Virginia; Senator WILLIAMS, Republican, of Delaware; Senator THURMOND, Democrat, of South Carolina; Senator TOWER, Republican, of Texas; Senator MILLER, Republican, of Iowa, and Senator DIRKSEN, your own Senator from Illinois.

The title of this bill is "A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes." That is the greatest breakthrough we have had for the liberty amendment to date.

The liberty amendment is properly sponsored by the National Committee for Economic Freedom. You cannot have human freedom without economic freedom. They are one and inseparable, and all of us who believe in human freedom must preserve economic freedom.

Several years ago it was proposed that the States should be eliminated. There was a map designed by a former Secretary of the Interior based on the idea that State governments will cease to exist, as a matter of economy, and that, by having them cease to exist, government would be transferred to regional authorities—nine of them—with three appointed administrators in each of them to govern all of the affairs within the regional authority. That would mean that 27 men appointed by the President would constitute our entire governing body. That program was temporarily put aside, but it still simmers on the back burner, and the Department of the Interior is still rapidly increasing its vast domain.

If the liberty amendment is not adopted, the various States will cease to be sovereign. The counties and cities within the States will lose their sovereignty, and the State legislatures will become mere errand boys for a vast and monolithic Federal Government. Action must be taken positively and promptly to put the Federal Government in its constitutional place and thus preserve a Union of 50 sovereign States.

For this reason, I have again introduced House Joint Resolution 23, known as the liberty amendment to the Constitution, with a firm conviction that he who is governed best is governed least. In order to attain this amendment, all good Americans should give it active support by urging their State legislature to adopt a resolution in support of the liberty amendment.

SENATE

TUESDAY, APRIL 2, 1963

The Senate met at 11 o'clock a.m., and was called to order by Hon. LEE METCALF, a Senator from the State of Montana.

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

Our Father, God, who revealest Thyself in the true, the pure, and the lovely, grant us an awareness of Thy undergirding, taking the dimness of our souls away, as for demanding days we seek Thy guidance for the tangled ways we tread.

We come with gratitude for the love that our indifference cannot discourage, and for the patience that our wayward folly cannot exhaust. Though our faces are shadowed by the tragedies that darken the earth, we lift them in faith to the light that no darkness can put out.

In this day freighted with human destiny, vouchsafe to us, we pray, such a vision of our needy world with all its yawning divisions and its poisoning suspicions, and yet with its dawning sense of world brotherhood, that the decisions that are here made may never have to be reversed by those who come after us.

As we spend our years as a tale that is told, may it be to the last page a record of work well done, of duty faced without expediency, of honor unsullied, and of beckoning far horizons that we have not yet attained.

And when there comes the twilight and evening star and journey's end, and our work here is done, grant us a safe lodging, a holy rest, and peace at the last.

Through Jesus Christ, our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 2, 1963.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. METCALF thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 1, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 131. An act to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into under the Reclamation Project Act of 1939, and for other purposes;

H.R. 199. An act to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of deafness of both ears;

H.R. 211. An act to amend title 38, United States Code, to provide increases in rates of dependency and indemnity compensation payable to children and parents of deceased veterans;

H.R. 214. An act to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia;

H.R. 220. An act to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan;

H.R. 243. An act to amend section 314(k) of title 38, United States Code, to authorize payment of statutory awards for each anatomical loss or loss of use specified therein;

H.R. 248. An act to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing for certain blind veterans who have suffered the loss or loss of use of a lower extremity;

H.R. 249. An act to amend section 632 of title 38, United States Code, to provide for an extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans;

H.R. 844. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 845. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 1087. An act to release the right, title, or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve;

H.R. 1988. An act to provide for the settlement of claims of certain residents of the Trust Territory of the Pacific Islands;

H.R. 2635. An act to amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the 25-year lease limitations; and

H.R. 4423. An act permitting the Secretary of the Interior to continue to deliver water to lands in the third division, Riverton reclamation project, Wyoming.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1089) to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act, and it was signed by the Acting President pro tempore.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 131. An act to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

under the Reclamation Project Act of 1939, and for other purposes;

H.R. 844. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

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H.R. 2635. An act to amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the 25-year lease limitations; and

H.R. 4423. An act permitting the Secretary of the Interior to continue to deliver water to lands in the third division, Riverton reclamation project, Wyoming; to the Committee on Interior and Insular Affairs.

H.R. 199. An act to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of deafness of both ears;

H.R. 211. An act to amend title 38, United States Code, to provide increases in rates of dependency and indemnity compensation payable to children and parents of deceased veterans;

H.R. 214. An act to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia;

H.R. 220. An act to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan; and

H.R. 243. An act to amend section 314(k) of title 38, United States Code, to authorize payment of statutory awards for each anatomical loss or loss of use specified therein; to the Committee on Finance.

H.R. 248. An act to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing for certain blind veterans who have suffered the loss or loss of use of a lower extremity; and

H.R. 249. An act to amend section 632 of title 38, United States Code, to provide for an extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans; to the Committee on Labor and Public Welfare.

LIMITATION ON STATEMENTS DURING MORNING HOUR

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Judiciary Committee.

The Permanent Subcommittee on Investigations, of the Government Operations Committee.

The District of Columbia Committee.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF SMALL BUSINESS ACT

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Small Business Act, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF D.C. TRANSIT SYSTEM, INC.

A letter from the president, D.C. Transit System, Inc., Washington, D.C., transmitting, pursuant to law, a report of that company, for the year ended December 31, 1962 (with an accompanying report); to the Committee on the District of Columbia.

REPORT ON THE EFFECTIVENESS OF THE EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM OF THE U.S. DEPARTMENT OF STATE

A letter from the Chairman, U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting, pursuant to law, a report on the effectiveness of the educational and cultural exchange program of the U.S. Department of State (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON GRANTS FOR BASIC SCIENTIFIC RESEARCH

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on grants for basic scientific research, for the calendar year 1962 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON GOVERNMENT PRINTING OFFICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Government Printing Office, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORTS ON GOVERNMENT SERVICES, INC. AND GOVERNMENT SERVICES, INC.'S EMPLOYEE RETIREMENT AND BENEFIT TRUST FUND AND SUPPLEMENTAL PENSION PLAN

A letter from the Comptroller General of the United States, transmitting, pursuant to law, audit reports on Government Services, Inc., and Government Services, Inc.'s employee retirement and benefit trust fund and supplemental pension plan, year ended December 31, 1962 (with accompanying reports); to the Committee on Government Operations.

REPORT ON REVIEW OF UNECONOMICAL UTILIZATION AND PREMATURE DISPOSAL OF AIRCRAFT SPARK PLUGS BY DEPARTMENT OF THE AIR FORCE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of uneconomical utilization and premature disposal of aircraft spark plugs by the Department of the Air Force, dated March 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF POST OFFICE DEPARTMENT PRACTICE OF FURNISHING UTILITIES FOR CERTAIN VENDING MACHINES OPERATED BY POSTAL EMPLOYEE GROUPS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of Post Office Department practice of furnishing utilities for certain vending machines operated by postal employee groups, dated March 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF OVERPRICING OF SPARE PARTS AND MODIFICATION KITS PURCHASED FROM HAZELTINE CORP., LITTLE NECK, N.Y.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the overpricing of spare parts and modification kits purchased from Hazeltine Corp., Little Neck, N.Y., by Grumman Aircraft Engineering Corp. under Department of the Navy cost-plus-a-fixed-fee contract No. as 56-987c, dated March 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF EXCESSIVE COSTS OF A FIRE EXTINGUISHER REPLACEMENT PROGRAM IN THE DEPARTMENT OF THE ARMY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of excessive costs of a fire extinguisher replacement program in the Department of the Army, dated March 1963 (with an accompanying report); to the Committee on Government Operations.

MANAGEMENT OF CERTAIN LANDS ADMINISTERED BY THE SECRETARY OF THE INTERIOR

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORTS ON RECEIPT OF APPLICATIONS FOR LOANS UNDER THE SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that the St. John Irrigating Co. of Malad, Idaho, has applied for a loan under the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular affairs.

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that the King Hill Irrigation District of Elmore County, Idaho, has applied for a loan under the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

REPORT OF NATIONAL TRUST FOR HISTORIC PRESERVATION

A letter from the Secretary, National Trust for Historic Preservation, Washington, D.C., transmitting, pursuant to law, a report of that Trust, for the calendar year 1962 (with an accompanying report); to the Committee on Interior and Insular Affairs.

CONSOLIDATION OF JUDICIAL DISTRICTS OF SOUTH CAROLINA

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT RESOLUTION 17

"Joint resolution relating to pending Federal legislation on gold mining development

"Whereas gold production in our Nation, now at an all time low, is essential to the

stability of the monetary system of the United States; and

"Whereas use of gold for industrial and commercial purposes has increased to more than 3 million ounces annually and is still increasing; and

"Whereas mining production of gold has been only 1,500,000 ounces, the deficit being made up by sales from the Nation's monetary reserve; and

"Whereas it is evident that the gold miners of this Nation need higher prices to produce gold; and

"Whereas an increase in the dollar price of gold may interfere with international monetary policy, but incentive payments for newly mined gold from domestic gold mines would not; and

"Whereas such an incentive would reopen closed gold mines and restore lost jobs, particularly in the State of Alaska which is in need of such an industrial incentive to bring back a great Alaskan industry; and

"Whereas the passage of H.R. 1095 now pending before Congress will provide the incentive for a great new gold mining development and still protect the monetary stability of the United States; and

"Whereas H.R. 1095 has been endorsed by the Mining Advisory Committee of the Western Governor's Conference: Be it

"Resolved, That the Congress of the United States is respectfully urged to take favorable action on H.R. 1095; and be it further

"Resolved, That copies of this resolution be sent to Hon. John F. Kennedy, President of the United States; Hon. Lyndon B. Johnson, Vice President and President of the Senate; Hon. John W. McCormack, Speaker of the House of Representatives; Hon. Wayne Aspinall, Chairman, House Committee on Interior and Insular Affairs; Hon. Henry M. Jackson, Chairman, Senate Committee on Interior and Insular Affairs; and the Members of the Alaskan delegation to Congress.

"Passed by the house March 20, 1963.

"BRUCE KENDALL,
"Speaker of the House.

"Attest:

"PATRICIA R. SLACK,
"Chief Clerk of the House.

"Passed by the senate March 22, 1963.

"FRANK PERATROVICH,
"President of the Senate.

"Attest:

"EVELYN K. STEVENSON,
"Secretary of the Senate.

"By the Governor:

"WILLIAM A. EGAN,
"Governor of Alaska."

A joint resolution of the Legislature of the State of Colorado; to the Committee on Banking and Currency:

"SENATE JOINT MEMORIAL 12

"Joint memorial to the Congress of the United States and the President of the United States to reconsider any plans for the relocation of the Denver Mint, and to consider expanding the present Denver Mint to meet the increased production requirements of the U.S. Mint

"Whereas the relocation of the Denver Mint has been proposed as a solution to the problem of meeting the increased coinage requirements of the United States; and

"Whereas the forecast of total domestic coinage requirements for the fiscal years 1964 through 1966 is 4.1 billion coins per year, and the requirement is forecast to increase steadily until it reaches 7 billion coins per year by 1975; and

"Whereas although the Denver Mint and the Philadelphia Mint operating during the fiscal year 1962 produced a combined total of 3.6 billion coins, of which 2.5 billion coins were minted in Denver, the present facilities of both mints are not adequate to meet the forecast needs; and

"Whereas a study was undertaken to determine the feasibility of different alternative solutions to the problem of increasing minting requirements, and in connection with such study, Arthur D. Little, Inc. has published to the Director, Bureau of the Budget, entitled 'Production Facilities of the U.S. Mint,' in which the existing mint facilities were evaluated; and

"Whereas the report disclosed: That the Denver Mint produces coins at a cost of $0.30 per thousand less than the Philadelphia Mint; that the cost of securing land for the expansion of the Philadelphia Mint would be great, while the property for the expansion of the Denver Mint has already been acquired; that the Philadelphia Mint is limited by existing structure to a production of about 1.2 billion coins per year less than the Denver Mint could produce with only the addition of certain equipment; that the transportation costs for a single mint would be significantly higher than for multiple location mints: Now, therefore, be it

"Resolved by the Senate of the 44th General Assembly of the State of Colorado (the House of Representatives concurring herein), That the Congress and the President of the United States be hereby respectfully requested to reconsider any plans for relocating the Denver Mint, and to consider the expansion of the Denver Mint as the most economical and feasible solution to the problem of increased coinage needs; and be it further

"Resolved, That a copy of this memorial be transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, and the Members of Congress from the State of Colorado.

"JOHN D. VANDERHOOF,
"Speaker of the House of Representatives.

"DONALD H. HENDERSON,
"Chief Clerk of the House of Representatives.

"ROBERT L. KNOUS,
"President of the Senate.

