IN THE NAVY AND MARINE CORPS

The nominations beginning Thomas W. Amis to be captain in the Marine Corps, and ending Marvin A. Ennis to be chief warrant officer, W–3, in the Navy, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 23, 1963.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 14, 1963

The House met at 12 o'clock noon.

Rabbi Saul Israel Wisemon, Beth El Synagogue, Torrington, Conn., offered the following prayer:

Our Father who art in heaven, we pray that Thou wilt bless these men, chosen by the people of this Nation, for Thou knowest them, their needs, their motives, their hopes, their fears. Help them in their offices, in committees, and above all, as they meet here in legislative session.

Our Father, Thou alone knowest the difficulties these men must face and the grave decisions they must make.

We pray for the President of the United States and all who minister to the needs of the people, the representatives of the people, and all those in authority, that it may please Thee so to rule their hearts that they may rightly use the trust committed to them for the good of all people. Vote through these men, we pray Thee, O Lord, that what they say and what they do may be in accordance with Thy will, for this land that we love so much.

May we remember that it takes time to build the Nation that can truly be called God's own country. It takes time to work out the kind of peace that will endure. It takes time to find out what we should do, what is right and what is best.

Experienced though we be in the ways of men, we know all too little of the ways of God. But Thou knowest us by name and deeds, each and every one of us.

Amid all the pressures brought upon them, may they ever hear Thy still small voice and follow Thy guidance for the good of all the people.

O Lord, teach us to number our days that we may apply our hearts to wisdom. Time is short, no one knowing how much or little time he has left. Help us to use it wisely. Give us the faith to believe that there is no problem before us that Thy wisdom cannot solve. As Thou hast guided men and the destiny of this Nation and the world from this sacred place, so, we pray Thee, guide these men today.

We pray for all the people of our country, that they may learn to appreciate more the goodly heritage that is ours. We need to learn in these challenging days that to every right is attached a duty, to every privilege an obligation.

Make us aware, O Lord, of the record that Thou art writing, the record that one day will be read by the King of Kings.

Teach us, O Lord, the disciplines of patience, for we find that to wait is often harder than to work. We ask Thee not for tasks more suited to our strength, but for strength more suited to our tasks. Help us to work with Thee that it may be a good day with good things done. We know that a different world cannot be built by indifferent people. Help us to see that it is better to fail in a cause that will ultimately succeed than to succeed in a cause that will ultimately fail. Guide us how to work. Since we cannot always do what we like, grant that we may like what we must do, knowing that truth will prevail.

Grant, we pray Thee, that to all people You give Your benediction.

יברכך יהוה וישמרך
יאר יהוה פניו אליך ויחנך
ישא יהוה פניו אליך וישם לך שלום
אמן:

"The Lord bless you and keep you, the Lord deal kindly and graciously with you, the Lord bestow his favor upon you and grant you peace."

THE JOURNAL

The Journal of the proceedings of Thursday, October 10, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed bills, a joint resolution, and concurrent resolutions of the following titles, in which concurrence of the House is requested:

S. 1049. An act relating to the Indian heirship land problem;

S. 1588. An act to authorize the extension of conservation reserve contracts through 1965, and increase the limit of annual payments under the cropland conversion program to $20,000,000;

S. 1915. An act to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and to encourage the reduction of excess marketings of milk, and for other purposes;

S.J. Res. 123. Joint resolution to authorize the printing and binding of an edition of Senate procedure and providing the same shall be subject to copyright by the authors;

S. Con. Res. 59. Concurrent resolution to print, for the use of the Committee on Government Operations, 25,000 additional copies of a revised committee print entitled "Federal Disaster Relief Manual"; and

S. Con. Res. 61. Concurrent resolution authorizing the printing of additional copies of hearings on "Organized Crime and Illicit Traffic in Narcotics" of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations.

PAY RAISE FOR CONGRESS?

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. YOUNGER. Mr. Speaker, legislation authorizing an increase in congressional salaries from $22,500 to $35,000 has been introduced as an omnibus bill covering an increase in pay for civil service and postal employees as well as those in the executive and judicial branches. Generally speaking, a salary and wage increase can only be justified by an increase in production or to cover an increase in the cost of living.

Certainly, if we analyze an increase in the salaries of Congressmen, using an increase in production as a yardstick, we not only would not be entitled to an increase in pay, but should be returning part of the salary we are now receiving. I am sure no Member has ever attended such a do-nothing session.

If the increase were analyzed on the basis of a cost-of-living increase, no such increased salary could be justified. As a matter of fact, the President in his recent talk to the Nation on taxes said there was no inflation, using the wholesale price index as his proof. Of course, we all know this analogy will not stand up for there actually has been a cost-of-living increase of approximately 3 percent since 1960, but that will not justify the suggested congressional pay raise.

Frequently, we decry the administration's as well as other efforts to belittle the Congress. Certainly, we should not at this time give them additional reasons to bolster their position by increasing our own salaries.

ARMY ELECTRONICS COMMAND PROCUREMENT

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I had planned today to present to the Members of the House the results of another procurement case I have been studying for some time. I cannot make that speech and here is why:

The subject of my speech was to be the AN/ASW–12 autopilot. The Army Electronics Command awarded a development contract in 1958 and paid $2.3 million for the design and perfection of this system. In many subsequent sole-source—no competition—purchases, the Army paid over a half-million dollars for drawings, technical literature, and the like.

After a long study, I persuaded the Army to buy this autopilot competitively, but now I am told by Maj. Gen. Frank W. Moorman of the Army Electronics Command that the sole-source producer wants at least $725,000 and up to 20 percent more than that to supply the Government with information necessary for a competitive producer to build the set. He also tells me that it would take 21 months to get this information ready.

Mr. Speaker, this Government has spent over a half-million dollars for drawings and technical literature for this set. It has spent over $2 million in developing it.

Information to build the set should have been delivered on past buys. It was not. Information to build the set should be at hand. It is not. Instead, every effort is being made to keep this auto-

pilot under the expensive sole-source type of procurement.

I will have more to say about this within the next few days, Mr. Speaker. As of today, I am asking the Comptroller General to investigate this case thoroughly and report to me as soon as possible.

PERSONAL EXPLANATION

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. HARRISON. Mr. Speaker, on last Thursday, October 9, I was unavoidably absent during rollcalls 170 and 171. Had I been present and voting I would have voted "yea" on rollcalls 170 and 171.

SUBCOMMITTEE NO. 4 OF HOUSE SMALL BUSINESS COMMITTEE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the House Committee on Small Business be permitted to sit this afternoon during general debate.

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

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from South Carolina [Mr. McMILLAN], chairman of the Committee on the District of Columbia.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that following the passage of each of the bills we shall call up today, the chairman of the subcommittee handling the bill be permitted to insert in the RECORD his statement on that bill.

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

There was no objection.

SIZE OF MILK AND ICE CREAM CONTAINERS

Mr. HUDDLESTON. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 6413) to amend the act approved March 3, 1921, as amended, establishing standard weights and measures for the District of Columbia, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 of the Act approved March 3, 1921 (41 Stat. 1221), as amended (sec. 10–114, D.C. Code, 1961 edition), is amended to read as follows:

"SEC. 14. (a) All fluid and frozen dairy products, including but not limited to whole milk, skimmed milk, cultured milk, sweet cream, sour cream, buttermilk, chocolate milk, chocolate drink, ice cream, and frozen custard, and frozen dairy desserts such as sherbet, water ice, and ice milk, shall, when sold or offered for sale in package form, be packaged only in units of gallons, one and one-half gallons, two and one-half gallons, integral multiples of the gallon, or binary-submultiples of the gallon of not less than one fluid ounce. Packages of less than one fluid ounce shall be permitted if such package be one of a number of identical packages in an outside container the total contents and labeling of which conform with the requirements of this Act. Notwithstanding the foregoing, frozen dairy products and frozen dairy desserts may be sold or offered for sale in individually packaged or wrapped portions each containing four or more but less than sixteen fluid ounces, in integral multiples of one ounce, or, if less than four ounces, in multiples of one-half ounce. The package or wrapper of each individual portion of any such frozen dairy product or frozen dairy dessert shall be clearly labeled to show the net contents in fluid ounces. When two or more such individual portions of a frozen dairy product or frozen dairy dessert are sold or offered for sale in an outside container, the exterior of such container shall be clearly labeled to show the number of individual portions contained therein and the total net contents of such container, in fluid ounces.

"(b) Bottles or containers used for the retail sale of milk, buttermilk, chocolate milk, chocolate drink, or cream shall have clearly blown or otherwise permanently marked in the side of each bottle or container, or printed on the cap or stopple thereof, the name and address of the person, firm, or corporation who or which bottled such milk, buttermilk, chocolate milk, chocolate drink, or cream and the capacity of such bottle or container, except that a package containing less than one fluid ounce need not be labeled as to quantity if such package be one of a number of identical packages in an outside container the total contents and labeling of which conform with the requirements of this Act."

SEC. 2. Section 18a of such Act approved March 3, 1921, as added by the Act approved July 7, 1932 (47 Stat. 609; sec. 10–119, D.C. Code, 1961 edition, second paragraph), is hereby repealed.

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to insert my remarks in the RECORD prior to the passage of each of the bills we shall consider today that are reported by the Committee on the District of Columbia.

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

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, the purpose of this bill is to amend two obsolete provisions in the present act establishing standard weights and measures in the District of Columbia. Specifically, these two provisions presently forbid the sale of milk in the District in quantities smaller than 1 gill—one-fourth of a pint—and ice cream or other frozen dairy products in packages smaller than one-half pint.

The first of these provisions, pertaining to the sale of milk, has made it necessary for restaurants and other food-serving establishments to serve cream or half-and-half, with servings of coffee, in small individual glass containers about 1 ounce in size. The District of Columbia Health Department has become concerned as a result of various unsanitary practices observed in connection with the use of these small creamers, such as refilling of used containers without thorough cleaning, salvaging of partially used servings, and exposure of open servings to various unsanitary conditions. Since milk and cream are readily perishable products and potentially hazardous foods, the Health Department's concern is obviously well founded.

H.R. 6413 will permit the sale of milk in packages as small as 1 ounce. If this is enacted, the local dairies plan to put on the market a small individual container of cream or half-and-half, of suitable size for serving with a cup of coffee. The container will be of plastic-coated paper, filled and sealed of course under sanitary conditions, and the user will tear off a corner to open the container, thus forestalling its reuse.

The District of Columbia Department of Public Health and the District of Columbia Board of Commissioners, who requested this legislation, strongly endorse this plan as a progressive step toward more effective sanitation in food-serving establishments. While this bill will not require restaurants to adopt the new and more sanitary method of serving cream with coffee, it is felt that the practice will become standard within a short time.

The present provision with respect to ice cream and frozen desserts is far out of date, as it does not take recognition of present-day practices in regard to packaging and sale of such foods. Packages, ice cream cones, small Dixie cups, Eskimo Pies, and a whole array of familiar frozen dairy products are actually illegal in the District of Columbia today. Hence, the legalizing of such products for sale in the District, as will be provided in this bill, is long overdue.

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

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

There was no objection.

Mr. HORTON. Mr. Speaker, H.R. 6413, the bill under consideration, would amend the act of March 3, 1921, which establishes standard weights and measures for the District of Columbia.

This bill was proposed by the District Board of Commissioners at the behest of the Board of Health; is in the public interest inasmuch as it would further upgrade the sanitary handling and packaging of dairy products for public consumption.

Present law limits the minimum quantities of cream and ice cream that can be packaged by the local dairies. This 40-year-old limitation has been made unrealistic and even a threat to the public health due to the revolutionary modern-day methods of sanitary packaging. By this I mean that under present law, sanitary prepackaging by the dairies of 1-ounce servings of coffee cream is prohibited and as a result, many restaurants prepare the 1-ounce servings from larger containers under less sanitary conditions; thus, many abuses—such as reuse by the restaurants of partially used customer portions—have been detected by the health authorities.

Mr. Speaker, I urge immediate enactment of this bill.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

Mr. HUDDLESTON. Mr. Speaker, the purpose of this bill, H.R. 6413—as set forth in House report 835—is to permit the packaging of smaller quantities of milk, ice cream, and other dairy products than is permissible under present law. Under modern methods, dairies are able to package milk and ice cream in very small amounts, and there is demand for such packaging on today's market.

Section 14 of the present District of Columbia Milk Act, as amended, reads in part as follows:

> Bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half-gallon, 3 pints, 1 quart, 1 pint, half-pint, or 1 gill.

Thus, present law forbids the sale of milk in containers smaller than 1 gill in capacity. For this reason, it is necessary for restaurants and other food service establishments to fill individual 1-ounce containers from bulk packages in order to provide individual servings of cream or half-and-half with coffee servings. We are informed that the District of Columbia Department of Public Health does not approve this practice, as unsanitary conditions often result from the refilling of used containers, salvaging of partially used servings, and exposure of open servings.

If this proposed legislation is enacted, the local dairies propose to produce small, individual packages of plastic-covered paper, sealed, containing an amount of cream or half-and-half-suitable for serving with coffee. These containers will be labeled in accordance with the provisions of the Milk Act, and must be opened in such a manner that they will not be reusable. These individually packaged servings will be distributed to the food service industry in multiunit packages whose volume will equal an amount required by present law, as quoted above.

At a public hearing conducted by Subcommittee No. 4 on September 30, 1963, an official of the District of Columbia Department of Public Health testified in part that—

> We think milk should be packaged in small quantities in the dairies where the process would be supervised, and where the containers could not be used again.

Present law also prescribes a minimum of one-half pint for the quantity of ice cream, sherbet, and similar frozen food products which may be offered for sale. This obsolete provision does not, of course, take cognizance of modern packaging practices in connection with the sale of ice cream and other frozen dairy products, inasmuch as it renders illegal the sale of ice cream in cups smaller than one-half pint, ice cream cones, Eskimo Pies, et cetera.

H.R. 6413 would repeal this outmoded section, and provide that frozen dairy products and frozen dairy desserts may be sold in individually packaged portions in integral multiples of 1 ounce, between the limits of 4 and 16 ounces, and in integral multiples of one-half ounce if the container is smaller than 4 ounces. Also, when two or more of these small individual portions are sold in a single outside container—as a package of 24 Eskimo Pies of 3 ounces each—the outside package must be labeled to show properly the number of individual portions contained therein and the total net contents of the package.

The letter from the Board of Commissioners of the District of Columbia, expressing their approval of this legislation, is as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, July 9, 1963.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

MY DEAR MR. MCMILLAN: The Commissioners of the District of Columbia have for report H.R. 6413, 88th Congress, a bill to amend the act approved March 3, 1921, as amended, establishing standard weights and measures for the District of Columbia, and for other purposes.

Section 14 of the act approved March 3, 1921 (41 Stat. 1221), as amended (sec. 10–114, D.C. Code, 1961 ed.), reads in part as follows: "bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half-gallon, 3 pints, 1 quart, 1 pint, half-pint, or 1 gill."

Because of the size of the containers required by the above-quoted provision of existing law, it is necessary for food service establishments to fill individual serving containers from bulk packages; that is, packages of 1 gallon, one-half gallon, 3 pints, 1 quart, 1 pint, one-half pint, or 1 gill. This practice, the Commissioners are informed, leaves much to be desired in the prevention of contamination of cream or half-and-half. The Commissioners are further informed that despite constant supervision both by the management of food service establishments and by the Department of Public Health, many bad practices, such as refilling of used containers, salvaging of partially used servings, and exposure of open servings have frequently been observed.

The Commissioners understand that in an effort to solve the problem described in the preceding paragraph, both the dairy and the packaging industries have approached the Department of Public Health with an offer to produce for distribution to the food service industry individually packaged servings of cream or half-and-half, to be contained in such numbers in a multiunit package that the total volume in the multiunit package would equal an amount required by the above-quoted provision of existing law, with the proper markings required by law. It appears that the individual packages would be made of plastic-coated paper in a tetrahedral shape, sealed (containing a metered amount of cream or half-and-half, and be properly labeled in accordance with the requirements of the Milk Act and the regulations promulgated thereunder. These individual containers would be opened by the consumer by tearing off a corner, thereby signaling others that the package had previously been used or partially used.

The Commissioners are further informed that the Department of Public Health is interested in the foregoing proposal primarily because of a considerable improvement in sanitary food control which the proposed procedures have over some of the indicated food service practices, and because the proposed procedures will permit of easier supervision and greater assurance that the public will be protected against the contamination of cream and milk, both of which are readily perishable products and potentially hazardous foods.

Section 18a of the act approved March 3, 1921, as added by the act approved July 7, 1932 (47 Stat. 609; sec. 10–119, D.C. Code, 1961 ed., 2d par.), reads as follows:

"The standard measure for ice cream, sherbet, and similar frozen food products shall be of the following capacities: One-half pint, pint, quart, half gallon, gallon, 2 gallons, 2½ gallons, and multiples of the gallon; * * *"

This provision of existing law does not, however, take into consideration the fact that modern packaging practices, insofar as the sale of frozen dairy products or frozen dairy desserts are concerned, involve packages smaller or of a different size than those permitted by existing law. The Commissioners are of the view that it is desirable that existing law be changed to recognize modern packaging practices used in connection with the sale of frozen dairy products or frozen dairy desserts.

In the belief that the changes which the bill makes in the act approved March 3, 1921, will be to the benefit of the consuming public and will take cognizance of modern methods utilized in the packaging of fluid and frozen dairy products and frozen dairy desserts, the Commissioners favor the enactment of H.R. 6413.

Very sincerely yours,
WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

DISCHARGE OF PAROLEES

Mr. HUDDLESTON. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 4333) to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to establish a Board of Indeterminate Sentence aand Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, as amended (sec. 24–204, District of Columbia Code, 1961 edition) is amended by inserting "(a)" immediately after "SEC. 4."and by adding a new subsection at the end of section 4 to read as follows:

"(b) Notwithstanding the provisions of subsection (a) of this section, the Board of Parole may, subject to the approval of the Board of Commissioners of the District of Columbia, promulgate rules and regulations under which the Board of Parole, in its discretion, may discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced."

SEC. 2. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

Mr. HUDDLESTON. Mr. Speaker, the purpose of this bill, H.R. 4333—as set forth in House Report No. 838—which

was requested by the Board of Commissioners of the District of Columbia, is to authorize the Parole Board for the District of Columbia to discharge a parolee from supervision when the Board deems that the purpose for which the parole was granted has been accomplished.

The groundwork for this proposed legislation actually was started in 1956, when the District of Columbia Board of Commissioners appointed a Committee on Prisons, Probations, and Parole to supervise a study of the problem of overcrowding in the District's correctional institutions, and also the existing policies with respect to probation and parole. The report of this committee, submitted in 1957, included a recommendation that the Parole Board be granted the authority which is incorporated in this bill.

The District of Columbia Board of Parole has advised the Commissioners that under its parole supervision there are presently many persons under sentences which would require that they be supervised for periods as long as 20 to 30 years, and in some cases even for the rest of their natural lives. Moreover, many such individuals have been out on parole for 10 or even 20 years, and have made very good adjustments to community life. In such cases, the Board of Parole is of the opinion that the purpose for which the sentences were originally imposed, namely, the rehabilitation of the individuals, has been accomplished, and that to require such persons to continue under parole supervision would not serve any useful purpose. It is their opinion, in fact, that such continued supervision might well lead to a depressed mental attitude which in some cases might prove detrimental to a good adjustment previously attained. Moreover, it is felt that this possibility of early discharge from supervision may provide an incentive to prisoners facing long parole terms, to strive to make a good adjustment.

A member of the District of Columbia Parole Board has advised this committee that at present the Board has 107 persons who have been under parole supervision for 5 years or more, perhaps 10 percent of whom might be discharged from supervision under the provisions of this bill; and another 73 persons who have been on parole for 10 years or longer, some 40 percent of whom might be relieved from supervision by the Board. Thus, it seems probable that the parole supervision of some 40 to 50 present parolees might be terminated if this bill is enacted.

This committee understands that the authority which this bill would grant, to discharge such parolees from supervision prior to the termination of the original sentence, would be discretionary with the Board of Parole, and that a favorable recommendation by the parolee's supervisory parole officer will be a prerequisite to consideration of any such case by the Board.

Your committee is informed also that several States, including California, Connecticut, and Ohio, have enacted similar legislation, and that in 1958 the Congress granted this same discretionary authority to the U.S. Board of Parole in connection with Federal employees.

At a public hearing conducted on September 30, 1963, no opposition to this bill was expressed.

The letter from the District of Columbia Board of Commissioners, requesting this legislation, follows:

GOVERNMENT OF THE DISTRICT
OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, January 8, 1963.

Hon. JOHN W. MCCORMACK,
The Speaker, U.S. House of Representatives, Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioners have the honor to submit herewith a draft bill to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term of terms for which he was sentenced.

On October 30, 1956, the Commissioners of the District of Columbia authorized a comprehensive study of overcrowding in the correctional institutions of the District of Columbia together with a study of existing probation and parole facilities, policies, and practices in the District of Columbia. The Commissioners were particularly interested in determining whether the District of Columbia should in the future make large capital expenditures to construct additional prison facilities or, as an alternative, provide for the increased utilization of expanded probation and parole programs. To carry out the study authorized by them, the Commissioners appointed a Committee on Prisons, Probations, and Parole to oversee and exercise policy direction in the conduct of the study. This Committee, in April 1957, submitted to the Commissioners a report which, among other recommendations, included one that legislation be enacted to provide the Parole Board with the authority to terminate the parole period of persons when in the opinion of the Board the purpose for which parole had been granted has been accomplished.

The Commissioners have been advised by the Board of Parole that in many instances the Board has under its parole supervision persons who have been released on parole under sentences which would require that they be supervised for as long as the rest of their natural lives, or for periods as long as 20 to 30 years. In some of these cases, however, where the individuals have been out on parole for as long as 10, 15, or 20 years and have made especially good adjustments in the community, the Board of Parole is of the view that the purpose for which the sentence was originally imposed has been accomplished; that is, the rehabilitation of the individual. Accordingly, to require such a person to continue under parole supervision for 5 or 10 more years would not, the Board states, serve any useful purpose, and might even result in a depressed mental attitude which has in some cases seriously affected the good adjustment made by a parolee.

Accordingly, the Board of Parole recommends and the Commissioners concur in its recommendation, that the Board be given authority to discharge from supervision persons who have been under supervision for a long period, where it appears to the Board that their rehabilitation has been accomplished and no further useful purpose would be served by maintaining them under parole supervision. Such authority in the Board would, it is believed, serve as an incentive to prisoners who are facing long parole terms since it would give them some hope that if they made an especially good adjustment for a substantial period of years they would not face the prospect of being under parole supervision for an unreasonable length of time.

The Commissioners stress the point that the authority to discharge a parolee from supervision by the Board of Parole would be discretionary with the Board, with each case being considered on its merits and with a favorable recommendation by the parolee's supervising parole officer being a prerequisite to the consideration of any such case by the Board.

The Commissioners are informed that discretionary authority to discharge from parole supervision after a substantial period of satisfactory adjustment has been vested in parole boards in several of the States, including California, Connecticut, and Ohio, to name a few. Furthermore, the Congress, by its enactment of the act approved August 25, 1958 (72 Stat. 845), has granted discretionary authority to the U.S. Board of Parole to discharge prisoners from parole supervision.

In the belief that in certain meritorious cases the discharge of a parolee from supervision by the Board of Parole will be of benefit both to the parolee and to the community, the Commissioners strongly recommend the enactment of the attached draft bill authorizing the Board of Parolee to terminate its supervision of a parolee who, after having been so supervised for a substantial period of time, is found to have made a satisfactory adjustment in the community. The attached bill is identical with H.R. 12687 and S. 3729, introduced in the 86th Congress at the request of the Commissioners, and S. 562, similarly introduced in the 87th Congress.

It is anticipated that the enactment of the proposed legislation will not result in any increase in expenditures of the government of the District of Columbia, but rather will result in a decrease in such expenditures by reason of the shortening, in some cases, of the period of time a parolee may be required to be supervised by the Board of Parole.

Yours very sincerely,
WALTER N. TOBRINER,
President, Board of Commissioners.

Mr. BROYHILL of Virginia. Mr. Speaker, this bill, which I am pleased to support, is for the purpose of authorizing the District of Columbia Parole Board to terminate the parole supervision of a parolee prior to the expiration of the maximum term for which he was sentenced, when the Board deems that the purpose for which the parole was granted has been accomplished.

The District of Columbia Board of Parole advises that at present, the Board has approximately 75 persons who have been under its supervision for 10 years or longer, and more than 100 others who have been under parole supervision for 5 years or more. The present sentences in many of these cases will require that they be supervised for periods as long as 20 to 30 years longer, or even for the remainder of their lives. Moreover, many of these parolees have made very good adjustments to normal community life and in these cases, the Board of Parole feels that the purpose for which the sentences were originally imposed, namely, the rehabilitation of the individuals, has been accomplished. To require these persons to continue under parole supervision, therefore, not only would not serve any useful purpose, but the Board feels will actually be harmful in some cases, by creating a depressed mental attitude which could prove detrimental to a good adjustment already achieved. A spokesman for the Parole Board estimates that about 40 percent of the parolees enumerated above as having been under supervision for 5 years

or longer could now be safely discharged from supervision.

The authority granted the Parole Board under the provisions of this bill would of course be discretionary, and a favorable recommendation by the parolee's supervisory parole officer will be a prerequisite to consideration of any case by the Board.

In 1958, this same authority was granted to the U.S. Board of Parole, in connection with Federal parolees. Several States also have followed this example.

It is estimated that it costs the District about $1.50 per day to maintain supervision over a parolee. Any saving of money or time on the part of the Board, however, is insignificant when compared with the value obtained by restoring human dignity and self-confidence to long-term parolees whose conduct has earned them a right to such consideration.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. HORTON. Mr. Speaker, H.R. 4333, the bill under immediate consideration, would authorize the Parole Board for the District of Columbia to terminate, at its discretion, direct supervision of a parolee in cases where, after a substantial period of direct supervision, the parolee appears to have made a favorable adjustment. The committee understands that the bill in no way authorizes the shortening or termination of the actual parole period.

H.R. 4333 was proposed by the District of Columbia Board of Commissioners after intensive study by its Committee on Prisons, Probations, and Parole. Subsequent testimony before the District Committee by the Corporation Counsel and the Parole Board disclosed that there are a number of cases where parolees who have made excellent adjustments have been under the required supervision for periods of 20 years or more. Paroles in some cases are for life, along with the presently required supervision.

However, the authorities are of the firm opinion that continued mandatory supervision, after an apparent good adjustment, could prove to be detrimental over the long run—evidenced by a depressed mental attitude which could endanger the previous good adjustment.

The authorities emphasize that they are seeking discretionary authority only, and further, that a favorable recommendation by the parolee's supervisory parole officer will be a prerequisite to consideration of any such case by the Parole Board.

Mr. Speaker, as we know, the purpose of parole is a humanitarian effort to give the parolee an opportunity to rehabilitate himself under supervisory guidance. However, if it is amply apparent, after a suitably extended period, that the parolee has made a good adjustment, then, according to expert opinion, continued direct supervision could be self-defeating.

Legislation similar to this has already been enacted on the Federal level when Congress, in 1958, granted discretionary authority to the U.S. Board of Parole to discharge Federal prisoners from parole supervision. Several States have also enacted similar measures.

The District Committee is assured that enactment of this bill would in no way result in expense to the District; on the contrary, a possible saving may well result by way of a reduction of the caseload of the supervisory personnel of the Parole Board.

Mr. Speaker, I urge immediate enactment of H.R. 4333.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVAL OF UNSAFE BUILDINGS

Mr. HUDDLESTON. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 7441) to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes", approved March 1, 1899 (30 Stat. 923, as amended; title 5, ch. 5, D.C. Code, 1961 edition), is amended by striking the term "inspector of buildings" wherever such term appears therein and inserting in lieu thereof "Commissioners". The first sentence of the first section of such Act as amended, is amended by striking "his opinion" and inserting in lieu thereof "their opinion" and by striking "he shall" and inserting in lieu thereof "they shall".

SEC. 2. The first section of such Act, as amended (sec. 5–501, D.C. Code, 1961 edition), is amended by adding at the end thereof the following:

"The term 'Commissioners' means the Commissioners of the District of Columbia sitting as a board or the agent or agents designated by them to perform any function vested in said Commissioners by this Act."

SEC. 3. Section 3 of such Act, as amended (sec. 5–503, D.C. Code, 1961 edition), is amended by striking the third sentence therefrom.

SEC. 4. Section 4 of the Act of March 1, 1899 (30 Stat. 923), as amended (sec. 5–504, D.C. Code, 1961 edition), is hereby amended (a) by inserting "(a)" immediately after "SEC. 4"; (b) by inserting "any dead, dangerous, or diseased tree, or part thereof," after "excavation," in the first sentence; (c) by striking "excavation" in the second sentence and inserting in lieu thereof "excavation, or any dead, dangerous, or diseased tree, or part thereof,"; (d) by striking "or parts thereof, or miscellaneous accumulation of material or debris" in such second sentence and inserting in lieu thereof "or parts thereof, any miscellaneous accumulation of material or debris, or any dead or dangerous tree, or part thereof, or the removal or spraying of any diseased tree"; (e) by striking from the second sentence "bear interest at the rate of 10 per centum per annum until paid, and be carried on the regular tax rolls of the District of Columbia and shall be collected in the manner provided for the collection of general taxes" and inserting in lieu thereof "be collected in the manner provided in section 6 of this Act"; (f) by adding at the end of such section 4(a) the following sentence: "Within the meaning of this section, a dead tree shall be any tree with respect to which the Commissioners of the District of Columbia or their designated agent have determined that no part thereof is living; a dangerous tree is any tree or part thereof, living or dead, which the said Commissioners or their designated agent shall find is in such condition and is so located as to constitute a danger to persons or property on public space in the vicinity of such tree; and a diseased tree shall be any tree on private property in such a condition of infection from a major pathogenic disease as to constitute, in the opinion of the said Commissioners or their designated agent, a threat to the health of any other tree.", and (g) by adding at the end thereof the following new subsection:

"(b) The authority conferred on the Commissioners under subsection (a) with respect to the removal of dangerous and diseased trees constituting a nuisance shall be exercised by the Commissioners only after every reasonable effort has been made to abate such nuisance other than by the removal of any such tree, or part thereof."

SEC. 5. Such Act, as amended, is amended by inserting the following sections immediately after section 4, reading as follows:

"SEC. 5. The Commissioners shall determine the cost and expense of any work performed by them under the authority of the first four sections of this Act, including the cost of making good damage to adjoining premises (except such as may have resulted from carelessness and willful recklessness in the demolition or removal of any structure) less the amount, if any, received from the sale of old material, and shall assess such cost and expense upon the lot or ground whereon such structure, excavation, or nuisance stands, stood, was dug, was located, or existed, and this amount shall be collected in the manner provided in section 6 of this Act. Any person, corporation, partnership, syndicate, or company subject to the provisions of the first three sections of this Act who shall neglect or refuse to perform any act required by such sections shall be punished by a fine not exceeding $50 for each and every day said person, corporation, partnership, syndicate, or company fails to perform any act required by such sections.

"SEC. 6. Any tax authorized to be levied and collected under this Act may be paid without interest within sixty days from the date such tax was levied. Interest of one-half of 1 per centum for each month or part thereof shall be charged on all unpaid amounts from the expiration of sixty days from the date such tax was levied. Any such tax may be paid in three equal installments with interest thereon. If any such tax or part thereof shall remain unpaid after the expiration of two years from the date such tax was levied, the property against which said tax was levied may be sold for such tax or unpaid portion thereof with interest and penalties thereon at the next ensuing annual tax sale in the same manner and under the same conditions as property sold for delinquent general real estate taxes, if said tax with interest and penalties thereon shall not have been paid in full prior to said sale."

SEC. 6. Section 5 of such Act, as amended (sec. 5–505, D.C. Code, 1961 edition), is re-

numbered "SEC. 7." and is amended to read as follows:

"SEC. 7. (a) Any notice required by this Act to be served shall be deemed to have been served when served by any of the following methods: (1) When forwarded to the last known address of the owner as recorded in the real estate assessment records of the District of Columbia, by registered or certified mail, with return receipt, and such receipt shall constitute prima facie evidence of service upon such owner if such receipt is signed either by the owner or by a person of suitable age and discretion located at such address: *Provided,* That valid service upon the owner shall be deemed effected if such notice shall be refused by the owner and not delivered for that reason; or (2) when delivered to the person to be notified; or (3) when left at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein; or (4) if no such residence or place of business can be found in the District of Columbia by reasonable search, then if left with any person of suitable age and discretion employed at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or (5) if any such notice forwarded by registered or certified mail be returned for reasons other than refusal, or if personal service of any such notice, as hereinbefore provided, cannot be effected, then if published on three consecutive days in a daily newspaper published in the District of Columbia; or (6) if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, then if served on the owner of record in a manner hereinbefore provided. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right, and notices to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served personally on any agent of such corporation, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia.

"(b) In case such notice is served by any method other than personal service, a copy of such notice shall also be sent to the owner by ordinary mail."

SEC. 7. Such Act, as amended, is amended by inserting a new section immediately after section 7, as renumbered by this amendatory Act, reading as follows:

"SEC. 8. Whenever the Commissioners find that any building or part of a building, staging, or other structure, or anything attached to or connected with any building or other structure or excavation shall cause a building to be unsafe for human occupancy, they shall give notice of such fact to the owner or other person having an interest in such building, and to the occupant or occupants thereof. If within five days after such notice has been served upon such owner or other interested person, such building or part thereof has not been made safe for human occupancy, the Commissioners may order the use of such building or part thereof discontinued until it has been made safe: *Provided,* That if in the opinion of the Commissioners the unsafe condition of the building or part thereof is such as to be imminently dangerous to the life or limb of any occupant, the Commissioners may order the immediate discontinuance of the use of such building or part thereof. Any person occupying, or permitting the occupancy of, such building or part thereof in violation of such order of the Commissioners shall be fined not more than $300 or imprisoned for not more than thirty days."

SEC. 8. Section 6 of such Act, as amended, is renumbered "SEC. 9."

With the following committee amendments:

1. Page 2, line 20, strike out " "excavation" " and insert in lieu thereof " "excavation," ".

2. Page 2, lines 23 and 24, strike out " "or parts thereof, or miscellaneous accumulation of material or debris" " and insert in lieu thereof " ", parts thereof or miscellaneous accumulation of material or debris" ".

The committee amendments were agreed to.

Mr. HUDDLESTON. Mr. Speaker, the purpose of this bill, H.R. 7441, as set forth in House Report No. 842, which was requested by the Board of Commissioners of the District of Columbia, is to amend the act authorizing the removal of dangerous and unsafe buildings, or parts thereof, in the District of Columbia, as follows:

First. Provide for a uniform method of assessment of costs incurred by the District in connection with work done in making repairs to unsafe structures, either when the urgency of the situation necessitates immediate repairs by the District, or when the District finds it necessary to make such repairs because the owner has failed to comply, within a period of 10 days, with a notice ordering the repairs made.

Second. Include dead, dangerous, or diseased trees among the nuisances which the Commissioners may abate under the act.

Third. Provide new sections to the act relating to notice to owners and evacuation of unsafe buildings.

Fourth. Modernize the act by striking out the obsolete title, "inspector of buildings," wherever it occurs and substituting the word "Commissioners." There has been no Inspector of Buildings in the District for many years, and the function at one time performed by this officer was transferred to the District of Columbia Commissioners by Reorganization Plan No. 5, in 1952.

Under present law, when any structure in the District is found to be unsafe and the public safety necessitates immediate corrective action, the District of Columbia Commissioners are authorized to make such repairs or take such corrective steps as may be necessary. Where immediate action is not necessary and the owner of the building does not initiate repairs by noon of the day following the serving of a notice by the Commissioners, the Commissioners are authorized to order a survey, the report of which is served upon the owner. If the owner fails to comply with any order included in this notice within a period of 10 days, then the District is authorized to do the work required to make the building safe. In either case, the expense incurred by the District may be assessed against the property. The owner then has 90 days in which he may pay the amount assessed without interest; after that time, any unpaid amount bears interest at the rate of 10 percent per year and can be collected in the same manner as general District of Columbia taxes. However, there is presently no provision in the act of a definite time by which the assessment must eventually be paid. H.R. 7441 would remove this weakness in the present act, by adding a new section limiting to 60 days the period during which the assessment may be paid without interest, and providing for interest at the rate of one-half of 1 percent per month or portion thereof, on any part of the assessment remaining unpaid at the expiration of such period of 60 days. This tax would be payable in three equal installments, with interest, and if any part remains unpaid at the end of 2 years after the assessment is made, then the property would be subject to tax sale.

There is also a provision in H.R. 7441 which would authorize the Commissioners to impose a fine of $50 per day for each day in which the owner of a property fails to comply with a notice requiring correction of unsafe conditions. We are informed that the intent of this provision is to encourage owners to make their own repairs of relatively minor unsafe conditions, thus eliminating the need for District action in such cases.

