funds as they need. These funds are not classed as income no matter how spent.

And Congress divulges few facts or figures on what its congressional travelers spend. Most congressional committees refuse to supply any information about their members' trips abroad.

It should be noted that in the Congress, over late years when these abuses have developed, there are some Senators and Representatives who would have open, public records kept of these outlays, but they have been in an ineffective minority.

Only pressure from home districts can ultimately put the brakes on this flagrant waste of taxpayers' money.

RESOLUTIONS OF NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. MORSE. Mr. President, on October 22 and 23, 1962, region IX of the National Rural Electric Cooperative Association held its annual meeting in Eugene, Oreg.

Copies of the resolutions passed at this meeting were sent to me, and I now ask unanimous consent that they be printed in the body of the CONGRESSIONAL RECORD.

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

RESOLUTIONS OF NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, INC., REGION IX MEETING, EUGENE, OREG., OCTOBER 22–23, 1962

PREAMBLE

In order to further the policies, purpose and intent of the Congress as set forth in the Rural Electrification Act and the various laws relating to power and conservation, and in order to express our legislative objectives to the end of providing the best possible electric service to our consumers at the lowest possible cost, we, the delegates of the National Rural Electric Cooperative Association from the States of Alaska, Montana, Idaho, Oregon, Washington, Utah, Nevada, and California, do hereby endorse and adopt the following legislative program:

THE ENGLE BILL

Be it resolved, That we advocate passage of Federal legislation, such as the Engle bill, which would prohibit construction or operation of any electric transmission line, designed to carry power at a nominal voltage in excess of 230 kilovolts, without first obtaining from the Federal Power Commission a certificate that such facility is required as a matter of public convenience and necessity; and which would confer on the Federal Power Commission authority to issue such certificates and subject them to such reasonable conditions as may be found to be in the public interest by the Commission.

HANFORD STEAM

Whereas Congress has approved the offer made to the Atomic Energy Commission and the Bonneville Power Administration by the Washington Public Power Supply System to make the Hanford reactor a multipurpose reactor, capable of producing weapons, plutonium and electric power: Now, therefore, be it

Resolved, That we commend Congress for its action which will allow the harnessing of this great resource and the recovery by the Government of the revenues from the waste steam.

GENERATION AND TRANSMISSION LOANS

Be it resolved, That we commend and heartily thank REA Administrator Norman Clapp for strengthening the bargaining position of the rural electric cooperatives by adding the security concept to REA's criteria for generation and transmission loans, and for reinstating the Power Division of REA, we strongly urge the Congress of the United States to appropriate adequate REA loans at low interest rates to insure an effective generation and transmission loan program to meet the rapidly growing needs of rural America for electric power.

TERRITORIAL INTEGRITY

Be it resolved, That we affirm the unrestricted right and responsibility of the REA-financed rural electric systems to serve those areas in which they initiated service and are willing and able to continue providing adequate service; and that we will support and defend this right against territorial pirating of area and consumers by any other electric utility system; and be it further

Resolved, That the Congress and appropriate officials in State and Federal Governments be urged to take all actions available to them in exploring and promoting such measures as may be possible to protect rural electric systems against violations of territory, pirating of members and condemnation of properties; and in particular, that they be urged to recognize that it is detrimental to the public interest to foster or to permit invasion of areas served through area coverage loans, and that pirating in areas already served is not in the best interest of the consumer.

INTEREST RATES AND LOAN TERMS

Be it resolved, That we reaffirm our longstanding support of the present REA interest rate and loan terms in order that the rural electric systems may be able to carry out the objectives of the Rural Electrification Act, as amended, to build a better rural America.

RESOURCES DEVELOPMENT—PROJECT EVALUATION STANDARDS

Whereas rural electric systems for years have seen the need for new allocation formats for the payout of our hydroelectric dams and power project: Now, therefore, be it

Resolved, That we express appreciation to the President and to his administration for the partial replacement of Circular A–47 with progressive realistic multiple-purpose project evaluation criteria; and be it further

Resolved, That attention be called to the need for completing such replacement by revising cost allocation, and payout schedule standards, so that power features of projects will no longer be loaded with charges which should not be borne by Federal power consumers.

NEW PROJECTS

Be it resolved, That we urge Congress to authorize and provide funds for the construction of: Rampart, Knowles, Burns Creek, Penny Cliffs, Garden Valley, and Teton.

PREFERENCE CLAUSE

Be it resolved, That we reaffirm our belief that the benefits derived from investment of the people's money in multipurpose resource developments should belong to the people, and to this end we strongly support the antimonopoly or preference clause and urge Congress and administrative agencies to adhere to this purpose of the laws.

SECTION 5 LOANS

Be it resolved, That we support the principle that REA should continue to make section 5 loans which meet all legal and administrative requirements, when such loans will make an effective contribution to economic and community development in rural electric service areas.

TVA SERVICE AREA LIMITATION AND INTERCONNECTIONS

Be it resolved, That Congress be urged to amend the Tennessee Valley Authority Act to allow TVA to enter into agreements for the interchange of power and energy with such cooperative generating and transmission systems as are or may be located within economic transmission distance of the TVA system; and be it further

Resolved, That we urge Congress to delete from the TVA Act the absolute service area limitation enacted in 1959; to the end that the TVA service area shall be circumscribed only by the limits of economic transmission distance.

CAPITAL BUDGET

Whereas there is a need to clarify to the public the amount of money we as a nation are investing in resource development, rural electrification, and other similar projects, and to distinguish these national investments from Government expenditures which are not repaid to the Treasury: Now, therefore, be it

Resolved, That the Congress of the United States be urged to adopt a capital budget to clearly distinguish between capital investments and outright expenditures.

TNT—TELL THE NATION THE TRUTH

Be it resolved, That we urge all rural electric systems not presently contributing to this vital and continuing program, to join their fellow systems in financially supporting this necessary public relations program.

EXPORTING THE REA PATTERN

Be it resolved, That we urge appropriate agences of the U.S. Government and the State and National organizations of rural electric systems to cooperate to the fullest extent possible in efforts to assure that the concept of the rural electric cooperative is understood by and made available to the peoples of developing nations throughout the world.

SAFETY PROGRAM

Be it resolved, That we commend the REA Administrator on his continuing efforts on safety and we urge a high level of cooperative participation in the job training and safety program.

FARM ELECTRIFICATION RESEARCH CENTER

Be it resolved, That the U.S. Department of Agriculture be urged to include funds for a new farm electrification research facility in its 1964 budget; and be it further

Resolved, That the Congress be urged to appropriate funds required, so that this important need may be met.

RESERVES

Be it resolved, That we respectfully call to the attention of all rural electric systems the importance of adopting and actively pursuing policies that assure prudent investment of reserve funds, a sound financial condition, compliance with the criteria for nonprofit operation established by the Internal Revenue Service, and adherence to standards which will assure continued public acceptance of the rural electrification program at local, State, and National levels.

POWER COMPANY PROPAGANDA

Be it resolved, That we condemn as unprincipled, and contrary to the American tradition of fair play and of free enterprise, the campaign of vilification being conducted nationwide by the investor-owned electric companies for the purpose of destroying all consumer-owned electric systems and all Federal power construction and marketing programs; and be it further

Resolved, That we urge Congress to conduct a thorough investigation of the legislative and propaganda activities which the electric companies are undertaking at their customers' expense as a part of this campaign of vilification.

NATIONAL ENERGY CONFERENCE

Be it resolved, That in order to gather and disseminate information on how the United States may best assure the economic conservation and utilization of its diverse sources of raw energy, in order to focus public attention on the importance of prudent energy management, and as an aid to a reappraisal of Federal policy on such management, the President of the United States is hereby respectfully petitioned to convene by his invitation a White House Conference on Energy Resources.

SPITE LINES

Be it resolved, That spite line construction, propaganda, legal harassment, and conniving alliances between power companies, such as are now used against the Amargosa Valley Cooperative of Nevada, be condemned for the harm done in depriving rural areas of electric service; and be it further

Resolved, That NRECA, REA, and other governmental agencies be commended for their continuing support to all rural electric systems against such attacks.

MOUNTAIN SHEEP DAM

Be it resolved, That we are strongly in favor of the development of the middle Snake River by public agencies and we recommend that the Federal Power Commission overturn the decision of Examiner Levy on the Mountain Sheep case as being contrary to the public interest of the Northwest.

BPA MARKETING AREA

Be it resolved, That we urge the Secretary of Interior to include southern Idaho in the Bonneville Power Administration marketing area and that we commend the Secretary and the Idaho congressional delegation for action thus far initiated in this matter.

INTERTIES

Be it resolved, That we favor the construction of high-voltage Federal interties and power pooling agreements between all Federal power marketing areas such as TVA, SEPA, SPA, BPA, Central Valley, southern California, Missouri Basin, and upper and lower Colorado, and we oppose the imposition of power company toll gates between these systems, as we propose toll gates between Federal power sources and preference customers.

EKLUTNA WHOLESALE POWER STUDY

Be it resolved, That we urge the Secretary of the Interior to restudy the wholesale power rates to preference users utilizing the Eklutna power facilities in Alaska as current returns indicate payout in 33 years instead of 50 years.

MISSOURI BASIN FEDERAL POWER MARKETING

Be it resolved, That the Secretary of the Interior is respectfully advised that in our opinion and experience the interests of the United States and of its preference customers are best served by the construction of Federal transmission facilities adequate to interconnect dams and projects, the marketing of power from which is under his jurisdiction, and the delivery of such power to preference customer delivery points; and be it further

Resolved, That the Secretary of the Interior is respectfully petitioned to reexamine all wheeling contracts and to use the full powers and influence of his office to renegotiate such of said wheeling agreements as impose unfair or inequitable terms or conditions on the United States or its preference customers; and be it further

Resolved, That we respectfully protest to the Secretary of the Interior the discriminatory policy which permits the Montana Power Co. to construct the Glasgow substation on the Rainbow-Fort Peck transmission line, while at the same time a point of delivery is denied to the Big Flat Electric Cooperative at Malta, and we further protest the discriminatory policy which grants the Montana Power Co. the right to wheel power over a government transmission line for 150 miles for 1 mill while at the same time, the Government in effect requires a cooperative to pay the Montana Power Co. a charge of 1 mill per kilowatt-hour for each 50 miles of wheeling service; and be it further

Resolved, That in accordance with the preference provision of the Fort Peck Act of 1938, the Secretary of the Interior is requested to withhold from the Montana Power Co. permission to connect its Glasgow substation to the Rainbow-Fort Peck line of the Bureau until the discriminating wheeling policy is eliminated.

RURAL AREAS DEVELOPMENT

Be it resolved, That we reaffirm our support of legislation and administrative programs which will develop, revitalize, and stabilize rural America.

POWER COMPANY TAX SUBSIDIES

Be it resolved, That we respectfully call to the attention of Congress, the Federal Power Commission, and all appropriate State regulatory bodies the fact that investor-owned power companies have collected from their customers some $1.5 billion which they have claimed as Federal tax liability, but which they have not paid to the Government; and be it further

Resolved, That we respectfully call to the attention of the Congress, the Federal Power Commission, and all appropriate State regulatory bodies the fact that the 3-percent Federal income tax credit recently conferred on such companies will enrich them by some $4 billion during the next 20 years; and be it further

Resolved, That we respectfully urge the Congress to immediately undertake a thorough investigation of power company operations and accounting practices for the purpose of developing Federal legislation designed to assure that the benefits of all such tax subsidies are reflected in lower wholesale and retail power rates or other consumer benefits rather than in any windfall increase of the tax-free dividends now paid by such companies to their stockholders.