"MILDRED H. CRESSWELL,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of Maine; to the Committee on Public Works:

"JOINT RESOLUTION—

"Joint resolution memorializing Congress to extend the northern terminus of the Interstate and Defense Highway System in Maine from Houlton to some point located on the northern boundary of the State of Maine

"Whereas it has been recognized that the Nation's economy and the Nation's security require the construction of a National System of Interstate and Defense Highways; and

"Whereas the primary responsibility for construction of such a system rests in the Federal Government; and

"Whereas the objective is to complete the presently designated National System by 1972; and

"Whereas the people of Maine through appropriate action have deemed it essential that the highways of this State be integrated into the Interstate and Defense System; and

"Whereas the Department of Defense of the U.S. Government has extensive defense installations in northern Aroostook County; namely, Loring Air Force Base located in Limestone, Maine, and supplemental installations to this base also located in the general area of northern Aroostook County, in the State of Maine: Now, therefore, be it

"Resolved, That we, your memorialists, recommend and urge to the Congress of the United States that appropriate actions be taken to require the Department of Commerce through the Bureau of Public Roads to relocate the northern terminus of the Interstate and Defense Highway System in Maine from Houlton to some point on the northern boundary of the State of Maine which would more adequately serve the more heavily populated areas of central and northern Aroostook County and would provide additional highway facilities for defense installations in northern Aroostook County; and be it further

"Resolved, That a copy of this memorial, duly attested by the secretary of State, be immediately transmitted by the secretary of state to the Senate and House of Representatives in Congress and to the Members of the said Senate and House of Representatives from this State.

"Read and adopted in senate chamber, March 26, 1963.

"CHESTER T. WINSLOW,
"Secretary.

"Read and adopted in the house of representatives, March 27, 1963.

"HARVEY R. PEASE,
"Clerk.

"Attest:

"PAUL A. MACDONALD,
"Secretary of State."

A joint resolution of the Legislature of the State of Oregon; to the Committee on Appropriations:

"ENROLLED SENATE JOINT MEMORIAL 7

"To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

"We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the Rogue Basin project has been authorized by the Congress of the United States; and

"Whereas the Rogue Basin project is a comprehensive river basin development plan providing for the maximum feasible benefits from flood control, fishery improvement, irrigation, recreation, municipal water supply and power production; and

"Whereas the present low waterflow and present high water temperatures threaten the continued existence of valuable anadromous fisheries; and

"Whereas repeated winter floods destroy valuable property and prevent development; and

"Whereas the Rogue Basin is highly populated and a growing area primarily dependent on the timber industry; and

"Whereas the timber production of the area is stable and its employment decreasing because of increasing efficiency; and

"Whereas the need for a more broadly based economy and increased employment opportunity is urgent; and

"Whereas the construction and operation of the Rogue Basin project would restore the fisheries, broaden the economy, increase employment in the State of Oregon and provide flood control: Now, therefore, be it

"Resolved by the Legislative Assembly of the State of Oregon:

"1. The Congress of the United States is urged to provide for a supplemental appropriation for the Rogue Basin project in the amount of $50,000 to be used by the Corps of Army Engineers for final planning in the fiscal year of 1963.

"2. The Congress of the United States is urged to provide an appropriation of $365,000 for the Corps of Engineers to be used for final planning, site acquisition and construction of the Rogue Basin project for the fiscal year of 1964.

"3. The secretary of state shall send a copy of this memorial to the President and Vice President of the United States, and to each

member of the Oregon congressional delegation.

"Adopted by senate March 12, 1963.

"DALE C. HENDERSON,
"Secretary of Senate.

"BEN MUSA,
"President of Senate.

"Adopted by house March 15, 1963.

"CLARENCE BARTON,
"Speaker of House."

A joint resolution of the Legislature of the State of Oregon; to the Committee on Commerce:

"ENROLLED HOUSE JOINT MEMORIAL 13

"To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

"We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the livestock slaughtering and processing industry is essential to the economy of the State of Oregon and the Western United States; and

"Whereas a historic and economically vital formula on the cost of transportation of fresh meats as compared to livestock, westbound from the Midwest, has been destroyed by the imposition of freight rates discriminatory to livestock processing plants in Oregon; and

"Whereas under this historic formula the rates for transportation of fresh meats were approximately 1½ times higher than the rates for transportation of livestock westbound from the Midwest; and

"Whereas due to the imposition of discriminatory freight rates the fresh meat freight rate has been undercut, to a present formula of 1 to 1, which makes it prohibitive for Oregon packers to ship livestock from the fat livestock markets of the Midwest to Oregon for local slaughter; and

"Whereas the livestock slaughtering and processing industry of Oregon has already declined as a direct result of prior rate reductions forcing severe unemployment and loss of markets for livestock producers and feeders; and

"Whereas the Public Utility Commissioner of the State of Oregon, the Director of the Department of Agriculture of the State of Oregon, the leaders in the meat producing industry, the leaders of management in the processing industry, and leaders of labor in the meat handling industry, and allied fields, have gone on record to seek adjustment in these detrimental freight rates, without success: Now therefore, be it

"Resolved by the Legislative Assembly of the State of Oregon:

"1. The Legislative Assembly of the State of Oregon respectfully memorializes the Congress of the United States and the Honorable Secretary of Commerce to take those steps as may be necessary to restore the historic freight rate formula that has existed between westbound livestock and meat and thereby prevent further economic hardship to the broad based livestock industry of Oregon which is threatened by undercutting freight rate practices now permitted by the Interstate Commerce Commission.

"2. The secretary of state shall send a copy of this memorial to the President of the U.S. Senate, the Speaker of the House of Representatives of the United States, the Secretary of the U.S. Department of Commerce, and to each member of the Oregon congressional delegation.

"Adopted by house February 14, 1963.

"CECIL L. EDWARDS,
"Chief Clerk of House.

"CLARENCE BARTON,
"Speaker of House.

"Adopted by senate March 14, 1963.

"BEN MUSA,
"President of Senate."

A joint resolution of the Legislature of the State of Pennsylvania; to the Committee on the Judiciary:

"JOINT RESOLUTION No. 1

"Joint resolution ratifying the proposed amendment to the Constitution of the United States relating to the qualifications of electors

"The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

" 'SECTION 1. The proposed amendment to the Constitution of the United States providing as follows:

" ' "ARTICLE—

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

" ' "SEC. 2. The Congress shall have power to enforce this article by appropriate legislation" is hereby ratified by the General Assembly of the Commonwealth of Pennsylvania.

" 'SEC. 2. A certified copy of the foregoing resolution shall be forwarded to the Administrator of General Services in accordance with section one hundred six (b) title one United States Code and also to the President of the United States Senate and the Speaker of the United States House of Representatives.'

"R. P. STIMMEL,
"Chief Clerk, House of Representatives.

"W. STUART HELM,
"Speaker, House of Representatives.

"RAYMOND P. SHAFER,
"President, Senate."

A resolution of the Senate of the State of Washington; to the Committee on Appropriations:

"SENATE RESOLUTION 1963 Ex-13

"Whereas the recently executed amendatory repayment contracts of the Quincy, South, and East Irrigation Districts provide for the completion of the project to the original 1 million acres; and

"Whereas the President's budget allows for less than $4 million for Columbia Basin project construction; and

"Whereas this amount is not sufficient to begin any new work; and

"Whereas facilities to deliver water to block 81 are complete; and

"Whereas this block would be a substantial addition to the project, contains 15,000 acres in 132 full-time farm units; and

"Whereas an increase in the budget for Columbia Basin project construction of $1,700,000 dollars would be required for the 1964 fiscal year to bring in block 81 and continue the orderly development of the project; and

"Whereas undue fluctuations in the construction budget necessitate deletions and additions to the Bureau staff resulting in a less efficient expenditure of funds; and

"Whereas basin communities and facilities are geared to a reasonable level of project development; and

"Whereas a consistent level of development encourages processors and industry to establish in the basin: Now, therefore, be it

"Resolved, That the members of the senate respectfully urge the budget for construction of the Columbia Basin project be increased by the Public Works Committee of the Congress to an amount that will insure the orderly development of the project and the beginning of new work during the 1964 fiscal year as outlined herein; and be it further

"Resolved, That the secretary of the senate shall transmit copies of this resolution to the President of the Senate, the Speaker of the House of Representatives and the Members of Congress from the State of Washington.

"Attest:

"WARD BOWDEN,
"Secretary of the Senate."

A resolution of the Senate of the State of Washington; to the Committee on Labor and Public Welfare:

"SENATE RESOLUTION 1963 Ex-11

"Whereas President Dwight D. Eisenhower in his state of the Union message January 7, 1954, called for a White House Conference on Education; and

"Whereas this unprecedented citizen study of elementary and secondary school needs, involving more than a half million American people in local, county, regional, and State conferences and 2,000 participants in the White House Conference, held November 28 to December 1, 1955, demonstrated a desire and capacity to meet the major problems facing American education; and

"Whereas the traditional decennial White House Conferences on Children and Youth having played an extraordinary role in mobilizing public and professional opinion for more effective work with children and youth, there is a parallel need for a continuing process for the solving of problems in and improvement of education; and

"Whereas during these intervening years since the first White House Conference on Education in 1955, the problems of education have been multiplying with our expanding technology, the impact of automation upon employment and the intensity of the cold war; and

"Whereas there is immediate need for focus on such problems as identification of potential high school dropouts and preventive programs, non-college-bound and nonvocational youth, community colleges, the gifted, the handicapped, the impact of instructional technology such as instructional television and programed learning, increased research for improvement in education, and the relation of education to the achievement of national goals; and

"Whereas education is a priority concern in the minds of the public who recognize that the future of our Nation depends upon how well we provide an education for all children and youth: Now, therefore, be it

"Resolved, by the Senate, That this body respectfully request that the President of the United States consider the need for another White House Conference on Education and that he consider requesting that the Congress enact legislation providing for such a Conference on Education for 1965, the decennial anniversary of the first such conference; and be it further

"Resolved, That this body respectfully request Congress to enact the necessary legislation for such a conference; and be it further

"Resolved, That copies of this resolution be immediately transmitted by the secretary of the senate to the Honorable John F. Kennedy, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to each Senator and Representative from the State of Washington.

"Attest:

"WARD BOWDEN,
"Secretary of the Senate."

A resolution of the House of Representatives of the State of Washington; to the Committee on Armed Services:

"Whereas the people of the State of Washington take great pride in the Puget Sound Naval Shipyard with its 65 years of building, converting, and repairing the ships of the U.S. Fleet; and

"Whereas this naval shipyard at Bremerton, Wash. has been rated No. 1 of its class in speed, efficiency, and economy throughout the entire Nation; and

"Whereas the maintenance of this fine naval shipyard has been of incomparable aid in the successful termination of World War I, World War II, and the Korean conflict, and serves this Nation in readiness in such crises as recently encountered over Berlin and Cuba; and

"Whereas this naval shipyard which has been home port to thousands of young men from all parts of the Nation has as such contributed many fine citizens to this State; and

"Whereas the skills and training received by employees at the Puget Sound Naval Shipyard has been an important asset to the economy of this State when such employees have moved into other phases of industry: Now, therefore, be it

"*Resolved*, That the House of Representatives commend the personnel, military and civil, of the Puget Sound Naval Shipyard at Bremerton, Wash., for their past and present contributions to the citizens of this State and this Nation, their dedication to the security of this Nation, and a performance in speed, efficiency, and economy unmatched elsewhere in these United States; and be it further

"*Resolved*, That the clerk of the house transmit copies of this house resolution to the officials in command of the Puget Sound Naval Shipyard, the Honorable John F. Kennedy, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Washington.

"Attest:

"S. R. HOLCOMB,
"Chief Clerk, House of Representatives."

A resolution of the House of Representatives of the State of Washington; to the Committee on Foreign Relations:

"Whereas the President of the United States has recently requested the Congress to establish a National Academy of Foreign Affairs to train American Foreign Service personnel for the multitude of tasks which confront them throughout the world; and

"Whereas such a proposed National Academy of Foreign Affairs would provide schools for the personnel of all governmental agencies in the United States involved in the formulation, direction, and furtherance of our national goals and foreign policy, and would have graduate school status with a tentative student body of approximately 1,000 student officials; and

"Whereas the present Foreign Service Institute of the Department of State would be incorporated into the National Academy of Foreign Affairs, which would also be open to Army, Navy, and Air Force officers whose military assignments involve the formulation, direction, and furtherance of our national goals and foreign policy; and

"Whereas by concentrating such training in one Academy there could be provided an essential unity of purpose and action so that all of these operations can be coordinated into a harmonious whole; and

"Whereas the proposed National Academy of Foreign Affairs would command respect throughout the Government, in academic communities, and with all knowledgeable persons concerned with U.S. foreign policy and oversea operations of our diplomatic and Foreign Service officers; and would provide the United States with added skill and strength to meet and overcome the continuously more complex problems of the cold war, and would be a source of pride and stability for freemen everywhere; and

"Whereas the cost of such an academy would be extremely small as compared to the cost of other service academies, and would provide the potential for a far greater dollar-for-dollar return on the cost of operation than these Academies: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Washington*, That we do hereby express our approval and support for the recommendation of the President of the United States that Congress establish a National Academy of Foreign Affairs, and do hereby urge prompt approval of this needed educational facility; and be it further

"*Resolved*, That copies of this resolution be transmitted by the clerk of the house to the Honorable John F. Kennedy, President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Washington.