The present law provides also for the abatement by the District of nuisances such as dangerous holes or excavations, abandoned vehicles, and debris of any kind, as they may affect the public health, comfort, safety, and welfare which are present on any lot or parcel of land in the District, when the owner of such property fails to abate the nuisance within a period of 5 days after being served a notice to do so. A fine of $50 per day for such failure to comply is provided here also, upon conviction of the owner in court. The principal change which H.R. 7441 would incorporate in this section of the present act is to add dead, dangerous, or diseased trees to the list of nuisances coming under its purview.

The District of Columbia Board of Commissioners has informed this committee that such dead, dangerous, or diseased trees pose a real problem in the District at this time, for which reason their being listed as abatable nuisances is justified. This view has been supported by the District of Columbia Department of Licenses and Inspections, and the District of Columbia Department of Public Health.

For some years, under the authority of an agreement between the U.S. Department of Agriculture, the National Park Service, and the District of Columbia Department of Highways and Traffic, District employees have removed trees afflicted with Dutch elm disease from private property in the city when the owners have failed to remove them. In these instances, the District employees have been acting as agents of the Federal Government. However, the city has never had any authority to remove trees from private property for any reason other than the presence of Dutch elm disease.

This provision of H.R. 7441, which would grant this authority, specifies that a "dead" tree is one of which no part is living, a "dangerous" tree must constitute a danger to persons or property on public space, and a "diseased" tree must be

one which is infected with a major pathogenic disease which causes it to be a threat to the health of any other tree. Also, it is stipulated further that the authority to remove a dangerous or diseased tree shall be exercised by the Commissioners only after every reasonable effort has been made to abate the condition by other means.

The Chief of Quarantines and Hearings, Plant Quarantine Division, U.S. Department of Agriculture, and the Superintendent of National Capital Parks have expressed their endorsement of the Commissioners' request for this authority with respect to diseased trees.

As in the case of unsafe structural conditions, it is proposed in H.R. 7441 that costs to the District incurred when the city is obliged to abate these nuisances will be assessed as taxes against the properties, and collected in the same manner.

The present act specifies methods of serving the notices referred to above, and establishes an order of precedence for the use of these methods. This bill seeks to amend this section by eliminating this order of precedence so as to provide greater flexibility in the choice of methods of serving notice. Further, this bill provides that whenever any method other than personal service is utilized, a copy of the notice shall also be sent to the owner by mail.

H.R. 7441 will also provide the Commissioners with authority to order an unsafe building vacated, by serving of proper notice, when in their judgment the condition is imminently dangerous to the occupants. Failure of any occupant to obey such an order would be punishable by a fine not to exceed $300, or imprisonment for not more than 30 days.

At a public hearing conducted by Subcommittee No. 5 on September 13, 1963, no opposition to this bill was expressed.

Mr. BROYHILL of Virginia. Mr. Speaker, this bill offers several significant improvements to the present law which authorizes the District of Columbia Commissioners to remove dangerous or unsafe buildings.

The above-mentioned law, enacted on March 1, 1899, provides that in the event a structure in the District is found to be unsafe and dangerous from any cause, and if the owner of the property, after being notified by the District, fails to remedy the unsafe condition, the District is authorized to make such repairs or take such other corrective action as may be necessary for public safety. Also, if public safety requires immediate action, the Commissioners are empowered to take such action. The expense of any work performed by the District under this act may be assessed against the property, with interest at the rate of 10 percent per year, if the owner has not paid the amount within 90 days. However, there is presently no specific time when the assessment as a tax shall be paid. This bill will strengthen this part of the act by reducing the period for payment of such costs without interest to 60 days, increasing the rate of interest thereafter to one-half of 1 percent per month, and providing for sale of the property at tax sale if the amount has not been paid in full within 2 years after the assessment is levied. Also, the bill proposes a fine of $50 for each day the required action is not taken by the owner.

The present act provides also for the abatement of nuisances which may exist on any lot or parcel of land in the District, such as dangerous holes or excavations, abandoned vehicles, or miscellaneous debris of any kind, which may be deemed to affect the public health, comfort, safety, and welfare. As in the case of unsafe structures, such nuisances may be abated by the District if the owner fails to comply with notice, and costs to the District of such work would come under the same new provisions, described above, as the bill provides in the case of unsafe structures.

In this connection, however, a major provision of this bill would be to authorize the Commissioners to remove dangerous trees from private property. At present, this may be done only in the case of trees afflicted with Dutch elm disease, through agreement between the U.S. Department of Agriculture, the National Park Service, and the District of Columbia Department of Highways. However, we understand that dead, dangerous, and diseased trees constitute a problem which justifies their being considered abatable nuisances, and this bill will so provide, with several safeguards to property owners against improper use of this authority. First, a diseased tree must be one which is afflicted with a major, pathogenic disease, and, second, every effort must be made to spare as much of a tree as possible, in corrective action taken under this authority.

This bill will also provide the Commissioners, for the first time, with authority to order and enforce the evacuation of a building which is deemed to be unsafe for habitation, until suitable repairs are made.

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. HARSHA. Mr. Speaker, I introduced this bill at the request of the District of Columbia Board of Commissioners, for the purpose of amending the present law pertaining to the repair or removal of dangerous or unsafe buildings, which dates back to 1899.

Under present law, when a structure in the city is found to be dangerous or unsafe from any cause, the District is authorized to take immediate steps to correct the condition if imminent danger to the public safety exists, and if such immediate action is not necessary then notice is served to the owner of the property. Further provision is made for the District to repair or remove the structure, as may be necessary, if the owner fails to do so within a 10-day period, and the expense incurred by the District in any such operation may be assessed against the property.

This bill will amend this section of the present act by authorizing a penalty of $50 per day to be imposed against the property owner for each day he fails to comply with notice to correct an unsafe condition. Also, the time during which the assessment against his property may be paid without interest is reduced from 90 to 60 days, the interest rate is established at 0.5 percent per month or part thereof, and provision is made for the disposition of the property at tax sale if the assessment remains unpaid for 2 years.

Further improvement in the present law is accomplished by eliminating the order of precedence presently required in the use of the various methods of serving notices to property owners. This bill will also authorize the District of Columbia Commissioners to enforce the removal of hazardous trees from private property, such as those which are dead, structurally dangerous, or afflicted with a major pathogenic disease. This adjunct to the present law is recommended by the National Park Service, the U.S. Department of Agriculture, the District of Columbia Department of Public Health, and the District of Columbia Department of Highways and Traffic.

The final major feature of this bill is to authorize the Commissioners to order the evacuation of a dangerous or unsafe building, or any part thereof, whenever in their judgment the safety of the occupants necessitates such action.

I am convinced that this proposed legislation is constructive and in the public interest, and am pleased to offer this measure for the consideration of my colleagues in the Congress.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEAL DISTRICT OF COLUMBIA CREDIT UNIONS ACT

Mr. HUDDLESTON. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8313) to repeal the District of Columbia Credit Unions Act, to convert credit unions incorporated under the provisions of the act to Federal credit unions, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any credit union organized under the District of Columbia Credit Unions Act (47 Stat. 326), as amended, may apply for conversion into a Federal credit union by filing with the Director of the Bureau of Federal Credit Unions (hereinafter referred to as the Director), pursuant to a resolution adopted by a majority of its directors, an organization certificate meeting the requirements of section 4 of the Federal Credit Union Act (12 U.S.C. 1753), as amended.

SEC. 2. The Director shall approve any such organization certificate meeting such requirements. Upon such approval, the applicant credit union shall become a Federal credit union, and shall be vested with all of the assets and shall continue responsible for all of the obligations of such applicant credit

union to the same extent as though the conversion had not taken place.

SEC. 3. Any District of Columbia credit union converting into a Federal credit union in accordance with this Act shall thereupon be subject to the limitations, vested with the powers, and charged with the liabilities conferred and imposed by the Federal Credit Union Act upon credit unions organized thereunder, except that—

(1) no fee shall be imposed upon a credit union converting pursuant to this Act as an incident to its conversion;

(2) any loan or investment made by a credit union converting pursuant to this Act in conformity with the District of Columbia Credit Unions Act prior to its conversion, which does not conform to the requirements of the Federal Credit Union Act and is still outstanding at the time of conversion, shall be liquidated at or before maturity or, if it has no maturity date, in a prudent manner and within a reasonable period of time; and

(3) a credit union converting pursuant to this Act shall submit proposed bylaws to the Director for his approval after its conversion, but not later than thirty days following its next annual meeting or six months after the enactment of this Act, whichever is later: *Provided*, That any existing bylaw inconsistent with any other requirement of the Federal Credit Union Act shall be deemed null and void.

SEC. 4. Effective thirty days after enactment of this Act, the District of Columbia Credit Unions Act (47 Stat. 326), as amended, is repealed and all organization certificates issued thereunder and still in force are revoked.

Mr. HUDDLESTON. Mr. Speaker, the purpose of this bill, H.R. 8313 as set forth in House Report 840, is to repeal the District of Columbia Credit Unions Act, as amended (47 Stat. 326; D.C. Code 26–501, 1961 ed.), and permit credit unions presently incorporated under the provision of that act to be chartered under the Federal Credit Union Act.

Under existing law, credit unions may receive charters from the State in which they are located, including the District of Columbia, or under the provisions of the Federal Credit Union Act, as amended (12 U.S.C. 1751). At the present time, there are 159 credit unions in the District of Columbia chartered under the Federal Act, and 16 chartered under the District of Columbia Act. All are supervised, however, by the Director of the Bureau of Federal Credit Unions pursuant to the provisions of the respective acts. Thus, while the credit unions chartered in the District of Columbia are subject to regulation by the District of Columbia Commissioners, all auditing functions are carried out by the Bureau of Federal Credit Unions. As a result, any recommendation of the Director of the Bureau of Federal Credit Unions must first be communicated to the District of Columbia Board of Commissioners, who in their discretion have authority to carry out or to reject such recommendation. All proposed amendments to the bylaws of the 16 credit unions chartered by the District of Columbia must be approved by the District of Columbia Board of Commissioners.

It is the feeling of this committee that in the interest of efficiency and uniformity in the regulation of all credit unions in the District of Columbia, all of the District of Columbia Commissioners functions under the District of Columbia Credit Unions Act should be transferred to the Director of the Bureau of Federal Credit Unions.

Moreover, this transfer of functions to the Federal agency appears desirable for other reasons as well. The District of Columbia Credit Unions Act was approved in 1932, approximately 2 years before the Federal Credit Union Act was passed, and since that date virtually no changes have been made to bring the operation of the credit unions chartered by the District into line with more modern practices. As recently as 1959, however, the Federal Credit Union Act was amended and modernized in several important respects. For example, these amendments permit credit unions chartered under the Federal act to establish loan offices and to allow single signature loans up to $750. Also, the boards of directors of such credit unions may now declare dividends either semiannually or annually. Prior to 1959, only annual dividends were authorized. In contrast to these practices, under the District of Columbia Credit Unions Act unsecured loans are permitted only up to a limit of $300, and the members must still approve any dividend rate as recommended by the board of directors. Also such dividends are authorized only on an annual basis. Thus, the provisions of H.R. 8313 would enable the 16 credit unions presently chartered under the obsolete District of Columbia act to operate on a comparable basis with the other 159 local credit unions with whom they must compete.

Still a further consideration of prime importance is the fact that if any Federal Government agency whose credit union is chartered by the District of Columbia should move from the District for any reason, its credit union would become nonfunctional. It would not be permitted to operate as a credit union outside of the District, nor could it convert to either a State or a Federal charter due to the lack of a conversion provision in the code. Furthermore, such a credit union could not liquidate as a District of Columbia chartered organization for the purpose of rechartering except under the corporate liquidation laws, which many smaller credit unions could not afford.

At a public hearing held on September 13, 1963, this committee was informed that this proposed legislation has the approval of the Board of Commissioners of the District of Columbia, the Bureau of Federal Credit Unions, and the District of Columbia Credit Union League on behalf of all the 16 credit unions presently chartered under the District of Columbia Credit Unions Act. No opposition was expressed to the passage of the bill.

Following is a list of the 16 District of Columbia credit unions which would be affected by this legislation, which was submitted to this committee by the attorney for the District of Columbia Credit Union League:

CREDIT UNIONS ORGANIZED UNDER THE PROVISIONS OF THE DISTRICT OF COLUMBIA CREDIT UNIONS ACT

1. Agricultural Employees Credit Union, room 1407, South Building, U.S. Department of Agriculture, Washington, D.C.

2. CAPICO Employees Credit Union, 806 Channing Place NE., Washington, D.C.

3. Department of Commerce Credit Union of the District of Columbia, room 2032, Commerce Building, 14th and E Streets NW., Washington, D.C.

4. District Government Employees Credit Union, room 5029, Municipal Center Building, 300 Indiana Avenue NW., Washington, D.C.

5. Educational Employees Credit Union, Cardoza High School, 13th and Clifton Streets NW., Washington, D.C.

6. FEU Local 262 Credit Union, room 7549, Internal Revenue Building, 12th Street and Constitution Avenue NW.

7. Navy Yard Credit Union of the District of Columbia, building 44, U.S. Naval Weapons Plant, Washington, D.C.

8. Post Office Department Employees Credit Union, room 1424, Post Office Department Building, 12th Street and Pennsylvania Avenue NW., Washington, D.C.

9. Railway Mail Service Credit Union, room 2037, city post office building, Washington, D.C.

10. Standard Credit Union of the District of Columbia, building 37, National Bureau of Standards, Washington, D.C.

11. Veterans' Administration Employees Credit Union, room C–57, Veterans' Administration Building, 810 Vermont Avenue NW., Washington, D.C.

12. Washington Postal Employees Credit Union, room 3112, city post office building, North Capitol Street and Massachusetts Avenue NW., Washington, D.C.

13. Western Union Employees Credit Union, 1405 G Street NW., Washington, D.C.

14. GAO Employees Credit Union, room 6424, 441 G Street NW., Washington, D.C.

15. In-Com-Co Credit Union of the District of Columbia, Interstate Commerce Commission, Washington, D.C.

16. Police Credit Union, room 2072, Municipal Center Building, 300 Indiana Avenue NW., Washington, D.C.

Mr. BROYHILL of Virginia. Mr. Speaker, the purpose of this bill is to repeal the District of Columbia Credit Unions Act and to bring credit unions now chartered in the District under the provisions of the Federal Credit Union Act.

At present, there are 176 credit unions in the District of Columbia chartered under the Federal act, and 16 which are chartered under the District act. All are supervised by the Director of the Bureau of Federal Credit Unions pursuant to provisions of the respective acts. There is dual authority in connection with the District-chartered credit unions, however, because the District of Columbia Commissioners are authorized to approve their organization certificates, to suspend or revoke their licenses, and to approve their bylaws. The Commissioners do not wish to continue this joint authority, however, and have expressed the belief that all their functions under the District of Columbia Credit Unions Act should be transferred to the Director of the Bureau of Federal Credit Unions in the interests of efficiency and uniformity of regulation.

All 16 of the present District-chartered credit unions favor the enactment of this legislation, because their position in relation to the 176 Federal-chartered credit unions has become disadvantageous. The reason for this is that in 1959, the Federal Credit Union Act was changed to allow more modern operation of credit unions in the area chartered under the Federal act. For example, it allowed the establishment of loan

offices, the issuance of single signature loans to the extent of $750, and the declaration of dividends by the Board of Directors either annually or semiannually. The provisions of the District of Columbia Credit Unions Act, on the other hand, allow none of these privileges. For example, the members of such credit unions must still approve the dividend rate as recommended by the Board of Directors, and dividends may be paid only on an annual basis. Also, unsecured loans are limited to $300.

Further, some of the 16 District-chartered credit unions are in connection with Federal Government agencies, and should these agencies move from the District, their credit unions would become inoperative.

I am informed that for technical reasons, it is not feasible for District-chartered credit unions to change their status under present law and become chartered under the Federal act. Hence, the provisions of this bill appear to offer the only practical means by which these 16 organizations may come under the jurisdiction of the Federal Credit Union Act and be placed in a position where they may operate on a comparable basis with the other 176 credit unions in the city.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND LIFE INSURANCE ACT

Mr. HUDDLESTON. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8355) to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8, chapter III of the Life Insurance Act (48 Stat. 1145) is amended by inserting at the beginning thereof "(a)" and by striking the figure "$100,000" in the first sentence thereof and inserting in lieu thereof the figure "$500,000", and by adding the following subsection:

"(b) No company shall be exempt from the provisions of this section by reason of its having been incorporated in the District or elsewhere prior to the effective date of this subsection, except that in the case of companies authorized in the District of Columbia on (date of passage) and continuously authorized thereafter without any increase or broadening of authority, the minimum capital required of a stock company shall not be increased by this section."

SEC. 2. (a) Subsection 10(b)(ii) of section 35 of chapter III of the Life Insurance Act of the District of Columbia (48 Stat. 1145) is amended to read as follows:

"(ii) if such acquisition will not cause the acquiring company's aggregate cost of investments under this paragraph to exceed, in the case of a capital stock company, the amount of capital, surplus, and contingency reserves in excess of $750,000, or, in the case of a mutual company, the amount of surplus and contingency reserves in excess of $150,000."

"(b) Subsection 15(ii) of section 35 of chapter III of such Act is amended by deleting the words "the amount of capital, surplus, and contingency reserves in excess of $150,000," and substituting therefor the following: "in the case of a capital stock company, the amount of capital, surplus, and contingency reserves in excess of $750,000 or, in the case of a mutual company, the amount of surplus and contingency reserves in excess of $150,000."

SEC. 3. The first sentence of section 9 of chapter III of the Life Insurance Act (48 Stat. 1145) is amended by striking the words "two-thirds of its stockholders" and inserting in lieu thereof the words "stockholders representing at least two-thirds of the capital stock entitled to vote".

SEC. 4. Section 10 of chapter III of the Life Insurance Act (48 Stat. 1145) is amended by inserting at the beginning thereof "(a)" and by adding the following paragraph:

"(b) Subsection (a) hereof shall not be applicable to an amendment of the articles of incorporation providing for an increase of capital stock wherein said amendment provides that said increase will be reserved for issuance in connection with—

"(1) the acquisition of the ownership or control of another insurance company as an affiliate or subsidiary pursuant to subsection 10(b) of section 35 of chapter III of the Life Insurance Act (D.C. Code 35–535 10(b)): *Provided, however,* That no such acquisition shall be consummated until it has been approved or ratified by stockholders representing at least a majority of the capital stock entitled to vote;

"(2) the granting of options to officers or employees of the company to purchase authorized but unissued shares of stock of the company, for such consideration and upon such terms and conditions as may be fixed by the board of directors: *Provided, however,* That (a) at no time shall the number of shares reserved for this purpose exceed, in the aggregate, 5 per centum of the total authorized shares of stock of the company; (b) no more than 10 per centum of the total number of shares authorized to be optioned may be made available to any individual under any and all options issued to him by the company; (c) no option shall be granted to any individual within two years following the termination of his employment with an insurance company authorized to do business in the District of Columbia, other than the company granting the option or a subsidiary of the company granting the option; (d) the option price of shares subject to any such option shall not be less than 95 per centum of the fair market value of such shares at the time the option is granted and shall be not less than the par value of such shares; (e) any such option shall not be transferable except by will or the laws of descent and distribution; (f) any such option shall not be exercisable after the expiration of 10 years from the time the option is granted; or

"(3) the paying of stock dividends: *Provided,* That at no time shall the number of shares of reserved unissued stock exceed the number of shares of issued and outstanding shares of stock of said company."

SEC. 5. This Act shall take effect on the first day of the first month which is at least ninety days after its approval.

Mr. HUDDLESTON. Mr. Speaker, the purpose of H.R. 8355, as set forth in House report 841, is to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145; D.C. Code, sec. 35–508) in three particulars wherein the present law is deemed inadequate; namely, by, first, increasing the capital stock requirements of life insurance companies, second, permitting changes in the corporate charter with the consent of stockholders representing two-thirds of the voting stock, and, third, authorizing the retention by insurance companies of unissued stock for certain limited purposes.

H.R. 8355 is similar in substance to H.R. 12546 of the 87th Congress, which passed the House on September 14, 1962. This bill was passed by the Senate with some minor amendments, but did not go to conference before the session ended. The present bill is quite similar also to H.R. 6640, which was introduced by Chairman MCMILLAN on May 28, 1963. The present bill incorporates certain changes, however, to meet questions raised by the District of Columbia Superintendent of Insurance and the Corporation Counsel of the District of Columbia. The committee is advised that H.R. 8355 is acceptable to these officials.

The first amendment in the bill relates to section 8 of the Life Insurance Act which now requires that capital stock life insurance companies organized under District of Columbia laws must have a minimum paid-up capital stock of $100,000, plus paid-up surplus equal to 50 percent of the capital stock.

This minimum figure of $100,000 was established in 1941, and no longer represents a realistic minimum requirement for a life insurance company. Actually, there are 25 States which now require $200,000 or higher capital stock assets for life insurance companies. Also, Congress in 1940 (54 Stat. 1070; D.C. Code, sec. 35–1316) increased from $10,000 to $150,000 the amount of capital required of a fire and casualty insurance company. However, although the present bill as introduced would have raised this minimum for stock life insurance companies to $500,000, the testimony submitted to Subcommittee No. 5 at its public hearing on October 4, 1963, did not justify, in the opinion of the subcommittee, the increasing of the minimum requirement to this extent. Hence, the subcommittee and the full committee approved the increase under this bill to $200,000. This is consistent with action taken by the committee last year, in connection with H.R. 12546. The bill contains a "grandfather clause," so that in all fairness the bill will not impose any increase of capital requirements in the case of existing life insurance companies, either domestic or foreign.

Section 2 of the bill which was not present in the earlier version, would amend section 35 of the Life Insurance Act dealing with authorized investments, in order to conform it to the change in the required capital.

Section 3 of the bill would amend section 9 of the Life Insurance Act in order to clarify the procedure by which the corporate charter may be amended. The present language of the law could be construed to require the written consent of two-thirds of the stockholders to a charter amendment, regardless of the number of shares which such stockholders may represent. This bill would make it clear that amendments require the consent of stockholders represent-

ing at lease two-thirds of the voting stock; and in this respect, the bill subscribes to generally accepted corporate practice.

Section 4 of the bill amends section 10 of the Life Insurance Act which now requires that all shares of authorized capital stock of a District life insurance company must be issued within 1 year, unless an extension of time is granted by the Superintendent of Insurance. The bill would permit life insurance companies to retain authorized but unissued stock for certain limited purposes, namely the acquisition of ownership or control of another life insurance company, the granting of stock options, and the payment of stock dividends. The bill imposes certain protective restrictions upon the authorization of additional shares for any of these three purposes:

First. Acquisitions of another insurance company will require approval of the stockholders by a majority vote, and must also be approved by the Superintendent of Insurance under last year's amendment to the insurance law.

Second. The authorization of shares for stock options to officers and employees would be subject to limitations designed to assure that only reasonable use would be made of stock options. For example, no more than 5 percent of the total authorized shares may be used for stock options and no more than 10 percent of the total shares optioned may be granted to any one individual. Second, options may not be granted to an employee of another insurance company licensed in the District of Columbia until 2 years after termination of his employment with such company. Third, the option price must be at least 95 percent of the fair market value of the shares at the time the option is granted and may in no event be less than par value. Further, such options may not be transferred except on death, and options may not run for more than 10 years. Stock options are now widely recognized throughout American industry as an important method of executive compensation and incentive. This bill will further the public interest by assuring that stock options issued by District life insurance companies will be subject to reasonable terms and conditions.

Third. The third purpose for which authorized shares may be reserved is in order to pay stock dividends. This will bring the District life insurance laws into line with the prevailing laws of most other jurisdictions.

It should be noted that the bill imposes a limitation on the number of shares of stock which may be authorized for any of those three purposes, by requiring that the number of reserved shares shall not at any time exceed the number of issued and outstanding shares. The purpose of this limitation is to avoid excessive authorization of reserve stock and to maintain a reasonable relationship between such authorization and the issued shares.

Section 5 of the bill provides for the effective date thereof.

No opposition to this bill was offered at the hearings. On the other hand, its enactment is recommended by the Board of Commissioners of the District of Columbia, the Superintendent of Insurance of the District of Columbia, and by leading stock insurance companies of the District, namely, Equitable Life Insurance Co., Acacia Mutual Life Insurance Co., General Services Life Insurance Co., Government Employees Life Insurance Co., Peoples Life Insurance Co., United Services Life Insurance Co., and Variable Annuity Life Insurance Co.

Mr. BROYHILL of Virginia. Mr. Speaker, this bill is designed to amend and improve the District of Columbia Life Insurance Act with respect to stock life insurance companies licensed in the District.

The present law requires stock life insurance companies doing business in the District of Columbia to have a minimum of $100,000 in capital with a surplus of 50 percent thereof, or a total of $150,000. When this requirement was enacted, approximately 30 years ago, $150,000 probably was an adequate amount for the protection of the policyholders. However, in my opinion this figure has become wholly unrealistic and inadequate in the face of today's economic conditions, and thus I thoroughly approve the provision of the first section of this bill which would increase the minimum capital stock requirement to $200,000 and also retain the 50 percent surplus stipulation. Twenty-five States now have minimum capital stock requirements for life insurance companies of at least $200,000 and the District should adopt a similar requirement. Adequacy of capital and surplus is particularly essential for the protection of policyholders, of course, during the first few years of a company's operations, when it is most subject to the grave hazards of inexperience. Consequently, I approve also of the fair and reasonable provision in this bill which states that insurance companies presently authorized in the District will not be required to increase capital and surplus if there is no change in the scope of their operations.

This bill also will correct an unwieldy situation encountered by some of our local stock insurance companies with respect to amending their articles of incorporation. Under present law, such amendment must be approved by consent of two-thirds of the company's stockholders. Inasmuch as these companies have a great many stockholders, who may be scattered throughout the world, this poses a burdensome problem. Also, since the required two-thirds of the stockholders may or may not represent an aggregate of a majority of the company's stock, the will of the majority is not necessarily expressed under this system. H.R. 8355 would greatly improve this procedure, in my opinion, by specifying that a company may amend its charter with the consent of persons holding two-thirds of the capital stock.

Present law provides that when a stock insurance company chartered in the District amends its articles of incorporation to provide for an increase in its capital stock, such increase must be subscribed and fully paid for within a period of 1 year. This bill would waive this requirement and permit stock to be reserved for issuance in connection with certain specified purposes; namely, the acquisition of ownership or control of other insurance companies, granting of stock options to officers or employees of the company, or the payment of stock dividends.

There are presently six principal stock life insurance companies operating in the District of Columbia, and all six endorse this proposed legislation. It has the approval also of the District of Columbia Superintendent of Insurance and the Board of Commissioners.

I am convinced that this is sound, forward-looking legislation, and am pleased to lend it my support.

Mr. SCHWENGEL. Mr. Speaker, I rise to declare my support of this bill and support of the amendments and to say that the committee has gone over this rather thoroughly and believe that these amendments are desirable and should be adopted.

Mr. Speaker, H.R. 8355, the bill under consideration would amend the District of Columbia Life Insurance Act in three instances where present law is felt to be inadequate by: first, increasing the capital stock requirements of life insurance companies; second, permitting changes in the corporate charter with the consent of stockholders representing two-thirds of the voting stock, and third, authorizing the retention by insurance companies of unissued stock for certain limited purposes.

Mr. Speaker, the requirements of present law were realistic at the time the law was enacted but, times have changed considerably in 30 years making what was adequate then totally unrealistic now. The public must be protected and it is my belief that H.R. 8355 is a most realistic approach to updating the law to meet the present-day problems of regulating the life insurance companies in the interests both of the public and the industry.

My support of this particular bill stems, in part, from my experience with similar legislation while I served in the Iowa Legislature. As I review the record of Iowa experience relating to insurance legislation of this type, it is graphically evident that the insurance law there has worked out extremely well and very much in best interest of the public.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

1. Page 1, line 7, strike out " "$500,000" " and insert in lieu thereof " "$200,000" ".

2. Page 2, strike out lines 8 through 15, and insert in lieu thereof "(48 Stat. 1145) is amended to read as follows: "(ii) if such acquisition will not cause the acquiring company's aggregate cost of investments under this paragraph to exceed, in the case of a capital stock company, the amount of capital, surplus, and contingency reserves in excess of $300,000, or, in the case of a mutual company, the amount of surplus and contingency reserves in excess of $150,000, and" ".

3. Page 2, line 16, strike out the quotation marks.

4. Page 2, line 21, strike out "$750,000" and insert in lieu thereof "$300,000".

5. Page 2, line 23, strike out "$150,000." " and insert in lieu thereof "$150,000," ".

6. Page 3, strike out lines 6 and 7, and insert in lieu thereof " ginning thereof "(a)" and by adding the following subsection:".

7. Page 3, lines 11 and 12, strike out "in connection with" and insert in lieu thereof "for".

8. Page 3, line 15, strike out "pursuant to" and insert in lieu thereof "subject to the limitations of".

9. Page 4, line 21, immediately after the semicolon insert "or".

The committee amendments were agreed to.

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

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

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, your committee, in course of consideration of the provisions of the bill, studied its possible effect on the Investment Company Act of 1940. This question was presented to the Securities and Exchange Commission. The Commission indicated that its only concern was that the language of the bill should not be construed to amend in any way the Investment Company Act of 1940 or any other of the Federal security laws. Your committee agrees with and accordingly adopts the suggestion of the Securities and Exchange Commission, and expresses the committee's clear intent that no construction of the provisions of this bill shall result in the amendment or modification of the Investment Company Act of 1940 or any other of the Federal security laws.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXEMPTIONS FROM ATTACHMENTS

Mr. HUDDLESTON. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 7882) to amend the act of March 3, 1901, with respect to exemptions from attachment and certain other process in the case of persons not residing in the District of Columbia.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1107 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 15–403), is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding any other provision of law, the wages (as defined in section 1104A(*f*) of this Act) of any person not residing in the District of Columbia who does not earn the major portion of his livelihood in the District of Columbia shall be exempt (without claim being made for such exemption), from attachment, levy, seizure, or sale by any process or proceeding of any court, judge, or officer of the District of Columbia in the same amount and to the same extent as is provided by the law of the State in which such person resides for persons residing therein."

With the following committee amendments:

1. Page 1, strike out lines 6 and 7, and insert in lieu thereof "amended by redesignating subsection (c) as subsection (d) and by inserting immediately after subsection (b) the following new subsection (c):".

2. Page 1, line 8, strike out '"(d)' and insert in lieu thereof '"(c)'.

3. Page 2, line 1, strike out "his livelihood" and insert in lieu thereof "such wages".

4. Page 2, line 2, immediately after the word "shall" insert ", in any case arising out of a contract or transaction entered into outside of the District of Columbia,".

5. Page 2, lines 2 and 3, strike out "(without claim being made for such exemption)".

6. Page 2, line 3, immediately after "levy," insert "or".

7. Page 2, line 4, strike out "or sale".

8. Page 2, strike out line 8 and insert in lieu thereof 'therein. Whenever any claim is made for an exemption from attachment pursuant to this subsection, the burden shall be upon the plaintiff to prove that the contract or transaction involved in the case was entered into within the District of Columbia." '.

The committee amendments were agreed to.

Mr. HUDDLESTON. Mr. Speaker, the purpose of this bill is to stop a practice which has developed in relation to the use of garnishment laws in a way which enables a creditor to do indirectly what he is not permitted to do directly in his own jurisdiction.

This practice involves the filing in the District of Columbia of an action for garnishment against an employer who also has a business in Maryland, so as to secure payment by attachment of wages from an employee who is not a resident of the District. The object of such practice is to escape the limitations in States outside the District, regarding exemptions from garnishment in favor of employees. This bill is designed to assure that where an action in such a case is brought in the District of Columbia, the nonresident defendant involved will be entitled to the same exemptions as are provided by law in the State in which the said defendant may reside.

Maryland law, for example, provides for an exemption from attachment of wages and salaries in the amount of $100 for each pay period. In a month, or 4⅓ weeks, this exemption would aggregate $433. Your committee has been informed that some persons in the debt collection business have found that the District of Columbia garnishment law provides a lower exemption; namely, 90 percent of the first $200 per month of wages, 80 percent of the next $300 per month, and 50 percent of all above $500 per month. In the case of a worker earning a wage of $100 per week, or $433 per month, therefore, an employee's entire salary would be exempt from attachment in Maryland, but in the District of Columbia only $366.40 per month would be exempt, leaving $66.60 per month subject to garnishment.

Accordingly, your committee was advised that Baltimore creditors, with claims against employees living and working in Baltimore, have in several instances determined that the employers also have places of business in the District of Columbia and hence are subject to service of garnishment or attachment process in the District, and accordingly have brought their claims to Washington and filed suits here, laying an attachment against the wages of the employee debtor in the hands of the employer, thus escaping the exemption from attachment provided by Maryland laws.

This same procedure could conceivably be adopted by collection agencies from any State if the employer maintains a place of business in the District, so that he would be subject to the service of garnishment process here.

This committee is of the opinion that it was never intended that District of Columbia law should serve as a collection medium against employees who live elsewhere, work elsewhere, and may even never have been in the District of Columbia. This bill is intended to so amend the District of Columbia law as to terminate this practice by granting to nonresidents of the District the exemptions from garnishment and attachment of wages afforded by their local State laws.

At a public hearing held on September 13, 1963, a representative of the District of Columbia Corporation Counsel stated that the District of Columbia Commissioners felt some misgivings about certain aspects of this proposed legislation, and Subcommittee Chairman HUDDLESTON requested that the Corporation Counsel review the bill and present for the subcommittee's consideration amendments which the Commissioners feel might make the bill compatible with District of Columbia policy.

Accordingly, at the next meeting of the subcommittee, on October 4, 1963, the Board of Commissioners of the District of Columbia submitted several amendments which would not alter the original purpose of the bill, but which they felt would remove their objections to it. The subcommittee and the full committee accepted these amendments.

The letter from the Board of Commissioners, under date of October 1, 1963, follows:

OCTOBER 1, 1963.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

MY DEAR MR. MCMILLAN: The Commissioners of the District of Columbia have for report H.R. 7882, 88th Congress, a bill to amend the act of March 3, 1901, with respect to exemptions from attachment and certain other process in the case of persons not residing in the District of Columbia.

The purpose of the bill is to amend section 1107 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (31 Stat. 1363), as amended (§ 15–403, D.C. Code, 1961 ed.), by adding a new subsection thereto which would, in certain cases and to a certain extent, exempt from attachment the wages of nonresidents of the District.

The bill would exempt from attachment, levy, seizure, or sale by any process or proceeding of any court, judge, or officer of the District the amount of wages of any person not a resident of the District and not earning the major portion of his livelihood in the District in the same amount and to the same extent as is granted by the law of the State

in which such person resides to residents of such State. The bill provides that the term "wages" includes wages, salary, commissions, or other compensation for services as defined in section 110A(f) of the act, as amended by the act approved August 4, 1959 (73 Stat. 276; § 15–317(c), D.C. Code, 1961 ed.). In addition, the bill provides that the exemption shall be granted without any claim being made therefor.

Testimony given on September 13, 1963, during a hearing on H.R. 7882 before Subcommittee No. 5 revealed that the bill is principally designed to end a practice involving attachment of wages of nonresident debtors by actions initiated in District of Columbia courts by nonresident creditors who are able to press garnishment suits against the employers of such nonresident debtors by virtue of the fact that the employers happen to maintain offices in the District.

It is the view of the Commissioners that the objective of the bill has merit, for, in their belief, a District of Columbia court should not be made a vehicle for the garnishment of wages of persons whose States may provide certain exemptions not provided in this jurisdiction.

However, the Commissioners believe that the bill in its present form is objectionable in that it may impose a heavy burden on the courts of the District and may place citizens and businessmen in the District in a disadvantageous position when dealing with nonresidents who may later be subject to attachment of their wages.

On the one hand, the bill, if enacted, would require a judicial determination as to the place where the major portion of a person's livelihood is earned. Such a determination can involve the complicated question of what constitutes a person's livelihood since the term may include income other than wages. The Commisisoners accordingly suggest that the bill be amended by striking the words "his livelihood" in line 1, page 2, and inserting in lieu thereof the words "such wages". This would provide the courts a more definite factor in determining whether a nonresident debtor has a claim to an exemption.

Further, the bill, in effect, would grant an automatic exemption without any claim being made therefor, thereby placing an undue burden on the courts. The courts may be expected, in proper cases, to continue to issue writs of attachment of wages of nonresidents; but, in any case where a nonresident debtor would be entitled to an automatic exemption under the bill as it is now written, the facts showing that he is so entitled need not be brought to the attention of the court. Thus the court, on its own motion, may be required in each case involving attachment of wages of a nonresident to take steps to determine whether such nonresident is entitled to an exemption, whether such person is in fact a nonresident, and whether he earns a major portion of his livelihood outside the District. In addition, the court would need to inquire as to the amount of any exemption, if any, which is provided by the State in which the person resides. Therefore, the Commissioners suggest that page 2, lines 2 and 3 of the bill be amended by striking so much as reads "without claim being made for such exemption)".