COMMENDATION

Be it resolved, That we hereby commend Secretary of Agriculture Orville Freeman, Assistant Secretary of Agriculture John Baker, and REA Administrator Norman Clapp for their vigorous, courageous, and dedicated leadership of the rural electrification program.

CHANGES IN FAMILY INCOME IN THE PACIFIC NORTHWEST, 1949–59

Mr. MORSE. Mr. President, there is published at the University of Oregon a very useful journal called "The Family Life Coordinator." In its October 1962 issue it contained an article entitled "Changes in Family Income in the Pacific Northwest, 1949–59." I have found

this article a very useful one, and I ask unanimous consent to have it printed in the body of the RECORD.

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

CHANGES IN FAMILY INCOME IN THE PACIFIC NORTHWEST, 1949–59

(By Bill Hanneson, University of Oregon)

Income changes are one of the most significant parameters in measuring regional economic growth. Such data are most valuable when comparisons with other regions, both similar and dissimilar, are possible. This paper measures and maps income changes, by county, for the Pacific Northwest in the decade, 1949–59. This information, used in conjunction with other indicators of economic health, would make possible the comparison of specific areas within the Pacific Northwest.[1] This paper poses more questions than it attempts to answer but some of the reasons for the areal differences will be pointed out. Before studying these changes, the high- and low-income counties in 1949 and 1959 are examined to determine what degree of regionalism existed. The table lists all counties in the Pacific Northwest by State, showing median family income in 1949 and 1959, the change in income, and the population change.

Median family income, 1949: In 1949, 12 counties had median family incomes of $3,700 or more. Seven of these were wheat producing counties of north central Oregon and eastern Washington. Their high incomes are a reflection of highly mechanized, large acreage operations producing wheat under favorable production conditions. The five other high-income counties were quite different in their local economies. King County, Wash., with the industrial and service activities concentrated in Seattle, was one of these high-income counties. Bannock County's (Idaho) relatively high income level was probably caused by the presence of Pocatello, with its chemical industry and its role as a service and rail center for southeastern Idaho. Shoshone County is in Idaho's silver and lead mining district. Two eastern Oregon counties, Lake and Crook, also had high incomes in 1949, but the exact reason is unknown. Both are areas of extensive livestock grazing, although Crook County has some lumbering and sawmilling. Data for counties with small populations such as these, can be significantly altered by the presence of a dam or highway construction crew during the census year.

Thirteen counties had incomes of less than $2,600 in 1949 and of these 13, 11 were east of the Cascade Mountains (9 in Idaho alone). The two counties west of the Cascades were San Juan and Island, both of which were tourist-oriented in 1949. Other tourist-oriented counties, such as Lincoln, Curry, and Josephine (all in Oregon), had incomes well below the Pacific Northwest average in 1949 (compare figures in the table), but were aided by the presence of other economic activities, particularly logging.

The low income counties east of the Cascade Mountains are more varied in their economic activities. Some have large irrigated areas, many are associated with livestock grazing, but none have large urban centers (Sandpoint, in Bonner County, with 4,265 in 1950, was the largest). But this is only suggestive, and individual analysis of these counties would be necessary before any definite assertion as to the causes of low income could be attempted. One thing should be borne in mind, however; if one superimposes a map of irrigated areas on top of a map of 1949 income, it becomes apparent that those counties with extensive irrigated tracts generally had lower incomes. This is even true of the wheat counties, such as Gilliam, Morrow, and Umatilla, in contrast to Sherman. The first three had extensive irrigated areas, whereas Sherman County had almost no irrigated land.

In 1949, high incomes were associated with the wheat counties, and low incomes with tourism and, to some extent, with irrigated areas. The counties with large urban centers, such as Portland, Spokane, Tacoma, Vancouver, and Eugene-Springfield, had fairly high incomes, but Seattle was the only large city located in a high income county. Large fluctuations in income in some of the smaller counties, which were caused by crop failures or the beginning of a construction project, are important variables which would undoubtedly alter the raw data. Although these fluctuations are not considered here, their possible presence should be recognized.

Median family incomes, 1959. In 1959, 15 counties had median family incomes in excess of $6,000. These 15 high income counties exhibited definite geographical concentration. One region was centered around Seattle and included King, Snohomish, and Kitsap Counties. A second high income region was centered around Portland-Vancouver and included Clark, Multnomah, Washington, and Clackamas Counties. A third region included most of the interior wheat-producing counties and Spokane County. This wheat region is less inclusive than that indicated as a high income area in 1949 and, furthermore, is noncontiguous. These three regions include 13 of the 15 high income counties. Curry County, on the Oregon coast, and Bonneville County, in eastern Idaho, were the only two high income counties outside these regions.

Table of median income, income change, and population change, 1949–59

IDAHO

County	Y_{49}	Y_{59}	dY	dP (%)
Ada	$3,250	$5,868	$1,444	32.3
Adams	3,013	4,976	968	−11.0
Bannock	3,763	5,982	1,023	18.2
Bear Lake	2,659	5,064	1,391	4.6
Benewah	2,872	4,737	918	−2.2
Bingham	3,048	5,113	942	21.3
Blaine	3,203	5,094	872	−14.6
Boise	2,364	4,774	1,455	−7.3
Bonner	2,399	4,606	1,286	4.9
Bonneville	3,311	6,446	1,846	55.3
Boundary	2,634	4,551	1,017	−1.7
Butte	2,767	5,691	1,786	28.5
Camas	----	4,688	----	−15.0
Canyon	2,768	4,596	909	7.6
Caribou	3,236	5,599	1,243	7.2
Cassia	2,698	5,032	1,328	10.2
Clark	----	4,115	----	−.3
Clearwater	3,196	5,201	965	4.0
Custer	2,500	4,615	1,192	−9.7
Elmore	3,171	4,769	644	150.0
Franklin	2,719	4,417	815	−14.3
Fremont	2,845	4,538	785	−7.2
Gem	2,629	4,467	945	4.5
Gooding	2,671	4,252	731	−14.0
Idaho	3,059	4,933	887	18.6
Jefferson	2,395	4,995	1,441	11.2
Jerome	2,625	4,367	869	−3.0
Kootenai	2,925	5,250	1,275	18.5
Latah	3,154	5,403	1,168	.9
Lemhi	2,243	3,909	884	−7.4
Lewis	3,469	5,997	1,329	5.1
Lincoln	2,830	5,056	1,215	−13.4
Madison	2,875	5,470	1,501	2.9
Minidoka	2,567	4,944	1,388	47.1
Nez Perce	3,380	5,673	1,158	19.5
Oneida	2,870	4,482	716	−17.9
Owyhee	2,257	4,199	1,102	1.1
Payette	2,315	4,310	1,133	3.7
Power	3,326	5,350	954	3.1
Shoshone	3,750	5,789	881	−8.5
Teton	2,396	4,105	888	−17.6
Twin Falls	3,050	5,015	962	2.1
Valley	3,630	5,422	708	−14.2
Washington	2,600	4,231	785	−2.3

See footnotes at end of table.

Table of median income, income change, and population change, 1949–59—Continued

OREGON

County	Y_{49}	Y_{59}	dY	dP (%)
Baker	$2,808	$5,266	$1,405	6.9
Benton	3,205	5,860	1,483	24.1
Clackamas	3,165	6,129	1,738	30.4
Clatsop	3,443	5,494	952	−11.0
Columbia	3,164	5,265	1,048	−2.6
Coos	3,585	5,816	1,068	30.0
Crook	3,802	5,628	700	4.9
Curry	2,602	6,033	2,134	131.2
Deschutes	3,643	5,590	1,009	5.9
Douglas	3,236	5,710	1,332	25.5
Gilliam	3,417	5,543	1,017	8.9
Grant	3,622	5,613	868	−7.2
Harney	3,617	5,513	793	10.3
Hood River	3,086	5,521	1,331	5.1
Jackson	3,210	5,621	1,287	26.4
Jefferson	3,133	5,569	1,322	28.8
Josephine	2,710	5,220	1,466	12.7
Klamath	3,493	5,922	1,245	12.6
Lake	3,780	5,991	1,013	7.7
Lane	3,494	5,946	1,263	29.5
Lincoln	2,692	5,087	1,378	15.6
Linn	3,245	5,436	1,104	8.4
Malheur	2,752	4,554	891	−2.0
Marion	3,147	5,591	1,326	19.2
Morrow	3,488	5,595	988	1.8
Multnomah	3,651	6,378	1,451	10.9
Polk	3,096	5,245	1,100	.8
Sherman	3,727	6,000	1,073	7.7
Tillamook	3,315	5,382	991	1.9
Umatilla	3,356	5,708	1,210	6.4
Union	3,088	5,232	1,098	1.2
Wallowa	2,882	4,975	1,098	−2.2
Wasco	3,269	5,870	1,427	29.9
Washington	3,276	6,523	1,942	50.5
Wheeler	3,158	5,439	1,193	−17.8
Yamhill	2,876	4,910	1,052	−3.0

WASHINGTON

Adams	$4,339	$5,976	$422	50.8
Asotin	3,228	5,400	1,092	18.7
Benton	4,328	7,288	1,503	20.8
Chelan	3,151	5,674	1,388	3.7
Clallam	3,426	5,646	1,091	13.7
Clark	3,314	6,231	1,671	10.0
Columbia	3,051	5,062	999	−6.0
Cowlitz	3,590	5,811	1,059	8.3
Douglas	3,182	6,077	1,680	37.7
Ferry	2,413	5,013	1,597	−5.1
Franklin	3,917	6,353	1,165	72.1
Garfield	3,353	5,867	1,341	−7.1
Grant	3,877	5,850	803	90.9
Grays Harbor	3,516	5,773	1,102	1.5
Island	2,580	5,015	1,432	77.3
Jefferson	3,160	5,418	1,174	−17.0
King	3,843	7,084	1,824	27.6
Kitsap	3,532	6,107	1,354	11.2
Kittitas	3,230	5,177	912	−8.0
Klickitat	2,992	5,484	1,395	11.7
Lewis	2,818	5,211	1,371	−4.3
Lincoln	4,115	6,035	713	−.5
Mason	3,382	5,669	1,153	8.2
Okanogan	3,096	4,817	758	−12.4
Pacific	3,042	5,063	1,008	−11.4
Pend Oreille	3,179	4,956	786	−6.7
Pierce	3,455	5,950	1,305	16.6
Sand Juan	2,500	4,113	790	−11.5
Skagit	3,027	5,717	1,595	18.7
Skamania	2,880	5,880	1,694	8.8
Snohomish	3,190	6,005	1,614	54.3
Spokane	3,620	6,094	1,255	25.2
Stevens	2,536	4,462	1,034	−3.7
Thurston	3,403	5,894	1,312	22.6
Wahkiakum	3,000	4,926	941	−10.7
Walla Walla	3,387	5,954	1,376	5.1
Whatcom	2,955	5,441	1,398	5.4
Whitman	3,707	5,799	932	−3.7
Yakima	2,893	5,152	1,229	6.9

Y_{49}=median family income, 1949.
Y_{59}=median family income, 1959.
$dY=0.8Y_{59}-Y_{49}$, where 0.8 is the coefficient of deflation, based on the consumer price index for 1959 as a percent of the base period, 1947–49.
dP (%)=percentage change in population, 1950–60.
All raw data is from the U.S. Bureau of the Census, Final Reports, 1950 and 1960, Washington, D.C.