"Attest:

"S. R. HOLCOMB,
"Chief Clerk, House of Representatives."

A resolution of the House of Representatives of the State of Washington; to the Committee on Interior and Insular Affairs:

"Whereas continuing construction, projected to cost up to $60 million during the next 5 years, is planned by the U.S. Bureau of Reclamation on additional irrigation blocks of the Columbia Basin project within Franklin County; and

"Whereas previous bond issues for farm-to-market roads in irrigation blocks within the county have been exhausted; and

"Whereas Franklin County is without financial resources or bonding capacity to meet new farm-to-market road costs in these new areas: Now, therefore, be it

"*Resolved by the House of Representatives*, That the Bureau of Reclamation, Department of Interior, be requested to consider the construction of farm-to-market roads as an integral part of the reclamation project for the balance of the Columbia Basin development program, and to accept the financial responsibility therefor; and be it further

"*Resolved*, That copies of this resolution be transmitted by the chief clerk of the house to the Honorable John F. Kennedy, President of the United States, to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, to the Secretary of the Interior, the Honorable Stewart L. Udall, and to each Member of Congress from the State of Washington.

"Attest:

"S. R. HOLCOMB,
"Chief Clerk, House of Representatives."

RESOLUTION OF NATIONAL LUTHERAN COUNCIL

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the National Lutheran Council of the City of New York, relating to the United Nations.

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

RESOLUTION ON THE UNITED NATIONS

The National Lutheran Council, having received the memorandum of the Commission of the Churches on International Affairs regarding selected actions of the 17th Assembly of the United Nations and taking note that the United Nations has continued to serve effectively as:

(a) a forum for world opinion, where representatives of more than 100 nations express their positions and share in decisions on matters of world concern;

(b) a meetingplace for the discussion and resolution of international tensions, and as a center of influence toward the orderly reduction of armaments and the peaceful uses of nuclear power;

(c) an agency through which the nations have been able to establish peacemaking and peacekeeping machinery, whereby in some instances serious threats of worldwide conflict have been reduced;

(d) a channel of cooperation among the nations for scientific study and technological advance;

(e) a coordinator and administrator of efforts being made to assist developing nations through the "decade of development," the U.N. Special Fund, Expanded Program of Technical Assistance, regional economic commissions, and in other ways;

(f) a primary force in mounting an organized attack on disease through the World Health Organization, and on hunger through the Food and Agriculture Organization and the freedom-from-hunger campaign;

(g) a means of developing a world conscience against injustice, inequality, and inhumanity through the formulation of covenants on human rights, including religious liberty, freedom, the status of women, and other matters, and as a vehicle for specific assistance to victims of international disputes, such as the Arab refugees; and

(h) a symbol of the God-given aspirations of men toward responsible international conduct and more brotherly relationships among men;

1. Expresses its gratitude for the United Nations not only as a forum of world opinion and a useful instrument of national policy, but also as an agency which is making a significant contribution to the welfare of mankind.

2. Encourages the Government of the United States to continue its strong support of the United Nations as a means of interpreting and extending the ideals of our Nation in an international setting, as an effective way of making a contribution toward the alleviation of human suffering, and as a major factor contributing to the development of more peaceful, just, and orderly relationships among nations and peoples.

3. Commends those representatives of both the religious and secular press and the broadcast media who have made responsible efforts to interpret the United Nations and its work, and in view of the importance of understanding this principal organ of international cooperation, encourages them to continue and intensify such efforts.

4. Recognizes the service and dedication of the many Christians who along with others are fulfilling their vocations and serving humanity by working in or with the United Nations, and remembers in particular that two gifted and courageous sons of the Lutheran Church, Count Folke Bernadotte and Dag Hammarskjold, have given their lives in this service.

5. Calls upon Christians in our land to make greater efforts to know and understand the United Nations, its strengths and weaknesses, its problems and achievements, to the end that intelligent and prayerful support may be given to the efforts of nations to regulate their affairs for the best interests of all humanity.

Whereas the present immigration policy of the United States was framed in a completely different international situation and setting than now prevails in the world; and

Whereas a bill was introduced in the U.S. Senate in the 87th Congress which included provisions which in a large measure would adjust and correct our present immigration policy in such important respects as: (1) Providing for an allocation of immigration quotas from countries outside the Western Hemisphere on a basis which is more equitable and less discriminatory; (2) facilitating reunion of separated families; (3) further opening the way for the immigration of persons with special skills; and (4) providing for the regular admission of specific numbers of refugee persons (without the enactment of special legislation in each instance); and

Whereas these goals are in substantial accord with the expressed convictions of the

National Lutheran Council, based upon extensive and careful study of the issues involved in immigration policy: Now, therefore, be it

Resolved, That the National Lutheran Council express the hope that these same principles and goals will be embodied in legislation enacted by the Congress in its current session.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

H.R. 4374. An act to proclaim Sir Winston Churchill an honorary citizen of the United States of America (Rept. No. 86); and

H.J. Res. 282. A joint resolution designating the 6-day period beginning April 15, 1963, as "National Harmony Week," and for other purposes (Rept. No. 87).

By Mr. DIRKSEN, from the Committee on the Judiciary, with amendments:

H.R. 4715. An act to incorporate the Eleanor Roosevelt Memorial Foundation, Inc. (Rept. No. 105).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 74. A bill for the relief of Dr. Olga Marie Ferrer (Rept. No. 88);

S. 93. A bill for the relief of Flora Romano Torre (Rept. No. 89);

S. 196. A bill for the relief of Carnetta Germaine Thomas Hunte (Rept. No. 90);

S. 213. A bill for the relief of Carmelo Schillaci (Rept. No. 91);

S. 292. A bill for the relief of Yoo Chul Soo (Rept. No. 92);

S. 310. A bill for the relief of Kaino Hely Auzis (Rept. No. 93);

S. 504. A bill for the relief of Domenico Martino (Rept. No. 94);

S. 686. A bill for the relief of Millie Gail Mesa (Rept. No. 95);

S. 715. A bill for the relief of Laszlo Janos Buchwald (Rept. No. 96);

S. 822. A bill for the relief of Elvira Ciccotelli (Rept. No. 97); and

S. 866. A bill for the relief of Enrico Petrucci; (Rept. No. 98).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 72. A bill for he relief of Jozsef Pozsonyi and his wife, Agnes Pozsonyi, and their minor child, Ildiko Pozsonyi (Rept. No. 99):

S. 206. A bill for the relief of Chang Ah Lung (Rept. No. 100):

S. 215. A bill for the relief of Mannor Lee (Rept. No. 101); and

S. 671. A bill for the relief of Mirhan Gazarian (Rept. No. 102).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 752. A bill for the relief of Janos Kardos (Rept. No. 103).

THIRTEENTH ANNUAL REPORT OF SELECT COMMITTEE ON SMALL BUSINESS—REPORT OF A COMMITTEE (S. REPT. NO. 104)

Mr. SPARKMAN, from the Select Committee on Small Business, submitted the 13th annual report of that committee, which was ordered to be printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

W. Averell Harriman, of New York, to be Under Secretary of State for Political Affairs.

By Mr. KENNEDY, from the Committee on the Judiciary:

James A. Carr, Jr., of Massachusetts, to be a member of the Board of Parole.

By Mr. BAYH, from the Committee on the Judiciary:

Homer Lester Benson, of Indiana, to be a member of the Board of Parole.

BILLS INTRODUCED

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

By Mrs. NEUBERGER:

S. 1250. A bill to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; and

S. 1251. A bill to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides; to the Committee on Commerce.

(See the remarks of Mrs. NEUBERGER when she introduced the above bills, which appear under a separate heading.)

By Mr. KEATING (for himself and Mr. JAVITS):

S. 1252. A bill to amend title 23 of the United States Code relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

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

By Mr. ELLENDER (by request):

S. 1253. A bill to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; and

S. 1254. A bill to provide for the stockpiling, storage, and distribution of essential foodstuffs, including wheat and feed grains, to assure supplies to meet emergency civil defense needs, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. JAVITS:

S. 1255. A bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States; to the Committee on the Judiciary.

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

By Mr. SMATHERS:

S. 1256. A bill for the relief of Lt. John F. McPhail, U.S. Navy; to the Committee on the Judiciary.

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

S. 1257. A bill to amend section 5 of the Area Redevelopment Act to provide that certain areas within the United States having a large number of Cuban refugees shall be designated as redevelopment areas; to the Committee on Banking and Currency.

By Mr. MORSE:

S. 1258. A bill for the relief of Peter K. Bechtold; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 1259. A bill for the relief of Albert L. Santer; to the Committee on Post Office and Civil Service.

By Mr. HARTKE:

S. 1260. A bill to amend chapter 15 of title 38, United States Code, to grant a pension of $100 per month to all honorably discharged veterans of World War I; to the Committee on Finance.

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

THE CHEMICAL PESTICIDES COORDINATION ACT

Mrs. NEUBERGER. Mr. President, had there been no DDT to administer to the war-racked city of Naples at the close of World War II, there is little doubt that the populace of that doleful city would shortly have been decimated by the ravages of typhus. Today, through the use of chemical insecticides, typhus, yellow fever, and malaria, man's ancient and dismal scourges, are rapidly disappearing throughout the world.

Were it not for modern pesticides—the collective term for the vast family of chemical insecticides, fungicides, herbicides, miticides, rodenticides, and soil fumigants—our agricultural resources would be fearfully inadequate to the task of sustaining an expanding world population at acceptable standards of living and health.

Yet today, instead of symbolizing man's triumph over a hostile environment, the term "pesticide" is far more likely to evoke a harsh image of poisoned wildlife, polluted streams, and uncontrollable genetic mutation. Is this image grounded in fact, or is it the product of distortion and rumor?

Several years ago the director of the Oregon State Department of Agriculture dismissed as "insignificant" the hazards of pesticide use.

I am not so certain. Recent events in Oregon alone strongly suggest that a truly monumental risk is inherent in the indiscriminate broadcasting of pesticides. Nearly 400,000 silver salmon fingerlings in a rearing pond in the Columbia River gorge recently perished as a direct result of an overzealous antimosquito spraying campaign conducted by agents of the county, the State highway department, and the Union Pacific Railroad; a campaign evidencing an astonishing lack of coordination among the agencies concerned.

Another example in my region is the destruction of waterfowl stricken by the runoff of pesticide residues from heavily sprayed agricultural lands in the Tule Lake and Upper and Lower Klamath Lakes in northern California and southern Oregon. Yet the Klamath reclamation project, whose rich agricultural lands were the source of this pollution, represents a singular achievement in the reclamation of barren, unproductive desert.

It is essential that we strike the critical balance between the lifegiving products and the life-destroying byproducts of pesticide use, that the crusade of the agriculturalist for an agriculturally antiseptic environment be tempered by the scientifically documented viewpoint of the conservationist, the resource analyst, and the biologist.

During the hearings conducted by the House Subcommittee on Fisheries and Wildlife Conservation in May 1960, representatives of State wildlife agencies furnished damaging evidence of the needless destruction of fish and wildlife by the application of chemicals too toxic, in quantities larger than necessary, put in the wrong places, in the wrong seasons, and by the wrong devices.

An official statement by the Southeastern Association of Game and Fish

Commissioners revealed a disturbing pattern of noncooperation and nonconsultation between Federal agencies responsible for chemical pesticide programing and wildlife agencies:

The control workers of agriculture have usually failed to consult or cooperate with or to inform the State and Federal wildlife agencies which have primary responsibility for the conservation and management of fish and wildlife and have generally disputed the findings and ignored the recommendations of State and Federal wildlife agencies.

Moreover, there is evidence that following such consultations as actually occurred—usually after the fact—the recommendations of the wildlife agencies are publicly ridiculed and often ignored entirely.

There is virtually unanimous support among conservation officials and organizations for meaningful coordination between pesticide users and wildlife agencies. The National Wildlife Federation, the National Audubon Society, the Animal Welfare Institute, the International Association of Game, Fish and Conservation Commissioners, the Izaak Walton League of America, the National Council of State Garden Clubs, the National Wildland News have all in the past endorsed legislation leading to this goal.

Congressman DINGELL, of Michigan, long a leader in advancing the cause of sound conservation principles in the Congress, has introduced legislation in the House which I believe will greatly promote the sound and sane employment of pesticides. The Chemical Pesticides Coordination Act would require advance consultation with the U.S. Fish and Wildlife Service and, through such Service, with the head of the particular State wildlife agency, before the start of any Federal pesticide program. This legislation would serve to insure—not the elimination of chemical pesticide use—but the least destructive use consonant with the needs of animal and plant pest control.

I therefore introduce for appropriate reference the Chemical Pesticides Coordination Act and a second bill to augment present programs of research into the biological effects of pesticide use and the dissemination of information relating to the effects of pesticides.

I ask unanimous consent that the text of these bills be printed at the close of my remarks and this bill lay over for 5 legislative days for cosponsors.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD, and will remain at the desk as requested by the Senator from Oregon.