With regard to claims for exemption from attachment, existing law provides in subsection (c) of section 1107 of the act (58 Stat. 818; § 15–403(c), D.C. Code, 1961, ed.) that a notice of claim of exemption, or motion to quash attachment or other process against exempt property or money, may be filed with the court either by the debtor, his spouse, or a garnishee, and the court is directed to act upon such notice, motion, or other claim of exemption. This section permits a garnishee located in the District to claim an exemption in the District of Columbia court on behalf of a nonresident debtor. The Commissioners feel that the making of a claim for exemption would more properly assist the court in reaching the determinations which would be required by H.R. 7882, especially if, as the Commissioners suggest, the automatic exemption provision be eliminated.

Finally, the Commissioners believe that the interests of District residents and merchants require that the effect of the bill be limited to those cases arising out of contracts and transactions entered into outside of the District. This would provide assurance that District merchants, for example, would not be limited by the laws of the place of residence of those persons coming into the District to do business here. In such cases, the Commissioners believe that any exemptions to be provided should be those granted by the laws of the District. Accordingly, the Commissioners suggest that the bill be amended by inserting in line 2, page 2, immediately following the word "shall", ", in any case arising out of a contract or transaction entered into outside of the District of Columbia,". In addition, the Commissioners feel the burden of showing that the contract or transaction was entered into within the District should be placed upon the person seeking the attachment. To so provide, the Commissioners suggest that the bill be further amended by inserting immediately before the quotation mark on line 8, page 2, the following new sentence:

"Whenever any claim is made for an exemption from attachment pursuant to this subsection, the burden shall be upon the plaintiff to prove the contract or transaction involved in the case was entered into within the District of Columbia."

For purposes of clarification, the Commissioners also suggest that the bill be amended as follows:

(a) Page 2, line 3, immediately before the word "seizure" insert "or".

(b) Page 2, line 4, strike "or sale".

(c) Page 1, line 8, strike the subsection designation "(d)" and insert in lieu thereof "(c)".

(d) Page 2, add the following new section:

"SEC. 2. Subsection (c) of such section is hereby redesignated as subsection (d)."

With the amendments suggested in the foregoing discussion, the Commissioners would offer no objection to enactment of H.R. 7882.

Sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners,
District of Columbia.

Mr. BROYHILL of Virginia. Mr. Speaker, this bill, which I wish to commend to my colleagues in the House, would amend the present law regarding exemptions from garnishment and attachment of wages in the District of Columbia.

At present, Maryland laws regarding such exemptions from garnishment are more restrictive than are those of the District. For example, a wage of $100 per week would be totally exempt from garnishment in Maryland, but in the District of Columbia more than $65 of this income would be subject to garnishment in a period of 1 month. Because of this situation, and because other provisions of the District of Columbia law presently do not forbid the practice, we understand that collection agencies in Baltimore, for example, may have accounts involving persons living and working in that city, but whose employers also maintain offices or places of business in the District of Columbia, and in such cases are filing actions against them in the District of Columbia. This is done, of course, because greater amounts of wages are subject to garnishment in the District.

I am opposed to the continuation of this practice, which of course, can involve other States as well as Maryland, first because I feel that it is an unfair utilization of the time of the District of Columbia courts and a resulting expense to the District of Columbia taxpayers, and secondly because I do not believe that the Congress ever intended for the District of Columbia court to be made a vehicle for the garnishment of wages of persons who neither reside nor work in the District, merely because the States of their residence may provide certain exemptions not provided in the District of Columbia.

This bill will correct this situation by exempting from attachment or garnishment by any process, the wages of a person who is not a resident of the District and who does not earn a major portion of his livelihood in the District. to the same extent as may be provided by the law of the State in which such person resides.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE PARTIAL PAY FOR SCHOOL BOARD EMPLOYEES ON EDUCATIONAL LEAVE

Mr. McMILLAN. Mr. Speaker, at this time I yield to the gentleman from California [Mr. SISK] to call up for consideration the bill H.R. 5337, reported by Subcommittee No. 2 of the Committee on the District of Columbia.

Mr. SISK. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5337) to increase the partial pay of educational employees of the public schools of the District of Columbia who are on leave of absence for educational improvement, and for other purposes, and I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes", approved June 12, 1940 (54 Stat. 349; sec. 31–632 et seq., D.C. Code, 1961 ed.), is amended to read as follows:

"SEC. 3. Any employee in the salary class of elementary and secondary school teachers whose salary is fixed by the first section of the District of Columbia Teachers' Salary Act

of 1955, as amended, who is granted leave of absence for educational purposes under the provisions of this Act, shall receive compensation during the period of such leave of absence, such compensation to be equal to one-half of the salary which he would have received and paid in the same manner as if he were on active duty during the period of such leave of absence reduced by (1) the amount of contributions which he is required to make to the retirement fund as provided by the Act entitled 'An Act for the retirement of public school teachers in the District of Columbia' approved August 7, 1946 (60 Stat. 875), as amended (D.C. Code, sec. 31–725, 1961 ed.), (2) any contributions which he may elect to make to group life insurance as provided by the Federal Employees Group Life Insurance Act of 1954 (68 Stat. 736), as amended (5 U.S.C. 2091 (a)), and (3) any contributions which he may elect to make to any health benefits plan as provided by the Federal Employees Health Benefits Act of 1959 (73 Stat. 708; 5 U.S.C. 3002)."

SEC. 2. Section 4 of such Act approved June 12, 1940, is amended to read as follows:

"Sec. 4. Any employee whose salary is fixed by the first section of the District of Columbia Teachers' Salary Act of 1955, as amended, other than employees in the salary class of elementary and secondary school teachers, who is granted leave of absence for educational purposes under the provisions of this act shall receive compensation during the period of such leave of absence, such compensation to be equal to one-half of the salary which he would have received and paid in the same manner as if he were on active duty during the period of such leave of absence or equal to the largest amount to which any employee in the salary class of elementary and secondary school teachers would be entitled if given such educational leave, whichever is less, either payment to be reduced by (1) the amount of contributions which the employee is required to make to the retirement fund as provided by the act entitled 'An Act for the retirement of public school teachers in the District of Columbia' approved August 7, 1946 (60 Stat. 875), as amended (D.C. Code, sec. 31–725, 1961 ed.), (2) any contributions which he may elect to make to group life insurance as provided by the Federal Employees Group Life Insurance Act of 1954 (68 Stat. 736), as amended (5 U.S.C. 2091 (a)), and (3) any contributions which he may elect to make to any health benefits plan as provided by the Federal Employees Health Benefits Act of 1959 (73 Stat. 708; 5 U.S.C. 3002): *Provided*, That during the period of the leave of absence of any employee who is an administrative or supervisory officer, the Board of Education, on the recommendation of the Superintendent of Schools, may authorize the temporary assignment to his position of any teacher or officer who serves under such officer on leave of absence: *And provided further*, That the position of the teacher or officer so assigned may be filled during the period of such absence by a qualified temporary employee."

SEC. 3. Section 5 of such act approved June 12, 1940, is amended by striking "teacher or officer" in the two places where it appears therein and inserting, in lieu thereof, "employee".

SEC. 4. This Act shall take effect on and after July 1, 1963.

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

Mr. Speaker, I would like to ask the gentleman from California if this increase in paid leave is confined exclusively to the need for educational improvements. Or, let me put the question this way: Would this provide for an increase in the leave pay of a teacher in the District of Columbia who is going to join the Peace Corps and teach in the Philippines or some other foreign country?

Mr. SISK. It would not cover such an incident as that. It covers only a situation where the teacher has filed a complete program of self-improvement by going back to college to work on additional degrees and additional matters that would improve her teaching ability. It would have to be approved by the board of trustees, the school board, and by the Commissioners. So it would only apply to teachers who seek to go out for self-improvement.

Mr. GROSS. If a teacher went to Ouagadougou or to Tanganyika or some other such place that would not be called self-improvement?

Mr. SISK. No.

Mr. SNYDER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I would like to ask the gentleman one or two questions. As I understand it, according to page 3 of the report, a teacher with a master's degree can get $4,600 or $4,700 a year while they are in school supposedly increasing their skill; is that correct?

Mr. SISK. That is correct.

Mr. SNYDER. Let me ask the gentleman, would the salary structure of the District school system be such that upon increasing their skills they would then be entitled to receive more money than they were making before they left the school system for self-improvement?

Mr. SISK. As I understand the gentleman's question, the answer is "Yes," because depending upon the degree which they hold and the position which they are in, relative to their educational background, as that increases it does increase their basic pay.

Mr. SNYDER. In other words, a teacher with a master's degree can get $4,600 or $4,700 a year while they are away in school. As a result of this study the teacher may acquire a doctor's degree and when he comes back with a doctor's degree, he will make more money than before?

Mr. SISK. Yes; that is correct.

Mr. SNYDER. How does this compare with the situation in other cities?

Mr. SISK. At the time we held the hearings on the present bill we did compare it with school systems in New York, Dallas, Cleveland, San Francisco, and Chicago, and I think practically all of the major systems in the United States. We found in many instances they were paying considerably more for teachers who went back to school in the way of additional pay than the District of Columbia would pay.

If the gentleman will yield for me to make a further comment here, I understand the question, because this particular question was raised at the time of the hearing on the bill. The situation is such that on the present level of salaries that teachers receive, they simply cannot acquire a sufficient amount of savings to afford to go out on their own and give up their salaries for a year to get that additional training, so that as a result they are precluded from doing the things that we feel are necessary to enable them to train themselves in the manner in which we think they should.

In addition, no more than 2 percent at any one time of the teachers in the District could be on such leave because of the requirements here that they are needed for teaching the youngsters in the District.

Mr. SNYDER. Would the gentleman be more direct as to how many States have such provisions?

Mr. SISK. As far as I know, almost every State has such provisions. These are determined by the individual cities, not the States. Each local school district has its own setup under the laws, of course, within that State, to provide for leave pay. Under these situations, some use one particular formula, some use another. There was quite a difference in the pay. Some paid half of their salaries, some used certain other types of formula. Based on the average, the District was below what the average of the States were paying.

Mr. SNYDER. Under existing law they would receive around $3,700 in going away for the same purposes?

Mr. SISK. That is correct. If I understand the illustration the gentleman used, he would get an increase of about $800 over what he gets now.

Mr. SNYDER. I think the present law is adequate under these circumstances and I would like to be recorded as opposed to this legislation.

Mr. SISK. Mr. Speaker, this bill, H.R. 5337, as set forth in House Report 837, would amend the present law with respect to partial pay of educational employees of the public schools of the District of Columbia who are on leave of absence for educational improvement, by providing that—

First. District of Columbia teachers and other school personnel in class 15 of the present salary scale for school employees, while on leave of absence for educational purposes, shall receive compensation equal to one-half their active duty salaries, less deductions for retirement, group life insurance, health benefits, and income taxes;

Second. A school employee in any of the other 14 pay-scale classes, on leave for the purpose of educational improvement, shall receive compensation equal to one-half his active duty salary or the largest amount to which any employee in the salary class of elementary and secondary schoolteachers—class 15—would be entitled while on educational leave—whichever is the lesser—also subject to the deductions listed above.

This committee is informed that section 6 of the District of Columbia School Board regulations, pertaining to leave of absence for the purpose of educational improvement, will continue in effect if H.R. 5337 is adopted. The text of this section is as follows:

[Excerpt from "Rules for the Public Schools of the District of Columbia," authorized for publication Oct. 18, 1961, pp. 59–69]

EDUCATIONAL LEAVE WITH PART PAY, EDUCATIONAL EMPLOYEES

SEC. 6. 1. The Board of Education, upon recommendation of the Superintendent, may

grant leave of absence with part pay for purposes of educational improvement to any school officer, teacher, or other educational employee on permanent tenure whose salary is established in classes 2–18, both inclusive, of the Teachers' Salary Act of 1955, as amended by Public Law 85–838, 1958, who has served in the Public Schools of the District of Columbia not less than 6 consecutive years on probationary and/or permanent status immediately prior to filing application for such leave, who shall submit a written plan of the educational work to be undertaken during the period of such leave of absence, which plan shall be approved by the Superintendent, and who shall file with him a written pledge to perform service in the public schools of the District of Columbia for a period of not less than 2 years after reinstatement from such leave of absence. If a teacher should resign before fulfilling this pledge, his resignation may be accepted with prejudice and he may not be considered eligible for reappointment, as defined in chapter IX, section 7, and all salary paid to this employee while on educational leave with part pay must be refunded.

2. The granting of such leave of absence with part pay shall be governed by existing law and by such provisions in these rules as control leave of absence without pay to teachers, school officers, and other educational employees entitled to such leave for educational improvement.

3. A second leave of absence with part pay for purposes of educational improvement shall not be granted until the employee concerned has served another continuous 6-year term.

COMPARISON OF PRESENT LAW AND H.R. 5337

Under present law, however, a teacher on educational leave of absence receives compensation equal to the difference between his regular salary and the base—minimum—pay for his salary class.

A comparison of the amounts of compensation per annum for teachers and other employees in group A of salary class 15—for those with bachelor's degree—under present law and under the provisions of H.R. 5337, is shown in the following table:

Salary class 15—Group A (with bachelor's degree)

Pay status	Salary	Compensation for educational leave under—	
		Present law [1]	H.R. 5337 [1]
Service step 7	$6,380	$1,380	$3,190.00
Service step 8	6,595	1,595	3,197.50
Service step 9	6,810	1,810	3,405.00
Service step 10	7,025	2,025	3,512.50
Service step 11	7,240	2,240	3,620.00
Service step 12	7,455	2,455	3,727.50
Service step 13	7,670	2,670	3,835.00
Longevity step X	8,190	3,190	4,095.00
Longevity step Y	8,710	3,710	4,355.00

[1] All figures shown are subject to deductions for retirement, group life insurance, health benefits (if any), and income tax.

NOTE.—Inasmuch as teachers and other educational employees are not eligible for educational leave until they have completed 6 years of continuous service in the system, the above table begins with service step 7, which represents the salary level of such employees after 6 years of service.

Similarly, under the provisions of H.R. 5337 the maximum compensation for teachers in group B—with master's degree—would be increased from $3,710 to $4,605, and for those in group C—master's degree plus 30 credit hours—from $3,710 per year to $4,705. This latter is, of course, the greatest amount which could accrue to any teacher or other employee in salary class 15 under this bill, while on educational leave.

An educational employee in a salary class other than that of elementary and secondary teachers—class 15—is presently entitled to $3,710 per year while on educational leave of absence. Under the provisions of H.R. 5337, such an employee would receive $4,705—the largest amount a teacher could receive—or 50 percent of his own annual salary, whichever is the lesser. The deductions listed with respect to part pay for class 15 employees would apply also, of course, in the case of employees in all other salary classes.

In view of the very considerable increase in the cost of education and the cost of living since 1940, when the present law was enacted, this committee feels that the present scale of part-pay allowances for teachers engaged in educational self-improvement is inadequate and unrealistic, and the proposed amendments to this scale are warranted. The entire educational system of the city benefits when teachers and other school personnel are encouraged to augment their own educational backgrounds.

Any estimate of the additional cost involved in these increased salary benefits would be largely speculative, because of the difficulty of determining how many teachers and other school employees would take leave for educational purposes if the partial pay were increased. However, the existing stipulation that an employee must have served continuously for at least 6 years in the system to be eligible for such leave, and the further limitation that not more than 2 percent of the Board of Education's employees may be on leave at the same time, offer some assurance that the cost would remain within reasonable limits. Also, it appears probable that the great majority of the teachers taking educational leave would be in group A and group B of their salary class, where the salaries and consequently the leave allowances are the lowest, because these are the teachers who may advance into the higher salary groups through additional education.

At a public hearing conducted by Subcommittee No. 2 on April 9, 1963, no opposition was expressed to the passage of this bill, which was requested by the Board of Commissioners of the District of Columbia on behalf of the District of Columbia Board of Education. The following exhibit of comparative data was furnished to this committee by the Department of General Research, Budget, and Legislation of the public schools of the District of Columbia:

Public schools of the District of Columbia—General provisions with respect to teachers' leaves of absence for professional study in city school systems over 400,000 in population and in suburban systems near Washington, D.C., 1961–62 [1]

	Is leave allowed?		Amount of leave allowed		Amount of pay allowed
	Without pay	With part pay [2]	Without pay	With part pay	
A. CITIES OVER 400,000 IN POPULATION (IN ORDER OF SIZE)					
1. New York	Not stated	Yes		6 months	Not stated.
2. Chicago	Yes	Yes	200 days	200 days	Do.
3. Los Angeles	Yes	Yes	Not stated	do	½ pay.
4. Philadelphia	Yes	Yes	do	1 year	Do.
5. Detroit	Yes	Yes	200 days	200 days	Do.
6. Baltimore	Yes	Yes	Not stated	Not stated	Do.
7. Houston	Yes	No	do		
8. Cleveland	Yes	No	2 years		
9. Washington	Yes	Yes	1 year	1 year	(3).
10. St. Louis	Yes	No	Not stated		
11. Milwaukee	Yes	Yes	190 days	190 days	½ pay.
12. San Francisco	Yes	Yes	Not stated	Not stated	60 percent.
13. Boston	Yes	Yes	do	1 year	½ pay.
14. Dallas	Yes	No	do		Do.
15. New Orleans	Not stated	Yes		180 days	(4).
16. Pittsburgh	do	Yes		Not stated	Maximum, $3,000.
17. San Antonio	Yes	Not stated	Not stated		
18. San Diego	Yes	Yes	1 year	1 year	½ pay.
19. Seattle	Yes	Yes	180 days	180 days	Not stated.
20. Buffalo	Yes	No	1 year		
21. Cincinnati	Yes	Yes	Not stated	195 days	
22. Memphis	No	No			
23. Denver	Not stated	Yes		Not stated	½ pay.
24. Atlanta	Yes	Yes	1 year	1 semester	Full pay. [5]
25. Indianapolis	Yes	No	Not stated		
26. Columbus	Yes	No	do		
27. Phoenix	Yes [6]	No	do		
28. Newark	Not stated	Yes		Not stated	½ pay.

See footnotes at end of table.

Public schools of the District of Columbia—General provisions with respect to teachers' leaves of absence for professional study in city school systems over 400,000 in population and in suburban systems near Washington, D.C., 1961–62 [1]—Continued

	Is leave allowed?		Amount of leave allowed		Amount of pay allowed
	Without pay	With part pay [2]	Without pay	With part pay	
B. SUBURBAN SYSTEMS NEAR WASHINGTON, D.C.					
1. Montgomery County, Md.	Yes	Yes	1 year	1 year	Do.
2. Prince Georges County, Md.	Not stated	Yes		180 days	Do.
3. Arlington County, Va.	Yes	Yes	Not stated	Not stated	Do.
4. Fairfax County, Va.	Yes	Yes	do.	1 year	Maximum, $2,000. [7]
5. Alexandria, Va. [7]	No	No			
6. Falls Church, Va. [7]	Yes	Yes	1 year	1 year	½ pay.

[1] Information obtained from the Research Division of the National Education Association, chiefly as reported in "Educational Research Service Circular No. 7, 1962," July 1962.

[2] The National Education Association report uses the term "sabbatical" to indicate the basis for granting leaves of absence with pay, and does not give for each city the number of years which a teacher must serve before being granted such leave. However, a report issued in January 1962 by the U.S. Office of Education entitled "Staff Personnel Policies," shows for 25 relatively large school systems (not identified) the following distribution of service requirements for the granting of sabbatical leave:

Number of systems:	Consecutive years
1	4
2	5
2	6
17	7
3	10

The same report shows for 17 of these cities the following service requirements upon return from sabbatical leave:

Number of systems:	Years
8	1
6	2
3	3

[3] Teachers receive the difference between the minimum salary scheduled for the individual's training level and the salary which the individual would have received if he had remained in active school service.

[4] Teacher receives full pay, less cost of substitute's salary.

[5] 1 semester of sabbatical leave with full pay is granted for doctoral study only.

[6] High school teachers only.

[7] Information obtained by telephone.

Source: Prepared by Department of General Research, Budget, and Legislation, April 1963.

Mr. BROYHILL of Virginia. Mr. Speaker, I am pleased to lend my support to this bill, which seeks to increase the partial pay of District of Columbia educational employees on leave of absence for educational improvement.

Public Law 610 of the 76th Congress, enacted on June 12, 1940, provides for educational leave with partial pay for educational employees of the District of Columbia public schools. This is the practice also in virtually every other city in the country. The amount of such partial pay in the District is the difference between the regular salary of such teacher or other employee for the period of leave and the base pay for his salary class. For example, a teacher in service step 7 of group A—that is, a teacher with a bachelor's degree and with 6 years of experience—now receives an annual salary of $6,380. The base pay in this salary class, however, is $5,000. Thus, the present leave pay available for such a teacher is $1,380, which is subject to deductions for retirement, group life insurance, health benefits, and income tax. This is sufficient to explain the fact that within the past several years, a total of only about 25 teachers in the District public school system have taken educational leave.

H.R. 5337 would establish the partial pay for teachers on such leave at one-half his regular salary, less the above-mentioned deductions. In the case cited above, therefore, the partial pay allowance would amount to $3,190, which is far more realistic than the present emolument.

This bill would provide increases also in such partial pay for educational employees other than teachers, in the same or in other salary classes. The maximum annual amount which any school employee could receive under the provisions of this bill, however, is $4,705.

Educational leave is governed by District of Columbia School Board regulation, in which no change is contemplated. This regulation provides that a teacher is eligible for educational leave only after having served 6 years continuously in the District of Columbia public school system, and her application and study plan must be submitted for approval by the Superintendent of Schools. Further, after such leave, which is limited to 1 year in length, a teacher must then serve another 6 years before again being eligible for educational leave. Also, a teacher in accepting educational leave agrees to return for at least 2 additional years of service in the District of Columbia school system, and if any teacher fails to fulfill this agreement, then her resignation is accepted with prejudice and she is liable for the refund of all her partial leave salary.

I feel that present economic conditions make this bill essential for the encouragement of District teachers to augment their educational backgrounds, and that this accrues to the benefit of the entire school system and of the city.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA JUDGES' RETIREMENT ACT

Mr. SISK. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5871) to amend section 11 of the act of April 1, 1942, in order to modify the retirement benefits of the judges of the District of Columbia court of general sessions, the District of Columbia court of appeals, and the juvenile court of the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act entitled "An Act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'the Municipal Court for the District of Columbia', to create 'the Municipal Court of Appeals for the District of Columbia', and for other purposes", approved April 1, 1942 (D.C. Code, sec. 11–776), is amended to read as follows:

"SEC. 11. (a) Any judge of the District of Columbia Court of General Sessions, any judge of the District of Columbia Court of Appeals, as established by this Act, or any judge of the Juvenile Court of the District of Columbia, may hereafter retire after having served as a judge of such court or courts for a period or periods aggregating ten years or more, whether continuously or not. Any judge who so retires shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such judge at the date of such retirement as the total of his aggregate years of service bears to the period of thirty years, the same to be paid in the same manner as the salary of such judge: *Provided,* That if any such judge shall retire after twenty or more years of service, other than for permanent disability, his retirement shall not commence until he shall have reached the age of fifty: *Provided further, however,* That if any such judge shall retire after less than twenty years of service, other than for permanent disability, his retirement shall not commence until he shall have reached the age of sixty-two, except that such judge may elect to receive a reduced retirement salary beginning at the age of fifty-five or at the date of his retirement if subsequent to that age, the reduction in retirement salary in such case to be one-half of 1 per centum for each month or fraction of a month the judge is under the age of sixty-two at the time of commencement of his reduced retirement salary. In no event shall the sum received by any judge hereunder be in excess of the salary of such judge at the date of such retirement. In computing the years of service under this section, service in either the Police Court of the District of Columbia or the Municipal Court of the District of Columbia, or the Juvenile Court of the District of Columbia, the District of Columbia Court of Appeals, or the District of Columbia Court of General Sessions, as heretofore constituted, shall be included whether or not such service be continuous. The terms 'retire' and 'retirement' as used in this section shall mean and include retirement, resignation, or failure of reappointment upon

the expiration of the term of office of an incumbent.

"(b)(1) Any judge of the District of Columbia Court of General Sessions, any judge of the District of Columbia Court of Appeals, and any judge of the Juvenile Court of the District of Columbia may hereafter retire after having served five years or more having become permanently disabled from performing his duties.

"(2) Such judge may retire for disability by furnishing to the Attorney General of the United States a certificate of disability signed by a duly licensed physician and approved by the Surgeon General of the Public Health Service. A judge who retires under this subsection shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such judge at the date of such retirement as the total of his aggregate years of service bears to the period of thirty years, the same to be paid in the same manner as the salary of such judge.

"(c) Any judge receiving retirement salary under the provisions hereof may be called upon by the chief judge of the District of Columbia Court of General Sessions, or the chief judge of the District of Columbia Court of Appeals, or the chief judge of the Juvenile Court of the District of Columbia, to perform such judicial duties as may be requested of him in any of such courts, but in any event no such retired judge shall be required to render such service for more than ninety days in any calendar year after such retirement. Any judge called upon pursuant to this subsection to perform judicial duties who fails to perform such duties so requested shall forfeit all right to retired pay under this section for the one-year period which begins on the first day on which he so fails to perform such duties, in. case of illness or disability precluding the rendering of such service such judge shall be fully relieved of any such duty during such illness or disability.

"(d)(1) Any judge of any of the courts herein named, or any judge retired prior to the enactment of this amendment, may by written election filed with the Commissioners within six months after the date on which he takes office, or is reappointed to office (or within six months after the enactment of this section) bring himself within the purview of this subsection.

"(2) There shall be deducted and withheld from the salary of each judge electing to bring himself within the purview of this subsection a sum equal to 3 per centum of such judge's salary, including salary paid after retirement under the provisions of this section. The amounts so deducted and withheld from the salary of each such judge shall, in accordance with such procedure as may be prescribed by the Commissioners, be deposited in the Treasury of the United States to the credit of a fund to be known as the 'District of Columbia judicial survivors annuity fund' and said fund is appropriated for the payment of annuities, refunds, and allowances as provided by this subsection. If, at any time, the balance in such fund is not sufficient to pay current obligations arising pursuant to the provisions of this subsection, there is authorized to be appropriated to such fund, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, such funds as may be necessary to pay such current obligations. The Secretary of the Treasury shall prepare the estimates of the annual appropriations required to be made to the District of Columbia judicial survivors annuity fund, and shall make actuarial valuations of such fund at intervals of five years, or more often if deemed necessary by the Secretary of the Treasury. Every judge who elects to bring himself within the purview of this subsection shall be deemed thereby to consent and agree to the deductions from his salary as provided in this subsection, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all judicial services rendered by such judge during the period covered by such payment, except the right to the benefits to which he or his survivors shall be entitled under the provisions of this section.

"(3) Each judge who has elected to bring himself within the purview of this subsection shall deposit, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the credit of the judicial survivors annuity fund created by this subsection a sum equal to 3 per centum of his salary received for service as a judge of any of the five courts referred to in subsection (a), salary received after retirement, and of his basic salary, pay, or compensation for services as a Senator, Representative, Delegate, or Resident Commissioner in Congress and for any other civilian service within the purview of section 2253 of title 5, United States Code. Such interest shall not be required for any period during which the judge was separated from all such service and was not receiving salary under this section. Each judge may elect to make such deposits in installments during the continuance of his judicial service in such amounts and under such conditions as may be determined in each instance by the Commissioners. Notwithstanding the failure of a judge to make such deposit, credit shall be allowed for the service rendered, but the annuity of the widow of such judge shall be reduced by an amount equal to 10 per centum of the amount of such deposit, computed as of the date of the death of such judge, unless such widow shall elect to eliminate such service entirely from credit under paragraph (15) of this subsection: *Provided*, That no deposit shall be required from a judge for any service rendered prior to August 1, 1920, or for any honorable service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

"(4) The Secretary of the Treasury shall invest from time to time, in interest-bearing securities of the United States or Federal farm loan bonds, such portions of the District of Columbia judicial survivors annuity fund as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as provided in this subsection. The income derived from such investments shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of paragraphs (6), (7), (9), and (10) of this subsection.

"(5) The amount deposited by or deducted and withheld from the salary of each judge electing to bring himself within the purview of this subsection for credit to the District of Columbia judicial survivors annuity fund created by this subsection covering service from and after August 1, 1920, shall be credited to an individual account of such judge.

"(6) If any judge who has elected to bring himself within the purview of this subsection resigns from office otherwise than under the provisions of this section, the amount credited to his individual account, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum, thereafter, compounded on December 31 of each year, to the date of his relinquishment of office, shall be returned to him.

"(7) In case any judge who has elected to bring himself within the purview of this subsection shall die while in office (whether in regular active service or retired from such service under the provisions of this section), after having rendered at least five years of civilian service computed as prescribed in paragraph (15) of this subsection for the last five years of which the salary deductions provided for by paragraph (2) of this subsection or the deposits required by paragraph (3) of this subsection have actually been made—

"(A) If such judge is survived by a widow but not by a dependent child, there shall be paid to such widow an annuity beginning with the day of the death of the judge or following the widow's attainment of the age of fifty years, whichever is later, in an amount computed as provided in paragraph (14) of this subsection; or

"(B) if such judge is survived by a widow and a dependent child or children, there shall be paid to such widow an immediate annuity in an amount computed as provided in paragraph (14) of this subsection and there shall also be paid to or on behalf of each such child an immediate annuity equal to one-half the amount of the annuity of such widow, but not to exceed $900 per year divided by the number of such children or $360 per year, whichever is lesser; or

"(C) if such judge leaves no surviving widow or widower but leaves a surviving dependent child or children, there shall be paid to or on behalf of each such child an immediate annuity equal to the amount of the annuity to which such widow would have been entitled under paragraph (A) of this subsection had she survived, but not to exceed $480 per year.

The annuity payable to a widow under this subsection shall be terminable upon her death or remarriage. The annuity payable to a child under this subsection shall be terminable upon (1) his attaining the age of eighteen years, (2) his marriage, or (3) his death, whichever first occurs except that if such child is incapable of self-support by reason of mental of physical disability his annuity shall be terminable only upon death, marriage, or recovery from such disability after attaining the age of eighteen years. In case of the death of a widow of a judge leaving a dependent child or children of the judge surviving her the annuity of such child or children shall be recomputed and paid as provided in subparagraph (C) of this paragraph. In any case in which the annuity of a dependent child, under this subsection, is terminated, the annuities of any remaining dependent child or children, based upon the services of the same judge, shall be recomputed and paid as though the child whose annuity was so terminated had not survived such judge.

"(8) As used in this subsection—

"(A) The term 'widow' means a surviving wife of an individual who either (1) shall have been married to such individual for at least two years immediately preceding his death or (2) is the mother of issue by such marriage, and who has not remarried.

"(B) The term 'dependent child' means an unmarried child, including a dependent stepchild or an adopted child, who is under the age of eighteen years or who because of physical or mental disability is incapable of self-support.

Questions of dependency and disability arising under this subsection shall be determined by the Commissioners. Commissioners may order or direct at any time such medical or other examinations as they shall deem necessary to determine the facts relative to the nature and degree of disability of any dependent child who is an annuitant or applicant for annuity under this subsection, and may suspend or deny any such annuity for failure to submit to any examination.

"(9) In any case in which (A) a judge who has elected to bring himself within the purview of this subsection shall die while in office (whether in regular active service or retired from such service under the provisions of this section) before having rendered five years of civilian service computed

as prescribed in paragraph (15) of this subsection, or after having rendered five years of such civilian service but without a survivor or survivors entitled to annuity benefits provided by paragraph (7) of this subsection, or (B) the right of all persons entitled to annuity under paragraph (7) of this subsection based on the service of such judge shall terminate before a valid claim therefor shall have been established, the total amount credited to an individual account of such judge, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum, thereafter, compounded on December 31 of each year, to the date of the death of such judge, shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date title to the payment arises, in the following order of precedence, and such payment shall be a bar to recovery by any other person:

"First, to the beneficiary or beneficiaries whom the judge may have designated by a writing received by the Commissioners prior to his death;

"Second, if there be no such beneficiary, to the widow of such judge;

"Third, if none of the above, to the child, or children of such judge and the descendants of any deceased children by representation;

"Fourth, if none of the above, to the parents of such judge or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such judge;

"Sixth, if none of the above, to such other next of kin of such judge as may be determined by the Commissioners to be entitled under the laws of the domicile of such judge at the time of his death.

Determination as to the widow or child of a judge for the purposes of this subsection shall be made by the Commissioners without regard to the definition of these terms stated in paragraph (8) of this subsection.

"(10) In any case in which the annuities of all persons entitled to annuity based upon the service of a judge shall terminate before the aggregate amount of annuity paid equals the total amount credited to the individual account of such judge, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of the death of such judge, the difference shall be paid, upon establishment of a valid claim therefor, in the order of precedence prescribed in paragraph (9) of this subsection.

"(11) Any accrued annuity remaining unpaid upon the termination (other than death) of the annuity of any person based upon the service of a judge shall be paid to such person. Any accrued annuity remaining unpaid upon the death of any person receiving annuity based upon the service of a judge shall be paid, upon establishment of a valid claim therefor, in the following order of precedence:

"First, to the duly appointed executor or administrator of the estate of such person;

"Second, if there is no such executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of such person, to such individual or individuals as may appear in the judgment of the Commissioners to be legally entitled thereto, and such payments shall be a bar to recovery by any other individual.

"(12) Where any payment under this subsection is to be made to a minor or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the jurisdiction wherein the claimant resides or is otherwise legally vested with the care of the claimant or his estate. Where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the jurisdiction wherein the claimant resides, the Commissioners shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

"(13) Annuities granted under the terms of this subsection shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. None of the moneys mentioned in this section shall be assignable, either in law or in equity, or subject to execution, levy, attachment, garnishment, or other legal process.

"(14) The annuity of the widow of a judge who has elected to bring himself within the purview of this subsection shall be an amount equal to the sum of (A) 1¼ per centum of the average annual salary received by such judge for judicial service and any other prior allowable service during the last five years of such service prior to his death, or retirement from office under this section, multiplied by the sum of his years of judicial service, his years of prior allowable service as a Senator, Representative, Delegate, or Resident Commissioner in Congress, his years of prior allowable service performed as a member of the Armed Forces of the United States, and his years, not exceeding fifteen, of prior allowable service performed as an employee described in section 2251(c) (formerly section 698(g)) of title 5, United States Code and (B) three-fourths of 1 per centum of such average annual salary multiplied by his years of any other prior allowable service, but such annuity shall not exceed 37½ per centum of such average annual salary and shall be further reduced in accordance with paragraph (3) of this subsection, if applicable.

"(15) Subject to the provisions of paragraph (3) of this subsection, the years of service of a judge which are allowable as the basis for calculating the amount of the annuity of his widow shall include his years of service as a judge of one of the five courts herein named (whether in regular active service or retired from such service under this section), his years of service as a Senator, Representative, Delegate, or Resident Commissioner in Congress, his years of active service as a member of the Armed Forces of the United States not exceeding five years in the aggregate and not including any such service for which credit is allowed for the purposes of retirement or retired pay under any other provision of law, and his years of any other civilian service within the purview of section 2253 of title 5, United States Code.

"(16) Nothing contained in this subsection shall be construed to prevent a widow eligible therefor from simultaneously receiving an annuity under this subsection and any annuity to which she would otherwise be entitled under any other law without regard to this subsection, but in computing such other annuity, service used in the computation of her annuity under this subsection shall not be credited.

"(17) Wherever used in this section the term 'Commissioners' shall mean the Board of Commissioners of the District of Columbia or their designated agent.

"(e) Nothing contained in this section shall be construed to prevent a judge eligible therefor from simultaneously receiving his retirement salary under this section and any annuity to which he would otherwise be entitled under any other law without regard to this section, but in computing such annuity, service used in the computation of retirement salary under this section shall not be credited: *Provided, however,* That nothing contained in this section shall be construed to prevent a judge from electing to waive the provisions of this section regarding retirement compensation and crediting service hereunder in computing any annuity to which he would otherwise be entitled, under any other law without regard to this section; nor shall anything contained in this section or in any other law be construed to require a judge eligible therefor to elect to waive either the provisions of this section regarding retirement compensation and annuities or the provisions of any other law relating to retirement compensation or annuities prior to the date of his retirement."

SEC. 2. That part of the amendment made by this Act to section 11 of the Act of April 1, 1942, contained in subsection (a) of such section shall be applicable in the case of any judge of the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, or the Juvenile Court of the District of Columbia who retires after the effective date of this Act; except that any person now serving as a judge of any such court on the effective date of this Act may, at the time of his application for retirement salary, elect in writing to have his right to such salary and the amount thereof determined under the provisions of section 11 of the Act of April 1, 1942, as such section existed immediately prior to its amendment by this Act. Any election made pursuant to this subsection shall be irrevocable.

SEC. 3. This Act shall be effective on and after the first day of the first month following its approval.

With the following committee amendment:

Page 4, line 22, strike out "in" and insert in lieu thereof ". In".

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I should like to ask the gentleman to explain this bill briefly. What do you propose?

Mr. SISK. If the gentleman will yield, I will do the best I can to give a summary of what I understand to be the purposes of this legislation.

The gentleman from Iowa understands that the gentleman from Mississippi [Mr. ABERNETHY] is chairman of this subcommittee and presided over the hearings. In his absence today, I called up the bill.

At the present time, judges must have served 20 years before they are able to retire with any benefits.