The concentration of low income counties which were noted for 1949 was even more pronounced in 1959. San Juan, Wash., was the only county west of the Cascades that had a median family income of less than $4,500 in 1959. Of the 12 other low income counties, 11 were in Idaho and, again, many of them were dependent on irrigated agriculture. They were not, however, the same counties which had low incomes in 1949. Only four counties in Idaho had low incomes relative to the rest of

[1] See John H. Thompson, Sidney C. Sufrin, Peter R. Gould, and Marion A. Buck, "Toward a Geography of Economic Health: The Case of New York State," Annals of the Association of American Geographers, LII (1962), 1–20, for other parameters that lend themselves to cartographic representation.

the Pacific Northwest in both years. This inconsistency may reflect varying crop yields or economic expansion through private or Government investment. An instance of the latter was the installation of the atomic energy plant in Arco, in Butte County, a former low income area.

In both 1949 and 1959, regionalism was most pronounced among the high income counties. Large scale wheat ranching and large urban centers are associated with the high income areas, the latter being most pronounced in 1959. Low incomes, although associated somewhat with irrigated agriculture and tourism, do not display the same degree of regionalism as the high income areas. The age of an irrigation project (i.e., the length of time a particular agricultural area has had irrigation water available) is an important variable which may explain the fluctuations in income levels in some irrigated counties.

Changes in income. The map [not printed in RECORD] shows those counties which have undergone the greatest increase in median family income in the decade under consideration. This map does not consider income difference between the counties in the base year, but does indicate relative growth since 1949. Column four of the table presents the population changes for the period 1950–60. These figures, when compared with the map, provide some very interesting anomalies; in some instances, high increases in family income are associated with high rates of population increase, in others, high rates of population growth are found in counties with low increases in income. Some reasons for differential county income growth are suggested below.

The "bedroom" communities which surround Portland, such as Tigard, West Slope, Beaverton (Washington County), and Milwaukee, Oswego, Oregon City (Clackamas County), have been increasingly populated by higher income groups, thus elevating median income as well as population. The failure of Multnomah County (Portland) to increase income levels as much is because it had a relatively high income level in 1949 and because it represents the older, confined core of urbanization. Clark County, Wash., part of the Portland standard metropolitan statistical area, also had a large increase in median family income, yet population increase there was well below the 19.9-percent average for Washington State as a whole. King, Snohomish, and Skagit Counties constitute another area of high income increases. Seattle had large areas available for expansion within King County, particularly to the east and south of Lake Washington. Snohomish County had a large increase in population, concentrated in the area between Edmonds and Everett. This population and income growth in these counties is a direct reflection of the expansion of the Boeing Co., the small boat industry, and related service and industrial activity. The growth of Skagit County was undoubtedly stimulated by the construction and maintenance of the oil pipeline and refinery, which, in turn, were located near the Seattle-Tacoma market.

Skamania County, though showing high income growth, had a population increase far below the State average. Douglas and Ferry Counties (Washington) offer a strange contrast with the adjacent counties. Douglas County had both a large increase in population and a large increase in family income levels, Ferry County lost population, but had a large increase in income, while both Okanogan and Lincoln Counties lost population and had low income increases. This diversity between adjacent counties indicates the need for more comprehensive analysis than is attempted here.

The impact on local economies of large, Federal Government projects is well illustrated in Benton (Washington) and Butte (Idaho) Counties. Hanford and Arco atomic energy installations, respectively, stimulated population growth and high income increases. The growth of Butte County undoubtedly influenced the large population and income growth of Idaho Falls (Bonneville County) since it is the closest city to Arco. Madison County, just north of Bonneville County, had a small population increase, but did have a significant increase in income.

Curry County, Oreg., had the largest increase in median family income during the 10-year period. This was probably a reflection of the increased logging activity as new areas were opened up, highway construction work, the development of a rapidly growing bulb industry, and the relatively low income level of 1949.

Of the 13 counties where median family incomes increased very little—relative to the rest of the Pacific Northwest—all but 2 either lost population or grew much more slowly than the State average. The two exceptions, Elmore County (Idaho) and Adams County (Wash.), had large (150 and 50 percent, respectively) increases in population which reflected the commencement of extensive irrigation projects during the decade.

It was suggested earlier that this paper presents more questions than it answers. The technique used is valuable in indicating possible regional growth patterns, even though the categories are arbitrary, the deflection coefficient may be inadequate, the mean family income might be better than the median, and county boundaries have little respect for cultural and environmental phenomena that might more accurately differentiate microeconomic regions. Income increases are both a cause and a result of economic growth. Increases in income in tourist-oriented counties are brought about by income increases outside the county while income increases in urban areas may be the result of a new plant or plant expansion within the local county. Determination of the most important cause of economic growth in a particular county must be found through comprehensive research.

THE TRADE EXPANSION ACT OF 1962 AND THE HORTICULTURAL INDUSTRY OF THE PACIFIC NORTHWEST—ADDRESS BY SENATOR MORSE, AND RESOLUTIONS BY OREGON STATE HORTICULTURAL SOCIETY

Mr. MORSE. Mr. President, it was my pleasure to have been invited to give one of the major addresses to the recent meeting of the Oregon State Horticultural Society, and I ask unanimous consent to have the text of that address printed in the CONGRESSIONAL RECORD. I also ask that the resolutions of the Oregon State Horticultural Society on the Trade Expansion Act of 1962 be printed following my own remarks.

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

THE TRADE EXPANSION ACT OF 1962 AND THE HORTICULTURAL INDUSTRY OF THE PACIFIC NORTHWEST

(Speech of Senator WAYNE MORSE before Oregon State Horticultural Society, Corvallis, Oreg., November 30, 1962)

Mr. Chairman, members of the Oregon State Horticultural Society, and distinguished guests, in recent weeks since passage of the Trade Expansion Act—an act which promises to be the cornerstone of our foreign economic policy—there has been increasing speculation as to what impact it will have on the American economy, and on how effectively it will strengthen the ability of our Government in negotiating trade concessions with other nations. Nowhere is this more evident than in our relations with the European Economic Community, popularly called the EEC or Common Market. No other development of recent years was more important in influencing passage of the new Trade Expansion Act. To trace the significance of the Common Market to the Northwest's horticultural industry, it is essential at the outset to realize the Common Market's importance to the world.

THE GROWTH OF THE COMMON MARKET

We should also bear in mind that similar common market movements have sprung up in Latin America and other parts of the world, largely as a result of the apparent success of the European Common Market. Eventually these other common markets may play as important a role in our foreign economic policy as quite evidently the European Common Market has already acquired.

The recent growth of the Common Market's economy has been startling. In the 4-year period 1957–61 the gross national product for the six original member nations increased 21 percent, industrial production 32 percent, per capita consumption 15 percent, gross fixed capital formation an estimated 31 percent, and trade within the member nations of the Economic Community 73 percent. During the same period world trade rose by only 21 percent.

Briefly, the present Common Market includes six full member countries—Belgium, France, Italy, Luxembourg, the Netherlands, and West Germany—along with Greece, which became an associate member on November 1. The combined population of the seven was 180 million in 1960, while their gross national product in 1961 totaled $235 billion, nearly half that of the United States. However, the rate of growth of gross national product for the Common Market, including Greece, was 24 percent during 1958–61 compared with 17 percent for the United States.

Nine other countries have shown interest in the Community. They may be grouped as follows:

Full membership: Denmark, Ireland, Norway and the United Kingdom.

Association only: Austria, Sweden, and Switzerland.

Association, but with possibility of applying for full membership at a later date: Spain and Turkey.

Israel has sought either full or associate membership, but, failing in both attempts, is now trying to negotiate some type of privileged trade position with the Community.

U.S. TRADE WITH COMMON MARKET NATIONS

The present Common Market and the United States are the two leading trading partners of the world. Together they account for over half of the combined total of world export and import trade and for 45 percent of world agricultural trade. Should the nine applicants listed above join, the two groups would constitute 73 percent of total world trade and 68 percent of world agricultural trade.

Briefly, these are some of the reasons for the prominence of the Common Market in our Government's trade policy. In fact, it appears certain that our trade and other economic and political relations with the Economic Community will determine the future of the free world.

OUR OBJECTIVES UNDER THE NEW TRADE PROGRAM

Our new trade program recommits the United States to a liberal trade policy, including agricultural products. But, like other countries, we have found it necessary to institute programs to protect the incomes of farmers which have risen at a much

slower rate than those of other sectors of our economy. In my opinion, our Government has tried in these programs to give due regard to our position as an exporter and importer of agricultural commodities as well as to the domestic problems of agriculture.

We are the world's largest exporter of food and agricultural products, but what is not generally realized is that we rank next to the United Kingdom as an importer of these products. Interestingly enough, in 5 of the last 10 years the value of agricultural products imported has exceeded that of agricultural exports. I hasten to add, however, that many of our imports are noncompetitive products, such as coffee, tea, rubber, and bananas. Currently agricultural exports are running at an annual rate of $5 billion and imports at about $4 billion.

AGRICULTURE AND FOREIGN TRADE

Thus, it is evident that agriculture is an extremely important factor in our foreign trade, amounting to about one-fourth of total exports. Nationally we export the output of about one acre out of every six. Exports of agricultural products in fiscal year 1961 totaled over $5 billion. It is needless to say that American farmers require these outlets for their abundant production and as one element of income. For people in other lands our agriculture provides a significant source for food and clothing.

Half of the U.S. production of cotton, wheat, rice, and dried peas was exported in 1960–61, as was about two-fifths of our output of soybeans and tallow, a third of our production of tobacco, hops, flaxseed, and nonfat dry milk, a fifth of dried whole milk production, and a sixth of the feed grains sold off farms. Fruits, poultry, meat, and variety meats were also important exports.

The Common Market has not been a significant source of imports of agricultural products into the United States. American agricultural shipments to the seven countries were over 4½ times the value of agricultural imports from those countries in 1961. Since its formation, our agricultural imports from the Common Market have never exceeded $260 million annually. No imported commodity exceeds $38 million in 1961. Imports consisted primarily of Dutch hams, French and Italian wines, Italian fruits and vegetables, Italian cheese, Dutch tulip and other bulbs, Italian, German, and Dutch vegetable oils, and Dutch and German cocoa and chocolate.

The Pacific Northwest exported agricultural products valued at $181 million in fiscal 1961, of which $112.9 million were from Washington and $68.1 million were from Oregon. Total exports by classification were: field crops, $136.3 million; fruits and nuts, $25.3 million; vegetables, $4.9 million, livestock and livestock products, $14.5 million.

In viewing the potential of agricultural export trade to Europe, it seems to me that your industry, indeed, U.S. agriculture, is confronted with two problems which—in some respects—are quite different. The first is the Common Market as at present constituted; the second, what the situation will be if all—or some—of the prospective members unite with the present group.

OUR HORTICULTURAL PRODUCTS AND THE COMMON MARKET

Most of my remarks so far have been concerned with the Common Market as at present constituted.

Frankly, horticultural products of the Pacific Northwest may face serious problems because of the rise of the Common Market. As a Nation we exported to the Common Market plus Greece—an associate member—$3.6 billion worth of products in 1961. One-third of these exports was agricultural products.