The bills, introduced by Mrs. NEUBERGER, were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1250. A bill to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Chemical Pesticides Coordination Act."

SEC. 2. No officer or agency of the Federal Government shall initiate or provide any financial or other assistance for any program involving the use of any chemical insecticide, herbicide, fungicide, rodenticide, or other chemical for the purpose of eradicating or controlling animal or plant pests until such officer or agency has consulted with the United States Fish and Wildlife Service, and through such Service, with the head of the agency exercising administration over the wildlife resources of each State to be affected by the program.

SEC. 3. The United States Fish and Wildlife Service shall advise the officers and agencies consulting with it, as required by section 2, of the damage to wildlife resources which might result from any proposed program. Such Service shall cooperate with such Federal officers and agencies in developing programs involving the use of chemical insecticides, herbicides, fungicides, rodenticides, or other methods for the purpose of eradicating or controlling any animal or plant pest, with a view to achieving the results desired while minimizing the undesirable effects of the program on the wildlife resources of the area. In the event any Federal officer or agency shall fail to take any action recommended by the United States Fish and Wildlife Service, such Service shall make a report thereof without delay to the Congress for referral to the appropriate committees.

SEC. 4. The Secretary of the Interior may, by regulations make exceptions from the application of this Act where, by reason of the limited nature of the program or by reason of the proved harmlessness of the chemical involved, little or no damage to wildlife resources could result from the program.

SEC. 5. Any Federal department or agency, in submitting requests to the Congress for appropriations for programs involving the use of chemical insecticides, herbicides, fungicides, rodenticides, or other chemicals for the eradication or control of any animal or plant pest, shall accompany such request by a full description of the proposed program, including the comments and recommendations of the Fish and Wildlife Service of the Department of the Interior.

SEC. 6. This Act shall take effect one year from the effective date hereof.

S. 1251. A bill to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of August 1, 1958 (16 U.S.C. 742d-1), is amended by inserting "(a)" immediately after "That" and by adding at the end thereof the following new subsection:

"(b) On the basis of the studies carried on pursuant to subsection (a) of this section, the Secretary of the Interior shall transmit information to the Secretary of Agriculture as to how, in the use of insecticides, herbicides, fungicides, or pesticides, injury to fish and wildlife can be prevented or minimized and the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require that such information or warning pertinent to any insecticide, herbicide, fungicide, or pesticide shall appear on the label of each package of such insecticide, herbicide, fungicide, or pesticide, as the case may be, which is required to be labeled under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135-135K)."

SEC. 2. The Act of August 1, 1958 (72 Stat. 479), as amended by the Act of September 16, 1959 (73 Stat. 563), is amended by deleting section 2 and by inserting new sections 2 and 3 as follows:

"SEC. 2. The Secretary is authorized—

"(1) to conduct a program of evaluating chemicals proposed for use as pesticides for the purposes of determining whether the chemicals are harmful or hazardous to the Nation's fish and wildlife resources;

"(2) to distribute to interested persons and agencies, both public and private, data collected under this Act showing the effects of pesticides; and

"(3) to construct, operate, and maintain facilities, including laboratories, necessary to carry out the purposes of this Act.

"SEC. 3. There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act."

SEC. 3. The amendments made by this Act shall take effect on the one hundred and eightieth day after the date of enactment of this Act.

INTERSTATE HIGHWAY SYSTEM

Mr. KEATING. Mr. President, on behalf of my distinguished colleague from New York [Mr. JAVITS] and myself, I introduce, for appropriate reference, a bill to amend title 23 of the United States Code relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System.

In 1956 the Federal Aid Highway Act provided that the Interstate Highway System would consist of approximately 41,000 miles of unified, modern highways for the entire Nation. The Federal share of the costs for this 41,000 miles was set at between 90 and 95 percent, with the State contributing only 5 to 10 percent.

The original Interstate System was laid out in 1944. Around 1947, New York State, as well as many other States, did not feel that it could wait any longer for Congress to make appropriations available to build a system. It felt it must proceed with the construction of highways that had been delayed because of the war and for other reasons.

In New York State, for instance, about 580 miles, principally on the New York State Thruway, were constructed without any Federal funds of any sort. The cost was well over $1 billion, even then, in the mid-1950's.

Under the total allocation of 41,000 miles in the Interstate Highway System, New York State received 1,227.2 miles. After the allocations had been made it was decided not to duplicate satisfactory roads that could be incorporated into the system. This was good planning and good judgment. Duplication is wasteful.

Up to this point everything was fine. However, New York State and other progressive States were then penalized because they had had the prudence, the initiative, the foresight, and the ability to proceed on their own. From New York State's allocation of 1,227.2 miles was subtracted approximately 580 miles, principally for the New York State Thruway, which were incorporated into the Interstate Highway System.

It does not seem right that these progressive States should have to forfeit a portion of their allocation because they did not wait for a Federal handout but proceeded on their own to construct a great deal of mileage now designated as Interstate.

This is inequity.

The injustice would be rectified by this bill to permit substitute mileage to be added to existing overall plans. It would give all States their true allocation. New York State would then be allowed to add its approximately 580 miles of badly needed miles of highways to the interstate routes.

There are many areas in New York State which do not have adequate interstate highways to fulfill the need. The people of New York State are substantial contributors to Federal highway use taxes. Yet they must be doubly taxed for the roads they desperately need by tolls and by use taxes. Continued efforts to secure a portion of the unallocated interstate mileage for the southern tier expressway for the Binghamton to Lake Erie section have been turned down.

If these critical needs did not still exist, I would be content with the matter as it now stands, for New York State is an independent State. It always moves forward in every way possible without Federal doles. It does not sit back and wait for handouts. But this is no reason for it to be denied its fair taxpaying share in areas where it needs assistance. Self-progress should not be punished. Initiative should not be thwarted.

This bill would enable New York State and many other States to construct badly needed roads that would add to the overall national requirements. It would provide needed work for the unemployed and be of assistance to our lagging economy.

Mr. President, I ask unanimous consent that the text of this bill be printed following my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1252) to amend title 23 of the United States Code relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System, introduced by Mr. KEATING (for himself and Mr. JAVITS), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter I of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 132. Designation of additional routes for Interstate System

"(a) In the case of each State having a toll road, bridge, or tunnel, the construction of which was completed after August 2, 1947, and which was approved by the Secretary as part of the Interstate System before January 1, 1959, the Secretary shall, on application by the State, approve as part of the Interstate System, other routes within such State designated in accordance with section 103 of this title, which do not exceed in length the number of miles of all such toll roads, bridges, and tunnels within such State. The total of all Federal funds payable under this title for all routes in a State approved under this subsection as part of the Interstate System shall not exceed 90 per centum of the depreciated cost to that State of all completed and partially completed toll roads, bridges, and tunnels, the construction of which was completed after August 2, 1947, and which were approved by the Secretary as part of the Interstate System before January 1, 1959, as such depreciated cost is established in table A-5a on pages 28 and 29 of House Document numbered 301, Eighty-fifth Congress, plus a percentage of the remaining 10 per centum of such depreciated cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area, except that the total Federal funds payable for all routes approved under this subsection in any one State as part of the Interstate System shall not exceed 95 per centum of such depreciated cost.

"(b) In the case of each State having a free road, bridge, or tunnel, the construction of which was completed after August 2, 1947, and which was approved by the Secretary as a part of the Interstate System before January 1, 1959, the Secretary shall, upon application by the State, approve as part of the Interstate System, other routes within such State designated in accordance with section 103 of this title which do not exceed in length the number of miles of all such free roads, bridges, and tunnels within such State. The total of all Federal funds payable under this title for all routes in a State approved under this subsection as part of the Interstate System shall not exceed (1) 90 per centum of the depreciated cost to that State of all completed and partially completed free roads, bridges, and tunnels, the construction of which was completed after August 2, 1947, and which were approved by the Secretary as part of the Interstate System before January 1, 1959, as such depreciated cost is established in table A-5b on pages 30 and 31 of House Document Numbered 301, Eighty-fifth Congress, plus a percentage of the remaining 10 per centum of such depreciated cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area, except that the total Federal funds payable under this title for all routes approved under this subsection in any one State as part of the Interstate System shall not exceed 95 per centum of such depreciated cost, (2) less all amounts received as the Federal share on account of such free highways, bridges, or tunnels under any provision of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), or of any Act amendatory thereof or supplementary thereto."

SEC. 2. Subsection (d) of section 103 of title 23 of the United States Code is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a comma and "plus the total of all mileage approved as part of the Interstate System under section 132 of this title."

SEC. 3. Paragraph 5 of subsection (b) of section 104 of title 23 of the United States Code is amended by striking out the last sentence.

SEC. 4. The analysis of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"132. Designation of additional routes for Interstate System."

WORLD WAR I VETERANS' PENSION

Mr. HARTKE. Mr. President, I introduce for appropriate reference a bill providing a $100-a-month pension for all honorably discharged veterans of World War I.

World War I veterans have never received benefits comparable to those given to veterans of World War II and the Korean conflict. They left their homes and families to fight for their country just as did the young men in our later conflicts. But, when they returned there were no educational programs such as the GI bill which benefited World War II veterans. There was no program to assist them in buying new homes.

Today these same veterans are older men, most of them in their sixties. The majority of them are retired and living on small fixed incomes. Because of their ages or for health reasons, few are employed or employable.

Our country has done well by the veterans of World War II and Korea. But, I do not think it is asking too much for our Nation to give compensation to those veterans of World War I who were excluded.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1260) to amend chapter 15 of title 38, United States Code, to grant a pension of $100 per month to all honorably discharged veterans of World War I, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

MASS TRANSPORTATION ACT OF 1963—AMENDMENTS

Mr. LONG of Louisiana submitted an amendment, intended to be proposed by him, to the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to Senate bill 6, supra, which were ordered to lie on the table and to be printed.

Mr. DOMINICK submitted an amendment, intended to be proposed by him to the amendment of Mr. MAGNUSON, No. 11, in the nature of a substitute to Senate bill 6, supra, which was ordered to lie on the table and to be printed.

AMENDMENT OF AREA REDEVELOPMENT ACT—AMENDMENT

Mr. ENGLE submitted an amendment, intended to be proposed by him, to the bill (S. 1163) to amend certain pro-

visions of the Area Redevelopment Act, which was referred to the Committee on Banking and Currency and ordered to be printed.

TEMPORARY SUSPENSION OF DUTY ON CORKBOARD INSULATION AND CORK STOPPERS—AMENDMENTS

Mr. KEATING submitted amendments, intended to be proposed by him, to the bill (H.R. 2053) to provide for the temporary suspension of the duty on corkboard insulation and on cork stoppers, which were referred to the Committee on Finance and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the names of the Senator from North Carolina [Mr. ERVIN], the Senator from Alaska [Mr. GRUENING] and the Senator from New York [Mr. JAVITS] be added as cosponsors of my bill (S. 920) to amend sections 303 and 310 of the Communications Act of 1934.

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

Mr. GOLDWATER. Mr. President, I further ask unanimous consent that the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor of my military pay equalization bill S. 401.

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

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the junior Senator from Massachusetts [Mr. KENNEDY] be included as a cosponsor of S. 1.

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

Mr. HUMPHREY. I believe the bill is about to be reported by the committee. I ask that the name of the Senator from Massachusetts be added to the bill as it is reported by the committee.

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

Mr. HART. Mr. President, many expressions of support are coming to me for the truth-in-packaging bill, S. 387. The recent series of hearings has served to remove the fears of some manufacturers and to solidify sentiment for effective remedies of conditions that tend to deceive the consumer and bring confusion to the marketplace. The distinguished junior Senator from New Hampshire [Mr. MCINTYRE] has informed me of his warm support of the bill and has asked that he be listed as a consponsor.

I therefore ask unanimous consent that the Senator from New Hampshire [Mr. MCINTYRE] be listed as a coauthor of S. 387.

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

Mr. HART. Mr. President, I ask unanimous consent that at the next printing the name of the Senator from Indiana [Mr. HARTKE] be added as a cosponsor of the bill, S. 747, to amend the Immigration and Nationality Act.

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

Mr. HART. Mr. President, inadvertently the names of two cosponsors were omitted from the first printing of S. 1117, a bill to extend the life and broaden the scope of the duties of the Commission on Civil Rights.

I ask unanimous consent that the names of the Senator from West Virginia [Mr. RANDOLPH] and the Senator from Connecticut [Mr. DODD] be added, at its next printing, as cosponsors of S. 1117.

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

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 2, 1963, he presented to the President of the United States the enrolled bill (S. 1089) to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stockpiling Act.

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

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

By Mr. JORDAN of North Carolina:

Address by Vice President LYNDON B. JOHNSON delivered at a Jefferson-Jackson Day dinner in Raleigh, N.C., on March 30, 1963.

By Mr. THURMOND:

Editorial from the Greenville (S.C.) News of March 29, 1963. Newsletter by him dated April 1, 1963.

By Mr. HARTKE:

Address delivered by Vice President LYNDON JOHNSON at the Big Brother dinner, Washington, D.C., on March 29, 1963.