Mr. GROSS. The gentleman is speaking now of municipal judges in the District of Columbia?

Mr. SISK. That is correct. I am speaking now of District of Columbia judges. They are the only ones dealt with in this particular bill.

This bill would provide for retirement with certain benefits after 10 years of service. This was felt to be equitable in view of the fact that judges are appointed for 10-year terms in the District of Columbia. Further benefits which would be received under this legislation would be based on one-thirtieth of their salary so that, of course, if they retire in 10 or 11 years, they would draw substantially less in retirement benefits than they would if they went on to 20 years. That was one of the reasons.

There are also some additional provisions providing for retirement of a judge after 5 years where the incumbent is declared to be totally disabled and

certain benefits are provided in such instances.

This again, as I understand, as a member of the subcommittee, places these people pretty well on all fours with other government employees and other people in similar station, something that has not been done heretofore for District of Columbia judges.

Mr. GROSS. Do these municipal court judges make a contribution to any retirement fund?

Mr. SISK. It is not my understanding that they do make a contribution. Let me say, it is my understanding that they are, so far as that subject is concerned, in exactly the same category as other Federal district judges or Federal judges.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BROYHILL of Virginia. As I understand this legislation, this does not increase their rate of retirement as to the amount of dollars that they would receive, but merely permits them to retire after a fewer number of years of service—10 years or more of service—at age 62—or 20 years of service at age 50. But they still compute their retirement on the same formula that they compute their retirement at the present time.

Mr. GROSS. Do these judges make any contribution to any retirement fund?

Mr. BROYHILL of Virginia. They do not. This legislation does not change that one iota. Nor do Federal judges contribute to a retirement fund.

Mr. GROSS. That is all right but where else over the country are there municipal judges who have a retirement system to which they make no contribution?

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

Mr. GROSS. I yield to the gentleman.

Mr. McMILLAN. I think the district judges in my State retire without paying any funds into the retirement fund. That is my understanding.

Mr. GROSS. You mean in your State?

Mr. McMILLAN. Yes.

Mr. GROSS. City and municipal judges in South Carolina retire on some kind of pension to which they make no contribution at all?

Mr. McMILLAN. That is the State judges, the same as these District of Columbia judges—they have the same rank, yes. They have the same rank as these judges in the District of Columbia.

Mr. GROSS. You are talking about Federal district judges; are you not?

Mr. McMILLAN. No, not Federal judges. I am talking about our State judges. We have State judges and I believe they draw about $19,000 a year, and it is my understanding they retire at a certain age without paying anything into a retirement fund after a certain number of years of service.

Mr. GROSS. What are they paid when they retire? What kind of an annuity do they have?

Mr. McMILLAN. I cannot tell you that exactly.

Mr. GROSS. Well, this is the point. Where I come from, if our municipal judges have a retirement fund, they pay into that retirement fund and I see no reason why the municipal judges in the District of Columbia should be treated on any other basis. I am not about to liberalize a retirement system for municipal judges, especially where they make no contribution to their retirement fund; where the entire cost is borne by the taxpayers.

The SPEAKER. The time of the gentleman from Iowa has expired. Does the gentleman desire to make a unanimous consent request for further time?

Mr. GROSS. Yes, Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McMILLAN. I would say to the gentleman, you and I both pay into a retirement fund but it seems no judges and the U.S. Army people do not pay into a retirement fund. How that started, I do not know.

Mr. GROSS. There is quite a difference. Let us not mix up the military and the Federal judiciary. You know very well why military personnel retire without making a direct contribution.

Mr. McMILLAN. No, sir.

Mr. GROSS. Military personnel presumably make their contribution to retirement through lower pay schedules than judges and others in the Federal Government. That is why the military makes no contribution.

Mr. McMILLAN. I see.

Mr. GROSS. This system of giving Federal judges lifetime appointments and then permitting them to retire after 10 or 15 years or after attaining a certain age, at their full salary, is fantastic and beyond belief. That is one of the reasons why I am not about to support a pay increase for Justices of the Supreme Court and Federal judges such as is provided in the omnibus pay increase bill pending before the House Committee on Post Office and Civil Service. It would mean that Justices of the Supreme Court could retire, if the bill is enacted, at $50,000 a year and they would have contributed not one thin dime to their retirements. I am opposed to this bill that makes it easier for District of Columbia municipal judges to retire without having made any contribution whatever to any retirement fund. I think this is going beyond all reason. Moreover, when Congress starts reducing the requirements for retirement where will it end?

I yield back the balance of my time.

Mr. SCHWENGEL. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of this bill. I want to say also that I have some sympathy for the position taken by the gentleman from Iowa [Mr. GROSS]. In Iowa we have retirement plans for judges of this classification, but they do make a contribution on their own along with communities or the State, as the case may be. I think the idea of having a pension and this kind of arrangement for judges is a good thing. We are not voting, though, on the question of contribution, and I agree with the gentleman on that point. However, this has already been established and after evaluating the pros and cons of this legislation, I decided that the public interest would be served by passing this legislation which would make it possible in certain instances for judges to retire in case their health was such that they could not continue. They should not suffer an undue penalty under those conditions. This is a precedent that we have set in other areas. That is the reason why I am in support of this legislation, although, as I say, I have some sympathy for the gentleman's position.

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

Mr. SCHWENGEL. I yield to the gentleman.

Mr. GROSS. But the gentleman will admit you are substantially liberalizing the retirement system for municipal judges, will you not?

Mr. SCHWENGEL. I think it has been pointed out that the benefits, if they retire earlier, would be reduced accordingly. So as I see it, there would be no extra cost, if any, on the retirement system.

Mr. GROSS. There is bound to be an increased cost.

Mr. SISK. Mr. Speaker, the purpose of this bill, H.R. 5871, as set forth in House report 839, is to provide a more equitable and realistic retirement law for the judges of the several courts of the District of Columbia.

Present law (sec. 11 of the act approved April 1, 1942, 56 Stat. 197, sec. 11–776, D.C. Code, 1951 ed.) does not permit the retirement of a judge coming under its provisions until he has served a minimum of 20 years on the bench. The Commissioners are of the opinion that such minimum service requirement should be reduced to 10 years, because the majority of appointments to such courts are for a 10-year period.

Other than the provisions in the Civil Service Retirement Act, there is no provision in existing law providing disability retirement for such judges or for annuities for widows or children of such judges. The Commissioners are of the opinion that such provisions should be contained in the present judge's retirement law because most current retirement laws contain such realistic and equitable provisions.

The bill corrects these present law inadequacies (1) by reducing the minimum required service on the bench for retirement from 20 years to 10 years, while keeping the present law computation ratio of retirement salary; that is, one-thirtieth of a judge's salary at the time of retirement for each year served on the bench, but not to exceed 100 percent of such salary; (2) by providing that a judge, after 5 years or more of service, may retire for disability of a permanent nature and he shall receive a retirement salary computed in accordance with the above ratio; and (3) by providing that survivorship benefits may be granted to any judge who elects to come within the purview of the subsection authorizing such benefits. The rate of contribution,

annuities, and related provisions of such subsection are substantially the same as those contained in the current Retirement Act for Federal judges (title 28, United States Code, sec. 376).

This legislation has the approval of the Commissioners of the District of Columbia, the judges of the District of Columbia court of general sessions, the District of Columbia court of appeals, and the juvenile court of the District of Columbia, and of the Bar Association of the District of Columbia.

The bill is designed to provide retirement features for the judges of the court of general sessions, the District of Columbia court of appeals, and the District of Columbia juvenile court, comparable to those of Federal judges serving a term for years, not those with life tenure.

Because of the present structure of District of Columbia Code, section 11–776 it was necessary to invert the numerical and alphabetical designations of the subsections, paragraphs, and so forth, of title 28, United States Code, section 376.

This committee has been informed that on the basis of data supplied by the Government actuary of the U.S. Treasury Department, the Commissioners have estimated that the cost to the District of Columbia in paying judges' annuities under the provisions of this bill, for fiscal years 1964 through 1968, is $115,600 and that the survivors' annuities for the same period would cost $50,900.

This bill is identical in all its major provisions to H.R. 5831 of the 87th Congress, which was approved by the House on August 28, 1961, and passed by the Senate, with amendments, on September 14, 1962, too late for further consideration in that Congress.

Following is a comparison of the benefits to retired judges under the present law and under the provisions of the reported bill, prepared for this committee by the District of Columbia Personnel Office, and the letter from the Board of Commissioners of the District of Columbia, expressing their approval of H.R. 5871.

COMPARISON OF PRESENT BASIC RETIREMENT BENEFITS FOR DISTRICT OF COLUMBIA MUNICIPAL JUDGES WITH THOSE PROPOSED UNDER H.R. 5871

PRESENT LAW	H.R. 5871
Permissive retirement after 20 or more years' service.	Ten or more years' service but less than 20 must be 62 years of age, or elect reduced annuity at age 55.
No minimum age.	Twenty or more years of service, must be age 50.
Pension: Proportioned on basis of aggregate years of service to 30 years computed on salary at time of retirement, or 3⅓ percent of salary per year.	Same.
Contributions to pension: None.	None.
Disability retirement: None.	After 5 years of service if a certificate of disability signed by a duly licensed physician is furnished the Attorney General and approved by the Surgeon General of the Public Health Service.
Survivor benefits: None.	For widows not to exceed 37½ percent of average salary as determined by service formula.
	For dependent child, one-half of widows annuity not exceeding $900 per year divided by the number of children or $360 per year, whichever is lesser.
Contributions for survivor benefits: None.	Three percent of salary in fund subject to control of Secretary of Treasury. Should fund be inadequate, District of Columbia required to provide necessary funds to meet obligations.

NOTE.—Incumbent judges may elect to remain under existing law or convert to H.R. 5871 if enacted. Such election is irrevocable.

Mr. BROYHILL. Mr. Speaker, the purpose of this bill is to expand the provisions of the present law regarding retirement benefits for judges of the various District of Columbia courts, so as to bring such benefits into line with those accruing to judges in the Federal courts.

The present District of Columbia Judges' Retirement Act, approved April 1, 1942, does not permit the retirement of a judge under its provisions until he has served a minimum of 20 years on the bench. Retirement salary after 20 years or more of service is computed at one-thirtieth of the judge's salary at the time of his retirement, per year of his service. Hence, retirement after 20 years of service would entitle him to an annuity of two-thirds his final annual salary, and after 30 years he could retire at full salary.

Also, under present law there is no provision for disability retirement for such judges, or for annuities for widows or children in the event of a judge's death prior to retirement.

These limitations, and particularly the requirement of 20 years of service before retirement, are so restrictive that at present, I am told, only two District of Columbia judges are retired under this law. Inasmuch as appointments to the District of Columbia courts are for 10-year terms, and since most judges are not appointed until they have attained rather mature years, the 20-year minimum for retirement imposed by the Judges' Retirement Act appears so formidable that these judges elect to place themselves instead under the provisions of the Civil Service Retirement Act. This is also the only means by which District of Columbia court judges can assure themselves disability retirement benefits, or annuity programs for the benefit of their dependents in the event of their death while in service on the bench. However, benefits obtainable under the Civil Service Retirement Act are not as advantageous as those which accrue to Federal court judges, or to judges in the District courts who are able to serve as long as 20 years.

H.R. 5871 would correct this inequitable situation, by providing for retirement of District of Columbia court judges after 10 years of service, under the same formula for computation of annuity as under present law. However, a judge retiring after 10 years must be at least 62 years of age, except that he may elect to receive a reduced annuity at the age of 55 years. A judge retiring after 20 years or more of service will be required to be at least 50 years of age. In addition, provision is made for retirement for disability after at least 5 years of service, and for an elective survivor benefit plan for judges' dependents.

I am pleased to endorse this bill, which has been recommended by the District of Columbia Board of Commissioners and the District of Columbia Bar Association.

The SPEAKER. The question is on the committee amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

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

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 150, nays 86, not voting 196, as follows:

[Roll No. 172]

YEAS—150

Abbitt	Cramer	Griffin
Abernethy	Daddario	Hagen, Calif.
Anderson	Davis, Ga.	Harding
Arends	Dawson	Harris
Aspinall	Dent	Harsha
Auchincloss	Denton	Harvey, Ind.
Bass	Diggs	Hawkins
Bates	Dingell	Hechler
Battin	Dowdy	Holland
Beckworth	Downing	Horan
Belcher	Duncan	Horton
Boggs	Edwards	Huddleston
Boland	Elliott	Ichord
Bonner	Everett	Jarman
Brown, Calif.	Evins	Jennings
Broyhill, Va.	Flood	Johnson, Calif.
Burke	Forrester	Johnson, Wis.
Burkhalter	Fountain	Jones, Mo.
Burleson	Fraser	Karsten
Byrne, Pa.	Fulton, Tenn.	Karth
Chamberlain	Garmatz	Kastenmeier
Clausen, Don H.	Gathings	Kilgore
	Gill	Lennon
Conte	Gonzalez	Libonati
Cooley	Goodling	McClory
Corman	Grabowski	McCulloch

McFall	Poff	Skubitz
McIntire	Pool	Slack
McMillan	Price	Smith, Va.
Madden	Purcell	Steed
Mahon	Rains	Stubblefield
Marsh	Randall	Thomas
Mathias	Rhodes, Ariz.	Thompson, N.J.
Matsunaga	Rhodes, Pa.	Thompson, Tex.
Matthews	Rivers, Alaska	Thornberry
May	Rogers, Colo.	Toll
Meader	Rooney, N.Y.	Trimble
Miller, Calif.	Rooney, Pa.	Tupper
Mills	Roosevelt	Udall
Morgan	Rosenthal	Ullman
Morris	Roush	Van Deerlin
Murray	Roybal	Watson
Natcher	Schweiker	White
Nelsen	Schwengel	Whitener
O'Hara, Ill.	Secrest	Willis
O'Hara, Mich.	Senner	Wilson,
Olsen, Mont.	Shipley	Charles H.
Olson, Minn.	Shriver	Wilson, Ind.
Patman	Sickles	Wright
Pirnie	Siler	Young
Poage	Sisk	

NAYS—86

Abele	Findley	Ostertag
Alger	Fisher	Passman
Andrews	Foreman	Pelly
Baker	Glenn	Pike
Baldwin	Gross	Quillen
Baring	Grover	Reid, Ill.
Becker	Gubser	Riehlman
Beermann	Gurney	Roberts, Tex.
Bell	Haley	Robison
Bennett, Fla.	Harrison	Rogers, Fla.
Berry	Herlong	Rogers, Tex.
Betts	Hoeven	Rumsfeld
Bolton,	Hoffman	Schadeberg
Oliver P.	Jensen	Schenck
Brock	Jonas	Schneebeli
Brotzman	Keith	Smith, Calif.
Brown, Ohio	King, N.Y.	Snyder
Broyhill, N.C.	Kornegay	Talcott
Bruce	Laird	Tollefson
Burton	Landrum	Utt
Byrnes, Wis.	Langen	Weaver
Cannon	Lipscomb	Weltner
Cleveland	McLoskey	Westland
Colmer	Martin, Nebr.	Wharton
Corbett	Michel	Whitten
Cunningham	Milliken	Williams
Curtin	Minshall	Wilson, Bob
Dague	Mosher	Winstead
Dole	O'Konski	Younger

NOT VOTING—196

Adair	Fallon	King, Calif.
Addabbo	Farbstein	Kirwan
Albert	Fascell	Kluczynski
Ashbrook	Feighan	Knox
Ashley	Finnegan	Kunkel
Ashmore	Fino	Kyl
Avery	Flynt	Lankford
Ayres	Fogarty	Latta
Barrett	Ford	Leggett
Barry	Frelinghuysen	Lesinski
Bennett, Mich.	Friedel	Lindsay
Blatnik	Fulton, Pa.	Lloyd
Bolling	Fuqua	Long, La.
Bolton,	Gallagher	Long, Md.
Frances P.	Gary	McDade
Bow	Giaimo	McDowell
Brademas	Gibbons	Macdonald
Bray	Gilbert	MacGregor
Bromwell	Goodell	Mailliard
Brooks	Grant	Martin, Calif.
Broomfield	Gray	Martin, Mass.
Buckley	Green, Oreg.	Miller, N.Y.
Cahill	Green, Pa.	Minish
Cameron	Griffiths	Monagan
Carey	Hagan, Ga.	Montoya
Casey	Hall	Moore
Cederberg	Halleck	Moorhead
Celler	Halpern	Morrison
Chelf	Hanna	Morse
Chenoweth	Hansen	Morton
Clancy	Hardy	Moss
Clark	Harvey, Mich.	Multer
Clawson, Del	Hays	Murphy, Ill.
Cohelan	Healey	Murphy, N.Y.
Collier	Hébert	Nedzi
Curtis	Hemphill	Nix
Daniels	Henderson	Norblad
Davis, Tenn.	Holifield	O'Brien, Ill.
Delaney	Hosmer	O'Brien, N.Y.
Derounian	Hull	O'Neill
Derwinski	Hutchinson	Osmers
Devine	Joelson	Patten
Donohue	Johansen	Pepper
Dorn	Jones, Ala.	Perkins
Dulski	Kee	Philbin
Dwyer	Kelly	Pilcher
Edmondson	Keogh	Pillion
Ellsworth	Kilburn	Powell
Pucinski	Selden	Teague, Tex.
Quie	Shelley	Thompson, La.
Reid, N.Y.	Sheppard	Thomson, Wis.
Reifel	Short	Tuck
Reuss	Sibal	Tuten
Rich	Sikes	Vanik
Rivers, S.C.	Smith, Iowa	Van Pelt
Roberts, Ala.	Springer	Vinson
Rodino	Staebler	Waggonner
Rostenkowski	Stafford	Wallhauser
Roudebush	Staggers	Watts
Ryan, Mich.	Stephens	Whalley
Ryan, N.Y.	Stinson	Wickersham
St. George	Stratton	Widnall
St Germain	Sullivan	Wydler
St. Onge	Taft	Wyman
Saylor	Taylor	Zablocki
Scott	Teague, Calif.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Johansen against.

Mr. Morse of Massachusetts for, with Mr. Martin of California against.

Mr. Wallhauser for, with Mr. Kilburn against.

Mr. Lindsay for, with Mr. Devine against.

Until further notice:

Mr. Kirwan with Mr. Avery.

Mr. Hébert with Mr. Short.

Mr. Sheppard with Mr. Cahill.

Mr. St. Onge with Mr. Miller of New York.

Mr. Minish with Mrs. Bolton.

Mr. Rodino with Mr. Fino.

Mr. King of California with Mr. Moore.

Mr. Macdonald with Mr. Hall.

Mr. Albert with Mr. Halleck.

Mr. Philbin with Mr. Chenoweth.

Mr. Donohue with Mr. Roudebush.

Mr. Shelley with Mr. Kyl.

Mr. Hemphill with Mr. Teague of California.

Mr. Green of Pennsylvania with Mr. Widnall.

Mr. Holifield with Mr. Frelinghuysen.

Mr. Fuqua with Mr. Cederberg.

Mr. Fogarty with Mr. Mailliard.

Mr. Feighan with Mr. Harvey of Michigan.

Mr. Hays with Mr. Wyman.

Mr. Hull with Mr. Stafford.

Mr. Sikes with Mr. Derounian.

Mr. Gary with Mr. Del Clawson.

Mr. Giaimo with Mr. Broomfield.

Mr. Gray with Mr. Adair.

Mr. Cameron with Mrs. St. George.

Mr. Ashmore with Mr. Osmers.

Mr. Kluczynski with Mr. MacGregor.

Mr. Rostenkowski with Mr. Halpern.

Mrs. Sullivan with Mr. Bennett of Michigan.

Mr. Vinson with Mrs. Dwyer.

Mr. Watts with Mr. Ford.

Mr. Staggers with Mr. Springer.

Mr. Zablocki with Mr. Reifel.

Mr. Chelf with Mr. Martin of Massachusetts.

Mr. Cohelan with Mr. Ayres.

Mr. Daniels with Mr. Derwinski.

Mr. Buckley with Mr. Taft.

Mr. Delaney with Mr. Collier.

Mr. Addabbo with Mr. Quie.

Mrs. Kelly with Mr. Bow.

Mr. Multer with Mr. Sibal.

Mr. Murphy of New York with Mr. Morton.

Mr. Celler with Mr. Bromwell.

Mr. Stratton with Mr. Curtis.

Mr. O'Brien of New York with Mr. Fulton of Pennsylvania.

Mr. Carey with Mr. Thomson of Wisconsin.

Mr. Dulski with Mr. Saylor.

Mr. Gilbert with Mr. Reid of New York.

Mr. Healey with Mr. Norblad.

Mr. Powell with Mr. Hutchinson.

Mr. Ryan of New York with Mr. Ashbrook.

Mr. Morrison with Mr. Clancy.

Mr. Thompson of Louisiana with Mr. Whalley.

Mr. Teague of Texas with Mr. Ellsworth.

Mr. Lankford with Mr. Pillion.

Mr. Friedel with Mr. Goodell.

Mr. Long of Maryland with Mr. Bray.

Mr. Nix with Mr. McDade.

Mr. Barrett with Mr. Knox.

Mr. Brademas with Mr. Barry of New York.

Mr. Lesinski with Mr. Hosmer.

Mr. Long of Louisiana with Mr. Kunkel.

Mr. Clark with Mr. Latta.

Mr. Fallon with Mr. Rich.

Mr. Farbstein with Mr. Van Pelt.

Mr. Rivers of South Carolina with Mr. Stinson.

Mr. Roberts of Alabama with Mr. Wydler.

Mr. Ryan of Michigan with Mr. Tuten.

Mr. Nedzi with Mr. Tuck.

Mr. Blatnik with Mr. Ashley.

Mr. Brooks with Mr. Davis of Tennessee.

Mr. McDowell with Mrs. Kee.

Mrs. Green of Oregon with Mrs. Hansen.

Mr. Hardy with Mr. Pucinski.

Mr. Montoya with Mr. Moorhead.

Mr. Edmondson with Mr. Dorn.

Mr. Joelson with Mr. Staebler.

Mr. Monagan with Mr. Leggett.

Mr. Flynt with Mr. Gallagher.

Mr. Hanna with Mr. Grant.

Mr. Selden with Mr. Smith of Iowa.

Mrs. Griffiths with Mr. Scott.

Mr. Patten with Mr. Pepper.

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

Mr. Moss with Mr. Taylor.

Mr. Waggonner with Mr. Fascell.

Mr. Gibbons with Mr. Hagan of Georgia.

Mr. Henderson with Mr. Pilcher.

Mr. Reuss with Mr. Vanik.

Mr. Jones of Alabama with Mr. Stephens.

Mr. St Germain with Mr. Perkins.

Mr. Murphy of Illinois with Mr. Lloyd.

Mr. BRUCE changed his vote from "yea" to "nay."

Mr. FINDLEY changed his vote from "yea" to "nay."

Mr. ALGER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. MCMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter and table.

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

There was no objection.

Mr. MCMILLAN. Mr. Speaker, sometime ago I requested the Chief of Police, Maj. Robert Murray, to furnish me as chairman of the House District Committee a weekly report on the crime conditions in the District of Columbia and all other information possible on this subject.

I am requesting permission to insert last week's report in the CONGRESSIONAL RECORD and a statement from the Budget Bureau Director on this subject.

The people throughout the United States are expecting and demanding the Congress of the United States to do something toward curbing crime in the Nation's Capital and our efficient Chief of Police is doing everything possible to solve the crime problem in the District of Columbia with the tools he has to work with at the present time.

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
October 10, 1963.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MCMILLAN: Forwarded herewith are copies of the weekly crime report for the District of Columbia for the week beginning September 29, 1963.

Sincerely yours,

ROBERT V. MURRAY,
Chief of Police.

Pt. I offenses reported, Sept. 29 through Oct. 5, 1963, Metropolitan Police Department, government of the District of Columbia

Classification	Week beginning Sept. 22, 1963	Week beginning Sept. 29, 1963	Change	
			Amount	Percent
Criminal homicide	3	4	+1	+33.3
Rape	4		−4	−100.0
Robbery	40	37	−3	−7.5
Aggravated assault	72	74	+2	+2.8
Housebreaking	147	124	−23	−15.6
Grand larceny	30	23	−7	−23.3
Petit larceny	155	157	+2	+1.3
Auto theft	70	93	+23	+32.8
Total	521	512	−9	−1.7

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
October 9, 1963.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.:

The District of Columbia Budget Office, under date of August 7, 1962, requested this department to forward for information to each congressional committee on District matters one copy of any special report, study, survey, or similar document which is released by this department to the public and the press.

Accordingly, the enclosed material, which is being released by this department on this date, is provided for your information.

ROBERT V. MURRAY,
Chief of Police.

CRIME IN THE DISTRICT OF COLUMBIA, SEPTEMBER 1963

During September 1963 a total of 2,182 part I offenses were reported in the District, an increase of 324 offenses or 17.4 percent from September 1962. This total was below the alltime high (2,512 offenses) for a single month established in August, but did establish a record high for the month of September, which ordinarily reflects a seasonal drop from August.

This was the 16th consecutive month with an increase in crime for Washington. During this month increases are found in all categories except robbery and aggravated assault, both of which declined. Noteworthy were the increases in criminal homicide and rape, both of which doubled the number for last September, and in housebreaking, which showed the greatest numerical increase.

The increase for this month brought the trend of offenses to 24,676, an increase of 71 offenses from the peak established in December 1952 and making the trend period (the 12 months ending with September) the alltime high for crime in this city.

GREATEST PARLIAMENTARIAN IN THE WORLD, LEWIS DESCHLER

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have asked for this time to call attention to another honor that has come to a great fellow Ohioan, a man well known to all of you, loved and respected by every Member of this House and by every individual who has served in this House in the last third of a century, the Honorable Lewis Deschler, Parliamentarian. In the recent issue of the Rainbow, which is the national publication of the great fraternity Delta Tau Delta, to which Lew Deschler belongs, there is an article entitled "Greatest Parliamentarian in the World, Lewis Deschler," prepared from material furnished by our colleague from Ohio, Congressman JACKSON E. BETTS, who is also a member of Delta Tau Delta. This article recites some of the tributes that have been paid to Lew Deschler here in the House of Representatives and tells of the great tribute that was paid to him by his own alma mater, Miami University of Ohio, in June of this year at which time he was given a doctor's degree because of the great work he has performed in the field of parliamentary law, and tells of his service to Delta Tau Delta.

Seldom in our time has such recognition been given to any man by his own alma mater, by the House of Representatives of the Congress of the United States, by his own State organizations, by his own fraternity, and generally by all who have known him. I am, therefore, very desirous in seeing that this latest tribute paid to him in the Rainbow by his own fraternity, Delta Tau Delta, be made a part of the official RECORD of this Congress and of this Nation.

Mr. Speaker, I file this article.

The article is as follows:

GREATEST PARLIAMENTARIAN IN THE WORLD, LEWIS DESCHLER

(EDITOR'S NOTE.—The material for the following article was furnished by JACKSON E. BETTS, Kenyon, 1926, U.S. Congressman from Ohio, and was gathered from the CONGRESSIONAL RECORD, March 1963; the Washington Sunday Star, April 28, 1963; and an honorary degree of doctor of laws conferred on Mr. Deschler by Miami University on June 9, 1963.)

On June 9, 1963, the University of Miami awarded an honorary degree of doctor of laws to Lewis Deschler, Miami, 1926, Parliamentarian of the U.S. House of Representatives since January 1, 1928. The citation reads as follows:

"Upon you, Lewis Deschler, former student of this university, faithful servant of the legislative process in our great Republic, recognized authority upon parliamentary procedure, by vote of the university senate with the approval of the board of trustees and under authority granted by the State of Ohio, Miami University confers the degree of doctor of laws honoris causa, in token whereof I hand you this diploma and have you invested with the hood appropriate to your rank."

Lewis Deschler never held an elective office. Yet he has had a powerful influence on the laws and history of the United States. He is the man who lays down the law to the lawmakers of the Nation. A native of Chillicothe, Ohio, Lew Deschler went to Miami University, Oxford, Ohio, where he played tackle on the football team and was engaged in other extracurricular activities while a member of Gamma Upsilon chapter. In 1925, he went to the Nation's Capital and completed his undergraduate work at George Washington University. In 1932 he received his law degree and in 1934 was admitted to the bar of the District of Columbia. He became a member of the U.S. Supreme Court bar in December 1937.

In 1925 Lewis Deschler began his career in the Nation's Capital when he was appointed messenger at the Speaker's table of the House of Representatives. At that time the Clerk at the Speaker's table performed the role of Parliamentarian. In 1927 Congress created the positions of Parliamentarian and Assistant Parliamentarian. Mr. Deschler was the first Assistant Parliamentarian of the House but he served in that capacity for only 1 year as in January 1928, he was appointed Parliamentarian. He has served continuously in that position down to the present, serving under Republicans and Democrats alike. Speaker of the House MCCORMACK has said that "Lew Deschler is the greatest Parliamentarian in the world." He is generally credited with having a great part to play in Alaska and Hawaii achieving statehood by successfully finding House precedents to permit the statehood bills to bypass the Rules Committee, where they had been blocked, and come to the floor for a vote.

Republican House Leader CHARLES A. HALLECK said, "I never cease to be amazed at the length and breadth of his knowledge of the Rules of the House of Representatives." Mr. HALLECK went on to say that "* * * never have I known Lew Deschler's advice, his judgments, or his decisions to be influenced by any partisan considerations whatever. * * * He has a deep understanding of his job that transcends its purely technical aspects."

House Speaker MCCORMACK has said "* * * he is a man of wisdom, a man whose influence in the legislative affairs of our country for so many years has been tremendous, unseen possibly from the angle of the public but well known to each and every Member who has ever served in this great body." Vice President LYNDON JOHNSON advised his successor in the House of Representatives in this fashion, "You get to know the Parliamentarian, Mr. Lewis Deschler. He is a wise man, he is a good man, he is nonpartisan, and he will always advise you not only as to the rules of the House, not only as to the proper procedure, but also as to the proper conduct of a Member of the House."

In March of 1963, the House of Representatives paid special tribute to Lew Deschler on the occasion of his 58th birthday and 36th year as Parliamentarian. The rare tribute included speeches and comments by many Members of the House and the proceedings covered five pages of the CONGRESSIONAL RECORD, including a message from President Kennedy. The resolution read:

"Resolved, That the House of Representatives hereby tenders its thanks and appreciation to Lewis Dechler, whose 35th anniversary as its Parliamentarian occurred on January 1, 1963, in recognition of his dedication to this House, his wise and impartial advice to the Speaker and Members, and his exceptional contribution to the operation of its rules."

After reading the tributes paid to him by so many prominent men in Government circles, tributes not only as to his ability but to his character as well, and after appraising the vast importance and influence of his official position, it is perfectly obvious that Lew Deschler is, indeed, one of the important personalities of our country, truly a "giant among men." That he is content to sit back and not seek acclaim and recogni-

tion for the important role that he plays is but added testimony supporting his greatness.

Truly, Lewis Deschler merits a position with his fellow Delts who have served their country as Vice Presidents, as Supreme Court Justices, as U.S. Senators, and Representatives, as Governors, judges, business and industrial leaders, astronauts, sports and entertainment celebrities.

Mr. Parliamentarian, your fraternity salutes you.

A TRIBUTE TO THE NATION'S NEWSPAPERS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. WHITE. Mr. Speaker, 273 years ago in Boston, Mass., Benjamin Harris published America's first newspaper, the Publick Occurences Both Foreign and Domestick. Because the paper incurred the disapproval of the Government, it was soon suspended.

Fourteen years later, in 1704, the Boston News-Letter appeared and contained articles taken from the London newspapers—news that was already months old.

Time has seen drastic changes made since this very early means of printed communication. Throughout the years, our newspapers have reflected our changing moods, aspirations, ambitions, and thoughts. It is an extremely important means of spreading knowledge and shaping public opinion.

This week we pay special tribute to the newspapers of America. It is a well-earned recognition and one which I gladly acknowledge.

Idaho, too, has seen great strides in this field. As you know, this year Idaho is celebrating its territorial centennial. The first newspaper in my State was called the Golden Age, which was published weekly in Lewiston. The first issue was printed on August 2, 1862—less than a year before Idaho became a territory to the United States. The first paper lacked sources of outside information and therefore copied freely from such leading west coast and Eastern newspapers as the San Francisco Evening Bulletin, the Walla Walla Statesman, the Dallas Journal, the Dallas Mountaineer, the Oregonian, the Oregon Argus, the Oregon Statesman, the Sacramento Bee, and the New York Tribune. The annual subscription charge was $9.

The first newspaper in southern Idaho and the second in the State was the Boise News, which published its first copy September 29, 1863, in Idaho City. While on the way to Boise Basin with a pack train, J. S. Butler stopped in Walla Walla where he met Major Reese, the publisher of the Walla Walla Watchman. Major Reese had recently bought out a competitor and was in possession of two printing outfits; and when Mr. Butler learned of this, he conceived the idea of starting a newspaper in Idaho City, purchased the equipment, and sent for his brother, Thomas J. Butler. For 15 months the two brothers published the Boise News until the plant was purchased as an organ of the Democratic Party and its name was changed to the Idaho World.

Idaho's oldest newspaper still being published is the Idaho Statesman, of Boise, which first opened on July 26, 1864. Three men named Reynolds, who were on their way to Idaho City where they intended to open a printing office, were persuaded to remain in Boise and begin publication. The early citizens of Boise recognized the value of a newspaper in building up a town and so were anxious for the printers to stay on. The Idaho Tri-Weekly Statesman, as it was called, was a small four-column newspaper that sold for $1 a week by carrier or for $20 a year by mail. An early worker on the Statesman, A. J. Boyakin, said:

> In getting out the paper on time we worked nearly all night and frequently the Boise Basin stage would pull out ahead of us, and we would have to send Dick Reynolds to overtake it on a horse with the mail packages for the different mining camps.

In the following years, the newspaper changed hands several times and also became a daily newspaper. Then, in 1889, the Statesman Printing Co. was organized and took over the outfit, and today the Statesman is still published by this company.

It will interest my colleagues that this fine newspaper was sold within the last 2 weeks. Bill Johnston, a leading northern Idaho editor had this to say about the Statesman in an editorial in the Lewiston Morning Tribune:

THE SALE OF THE IDAHO DAILY STATESMAN

The sale of the Idaho Daily Statesman of Boise perhaps marks the end of one of the most colorful eras of Idaho journalism and certainly will have profound effects upon the State's development.

The Statesman, largest newspaper in Idaho and one most strategically located to influence public affairs, has been directed since 1940 by James L. Brown, a personally retiring but extremely vigorous executive who has become something of a legend in journalistic and political circles in Idaho.

Brown never forgot for a moment, in his management of the evening and morning Statesman papers, that he was linked directly with the traditions of the newspaper's founders. The Statesman became a pillar of Idaho's development under the guidance of Calvin Cobb, an editor and publisher who exemplified the independence of pioneering Western journalism. After his death in 1929 direction of the paper became the responsibility of his daughter, Mrs. Margaret Cobb Ailshie. She zealously served the traditions established by her father. In 1940 she called upon Brown, trained chiefly until then in the mechanical side of the business, to become general manager. He became the owner of the properties after her death in 1959.

Despite his determination to stay out of the spotlight of personal publicity, Brown became known in the arena of public affairs as one of the most influential and colorful men in Idaho. He was noted for his firm and sometimes fiery opinions on political issues, his exceptional generosity in dealing with friends or worthy causes, his sometimes unorthodox but ever-straightforward management methods, and his astonishing personal energy.

As Brown wrote in an editorial Sunday, the Statesman "is to be recognized as a conservative newspaper but not to the extreme of the John Birch movement or any similar group. We do not accept the theory advanced by the liberty amendment supporters that all income taxes could be terminated in a single day. We, as much as any individual voice, would rejoice in the complete elimination of all taxation, but we would not rejoice in the annihilation of our Government even though we have contended ever since bureaucracy started expanding that we have too much government."

This seems to us to be a fairly accurate summary of the Statesman's basic political position—but woe betide the politician who expected the paper to hue without deviation to this or any other philosophical line. Under Brown's direction, the Statesman's editorial positions never were dishonorable or dishonest, seldom were dull and frequently were surprising.

This newspaper, sometimes in league and often in disagreement with the Statesman on assorted public issues, perhaps is in a better position than most to testify. Through the many years in which the Statesman chronicled and influenced the developing history of Idaho, it was a true friend and a worthy opponent to any newspaper neighbor that likewise endeavored to speak its mind openly.

As a business enterprise, the Statesman long has been one of the prize newspaper properties of the Nation. The paper serves a rich agricultural region. It rather naturally dominates a sizable circulation area. Many major newspaper chains and individual papers have cast covetous eyes in the past at Idaho's capital newspaper.

The purchaser of the property is Federated Publications, Inc., with headquarters at Battle Creek, Mich. The corporation publishes newspapers at Lafayette and Marion, Ind., and Battle Creek and Lansing, Mich. Two of these newspapers list themselves politically as "Independent" and two as "independent-Republican." What news and editorial policies the corporation may decide to export to Idaho naturally remains to be seen.