The Common Market as presently constituted will probably have little effect on about 70 percent—or about $700 million—of total agricultural exports to the EEC. These are largely products which the Economic Community does not produce or produces in limited quantity, i.e., cotton, soybeans, hides, and skins. For a number of other products, including some fruits and vegetables, such as some produced here in the Pacific Northwest, the outlook is reasonably good. The other 30 percent, grains, rice, poultry, and certain other commodities, have a more uncertain outlook.

Fruits and vegetable exports to the Common Market increased only $2.1 million in 1961 over 1957; i.e., from $68 to $70 million. As the Common Market tariffs against outside nations become effective, our fruit growers will face more serious threats primarily from Italian fruits. Many European nations maintain seasonal embargoes and restrictions on apples and pears. It might be noted at this point that if these seasonal embargoes and restrictions could be eliminated, our exports might well benefit, at least temporarily. Actually in recent years, our shipments of pears and apples have been limited as a result of protective policies abroad. I have joined with the Senators from the Pacific Northwest in protesting these policies, and my most recent communication to Under Secretary of State George W. Ball, had this to say concerning the restrictive practices of France:

"It seems to me that the time has come to give serious consideration to retaliatory withdrawals of our tariff concessions which benefit France. This may not be of immediate help to our apple and pear growers, but in the long run I think it will serve as an effective reminder to the French that reciprocal trade is a two-way street. Year after year we have observed the shrewd discriminatory tactics of France which have prevented the shipment of our fresh fruit to France for the holiday season market, and during the same periods we have stood by politely admitting French products to our markets on a 'business as usual basis.' This simply does not make common sense, nor does it make good business sense, particularly in light of our adverse balance of payments situation."

Minimum quality requirements for fruits and vegetables, if maintained by us, may favor U.S. products. Last year the United States exported—mainly to Canada and Western Europe—about 4.7 million bushels of apples—4 percent of the crop. Exports will probably be lower in the current year because production is increasing in Western Europe. Pear exports will probably equal last year's 1.4 million bushel equivalent.

Our oversea market for fruits and vegetables increased from $48.5 million in 1957 to $74.2 million in 1961. If the nine potential members join the European Economic Community, the results may be adverse for the United States.

Should Britain, the most important prospective member, unite in the Common Market, the United States and the Commonwealth would probably lose some of their present market for agricultural products through encouragement of production within the Community. Perhaps the canned fruits we provide the Common Market countries, plus the large amount provided to other European countries, would decline. However, with the increase of income which the present Common Market is receiving and which prospective members will probably gain, the market for choice fruits, both fresh and canned, might be maintained or even increased. This is particularly true with respect to concentrated and frozen fruit juice. As the lot of the average individual improves in Europe, so does the demand for these nourishing frozen fruits and juices.

With Britain in the Community the other members will gain a partner which could influence the other members to adopt policies favoring internal prices, more efficient production, and reduced restrictions on imports from third countries.

Conceivably the Common Market agricultural policy could shelter an agricultural industry of some 9 million small farms which would be subdivided into inefficient, scattered locations. While advantageous in welding an agricultural union, such a policy could be a definite disadvantage if maintained after such an economic union is achieved. Consumers in Common Market countries could thus be required to pay higher prices and U.S. producers would suffer from reduced exports.

However, encouraging signs for freer international trade have been indicated by EEC progress in eliminating nontariff barriers and the willingness of the Common Market to negotiate further with the United States and other countries on possible trade concessions.

I have tried to show what I consider the pros and cons of the Common Market in relation to the horticultural industry of the Pacific Northwest. Because of the absence of precise data much of the content of my remarks has been concerned with general agricultural problems which must be faced in trade relations with regional groupings of nations. However, I feel that the favorable and unfavorable factors have relevance to all sectors of our agricultural economy.

The Central and South American common markets have not been discussed because there has not been sufficient time to appraise their progress. Pear growers, I know, have been concerned seriously with imports from Argentina, Brazil, and Chile. Other agricultural industries which face heavy competition with imports are filberts (Turkey, Italy, and Spain); cherries (France and Italy), bulbs (Netherlands and Italy). What effect the Common Market will have on our imports of these products is difficult to estimate.

Some sectors of our economy will gain, others will lose as a result of the formation of the Common Market and its probable enlargement. Such losses as we face may be only temporary because of increasing incomes and rising demand in the Economic Community. What the ultimate effect will be on the horticultural industry is difficult to foresee. Much of course depends on the actual negotiations to be undertaken under the Trade Expansion Act and the concessions we may be able to arrive at.

Although it is much too early to judge the impact of the Trade Expansion Act, particularly in view of the uncertainties as to the future size and trade policies of the European Common Market, I personally am optimistic that in the long run it will be of real and lasting benefit to the United States and to the horticultural industry of the Pacific Northwest.

THE CHALLENGE OF THE COMMON MARKET

Thus, as you can see, the Common Market presents a challenge to all Americans and especially to our agricultural communities. But the first step in meeting this challenge has already been taken.

Prior to the enactment of the Trade Expansion Act, there was only one way we could persuade the European nations to reduce their tariff barriers to our trade; namely, by bargaining with them to lower their duties in exchange for our lowering our tariffs on their products. But the President had already used all of his authority for tariff reductions and had no bargaining power left which he could use on behalf of our agricultural and industrial producers.

For these reasons, last September, Congress by an overwhelming majority vote passed the Trade Expansion Act which gave the President a new set of tools to use in bargaining with other nations for lowering tariffs. This law allows the President to negotiate for the reduction of tariffs by as much as

50 percent in exchange for lowering reductions by other countries. In addition, the law confers upon the President a special authority to reduce duties to zero on those goods for which the United States and the Common Market are the dominant suppliers in the trade of the free world.

The Kennedy administration recognizes the vital importance of exports to the economic health of American agriculture and the administration has every intention of using its new bargaining authority to induce the Europeans to dismantle their tariff barriers against our farm products. Once these obstacles to trade are lowered on both sides of the Atlantic, the ever-increasing flow of goods across the ocean will provide a stimulus to our economic growth and create a greater prosperity for all our citizens—consumers, farmers, businessmen and workers alike.

RESOLUTIONS OF OREGON STATE HORTICULTURAL SOCIETY, CORVALLIS, OREG.

RESOLUTION 5 ON PUBLIC LAW 87-794

Whereas the 87th Congress passed Public Law 87-794 known as the Trade Expansion Act of 1962 which gives the President broad powers to reduce or eliminate present protective measures now in effect which are of extreme importance to certain Oregon produced horticultural products: Therefore be it

Resolved, That this, the Oregon State Horticultural Society, assembled this 30th day of November 1962, at its 77th annual meeting do hereby oppose a reduction of all protective measures now in effect including tariffs and quotas which in the past have protected such Oregon horticultural industries against the competition of like products imported from foreign countries at values below prices at which such Oregon produced products can compete; be it further

Resolved, That our congressional representatives be requested to use their best efforts with the administration to this end so that our Oregon horticultural products shall be properly safeguarded; and be it further

Resolved, That this resolution be furnished to all Oregon Members of Congress, both House and Senate, and to all other interested persons.

RESOLUTION 6 ON FOREIGN TRADE

Whereas the export market has historically been an integral part of the marketing program for Oregon pears and apples; and

Whereas Oregon pear and apple growers in recent years have been seriously injured by the refusal of certain European countries, primarily France and Germany, to live up to their commercial obligations under the General Agreement on Tariffs and Trade and by their discrimination against, and at times total prohibition of, the importation of U.S. pears and apples; and

Whereas these European countries have continued to discriminate against U.S. fruits and fruit products despite protests lodged by the United States, and it is apparent that representations alone are inadequate to secure continuing, reasonable opportunities to export U.S. fruits and fruit products which exports would be of inestimable value to the fruit growers and would aid the United States in overcoming its unfavorable balance-of-payments position: Now, therefore, be it

Resolved by the Oregon State Horticultural Society, That the President and other officials of the United States be urged to fully utilize the powers and authority granted by section 252 of the Trade Expansion Act of 1962 to the end that existing unjustifiable foreign import restrictions will be removed; be it further

Resolved, That the President be urged, that whenever a foreign country or instrumentality maintains unjustifiable or unreasonable import restrictions which directly or indirectly substantially burden U.S. commerce, to take all appropriate and feasible steps to (1) impose duties or other import restrictions on the products of such foreign country or instrumentality; (2) suspend, withdraw, or prevent the application of benefits of trade agreement concessions to products of such country or instrumentality; (3) refrain from proclaiming benefits of trade agreement concessions to carry out a trade agreement with such country or instrumentality; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Secretary of State, the special representative for trade negotiations, the Secretary of Agriculture, and the Secretary of Commerce, and that each of said officials be urged to take all appropriate and feasible steps within his power to accomplish the removal of unjustifiable foreign import restrictions in order to obtain for the U.S. fruit industry continuing, reasonable opportunity to export its fruit and fruit products; be it further

Resolved, That a copy of this resolution be sent to each of the Senators and Representatives from the State of Oregon.

RESOLUTION 7 ON UNITED KINGDOM AND THE EUROPEAN COMMON MARKET

Whereas the United Kingdom historically has been an important market for Oregon growers of pears and apples who have annually exported substantial quantities of d'Anjou pears and Newtown apples which have been afforded entry into the United Kingdom at the same tariff rates as competing products produced in countries in Europe which are now members of the European Economic Community (Common Market); and

Whereas the European Economic Community has established its common external tariff on pears and apples at levels much higher than the United Kingdom duty on such commodities; and

Whereas in the event the United Kingdom accedes to the Common Market their duties on U.S. pears and apples would be gradually increased to the level of the common external tariff while fruit produced in the EEC countries could enter the United Kingdom free of duty and the above changes in duties will adversely affect the export of Oregon pears and apples to the United Kingdom: Now, therefore, be it

Resolved by the Oregon State Horticultural Society, That the special representative for trade negotiations be urged to take all appropriate and feasible steps to assure that the present low United Kingdom duties will be reflected in the common external tariff which would result in lowering the level thereof and further that every effort be made to negotiate reductions in the common external tariff to the end that Oregon pear and apple growers may continue their historical trade with the United Kingdom and the other members of the European Economic Community.

LAND-GRANT COLLEGES IN THE NEXT CENTURY

Mr. MORSE. Mr. President, in the fall 1962 issue of the Co-op Grain Quarterly, a publication of the National Federation of Grain Cooperatives, Dr. James H. Hilton has contributed an article entitled "Our Land-Grant Colleges in the Next Century," which I feel will be of interest to Senators.

The achievements of our great land-grant college experiment have fully justified the hopes of the authors of the enabling legislation. As Dr. Hilton points out, "The role which the land-grant college has played in increasing America's capacity to produce can hardly be overestimated. Today, given the time and money, we can master almost any production problem. The work of the land-grant institutions has contributed mightily to this level of America's educational and scientific achievement."

Dr. Hilton, however, recognizes that no institution can afford to rest upon its past laurels, but that it must continually strive to meet new and changing needs. In his article he has pointed out some of the problems which the land-grant colleges must solve in today's world and that of the world of tomorrow.

I commend Dr. Hilton upon his thoughtful presentation. I ask unanimous consent that his article be printed at this point in my remarks.

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

OUR LAND-GRANT COLLEGES IN THE NEXT CENTURY

(By Dr. James H. Hilton)

For a century, the educational role which the land-grant college should play in American society has been the subject of discussion, debate, and at times, even controversy.

Born out of a congressional compromise, which tried to incorporate into the colleges' educational program at least two different philosophies on educational needs, the land-grant colleges were given no single, well-defined function. The new colleges, according to the Morrill Act, were to be scientific, technical, vocational, and practical in their education program. But they were also to give their students that broad, liberal education which would equip them for responsible democratic citizenship.