By Mr. HUMPHREY:

Address delivered by him at the Greater Moorhead Day Celebration at Moorhead, Minn., on March 22, on the subject of American agriculture.

TRADE EXPANSION ACT—U.S. AGRICULTURE

Mr. KEATING. Mr. President, I am quite disturbed over Common Market efforts to cut our American trade by erecting high tariff barriers. What is happening now is that the ingenuity and efficiency of our industry is backfiring on us: After years of technological improvement so that our products can undersell those in European nations, high tariff walls are now being built so that some of our products will be virtually excluded from European markets.

Sales of U.S. farm products amount to nearly $5½ billion in exports. The U.S. Government must promote and protect the interest of American agriculture abroad if the new Trade Expansion Act is to live up to its name.

Mr. President, I ask unanimous consent that following my remarks, the text of a resolution adopted by the New York State Horticultural Society at the recent annual meeting, be printed in the RECORD.

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

TRADE EXPANSION ACT—U.S. AGRICULTURE

Whereas Western Europe, with its six-nation European Common Market, and with pending membership of associate membership of increasing numbers of nations, are evolving a market bloc second to none other in the world;

Whereas they are eliminating or drastically reducing intramember tariff and other regulatory restrictions and are adopting common external tariff and other regulatory restrictions for trade relations with nonmember nations;

Whereas there is evidenced by the Common Market nations a trend to establishing higher common external tariffs and other restrictions for trade with nonmember nations than existed prior to development of the EEC; and

Whereas our newly approved U.S. Trade Expansion Act provides for greater trade negotiating authority by our Government, with greater bargaining authority and broader and more liberal powers to make concessions in U.S. tariffs and other regulations in the interest of greater free world trade and in exchange for greater access to various other markets in the world.

Whereas the impact or the economy of the United States by both the European Common Market and our new Trade Expansion Act, separately and/or in interchanging effects, is potentially at an alltime high and of extremely critical importance to our agricultural industries: Now, therefore, be it

Resolved by the New York State Horticultural Society, That we urge with all emphasis possible that highly competent agricultural industry advisory counsel be retained by our Government trade negotiating representatives to assist in protecting and expanding the best interests of our U.S. agricultural and our national economy; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Secretary of State, the Special Representative for Trade Negotiations, the Secretary of Agriculture, the Secretary of Commerce, and to the Senators and Representatives from the State of New York.

INSPECTION OF PLANT MATERIAL FROM OTHER COUNTRIES

It is being proposed by the Federal Government that quarantine 37 be amended to permit the inspection of plant materials in the country of origin instead of at the port of entry. This is dangerous because it increases the possibility of the introduction of plant pests presently not known to be in the United States. This is vital to the agriculture of New York State because of our large seaports and airports and because we have 375 miles of sea coast adjacent to the St. Lawrence Seaway, Lake Ontario, and Lake Erie.

We recommend that no plant material be brought into this country without inspection at the port of entry.

RESOLUTION OF BUFFALO COMMON COUNCIL ON COLUMBUS DAY

Mr. KEATING. Mr. President, I would like to take this opportunity to call to

the attention of the Senate a resolution adopted by the Common Council of the City of Buffalo urging that Columbus Day, October 12, be made a legal holiday.

I am pleased to be cosponsor of a U.S. Senate resolution to achieve this end. Among all the great men whose accomplishments have gone into the making of this Nation, none showed greater initiative, greater determination, and greater courage than Christopher Columbus, the Genoese captain, who discovered this hemisphere. Mr. President, I ask unanimous consent to have this resolution printed in the RECORD at this point.

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

RESOLUTION 162

Resolution—Columbus Day, October 12

Whereas the birthdate of the great Italian navigator, Christopher Columbus, October 12, is observed as a legal or public holiday in 30 of the States; and

Whereas there presently is a bill pending before the U.S. Senate asking for the enactment of Columbus Day, October 12, as a Federal holiday; and

Whereas the bill has received such great support from many organizations and communities throughout the United States, and that there are now about 34 U.S. Senators who are cosponsors of said bill: Now, therefore, be it

Resolved, That this common council memorialize and urge the U.S. Congress, on behalf of the people of the city of Buffalo, to pass the bill which would make Columbus Day, October 12, a Federal legal holiday; and be it further

Resolved, That the city clerk be authorized and directed to forward certified copies of this resolution to both Houses of the Congress and to our respective two U.S. Senators from New York State and our Congressmen from this area.

MILWAUKEE JOURNAL'S THOUGHTFUL APPRAISAL OF FARMERS' PLIGHT

Mr. PROXMIRE. Mr. President, the Milwaukee Journal is a newspaper which has appraised the situation of the American farmer with considerable independent criticism. It has not favored substantial subsidy programs. In view of this attitude, I think an analysis which was made in the Milwaukee Journal last Sunday of the plight of the Wisconsin dairy farmer is extraordinarily interesting. It is a very careful, convincing analysis of the great difficulty which the Wisconsin farmer has in making a go of his operation, in spite of the fact that he is extremely efficient, has a great investment, and works very hard.

In an editorial, the Milwaukee Journal calculates that the average farmer in Wisconsin has an income of 88 cents an hour. I think this is a disgraceful income, judged by any measure, especially for people who invested $40,000 or so per farm and have established remarkable efficiency.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "State Farm Problem, Too," published in the Milwaukee Journal of Sunday, March 31, 1963.

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

STATE FARM PROBLEM, TOO

Although some groups continue to demand that farming as a way of life be preserved, there is increasing evidence that farmers themselves are making decisions about their future on an economic rather than a sentimental basis.

This was typified in a recent series of articles by Loren H. Osman in the Journal. They involved a Dane County dairyman who called it quits this spring. Although a cut above the average, this farmer backed away from a $40,000 investment to buy a farm. He had exhausted the possibilities of tenant farming, he felt. At 38, he chose to sell out and start over in another occupation.

Such moves aren't easy for the farm family which loves its independence and the out of doors. But the alternative often is more distressing: A load of debts, inadequate opportunities for the children, long hours with low returns.

Agricultural economists report that eastern Wisconsin grade A dairy farmers, some of the top operators in the State, have an average investment of $62,350. Yet they net only $6,938 on their investment and labor.

Interest, at current rates, runs to $3,429, leaving $3,509 for family labor, a worker and a half per farm. That's only 88 cents an hour.

Wisconsin farmers average only $3,252 in net returns last year, about $250 under the national average.

While the State concerns itself about industrial problems, here is another area to study. Are there new income possibilities, new marketing methods, which might help matters?

Although the State's dairymen, with their tradition of good husbandry, are not keeping pace nationally, their economic future is tied closely to national policies. Chances of major dairy legislation in this congressional session are not good. Farmers face a continuance of milk prices at the 75 percent of parity minimum. Some Congressmen are ready to drop them further.

Meanwhile, Wisconsin is losing 3,000 farmers a year, now is down to 130,000. Ten years ago, there were 161,000 Wisconsin farmers. The farm exodus picked up considerably since the war. In 1935, there were 200,000 farmers in the State; by 1940, the number had dropped to 193,000.

Ways must be found to ease our disappearing farmers into the labor market, either in home grown industries or through retraining for urban jobs.

A small start has been made through the area redevelopment act program. Local communities, which need the social and economic contributions these families can make, also should turn to this problem.

Rural vitality is as important in Wisconsin's future as urban vitality. With planning, it can be maintained, even if we can't keep them down on the farm.

SCHOOLING OF WORKING AGE GROUP IN HAWAII

Mr. FONG. Mr. President, not long ago, the people of Hawaii were shocked and concerned to learn that the Census Bureau rated Hawaii as third highest State in the Nation in illiteracy.

The Hawaii State Department of Economic Development has just completed an analysis of Census Bureau official census data for 1960 which puts the situation in better perspective.

Census Bureau figures show that Hawaii's people are generally better educated than the national average.

Nearly 45 percent of Hawaii's population over 14 years of age graduated from high school; only 40 percent for the United States as a whole.

Seven and two-tenths percent of Hawaii's people finished at least 4 years of college, as against the U.S. average of 6.5 percent.

The average number of years of schooling for people 14 years and older was 11.2 years in Hawaii, but only 10.6 years for the entire United States.

At the critical "dropout" age of 16 or 17 years, nearly 88 percent of Hawaii's boys and girls were in school, whereas the national average was only 81 percent.

Four years or more of high school were completed by 52.5 percent of Hawaii's population in the 14–44 age group and 49.4 percent in the 14–54 age group, compared with 18.6 percent in the age group 55 or older.

Evidence of Hawaii's impressive progress in overcoming illiteracy appear in the figures on the percentage of persons who have not completed any years of schooling and those who have completed only from 1 to 6 years.

Of those in the 14–24 age group, 0.4 percent had completed no years of schooling; of the 25–34 age group, 0.5 percent; of the 35–44 age group, 1.1 percent; of the 45–54 age group, 7.4 percent; and in the age 55 and older group, 22 percent.

Of those in the 14–24 age group, 1.5 percent completed only from 1 to 6 years of school in Hawaii; of the 25–34 age group, 2.9 percent; of the 35–44 age group, 8.4 percent; of the 45–54 age group, 24.4 percent; and of the 55-plus age group, 36.4 percent.

In other words, of those in the 14–24 age group, 98.1 percent completed 7 years or more of schooling; of the 25–34 age group, 96.6 percent completed 7 years or more; of the 35–44 age group, 90.5 percent; of the 45–54 age group, 68.2 percent; and of the 55-plus age group, 41.6 percent.

Historical reasons related to the influx of immigrants from abroad during the late 1800's and early 1900's account in large part for the higher percentages of little or no schooling in the older age groups in Hawaii.

What these figures show, I believe, is that Hawaii is making good headway toward wiping out illiteracy. Our record in the younger age groups is good. We must always do better, and I am confident that we will do better.

To correct any misimpressions that may have been created by the Census Bureau's ranking Hawaii third among the States in illiteracy, I ask unanimous consent that these tables to which I have referred be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD.

Years of schooling completed—Potential labor force, State of Hawaii, 1960

Years schooling completed	Age 14 to 44	Age 14 to 54	Years schooling completed	Age 14 to 44	Age 14 to 54
Total population in age group	300,345	359,794	4 years high school	110,258	121,233
None	1,924	6,355	1 to 3 years college	25,833	29,561
1 to 6 years	12,008	26,530	4 years college	12,899	15,828
7 to 8 years	43,507	56,460	5 years or more college	8,564	11,097
1 to 3 years high school	85,370	92,748	With 4 years high school or more ... percent	52.5	49.4

Source: U.S. Census of Population, 1960, "Detailed Characteristics—Hawaii." From combined data for urban, rural, nonfarm, and rural farm population given in table 103, pp. 13-136.

Years of schooling completed—Selected age groups—Number of persons over 14 years of age, State of Hawaii, 1960

Years schooling completed	Age 14 to 24	Age 25 to 34	Age 35 to 44	Age 45 to 54	Age 55 and over	Years schooling completed	Age 14 to 24	Age 25 to 34	Age 35 to 44	Age 45 to 54	Age 55 and over
Total population in age group	117,585	93,578	89,182	59,449	66,701	4 years high school	35,959	42,709	31,590	10,975	6,312
None	492	462	970	4,431	14,677	1 to 3 years college	9,026	9,110	7,697	3,728	2,481
1 to 6 years	1,797	2,714	7,479	14,522	24,317	4 years college	2,241	6,266	4,392	2,929	2,077
7 to 8 years	19,640	8,002	15,865	12,953	10,966	5 years or more college	613	4,384	3,567	2,533	1,530
1 to 3 years high school	47,817	19,931	17,622	7,378	4,341	With 4 years high school or more ... percent	40.7	66.7	52.9	34.0	18.6

Source: U.S. Census of Population 1960, "Detailed Characteristics—Hawaii." From combined data for urban, rural, nonfarm, and rural farm population given in table 103, pp. 13-136.

Years of schooling completed—Selected age groups—Expressed as percent of population in group, State of Hawaii, 1960

Years schooling completed	Age 14 to 24	Age 25 to 34	Age 35 to 44	Age 45 to 54	Age 55 and over	Years schooling completed	Age 14 to 24	Age 25 to 34	Age 35 to 44	Age 45 to 54	Age 55 and over
Total population in age group	117,585	93,578	89,182	59,449	66,701	4 years high school ... percent	30.6	45.6	35.4	18.5	9.5
None ... percent	0.4	0.5	1.1	7.4	22.0	1 to 3 years college ... do	7.7	9.7	8.6	6.3	3.7
1 to 6 years ... do	1.5	2.9	8.4	24.4	36.4	4 years college ... do	1.9	6.7	4.9	4.9	3.1
7 to 8 years ... do	16.7	8.6	17.8	21.8	16.4	5 years or more college ... do	.5	4.7	4.0	4.3	2.3
1 to 3 years high school ... do	40.7	21.3	19.8	12.4	6.5	With 4 years high school or more ... do	40.7	66.7	52.9	34.0	18.6

Source: U.S. Census of Population, 1960, "Detailed Characteristics—Hawaii." From combined data for urban, rural, nonfarm, and rural farm population given in table 103, pp. 13-136.