It is almost certain, though, that the traditions of Calvin Cobb, Margaret Cobb Ailshie, and James L. Brown will be reflected subtly but unmistakably in the editorial pages of the Statesman for years to come. An institution may indeed be the lengthened shadow of one man. The traditions of this great Idaho institution have come down in an unbroken line through three notable custodians. They will not soon be erased.

In selling the paper now—for the reasons of health and age—Brown has cut the more tangible links with the past. But the intangible links—the ties of habit and memory and community consensus—will continue to join the Statesman with the State it serves.

As a newspaper neighbor, we welcome the new owners of the Idaho Daily Statesman to a State which urgently needs their best efforts. The Statesman, through the years, has never lacked for color, for controversy, or for character. That is the heritage the new owners acquire. The responsibilities they acquire are at least equally impressive.

B.J.

Mr. Speaker, even though newspapers are a commercial enterprise, their responsibility to the communities go much further than the ledger sheets. Mark Ethridge, in an interview with the Center for the Study of Democratic Institutions stated:

> The responsibility of the newspapers—more than ever before in my life—is to explain what the issues in the world are. And yet at the same time there seems to be a trend for the newspapers to become only commercial enterprises. There are exceptions, of course. But I think some publishers think that it

doesn't make much difference what a paper says as long as the balance sheet is all right. Well, it makes a great deal of difference what the paper says; it does to me and I think it should to the American people. If newspapers are going to survive they're going to survive because they are vital factors in the life of our society and in the lives of their readers.

It is my pleasure to acknowledge this week set aside in recognition of this valuable communication media.

KENNEDY-RUSSIAN WHEAT DEAL—TAXPAYER HOLDS THE WHEAT SACK

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. HOEVEN. Mr. Speaker, Secretary of Agriculture Orville Freeman appeared on nationwide television yesterday to defend the administration's sale of wheat to Communist Russia and other Red nations. His remarks are printed in the press today under the headline, "Agriculture Chief Expects Taxpayers To Save $200 Million."

Mr. Speaker, this is a ridiculous statement. This so-called savings is based on the assumption that a sale to the Communists will avoid storing surplus wheat for at least 5 years at a cost of 26 cents a bushel per year. It really does not make any difference to whom we sell wheat if this is the only so-called savings we will enjoy. Under this reasoning, every bushel of wheat sold to West Germany, England, or any free world nation also results in a paper savings of 26 cents a bushel for 5 years, or $1.30. This type of saving would also result if we dumped all excess wheat into the ocean.

What the Secretary did not explain fully on his television program and what is still generally misunderstood is that U.S. taxpayers subsidize the export of wheat so that foreign purchasers are able to obtain U.S.-grown wheat for approximately 60 cents a bushel cheaper than can U.S. consumers.

Mr. Khrushchev will buy American wheat at the world price of $1.77 per bushel at Galveston, Tex. The U.S. price is currently 56 cents a bushel more at that port. The U.S. taxpayer will pick up the 56-cent difference.

Now I realize that a fancy argument in semantics can be made as to how export subsidies are paid, how the Kennedy-Russian deal will be from replenished stocks, and how the American farmer is the recipient of the subsidy. I think we all recognize the fact that export subsidies are actually paid by the U.S. Government to grain companies which are wheat exporters and are for the general benefit of U.S. farmers. But the undisputable and undeniable fact remains that the foreign purchaser receives the benefit of the lower world price.

In the past, we have tolerated a situation whereby an English housewife could buy U.S. wheat products at 50 to 60 cents per bushel cheaper than could an American housewife. The English are at least our allies in the cold war. Now a Russian housewife will be able to do so unless that great humanitarian, Nikita Khrushchev, collects for himself and the Soviet Communist Party the profit from the resale of U.S. wheat in Russia where internal wheat prices are much higher than in the United States or in the world market.

Where, then, does the U.S. taxpayer fit into the picture? Yesterday Mr. Freeman ventured a guess that total U.S. wheat exports might go to a billion bushels as a result of the Kennedy-Russian deal.

Since our normal wheat exports are from 600 to 700 million bushels, this means that the Secretary thinks the Communists will buy 300 to 400 million bushels of U.S. subsidized wheat. Since the export subsidy—or loss to taxpayers—currently averages 56 cents per bushel, U.S. taxpayers will be paying from $168 to $224 million for the privilege of providing wheat to the man who is dedicated to the burial of our Nation, our Government, our system, our families, and us. A Chicago Tribune cartoon of recent date put the situation in perspective when it showed Khrushchev holding an empty bread basket up to Uncle Sam while saying, "I'll bury you if you sustain me until I get my strength back."

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have asked for this time to ask the gentleman from Iowa [Mr. HOEVEN], the ranking member of the Committee on Agriculture, if I am correct in the understanding that American millers who purchase wheat in the United States, whether it be Government-owned surplus or any other type of wheat, are not required to pay 56 cents per bushel more for the wheat that they will mill into flour to make bread for the American people to eat than would the Russian miller under this arrangement.

Mr. HOEVEN. That is correct. Unless Khrushchev pockets the profit himself, the Russian consumer will be benefited to the extent of 56 cents a bushel more than will the American consumer.

Mr. BROWN of Ohio. I listened with a great deal of interest and some concern to the statement made by Secretary of Agriculture Freeman in what I thought was more or less of a rigged interview. I noted particularly that no mention was made of the fact that American consumers, American millers, for instance, would have to pay more for this wheat than the Russians were paying, that is, for Government-owned surplus wheat or for any other type of wheat grown in this country. That is correct, is it not?

Mr. HOEVEN. That is correct. And ultimately, of course, the taxpayer holds the sack in that kind of an operation.

Mr. BROWN of Ohio. That is right. Thank you.

SPRINGMAID CHALLENGES THE FUTURE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 30 minutes.

Mr. HEMPHILL. Mr. Speaker, October 13, 1963, has now passed into history but the events, the oratory, the announcements and related incidents of that day will echo in today's and tomorrow's parade of progress which we all feel South Carolina will be so much a part of in the future decades. At Fort Lawn, S.C., in Chester County, in the Fifth South Carolina Congressional District, Springs Cotton Mills under the leadership of its present executive, H. Williams Close, in dedicating two great and new plants to the late and beloved Col. Elliott White Springs, the Elliott plant, and to his helpmate, counselor, and lifelong companion, Mrs. Frances Ley Springs, the Frances plant, told those privileged to be gathered on the beautiful grounds of this new part of the Springmaid complex, and published an exciting and courageous history of challenge and determination, which I am happy to catalog here.

The events culminated the challenge attendant to the 75th anniversary of the Springs Cotton Mills, now a vast organization giving products and prosperity to men and women, to communities, and to South Carolina, and from the "Springs History" I quote:

A cotton-raising South was compelled in the 1880's to turn to the manufacture of textiles. The New England mills were prospering but the fabulous white gold of the southern cottonfields had become Midas gold. It could neither be eaten nor sold for enough to buy bread and meat.

Early in 1887 a group of leading citizens in the small town of Fort Mill, S.C., decided that a cotton mill would bring some badly needed prosperity to their community. A mass meeting approved the proposal, stock was subscribed and the Fort Mill Manufacturing Co. was organized.

This little mill was the first unit of what is now the Springs Cotton Mills. It went into production in 1888 with 200 looms. Capt. Samuel E. White was president. Among the 24 original stockholders was Leroy Springs, who married Captain White's daughter, Grace Allison White, in 1892 and went on to become one of the great textile financiers and mill executives of his time.

An important event in the story of the Springs Cotton Mills was the organization in 1895 of the Lancaster Cotton Mills by Col. Leroy Springs and a group of Lancaster citizens. It went into production in 1896 with 10,000 spindles and 250 looms. Although it had its bad years, the mill was a profitable enterprise and furnished the credit needed by Leroy Springs in rescuing mills in Fort Mill and Chester in which he had an interest.

The history of the Lancaster mill is one of continuous expansion. A second plant was added in 1902 and the big Weave Shed, considered the largest in the world at that time, was built in 1914. The mill had a total of 129,000 spindles and 3,000 looms when World War I struck Europe.

Where does Springs stand today? It is the largest producer of exclusively cotton textiles in the world. It is the largest producer of sheets and pillowcases in the world. It is a completely integrated and centrally controlled manufacturing organization and the

first in the industry to go to electronic data processing for all operations.

Today Springs' plants run more than 140 hours a week and employ 12,500 people. These employees operate 850,000 spindles, 18,500 looms, and 350 sewing machines. In the year 1962 they produced 500 million linear yards of cloth and 36 million sheets and pillowcases from 395,000 bales of cotton. The new plants at Fort Lawn will employ 600 people and add 80,000 spindles and 1,000 looms to productive capacity.

The list of Springmaid products includes 25,000 items used in one form or another by nearly every man, woman, and child in the United States. The quality of these products is the most carefully maintained in the textile industry.

The 30-mile-long Lancaster & Chester Railway is a hard-working affiliate of the Springs Cotton Mills. It hauls freight between Lancaster and Chester and serves the Grace Finishing Plant and the Fort Lawn installations. Chartered as the Cheraw & Chester Railroad in 1873, it led a hard life for many years. It was purchased at public auction by Col. Leroy Springs in 1896 for $25,000. It went out of the passenger business after a wreck in 1913 and almost out of all business in 1916 when a Catawba River flood washed away the bridge between its two terminals. However, it was the first railroad in the United States to go all diesel and the first, also, to replace its early diesels with new diesels.

Mr. H. W. Close, president of the Springs Cotton Mills, presided. He opened the meeting by calling upon the Reverend Sinclair E. Lewis, pastor of the Fort Lawn Methodist Church, Fort Lawn, S.C., to give the invocation, which I quote here:

Our Father, we give thanks this day for this land blessed with much of the world's riches and endowed with the great spiritual heritage. We give Thee thanks for all that is worthy and noble in the name of America—for growth of industry and the good life that this growth brings to us all. We pause at this moment of dedication thanking you for Thy help that we may be mindful of the divine providence upon which the highways of the future are built. May we assuredly believe that the people and the Nation that know God is alone enduringly strong, granting us power to see anew the commandments that secure our foundation, the wisdom that safeguards our Government, the righteousness that protects our democracy, and the spirit that begets peace here and in all the world. We pray in the name of the Prince upon whose shoulders is the government of all the universe. Amen.

After the invocation President Close introduced the platform guests:

Mrs. Elliott White Springs, wife of the late and beloved Col. Elliott White Springs.

Mrs. James F. Byrnes, wife of Hon. James F. Byrnes, former Governor, Senator, Supreme Court Justice, and Secretary of State of the United States.

Mrs. Donald Russell, wife of Hon. Donald Russell, Governor of South Carolina.

Mrs. H. W. Close, wife of President H. W. Close.

Gov. James F. Byrnes

Gov. Donald Russell.

Congressman Robert W. Hemphill.

Walter W. Harper, chairman of State development board.

Mr. Burnet Valentine, executive vice president of Springs Mills, Inc.

Mr. John L. Hallett, vice president and general manager of Springs Cotton Mills, in charge of the Gray Mill's production.

Mr. Charles F. Marshall, vice president in charge of engineering and construction.

Rev. Sinclair E. Lewis, pastor of Fort Lawn Methodist Church, Fort Lawn, S.C.

Mayor W. R. Rheu, Mayor of Fort Lawn.

Mr. Julian Hinson, manager of Elliott plant.

Mr. W. M. Moredock, manager of the Frances plant.

Gathered to hear the remarks of dedication were thousands of proud and happy Springs employees, officials, and friends from all over the Nation. Before making his remarks, President Close reminded those assembled at the plant to see the Springmaid production displays and Springmaid fashion shows, all of which were incidents of the day of dedication of the Elliott and Springs plants.

Then President Close addressed the crowd by timely and significant remarks which I include at this point:

ADDRESS OF MR. H. W. CLOSE, PRESIDENT, THE SPRINGS COTTON MILLS, FOR DEDICATION CEREMONY, ELLIOTT AND FRANCES PLANTS, FORT LAWN, S. C., OCTOBER 13, 1963

To me, today is the high point of the first 75 years of the growth and success of the Springs Cotton Mills.

Behind me stand two impressive examples of the value of years of work, thought, and financial savings on the part of many people in this area.

The Elliott plant and its twin, the Frances plant, are the most modern and the most efficient textile plants in the world. They are the results of the dreams and plans of 3½ generations of Springs employees and owners.

Col. Elliott White Springs had many goals in his business life. But all of them were tied together by his great desire to strengthen the communities in which he lived and to create opportunities for a better life for the citizens of these communities—especially his employees.

These new plants have sprung from that one key desire of the colonel's. Indirectly, they are the result of his 28 years as president of the Springs organization.

Why build new plants in the face of a steady stream of bad news from overseas and from Washington?

The answer is simple: This company is now, and always has been, completely determined to compete with all comers. We feel that these new plants, and others like them, can do just that.

Thank goodness, Springs management over the years has operated in such a way that, when the time comes to expand, we have the money and the manpower and the inventiveness to build plants like these.

The owners, the management and the employees of the Springs organization have provided the money for expansion by efficient textile manufacturing over a long period of years.

The technical knowledge accumulated during those years has enabled our staff to select the best machinery and to lay it out in the best way for efficient, low-cost production. Mr. John L. Hallett, Mr. V. A. Ballard, Mr. Julian Hinson, Mr. William M. Moredock and Mr. Jesse Williams headed up that project.

Our own engineering department has designed and built these plants and I will match them against any other textile facilities in the world. The design and construction of these plants was directed by Mr. Charles F. Marshall. He was ably assisted by Mr. Robert Swanson, Mr. James A. Woodruff, Mr. G. Cleve Miller, Mr. Stanley Likens and many others.

A vital factor in the construction of these new plants has been the attitude of our selling and merchandising organization, founded by Colonel Springs in 1945. Run first by the late Joe Hunter, then by Robert Amory, and now by Burnet Valentine, our selling house has developed into a highly effective organization, capable of aggressively merchandising the goods produced in these plants. Confident of their own abilities, and of the abilities of our manufacturing people, our sales force strongly endorsed the construction of these plants.

Many other people, too numerous to name, have helped to make the construction of these plants a success. But I feel that we must go back to Colonel Springs, and particularly to his able management since World War II, to find the magic touch that guided this company to its present enviable position in the textile industry.

What were the colonel's aims in life? Some I know. Others I can guess because of my long association with him.

First. The development of these communities and the improvement of the daily lives of his employees and their neighbors.

Second. The determination to make his plants second to none in efficiency and quality, so that they would always be in a position to compete with all comers.

Third. The belief that this company must continually grow with the population and with expanding world markets.

Growth has been the big story of the Springs Cotton Mills ever since the end of World War II in 1945. Then we had slightly over 500,000 spindles and 13,000 looms in operation.

Like many of us, Colonel Springs had various yardsticks or benchmarks that he used. Among these he said that he thought we would need 1 million spindles and 20,000 looms in order to diversify properly and stay competitive and efficient. This meant doubling the number of spindles and increasing the number of looms by more than 50 percent.

In the 18 years since the war ended, we have done that—and more.

I'm sure you're all familiar with the fact that we purchased Morgan mills, Scotland mills, and the Morgan-Jones selling organization recently to further diversify our consumer lines. (And I hope you'll notice our displays.)

Including the 72,000 spindles and the 1,100 looms in our new Scotland division, we have reached this benchmark of the colonel's and now have in operation 1,014,228 spindles and 20,314 looms.

We've passed the colonel's first goal.

Most of you are familiar with our growth during this period.

From 1945 to 1948 we built what is now the finest and largest finishing plant in the world. By the end of 1962 it represented an investment of about $25 million.

Now a $7 million expansion and modernization of that plant is nearing completion. When it is done, it will add about 250 new jobs to the economy of this area.

Today we are dedicating the Elliott and Frances plants, which cost a total of $15 million and which will add 500 new jobs.

And that's not all.

We are expanding still more—with two new projects that will be news to many of you.

We are now at work on the addition of a combed mill unit in our Lancaster plant. It will occupy space created by the improvement of cardroom facilities. The project will cost $5 million and is scheduled to be completed early in 1964. It will add 25,000 spindles and more than 400 looms to our operations—and it will create 217 new jobs.

The second new project is the changeover of our Springsteen plant in Chester. It is being converted to the production of our new blend of cotton and Kodel IV, a polyester synthetic. In the process, the plant will be completely refrigerated. The Springsteen

project will add about 300 looms and 30 new jobs and will cost nearly $3 million. It is scheduled for completion early in 1964.

These two projects together, costing a total of nearly $8 million, and adding nearly 250 new jobs, are equivalent to the construction of a new plant, such as the Elliott plant behind me.

Perhaps of even more significance, these four projects mean a total of 1,100 new jobs added to the economy of this area in 1963 and early 1964. This brings the total number of employees of the Springs Cotton Mills to more than 13,500. We are building new jobs as well as new plants.

In addition to these projects, we are renovating and expanding all seven of our existing gray mills and will continue to do so.

Such growth and expansion is a vital part of our philosophy in Springs.

We have spent $74 million on plant improvements in the last 10 years and 9 months—and we have allocated $21 million to be spent in the near future. That comes to $95 million for expansion in a little over 11 years.

I'm sure this first plateau would have pleased Colonel Springs.

Following his wonderful example, we're looking ahead for further sensible, conservative growth in the textile industry and in the national and international markets of the future.

President Close then introduced Hon. James F. Byrnes, elder statesman, former Governor, Congressman, Supreme Court Justice, War Mobilization Director and Secretary of State of the United States of America. I include Governor Byrnes' remarks at this point.

ADDRESS OF GOV. JAMES F. BYRNES, DEDICATION OF ELLIOTT AND FRANCES PLANTS, THE SPRINGS COTTON MILLS, FORT LAWN, S.C., OCTOBER 13, 1963

I welcome the opportunity to attend these exercises and by my presence show appreciation to the Springs organization for the naming of these two plants in honor of Frances Springs, for whom I entertain genuine affections, and Elliott Springs, whose memory I shall always cherish.

The construction of these 2 plants involving an expenditure of approximately $15 million and employing about 500 persons is a demonstration of confidence in the future of cotton textiles. It also is a remarkable exhibition of courage.

The only justification for construction of such plants is to make a profit. Today our cotton manufacturers must meet the competition of Japanese and other foreign manufacturers, who are subsidized by the U.S. Government, as well as the competition of the synthetic fiber industry in the United States.

Prior to World War II our manufacturers had to meet the competition of foreign competitors who paid workers much less than the wages paid by our mills. We were able to meet that competition because of our more modern machinery and high tariff duties placed upon imported goods.

At the end of that war our Government, with a generosity unequaled in world history, gave to Japan, Germany and other enemy governments, millions of dollars to make possible the rehabilitation of industries destroyed or crippled during the war.

Because of the aid from the United States, the Japanese, for instance, were able to purchase new machinery which made possible the production of better materials, and with their cheap labor they now are able to undersell American manufacturers in our own markets.

In recent years, our Japanese competitors have received an additional and very important subsidy by the U.S. Government's two-price cotton system, which enables them to buy raw cotton grown in South Carolina for 8 cents less per pound than the South Carolina manufacturers must pay.

Many efforts to remedy the situation have been made by southern Representatives in the Congress, who appealed to President Kennedy to establish a quota greatly limiting the amount of cotton goods that could be shipped into the United States.

On May 2, 1961, the President announced he would give serious consideration to granting the request and would ask the Tariff Commission for a report as to whether the cotton textile industry was one of the industries necessary for the security of the country and what quota, if any, should be fixed. Two and a half years have passed and nothing has been done to remedy the situation.

I can recall that a few months before we entered World War II, I presented to President Roosevelt facts showing how Japanese goods were being sold in South Carolina for less than the cost of producing similar goods in this State. Mr. Roosevelt told me to make the same presentation to the Tariff Commission and advise the Chairman that if my facts were correct he favored placing an embargo upon Japanese goods until we could decide what limitation would be reasonable under the circumstances. The Commission did not wait 2 years. In 2 days the Chairman submitted a report and the President promptly placed an embargo upon cotton goods shipped from Japan.

Since southern Congressmen appealed to President Kennedy to reduce the Japanese importations, I have been told by an official of the State Department that the President has hesitated to greatly reduce them because the Japanese Government stated the United States objected to their selling cotton goods to the Soviets and they had to have a market for their goods. He said the Japanese preferred to sell in the Soviet and Chinese markets if we would remove our objections.

If that is true, then in view of the President's approval last week of our selling wheat to the Soviets, certainly he will no longer object to the Japanese selling cotton goods to them, and he should stop the Japanese from flooding the American market with goods made of subsidized raw cotton with cheap labor.

Manufacturers in South Carolinia tell me that if the Government would put an end to the two-price system which enables foreigners to buy our raw cotton for 8 cents less than Americans must pay, they believe many mills can successfully compete with Japan because of the continued improvement in machinery and the superior efficiency of our workers.

The plants dedicated today contain the latest developments in textile machinery. If any American manufacturer can overcome the unfair competition I have described, it will be Bill Close and his Springs organization, because it has workers who are recognized as superior in intelligence, efficiency, and loyalty. With such employees, I hope the new plants will prove profitable and continue to provide jobs for 500 South Carolinians.

Next, President Close introduced the Honorable Donald Russell, Governor of South Carolina, who made another significant contribution to the thoughts and reflections of the day. I include the remarks of Governor Russell at this point:

REMARKS OF GOV. DONALD RUSSELL, DEDICATION OF ELLIOTT AND FRANCES PLANTS, SPRINGS COTTON MILLS, FORT LAWN, S.C., OCTOBER 13, 1963

Ladies and gentlemen, since I took the oath of office in January, I have discovered that a significant part of my official duties is to run fast enough to keep up with Springs Cotton mills. Twice already, once in New York and here in Fort Lawn, Mrs. Russell and I have enjoyed participating in marking major milestones in the history of his progressive and strong business organization. And today Bill Close, moving ever forward, announces more important developments about the company which he so ably heads, developments which are not only important to Springs, but to the people of South Carolina.

I promise the executives and the workers of Springs that I shall never weary of joining you on such occasions as this, however; for we are immensely proud of the ingenuity and talent which has enabled a South Carolina company to command the attention and respect of the Nation's business community, such as Springs has done. The new developments which Springs announces today, even while celebrating the opening of two modern plants, will bring more investment dollars and additional jobs to this area of our State. In less than 3 years, as Bill Close has pointed out, Springs will have invested $30 million in new plant facilities and created 1,100 new jobs in the process.

We like that, and we are properly grateful. We are grateful for the jobs and the dollars, but even more so are we appreciative of the faith in South Carolina's future that is evidenced by this magnificent expansion of operations which Springs is experiencing. It means to us that Springs and other textile companies are buying themselves a share in South Carolina's future; that despite the forebodings of gloom from many quarters, the textile industry of the South is not about to give up and move elsewhere because of either short-range or long-range difficulties.

The industry is demonstrating anew every day in South Carolina a tenacity of purpose and determination to survive and prosper which augurs well for our State and our country. I am not oblivious to the inequities which prevail in the competitive situation which challenges the industry. Particularly have I sought to have removed or alleviated those inequities which have been created by Government action. Such relief has not, to date, been forthcoming. However, I am certain that the iniquitous two-price cotton system which burdens the domestic textile industry cannot endure. It it too patently unjustifiable, and I continue to hope that Congress will act to remedy the situation.

Be that as it may, it is to the everlasting credit of the textile industry that its leaders have not been satisfied simply to sulk over unfavorable conditions, refusing to make a move to insure the future. Rather, the industry has presented a clear and compelling case to the Nation, seeking just relief, and at the same time embarked on an expansion and modernization effort which will keep this country in the forefront of the textile-producing nations of the world.

The Frances and Elliott plants are the most modern that man can devise to date. In these plants, the investment required to create a single job is approximately $30,000. This compares with investment per employee of approximately $10,000 for the company in 1962.

These figures mean that machinery is taking over a portion of the jobs formerly done by workers, but fortunately Springs has expanded its operations to such an extent that its work force by design has grown, instead of dwindled. We are indeed fortunate to claim as our own in South Carolina such a company.

Industry of various kinds is moving into our State at a rapid pace, and we have put forth considerable effort to keep that industry flowing into South Carolina. It is said that the movement of a company here indicates its faith in our State; indicates that the company believes it can prosper, and grow, and make a profit.

But how much more is indicated by the expansion of a company which has long operated in South Carolina. Such an expansion is an indication of all those things mentioned in connection with a brandnew industrial citizen—and even more. For when an existing industry decides to expand in South Carolina, it is a sure sign that the past has been good, that the company is happy and prosperous as a South Carolina citizen, and that it expects the same conditions, which allowed it to prosper in the past, to exist in the future.

This is the faith in South Carolina which we all share, and which Springs exhibits so abundantly when it embarks on ambitious projects such as the Elliott and Frances plants and these other wonderful undertakings which Bill Close has outlined for us.

In our drive to provide jobs and security for our people, the influx of new industry will play a vital role. But it will be for naught if those companies which have already created a home in South Carolina do not demonstrate their continued faith in our State. We shall attempt always to maintain a community where organizations such as Springs will find it to their best advantage to expand their economic partnership with the people of South Carolina.

I am pleased to be here, and I want to tell the Springs folks that whenever they are ready to go again, we'll be prepared to join in the celebration. These are important events for Springs, but so, also, are they important for South Carolina.

Mr. Speaker, I think it well here to call attention to certain publicity which appeared in the South Carolina State and Columbia Record on October 13, 1963, the day of the dedication of the Elliott and Frances plants. I include in my remarks at this time a copy of an interview by State news reporter, Ron Wenzell:

TEXTILE COMPETITION: A TWO-HAND FIGHT

(By Ron Wenzell)

FORT MILL.—H. William Close, president of Springs Cotton Mills and Springs Mills, Inc., thinks the U.S. textile industry can compete with most other countries if it will spend money for new plants and modern equipment, get cotton at a decent price and receives fair treatment from the Federal Government.

He is just back from a 3 week trip to Europe. He attended international textile meetings and exhibits in Greece, Germany, and France. He came home for the opening of Springs' two new mills at Fort Lawn, built at a cost of $15 million and said to be the most modern cotton mills in the world today.

Close said the trip, instead of changing his mind about anything, served to strengthen what he already believed.

"The United States can compete in the future with all other countries except those in the Far East. We can't compete there even if we use gold yarn," said textile's Man-of-the-Year (selected by the New York Board of Trade) in an exclusive interview with the State.

"But, the American textile industry must invest more and more in improving and streamlining its operation.

"It has to build plants like our two new ones at Fort Lawn. It has to find better chemical finishes and improve its customer service. It needs better fashions and more efficiency.

"Springs isn't alone in thinking this. All the progressive companies in the United States are doing the same things Springs is, consolidating, trying new methods, installing modern machinery.

"Our Elliott plant at Fort Lawn is the best cotton mill in the world. I'm not sure it still will be a week from now. That's how fast the industry is moving. That's how fast the industry in the United States has got to move to compete with the rest of the world. We can't lay down and play dead until the Federal Government takes the load off our backs and restores one-price cotton.

"We must keep spending, keep improving, and moving ahead. If we allow two-price cotton to pull us down now we will never be able to catch up.

"I'm optimistic about the American textile industry's future. But, it's difficult to be too optimistic as long as there is two-price cotton."

Close is an outspoken critic of two-price cotton. He never misses an opportunity to criticize the practice.

Addressing the annual meeting of stockholders this year at Fort Lawn he said "We must move forward despite what President Kennedy has called a 'unique burden,' the burden of two-price cotton.

"Make no mistake, the penalty of two-price cotton takes its toll among even the leaders of the textile industry.

"The American textile industry will pay a fearful price as long as the iniquitous two-price cotton system is permitted to exist.

"We can produce efficiently. We can spend heavily on modernization. We can merchandise aggressively. We can seek new products and new markets. But, we cannot pay one-third more than our foreign competitors pay for our basic raw material and hope to meet the competition on even ground.

"We ask only this of the U.S. Congress. Let us buy U.S. cotton at the same price it is offered to our oversea competitors. Could any request be more fair?

"We in the Springs organization are willing to take on any competition in the world on even terms. We seek no favors. As we have said before, all we ask is the freedom to fight with both hands."

Even with one hand, Springs, under the leadership of Close, is fighting what appears to be a winning battle.

Sales and profits for 1962 were down slightly from the year before, but at $197.6 million and $14.4 million were the second highest in the company's history. And the net income per dollar of sales is still the highest in the industry.

Since Close took over as president from his late father-in-law, Colonel Elliott White Springs, in 1959, Springs has:

Increased its net sales to almost $200 million.

Gone to automated and electrically-controlled production.

Completed a $1.5 million warehouse complex.

Opened two new mills valued at $15 million at Fort Lawn.

Opened a 21-story, multimillion-dollar office building in New York City.

Began a $7 million improvement of the Grace Bleachery near Lancaster.

Entered the field of synthetics.

Purchased Morgan-Jones, Inc., and its manufacturing companies.

Acquired Pequot brand name in sheets and pillow cases.

And there is more to come.

"We have under serious consideration still other areas of diversification, both in this country and abroad," Close said. "We look to the future with confidence. We have the ability and the determination to move with the times and to maintain our dominant position. We shall win our share of the steadily expanding world markets for textiles.

"My father-in-law attributed his success with the company to three things, do it yourself, stay at home and work like hell. That's what I'm trying to do."

Mr. Speaker, also there was a short salute to the celebration which we have discussed here in detail and I include that salute:

SPRINGS COTTON MILLS CELEBRATES

Springs Cotton Mills is celebrating its 75th anniversary.

It was founded in 1888 at Fort Mill when Leroy Springs opened the Fort Mill Manufacturing Co. There were 200 looms, no spinning and very little capital.

Leroy Springs nursed the business along and when he died in 1931 it was valued at over $7 million and had an annual sales of more than $8 million.

Elliott White Springs took over for his father. Although he was a flying ace in World War I and a successful author, more than a few persons questioned Elliott's ability to manage a textile company.

But manage it he did and in spectacular fashion.

When he died in 1959 the company was valued at $114 million and had annual sales of $184 million.

He was responsible for running the mills 6 days a week and for expanding production to include consumer goods finished by Springs and marketed under the Springmaid label.

The Springmaid seal was an example of the man's genius. There has never been anything before or since to equal its national advertising campaign.

It has been described as bouncy, sexy, and compelling. It was all this and more and it sold Springs' products and made the name Springs a household word.

When Colonel Springs died it was the end of an era.

His young successor and son-in-law, H. William Close, is writing his own kind of success story.

Mr. Speaker, in addition, all of us who have watched Bill Close continue the great leadership so characteristic of this organization, were delighted to have a vignette about him personally and I include that at this time:

HE STANDS AT THE TOP

(By Ron Wenzell)

At an age when most men are still working their way up the ladder, 43-year-old H. William Close stands at the very top.

As president of Springs Mills, Inc., and Springs Cotton Mills, he rules a textile empire that is the world's largest producer of cottons and pays more than 11 percent of all corporate income tax paid in South Carolina.

He employs 12,500 persons and owns 850,000 spindles, 18,500 looms and 350 sewing machines.

Last year, Springs produced more than 500 million linear yards of finished cloth, including 36 million sheets and pillowcases.

The 1962 payroll was almost $49 million. Employees' share of profits, over and above regular pay, was $4.2.

In 1962 sales totaled $197.6 million. Profit was $14.4 million. Total assets were $196.4 million.

A few weeks ago, the New York Board of Trade named Close "Textile Man of the Year."

He was born at Philadelphia, Pa., November 18, 1919, the son of a dentist; the oldest of two boys.

He attended Wharton School of business at the University of Pennsylvania, receiving his degree in 1942.

After graduation he enlisted in the Navy, was commissioned a lieutenant and served aboard the aircraft carrier *Franklin*.

In 1945 he met Anne Kingsley Springs, then a student at Smith College, they were married the following year.

Close went to work at Springs in June, 1946. His first job was in the sample room in New York City.

He was sent to South Carolina in 1947 to learn the fundamentals of textile manufacturing.

For the next 13 years he worked at every job imaginable, learning the business from the ground up.

In 1958, his father-in-law, Col. Elliott White Springs, president of the organization, brought Close into his office and schooled him in the financial end of textiles.

When Colonel Springs died in 1959, Close was named president.

Almost the opposite in personality from his flamboyant, at time eccentric, father-in-law, Close has made no radical changes.

His explanation is that he sees no reason to change what has been a very successful policy.

One difference is in the leadership of the two men. It was a one-man operation under the colonel. He was Springs. With Close it is a team effort with him calling the signals.

When he is not busy on Springs business, which isn't very often, he likes to be at home with his children—all eight of them.

Recently the periodical entitled America's Textile Reporter took delight in doing honor to H. W. Close in an article entitled "H. W. Close—From Sample Room to Presidency in 13 Years." I salute the editor of this fine trade magazine for dedicating the October 10, 1963, edition as the Spring Cotton Mills 75th birthday issue. There is so much in this magazine that we hesitate to select, but we think it is in keeping with our comments of yesterday, and I include in my remarks at this time an article on "This Is Bill Close."

THIS IS BILL CLOSE

Thirteen years and five months after Hugh William Close began work in the sample room of Springs Mills, Inc., at 200 Church Street, New York, he was elected the fourth president of the Springs Cotton Mills.

About his stepping into the shoes of his father-in-law, Col. Elliott White Springs, we wrote in our May 9, 1963, issue:

"When Colonel Springs died in October of 1959, needless to say there were some qualms as to whether Hugh William Close, the new President and the colonel's son-in-law, could carry on in the best tradition of the colonel. In 1960, however, Mr. Close's first full year in the colonel's chair, he rather astonished the industry by producing a net profit of about 10 percent on sales of $187,648,617. Bill Close will tell you he's not responsible for all this, and the colonel would have liked this attitude. But we also have no doubt that the colonel, were he living today, would be justifiably proud of Springs past 3 years" and of Bill Close.

Being the colonel's son-in-law may have helped Bill Close in his rise to the Presidency of the Springs Cotton Mills, but it is not responsible.

Hugh William Close is a young man, age 43, the first of two sons of a Philadelphia dentist, now deceased. A graduate of the Wharton School of Business, University of Pennsylvania, class of 1942, he entered the Army a few days after graduation. Two months later, he applied for duty in the Navy and got it. In 1943, as a part of the precommission crew, he went aboard the carrier, U.S.S. *Franklin*, where he remained until the end of World War II.

It was in June 1945, when the *Franklin* was in the port of New York getting patched up after being shot up in the Pacific, that Bill Close met a Smith College girl named Anne Springs, on a blind date, beneath the clock at the Biltmore Hotel—traditional meeting place of many thousands of young couples over the years.

A year later, while on terminal leave from the Navy and with discharge approaching, he took a serious look at the business world. His only conviction was that he would not be a dentist. "Like all good Wharton schoolboys," he considered the advertising business, but after several job offers at $35 per week, he took a series of tests for a job with the Vick Chemical Co. which appeared to offer the challenge he was seeking in business life.

Still courting Anne Springs and still in uniform, Bill Close had already met the colonel, head of the Springs Cotton Mills. He recalls that occasion, in New York, when the colonel walked into the room and, after the usual howdy-do's, said in his own inimitable manner, "Carriers are out. They are ridiculous—the biggest waste of time and manpower in the world."

Somewhat taken aback by the colonel's candor to a young Navy lieutenant, Bill Close now recalls: "I had to admit he was right, for every time we stuck our heads out, they shot the top off our flight deck." (The *Franklin* was badly damaged several times during the last year of the war in the Pacific and suffered 832 casualties on March 19, 1945, during a Japanese kamikaze attack—the heaviest loss sustained by an American ship during the war.)

Shortly after his engagement to Anne Springs, Bill Close was persuaded by her father to have a try at the textile business. During this same period the colonel's son, Leroy Springs II, was killed in an airplane accident.

In June 1946, at the age of 26, Bill Close went to work in the sample room of the Springs selling house, Springs Mills, Inc., at 200 Church Street, New York, "cutting swatches and learning about cloth." Later he was a clerk in the cost department and then he became a junior sales trainee. To speed up the learning process, he took night courses in textiles at Columbia University.

In November of 1946, Bill Close and Anne Springs were married.

A year later, in September 1947, they moved South temporarily so that Mr. Close could learn the fundamentals of textile manufacturing. He undertook what was to be a 3-month training program as a selected textile graduate apprentice (STGA). The STGA training program is for college graduates who are preparing for supervisory careers in textiles.

For Bill Close, the 3-month program lasted for 3 years. During its course, he worked in every department and in practically every plant. He had experience on every job, from opening and picking to carding, spinning, doffing, spooling, and weaving. He erected combers, moved looms, fixed machinery—the works.

Recalling those years, he says: "I think the greatest thing you can get out of the time you spend in a mill is the time you spend talking with people. You need time with people to understand them and to have them understand you, so you can have confidence in one another."

In 1950–51, with about 4 years of manufacturing experience under his belt, Mr. Close was named assistant superintendent of the Fort Mill plant. Later he was named assistant manager of the Fort Mill and White plants, both in Fort Mill.

In 1952–53, he moved to the newly built Executive Office Building in Fort Mill, where he worked as a loom technician and did some work in the standards department.

Following this he was named general superintendent of carding and spinning, then was appointed assistant to W. C. Summersby, at that time vice president and general manager in charge of grey goods manufacturing.