Despite the somewhat general wording of the Morrill Act, however, the new public colleges were indisputably charged with two central purposes. These purposes are more basic to the nature of the land-grant college than is any particular type of educational program. The first of the purposes was to serve the people's needs. The land-grant colleges were charged with the responsibility of providing young men and women with the kind of an education which would make them most useful to an ever-growing and ever-expanding, dynamic society, and would also equip them as individuals to make more satisfactory lives for themselves. The second purpose with which the colleges were charged was to provide the American people with equal access to educational opportunity. The new colleges were commonly called people's colleges. They were to belong to all the people. Their doors were to be open to all.

The general multipurpose educational program authorized in the Morrill Act has been a positive good. It has meant that the land-grant colleges have been free to achieve their basic educational purpose of serving the people's needs. The land-grant colleges have not been restricted to any one particular kind of educational program. They have been able to experiment and innovate. They have been able to develop the kind of educational and service programs which could best serve society's needs. They have been free to modify and adjust their programs to fit men's ever-changing environment.

At any one point in history, the kind of an educational program through which the land-grant college or university can effectively accomplish its central purpose of serving people's needs depends upon the kind of environment in which people live. The America into which the land-grant college was born was a world of scarcity. Although 60 percent of the population was engaged

in farming, the young Republic's subsistence type of agriculture could not adequately meet the food and fiber needs of a population which was increasing by one-fourth to one-third every 10 years. A large portion of that 19th century population was actually underfed from a nutritional standpoint. Most Americans' diet was meager and monotonous.

Therefore, even modest increases in family incomes caused a fairly large rise in the demand for food. As a developing industrialism brought about an increase in per capita income, the demand for food generally kept rising during the 19th century. Moreover, such technological advances in transportation as the railroad and the steamship were bringing American agricultural products into international demand. The need was for more and more agricultural products. The great need during the last half of the 19th century, and the early years of this century, was to develop an agricultural science and technology which could keep pace with the technological advances of our rising industrialism. For the ways of agricultural production in the 1860's were much the same as they had been for centuries before. Therefore, probably the most socially and economically useful function which the agricultural divisions of the new land-grant colleges could perform was to develop programs in teaching, research, and later extension, which taught farmers how to produce more abundantly. Because of the work of the land-grant colleges and the U.S. Department of Agriculture, our agricultural plant has been revolutionized in the past 100 years. No other nation can produce so much food and fiber with so little labor. In the brief span of a century, our ability to produce has been multiplied by at least five times.

Not only did the young Republic's subsistence type of agriculture fail to meet the Nation's food and fiber needs, but manufactured goods were barely trickling out from America's young and undeveloped industrial plant. The need was not only for the consumer saving which supplies the resources for building a great capital plant. The need was also for the growth of a body of scientific and technical knowledge, out of which could come the scientific discoveries and inventions, which have made our factories truly productive and have given Americans, as consumers, an amazing variety of mechanical conveniences and comforts. Therefore, one of the great responsibilities of the land-grant colleges has been to further the growth of scientific and technological knowledge.

In the fields of science and engineering, the achievements of the land-grant colleges have been notable. The land-grant college pioneered in the movement to bring science into educational curriculums. Within the research and teaching programs of the land-grant colleges, large bodies of scientific facts have been discovered and accumulated. Basic principles and experimental methods have been developed and tested. Complicated laboratory equipment has been invented. The young science graduates who have been pouring out of our land-grant colleges since the turn of the century are now manning the great research undertakings of both industry and government. Our land-grant colleges today must share a large part of the credit and responsibility for the scientific and technological progress America has made in the past 60 to 75 years.

We all know that the America of the latter half of the 19th century and early 20th century had its social, economic, and political inequities and injustices which cried out for remedy. But from the long historical perspective probably the first need of American society during that period was to develop an industrial and agricultural plant which could produce that material abundance which makes real social and economic justice possible.

The role which the land-grant college has played in increasing America's capacity to produce can hardly be overestimated. Today, given the time and money, we can master almost any production problem. The work of the land-grant institutions has contributed mightily to this level of America's educational and sicentific achievement.

But the contributions of the land-grant colleges and universities to the progress and well-being of mankind does not end at our shores. It extends to most countries of the world. The foreign students educated in our land-grant institutions, and the various technical assistance programs in the underprivileged countries, together with the cooperative programs between American land-grant universities and universities of foreign lands have made the contributions of the land-grant colleges worldwide in scope. This is perhaps America's greatest contribution to worldwide education.

This, then, is our past record. And we who are here today are all proud of it. But I often wonder if we in the land-grant colleges are giving enough thought to what our future should be. Are we thinking broadly, yet precisely, on the new problems and coercions which our rapidly changing world is placing upon the land-grant colleges and universities today? What will be the educational needs of this new world? Are we adequately planning for the adjustments which we will have to make in teaching curriculums and methods, in research programs, and in extension activities, if the land-grant colleges are to continue to serve their historic purposes of meeting people's educational needs?

As we all know, the land-grant colleges today like all institutions are operating in a world vastly different from the one in which they were established and lived their first half century.

The world into which Americans have moved during the past 50 years might be variously described. It is a world of material abundance; a world of revolutionary technological advance; an industrialized world in which economic power is held in great blocs; an urbanized world of vast metropolitan clusters, whose standards and values are being rapidly adopted by our shrinking rural population; a complex, interdependent world whose global size is fast shrinking; a world of hydrogen bombs, intercontinental ballistic missiles, and rockets to the moon. It is a world whose inhabitants are experiencing coercions, insecurities, and dangers undreamed of by the inhabitants of the world of 1862.

In such a world as this, we must ask the questions: Are our traditional curriculums and teaching methods adequately equipping today's college students for dealing with the problems they will be facing in this latter half of the 20th century society? What are our new educational needs?

Two forces in the modern world have, it seems to me, been more powerful than all others in creating new educational needs. The first of these is the interdependency of our society. The inhabitant of the world today—whether he be a farmer or a city dweller, a laborer in a factory or a member of management, a stockholder or a merchant in a small town—has lost the old independence which his ancestors enjoyed in our earlier agrarian-village economy. His livelihood, the satisfaction he gets out of life, and even his life itself are dependent upon the harmonious workings of a complex network of economic, social, and political interrelationships which are national and international in their scope.

Therefore, one of our greatest needs today is to learn how to live and work together harmoniously and justly in a world which has grown frighteningly small. Our growth in social intelligence is lagging dangerously behind our technological advance. We have a hydrogen bomb and an intercontinental ballistic missile before we have the social know-how to control these technological wonders for the benefit of men.

Our colleges and universities today have a responsibility for meeting this growing need for social intelligence. They have a responsibility for providing the kind of an educational program which will give young men and women the social understanding which enables them to perceive their economic, social, and political interdependence; to appreciate the needs and problems of other groups and other nations; to realize that the causes of social and economic ills and political dangers are seldom single-headed and one-sided; to foresee the probable effects of actions proposed for their group or their nation.

The second force in the modern world which is transforming educational needs today is the accelerated tempo at which change is taking place. The students we are training in our classrooms must go out into a society in which change is almost revolutionary. In such a society, the skills and technical competence acquired today may be outmoded in a few years.

Therefore, one of the most useful mental abilities we can give our students today is the ability to make intelligent adjustments to change. This is the capacity, first, to understand that change, historically, is inevitable and to view it with an open mind and with a desire to understand the new relationships and interdependencies which change creates. Secondly, it is the capacity to work intelligently to shape and to control change in the interest of achieving a more abundant and satisfying life for everyone.

Equipping young men and women with such mental abilities might be the most useful and practical education we could give them for facing the world today. Our modern world, however, also demands specialization in its producers. The sheer breadth and depth of our modern scientific knowledge combines with the complexity of our economic and social system to make specialization in training and in occupation almost a necessity. Seemingly, the young men and women who have specialized are best equipped to make a living. Moreover, our need for making further scientific and technological progress requires that specialization in disciplines which gives the scientist the competence to add to the sum total of human knowledge.

Here, then, is perhaps the single most important overall curriculum problem facing the land-grant colleges and universities today. It is the need for finding a fruitful balance between specialized training in the professions and sciences on the one hand, and broad education in the social sciences and humanities on the other.

The land-grant universities, despite their rich offerings in the liberal arts and social sciences, have not yet solved the problem of broadly educating students who are majoring in the specialized scientific disciplines. Nevertheless, the first step that the land-grant colleges must take is to insure that such broad course offerings are adequately available in their curriculums. The more difficult tasks, however, will be that of including an adequate number of these broader courses in each individual student's 4-year program of study.

I have been speaking in terms of achieving a balance in curriculum between the specialty courses and courses in the basic sciences and liberal arts. But perhaps such course balance in the years to come will prove too negative a concept to be useful. Perhaps the time is not too far off when we will be obliged to think more creatively of building curriculums around new types of course integration: of developing new synthesis of academic disciplines. It may well be that the traditional scientific disciplines,

which are the product of the meager knowledge of an earlier time, will themselves have to be broken up and replaced by new structures for organizing knowledge. Of course, a lot of these needs are only future probabilities; but certainly we should organize our knowledge in terms of curriculums so as best to equip our students for life in a world of unprecedented change.

So much for the need for reappraising and readjusting the formal educational programs which the land-grant college offers to young men and women who come to its campus in search of higher education. There is also a need for reappraising, readjusting, and even reshaping some of the research programs of the land-grant colleges.

The research record of the land-grant colleges has been truly notable. We all know the contributions which the colleges have made to mankind's welfare through their research discoveries in the physical and biological sciences. We all know the part which their research programs have played in transforming the American economy from one of scarcity into one of near abundance.

In a world in which great masses of men are still lacking the bare necessities for existence itself, in a world in which a growing population is pressing ever harder on existing resources, the land-grant college must continue to carry on research which will increase the world's capacity to produce more food, more clothing, more shelter, more of the things which make life comfortable. But our research task can no longer end there. Nor can we assume that our only research task today is to make the scientific and technological discoveries which will put us ahead in the nuclear and space fields, as vital as these needs may be in the times in which we live.

Today, the land-grant colleges, in their programs of research, must also deal with the complex problems of economic and social adjustments, which are so important to men's welfare and survival. Increasingly, the orientation of our research must be more around people and their welfare. Sometimes we have concentrated too much on how to adapt the conditions of nature, without regard for their impact upon people. In our concern for people, we must consider men not only as producers, but as total men. We must consider the family in all of its community and social relationships. We must seek to discover the economic and social arrangements through which individuals and groups of individuals can accommodate themselves to each other's needs and interests.

One of the first needs in organizing a research program which deals with economic and social problems will be—as it has been in the physical and biological sciences—to find a fruitful balance between basic and applied research. In all of our research areas—both old and new—we must withstand the pressures to put too large a share of our resources into applied research. We all know that our applied research projects which have produced immediate, concrete rewards, have drawn their information from the well of basic research. We all know that if our applied research is to continue to be productive and rewarding, we cannot allow the well of basic research to run dry. Fortunately, so many of the recent great useful and practical scientific discoveries, such as atomic energy, have been so directly the result of the basic research of so-called impractical theorists, that today the value of basic research is being more widely recognized and materially supported.