FLAT GLASS INDUSTRY IMPORTANT TO ECONOMIC WELL-BEING OF WEST VIRGINIA AND ITS WORKERS—IMPORTS FROM COMMUNIST COUNTRIES DETRIMENTAL TO DOMESTIC PRODUCTION

Mr. RANDOLPH. Mr. President, in commenting on the pending bill S. 1100, to limit the import of flat glass from Communist countries, I call attention to the latest available figures from the U.S. Department of Labor confirming that national unemployment has again exceeded the critical 6-percent level.

In West Virginia, which I am privileged to represent in the U.S. Senate, from information supplied by the State department of employment security for the week ending March 23, 1963, the present number of insured unemployed is approximately 2,700 more than on the same date in 1962. This does not include others who are unemployed and may be trying to obtain work but are ineligible for unemployment insurance because they have not entered the labor market.

The flat glass industry is of significant importance to the economy of our State. There are four plants in West Virginia. The largest is the Libbey-Owens-Ford Glass Co. in Charleston—Kanawha City—which has a total employment of 1,233. In 1955, the number of workers was 1,850, showing a decrease of 617 employees.

A further breakdown of employment figures in this factory discloses that in 1955 the total number of production and maintenance workers was 1,417.

As of March 6, 1963, there were 845 employees, or a decrease of almost one-half of the 1955 number.

The figures are not available for the other three plants which are the Adamston Flat Glass Co., the Pittsburgh Plate Glass Co., and the Rolland Glass Co., all located in Clarksburg, W. Va. I am advised that employment has constantly declined in these operations.

Mr. President, unemployment in West Virginia is of continuing concern to me. I have worked to mitigate unemployment in cooperation with my colleague, Senator ROBERT C. BYRD, and the other members of the West Virginia delegation. The administration, by developing such programs as public works acceleration and area redevelopment, is trying to deal effectively with the problem. We shall continue to work diligently toward the growth of production.

We will also work to alleviate unemployment and prevent a further decline in loss of job opportunities. For this reason, I have joined with Senator HUGH SCOTT, of Pennsylvania, and other colleagues in cosponsoring S. 1100 to prevent the importation of flat glass which is the product of any country or area dominated or controlled by communism. Early enactment of this measure would prevent further damage to the American flat glass industry and help to protect the jobs that are urgently needed to maintain our own economy.

I ask that an explanatory letter from the president of the Libbey-Owens-Ford Glass Co., George P. MacNichol, Jr., and a table of U.S. imports of window glass, 1961 and 1962—from the Bureau of Census, U.S. Department of Commerce—be included as a part of the record.

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

LIBBEY-OWENS-FORD GLASS CO.,
Toledo, Ohio, March 20, 1963.

Hon. JENNINGS RANDOLPH,
New Senate Office Building,
Washington, D.C.

My DEAR SENATOR RANDOLPH: Senator SCOTT, of Pennsylvania, has been asked that a bill introduced by him (S. 1100) be left on the table for 10 days to permit other Senators to cosponsor it. This bill would seek to limit the imports of flat glass from Communist countries. As a corporate constituent of yours (as you will recall, Libby-Owens-Ford has a factory in Charleston), I commend your favorable attention to that bill.

Enclosed is a table of window glass imports, 1962 against 1961. As is apparent, the increase in window glass tariffs proclaimed last year by the President and effective since June 18, 1962, has not proved a deterrent to producers in free enterprise countries. With lower labor and other cost advantages, they still find the United States a profitable market to exploit. Specifically, I call your attention to imports, 1962 against 1961, from Belgium (up 42.3 percent), France (up 17.3 percent), United Kingdom (up 15.3 percent), and West Germany (up 25.4 percent).

More ominous to us, however, and I should think to these European nations is the figure for U.S.S.R.: up 62.6 percent.

The substantial increases on the part of friendly European countries may indicate that a share of the business which was placed with Communist countries might have been enjoyed by them as well as, hopefully, U.S

producers, if restrictions against the importation of Communist glass had been in effect. From the commercial point of view, I can assure you that it is preferable to compete with manufacturers who, even though they enjoy cost advantages, must sell their produce at a profit, rather than with factories whose prices are governed by political expediency. And from the point of view of U.S. foreign policy, it seems desirable that such business as is placed abroad be placed with friendly rather than unfriendly countries.

Sincerely yours,

GEORGE P. MACNICHOL, Jr.,
President.

U.S. imports of window glass, 1961 and 1962, by country of origin

	1961		1962		Percent change, 1961-62
	Pounds	Percent of United States	Pounds	Percent of United States	
Reduced rate countries:					
Austria	2,415,893	0.7	2,921,875	0.6	+20.9
Belgium	107,154,500	28.9	152,481,592	32.7	+42.3
Canada	9,403,717	2.5	6,913,738	1.5	−26.5
Colombia	22,256	0			
Denmark	142,843	0	152,519	0	+6.8
Finland	7,707,738	2.1	10,514,244	2.3	+36.4
France	29,211,557	7.9	34,271,895	7.3	+17.3
Greece	921,167	.3	4,990,267	1.1	+441.7
Hong Kong	110,951	0	1,704	0	−98.5
Israel	768,380	.2	1,459,061	.3	+89.9
Italy	7,234,131	1.9	6,559,167	1.4	−9.3
Japan	57,831,276	15.6	59,169,716	12.7	+2.3
Korean Republic			1,293,288	.3	
Mexico	8,443,378	2.3	12,679,732	2.7	+50.2
Netherlands	444,064	.1	417,219	.1	−6.0
Norway	1,496,214	.4			
Philippine Republic	409,205	.1			
Poland	1,576	0	1,874,955	.4	+118,869.2
Portugal	107,833	0	5,183,357	1.1	+4,706.8
Spain	1,141,660	.3	4,066,614	.9	+256.2
Reduced rate countries—Con.					
Sweden	18,953,316	5.1	12,339,896	2.6	−34.9
Switzerland	146,287	0	63,326	0	−56.7
Taiwan	8,944,734	2.4	12,783,374	2.7	+42.9
Turkey			396,850	.1	
United Kingdom	44,528,218	12.0	51,337,300	11.0	+15.3
Uruguay	12,502	0			
West Germany	38,524,621	10.4	48,292,027	10.4	+25.4
Yugoslavia	46,487	0	648,762	.1	+1,295.6
Total	346,124,504	93.2	430,812,478	92.3	+24.5
Full rate countries:					
Czechoslovakia	13,360,383	3.6	14,365,124	3.1	+7.5
East Germany	1,361,941	.4	1,172,299	.3	−13.9
Rumania	105,013	0	2,974,539	.6	+2,732.5
U.S.S.R.	10,491,048	2.8	17,053,955	3.7	+62.6
Total	25,318,385	6.8	35,565,917	7.7	+40.5
Grand total	371,442,889	100.0	466,378,395	100.0	+25.6

Source: Department of Commerce, Bureau of Census.

MARTINSBURG, W. VA., PLANT OF CORNING GLASS WORKS SCHEDULED FOR EXPANSION—CORNING OFFICIALS HELPFUL IN SENATE HEARING ON EQUAL PAY FOR EQUAL WORK FOR WOMEN

Mr. RANDOLPH. Mr. President, West Virginians are gratified that officials of the Corning Glass Works have decided to institute a program of substantial expansion at their Martinsburg plant, in the eastern panhandle section of our State. Plant Manager Robert A. Sanders has announced that the addition to existing facilities amounts to 10,000 square feet, and will be used to house additional manufacturing equipment.

We are gratified that the leaders of Corning Glass Works are continuing to demonstrate their faith in the capabilities and stability of the citizens of West Virginia. During the 3 years in which Corning has operated its factory in Berkeley County, that respected firm has become more than just an industrial trade name—it has taken on the character of a trusted member of the community; one vitally concerned with local projects and anxious to participate in projects of civic improvement. In short, the relationship established between Corning and the citizens of Martinsburg is one of mutual regard. Both realize that they are working together to create not only a commercial product of value to millions, but a happy and successful community that is an integral part of American prosperity.

An editorial in the March 12, 1963, issue of the Martinsburg Journal stated: "Corning, we have found out, is also a good citizen in addition to being merely a good employer. If you notice, there is never a community improvement project undertaken where either or both Corning company financial contributions or Corning employee assistance does not play an important part."

The editor goes on to write that "The meeting of Corning and Martinsburg was love at first sight with an industrial marriage resulting in an uninterrupted honeymoon over the past 3 years."

And, Corning Glass Works is being constructive in other areas of public interest as well. In today's hearing before the Subcommittee on Labor of the Senate Committee on Labor and Public Welfare, of which I am a member, E. G. Hester, director of industrial relations research for Corning Glass Works, gave important and effective information. Testifying on S. 910, the equal pay bill for women for equal work, Mr. Hester indicated his company's longtime concern for equal employment opportunity for women, and pointed out that Corning presently employs female workers at virtually all levels of its vast industrial complex, including executive and managerial positions.

During his testimony it was my pleasure to question Mr. Hester as to the number of persons employed by Corning Glass Works in the State of West Virginia, and the number of women so employed. He replied that 300 of the 750 employees in Corning's Parkersburg, W. Va., plant are women; at Martinsburg, W. Va., 175 out of 495 are women; about 10 of the 56 employees of the facility at Buckhannon, W. Va., are women, as are 70 to 80 of the citizens now working at the Paden City works.

From these figures it is clear that the Corning Glass Works has become an integral part of the economy and welfare of our State, a fact which has earned the gratitude, respect and loyalty of all West Virginians. We are grateful to Mr. Hester for his lucid and helpful testimony before the Labor Subcommittee. Likewise, commendations are due William J. Belknap, Corning's director of Government services, for his counsel and cooperation during our study of this vital question. Both of these men have given meaningful assistance to those attempting to bring forth effective legislation which will benefit all Americans.

CIVIL RIGHTS LEGISLATION

Mr. CASE. Mr. President, a few days ago I and a number of my colleagues introduced a package of legislative proposals dealing with civil rights. These measures were based upon the recommendations of the United States Commission on Civil Rights, the Commission established to advise the President and the Congress of the steps necessary to assure all Americans of the rights to which each of us, whatever our race, color, or religion, is entitled under the Constitution.

The response to our action has been most encouraging. Clearly there is widespread awareness of the need for legislation. For too long the Congress has put off facing up to its responsibilities in this field.

I ask unanimous consent to have printed in the RECORD an editorial from the New York Times of April 2, 1963, entitled "Reminder on Civil Rights," an editorial from the Newark Evening News of March 29, 1963, entitled "Up the Hill Again," and an editorial entitled "Politics and Promises" from the Washington Post of April 1, 1963.

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

[From the New York Times. Apr. 2, 1963]

REMINDER ON CIVIL RIGHTS

A group of Senate Republicans has introduced a sheaf of civil rights bills which top anything we have seen thus far in the new Congress. New York's two Senators, JAVITS

and KEATING, are in this group. So are CASE of New Jersey, SCOTT of Pennsylvania, SALTONSTALL of Massachusetts, KUCHEL of California, BEALL of Maryland and FONG of Hawaii.

The bills these gentlemen have introduced would do many useful things: give the Commission on Civil Rights permanent status; outlaw discriminating practices at the polls; do the same thing in federally financed housing projects; penalize discrimination in Federal employment, and enforce a more rapid pace in the achievement of school desegregation.

It is easy enough to dismiss all this as a political gesture, designed to embarrass the Kennedy administration. But the fact remains that, while President Kennedy sent a civil rights message to Congress on February 28, he has not followed it up with concrete legislative proposals. The Republicans now have.

[From the Newark Evening News, Mar. 29, 1963]

UP THE HILL AGAIN

What has become an annual pilgrimage up Capitol Hill in behalf of effective civil rights legislation once more has been undertaken by New Jersey's Senator CASE and a small band of liberal Senators.

They seek nothing more radical than the rights which the Constitution and moral decency assure to all citizens. Yet how far from realization we remain is evidenced by the treatment of Negros engaged in a southern voter registration drive and by bullets fired into the home of a youth who wants to enter the University of Mississippi.

Proposed by Senator CASE and seven of his Republican colleagues are Federal safeguards against discrimination in employment, housing, education, public accommodations, and polling places. President Kennedy agreed to the need for more equitable treatment in each of these fields in the program he proposed earlier this month.

But where the President generalized, the Senators specify. They want the Attorney General empowered to institute suit against the violation of any civil right, not just voting rights. They also propose a Federal commission to enforce fair employment practices, Federal technical assistance to schools seeking to desegregate and more equitable access to home mortgage credit.

The possibility of enactment concededly is slim. No one knows this better than the sponsoring Senators. For they are veterans of the campaign to break the filibuster rule that smothers civil rights legislation in Southern oratory. But they mean to keep trying and that is to their credit.

Beaten before, they return unbowed.