In 1958, Colonel Springs brought Bill Close downstairs to the office that he still occupies. At this point Mr. Close began his education in the financial end of the textile business, meanwhile continuing his work in the grey mills.

Bill Close recalls that Colonel Springs "always had me following a plan. That year he was pushing me in the financial end. His next step was to keep me in New York more, to learn the selling end. He never got to that step."

On October 15, 1959, the colonel died of cancer. Shortly afterward, at the age of 39, Bill Close was elected president and chairman of the board of the Springs Cotton Mills and president of Spring Mills, Inc., the selling organization.

Seventeen years have passed now since Bill Close got into textiles through the colonel's persuasion. What does he think about the industry with those years of experience behind him? He says:

"I have liked it all from the day I got into it. I was apprehensive about coming down here (down South), but when I got here I literally never had a day that I did not enjoy.

"I felt a little frustrated in New York because I didn't know anything about cloth."

And what was his reaction to the manufacturing end of the business? He says:

"I felt that I was learning to do something. I learned about people. I learned to run machinery."

Since that time Bill Close has been too busy to look back. He was trained by a master, a genius who skyrocketed the Springs Cotton Mills from five relatively obsolete little mills in 1931 to a position of leadership in the textiles field at the time of his death 28 years later. Of the colonel he says:

"The colonel always provided me with a terrific challenge. He was tough but I don't know anybody in the world who could have taught me as much in as little time—and I wasn't going to let him catch me wanting."

The colonel was indeed a great tutor. Bill Close not only admired him but respected his methods—methods that would turn some young men to anger.

"The colonel never did anything except on purpose," Bill Close recalls.

"Once I tried to explain to him about life and the next day he brought me a book on logic and said: 'Before you start explaining anything to me again you had better read this and find out what you are talking about.'

"His statements made in the 1950's are more and more true. In 1950 he felt and publicized that he had no confidence in any administration then or in the future to do anything for textiles. The last thing some people would believe is that he recommended consolidations for the survival of the textile industry—but he did.

"He also said there were certain other areas in which we would have to change when the proper time came."

How did Bill Close feel when he succeeded the colonel as president of the vast Springs organization in 1959 at the age of 39? He says:

"I didn't feel so badly as a lot of people have made out. I did have a fairly broad preparation. I quake much more now. This revolution that we are in now didn't really get rolling until the late 1950's—the matter of tariffs and imports, the world opening up for trade, and the move to quick changes in style and color."

Bill Close had the advantage of being able to argue with his father-in-law, but sometimes it was fruitless. The colonel knew what he wanted—and he got it.

Four years have passed since the colonel died.

Springs has gone forward with new ideas, new buildings, new products, and new techniques. Sales have risen. And there is talk of still more projects.

Where will Springs go from here? Bill Close replies:

"Diversification of product and up-to-date, efficient manufacturing facilities are the keys. We have to diversify if we are going to last, go into fields we feel are going to last, such

as domestics. I am certain that the domestics business will survive in the United States. You won't survive making only print, cloths and sheetings. These markets may be taken over by the depressed areas of the world."

He said that there will be acquisitions too, if they are related to diversification.

An example of this is the recent acquisition by Springs Mills, Inc., of Morgan-Jones, Inc., and the companies that manufacture Morgan-Jones products. Morgan-Jones is the Nation's largest seller of brand-name kitchen cottons, kitchen towels, and quality bedspreads. The product line also includes bath towels, blankets, broadcloth, and oxfords. All of these are additions to the Springs line of consumer items available to the housewife.

Of the Morgan-Jones purchase, Mr. Close says: "We think that we are picking up 4 or 5 years of merchandising by acquiring the talents within the Morgan-Jones organization. You can't just add to production and hope you will get the top designers and top technicians of the world."

Concerning other mergers within the industry: "I am sure they will come, but some companies have waited too long already."

About the industry's perspective, he comments: "We have got to stop crying about the cost to us of low tariffs and high quotas. We are not going to get any help from any administration. We are going to have to go into other markets, into Europe and eventually into Central and South America. We've got to produce better fashions, better types of chemical finishes. We've got to cover the field and give better merchandising, scheduling and delivery than we've given in the past."

About the "future" of the U.S. textile industry, H. W. Close declares: "There will be fewer and bigger textile companies in the years ahead, but the industry will survive. I think the fewer hands that will run it 10 years from now will be more efficient—something like those in the auto industry, but not that far along. We are rapidly becoming more efficient, however."

How about the additional productive capacity being added at Springs? He answers: "Every spindle we have put in is going to have to go off the market somewhere else. I think that in 10 years the number of textile companies in this country will be reduced considerably. I think a lot of people have come to this line of thinking, as you can see by the mergers that are now being considered."

What's the explanation for the excellent profits the Springs Cotton Mills has realized over the years?

"The colonel could never give an answer to this and I'm sure I can't, and I've had hundreds of other people try. Its not know-how. Everybody's got know-how. However, being a private company, we've been able to move faster and with more flexibility. We have a good cash position. We honestly have more loyal and dedicated employees than most. Our plants are close to one another—although we've just broken out of the area a bit. Up to now, management has not been forced to take 2-day jaunts to Alabama or Kansas or someplace in Georgia to oversee a project." (Until the Morgan-Jones acquisition, all Springs plants were in a tight tricounty area of South Carolina.) "Southern on-the-spot ownership also helps. So do full workweeks and little turnover of help."

You are a young man, Mr. Close, but how long do you think you can keep up the pace at which you, personally, have been moving?

Bill Close's reply: "Just as long as is necessary."

He can do it. He thrives on it. Bill Close is abnormally energetic, seems to possess physical and mental stamina that allows him to move at computer speeds without breaking. And through it all, he manages to retain a remarkable percentage of humanness. He's quick to spot the needs and wishes of his associates and of the 12,500 employees within the Springs organization.

His door is opened to any employee in the company. The reception desk at the executive office building has orders to drop everything if an employee walks in with a problem. If the problem requires the resources of Bill Close, he handles it personally. If not, it is directed to a department head for immediate action.

Bill Close is a shirtsleeves president, as informal as any cotton mill president who ever walked the pike. His informality extends throughout the organization. It is apparent at all levels, without any sacrifice of efficiency or respect for management. It is practiced not for effect, but by choice.

Bill Close has intelligence amply bolstered with commonsense. He is stubborn at times, fiercely determined to get a job done, frequently impetuous, downright honest, and forthright in speaking his mind, in the mill or out. At the same time, he is a man of compassion, warmth and sensitivity, without relinquishing the right to be arbitrary when the occasion demands.

In some respects, he is like the colonel. One of the clearest dissimilarities is that he relies heavily upon his associates for advice in running the 10-mill organization. He encourages discussions, advocates objections to his own ideas, and is always willing to bend an ear to a man's problems, regardless of their size. He is an excellent listener.

He is an entrepreneur but no wheeler dealer. He has a fine sense of humor tempered with the right amount of seriousness.

Bill Close's relationship with his wife and their eight children, ranging in age from 2 to 16, is warm and unpretentious. The Closes are determined that their good fortune shall not separate them nor their children from a normal life. It could be otherwise. This is not a calculated position. It is a reaction by normal, unpretentious people.

This is Bill Close. He could be president of any company—without marrying the boss' daughter.

Mr. Speaker, yesterday was a great day in textile history and today and tomorrow we are delighted to find them prepared to make everything, and include finally the article in the same issue of the Textile Reporter which gives added emphasis and meaning to the timely remarks made at yesterday's dedication:

PREPARED TO MAKE EVERYTHING

On a sultry June 1948 midafternoon, this writer shuffled into the taproom of the Arkwright Club, and a goodly crowd was there.

Now it is fitting and proper that a scrivener take time out to quench his thirst at such an hour, but the rag peddlers present should have been on the street vending their wares.

So all could hear, we spoofed in loud tones, "That's a bad mess of news just came over the wire."

In one voice, my fellow topers queried, "What news?" "Why, Springs just cut the price of sheetings 2 cents a yard."

In less than a minute, we and the barkeep were alone in that room. But there was no spoofing, when a few weeks later, Elliott White Springs phoned his New York office in early morning and ordered an immediate price cut of 6 cents a yard on broadcloth, and threw Worth Street into a panic. The Worth Street oldtimers still refer to that day as "black Friday."

We relate these two episodes to illustrate the violent impact the rather frequent announcements of Springs' price changes (or any Springs' announcement) had on the cotton textile trade in the late 1940's.

Indeed, Col. Elliott Springs had most of the Nation in an uproar in the last 2 years of the "roarin' forties"—he had the lads and lasses chuckling and giggling, the parent-teachers associations and the better business bureaus scowling and frowning, the Madison Avenue boys and magazine publishers in a dither, and all the Indian maidens trying to buy a Springmaid sheet for a buck, or, for even two bucks.

Elsewhere, in these pages you may read the 75-year history of the Spring Cotton Mills, but let this chapter concern itself with Springs Mills, Inc., the selling division, and that story must start with the saga of Elliott White Springs.

Born in 1896, he was the grandson of Capt. Samuel E. White, first president of the Fort Mill Manufacturing Co., the first unit of what later became the Springs Cotton Mills, and son of Col. Leroy Springs, whose financial wisdom and business acumen saved the mills from "going over the dam" through 36 hazardous years.

During World War I, young Elliott Springs hedgehopped from Princeton University into the newborn Army Air Corps, where his reckless courage enabled him to bullseye 11 enemy planes. When the armistice came, he and his ace flying companions gallivanted around the bistros of Paris and the speakeasies of New York until in 1919, he was persuaded to give up his riotous life and take a job as office boy in his father's mills.

For 5 years, the only thing the youthful hedonist enjoyed about this monastic career was the opportunity it provided for an occasional trip to the New York textile market. He saw very little of the market, but a great deal of the Aviation Club and other "speaks," where he held forth with his former flying chums. Further, the sinecure at the mills afforded his talent time for writing risque short stories, which found ready acceptance in the blue magazines.

In these yarns, he took a rakish delight in the shocking word, the carefully ill-timed anecdote. He enjoyed nothing better than poking fun at the prudery of ranking textile executives.

His long-harrowed father decided his son was making no great contribution to the progress of the mills, and to save the family and his associates further embarrassment, he lectured Elliott on the perils of his wayward ways and informed him the mills could get along without him very well.

The discharged employee took up writing magazine stories and novels as a serious vocation and for the next 5 years was receiving publishers' checks to the tune of $50,000 annually.

By his own admission, his writings and well-reported nocturnal activities were almost too difficult for the family to endure. His father, horrified by his son's way of life and convinced that some catastrophe would overtake him, offered him a good berth at the mills, provided he would agree to put his "hot" typewriter in permanent cold storage.

Back in the mills, Elliott forsook his fiction and other renegade predilections and worked restlessly and diligently at learning every phase of the textile business.

He became president of the mills upon the death of his father in 1931.

The five mills, suffering from the blight of the great depression, were in a state of almost complete obsolescence. The Eureka mill at Chester, S.C., had been closed. Management and sales were disorganized; production was out of whack; and the machinery out of kilter.

The 35-year-old new president set about consolidating the individual plants and companies, rebuilding, refurbishing and equipping the mills with modern equipment.

In 1933, a new corporation, the Springs Cotton Mills, was set up to own and operate

all Springs textile properties. One hundred percent of the common stock in the new corporation was held by the original investors, or their offspring or heirs, of the mills which Leroy Springs had held together through war and strife.

When Elliott Springs assumed presidency of the Springs Cotton Mills, the physical property was listed as worth $7,500,000 and annual sales were $8,100,000. At his death in 1959, plant property was valued at $114,500,000 and sales for that year were $184,300,000.

The president's star burned increasingly bright in the 28 years of his command. He proved there was a vast contradiction between the man as he was, and as he sometimes chose to appear.

Despite the long hours of hard work, the mountains of detail entailed in reorganizing every department of the new corporation, the president's facile pen took time out to register drollish beefs against anyone or anything that affected the welfare of the textile industry.

In 1934, complaining to a textile machinery executive about the stupidity of government officials, he wrote: "The Blue Eagle can roost in my belfry, and Mr. Sloan and Mr. McMahon can pitch their tents in the weave room to debate the number of hours per week which I will not run. Mr. Wolman can shout out of the spinning room windows that costs to the customers cannot be raised under the NRA while Mr. Wallace will issue bulletins from the cotton platform promising that all prices must be raised under the AAA, even if he has to stretch the Declaration of Independence 33⅓ percent. General Johnson can ride down on one elevator, after forbidding me to purchase any new equipment, just as Chairman Jesse Jones comes up on the other, bringing me Government funds to pay for it with."

During the dark days of the 1930's, his time was almost completely consumed in day-to-day modernizations of plants and equipment, and the broadening of the company's line of fabrics. There was little time for impish correspondence. Sales figures increased steadily until they approached the $60 million level when the tragedy of Pearl Harbor stunned the Nation out of its complacency.

Characteristically, Elliott Springs instantly placed the entire resources and facilities of his company at the disposal of the Armed Forces. As a captain in the Army Reserve, he promptly volunteered for active service. He was assigned to the Charlotte Army Air Base as executive officer and in 1942 was promoted to lieutenant colonel.

After a brief term of service (brief, because the Army felt he would be more valuable directing the manufacture of the multitude of textile items needed in the war effort), he returned to his mills, which now numbered seven. All Springs plants were presented the coveted Army and Navy "E" Award for excellent performance on war contracts.

In the war years, the colonel did a lot of thinking about his firm's future. Shrewdly, he foresaw that even with the stepped-up production of textiles during the war that (a) there would be an enormous demand for civilian textiles from the war-rationed and textiles-hungry consumer at the end of the war; (b) there would be integrations and mergers in the industry that would deprive him of grey goods sales to other mills and jobbers; (c) there was a larger margin of profit in consumer goods. And, perhaps the clincher, the compelling reason for his great decision to enter the consumer goods market, it would give him an opportunity to exercise his extraordinary talents as a communications and merchandising genius.

The Springs Cotton Mills had no finishing facilities. It produced its fabrics "in the grey" and sold them to other mills and to jobbers for conversion to print cloths, solid colors, sheets and pillowcases, and other finished goods and end products.

The colonel concluded his mills' production and sales would not be placed at the mercy of his former customers, he would be his own best customer.

When his decision to manufacture finished goods became known in the no-secrets industry, his textile friends whispered to each other at the Merchants Club, "Elliott Springs has gone out of his mind" * * * "There are 13 makers of sheets and pillowcases with enough capacity to supply the world" * * * "He will lose all his other mill business" * * * "The converters and big chains will drop him like a hot biscuit out of the oven" * * * "We'll give him 12 months before he is back in gray goods."

Once the decision was made, he acted with speed and typical courage. Construction was started on the Grace Bleachery in 1945 and completed in 1948. It is significant that the planning was so thorough practically all of the original equipment is still in efficient operation. About the only important change in the 1945–48 construction are walls that have been knocked down to make room for expansion.

When finished goods were ready to come off the Grace Bleachery line, Springs notified its selling agent, J. P. Stevens & Co., that it was setting up its own selling division, Springs Mills, Inc.

With two cubbyhole offices at 40 Worth Street, New York, and five people, the selling force of "Springs Folly" started taking orders for Springmaid brand goods. Springmaid had no place to go but up—it was lower in the cellar than the "Mets." It was in 13th position in the field of 13 manufacturers of sheets and pillowcases.

Making a quality product is something Springs has always done well, but it soon became very apparent the Springmaid line needed powerful advertising, merchandising, and promotional support to take its place in the sun.

Three advertising agencies took a shot at confecting the kind of ads suggested by the colonel. In turn, these three agencies were dropped.

Late in 1947, Springs wrote to his advertising man in New York, "I have a good friend, who runs a big agency and he might like to represent us. Go and see him and tell him we don't want his editorial or art services, but we are going to take some space and will be glad for him to get the 15-percent agency discount."

In a few days, the adman wrote the colonel that he had seen his agency friend and was told the agency would not touch such a campaign as suggested and wouldn't even accept the 15 percent commission for just placing space for it.

The colonel instructed his young adman, "Go ahead and book the space yourself and to hell with the 15 percent."

Shortly, the colonel wrote his adman, "Don't bother any more about an agent. I wrapped up that problem with a red ribbon."

The agency selected was Erwin Wasey Co. and here's how that agency was selected as the "red ribbon," as told to this writer by Lou Wasey, president of the agency:

"Elliott Springs, several of his friends and their wives, steamed into Cat Cay, my island off the coast of Florida, in a palatial yacht, which they had borrowed from a friend for the Christmas holidays.

"I made it an ironclad rule to never talk business at Cat Cay. Cat Cay was for fun.

"However, one of the colonel's friends kept needling him, in my presence, about spending a million and a quarter dollars on a proposed advertising campaign for his sheet business. Said he thought the job could be done for a million.

"After 3 days and nights of this incessant palaver, I finally cornered Elliott at the bar in the club, and asked him point blank how much he really planned to spend.

"He replied, 'I don't know. I might spend 50,000 or I might spend a million.'

"I told him I would like to have the account and he said, 'You got it. That's why we came to Cat Cay, to give it to you.'

"I turned the account over to my son, Gager, and my office hasn't been the same since."

Now, all hell broke loose. The advertising fraternity and magazine publishers have not before or since seen such a display of pyrotechnics. The bombs were shooting off in all directions.

The colonel had written copy and had several artists do illustrations for a series of four-color, full-page advertisements. The Wasey agency sent out insertion orders to a score of mass-media consumer magazines, including such fussy copy takers as Saturday Evening Post, Life, Good Housekeeping, Ladies' Home Journal, McCall's and Parents Magazine.

The advertising trade papers printed stories about the "biggest advertising campaign in the history of the sheet and pillowcase business."

The orders for Springmaid products avalanched into the Springs Mills office.

But when the proofs of the ads to be run reached the publishers, the Wasey office was bombarded with wires and phone calls—"We cannot accept these advertisements, they are in bad taste" * * * "We will run ad No. 3, but must refuse to accept ads No. 1, 2, and 4." "We will run the text, but not the illustration." "We will be happy to print the illustration, but not the text."

Invariably, the colonel's reply to the recalcitrant publishers was—"Take them all or none." * * * "Take them as is or skip it."

However, enough magazines printed the ads to give them several million circulation.

Thousands of letters were addressed to Springs Mills' office, ranging in comment from "crude," "vulgar," "vile," "evil," "lewd," "obscene," "shocking," "disgusting" to "hilarious," "entertaining," "diverting," "amusing," "Screamingly funny," "Give us more pretty girls." Many of the letters, censorious and complimentary, contained coins for reprints.

Perhaps the most sensational and best-remembered of the colonel's ads was "A Buck Well Spent on a Springmaid Sheet." This cause celebre in the advertising fraternity featured an illustration of a voluptuous Indian cutie stepping out of a sheet hammock slung between two trees; still supine in the hammock is a droopy, almost lifeless Indian chief. As one looks at the facial expression of the sprightly Indian lass, one can almost hear her say, "You've been through the wringer, Chiefie Boy, now you can hang up and dry." Springs Mills to this day receives requests for prints of this ad, although it appeared 15 years ago.

Or, there is the one that took this writer's fancy—a tasty blond doll, wading barefoot in a pool, with an indicated wind blowing her flouncy skirt above her panties and up to her waistline. What caused a furor over this ad was a boxed-in message in small type, which read, "Elliott Springs, president of the Springs Cotton Mills, says he is prepared to make everything shown in this picture."

Another one that drew a heavy barrage of criticism from former members of the WCTU was a collaboration between the colonel and his old friend, Zito, the famous cartoonist. They were having dinner at Nino's Continental in Palm Beach and Zito sketched the rough for the ad on the back of a menu. It shows a bunch of cannibals heating up their cooking pot and a very ripe, practically naked blond roped to a palm tree. Another cannibal comes rushing from the bushes, screaming, "Hold everything. The chief has just bought some Springmaid sheets and wants breakfast in bed."

Some 100 of these ribald ads appeared in large circulation magazines in the late 1940's and early 1950's, the copy and captions written by the colonel and the illustrations suggested by him.

Before this indelicate ad campaign started in May 1948, Colonel Springs had been featuring a dainty, puritanically attired Miss Springmaid in national advertising since 1945. The drawings for these ads were done by such renowned illustrators as Rockwell Kent, James Montgomery Flagg, Russell Patterson, Petty, and Arthur William Brown.

The question was asked then as it is asked now—Why did Colonel Springs take the gamble of offending American women with naughty ads, lush with double entendres and suggestive text? Was he gambling the future prosperity of his company for the fun of being jocular or capricious?

No, not this "Foxy Grandpa," as one of his competitors dubbed him. His business record is replete with evidence that he knew where his ultimate target was all the time and the artillery and ammunition that would score a direct hit. He was completely aware that no orthodox advertising campaign would elevate Springmaid from last position in its field to the heights where the front runners were scrambling for leadership.

Innovation was called for—something new, yes, even bizarre—and the colonel was an innovator par excellence.

The risque Springmaid campaign resulted in probably the greatest word-of-mouth propaganda program ever perpetrated on the unsuspecting American female.

At the bridge tables, the sewing circles, over the backyard fences, in the mushrooming surburban developments, at PTA meetings, in the garden apartment courts, at the sorority and sodality gatherings, the young brides and their older sisters were giggling, "Did you see that Springmaid ad, 'A buck well spent?'"

The sophisticated gals caught on quickly and once they tumbled, their naive sisters dropped into the Springmaid basket like ripe cherries.

Young and old husbands and bachelors in their offices, at the neighborhood bars, at the country clubs and at the stock ticker tape were chuckling at "We love to catch them on a Springmaid sheet."

Radio commentators and comics were throwing knives or roses at "those Springmaid ads."

Elliott Springs did not develop a mass market for Springmaid, he created thousands of group and neighborhood markets, developing an identity for Springmaid over the country that spread like a prairie fire—and at a fraction of the cost of a conventional advertising program.

Springs competition looked suspiciously at this phenomenon, convinced that Springmaid had made such rapid growth in the consumer market, and that Springs Mills' sales personnel was so completely overshadowed by the genius of Colonel Springs, this Springmaid boom was a Roman candle that would burn out momentarily.

But among his other talents, the colonel knew how to choose men. He brought into Springs Mills, as his chief executive, the diplomatic, able knowledgeable and experienced Robert Amory, who had spent more than three decades as a top executive in textiles. The colonel surrounded "Bob" Amory with competent, enthusiastic youngsters like Norman Wynroth, William A. Kirk, and J. P. Kelley. And to keep the balance were and are Henry Schniewind and James Logan; all ranking officers today of Springs Mills.

Then in 1956, came in the soft-spoken, reserved, dignified Burnet Valentine with his solid background of selling textiles. Today, he is the executive vice president of this alert outfit.

And sitting in his quiet office, always available for advice and counsel, is the retired Proper Bostonian, Robert Amory.

And the old Worth Street boys will not forget the contributions made to the success of Springs Mills by a great gentleman, Harold Hoskins.

The colonel had that kind of determination, once he made a decision that took a load of persuasion to break down. Yet, he maintained that to be effective his top men had to believe in his aims and his objectives—that it was more a matter of seeming to secure their consent to decisions and policy—rather than a matter of giving peremptory orders. And, further, he had to have the interest and loyalty of his rank-and-file employees to sustain effective management and policy.

In the early 1950's, he remarked to this writer, "There are only a few things I expect from an employee. He owes the company his loyalty, and an intelligent and cooperative interest in its affairs and problems. He has an obligation to strive to have the company reflect high purpose and high quality. And it is in his own self-interest to do these things."

While the advertising and promotion was blazing a fast identity for Springmaid with the consumer, the new and small sales force were fighting to get a foothold in a market which had been captured long since by the competition, whose brand names were household bywords.

In the early strategy councils at Springs Mills, it had been decided that (a) the line was to have national distribution and (b) distribution of consumer goods was to be primarily through direct sales to retail department stores. In their presentation to retailers, Springs salesmen focused on four major points.

First, they stressed the quality of the product and the fact that it was made by a firm with a long history in textiles. The men carried fluorescent light boxes which they used to show buyers the even weave and lack of imperfections in Springmaid sheets as compared to other brands. When a retail store bought the line, buyers were urged to use this same kind of demonstration in selling Springmaid sheets to consumers. Springs also provided stores with newspaper ad mats illustrating how housewives could hold sheets up to a window and see the fine construction of Springmaid percales and muslins. Secondly, retailers were offered an exclusive franchise for the line in their cities. This established a distinction for the line and the store. The exclusive distributorship feature still exists in most cities.

Third, Springmaid sheets were attractively packaged in cellophane. At that time, many sheet houses did not package their product with the result that sheets tended to become soiled and one brand looked much the same as the other. Thus, the Springmaid line would stand out in the sheet department and the knowledge that the sheet could be brought home, removed from its package and be put directly on the bed made a strong appeal to the consumer. Fourth, because Springmaid was a new brand name and realizing that the low markup on sheets would permit very little local advertising by retailers, Springs offered a comprehensive co-op advertising program to stores which bought the line. This was very successful in promoting the line at the retail level and co-op advertising is still an integral part of Springmaid sheet merchandising.

The company's national advertising and promotion was extraordinarily successful in making the name Springmaid familiar to people throughout the country; its careful merchandising, implemented by the conscientious service given customers by the Springs sales staff, gained the respect and confidence of retailers; and the quality of the product resulted in ready acceptance by housewives. Building on this firm foundation, sales increased rapidly and steadily and distribution was broadened in all parts of the country to the point where the Springmaid line is now the top-branded sheet and pillowcase operation in the world, producing 36 million units last year.

Some 9 years ago, Springs began approaching house-to-house installment firms and the trading stamp companies. The name that Springs had established in the retail field was an important asset to the company in these new areas of merchandising. Stamp companies began to use the Springmaid line and Springs is now one of the stamp industry's primary resource for sheets and pillowcases.

In the house-to-house trade, sheets and pillowcases are important products because they are staple items needed in all homes. Having such an item frequently opens the door with a customer who might otherwise be reluctant to look at the merchandise in a salesman's line. To further enhance this merchandise for the industry, Springs has developed the Sleepway line of sheets and pillowcases, exclusive to the house-to-house industry. The Sleepway line has been very successful with installment companies.

To keep up with the growing volume in sheets, as well as the advances being made by the apparel fabrics division in its sales to garment manufacturers, Springs Mills, Inc., now has salesmen and offices in all parts of the country and in Canada. The company's products are also sold internationally in more than 47 countries throughout the world. This progress has also been reflected in a steady expansion in production facilities by the Springs Cotton Mills in South Carolina.

During the 75-year history, the firm has dealt exclusively in cotton textiles. At the dedication of the new Springs Building in New York this past February, president H. W. Close, young son-in-law of Col. Elliott White Springs, announced that the company would start a synthetics program. This will affect the fabrics the company offers through its apparel fabrics division. It does not represent a curtailment in production of all-cotton textiles, but rather a step in expanding the firm's products.

At the dedication exercise, Mr. Close strongly condemned, as he has on many occasions, the two-price cotton system, which he maintains is an "immoral and unreasonable burden" not only on the Springs organization but on all domestic producers of cotton textiles.

Recently, President Close announced a major expansion, the acquisition of six plants and the sales division of Morgan-Jones, Inc., the Nation's largest seller of brand-name kitchen cottons, kitchen towels, and bedspreads. The product line also includes bath towels and blankets, broadcloths and oxfords. Kitchen cottons include such items as dishcloths and pot holders.

Mr. Close said, "This expansion immediately will add between 15 and 20 percent to our sales volume."

He said that the employees of Morgan-Jones, Inc., and the 2,400 employees of the manufacturing companies would be retained and that the Morgan-Jones brand name would continue to be used. W. S. Mays, president of the Morgan-Jones, Inc., the selling company, will remain in that position and "will continue the company's strong merchandising and promotion program."

Spring Mills, Inc., is a healthy, vibrant organization.

Finally, Mr. Speaker, I include some general information about the new plants and the organization in general, to complete my report of a great day of courage and hope for the textile industry:

GENERAL DESCRIPTION—ELLIOTT AND FRANCES PLANTS, THE SPRINGS COTTON MILLS

The Elliott and Frances plants are designed and constructed as the most modern and efficient textile plants in the world.

They cost a total of $15 million and will employ a total of about 500 persons. This represents an investment of about $30,000 per employee.

The plants are virtually identical, the main difference being that Elliott plant will produce combed broadcloth and Frances plant will produce combed sheeting.

Elliott plant already is in production, turning out about 400,000 yards of cloth per week. Frances plant is scheduled for completion in December.

The most unusual feature of the new plants is the refrigeration and return air system. In each of the plants, this system will turn over 1 million cubic feet of air per minute.

Both plants are refrigerated and air conditioned. Air-return systems beneath the floor and hoods mounted over many pieces of machinery remove lint from the air and from the equipment and return it to a central waste room.

Although there are no walls separating the production areas, from the picker room to the cloth room, air conditions can be controlled at the desired level in any production area.

A central control panel records temperature and humidity, which can be regulated from the control panel.

These twin one-story plants have straight-through production lines, with raw cotton coming in at one end and grey cloth emerging at the other end.

Dropped ceilings of acoustical tile conceal all overhead duct work, conduit and pipes in the production areas.

The plants have fluorescent lighting and pastel colored walls of glazed ceramic tile. The floors are concrete.

Production lines run down the center or core of each plant, with service areas on either side.

Designed and built by Springs' own engineering and construction departments, the Elliott and Frances plants incorporate many features for employee comfort. Each plant has tiled showers and locker rooms. Every employee has a locker. The women's locker rooms have closed-in showers and private dressing rooms. Each plant has its own cafeteria. Both plants are served by a spacious medical clinic in Elliott plant.

The plants contain an impressive list of engineering and manufacturing "firsts"—including an electronic monitoring system to record the productivity and performance of each loom and a completely automatic picker lap doffing and handling system.

Another feature is an elaborate electrical power distribution system, with interior power substations.

TEXTILE INDUSTRY "FIRSTS" AT FORT LAWN

Automatic equipment to remove and handle cotton from pickers; automatic removal of card fly; automatic noil removal from combers; automatic central waste collection.

Air return systems beneath floors in all production areas constantly clean equipment and remove lint from the air.

Electronic monitor automatically keeps a record of performance and production of each loom.

High speed cards are used exclusively, running at 40 pounds per hour.

Central control panels, recessed roof penthouses, dropped ceilings throughout.

Wall-less production areas from picker room to cloth inspection room.

GENERAL INFORMATION ABOUT THE SPRINGS COTTON MILLS

Springs is the second largest employer in South Carolina. With the completion of the Elliott and Frances plants, and other additions now underway, it will have 13,600 employees.

Springs has nine cotton mills and one bleaching and finishing plant. When present additions are complete, Springs will be operating 941,824 spindles, 19,222 looms, and 350 sewing machines. Including the 72,000 spindles and 1,100 looms of its Scotland mills division, the Springs organization has 1,014,228 spindles and 20,314 looms.

Springs is the largest corporate income taxpayer in the State of South Carolina. In the fiscal year ending June 30, 1962, Springs paid 11.4 percent of the total State income taxes paid by corporations in South Carolina.

Payrolls of the Springs Cotton Mills are the second largest in South Carolina and amounted to nearly $49 million in 1962.

Profits shared with employees in 1962, in addition to their paychecks, amounted to $4,250,486.

Springs is the world's largest producer of exclusively cotton cloth. In addition, it recently entered the field of cotton and synthetic blends.

In 1962, Springs produced more than 500 million linear yards of finished cloth and used more than 376,000 bales of cotton.

Springs is the world's largest producer of sheets and pillowcases and turned out more than 36 million units in 1962.

Fact sheet, Elliott and Frances plants, the Springs Cotton Mills

	Elliott plant	Frances plant
Cost	$7,500,000	$7,500,000.
Size	768 by 296 feet	768 by 296 feet.
Square feet (production and service areas).	227,328	227,328.
Looms	520	594.
Spindles	38,640	30,240.
Products	Combed broadcloth.	Combed sheeting.
Employees	250	250.
Investment per employee.	$30,000 [1]	$30,000.[1]

[1] Compares with investment per employee of $9,967 for entire company in 1962.

FRIENDSHIP DAY IN SAN ANTONIO

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. GONZALEZ], is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, this last weekend on my return to my home district, the 20th Congressional District of Texas, Bexar County, Tex., also a very historical spot, the county of Bexar, or, as it is pronounced in Spanish, "Behar," has been the scene of some of the most monumentous and historical events in the history of our country. It has been known as the cradle of liberty in Texas, because it is here that the Alamo, the shrine of Texas liberty, is located.

This last weekend it was my privilege to visit my native hometown and to see there one of the most eventful and significant things that I have seen anywhere in the Western Hemisphere. It was the occasion of a visit on an extended basis of 500 visitors and citizens from the neighboring Republic of Mexico who are members of what is known as the Sembradores de Amistad, which means in English sowers of friendship or good will. This is an organization which is purely private in origin and initiative. It has membership in the United States, in every single one of the States of Mexico, in the Republic of El Salvador, and in two or three other Central and South American countries. Saturday there were 500 individuals, private citizens, if you please, who journeyed all the way to Texas and who remained there 3 days and who came over as a token of good will. They joined in the celebration of Columbus Day October 12. There were representatives, their families, and friends from every single State of the Republic of Mexico and from the Republic of El Salvador. This group has had mutual international exchanges over the course of the past 3 years. The occasion of their visit last week was the second international convention, which was held, of course, in my native city of San Antonio. It was inspiring to see that last Friday the mayor of the city of Monterrey presided over the council meeting of the City Council of the City of San Antonio as a matter of courtesy. This is the first time in the history of the State that this type of mutual exchange of friendship and esteem and good will has been recorded. It marks a very significant—a very significant—course of events in the mutual understanding that we know has existed basically between our neighboring countries along the border. It has tremendous potentials for the stimulation not only of cultural but business and civic ties between the two nations and, in fact, between more than the two nations. It also marks another event which perhaps escapes national attention. It is for that reason that I rise in this forum to call the attention of this House to this very momentous event in my home city.

I speak of the fact that San Antonio is located on the historic royal road or the King's Highway which was visualized by Charles V, the King of Spain several hundred years ago. The King of Spain in the 16th century ordered that a road be built from what is today North America clear on down to South America. It took the passage of several centuries before this became a reality, but today we have what is known as the Inter-American Highway, although this was begun as the Pan-American Highway. San Antonio, my native city, which I call the Queen of the Southwest, has been and still is located on this royal road, the King's Highway, the Camino Real. These people who came to this event last week rode on this King's Highway, which is a modern highway that has been made possible because of the constant, sustained efforts of several Republics in the last three or four decades. This, I think, is a good omen.

This is what I believe is the answer to some of those who doubt and are cynical about the continuing sharing of good will, the sharing of life in the Western Hemisphere by the two great cultures that destiny has so set to share this New World.

It was very inspiring to see a mayor of this great city of Monterrey in Mexico presiding over the city council business in this other great city of San Antonio. It was also inspiring to note that this was a reciprocal exchange which originated several weeks ago when the mayor of San Antonio presided over a similar meeting of the City Council of Monterrey.

So often we have been told how desirable it is to stimulate a citizen to citizen, or to take a person to person approach in achieving better understanding and

improving relations between nations, that when something as spontaneous and as successful as this recent gathering in San Antonio happens we should pause and take note.

Also, I wish to point out that several citizens in particular, have been instrumental in the creation of such organizations as the Sembradores de Amistad. Special credit should be given to such men as Bennie Cantu, a San Antonio businessman, for his untiring efforts in behalf of friendship and good relations with Mexico and other countries. Mayor W. W. McAllister, of San Antonio, as well as the City Council of San Antonio, should be especially commended. The San Antonio newspapers, the San Antonio Light and the San Antonio Express, and the San Antonio Evening News, are to be thanked for their awareness and acknowledgment of this auspicious occasion. The San Antonio Express, with the only Spanish-language page in a large city metropolitan newspaper in the United States with the special intention in mind of servicing our visitors from the countries to the south, is also to be congratulated for its monumental contribution.

The SPEAKER pro tempore (Mr. LIBONATI). The time of the gentleman from Texas [Mr. GONZALEZ] has expired.

Mr. PATMAN. Mr. Speaker, the gentleman from Texas [Mr. GONZALEZ] is making such an interesting speech, I ask unanimous consent that he be allowed to proceed for 5 additional minutes.

The SPEAKER pro tempore. There are other special orders to follow, so that unanimous-consent request is not in order at this time.

Mr. GONZALEZ. Mr. Speaker, I wish to express my profound gratitude to my colleague, the dean of the Texas delegation. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

IDLEWILD AIRPORT CRASH

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

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last Friday, October 11, 1963, the newspapers reported that the Civil Aeronautics Board had released its report of the investigation of the crash of an Eastern Air Lines DC–7B at New York's Idlewild Airport November 30, 1962. According to the CAB report the Federal Aviation Agency bears direct responsibility for this collision which resulted in the death of 25 people.

It is true that the newspaper headlines state that the pilot of this plane was blamed by the report, and in fact the CAB report does state that the crew employed faulty technique during abandonment of the approach to the runway. But a reading of the news story also revealed the following language:

The CAB noted that since the accident the Federal Aviation Agency and the U.S. Weather Bureau have instituted seven reforms in weather observing and reporting—all of which, it indicated, might have prevented the Eastern crash.