Second, we must recognize the restrictions which limitations in budget, trained personnel, and research facilities place upon the scope and types of research projects undertaken. Although we must work toward building research organizations which will fill all of our new research needs, such a retooling process takes time. In the meantime, we should carefully confine our efforts to those projects which can be adequately carried through. Our limited research energies should not be dissipated and wasted in diverse and scattered undertakings.

Third, many of the new problems which are troubling Americans today are a combination of sociopolitical and economic factors. The complex in real life does not break down nearly into problems which are either scientific, economic, sociological, or political. The difficulties which confront farm and urban families are no respecters of academic disciplines. And their solution will often require the special knowledge and competence of a variety of disciplines. For example, the problem of revitalizing a local community institution in a new setting may require the combined knowledge of the biological and physical scientist and conservationist, the economist, the social psychologist, the sociologist, the home economist, and the political scientist.

Fourth, we must recognize that we cannot stop at the State line in our investigations of economic and social problems. Such problems do not recognize State boundaries.

The fact that people's economic and social problems transcend State barriers means that the land-grant college system must think and work collectively to solve the large aggregate of overall problems which confront us. It means that new arrangements and procedures for cooperative research among the States and Federal agencies must be developed. We must pool our research efforts.

The problems which the land-grant colleges must solve in building cooperative extension programs which fit the changing needs of people are probably some of the most difficult ones with which the colleges must deal in making their adjustments to the modern times. A variety of conflicting pressures upon cooperative extension are making its task of adjustment extremely difficult.

In the first place, the concept of extension education has vastly changed since extension's beginnings in the first 20 years of this century. The educational problems with which extension services now deal have spread out from such demonstration services as dehorning cattle, culling chickens, or pruning fruit trees into a bewildering array of farm and home management problems, problems in family living, community problems, and the economic problems of agriculture and public farm policy. Our cooperative extension services now see the farmer not only as a producer and his wife not only as a homemaker, but recognize them as total persons with broad social, civic, and aesthetic interests.

The philosophy of extension education, which is concerned with the total human personality, is the most meaningful concept which could have been adopted. Nevertheless—particularly as the farmer's economic and social problems multiply—such a concept places upon our county extension men and women the frustrating responsibility of providing people with a conglomerate of educational services. Moreover, our growing scientific knowledge in all of the disciplines makes the county extension workers' task even more difficult. For in this day of highly specialized knowledge, they simply cannot be sufficiently grounded in all educational areas, no matter how capable they are.

Finally, our extension services' work load is growing even heavier because of the rapidly increasing number of people who are seeking its educational services. The lines between town and country are becoming blurred. Increasingly, rural people are supplementing their farm income with city employment. City people are making their homes in the country. Our suburbias are billowing out into the countryside. Moreover, city people are becoming conscious that, as taxpayers, they too have a right to share in extension's educational services. Particularly are the services of our home economists in demand by city homemakers. Finally, extension has the democratic obligation of striving to bring its services to those underprivileged rural groups who, although they do not seek its services, probably need them most.

In the face of these accumulating demands upon them, I believe that our cooperative extension services—if they are to continue adequately to serve the needs of people of their State—must think in a disciplined fashion upon the following questions: (1) What educational problems and services can extension deal with effectively? (2) Whom can extension adequately serve? and (3) How can extension maximize its efforts so that it can serve greater numbers of persons in an effective fashion?

I hope that I am not being inconsistent in believing that somehow we must adjust the number of problems with which extension deals to the size and competency of our county and State extension staffs. Since our democratic conscience will not permit us, as public educational institutions, arbitrarily to limit the clientele we serve, I think we must find the answer to extension's workload in developing more devices such as radio and television through which the extension worker's personality and knowledge can be projected out to hundreds of people whom he or she could not reach in person. We must bring into the services we offer more trained minds in many more fields than has been the case in the past. Moreover, in planning and carrying out our extension programs, we must use the new knowledge which sociology and social psychology are providing us. We must more effectively utilize group action techniques, neighborhood and community groupings, and local leadership patterns.

As we close the book on the first century of our great land-grant college movement, we, in the colleges, have a positive responsibility and obligation to think and plan constructively and creatively for our future. We must face the fact that these are times which demand bold action. For never before have people had to depend more heavily upon their colleges and universities in their struggle to find a direction—an understanding. We must reexamine our goals and our functions in the light of people's changing needs in our modern world. We must ask ourselves if our activities and methods are well designed to fulfill these goals. We must be willing to accept change and to plan boldly for our future. Only if we do these things will our land-grant colleges continue to be the socially valuable institutions which they have been in the past.

TRIBUTE TO CHARLES LEROY HAINES

Mrs. SMITH. Mr. President, one of the most dedicated and most capable public servants of the State of Maine has passed away. Charles LeRoy Haines was a very highly respected citizen of Maine—of Hancock County—and of the Ellsworth area.

His passing will be mourned by the citizens of Maine whom he so faithfully served for so many years. But his passing will be mourned here in the U.S. Senate as well.

For Roy Haines was deeply respected and greatly admired by Members of the Senate and by his contemporaries on the staffs of the Senators and the staff of the Senate itself. With great distinction, he served as secretary to the late Senator Owen Brewster.

In the 4 years that Senator Brewster was the chairman of the Maine congressional delegation, Roy Haines was literally the backbone of the work of the delegation. For it was Roy Haines who set up the meetings of the delegation, who drew up the agenda, who indirectly ran the meetings through the unobtrusive guidance that he gave those meetings, and who provided the follow-through action on the decisions taken by the members of the delegation at those meetings.

In a sense, Roy Haines was the third Senator from Maine or the uncrowned Congressman at large in the untiring, devoted, and dedicated performance that he gave.

Roy and I did not always see eye to eye on political and economic philosophy. It was not until after he retired that we became the very good friends that we did. He retired to nearby Maryland and when he wanted something at the Capitol he always called on me.

From time to time, when I expressed myself publicly on controversial issues, Roy would write me a letter in which he would express agreement or disagreement with me—but always commending me for refusing to dodge the issues. And in the great majority of instances he expressed agreement with me.

Like others, he gave me, through his letters, the courage to continue to speak my mind. So I shall miss him very, very much. And in his passing I salute him, for in my mind he was truly "Senator Charles LeRoy Haines" even though he was never elected to that title.

REVISED CONCEPT OF THE ROLE OF STRATEGIC NUCLEAR FORCES

Mrs. SMITH. Mr. President, in the current issue of the Air Force magazine—January 1963—there is a most thought-provoking article that should be given the most serious study and consideration by the members of the Armed Services Committee, the Appropriations Subcommittee on Defense, and the Aeronautical and Space Sciences Committee.

In fact this article should be read and studied by every Member of the Senate and the House prior to voting on defense authorization legislation and defense appropriation legislation.

It is the article entitled "Strategic Retreat From Reality," by John F. Loosbrock, editor of the Air Force/Space Digest. I will not attempt to characterize it. Instead I will merely say that it is "must" reading, and for that reason I ask unanimous consent that it be placed in the body of the CONGRESSIONAL RECORD.

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

STRATEGIC RETREAT FROM REALITY

(By John F. Loosbrock, editor, Air Force/Space Digest)

A radically different pattern of strategic theory is emerging as a new instrument of national policy. Its keystone is a revised concept of the role of strategic nuclear forces in the international power equation. The doctrine of nuclear deterrence is being replaced by a doctrine of nuclear stalemate. The strategic umbrella, under shelter of which major Soviet aggression has been deterred or repulsed at many times and in many places since the end of World War II, is being replaced by a strategic ceiling—rigid, immovable, and possibly brittle.

The U.S. force structure is being reshuffled into an almost 180-degree reversal of composition, emphasizing flexibility and diversity in conventional capabilities—the low-intensity end of the conflict spectrum—while trending toward rigidity and a limited choice of weapons in nuclear general-war forces—the high-intensity end of the spectrum.

It will be a matter of some years before the new strategy will become fully operable. It was not, for example, employed in the Cuba affair. That was a power play out of the old strategic nuclear deterrent book. As Senior Editor Claude Witze pointed out last month, it was SAC's shadow over Cuba which made the difference there. But our continued ability to react in such fashion will dwindle as the new strategy progressively affects the force structure.

The new strategy has not been formally articulated to the American people as yet. But the outlines can be gleaned from an examination of public statements and important budget decisions which will shape our future military posture. It is not too early to take a hard look at the new doctrine and its rationale.

EVOLUTION OF THE STALEMATE THEORY

Since the end of World War II U.S. strategy has been based on a reliance on our possession of overwhelming strategic nuclear superiority. Even though there could be no absolute guarantee that the United States would not suffer some damage in a general war, it was generally recognized that our margin of superiority was great enough to give the Soviet Union a strong incentive against provoking us. This strategic superiority underlay our ability to deter aggression all the way across the spectrum of conflict.

If the deterrent failed to deter, these same forces would strike quickly and decisively at the Soviet capability to wage war.

The threat of inevitable defeat was the sword of Damocles that hung over Soviet dreams and plans of military conquest.

Soviet progress in nuclear weaponry and intercontinental ballistic missile technology began to erode our confidence in the efficacy of the nuclear deterrent. After all, there are only 130 U.S. cities with populations of 100,000 or more. A relatively modest force of ICBM's with nuclear warheads could literally tear the heart out of our urbanized society. The list of Soviet cities of comparable size is even smaller—only 102. Thus, one rather quickly arrives at a position where, as Deputy Secretary of Defense Roswell Gilpatric recently put it to a national television audience, "either one of these great powers can deliver upon the other a thermonuclear blow of such proportions as to make that possibility unacceptable to any rational leader."

From there it is easy to postulate a state of mutual deterrence, where opposing strategic nuclear forces cancel out each other, much as was the case with poison gas in World War II. This is stalemate—the concept of a rigid strategic ceiling under whose mutual protection the great powers are allowed to employ conventional forces with impunity from nuclear devastation.

It is an attractive theory. It has even led to serious consideration that it might be possible to hold a future conflict within the destructive bonds of World War II, taking grim comfort from the thought that a conventional war, killing perhaps 75 million people over a period of 4 or 5 years, might be better than the risk of an Armageddon, which might produce 150 million deaths in 4 or 5 hours.

However, the validity of a theory is not necessarily a function of its attractiveness. History indicates that stalemates have tended to anesthetize the watchfulness of peaceful nations while presenting well-nigh irresistible temptation to aggressors. Especially when, as in the present instance, the stalemate is more apparent than real.

In the first place, making targets of cities provides neither a credible threat nor a rational recourse—either for us or for the Soviets. Defense Secretary McNamara himself has achnowledged this in his acceptance of the doctrine of counterforce. This doctrine, discussed at length in this magazine 8 years ago, eventually was accepted by the Air Force and forcefully promulgated in the Joint Chiefs by former Air Force Chief of Staff Thomas D. White. It is difficult to square counterforce with the doctrine of stalemate.

An even more basic consideration is the dynamics of the world power struggle, the contrasting objectives of the vying power blocs. The West essentially seeks to preserve the status quo, permitting to the Communists freedom of action as long as they confine their activity within the boundaries of the Soviet-Sino bloc. The Communists, on the other hand, are avowedly committed to expansion—into every area of the world and by every available means. If one accepts this great contrast in objectives—and admittedly there are those who do not—the temptation for the Soviets to break a stalemate and confront us with a covertly contrived position of superiority becomes almost irresistible. The Soviet attempt to outflank us in Cuba should serve as ample proof of their eagerness to gain a military advantage over us. Soviet achievement of a unilateral military capability in space provides an obvious future opportunity for a stalemate-breaking flanking maneuver. If Cuba, only 90 horizontal miles from our coast, presents a threat, how much more a Soviet base in space, only 90 vertical miles away?