[From the Washington Post, Apr. 1, 1963]

POLITICS AND PROMISES

Republican Senators CASE, FONG, JAVITS, KEATING, KUCHEL, and SCOTT have introduced a comprehensive set of bills designed to eradicate racial discrimination in the areas of voting rights, education, employment, housing, and the administration of justice. We think it is scarcely too much to say that if these bills were enacted and effectively administered they would serve to solve the most vexing and disfiguring of American domestic problems. They would confer on American Negroes the first-class citizenship promised to them by the 13th, 14th, and 15th amendments nearly a full century ago.

These Republican proposals are radical in the sense that they go to the root of the race problem and seek to excise it by treating all men equally regardless of color. But they are not at all radical in the sense of being novel. One need not search very far to find their antecedents. All these proposals are set forth as solemn promises in the Republican Party platform for 1960. All these proposals are also set forth as solemn promises in the Democratic Party platform of 1960. It would be hard to say which platform trumpets the promises more appealingly and melodiously. But it is easy to say that the promises are as yet unfulfilled.

They are not unrealizable. They are not visionary. Indeed, the Republican platform of 1960 said of them that "each of the following pledges is practical and within realistic reach. They are serious—not cynical—pledges made to result in maximum progress." The Democratic platform asserted that "the time has come to assure equal access for all Americans to all areas of community life, including voting booths, schoolrooms, jobs, housing, and public facilities." The Democrats were then seeking the Presidency and so their platform included an observation that "what is now required is effective moral and political leadership by the whole executive branch of our Government to make equal opportunity a living reality for all Americans."

For all the loftiness of purpose and sincerity of concern among the half dozen Republican sponsors of the civil rights measures pledged by the two major political parties, no one, we suppose, seriously expects any of these bills to be enacted into law in the 88th Congress. The chances are against any of them even coming to a vote in both Houses of Congress.

SOUTH DAKOTA IMPLEMENTS KERR-MILLS ACT

Mr. MUNDT. Mr. President, in the session of the South Dakota Legislature just completed there was enacted legislation implementing in South Dakota the Kerr-Mills Act. The action taken in South Dakota which is now law is unique in two ways in that it was taken under the authority of Public Law 87-543 enacted by the Congress last year and provides funds to finance a pilot or demonstration program. The South Dakota statute also establishes a prepayment system of operation in this area.

This is indeed another milestone in bringing the benefits of the Kerr-Mills program to the people of this country. According to my information there were 25 States in addition to Guam, Puerto Rico, and the Virgin Islands which had implemented the law by December 1962. Since that time 3 States, including South Dakota have approved similar laws and 13 others were considering bills of this type during the sessions of their individual legislatures.

I ask unanimous consent to have printed at this point in my remarks a résumé of South Dakota's Kerr-Mills implementation program and a copy of the bill as it was enacted and signed into law by the Governor of South Dakota.

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

It was the feeling of the legislature that many States had jumped into a program without any accurate estimate of the total needs. Several of these have found that their appropriations far exceeded the demand for fund utilization.

A pilot program will determine within a short time, the number of needy persons, the extent of their needs, and will provide a more accurate determination of the cost of a full program.

The South Dakota State Medical Association took the position that any program for persons in the near-needy or medically indigent area should be treated as nearly akin to their more fortunate (and solvent) confreres as possible. Those persons having resources protect themselves against the cost of medical-surgical and hospital care with prepaid Blue Cross-Blue Shield or insurance contracts so it was determined that persons who turned to the Kerr-Mills program as a resource should receive comparable benefits. The legislative committee studying the problem concurred in this view and a bill was drafted and introduced by Representative Ellen Bliss, Sioux Falls, chairman of the house committee on health and welfare.

The bill was signed into law by Governor Archie Gubbrud and becomes effective on July 1 or when the plan receives approval of the Department of Health, Education, and Welfare, whichever is later.

The law empowers the State department of public welfare to set up a program to qualify for Federal funds and provides that—

1. A person to be eligible for aid must not be a recipient of old-age assistance when he applies, must be unable to pay for medical or remedial care, must not have an average annual income of $1,500 or more, or $1,800 for a married couple, and must not have a net worth of $10,000 or more. If available funds are insufficient, the department may set lower limits on income and resources but may not go above these specified limits.

2. The department is empowered to accept applications and determine eligibility of those who apply. All individuals wishing to do so shall receive an opportunity to apply and assistance is to be furnished with reasonable promptness to those who are eligible.

3. The department may appoint county advisory committees to assist in recommending selection of applicants. Basic intent of this provision is to keep a local flavor to the selection where needs are best known.

4. The welfare department shall contract with Blue Cross and Blue Shield or licensed insurance companies to purchase prepaid health coverage which shall include the following:

Hospitalization is to be limited to 30 days per admission in semiprivate or ward accommodations. Said provision includes a $25 deductible clause, outpatient hospital care and services. Physicians' services are limited to 12 office calls per fiscal year and to medical calls, surgical, and other services in a hospital for 30 days per admission. Laboratory, X-ray, and other special procedures may be limited to $100 per fiscal year. The latter procedures are subject to a $10 deductible clause. Physicians must agree in writing to participate in the plan.

5. A provision is made for the insurance company or Blue Cross-Blue Shield plan to operate without profit or loss. A contingency fund was established to not only take care of the possibility of loss, but to provide services for individuals not on the program whose illness makes them eligible.

6. The usual provisions are included in the law which makes it effective simultaneously in all political subdivisions, prohibits payment by the recipient of enrollment fees as a condition of eligibility, reserves the State department of welfare the right to cancel a contract within 30 days' written notice, provides safeguards against use and disclosure of information concerning applicants for or recipients of assistance, and provides a penalty for fraudulent information given by the applicant.

The program, as adopted by the legislature, has the endorsement of the State medical association, the State hospital association, and other health organizations. The prepayment aspect of the plan and the pilot program aspect of the plan which will curtail high administrative costs, met with high favor from most legislators and other individuals involved.

HOUSE BILL 510

An act authorizing the State public welfare department to establish a medical aid to the aged program, and to purchase medical care and hospitalization contracts for recipients of medical care to the aged; empowering public welfare commission to establish rules, regulations, and income and net worth qualifications for the operation of the program

Be it enacted by the Legislature of the State of South Dakota:

SECTION 1. In addition to the authority and duties granted to the State department of public welfare in chapter 55.36 of the South Dakota Code of 1939, and all laws amendatory thereof, the State department of public welfare is granted the following power:

(1) To qualify for Federal money under the provisions of title 1 of the Federal Social Security Act, as amended, pertaining to the provision of medical assistance in behalf of individuals 65 years of age or over who are not recipients of old-age assistance at the time of application and who are unable to pay for needed medical or remedial care services;

(2) To establish reasonable standards consistent with the objectives of title 1 of the Social Security Act, as amended, for determining eligibility of individuals for such medical assistance and the extent of such assistance: *Provided, however,* That such medical assistance shall not be made available to any individual who has had an average income, during the preceding 12-month period prior to the submission of an application for such assistance, of $1,500 or more, nor to a married couple having an average income of $1,800 or more, or at the time of application, a net worth of more than $10,000. *Provided, however,* That the State public welfare commission may by resolution lower, but may not increase such income and net worth qualifications, as herein established, if the commission concludes that insufficient funds are available to provide medical care to the medically indigent aged;

(3) To accept applications for medical assistance for the aged from any individual who deems himself eligible for assistance under the terms of this act, to determine such individual's eligibility or ineligibility for such assistance in accordance with rules and regulations adopted for such purpose by the State public welfare commission;

(4) To certify the medical indigency of any individual who applies and qualifies for medical assistance under the terms of this act and the period of eligibility;

(5) To appoint in any county a county advisory committee on medical aid to the aged consisting of not less than three nor more than five members. The members of such committees shall be residents of the county for which appointed, shall serve without compensation except for actual expenses incurred in the attendance at meetings within the limitations fixed by the department of public welfare, and shall serve at the pleasure of the department.

SEC. 2. The State department shall purchase, in behalf of individuals certified as medically indigent under section 1 of this act, medical care and hospitalization contracts from corporations licensed to operate either under SDC 1960 Supp. 31.17A or SDC 1960 Supp. 31.17B, or "company" as defined in subsection (6) of SDC 31.0101, operating under a certificate of authority issued by the South Dakota Department of Insurance, and provided that the responsibility of such corporations or company for payment of hospital services incurred by such medical indigent individual shall be as follows:

1. For contracted inpatient hospital care and services provided in semiprivate or ward accommodations during a period of eligibility and for a period of 30 days for each admission less $25 per admission.

2. For contracted outpatient hospital care and services provided during the period of eligibility.

It is provided further that the responsibility of such corporations or company for the payment of contracted physician services incurred by such medically indigent individual, provided such physician agrees, in writing, to participate in such prepayment plan shall be as follows:

1. For calls, and services provided in connection with such calls, including injectible drugs, or other material provided by the physician and administered in connection with such calls. During the period of eligibility, except for inpatient hospital services by a physician in any appropriate place including the physician's office or clinic, the patient's home, nursing home, or outpatient department of a hospital, such calls may not exceed a total of 12 during any fiscal year period;

2. For contracted laboratory procedures, X-ray procedures, and other special procedures in the physician's office provided during the period of eligibility by a physician, less the first $10 for such services, provided that the total cost of such services may be limited to $100 during any fiscal year period;

3. For contracted medical calls and services in a hospital provided during the period of eligibility by a physician for a period of 30 days for each admission.

It is provided further that no profit nor loss shall accrue to the contractors and when such corporations or company anticipate a loss from such program, immediate renegotiation to decrease levels of service or utilize the medical aid to the aged contingency fund, as hereinafter provided, shall be initiated and completed within 30 days of notice by the contractor.

Inasmuch as State and Federal funds are the source of all moneys for the medical aid to the aged program, the contractors shall not be liable for payment of State insurance premium taxes for operation of this program.

SEC. 3. Any prepayment contract purchased by the State department in behalf of medically indigent individuals shall incorporate the following provisions:

1. It shall be effective simultaneously in all political subdivisions of the State and the benefits of said contract shall include residents of this State who are temporarily absent;

2. It shall prohibit payment by the recipient of enrollment fees, premiums, and similar charges as a condition of eligibility;

3. It reserves to the State department the right and authority to administer or supervise the administration of such contract or to cancel it upon 30 days' written notice of such cancellation without liability after the effective date of said cancellation other than for cases incurred prior to the date of such cancellation;

4. It shall provide safeguards against use and disclosure of information concerning applicants for or recipients of assistance, except for purposes directly connected with the administration of the contract.

SEC. 4. The State public welfare commission shall adopt rules and regulations requiring the following:

1. An opportunity for a fair hearing before the State department of public welfare by any individual whose claim for assistance is denied or not acted upon with reasonable promptness;

2. Methods of administration deemed necessary for the proper and efficient operation of the State plan, including the adoption of a merit system for personnel;

3. The filing of necessary reports to the Secretary of the U.S. Department of Health, Education, and Welfare;

4. Safeguards against use and disclosure of information concerning applicants for or recipients of assistance, except for the purpose directly concerned with the administration of the plan;

5. All individuals wishing to do so receive an opportunity to apply for assistance, and assistance is to be furnished with reasonable promptness to those who are eligible and certify such individual as medically indigent for the purpose of any contract entered into by the State department of public welfare; and

6. Such reports on premium costs, recipients counts, utilization data, and similar administrative matters necessary to be fully accountable for the expenditure of public funds.

SEC. 5. The authority contained in this act shall become effective upon the approval or acceptance for Federal participation of a South Dakota medical aid to the aged plan by the Secretary of the U.S. Department of Health, Education, and Welfare under the provisions of title 1 of the Social Security Act pertaining to medical assistance to the aged, but not prior to the effective date of this act.

SEC. 6. There is hereby created a fund to be known as the medical assistance for the aged contingency fund to serve as a contingency fund to meet emergency disbursements as hereinafter provided by the State department of public welfare, not to be included in the general appropriations which provide for the ordinary operational expenses of the medical assistance for the aged program administered by the State public welfare commission, and to be used for the purpose of carrying into effect the objectives of said program. No part of this fund shall revert to the general fund.

SEC. 7. When, in the course of normal administration of a medical assistance for the aged program, the State department of public welfare shall realize a temporary deficit in the general operating expenditures of medical assistance funds, such deficit may be removed by said department, with the approval of the State public welfare commission, by withdrawal of contingency fund reserves or so much thereof as may be necessary. Withdrawals of said fund shall be disbursed on warrants drawn by the State Auditor on vouchers submitted by the public welfare department and approved by the State welfare commission.

SEC. 8. The term "medical assistance" and "medical or remedial care" as used in this act shall be deemed to include all of the services described in section 1385 of title 42, U.S.C.A.

SEC. 9. 1. Whoever knowingly obtains or attempts to obtain or aids or abets any person in obtaining medical assistance for the aged to which he is not entitled, medical assistance for the aged greater than that to which he is justly entitled, by means of false statement or representation, or by impersonation or other fraudulent device, or by failure to supply the State Department with full and accurate information at the time of application for medical assistance for the aged or promptly thereafter, whenever changes in the extent or amount of income or eligibility occur, or

2. Whoever aids or abets in buying, concealing, or in any way disposing of the property of a recipient of assistance, with the intent to defeat the purposes of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not to exceed $500 or by imprisonment in the county jail not to exceed 3 months, or by both such fine and imprisonment.