The entire news story appeared in the Washington Post on October 11, 1963.

Mr. Speaker, this news article intrigued me because I have stated on numerous occasions that the FAA is being run in a slipshod manner, that the present Administrator is more interested in assuming the role of a military commandant than in looking after the safety of air traffic. I have stated that the Administrator is preoccupied with moving men and air route traffic control centers around the country like so many pieces of chess and that the safety of the countless numbers of persons who travel by air is in jeopardy as a result. Because of my interest and my grave concern for air safety I requested a copy of the CAB report of the Eastern crash. It saddens me to say that the report has borne out my worst fears and doubts. I consider this report tantamount to an indictment of the FAA. It should be required reading for every Member of Congress and every person who has even a slight interest in air travel.

Readers of the CAB report would learn for example that there were such things amiss with the safety procedures and safety equipment at Idlewild field at the time of the crash as the following:

First. The precision approach radar was declared by a notice to airmen to be out of service.

Second. The Eastern Air Lines plane was not notified of this weather forecast made for the period when the plane was expected to make its approach to the field:

Ceiling zero obscuration, visibility zero, fog, variable to clear, visibility 1½ miles ground fog.

Third. The TEL-autograph transreceivers in the FAA control tower cab and instrument flight rules room was inoperative.

Fourth. The Idlewild runway visual range digital readout displays in the control tower were malfunctioning.

Readers of the CAB report would also find a section entitled "Analysis" which states, in part:

The system of weather observation and reporting as it concerned the flight deserve special attention. The U.S. Weather Bureau, the Federal Aviation Agency tower controllers, and the Eastern Air Lines dispatch organization each had duties relating to weather observation and reporting. The system placed the initial responsibility on the Weather Bureau to observe and record the weather information. Since the official Idlewild visibility was less than 4 miles, the responsibility for taking visibility observations was assumed by the FAA tower controllers. There was an exception in the rules which provided that the responsibility for taking official visibility observations would revert from the tower to the Weather Bureau, when the tower was above the top of the phenomena. However, during the period with which this report is concerned, the tower was observing restricted visibilities which indicated that the top of the phenomena was, in fact, above the tower. The FAA tower controllers furnish meteorological information to aircraft in flight, particularly in the terminal area.

Mr. Speaker, one does not have to be an expert or a consultant on matters of air safety to understand that this is severely critical of the air safety procedures and facilities that existed at the time of the tragedy we are discussing. And there is no question about the responsibility of the FAA for this crash. And one does not have to be an expert to understand the meaning of the CAB recommendations set out in its report. These recommendations include the following:

First. It was recommended that the air traffic control procedures require the transmission of all operationally significant weather information in terminal areas to approaching aircraft. The FAA, by letter dated January 8, 1963, stated that the necessary procedural changes were being prepared.

Second. It was recommended that the runway visual range instrumentation in the recently commissioned instrument flight rules room of the Idlewild tower was inadequate. On January 11, 1963, the FAA stated that corrective action was being taken and that a new program would permit installation of new safety equipment.

Third. It was recommended that an alternative method be developed to determine runway visibility when the runway visual range is inoperative. On January 14, 1963, the FAA stated that a new procedure would be implemented on a trial basis.

Fourth. The FAA was informed that there was a period of time on the evening of the accident when no record of tower visibility observations was retained. The FAA on February 4, 1963 stated that corrective procedures were being taken.

Fifth. It was recommended that the "Remarks" portion of weather reports be broadcast to aircraft. The FAA informed the CAB that a priority project had been initiated to correct this.

It is encouraging to a limited extent that the FAA have taken steps to correct the errors it committed last November at Idlewild. But it is frightening to know that they were committed. This CAB report raises a serious question as to the kind of job that the present FAA Administrator is performing. If so many things were being done wrong and so many errors were detected on this single occasion, the question naturally arises as to what is going on from day to day in air route traffic control centers and airport control towers. How many mistakes and errors go unnoticed and unreported. Must we have tragic crashes in order for the CAB to be authorized to make an investigation and to require that the FAA do the things it is supposed to be doing?

HAPPY BIRTHDAY, IKE

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. BARRY. Mr. Speaker, today a great American soldier, citizen, and statesman, celebrates his 73d birthday. I am sure Members on both sides of the aisle will join me in wishing General Eisenhower a very happy birthday.

For over half a century, General Eisenhower has been serving his country. Even though he no longer holds active public office, Ike continues to take an interest in matters vital to all Americans. His words of wisdom appear in newspapers and magazines, whenever he feels he can make a contribution.

Dedication to duty is one of the outstanding traits of our former President. The New York Herald Statesman of Yonkers, N.Y., on October 12, 1963, in speaking of Ike said:

He has demonstrated that he is concerned.

The full text of the remarks of the Herald Statesman of Yonkers is as follows:

IKE'S CHOICEST BIRTHDAY PRESENT IS CONTINUING ADMIRATION OF ALL

"Ike" will be 73 years old Monday and the Republican Party is not letting Dwight David Eisenhower forget that he is still a factor, not only in party deliberations but in the formulation of national public opinion.

Some 700 leading members of the party are gathered today for an all-day celebration of the occasion in Hershey, Pa., culminating in a banquet tonight to toast the former President.

It would have been unreasonable to expect that the man who led the greatest armed force in history to an Allied conquest of European totalitarianism and later was elected to the Presidency of the most powerful Nation of the world would be content to rusticate on a placid farm in Gettysburg, unconcerned over the great national and international issues of the day.

And Mr. Eisenhower has demonstrated that he is concerned.

He has been speaking out on matters of leadership, responsibility, and political philosophy.

He has become the solid, known rock of Republican middle-road traditionalism, about which swirl whirlpools of liberalism and conservatism set in frantic motion by several Presidential hopefuls.

So "Ike" is still a political factor and a potent one.

More than that he is still a hero, whose glory has not tarnished and whose personal popularity remain undiminished.

But he is a hero who refuses to rest on his laurels.

The continuing admiration and respect of the American people are the best birthday present a man can have and Dwight Eisenhower, indeed, has that.

Mr. Speaker, Americans and, indeed, citizens of good will throughout the world, hope that Ike will have many happy years to come. We all hope to benefit from his mature and thoroughly considered advice on national and international issues of the day.

RESIDUAL OIL QUOTAS—EFFECT ON THE DISTRICT

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, those of us in New England who have been fighting against the costly residual oil quotas that place our economy in an unfair competitive situation in relation to other parts of the country, have frequently pointed out that these discriminatory quotas also adversely affect the entire eastern seaboard. This battle is not just a New England battle.

An interesting example of how the quotas affect taxpayers and industrial consumers right here in the District of Columbia, has been outlined by John K. Evans, the executive director of the Independent Fuel Oil Marketers of America, Inc., in a letter carried in the Washington Post today. Although many of my colleagues will have read this letter, the point it makes is of such importance generally, that I am placing it in the RECORD at this time. I commend this thoughtful communication to my colleagues and to all who are interested in fairness and facts:

RESTRICTING OIL IMPORTS

Early in 1959, as a result of tremendous political pressure by the coal industry, residual fuel oil imports were placed under control and volumes were restricted. In February of this year the Office of Emergency Planning released a detailed study on the subject and its findings were that the coal industry was not being harmed by residual fuel oil imports and national security was not imperiled by these imports. This is a subject that is of concern to every consumer of energy on the Atlantic seaboard.

In the case of the Washington area the largest consumer is our Government and a million and a half barrels for the heating of Government buildings are purchased each year by the General Services Administration. Up to 1959 GSA, through its efficient procurement program, was able to get extremely competitive price quotations for this business with each year showing a lower price that culminated in a price of $2.06 per barrel in the year that import restrictions were put into effect.

In the case of the District of Columbia an import quota of over a million barrels was arbitrarily given to a New York supplier who for profit reasons prefers to market this product in areas other than the District of Columbia. A form of cartel/monopoly has been established by Government decree with the consumer and the taxpayer paying the piper.

Each year since 1959 GSA has been handcuffed in its attempts to get true competitive bids for this business. It was again forced to resort to a negotiated contract with the New York supplier who received the District of Columbia quota.

The cost of heating Government buildings this year is $300,000 higher than last year and this upward cost trend has been true for every year since controls have been in effect. Further, a local supplier in the District of Columbia quoted a firm price of $1.95 for the coming contract period with the proviso that GSA would have to supply the import license.

The million barrels negotiated contract price was $2.31 with an escalator clause based upon any increased tanker rates and posted prices which conceivably could result in a price in excess of $2.50 during the peak consumption winter season. Just comparing the local supplier's price of a flat $1.95 with the low basic negotiated price of $2.31 yields a higher cost of 36 cents per barrel or a total savings of $360,000 if GSA could have awarded the business to the local supplier.

The above proves that the taxpayers in the District of Columbia as well as the industrial consumers in this area are being forced to pay a subsidy because of a program that was adopted for purely political reasons by the previous administration and which is being continued in spite of the findings of the Office of Emergency Planning Study Group. The latter report specifically recommended a meaningful relaxation of these controls and either the controls should be removed or the governing regulations revised so that the best interest of both the taxpayer and the consumer are served.

JOHN K. EVANS,
Executive Director, Independent Fuel Oil Marketers of America, Inc.
WASHINGTON.

EVENTS PROVE KENNEDY WRONG IN DEALING WITH COMMUNISTS

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. ALGER. Mr. Speaker, it must be embarrassing indeed for President Kennedy when the Communists refuse to go along, even for a few hours, with his fantasy that the Soviet Union has changed and that we are entering a great new era of understanding.

The headlines over the weekend would be uproariously funny, if the ultimate results for the United States and the free world were not so potentially tragic.

No more dramatic exposé of the Kennedy failure to understand or to successfully meet the Communist conspiracy is possible than the front page of the Baltimore Sun for Friday, October 11. I wish it were possible to reproduce the page in the RECORD, but as it is not I will try to give you a word picture. The lead article deals with President Kennedy's meeting with Gromyko where he discussed Laos and other areas of possible understanding. This is the same Laos where the Soviet Union has already broken the agreement and has won a Communist victory. This is the same Gromyko who blandly lied to President Kennedy only 1 short year ago about missiles in Cuba.

The No. 2 story on the front page of the Sun deals with the President's proposal for a joint moonshot with the Soviet Union. The No. 3 story is about the President's wheat deal with the Communists. In all of these areas the President has been telling the American people of the new face of Soviet Russia, the softening of the hard line by Khrushchev, the first small step toward peace.

Then, alas, the fourth story explodes the whole myth. It is the story of the new incident created by the Soviet troops, not East German troops, but Russian troops evidently on orders from Khrushchev, in halting American convoys en route to West Berlin. This is the usual Soviet procedure—the sly smile, the co-

quettish flirtation, and then the assault just to prove that they are smarter, stronger, and hold the United States and its leadership in complete contempt.

Mr. Speaker, many of us have consistently warned that the Soviets cannot be trusted, that in making deals with Khrushchev we are endangering the security of the United States and the peace of the world. The President either does not understand this or he is deliberately ignoring history, the facts, and commonsense in his almost fanatic desire to accommodate the Soviet Union. For what purpose?

I say it is imperative that Congress demand to know the full purpose behind the Kennedy proposals for making deals with the Soviet Union. I think we should know how important a part the Rostow memorandum is playing in our efforts to please the Kremlin. We should have a full accounting of the background of Walter Rostow and his motives in preparing the memorandum. We should know more about George Ball's report on trade. We should have a thorough investigation of the personnel of the Department of State to determine who is responsible for and why we continually guess wrong in meeting the Communist threat in Cuba, in the Far East, in our coddling of Tito.

It is apparent that the Nation cannot stand many more Kennedy failures in foreign affairs.

DISARMAMENT: WEAPON OF CONQUEST

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. ALGER. Mr. Speaker, if we have thought that the United States had no patterned foreign policy, and I was among those or that it was improvising foreign policy on a day-to-day basis, or that it is simply the "no win" policy frequently charged—we have been wrong.

The truth is emerging that the United States has a clear foreign policy. It is set forth in detail in "The Rostow Memorandum," in the pertinent sections of "The U.S. Program for General and Complete Disarmament in a Peaceful World," "The UNESCO Convention on Education," and in some of the articles of the United Nations Charter which are being interpreted as a framework for the new foreign policy of the United States, a foreign policy which dangerously threatens our security and the individual freedoms of all our people.

These facts are all documented in a newly published book by Dr. Robert Morris of Dallas, "Disarmament: Weapon of Conquest." Dr. Morris, former chief counsel for the Senate Subcommittee on Internal Security and one of our foremost authorities on the Communist conspiracy, meticulously documents the revolutionary new concept of our foreign policy through a careful collection of the speeches, writings, and Government documents which enunciate it.

I highly recommend Dr. Morris' book to my colleagues in Congress and to all Americans who are interested in preserving the security of the United States of America.

In this context, we should remember that Lenin and Khrushchev both defined disarmament as "disarm your enemy and arm yourself."

GENERAL ACCOUNTING OFFICE INVESTIGATION OF URBAN RENEWAL OPERATIONS IN CLEVELAND, OHIO

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. WIDNALL] is recognized for 15 minutes.

Mr. WIDNALL. Mr. Speaker, last month, on September 12, the chairman of the Senate Housing Subcommittee placed in the CONGRESSIONAL RECORD a letter he had received from Commissioner William L. Slayton, of the Urban Renewal Administration, in answer to an inquiry made concerning a report of the General Accounting Office on Cleveland, Ohio's, Erieview project. After reading Mr. Slayton's reply, it was my opinion that considerable clarification of the attitudes taken with regard to the report was needed. Accordingly, I wrote the Comptroller General of the United States asking four specific questions on the positions and recommendations made in his report. I now have his reply.

Mr. Speaker, in less than a week, the housing subcommittee of which I have the honor to be the ranking minority member, is going to review a number of urban renewal programs. I think it is timely and important to the Congress, and the citizens of the Nation, that they have the benefit of the Comptroller General's reply to my inquiry. I, therefore, under unanimous consent, include that reply printed in the RECORD:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., October 10, 1963.

Hon. WILLIAM B. WIDNALL,
House of Representatives.

DEAR MR. WIDNALL: This is in reference to your letter dated September 18, 1963, in which you request us to comment on a letter appearing in the CONGRESSIONAL RECORD for September 12, 1963, from Commissioner William L. Slayton of the Urban Renewal Administration to Senator JOHN J. SPARKMAN. Mr. Slayton's letter sets forth his agency's comments on our report on the premature approval of large-scale demolition for Erieview urban renewal project I by the Urban Renewal Administration (B-118754, June 28, 1963).

Your letter poses four specific questions to obtain clarification of our position on a number of points raised by Mr. Slayton. The questions, and our replies thereto, are set forth below.

1. "Does the General Accounting Office believe that the Federal Government should dictate the type of urban renewal any city should undertake?"

The General Accounting Office does not advocate that the Federal Government dictate the type of urban renewal project that a city should undertake. We believe that proposals for projects to renew areas of cities are properly matters for local determination. However, we believe also that the Federal Government should establish standards to be applied in cases where it is asked to share in the cost of such proposals.

With regard to the Erieview project, our report did not comment on the desirability, necessity, or effectiveness of the urban renewal plan. Rather, our report was confined to the manner in which, and the circumstances under which, the Urban Renewal Administration approved the expenditure of Federal funds for participation in the project. Accordingly, our report did not criticize the Erieview project as such; our criticism was directed toward the Urban Renewal Administration's criteria and procedures for approving Federal expenditures for the proposed large-scale demolition of urban renewal areas.

In his letter, Mr. Slayton emphasizes that the urban renewal program "is a local program, locally conceived, locally planned, and locally carried out. Federal financial assistance is provided to aid localities in the carrying out of these local plans and programs." Although we agree that the program is essentially local in nature, there is obviously a need for Federal regulations which set forth, in clear terms, standards with which a community must comply in order to obtain Federal financial assistance. The Urban Renewal Administration recognized this principle when it issued its 3-volume set of regulations. Indeed, Mr. Slayton seems to emphasize this principle when he states that, "We do feel, however, that the GAO report has revealed the need for strengthening the documentation required to demonstrate that adequate consideration has been given to alternate plans that would result in the retention of a greater number of structurally sound structures. Our requirements are being strengthened in this respect."

It would seem, therefore, that the Urban Renewal Administration agrees that there is a need for certain Federal standards. As we noted on page 34 of our report, the legislation for the slum clearance and urban renewal program gives broad powers and responsibilities to the officials responsible for administering the program. In our opinion, such circumstances place special responsibility on the officials to establish rules and regulations which will enable the Agency to administer the program in an efficient and prudent manner and to properly protect the interests of the Federal Government, consistent with the intent of the legislation.

2. "Was the decision on what was or was not a substandard building, as set forth in your report, reached as a result of GAO inspection, or by inspection by the Housing and Home Finance Agency's expert qualified personnel?"

The Urban Renewal Administration approved the expenditure of Federal funds for large-scale demolition in Project I—Erieview on the basis of inspection reports submitted by the city of Cleveland to the Housing and Home Finance Agency's Chicago regional office. These inspection reports classified 84 (or about 71 percent) of the 118 existing buildings in the project area as substandard. Most of the reports did not disclose the bases used in classifying the 84 buildings as substandard or the extent of the buildings' structural deficiencies.

We reviewed the reports for each of the 84 buildings which had been classified as substandard. We noted that (1) many of the deficiencies cited appeared to constitute only minor violations of the city's building or housing code, which could have been corrected by effective code enforcement, (2) buildings which were admittedly sound or in good condition received a substandard classification, and (3) some of the cited violations could have been overcome by normal repairs and maintenance.

We then decided to determine the actual structural conditions of the buildings. We

requested the Agency's Chicago regional office to assign a technically qualified staff member to accompany the city inspectors and our representatives on a detailed inspection of the buildings. The Agency's specialist found that only 24 buildings in the project were structurally substandard and that 60 of the 84 buildings were structurally sound.

In his letter to Senator SPARKMAN, Mr. Slayton states that 50 buildings were structurally substandard. (He had previously informed us that the other 34 buildings were substandard for other reasons.) Mr. Slayton states that, "The GAO auditors * * * characterized 24 (buildings) as structurally substandard. The GAO count of 24 buildings represents too narrow a view of what is structurally substandard." It should be noted, however, that the General Accounting Office did not characterize any buildings as being substandard, nor did we establish the definition for what constitutes a standard building. The definition and the characterizations were made by the expert assigned to us by the Housing and Home Finance Agency. In this regard, we note that the Housing and Home Finance Agency's determination that 50 buildings were structurally substandard was based upon a reevaluation of the city's inspection reports and that no new examination of the buildings was made. This determination differs significantly from that arrived at by the Agency's specialist who did physically inspect the buildings. This substantial difference has not been reconciled.

The Urban Renewal Administration's established standards regarding eligibility for clearance provide that, if less than 50 percent of the buildings in a project area are substandard to a degree warranting clearance, (1) more than 20 percent of the buildings must be substandard to a degree requiring clearance and (2) there must be blighting influences, e.g., incompatible land uses or hazards to the general welfare, in the area. We pointed out in our report that the Agency defended the use of blighting influences (factor 2) in arriving at determinations of whether buildings are substandard to a degree requiring clearance. We stated that, under the Agency's current criteria, a city may, with Urban Renewal Administration approval, designate any of its buildings as substandard and schedule such buildings for large-scale demolition even though far less costly methods of urban renewal may accomplish the objectives of the urban renewal legislation. We recommended that the Agency's criteria be revised to more clearly define the phrase "substandard requiring clearance" and to relate this condition solely to the structural condition of the specific buildings being considered.

The Administrator, Housing and Home Finance Agency, informed us that "* * * we do not agree with the concept that buildings should be designated as substandard solely on the basis of structural soundness * * *." The Commissioner, Urban Renewal Administration, also informed us that we had failed to consider buildings as being substandard because of other than structural factors. However, in his letter to Senator SPARKMAN, Mr. Slayton states that, "The 50- and 20-percent requirements relate only to those buildings that are structurally substandard. No other buildings may be included in these categories." He states that the Urban Renewal Manual will be clarified accordingly. We are pleased to note that the Commissioner has adopted our recommendation.

3. "Does the General Accounting Office advocate control of the project on a building-by-building basis?"

In our report we recommended that qualified Housing and Home Finance Agency personnel inspect the condition of structures in proposed project areas before such areas are approved for large-scale demolition. We made this recommendation because we noted that regional office Agency personnel did not inspect the interiors of the buildings in the project prior to the time the Urban Renewal Administration authorized Federal assistance for the project. The Agency's records indicate that such authorization was made on the basis of an examination of the project area. We stated that the examination was too limited in scope to provide proper support for the Agency's determination that large-scale demolition was warranted.

In his letter to Senator SPARKMAN, Mr. Slayton states that, "The regional office had adequate knowledge of the area to evaluate data submitted by the city in terms of the presence of a sufficient percentage of structurally substandard buildings and also of other blighting factors such as incompatible or deleterious uses, obsolescence or incompatible land use relationships, all of which are recognized under the Urban Renewal Administration policy as conditions which may warrant clearance."

We do not contest the statement that the Agency had knowledge of the blighting factors in the area. Indeed, our report notes that these factors are so broad that they can be applied to any building. Our point was that the agency did not have adequate knowledge as to the structural condition of the buildings. Except in extreme cases, it would seem that such knowledge can only be obtained by inspecting the interiors of the buildings; the Agency made no such inspections prior to the approval of large-scale demolition. In view of Mr. Slayton's statement that, as a requisite for clearance, a specified percentage of buildings in the project area must be structurally substandard, it follows that the interiors of the buildings should be inspected in order to determine whether this standard has been met. The Agency's knowledge of the structural condition of the buildings was based on the city's inspection reports. In view of the facts that (1) the reports did not specify the extent to which the classifications of substandard were based upon structural defects and (2) as noted above, the classifications were subsequently contested by the Agency's specialist, we believe that the city's inspection reports did not afford the Agency adequate knowledge as to the actual structural condition of the buildings. Mr. Slayton informed us that the city's classification system needs modification.

In view of the large amount of Federal expenditures involved, we believe that it was incumbent upon the Agency to have its specialists inspect the interiors of the buildings. We believe that such inspections need not necessarily be made of each building. However, we believe that the inspections should be of sufficient scope and depth to (1) verify the validity of the city's reports and classifications and (2) satisfy the Agency that its structural standards for clearance have been properly met.

4. "Does the General Accounting Office have knowledge of any consideration given by the Urban Renewal Administration or the local public agency to alternate plans for the Erieview project which were designed to save or utilize more of the standard structures in the area?"

In his letter to Senator SPARKMAN, Mr. Slayton states that the Agency "determined that the city in submitting the present plan had given adequate consideration to alternative plans that might have permitted the retention of some of these structures." During our review, we noted that the urban renewal plan was not prepared by the city. In June 1960, the city engaged the architecture firm of I. M. Pei & Associates to draw up a detailed plan for the redevelopment of the Erieview urban renewal area. Its plan was adopted by the city planning commission in November 1960. The loan and grant contract providing for Federal financial assistance for the project was executed in March 1961. The plan submitted to the city provided for large-scale demolition. Although we do not know to what extent, if any, the architecture firm considered plans other than the one submitted, we could find no evidence that the city, or the Urban Renewal Administration, gave consideration to any alternate plan.

We noted in our report that sizable areas within the project I boundaries were substantially free of structurally substandard buildings and that such buildings accounted for a relatively small proportion of the ground and total floor area of the buildings in the project area. We concluded that, because the actual condition of the buildings in the project area was not determined by the Agency, the Urban Renewal Administration approved the demolition of many sound structures which might have been improved and successfully integrated into the project. Accordingly, we recommended that the Administrator and Commissioner review the proposed demolition of buildings in the area with the view toward retaining those buildings that can be successfully integrated into the project.

In his letter to Senator SPARKMAN, Mr. Slayton states that we have recommended "that the Urban Renewal Administration inspect each building and itself make the determination as to whether it should be retained." He states that such a recommendation is not consistent with the local nature of the program. With regard to the Erieview project, he states that the retention of the structurally sound buildings in the project area "would have prevented achievement of an urban renewal plan that was the result of the city's intensive study of its own needs, * * * and it would have accorded with neither law nor public policy for the Urban Renewal Administration to have overruled the city's carefully considered plans."

Our recommendation did not contemplate that the Urban Renewal Administration determine whether each building in a project area should be demolished or retained and integrated into the project, nor did it contemplate the retention of any specific building or group of buildings in the Erieview area. Moreover, we agree that the Urban Renewal Administration should not "overrule" a city's determinations regarding the extent of demolition that it considers desirable. However, we believe that the Urban Renewal Administration should carefully and prudently consider the extent to which the Federal Government will share in the cost of such proposed demolition.

With regard to large-scale demolition projects, most cities submitting plans for such projects presumably have made intensive studies of their own needs and have carefully considered the plans. If the Urban Renewal Administration does not wish to realistically evaluate such plans, it would seem that the practical effect would be that Federal financial assistance would be provided without any Federal safeguards. However, it appears to be the intent of the urban renewal legislation that there is a need for Federal scrutiny as a condition to such financial assistance. This need is recognized by the agency's regulations which prescribe that "The LPA must also (1) show that the extent of clearance proposed is warranted, and (2) fully justify the acquisition of individual parcels of basically sound property which involves high acquisition costs and might not be incompatible with land use proposals. Every possibility must be explored to develop an urban renewal plan which permits a maximum number of sound structures to remain in the area."

We agree with the intent of this policy and have recommended that more effective administration, at all levels, of this policy be obtained. We believe that to effectively

implement this policy, it is essential that the Housing and Home Finance Agency and the Urban Renewal Administration make critical evaluations of proposed urban renewal plans in order to arrive at an informed judgment as to the extent to which the Federal Government should participate in the costs of implementing the plans. We could not find evidence to show that the required evaluations were made of the plan for Project I—Erieview.

We trust that the foregoing has been responsive to your letter. We will be pleased to furnish you with any additional information you desire.

Sincerely yours,

JOSEPH CAMPBELL.

Mr. Speaker, from my reading of the report, Commissioner Slayton's letter, and that of the Comptroller General, I note a wide area of disagreement. For example, Commissioner Slayton implies that the General Accounting Office is in opposition to Urban Renewal's Erieview project. In contrast, Comptroller General Campbell says that the GAO is only recommending that existing procedures, protective of the taxpayer's dollar, be observed and tightened. The Erieview project is presently estimated as costing $38 million and the city of Cleveland is contributing, according to the last urban renewal records available, no cash, land, nor demolition work to it.

Also, Commissioner Slayton says that of the 118 buildings in the Erieview area only 13 are salvageable, and of the 105 remaining, 84 are substandard. Comptroller General Campbell, in behalf of the General Accounting Office, reported that 60 of these 84 were rated structurally sound and so rated not by the General Accounting Office personnel, but by a technically qualified expert of the Chicago office of the Housing and Home Finance Agency. Included in this 60, were 5 buildings with appraisals of $900,000, $840,000, $660,000, $186,000, and $80,000. These sums, plus removal expenses for the businesses located within the buildings, go to make up a large portion of the $38 million cost of the project. In addition, Mr. Speaker, an attempt has been made recently to discredit the report by attacking the former head of the Cleveland Branch of the General Accounting Office as the admittedly prejudiced author of the GAO's report. The gentleman in question, a Mr. Beeman, a career public servant of 37 years standing, and a Democrat, denies admitting prejudice, does say he was concerned about the Erieview project. I think he is correct and I do not think he is alone.

Also, within the past week, the District of Columbia Subcommittee of the House, under the chairmanship of the gentleman from Texas [Mr. DOWDY], has established that within the District an illegal urban renewal project has been approved. This has been done, contrary to the law as set forth by the Congress, and despite the supposed safeguards set up by the Urban Renewal Administration.

In view of the facts I have just detailed, I earnestly recommend that Members of Congress, particularly those with urban renewal projects within their districts, give careful attention to Comptroller General Campbell's report and letter to me.

POLICY IN LATIN AMERICA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. BATTIN] is recognized for 15 minutes.

Mr. BATTIN. Mr. Speaker, I am chairman of a special subcommittee on Cuba and subversion in the Western Hemisphere. The committee is a part of the Republican policy committee special projects.

It is time for the Kennedy administration to realize that there will be no real stability in Latin America as long as a Communist government is on the loose anywhere in this hemisphere.

Six Latin American governments have been overthrown since the disaster at the Bay of Pigs—Argentina, Ecuador, Peru, Guatemala, Honduras, and the Dominican Republic.

The administration has expressed alarm, dismay, and exhibited more than a little bit of confusion, each time such a government has fallen. It is becoming increasingly clear, moreover, that the administration does not fully comprehend exactly what there is to be alarmed and dismayed about.

The administration has shown that it does understand that these governments have fallen because they were unstable. It has shown some understanding of the basic economic and social conditions that contribute to instability. But it has failed utterly to recognize that an insecurity created by its own policies, as well as those of the Castro regime, have had an all-important bearing on the recent upheavals.

Two facts are crystal clear to those who live under unstable governments in Latin America: First, the single-minded and ruthless campaign conducted by Moscow and through Havana to seize power in every Latin American nation; and, second, the paralysis of the will of the Government of the United States—most plainly exhibited on the beaches of the Bay of Pigs in April of 1961—which prevents the Kennedy administration from acting in time, or from acting with sufficient vigor, or from acting at all in times of crisis.

In these circumstances, it is not surprising that men decide that weak and unstable governments lead inevitably to Communist chaos and takeovers and must therefore be overthrown before they are undermined by the Communists.

These considerations have particular application to the overthrow of the Bosch government in the Dominican Republic. Responsible journalists have published evidence which cannot be disregarded of dangerous infiltration by Castroites in positions of influence under the Bosch regime. The first words uttered by Bosch when he reached a foreign port after his expulsion from the Dominican Republic were words of praise for Castro's followers in his country as a force which "is not calling for a struggle to achieve communism, but to achieve liberty"—UPI dispatch October 1, 1963. And Castro praised Bosch for his "discreet policy." He said:

> Bosch deserves a little more respect than the rest of them * * *. He was not characterized like the Somozas, the Romulos (President Romulo Betancourt of Venezuela), and the worst lackeys of imperialism, by his hate of Cuba, by his anti-Cuban policy, but rather he dedicated himself to the problems of his country and maintained a discreet attitude."—Castro on Havana Radio-TV, September 30, 1963.

This exchange of compliments has great significance.

Now, at a time when indecision and confusion on the part of the United States can produce disaster, the Kennedy administration appears to be without a policy toward the Dominican Republic. Secretary Rusk and Assistant Secretary Martin have made conflicting statements on the matter.

In order to help the administration to make up its mind, this committee offers a proposal.

We urge that the administration send a mission to the Dominican Republic to determine whether the Government now in power should be recognized and assisted by the Government of the United States. We recommend that representatives of the Congress be included in the membership of such a mission.

If the present Government of the Dominican Republic enjoys stability and popular support, if it will proceed toward the goals of freedom and economic progress, it deserves speedy recognition and sympathetic support from the United States.

To deal effectively with the general problem of promoting stability in Latin American countries, the administration must begin to act resolutely to curb Cuban based subversion.

It is nonsense to think that Castro has been isolated when his followers create turmoil in Venezuela and Cuban vessels invade British islands to kidnap refugees.

Within the next few days this committee will release a report offering recommendations to accomplish this result.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RODINO, for the week of October 14, 1963, on account of official business.

Mr. ELLSWORTH (at the request of Mr. ARENDS), through October 16, on account of official business.

Mr. VAN PELT (at the request of Mr. ARENDS), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WHITENER, for 30 minutes, today.

Mr. HEMPHILL (at the request of Mr. BOGGS), for 60 minutes, today, and to revise and extend his remarks.

Mr. PATMAN, for 30 minutes, on Wednesday and Thursday next, to revise and extend his remarks and to include extraneous matter.

Mr. GONZALEZ, for 5 minutes, today.

Mr. GALLAGHER (at the request of Mr. GONZALEZ), for 60 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. WIDNALL (at the request of Mr. HARRISON), for 15 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. BATTIN (at the request of Mr. HARRISON), for 15 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. GUBSER (at the request of Mr. HARRISON), for 1 hour, on Wednesday, October 16, to revise and extend his remarks and to include extraneous matter.

Mr. GONZALEZ, for 1 hour, on Thursday, October 17, to revise and extend his remarks and to include extraneous matter.

Mr. DULSKI (at the request of Mr. CHARLES H. WILSON), for 60 minutes, on October 17, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROOSEVELT and to include extraneous matter.

Mr. BOLAND and to include extraneous matter.

Mr. MICHEL and to include extraneous matter.

(The following Members (at the request of Mr. HARRISON) and to include extraneous matter:)

Mr. FINO.

Mr. HOEVEN.

Mr. ALGER.

(The following Members (at the request of CHARLES H. WILSON and to include extraneous matter:)

Mrs. GREEN.

Mr. GALLAGHER.

Mr. GARMATZ.

SENATE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS REFERRED

Bills, a joint resolution, and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1049. An act relating to the Indian heirship land problem; to the Committee on Interior and Insular Affairs.

S. 1588. An act to authorize the extension of conservation reserve contracts through 1965, and increase the limit of annual payments under the cropland conversion program to $20 million; to the Committee on Agriculture.

S. 1915. An act to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and to encourage the reduction of excess marketings of milk, and for other purposes; to the Committee on Agriculture.

S.J. Res. 123. Joint resolution to authorize the printing and binding of an edition of Senate procedure and providing the same shall be subject to copyright by the authors; to the Committee on House Administration.

S. Con. Res. 59. Concurrent resolution to print, for the use of the Committee on Government Operations, 25,000 additional copies of a revised committee print entitled "Federal Disaster Relief Manual"; to the Committee on House Administration.

S. Con. Res. 61. Concurrent resolution authorizing the printing of additional copies of hearings on "Organized Crime and Illicit Traffic in Narcotics" of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; to the Committee on House Administration.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on October 10, 1963, present to the President, for his approval, bills of the House of the following titles:

H.R. 242. An act to amend section 1820 of title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration; and

H.R. 7179. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Tuesday, October 15, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1282. A letter from the Assistant Secretary of State, transmitting the texts of the following: (1) ILO Convention (No. 117) concerning basic aims and standards of social policy, (2) ILO recommendation (No. 116) concerning the reduction of hours of work, and (3) ILO recommendation (No. 117) concerning vocational training, adopted by the International Labor Conference at its 46th session, at Geneva, June 22, June 26, and June 27, 1962, respectively, pursuant to article 19 of the constitution of the International Labor Organization (H. Doc. No. 165); to the Committee on Foreign Affairs, and ordered to be printed with accompanying papers.

1283. A letter from the Acting Secretary o Agriculture, transmitting a draft of proposed legislation entitled "A bill to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish upon a reimbursable basis, certain inspection services involving overtime work"; to the Committee on Agriculture.

1284. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting chapter 1 entitled "Basic Principles of the National Plan for Emergency Preparedness," developed in collaboration with the various executive departments and agencies with emergency preparedness responsibilities, pursuant to a Presidential letter of promulgation dated August 1963; to the Committee on Armed Services.

1285. A letter from the Deputy Assistant Secretary of the Army (Research and Development), transmitting a report on Department of the Army research and development contracts for $50,000 or more which were awarded during the period January 1, 1963, through June 30, 1963, in accordance with provisions of section 4 of Public Law 557, chapter 882, 82d Congress, 2d session, approved July 16, 1952; to the Committee on Armed Services.

1286. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the "Report on Borrowing Authority" for the period ending June 30, 1963, prepared semiannually in compliance with section 304(b) of the Defense Production Act as amended; to the Committee on Banking and Currency.

1287. A letter from the Comptroller General of the United States, transmitting a report on inadequacies in planning and operation of electronic data processing systems at the Kansas City and Evanston commodity offices, Agricultural Stabilization and Conservation Service, Department of Agriculture, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

1288. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report showing that the proceedings have been finally concluded with respect to several Indian tribes, pursuant to provisions of section 21 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

1289. A letter from the Deputy Administrator, Veterans' Administration, transmitting copies of a report of tort claims paid by the administration during the fiscal year ended June 30, 1963, pursuant to section 404 of the Federal Tort Claims Act, title IV, Public Law 601, 79th Congress; to the Committee on the Judiciary.

1290. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting various reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification under the act, pursuant to the provisions of section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1291. A letter from the Administrator, Federal Aviation Agency, transmitting a report of all claims paid by the Federal Aviation Agency during the fiscal year 1963, under part 2 of said act, pursuant to the provisions of section 404 of the Federal Tort Claims Act (28 U.S.C. 2673); to the Committee on the Judiciary.

1292. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation, entitled, "A bill for the relief of Lt. Col. Nicholas A. Stathis, U.S. Air Force"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Science and Astronautics. S. 1064. An Act to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity; without amendment (Rept. No. 846). Referred to the House Calendar.