Another justification for stalemate is acceptance of the view that there can be no winner in a nuclear war. It is hard to quarrel with this position if by nuclear war one means an all-out exchange of nuclear stockpiles. But the crucial issue is whether such an exchange represents the only form, or even the most likely form, that nuclear war might take. The issue is crucial because the way it is answered indicates the basic philosophy that underlies national strategy. And it is the philosophy that determines the shape and size and composition of our military forces. The fact that both sides are likely to find it against their interest to initiate an all-out nuclear attack against population centers does not necessarily mean that nuclear weapons cannot be profitably employed against the enemy's military forces.

The doctrine of stalemate already is affecting the composition of our strategic forces. Essential to the perpetuation of a stalemate, at least at this point in the military state of the art, is a force that can ride out a first strike and hit back. The hardened land-based Minuteman and the mobile and hidden, sea-based Polaris are ideally suited to the stalemate doctrine. Being relatively invulnerable, they are said to be less provocative than weapon systems which can only be protected against a first strike by launching them. Being unprovocative, these missile systems contribute to a stabilized situation (a common euphemism for stalemate) and set the stage for arms control.

Current defense hardware decisions are in line with the stalemate doctrine. A smaller and smaller proportion of the overall defense effort is going into the strategic forces. And a growing proportion of the strategic force is going into missiles. For the first time in almost three decades the United States has no bomber in production or even under development. The B–47 fleet is on its way out, and the B–52 is slated to follow fast on its heels, the obsolescence of the B–52 being hastened deliberately by the negative decision on the air-launched ballistic missile, Skybolt. The 70, whether RS– or B–, is

dead, an unfortunate victim of irretrievable emotionalism on the part of both its defenders and detractors.

By the end of this decade, unless an as-yet-unannounced manned system should go into development, our strategic forces will consist entirely of missiles. By that time, the invulnerability of these missiles, not seriously questioned today, may well be compromised by technological surprise in such areas as antisubmarine warfare, ballistic missile defense, or a variety of military applications of space technology.

We will have substituted rigidity for flexibility in the area of conflict where flexibility is most needed. There will be fewer, rather than more, options for a future President to exercise—fewer, rather than more, buttons on the White House console.

DOCTRINE OF SECOND STRIKE ONLY

Let us return now to what is a logical follow-on to the doctrine of strategic nuclear stalemate. The point is a subtle one, perhaps, but its impact makes a searching examination worth the effort.

Our national military policy has always been a second-strike policy, that we would never initiate a premeditated and unprovoked surprise attack. This is eminently consistent with our national values, and we have adhered closely to it over the years.

During the period of our atomic monopoly, for example, we declined the opportunity to strike the Soviet Union with impunity. Since then we have invested billions in improving our ability to strike back after we have been hit. The DEW line and BMEWS, the elaborate alert procedures to protect our aircraft, the hardening and dispersing of our missiles, these are a few of the heroic and costly measures we have taken to retain a second-strike posture.

Even so, we have recognized certain circumstances under which we might be compelled to make the initial attack against the Soviets, even before the United States proper had been hit. The classic example is that of a massive Soviet attack against NATO. At no time since World War II have the forces in Western Europe been strong enough to stop a determined Soviet attack. Yet NATO has not been struck.

We are still committed by treaty to the policy whereby we will respond to an attack on NATO as though it were an attack on the United States itself. But it is obvious that we are searching for an easier answer, for some deterrent short of the threat of nuclear attack against the Soviets. Mr. McNamara expressed his concern in a recent interview when he said:

"Under any circumstances, even if we had the military advantage of striking first, the price of any nuclear war would be terribly high."

The dilemma lies in the fact that the threat of retaliation is only meaningful if executing it offers some advantage. It begins to lose its impact the moment its executors begin to have second thoughts about its effectiveness. We quite obviously are having second thoughts today, and the consequences could be far-reaching. This becomes more true as we progress toward a strategic force which provides no nuclear options below the level of an ICBM exchange. The nuclear choice will become intercontinental missiles or nothing—an admittedly hard choice.

This is why the new strategy looks toward still another alternative, one that would free us from ever having to resort to nuclear retaliation at all. It seeks to eliminate all exceptions, to make the second-strike-only policy applicable under any conceivable circumstances. It backs off to the level of confrontation with conventional weapons, sometimes known as beating the Soviets at their own game or meeting the Soviet challenges by means and at places of their choosing. Conventional flexibility is obtained at the expense of nuclear flexibility.

THE DOCTRINE OF AUTOMATIC ESCALATION

It is frequently argued and widely believed that the use of even low-yield tactical nuclear weapons will trigger an automatic escalation process leading inexorably and inevitably to an all-out thermonuclear exchange. Mr. Gilpatric voiced this thought at a press conference last June, saying:

"I, for one, have never believed in a so-called limited nuclear war. I just don't know how you build a limit into it once you start using any kind of a nuclear bang."

It is this fear of escalation that haunts the peace movement and those who press for unilateral disarmament, or for arms-control measures without adequate safeguards. The subject is clouded by emotionalism, and a rational dialogue is difficult. History provides not clues since tactical nuclear weapons have never been employed in combat. Hence, it is easier to articulate the possibility of disaster than it is to defend the probability of desirable results.

A major factor usually overlooked in the escalation discussion is that the gap in firepower between the largest of conventional iron bombs and the smallest nuclear weapons is essentially closed, while the variety of yields of nuclear weapons is almost infinite. The mere word "nuclear" conjures up an image of a multimegaton warhead exploding over New York or Moscow. Seldom considered is the fact that the smallest tactical nuclear weapons can be only a few times more powerful than a World War II blockbuster. And today they can be delivered with a selectivity and accuracy unknown in World War II.

The second major consideration overlooked in the automatic-escalation theory is that an escalator runs down as well as up. It depends on who's boss of the battlefield. Escalation can be made to work for us, so long as we retain the overall nuclear superiority that keeps the option to escalate upward a decision that we alone can render. It would seem obvious that what would keep the Soviets from the first use of tactical nuclear weapons is fear of what might happen to them as long as we have the upper hand in this area. No one has yet devised a plausible rationale for their behaving any differently if we should initiate use of tactical nuclear weapons. The key is our retention of the option to escalate. Should this option pass to the Soviets through superiority or even parity, we would find out just how quickly it would be exercised.

Acceptance of the automatic-escalation theory by strategic planners leads logically to the renunciation of the first use of tactical nuclear weapons. They would be retained in the inventory as last resorts—to keep the Soviets from using theirs, to keep Europe from being finally overrun, etc. But their employment as a major instrument of military policy is becoming less and less likely. Once one has concluded that there can be no winner in a nuclear war, and that use of even one fractional-KT nuclear weapon on the battlefield will automatically escalate to a big nuclear war, one tends to look for other means of defending one's interests.

THE DOCTRINE OF FLEXIBLE RESPONSE

Under the premises outlined in the preceding paragraph, our strategy turns inevitably toward expanded conventional-war capabilities in a search for flexibility of response—more options.

Here the question is whether this kind of flexibility is the kind we actually need. Let us leap ahead a bit in time and postulate a situation in which the new strategy and the new force structure are applied.

The Soviets initiate a move against the West with substantial conventional strength. We have a strategic force made up exclusively of invulnerable second-strike missiles with a decisive margin of superiority in this area. We have renounced the use of tactical nuclear weapons out of fear of automatic escalation. We resist with conventional weapons only. The Soviets drive harder. We approach the end of our conventional rope. We are losing. Or suppose we are holding, or even winning, when the Soviets introduce tactical nuclear weapons. What do we do? How many options are open to us? How flexible are we?

We can negotiate, with the terms highly unlikely to be in our favor.

Or we can escalate immediately from conventional war to an exchange of ICBM's, to the highest level of conflict, to the kind of war where we already have told ourselves that there are no winners.

Clearly we cannot confine our quest for flexibility to the low-intensity end of the conflict spectrum. Further, we must build in flexibility from the top down, not from the bottom up. Unless we are willing to pay the price of being able to cope with every conceivable Soviet challenge in exact kind, we must give priority to the potential challenges which most seriously threaten our vital interests.

FLEXIBLE RESPONSE AND WESTERN EUROPE

For a dozen years or more the sword and shield concept of NATO has contained the vastly superior conventional forces of the Soviet Union and her East Europe satellites. The shield has been made up of NATO's ground forces and tactical air forces, armed with both conventional and nuclear weapons. There was never a question of attempting to contain a major Soviet assault, even a conventional one, with conventional weapons. Tactical nuclear weapons would be employed. The sword behind the shield was SAC, together with other strategic forces under the direct command of the Supreme Allied Commander in Europe.

Today the argument over conventional versus nuclear weapons may prove to be the reef on which NATO founders. We are insisting that NATO's conventional capability is grossly inadequate and that this could result in nuclear war being forced upon us. The Europeans, who have lived in the Soviet shadow with equanimity all these years, are becoming increasingly apprehensive about the extent and nature of future U.S. commitments in their behalf. They worry about our fear of using tactical nuclear weapons, because they think it increases the danger of a major conventional war in their back yard. The Europeans know firsthand that conventional war is no consummation devoutly to be wished. And they tend to view any U.S. policy shift in this direction as motivated primarily by a desire to keep a future war off U.S. soil. De Gaulle's drive for an independent French nuclear deterrent derives in large part from his doubts about the future viability of U.S. commitments. And British anger over our scuttling of her V-bombers by our virtual abandonment of the Skybolt missile is part of the same package.

But if Western Europe finds the thought of conventionally armed defenses distasteful, our own strategy is finding it more and more attractive. Under Secretary of State George W. Ball, speaking before the NATO Parliamentarians' Conference in Paris last November, said:

"There is no reason why the NATO countries cannot maintain in the NATO area conventional forces that are at least equal to those in Eastern Europe."

Mr. McNamara has also indicated his belief that the NATO countries can increase their conventional defensive capabilities. The NATO nations will agree, but only reluctantly and under heavy pressure from the United States.

We have not publicly renounced the first use of tactical nuclear weapons in the de-

fense of Western Europe, nor is there any likelihood that we will do so soon or even ever. But the doctrine of nuclear stalemate, coupled with the theories of automatic escalation and flexible response, indicate that we are trying hard to remove these weapons from any battlefield of the future, even if this means risking large-scale conventional wars.

As far as Western Europe is concerned, the danger is twofold—first, that the doctrinal conflict will irreparably damage the alliance, and second, that the Soviets will be encouraged to take new risks in the NATO area that could not have been justified when they were faced with the sword and shield concept.

MORE OPTIONS OR LESS?

No thoughtful person can quarrel with the idea of seeking as many alternatives as possible between surrender or holocaust. The real question is whether or not the current trends in strategy and force composition are really narrowing, rather than widening, the number of options that will be available as time goes on.

Consuming fear of nuclear weapons and nuclear war can deprive us of the main strategic advantage we possess today. It would reduce risks for the Soviet planners by concentrating future conflict in the conventional area, where the strategic advantage is clearly theirs. In addition, they know they can always pause for negotiations if the going gets too rough.

Far more worrisome, however, are the dangers inherent in unilateral acceptance of the strategic-stalemate concept. Indeed, the very fact that we accept a stalemate in itself breaks the stalemate in a psychological sense. A single technological breakthrough—with space offering an almost unlimited range of possibilities—could shatter the stalemate suddenly and irrevocably, permitting neither time nor opportunity to "fall back and re-grope."

Optimism is running high after the Soviet backdown in Cuba, and the temptation is to read more into that episode than is justified. One can make a case that the very attempt to emplace outflanking missiles on the island stemmed from the Soviet belief that, if their bluff were called, they had little to lose but face—a small risk in terms of the prospective benefits had the move gone undetected. And the strategic posture which made possible our positive reaction in Cuba is undergoing a radical change. Postulate a future Cuba—perhaps in space, perhaps in Iran—under the strategic philosophy discussed herewith, and one comes up with quite a different set of answers.

TRIBUTE TO SENATORS RUSSELL AND HILL

Mr. JOHNSTON. Mr. President, it is always appropriate to praise my distinguished colleagues, RICHARD RUSSELL and LISTER HILL, who have served in the Senate with great distinction, but it is particularly fitting at this time, as Senator RUSSELL begins his 31st and Senator HILL his 26th year of service in this body, to call attention to their dedication, devotion, and hard work over the years.

The highly deserved tributes already paid to these two great men by their colleagues on both sides of the aisle moved me deeply, and I want to associate myself with the fine things that have been said about them.

The gracious modesty with which the senior Senators from Georgia and Alabama responded to the compliments from their colleagues further mark them as truly great men.

I have had the honor of serving with RICHARD RUSSELL and LISTER HILL for the past 18 years, and I look forward to additional years of service with them.

Senator RUSSELL's State is next door to South Carolina, separated only by the Savannah River and two other small streams at the headwaters of the Savannah. Over the years it has been my pleasure to work with RICHARD RUSSELL and his colleagues from Georgia in the development of the vast resources of the Savannah River Valley. This development—construction of public power and water conservation dams—has strengthened the economy, present and future, of South Carolina and Georgia and the entire region. It could not have been accomplished without the tireless efforts of RICHARD RUSSELL.

RICHARD RUSSELL's contributions to the fight for national security through enlightened military strength and his devotion to the pillar of freedom, constitutional government, are too well known to reiterate here.

RICHARD RUSSELL is held in great esteem, not only in Georgia and the South, but throughout the length of the land; and he should be. I supported RICHARD RUSSELL for the presidential nomination on two occasions. President Truman has written that, "I believe that if RUSSELL had been from Indiana or Missouri or Kentucky, he might very well have become President of the United States."

The name of LISTER HILL is synonymous with service—service to the people of Alabama and the Nation. Monuments to his great love of people and his devotion to the principle that government can help relieve their suffering and lighten their burdens without compromising their self-respect or dignity, have been erected in villages, towns, and cities across the Nation—and along the rural roads and on the farms of America.

Those monuments are hospitals, health centers, rehabilitation centers, diagnostic and treatment clinics, tubercular sanatoriums, nursing homes for older people, and other facilities built under provisions of the Hill-Burton Act, and the powerlines of the TVA and the REA cooperatives. It has been my pleasure to be identified with LISTER HILL in promulgating the Hill-Burton Act, with rural electrification programs, and other progressive measures that have helped untold millions of people and strengthened America.

It is a high tribute to the intelligence and integrity of the people of Georgia and Alabama that they have repeatedly sent RICHARD RUSSELL and LISTER HILL to represent them in the U.S. Senate. I pray that they will continue to do so in the years to come.

IMPORTANCE OF IMMEDIATE SETTLEMENT OF THE DOCK STRIKE

Mr. CARLSON. Mr. President, the crippling dock strike which has been in effect for some weeks will have a serious effect on farm planting this year, unless the strike is settled immediately.

It is only natural to view a dock strike as a strike that affects only coastal areas. However, unless the present strike is settled immediately, it can have serious consequences on our agricultural production this year—not only on agricultural production, but also on the disposal of our surplus of farm products.

This morning I received a telegram from Roy A. Edwards, president of the Rudy Patrick Seed Co., of Kansas City, Mo., and former president of the National Seed Growers Association. The telegram reads as follows:

> The crippling dock strike has made it impossible for 10 million pounds in port and an additional 5 million pounds to arrive this month of agricultural seeds from Europe and other countries already purchased by American companies to go for distribution to the planting farmers. This seed is badly needed and would sow 1 million acres. The situation is critical and a few days can make the difference for the crop season. With the planting dates almost on us, it is imperative that this seed be unloaded. We urge your help in getting the strike settled immediately.
>
> RUDY PATRICK SEED CO.,
> ROY A. EDWARDS.

Mr. President, it is my sincere hope that this strike will be settled at an early date, not only in the interest of agriculture, but also in the interest of our Nation's economy.

FRAUDS AGAINST THE ELDERLY

Mr. WILLIAMS of New Jersey. Mr. President, the Senate Committee on Aging has demonstrated a lively and comprehensive interest in the problems facing our elderly citizens throughout the Nation. One of the reasons for the far-ranging studies of the committee has been the leadership of its chairman, Senator PAT MCNAMARA, of Michigan.

Recently, the chairman announced that the committee would conduct hearings on a major problem facing the elderly today. He has directed that the committee will study frauds directed specifically at our older citizens. This is a much-needed, timely inquiry. It should yield useful information and worthwhile suggestions for corrective legislation.

Mr. President, a New Jersey newspaper, the Ridgewood Herald-News, commented about the hearings in an editorial on January 3. I ask unanimous consent to have the editorial printed in the RECORD.

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

INVESTIGATION NEEDED

Senator PAT MCNAMARA, of Michigan, says he is going to launch an investigation of quack, cure-all preparations on the market and most sane people, including the medical profession, will agree that it's about time.

A great many of the bogus drugs, health foods and the like, the Senator says, are aimed at elderly people who are, of course, the people most likely to be suffering assorted ailments.

It is astonishing to discover how completely credulous otherwise sensible people can be when it comes to medical matters. Ridiculous diets, herb medicines, useless electric devices—nothing is too farfetched and absurd but what a lot of people will fall for it.

Many of the things have no possible medical value of any sort, but a good many

others, unfortunately, can be actually harmful. And for these things, says the Senator, somewhere around a billion dollars a year is expended, often by people who have little money to waste.

To put these things on the market and specially to make extravagant and unsupported claims for them is a callous, cruel practice, worse than the oldtime medicine showman ever thought of because it is done in sophisticated, pseudomedical terms which the medicine man never even heard of.

It is doubly cruel because it is aimed at people who often are desperate and suffering and who are clutching at any straw that promises help, no matter how illogical the promise may be.

There are few less admirable ways of getting rich quick but unfortunately a lot of people seem to be engaged in it.

NATIONAL SERVICE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, among the many worthwhile and necessary proposals discussed by the President in his state of the Union message, one of the most exciting was the National Service Corps. The Service Corps, patterned after the oversea Peace Corps, will provide a splendid opportunity for young people to help our less fortunate citizens. I know that this idea will appeal at once to the enthusiasm and idealism of the Nation's youth, and I expect that many young people will be eager to volunteer.

The oversea Peace Corps has already demonstrated its usefulness; it is time that we applied the talents and resources of our youth to pockets of need and deprivation right here at home.

As I see it, the National Service Corps could work this way: At the request of the proper officials in the States concerned, corps members would come to a State to help its overburdened and hardworking teachers and social workers. The States would draft the projects on which these volunteers would work. While in the State they would work with and under the supervision of State personnel. Let me emphasize that this is not a Federal project or an expansion of big government. The National Service Corps would serve basically as a means for channeling the enthusiasm and skills of youth to the areas where they can be most useful.

I am particularly interested in the success of this legislation because it is planned that some of the initial projects of the National Service Corps will deal with some of the most neglected members of our society, migratory farmworkers.

For instance, in New Jersey, the National Service Corps could run day-care centers for migrant children, assist the teachers in summer schools, and help the doctors and nurses manning the migrant laborer health clinics.

The proposal for the National Service Corps is of special interest in New Jersey because a group of Garden State students worked in 1962 on a pilot volunteer program to help migratory farmworkers. Sixteen girls at Douglass College gave up their summer to work with the farmworkers and their families at day-care centers and other projects in southern New Jersey. The work done by these girls has helped to generate some of the enthusiasm I have for a more comprehensive corps.

This National Service Corps would do more than provide critically needed assistance to the underprivileged and neglected fragments of our society. It would alert the rest of us to the magnitude of the hardship and social deficiencies now facing so many of our citizens.

TRIBUTE TO SENATOR BIRCH BAYH, OF INDIANA

Mr. HUMPHREY. Mr. President, I wish to express my thanks to the Presiding Officer (Mr. BAYH in the chair), who is one of the new Members of the Senate, and who today has taken on the very important responsibility of presiding over the Senate. I believe he is the first of the class of 1963 to perform this important duty. I wish to commend him and to salute him for his service and for his helpfulness in this regard.

The PRESIDING OFFICER. The Chair thanks the Senator from Minnesota for his kind remarks.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I now move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, January 15, 1963, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Commendation of Volunteer Firemen From the Villages of Franklin Square, West Hempstead, South Hempstead, Uniondale, Roosevelt, Elmont, Lakeview, Garden City, and Hempstead

EXTENSION OF REMARKS
OF
HON. JOHN W. WYDLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, January 14, 1963

Mr. WYDLER. Mr. Speaker, I would like to call to the attention of this august body a feat of daring, bravery, and courage performed by a group of my constituents: the volunteer firemen from the villages of Franklin Square, West Hempstead, South Hempstead, Uniondale, Roosevelt, Elmont, Lakeview, Garden City, and Hempstead.

On the morning of December 31, 1962, a blaze broke out in a warehouse in the village of Hempstead which eventually destroyed Long Island Railroad station there and caused over $1 million worth of damages. During its course, several homes were threatened.

The temperature was at near zero throughout many hours these brave men spent fighting the blaze. In a short time after they arrived at the scene, each man resembled a ghostly apparition; each was covered with a cake of ice. The cold was bitter; the fire raged. Despite these obstacles, these wonderful men fought on, eventually bringing the fire under control—a fire that had all the earmarks of being the most devastating Long Island had ever experienced.

Mr. Speaker, I call the attention of the House of Representatives to these men because they are volunteer firemen—they receive no pay for their labors—they are dedicated to the preservation of life and property in the community. Through the years they have performed their duties with courtesy, kindness, and efficiency. They are on call 24 hours a day. And when the siren sounds, they are on the go immediately without regard for personal comfort or safety.

These men deserve the undying admiration of the people of their communities. The same admiration is due their wives and families who keep the fearful vigil, many of whom have formed auxiliary units which, like the male groups, travel to the scene of the fire and provide these hardworking men with coffee and doughnuts and aid during the critical firefighting time.

I commend to your consideration all volunteer firefighting units, but especially, at this time, the brave men of the villages I have cited who performed so well in the recent, critical Hempstead blaze.

These are men I suggest, who do not ask what their country can do for them, but in the tradition of the minutemen of Concord and Lexington, are actually doing right now. They are to be applauded as examples of the finest in Americanism.

A Resolution To Establish a House Committee on Captive Nations

EXTENSION OF REMARKS
OF
HON. HENRY C. SCHADEBERG
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, January 14, 1963

Mr. SCHADEBERG. Mr. Speaker, in reintroducing my resolution to establish a Special House Committee on the Captive Nations, I must point out that one more country has been added to the list of captive nations since I introduced similar legislation a year and a half ago.

Cuba must be regarded as a captive nation. We have seen firsthand what