Mr. MILLER of California: Committee on Science and Astronautics. H.R. 5838. A bill to amend the act of March 3, 1901 (31 Stat. 1449) as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to make certain improvements of fiscal and administrative practices for more effective conduct of its research and development activities; without amendment (Rept. No. 847). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. S. 1523. An act to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes; with amendment (Rept. No. 848). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 5244. A bill to modify the project on the Mississippi River at Muscatine, Iowa, to permit the use of certain property for public park purposes; with amendment (Rept. No. 849). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 6001. A bill to authorize the conveyance to the Waukegan Port District, Illinois, of certain real property of the United States; with amendment (Rept. No. 850). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 8821. A bill to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958 title XII of the Social Security Act are to be restored to the Treasury; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 8822. A bill to revise the provisions of law relating to the methods by which amounts made available to the State pursuant to the Temporary Unemployment Compensation Act of 1958 title XII of the Social Security Act are to be restored to the Treasury; to the Committee on Ways and Means.

By Mr. ABELE:

H.R. 8823. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. DOLE (by request):

H.R. 8824. A bill to amend the Federal Aviation Act of 1958 to provide for third-level air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 8825. A bill to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 8826. A bill to amend the Social Security Act to establish a national system of minimum retirement payments for all aged, blind, and disabled individuals; to the Committee on Ways and Means.

By Mr. SICKLES:

H.R. 8827. A bill to extend the act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.J. Res. 774. Joint resolution providing for the recognition and endorsement of the 17th International Publishers Congress; to the Committee on Foreign Affairs.

By Mr. MATTHEWS:

H.J. Res. 775. Joint resolution proposing an amendment to the Constitution of the United States relating to the preservation of the freedom of association; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 8828. A bill for the relief of John T. Cox; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 8829. A bill for the relief of Milan Knor; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 8830. A bill for the relief of Giovanni Nigro; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

355. By the SPEAKER: Petition of Wayne E. Vincent, Tulsa, Okla., requesting Congress to take corrective action on the proposition of discrimination against handicapped people; to the Committee on Education and Labor.

356. Also, petition of Secretary Deputy, House of Representatives, Lima, Peru, petitioning consideration of their motion of the day with reference to expressing its democratic solidarity with the Dominican people, formulating wishes for the prompt reestablishment of the constitutional normality in that fellow country and trusts that the Executive power, backing up the basic principles of the inter-American system, may reaffirm the principal position of our country, adverse to the overthrow, by violence, of the popular regimes legally constituted; to the Committee on Foreign Affairs.

357. Also, petition of Edgar Seymour Kalb, Mayo, Md., relative to proposed legislation included in his petition receiving committee hearings and floor action; the legislation dealing with protection from improper fines and punishments and for the protection of the civil liberties of the people; to the Committee on the Judiciary.

358. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to legislation that would abolish the Federal subsidy to wheat farmers in their foreign sales, that is, those who receive a differential of 55 cents for every bushel of wheat sold on the foreign market; to the Committee on Agriculture.

359. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to legislation that would limit the total profit of all U.S. Defense Department business contracts to 10 percent of the total of such contracts, thus eliminating unwarranted returns on Government contracts; to the Committee on Armed Services.

360. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to passing a congressional resolution to praise outgoing Chancellor Konrad Adenauer of West Germany as a true Democrat and a real friend of America; to the Committee on Foreign Affairs.

361. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to enacting legislation providing that in any wheat deals with Communist countries, certain concessions on certain test areas be made as to free, open elections demanding honest, representative democratic government; to the Committee on Foreign Affairs.

362. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to printing as a House document a study entitled "Imprisonment in the United States for Contempt of Court as a Method To Evade Imprisonment for Debt"; to the Committee on House Administration.

363. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to prohibiting usage in public documents the phrase "War Between the States"; to the Committee on House Administration.

364. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to legislation that would establish the sequicentennial commission for the celebration of the Battle of New Orleans, and change the name of Chalmette National Historical Park to the Battle of New Orleans National Park; to the Committee on Interior and Insular Affairs.

365. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to disposition of the site of the former Alcatraz Federal Penitentiary, San Francisco, Calif.; to the Committee on the Judiciary.

366. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to requesting Congress to disregard memorials from State legislatures calling upon Congress to call a new U.S. Constitutional Convention for a specific purpose, and in case of such convention the agenda will be unlimited; to the Committee on the Judiciary.

367. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to passage of H.R. 8421, legislation that provides for a much-needed park on U.S. Capitol Hill, and suggesting several appropriate names for the park; to the Committee on Public Works.

368. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to legislation that would amend the Rules of the House of Representatives to abolish the motion to recommit; to the Committee on Rules.

369. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to abolishing the concept of tax-exempt bonds and securities for U.S. income tax purposes; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Wheat to Russia

EXTENSION OF REMARKS

OF

HON. CHARLES B. HOEVEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1963

Mr. HOEVEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement of Republican members of the House Committee on Agriculture on the Soviet wheat transaction:

STATEMENT OF REPUBLICAN MEMBERS OF THE HOUSE AGRICULTURE COMMITTEE ON SOVIET WHEAT TRANSACTION

The undersigned, as individual Congressmen and as members of the House Committee on Agriculture, regret deeply that the President has seen fit to approve the sale of subsidized wheat to the Soviet Union.

We oppose this action because we believe trading with the enemy is morally wrong.

With the President's announcement, we have destroyed our position of moral leadership. How can we hope to stiffen free world resistence to communism? How can we expect other countries to cooperate in our embargo of Cuba?

We oppose this action because it clearly is in direct contradiction to the expressed will of the U.S. Congress, as embodied in the Latta amendment in the Agricultural Act of 1961. This amendment expresses the firm

opposition of Congress to the sale of tax-subsidized farm commodities to Soviet Russia.

We oppose this action because we believe the vast majority of American farmers, like the vast majority of all Americans, are unwilling to sell out a high moral principle, even for solid gold.

CHARLES B. HOEVEN, Iowa; PAUL B. DAGUE, Pennsylvania; CLIFFORD G. MCINTIRE, Maine; DON L. SHORT, North Dakota; CATHERINE MAY, Washington; DELBERT L. LATTA, Ohio; RALPH HARVEY, Indiana; PAUL FINDLEY, Illinois; RALPH F. BEERMANN, Nebraska; EDWARD HUTCHINSON, Michigan.

Address by Hon. Margaret Chase Smith, of Maine, Before the Propeller Club, Baltimore, Md., October 9, 1963

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, October 14, 1963

Mr. GARMATZ. Mr. Speaker, on October 9, 1963, the senior Senator from Maine, the Honorable MARGARET CHASE SMITH, addressed the national conference of the Women's Propeller Conference in Baltimore, Md., of my home district. I, as a vigorous advocate for an improved and expanded U.S. merchant marine, found it to be timely and of considerable interest. I believe that it is worthy of the attention of the Members of Congress and, in that belief, I include it in the RECORD, as follows:

Mrs. McCary, ladies of the Women's Propeller Club, and members of the Men's Propeller Club, I am delighted to be here this morning, and am very grateful for the invitation to meet with you.

Coming from Maine where everyone feels a kinship for the sea, it is natural that I would be very interested in this club's major activity, which is to sell the people of the United States on the importance of having an adequate fleet of merchant ships which will guarantee all our people free access to world markets.

I am very happy that my committee assignments in the Senate keep me in close touch with nautical matters. Even without these assignments on Appropriations and Armed Services, the fact that the State of Maine has two thriving ports, Portland and Searsport, keeps me constantly aware of the problems of harbor maintenance and improvements. The presence of the Bath Iron Works, a private shipyard, and the Portsmouth Navy Yard at Kittery, a Government shipyard, also gives me insight into the problems of workers in both types of yards. I have still another contact with the merchant marine, in that Maine has one of the six fine maritime academies producing much-needed officers for your industry. From all this you can see that I can strongly identify with the Propeller Club.

I am very conscious of the often repeated statement "that no nation with a seacoast can stay strong without a strong merchant marine and navy." I also realize that because of our high standard of living, because of stringent Coast Guard safety regulations, because the Department of Defense insists on expensive betterments on our new ships, and because we have strong vigorous maritime unions, it is impossible for the ships of the U.S. merchant marine to compete with ships of other nations whose standard of living makes it possible for them to pay their crews and shipyard workers less money, and who do not have to contend with the four items just mentioned.

I have read speeches within months which have called upon the operators of our ships to use their American ingenuity to find a way to operate our merchant ships without subsidy in the future. To believe that the United States will ever get to a point where they can operate ships in competition with the other nations of the world without a subsidy is just wishful thinking. I believe it is one of your major tasks as a club interested in promoting the U.S. merchant marine to make it plain why a subsidy is necessary and unavoidable.

This country has always subsidized transportation. Railroads could never have been built without either direct subsidies or great gifts of land. The trucking industry has been subsidized by the building of great roads all over our Nation, but the strangest subsidy that we have spent on transportation is the billions of dollars that we have given foreign countries so that they could buy our war surplus ships and build new and modern shipyards. In other words, under the guise of foreign aid and mutual security, we have been generously subsidizing our maritime competitors in other parts of the world.

Because many other maritime nations, with our aid, have shipyards as well, if not better, equipped than some of our yards, we have taken away from our merchant marine the possibility of building ships with innovations which would cut down their operational cost so that we can compete on an equal footing with the ships of other nations. A few years ago, we could hope that automation, resulting in small crews on our ships would put us in a competitive position, but it now seems that other nations will have automated ships long before we will. We should use every means in our power to minimize subsidy payments to shipping companies but we should be very careful not to curtail the effectiveness of our ships. The simplest and most logical approach to cutting down subsidy would be for our great industries and governmental departments to insist on the use of our own ships to carry 50 percent of the goods to and from this country even when it appears on the surface that a small advantage is present in the using of the foreign tonnage. Both industry and Government must be shown that by using foreign ships they are indirectly increasing subsidy payments in amounts that exceed the immediate savings.

I believe that the individual members of your club should devote their energies to convince industry and Government to use ships that fly our flag whenever it is possible.

Because many Congressmen and Senators come from States where they do not consider the merchant marine one of their major problems, you should spend considerable more time explaining to them that any belief or assumption that the merchant marine is not important to the whole country is in grave error. If U.S. flagships were not providing competition to the other merchant ships of the world, foreign owners and perhaps foreign governments could dictate to us freight rates that we would have to pay, we would be virtually at their mercy, and they could use their merchant ships as weapons of economic warfare to keep us out of profitable and necessary markets.

Some of our economists have not found it hard to calculate that if the United States did not have ships on all the major sea lanes of the world, the volume of our exports could be materially decreased and many raw materials which we need would be more costly or inaccessible to us altogether. Some people have estimated that the very existence of the U.S. merchant marine adds $1 billion a month to our national wealth.

With the many facts at hand which prove the need for the United States to have a strong merchant marine of its own, there are many persons in Washington with responsible positions who see little or no need for the United States to own and operate its own merchant ships. They need to be told what is going on in the U.S.S.R.

During the last few years this Communist nation, which is dedicated to the domination of the world, has become conscious of the need of merchant ships to carry out their national policy of burying all non-Communist nations. While our merchant fleet dwindles 200,000 or 300,000 deadweight tons a year, the Russian merchant marine is increasing by leaps and bounds. At the present rate of progress for them and deterioration by us, by 1970, they will have a larger merchant marine than the United States.

Even now this country should be aware that we are in a commercial war with no holds barred. The ironic part of this situation is that many of these ships being built for the U.S.S.R. are being constructed in shipyards built with our money. I am sure you are aware that in Washington both the legislative and administrative branches of Government are very much guided by the thinking of the people throughout the land. A club such as yours, which has members from all parts of the country and in every segment of the maritime industry, could be an ideal agency to disseminate this information. Although public relations campaigns in newspapers and magazines are very effective, more could be done by pin-pointing those who are going to cast the votes or make the decisions which are going to affect our merchant marine. It would seem that a direct contact with the persons who vote and make the decisions would be the most fruitful program. I am very glad to be with you and, for my part, I will always do everything I can to help strengthen the U.S. merchant marine.

Dr. Romaine P. Mackie

EXTENSION OF REMARKS
OF
HON. EDITH GREEN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, October 14, 1963

Mrs. GREEN of Oregon. Mr. Speaker, recently this House passed some legislation which will provide additional training of personnel and services for handicapped children. No program is better than the leadership at the top wants to make it. It is dependent on those who have the knowledge, the training, the experience to administer the program wisely and understandingly.

Today, I want to pay my respects to Dr. Romaine P. Mackie, who has brought wisdom and understanding to one of the

agencies within the Department of Health, Education, and Welfare.

Dr. Mackie is a national and international leader in the education of handicapped children. Since 1954 she has been Chief of the Unit on Exceptional Children and Youth in the Office of Education, U.S. Department of Health, Education, and Welfare. In that capacity she is concerned with aiding the schools of the Nation in providing suitable educational opportunities for about 6 million exceptional children of school age. These include some with mental retardation, some with physical handicaps, such as impaired vision or hearing, and others with serious emotional disturbances or social maladjustments. She is also concerned to some extent with the education of the highly gifted.

BACKGROUND

Dr. Mackie has had wide experience in the education of all types of exceptional children. In her native State of Ohio, she began her work as teacher of the mentally retarded and served as principal of a school for crippled children. Later in New York City, she conducted teacher education programs both at Teachers College, Columbia University, and at Hunter College of the city of New York. Prior to coming to the Office of Education as a specialist in 1947, she served as consultant in education of the handicapped in the California State Department of Education. Thus, she brought to the Office of Education a unique experience in State and local school systems as well as college and university teaching in the field of special education.

ACCOMPLISHMENTS

When Dr. Mackie became Chief of the Section on Exceptional Children and Youth in 1954, she was the only professional person on the staff. In 1956, a specialist in the education of the mentally retarded was added. Since that time several other specialists have joined the staff. Working together, these staff members gave assistance on current and crucial issues in the field of special education.

When Dr. Mackie first came to the Office of Education, only about one-third of the State education agencies had even one specialist concerned with handicapped children on their staffs. Thus, she gave much attention to the problems of States with limited staffs or no staffs at all, at a time when State education agency programs were developing. In 1963, every State has at least one person on its staff concerned with the education of handicapped children.

During the years from 1947 until the present, Dr. Mackie and her staff, as others were added, gave consultation and provided information to the State education agencies on specialized State legislation, financing patterns, personnel qualifications, and other related matters. At the same time, she also worked with national organizations having a specialized program interest in one or more types of exceptionality, such as the National Society for Crippled Children and Adults and the National Association for Retarded Children.

As early as 1952, Dr. Mackie singled out as the most critical issue in special education the need for securing more and better qualified special educators. She launched and directed, with the aid of outside assistance, a massive study on the "Qualification and Preparation of Teachers of Exceptional Children." This was conducted with the aid of 15 national committees and about 2,000 teachers and other specialists who gave information through questionnaires. In addition, both large and small information conferences contributed to the study which resulted in the publication of 13 Office of Education bulletins. Two of these bulletins were status reports which helped to provide some of the information sought by Members of Congress in relation to pending bills which finally became Public Law 85–926, Expansion of Teaching in the Education of the Mentally Retarded. The other publications resulting from this extensive study were concerned with competencies needed by special educators such as teachers of the deaf or teachers of the mentally retarded. These reports are aimed at improving the quality of the professional standards and preparation of teachers of handicapped children. Since the beginning of this study, Dr. Mackie has continued to work closely with colleges and universities having programs for the professional preparation of teachers of handicapped children.

In the Office of Education, Dr. Mackie has helped to formulate and direct an information service on the education of various types of exceptional children which is used not only nationally but also internationally. This service includes statistical as well as descriptive and opinion information.

In recent years, Dr. Mackie has given much of her time to the development of Office of Education grant programs which aid the handicapped. The first of these was that part of the Office of Education cooperative research program pertaining to the mentally retarded. She had administrative responsibility for this during fiscal year 1957 when the appropriation provided earmarked funds for research in the education of the mentally retarded. In fiscal year 1960, she carried the major responsibility for launching the fellowship program in the education of the mentally retarded authorized by Public Law 85–926. Since that time she has recruited and supervised the staff responsible for the administration of this highly successful program. Under this program, several hundred graduate fellowships have been granted for the preparation of persons who will engage in leadership positions in the education of the mentally retarded. More recently, she has aided in the scholarship program for the education of the deaf authorized by Public Law 87–276.

INTERNATIONAL CONTRIBUTIONS

Internationally, Dr. Mackie's contributions in her field of special education have been numerous and outstanding. During the summer of 1963, she presented a major address at an International Seminar on Special Education in Denmark, under the sponsorship of the International Society for the Rehabilitation of the Disabled. She is currently a member of the World Committee on Education of this organization. In 1960 she was a member of the U.S. official delegation to the Conference on Public Education sponsored by UNESCO and the International Bureau of Education. One of the special topics for that year was "Education of the Mentally Deficient." She has been a representative of the U.S. Government or of the Office of Education at other international conferences which took place in Puerto Rico, Stockholm, and Geneva. She went on a special mission in relation to the education of blind children to Libya and other points in the Near East. She has recently served in several capacities in formulating plans for international conferences in the United States. Examples are the Eighth World Congress of the International Society for the Welfare of Cripples in 1960, and more recently, the International Congress on Education of the Deaf held in Washington, D. C., in June 1963.

AWARDS AND CITATIONS

A distinguished educator, author, and Government administrator, Dr. Mackie is listed in Who's Who of American Women. She holds citations and awards from such organizations as the National Society for Crippled Children and Adults, the International Society for the Rehabilitation of the Disabled, the National Epilepsy League, and the Boy Scouts of America. From 1936 to 1939, she was awarded teaching fellowships at Teachers College, Columbia University, where she studied education of the handicapped. She is a member of Pi Lambda Theta, a women's honorary society in education, and numerous other professional organizations. She has been active in the American Association of University Women, a member of the National Council of Administrative Women in Education, and was a charter member of the Columbus (Ohio) Quota Club. Since 1956, she has been a member of the Secretary's Committee on Mental Retardation in the Department of Health, Education, and Welfare. She has directed conferences during the past year concerned with the implementation of the recommendations of the President's Panel on Mental Retardation. One of these was a conference of representatives of national organizations having an interest in at least one area of exceptionality; another was a conference of special education staff members from State education agencies.

Dr. Mackie holds degrees from Ohio Wesleyan University, Ohio State University, and has her Ph. D. from Columbia University. How fortunate we are to have Dr. Mackie as a public servant dedicated to the work of educating handicapped children. We still have much to

do, but I hope that under her continuing leadership, much greater progress can be made and the lives of hundreds of thousands of children will be enriched because of her love and devotion.

B'nai B'rith—Sons of the Covenant—1843–1963

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, October 14, 1963

Mr. BOLAND. Mr. Speaker, the great American organization known as B'nai B'rith celebrated yesterday, October 13, 1963, the 120th anniversary of its founding. The name in Hebrew means "Sons of the Covenant." At the time of its organization, the then small American Jewish community, chiefly composed of immigrants from different European nations, was not only subject to disabilities and discrimination from outside, but suffered from internal disunion and disagreements. A group of public-spirited leaders among the Jewish people, headed by Henry Jones, perceived the necessity of forming a group that would unite in social brotherhood and fraternal affection, those who valued their cultural and ethical inheritance of Judaism. Even from the moment of formation, however, this organization looked beyond the fraternal benefits to accrue to its own membership, and the promotion of the interests of their fellow Jews. The stated purpose of the brotherhood in its founding was: "Uniting Israelites in the work of promoting their highest interests and those of humanity." From that moment to this, B'nai B'rith has not faltered in directing its efforts toward the good, not of the Jewish people alone, but of all America and all the world. The current form of the preamble to the constitution is more detailed and specific, but still looks to the welfare of all humanity:

> B'nai B'rith has taken upon itself the mission of uniting persons of the Jewish faith in the work of promoting their highest interests and those of humanity; of developing and elevating the mental and moral character of the people of our faith; of inculcating the purest principles of philanthropy, honor, and patriotism; of supporting science and art; alleviating the wants of the poor and needy; visiting and caring for the sick; coming to the rescue of victims of persecution; providing for, protecting, and assisting the aged, the widow, and the orphan on the broadest principles of humanity.

In this spirit B'nai B'rith has contributed to the great advance of Judaism in America, in the past century and a quarter. This contribution has been principally and basically in the development of the principle of unity. Jews of American ancestry, immigrants from Portugal and Germany, Poland, Bohemia, and Austria, all found in B'nai B'rith the essential unity of brotherhood, honoring, in one another, their precious religious and racial heritage, and joining in brotherly fashion to improve their own lot and that of the community around them. One of the watchwords of American liberty is the phrase: "In union there is strength." In the history of B'nai B'rith we have a fine example of the strength of union being used in the building of the America we love. May this fine patriotic organization go on from strength to strength, through the coming years.

No. 16—Kentucky: The Gamblers' Paradise

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, October 14, 1963

Mr. FINO. Mr. Speaker, today, I would like to mention to the Members of this House, more particularly the congressional delegation from the State of Kentucky, about the hold of gambling on Kentucky. Parts of this State are famed as sportsmen's paradise. Several areas of Kentucky were long havens for gamblers. The extent of gambling in Kentucky is still great even now that Newport and Covington are no longer front page open cities.

In 1962, the parimutuel turnover in that State was $58 million from which the treasury received almost $3 million in legal tax revenues. However, this is only a small part of the story. The share of national offtrack betting turnover, based on testimony given to the McClellan committee that can be allocated to Kentucky is $850 million annually. The interesting chapter of the story is the total gambling in that State. Based on the testimony at those hearings, it can be estimated that the yearly gambling turnover can reach $1.7 billion.

This type of gambling, Mr. Speaker, is the checkbook of most other criminal ventures. Every bet placed in the hands of the professional gamblers helps to subsidize the criminal activities in that State—it provides organized crime with a solid treasury.

The gambling syndicates normally hang on to 10 percent of the total turnover, which would easily place their illicit profits at about $170 million a year.

One big expense is unavoidable. Protection is necessary for illegal gambling operations and the other criminal activities they support. Moneys illegally gambled thus also go to corrupt the political process.

Mr. Speaker, legalized and controlled gambling would do away with all of this. It would undermine crime syndicates, put badly needed revenues into Government hands and, at the same time, remove a source of corruption from the governmental process.

The best and only means to accomplish this is one that has worked all around the world—a Government-run lottery.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, October 14, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of October 12, 1963:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)
OCTOBER 12, 1963.

GOVERNMENT BY DECREE

Is Congress being robbed of its legislative functions by way of Executive orders? The number of Executive orders issued by President Kennedy, together with the import of his decrees, is setting up a pattern for dictatorship. How these Executive orders are becoming more and more a pattern can be shown in these facts:

1. The first Executive order issued in the United States was dated October 20, 1862. The first 15 Presidents issued no Executive orders.

2. From President Washington through President Eisenhower there were 10,913 numbered Executive orders.

3. In his first 3 years in office, President Kennedy has issued 207 numbered Executive orders. The increased acceleration is apparent when you consider President Eisenhower issued only 407 in 8 years. The unnumbered Kennedy orders are undetermined. (One source gave me a verbal estimate of 11,000, but this cannot be verified.)

Just two examples of Kennedy Executive orders indicate how constitutional power may be abused:

1. His first Executive order issued immediately after he took office in January 1961 directed the Secretary of Agriculture to buy eggs, pork, and beans for distribution to people in so-called depressed areas. The order was a clear violation of section 32 funds in the Agriculture Act and as such was unconstitutional and illegal.

2. His Executive order ending discrimination in housing clearly exceeded his authority and has actually resulted in curtailing FHA activity.

Little known, but highly significant, are 12 Executive orders which appeared in the Federal Register of February 20, 1962. Properly implemented these 12 decrees could end freedom for the people in America and establish President Kennedy as an absolute dictator.

1. Executive Order No. 10995, take over communications media.

2. Executive Order No. 10997, take over electric power, oil and gas, fuels, minerals.

3. Executive Order No. 10998, take over food resources and farms (including farm equipment).

4. Executive Order No. 10999, take over all modes of transportation, highways, seaports, etc.

5. Executive Order No. 11000, mobilization of civilians into work force under Government supervision.

6. Executive Order No. 11001, Government take over health, education, and welfare functions.

7. Executive Order No. 11002, Postmaster General operate national registration of all persons.

8. Executive Order No. 11003, Government take over all airports and craft.

9. Executive Order No. 11004, housing and finance authorities to relocate communities, to build new housing with public funds, designates areas to be abandoned as unsafe, establish new locations for populations.

10. Executive Order No. 11005, take over railroads, inland waterways and storage.

11. Executive Order No. 11051, designates responsibilities of emergency planning, gives authorization to put all other Executive orders into effect in times of internal tension, economic or financial crisis. Part I, section 101d, states director to perform additional functions as President may direct.

Congress alone can protect our constitutional form of government, the Republic within a democracy, with its separation of powers by refusing to delegate constitutional responsibility to the Executive and by taking action to override his Executive orders. Is this trend toward dictatorship of concern to the people of Dallas? What do you think?

SIGNIFICANT HAPPENINGS THIS WEEK

There were three votes against the conference report on appropriations for the Defense Department. Mine was one of the three—not because I am against adequate appropriations for defense, but because we can cut back on unessential activities without endangering our defense position. My vote was a protest against the Senate increasing the appropriations amendments earlier trimmed by the House.

I opposed the appropriation bill for independent agencies. It was political duplicity and gave Congressmen a chance to talk out of both sides of our mouths. While claiming to have trimmed $1.5 billion from the budget we increased the amount for these 26 agencies by $1.2 billion. We should establish priority in spending and so balance the budget without cutting any essential projects. On the public buildings section, I pointed out the lack of proper priority by the inclusion of certain projects less meritorious than the Dallas Federal Building.

The President's wheat deal with Soviet Russia subsidizes Russian purchase of wheat, releases Russian farmworkers to work in missile and weapons production, hides from their own people the failure of Communist planning in agriculture. I wonder how many American boys have been killed by Communists, for instance in Vietnam, who have been kept strong with American-produced food.

Christopher Columbus Honored

EXTENSION OF REMARKS

OF

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1963

Mr. GALLAGHER. Mr. Speaker, as in many cities, Christopher Columbus was honored in Jersey City and Bayonne last Saturday, the anniversary of the birth of the man who discovered America. But in Jersey City, which is in my district, Christopher Columbus, of Genoa, Italy, was present in person. This latter-day Columbus was brought from his native land to lead a parade of 20,000 marchers, 40 bands and 50 beautiful floats that passed for review before nearly 200,000 citizens. It was an inspiring demonstration of the spirit that must have sustained the great navigator on his heroic voyage, a spirit which has encouraged hundreds of thousands of Italians who settled in America to succeed in their adopted land in business and in government. The contributions which the men and women of Columbus' land have made to this country are beyond counting.

In Jersey City and Bayonne the sons and daughters of early immigrants from Italy are prominent in the professions, in education, business and in government.

On a prominent site at Journal Square in Jersey City there stands a magnificent statue of Christopher Columbus, a reminder to all of the courage and perseverance that led to the discovery of this great land, a reminder to the millions who followed Columbus that these attributes are requisites for success today in any endeavor.

We were mindful as we witnessed that wonderful parade that not only did Columbus discover America, but he left a heritage of wisdom and courage that benefits mankind to this day.

Wheat Sales to the Reds: Government by Executive Order

EXTENSION OF REMARKS

OF

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1963

Mr. MICHEL. Mr. Speaker, I realize that individuals may honestly differ as to the merits of selling wheat to Russia and I have carefully evaluated arguments on both sides of this issue. I recall discussing with Secretary Freeman earlier this year, during the hearings on the agriculture appropriations bill, the effect of sales of surplus commodities abroad. Among other things Secretary Freeman stated:

Any country that seeks to make economic progress is going to need food, because they spend 80 to 90 percent of their income for food, and as soon as they have money in their pocket, they buy food. If the food is not there, they will have inflation. * * * That doesn't mean that is practical or reasonable or sensible to run a relief program for the world, far from it. Nor does any political leader I know in any country in the world want us to. Nor do they want to become that dependent on us. But somewhere in between these different motivations and these different interests, there develops a program that I think is increasingly becoming more constructive, both as a part of American agriculture and as a part of American foreign policy, and as a part of trying to add strength to the free world.

Mr. Speaker, on the basis of that statement I will have to assume that Secretary Freeman would be opposed to the sale of surplus commodities to Russia. It would be impossible to rationalize the sale of wheat to Russia as trying to add strength to the free world. Moreover, our Government should be preoccupied with the policy of proving to the world that the system of communism is not infallible. If Russia's agricultural practices result in inflation we can harm the cause of the Russian farmer who desires free enterprise by selling wheat to a government that has sworn to bury us. At this point I wish to include an editorial from the September 26, 1963, issue of the New York Journal-American:

GRAIN OF SENSE

To our neighbor Canada, a dollar is a dollar and nobody is fussy about the source. That is, as long as the amount of dollars is big enough. Thus we have the spectacle of a member of the Western alliance selling a half billion dollars' worth of wheat to the Soviet Union, part of which was known in advance to be earmarked for Castro's Cuba.

As a result of this deal, the largest ever for 1 year, U.S. wheat farmers, their congressional representatives and the "Let's-not-be-beastly-to-the-Communists" school have been whooping it up for relaxing our rules against selling to the Soviet.

We think selling wheat to the Soviet is a sacrifice of principle and a help to a foe who has sworn to bury us.

It would be far better to sell all the wheat possible to the Western European countries.

Western Europe, restored to prosperity by U.S. help, needs no charity and can pay the top price. These countries mostly have been trading with the Communists as they can, despite the fact that it helps the common foe. In so doing they have—ironically—acquired a lot of U.S. gold dollars which this country needs to balance our payments deficit.

The United States is a signatory to the International Wheat Agreement which prevents us from dumping our surplus wheat on the world market at this point. Since that pact makes it possible for the Canadians and such to trade with the enemy without punitive action by us, it seems logical that the United States should reconsider it when it comes up for renewal.

Not the least important aspect of the wheat deal is the proof that Soviet crop failures are much more castastrophic than the Russians admit because farmers won't produce adequately under the Communist system.

This may be the only way the Russian people can get back at their Communist masters. It makes no sense for the United States to help the tyrants off the hook.

Mr. Speaker, although some may differ as to the merits, I do not see how it is possible to differ on the legality of the sale. The Latta amendment to the 1961 Agriculture Act expressly prohibits the export or sale of subsidized U.S. farm commodities to nonfriendly nations. There can be no question as to the intent of this amendment. If President Kennedy wanted this law repealed, he should have come to Congress for approval—for article I, section 1 of the Constitution provides that—

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The ruling from the Attorney General, the President's brother, was a farce, and in the days ahead, the people of this

country will come to realize that it had no basis in law. It reminds us that Attorney General Kennedy legally approved the transfer of tractors for Cuba to assist President Kennedy in his answer to Castro's prisoner bribe. It was not long, however, before the pressure of public opinion exposed that fraud on the judicial system of this country and the deal was called off.

Mr. Speaker, just as Mr. Chuck Dancey points out in his editorial of October 11, 1963, in the Peoria Journal Star, the American people are not stupid. The editorial follows:

PUTTING A GOOD FACE ON WHEAT DEAL

(By C. L. Dancey)

So we're selling wheat to the Soviet Union for the very good reason that if we don't according to the President, others will. He can back this up by the fact that others have done so in huge quantities.

Everybody knew we were going to. The delays came about in order, it would seem, to manage juggling the laws to get around them, and to put as good a face on it as possible.

Our Government is prohibited by law from such trade deals, but now they've got around that by juggling the Government-bought wheat into the hands of private traders and thence into the hands of the Soviets—who will get it for less money than our Government paid for it.

That little maneuver had to be arranged, although it wasn't too difficult for the President to get a favorable ruling from his brother, the Attorney General.

It is true that Canada and Australia have sold huge quantities of wheat to Russia, and we might as well pick up our $250 million and put a small dent in our surplus.

This thinking slides over the fact, however, that such a confession is a complete reversal of the role so impressively assumed by the President of the United States at his inauguration. He then proclaimed himself the "leader of the free world" and announced that he would be a real and effective leader thereof.

Now, we are told that the nations of Canada and Australia have compromised us and we have no choice but to follow their lead.

This situation comes less than a year after we had a row with the Conservative government in Canada that resulted in its ouster and replacement by a Liberal government friendly to U.S. policy.

The sour taste of the whole wheat situation climaxed by the wheat deal, itself, has a final sickly touch in the crude joke of the restriction against using our wheat for Cuba or China.

Obviously, with this wheat from us for their own use, the Russians can spare Canadian wheat for Cuba and Australian wheat for China.

Indeed, the way this whole thing was staged-managed, one wonders if the Russians didn't know in advance long before the President told us that they would get American wheat. For the early shipments of Canadian wheat were already directed to Cuba before he publicly announced approval of the sale of U.S. wheat to Russia.

With wheat for Russia and the satellites from the United States, they can send Australian wheat over the short haul to China more cheaply, as well as serve Cuba directly from Canada. We've just saved them from roundabout deliveries—and we present it under the cloak of a "restriction."

Why was all that fancy footwork necessary?

We had to sell the wheat as a practical matter. Everybody else is doing it. We've become such great leaders of the free world that we are now forced to fall in at the rear of the line. That is decisive enough.

Why try to dress it up, crudely, with a transparent pretense that it won't help Cuba, won't help China, and will hurt Russia to spend the money?

That is unnecessary, cheapening, and an insult to the intelligence of the people to whom it was addressed—the American people.

Some young "sharpie" was probably real proud of thinking up that bit of trickery.

Whoever it was may be a great angle-shooter, but he doesn't know much about the American people. They aren't stupid, but he obviously thinks they are very stupid indeed, to fall for that.

U.S. Adherence to OECD Film Code Provisions

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1963

Mr. ROOSEVELT. Mr. Speaker, many film industry employees live in my congressional district, and from time to time they have expressed to me their concern with regard to the effect on the domestic industry of the number of films produced by U.S. motion picture producers in foreign countries. The attached letter and news release from Assistant Secretary of Labor George L-P Weaver will be of interest, I am sure, to my colleagues and many of my constituents:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, October 15, 1963.

Hon. JAMES ROOSEVELT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROOSEVELT: As you may recall, the Department of Labor is seeking measures to alleviate unemployment problems in the American film industry. Part of the difficulty, according to the Joint Labor-Management Committee on Foreign Film Production, stems from considerable foreign production by U.S. motion picture producers.

It was the recommendation of the Joint Labor-Management Committee that if the United States should adhere to the film code of the Organization for Economic Cooperation and Development (OECD), American filmmakers would have a greater voice in seeking fair competitive conditions for U.S.-made films abroad. Therefore, as one step to take in dealing with this problem, the United States will adhere to the OECD films provisions. I expect to announce this fact at a meeting with the Joint Labor-Management Committee in Hollywood on Wednesday, October 16. The attached press release, which will be isued at that meeting, explains in detail the significance of our OECD film code adherence.

I thought you would find this information useful.

Sincerely yours,

GEORGE L-P WEAVER,
Assistant Secretary, International Affairs.

LABOR SECRETARY WIRTZ ANNOUNCES U.S. ADHERENCE TO OECD FILM CODE PROVISIONS

In order to deal more effectively with international questions of governmental policy affecting trade and employment in the motion picture industry, the United States has established a closer relationship with the member countries of the Organization for Economic Cooperation and Development (OECD), Secretary of Labor W. Willard Wirtz announced today.

The administration took this step by notifying the OECD at its headquarters in Paris that the United States was adhering to the organization's code of rules for international trade and financial transactions involving motion picture films.

A Joint Labor-Management Committee on Foreign Film Production of the American motion picture industry had petitioned Secretary Wirtz earlier this year to help in reducing the industry's unemployment. One of the recommendations of the joint committee was that the United States adhere to the OECD film code.

The joint committee attributes much of the industry's unemployment to foreign production by U.S. motion picture producers. Subsidies provided by certain European governments help to make it attractive for U.S. filmmakers to produce films within their countries.

Adherence to the OECD film code, Secretary Wirtz explained, would permit full U.S. participation in the proceedings of this OECD forum concerning motion pictures. In this way U.S. officials may work more effectively for fair competitive conditions for American-made films abroad.

The OECD's regular consultations on trade policy and liberalization of restrictions on international financial transactions provide opportunities for frank discussions among officials of members nations about the problems they share. The OECD holds periodic meetings of motion picture experts to give effect to its program of liberalization.

The OECD's rules on films constitute an annex to the code of liberalization of current invisible operations. The OECD code sets forth obligations to remove restrictions from current international transactions and payments. The United States adhered to the main body of the code in 1961. Article 2 of the annex to the code provides that production subsidies for full-length feature films "should be abolished to the extent that they significantly distort international competition in export markets."

The terms of accession to the OECD will involve no change in American laws or regulations affecting the use of imported films, nor will they affect the treatment to which American films are entitled under the General Agreement on Tariffs and Trade (GATT).

Members countries of the 20-nation OECD include the United States, the countries of Western Europe, and Canada. Japan's accession is expected soon. The membership thus includes almost all of the world's largest producers of motion pictures.

Labor and management representatives of the American motion picture industry have held a series of meetings this year with Assistant Secretary of Labor George L-P Weaver whom Secretary Wirtz had asked to find ways for easing the industry's unemployment problems. Mr. Weaver, in turn, has brought in representatives of the Departments of State, Commerce and Treasury.

"The American motion picture industry should benefit by our country's adherence to the OECD's provision on films," Secretary Wirtz said. "We will continue our efforts on behalf of the industry."