Approved March 11, 1963.

ASSAULT ON CONGRESS

Mr. MUNDT. Mr. President, last night's Washington Evening Star—the April 1 issue—contained a most percep-

tive piece by the noted political columnist, Mr. William S. White, in which he comments on the current effort being made to further usurp the power of the Congress.

Mr. White describes this effort as an "assault of the sixties upon the last home of representative government, Congress."

I would go a step further and define these attempts as brazen moves to radicalize the Congress into something which was exactly the opposite intention of the inspired authors of our Constitution.

With the convening of the 88th Congress, 1st session, we were witness to and participants in the struggle to dilute the power, the rights, and the obligations of the Senate as set forth in the Constitution.

What happened this winter was merely one battle in the apparent never-ending attempt to reduce not only the Senate but the Congress to no better status than that enjoyed by a dangling puppet responsive only to the whims of modern-day stringpullers whose concept of government has scant allowance for the rights of individuals and no room at all for dissent.

Mr. President, Bill White has been on the Washington scene a long time. Most of us recall when he was the Senate correspondent for the New York Times and later the Times chief congressional correspondent.

He is no mere casual observer of the Congress; in fact, if one were to compile a list of what might be termed "expert students" of the Congress—and particularly the Senate—the name of Bill White would be high among that group.

So it is with this background of Mr. White's in mind that I call to the attention of the Senate his discussion of the constant attempts being made to diminish the role of Congress in our system of government, a system of government, I might add, which stands in danger of destruction, in my opinion, should the efforts to mute the voice of the people—the Congress—achieve success.

Mr. President, I ask unanimous consent to include Mr. White's article in the RECORD at this point.

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

ASSAULT ON CONGRESS CHARGED

(By William S. White)

The most vehement attack upon Congress as an institution since the first Roosevelt New Deal—when for a time it seemed that the just and constitutional powers of the National Legislature might be forever destroyed—is now being mounted.

The old assault of the thirties was led by a President, Franklin D. Roosevelt, who wanted to have it all his own way, all at once. There was some small color of justification then. For the country was in a massive and malignant depression in which it appeared to some good men who were too much afraid and too much in a hurry that the alternative to a thoroughly cowed and docile Congress might be mobs in the streets.

For the new assault of the sixties there is no justification whatever, save the self-justification of unreasonably demanding pressure groups which see in Congress constitutional right to reject their proposals simply some evil denial of what, in their own minds alone, is best for the Republic.

LEFT LEADERSHIP

This new assault of the sixties upon the last home of representative government, Congress, is being led by a combination of leftwing men and forces, almost all of them Democratic and some of them actually Members of Congress.

Their objective of all objectives is to pressure the present Democratic President, John F. Kennedy, to join them in discrediting the actions, the procedures and sometimes even the motives of a currently Democratic Congress.

These forces have, in every instance, two things in common.

In 2 years of the Kennedy administration their legislative desires have repeatedly been frustrated by their own simple inability to marshal an effective majority for them.

And in 2 years of the Kennedy administration they have repeatedly been unable to force Congress to agree to change itself and its procedures in such a way as to forward the adoption of those desires over the manifest objections of a majority in Congress and the country.

Thus, unable to win the game under the rules, they demand changes in the rules. Thus, unable to persuade the public to back their notions and bills, and convinced of the infinite righteousness of those notions and bills, they conclude that only some giant conspiracy, or some dreadful weakness in Congress, is to blame for their own minority ineffectuality.

They follow the classic pattern of well-intentioned reformers. They know for a fact that what they propose is good for the people. When the people and the people's forum, Congress, refuse those proposals, it is, in their minds, the Congress which is wrong and the people who are deluded and defrauded.

NEW DOUBLETALK

They have evolved a whole new jargon in which old words have new meanings. The defeat of their measures in Congress becomes not merely defeat but obstructionism. The inability of the present President to persuade Congress to do everything he wants—where what he wants is suitably liberal—becomes not merely ordinary disagreement, but deadlock.

Congressional unwillingness to listen overmuch to them automatically means that Congress is foolish—or worse. Congress undoubtedly hesitant and plodding present pace is, to them, not simply an obvious reflection that Congress prefers just now to go slow. It is, instead, some large and glitteringly frightful thing like a paralysis of Government.

To them, to go slow is automatically to go wrong—if not worse. To them, deliberation becomes defiance; caution becomes cravenness; dissent from them becomes conspiracy; the refusal of a congressional majority to surrender to a minority becomes the capital crime of not moving the country forward.

But whose country is it? And who is to define forward?

CENTENNIAL ANNIVERSARY OF BOSTON COLLEGE

Mr. SALTONSTALL. Mr. President, Boston College, one of this country's leading institutions for higher learning, is celebrating the 100th anniversary of its founding this year. A formal ceremony commemorating this occasion was held at the Chestnut Hill, Mass., campus on Sunday, March 31, 1963.

It is appropriate that recognition be made of this event for Boston College has, since its inception, made a substantial contribution to the academic, cultural, economic and social fabric of the community and Nation. That this is so is due primarily to the philosophy of Boston College which emphasizes the importance and value of liberal arts and its influence in the development of moral and spiritual values. A corollary to this is the development of the intellect, an understanding and appreciation of human values, and the proper regard for individual rights.

It is the application of such a philosophy which has enabled Boston College to achieve preeminence as a significant and positive force in its relatively brief span of existence. The standard incorporated on the official seal of Boston College is "Ever To Excel." This motto has characterized the impressive record of this institution.

Boston College is today, in every respect, a university. There are presently 12 colleges, including 5 postgraduate and professional schools within the university. The original small college of liberal arts consisting of 22 students has matured into the third largest Catholic university in the United States with an enrollment of approximately 10,000 students.

Three out of five living alumni of Boston College are serving their community in education, government, medicine, nursing, religion, and social work. It is interesting to observe that one out of every five attorneys admitted to practice law in the Commonwealth of Massachusetts over the past 10 years is a graduate of the Boston College Law School; one out of every six physicians in Greater Boston is a graduate of Boston College.

The contribution made by Boston College to the life of the community is evident by various programs conducted at the university. Annual citizens' seminars on economic difficulties bring together civic leaders who discuss methods for solving common problems. The law school forums have sponsored discussions by professional experts on the legal ramifications of social problems within a community. The school of Education has inaugurated special programs for the teaching of the mentally retarded and of the blind. A weekly television program, sponsored by the College of Business Administration, has focused public attention upon such subjects as urban renewal, State and municipal finances, transportation and housing.

This is indeed an impressive record. I compliment Boston College on the occasion of the centennial of its founding for its many achievements. I wish it continued success in the years ahead.

NATIONAL COMMITTEE FOR SUPPORT OF THE PUBLIC SCHOOLS

Mr. MORSE. Mr. President, the noted humanitarian, lecturer, author, and social worker, Mrs. Agnes E. Meyer, has accepted the responsibility of becoming chairman of the National Committee for Support of the Public Schools. Joining her on the executive board of this organization are Dr. Harold Taylor, former

president of Sarah Lawrence College; the Honorable William Benton, a great and distinguished former colleague who so ably represented Connecticut in this Chamber; Gen. Omar N. Bradley; the Honorable Marion B. Folsom, ex-Secretary of Health, Education, and Welfare; the well known author, John Hersey; the Honorable Mary C. Kohler, who served with distinction for 15 years on the bench of the San Francisco, Calif., juvenile court; James G. Patton, president of the National Farmers Union; and Mr. John I. Snyder, Jr., member of the board of trustees for the Committee for Economic Development. Mr. David E. Scoll serves the organization as secretary-treasurer.

This group of distinguished American educators and public servants, in preparation for the first national conference of the national committee which will be held April 7, 8, and 9 here in Washington, has prepared a report entitled "Changing Demands on Education and Their Fiscal Implications." In the foreword to the report, Mrs. Meyer eloquently voices the committee's goals. I ask unanimous consent that the foreword to the report be printed at this point in my remarks.

Mr. President, if is my intention from time to time to bring segments of this report to the attention of my colleagues through insertions in the CONGRESSIONAL RECORD, since in my judgment the information contained in it will be most helpful to us in accomplishing our legislative duties in the field of education during this session of the Congress.

In pursuance of this objective, I ask unanimous consent that the chapters entitled "Field of This Report," "Technological Change and Automation," and "Education and Earnings" be printed at this point in my remarks.

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

FOREWORD

The hope of our free society lies in the public schools. It is here that the society of tomorrow begins to take shape; here that the spark, the strength, the character of our democracy is generated.

The National Committee for Support of the Public Schools was organized in January 1962 by a bipartisan group of community leaders who believe that the survival and progress of the United States depend as never before upon full development of our human resources. That our school system is a good one is unquestionably true. It is equally true that it has not kept pace with the mounting demands of the times.

A much stronger national determination to improve the scope and quality of public education is urgently needed. Accordingly, the committee has these objectives:

1. To publicize individual and social benefits which accrue from investment in the right kind and amount of public education.

2. To focus public attention on individual and social problems associated with inadequate schooling of a considerable percent of citizens.

3. To point out areas of educational policy and action essential for full development of human resources.

4. To identify fiscal action essential to adequate financial support for effective public education at all levels, from kindergarten through grade 14.

The public school problem challenges each member of every community. Efforts to develop a system of public education to meet the demands of today and tomorrow should be based on fact and on thoughtful deliberation. Accordingly, the committee's program emphasizes factual studies, believing that people will act when they are fully informed.

This report, "Changing Demands on Education and Their Fiscal Implications," is the committee's first effort to increase understanding and to stimulate organized effort on behalf of public schools throughout the country. We hope that it will lead many citizens to examine carefully the urgency and the dimensions of the school problem and to unite in a common effort to make more effective use of education in developing our human resources.

AGNES E. MEYER,
Chairman, National Committee for Support of the Public Schools.

FIELD OF THIS REPORT—I

This report is concerned primarily with the interrelations of education and economics as they affect the well-being of the individual and the Nation. This emphasis in no sense implies that economic considerations should predominate in determining the purposes and content of public education.

The fact is, however, that regardless of the point of view one takes concerning this public service, it is costing a lot of money and, according to careful estimates, will cost more with each passing year.

This fact tends to evoke two differing reactions. One point of view, which acknowledging that values accrue to society from quality education, maintains that expenditures for public schools fall on the consumption side of the economic ledger. This point of view holds that taxes decrease the amount of capital available for investment. Hence, public school expenditures are something on which we must "save" if investment and economic growth are not to be hampered.

Another point of view that has received increasing attention in recent years is one that maintains that wise expenditure for education is economic investment. By developing human resources through education and other services such as health programs, a stock of human capital is built up which is an essential ingredient of a productive and viable economy.

The point of view of this report is that expenditure for good schools is both a high order of consumption and an essential form of investment. This should be taken into account in determining what amounts may wisely be budgeted for public education.

Education for intellectual development and for informed and perceptive minds was never needed more than it is today. The danger is that when education is thought of solely in these lofty and noble terms it is likely to suffer financial limitations which will prevent full achievement of both its intellectual and its economic goals. The latter cannot be ignored in a nation such as the United States, in which world leadership and even survival depend upon economic power.

Accordingly, this report explores the economics of education from several approaches. It deals with these questions:

1. What are some of the major demands of modern technology on the public schools?

2. What is the relation of education to individual earnings?

3. What new insights and evidences are economists developing concerning education as investment in human capital and as a factor in national economic growth?

4. What is the effect of education when its full power is focused on a particular segment of production?

5. What are the individual and social penalties resulting from denial of adequate schooling to a considerable percentage of our population?

6. What are some of the requisites for the development of a system of public education which is right in amount and kind?

7. Has the financial support of public schools been sufficiently responsive to the demands made upon them?

8. What expenditures will be required in the future for the effective development of public schools?

9. What are some of the fiscal actions required to provide adequate financing for public education?

Information on such questions as the foregoing does not provide easy answers to the problem of what amount should be expended for public education in a particular locality, in a State or in the Nation as a whole. They do constitute one basis for decision in the complex process of budgeting funds for public schools.

TECHNOLOGICAL CHANGE AND AUTOMATION—II

Research, the application of new knowledge to industrial processes, and automation are remaking the economy of the United States. The scope and rapidity of this change are bringing about what some have called the second industrial revolution. The impacts of this revolution are profound for education. It is imperative that schools and colleges respond to the new and changing demands being made upon them.

Occupational trends

Professional and Technical Workers

One of the most persistent occupational trends in the United States is the growing demand for workers with increased general education and advanced technical and professional training. A college degree is required even for admission to training for a mounting number of callings.[1] Many business concerns look upon a college degree as the minimum requirement for employment in positions that lead to the more attractive types of work.

The fastest growing occupations are those that require larger amounts of general education and advanced technical and professional training.

The 1960 U.S. Census Report states that "professional and technical personnel, the most highly educated of all workers, are increasing fastest." The following are figures for 1950–70:

	Millions
1950	5
1960	7.5
1970 (estimated)	10

Professional and technical workers in 1950 were 8 percent of the employed population. By 1970, this percentage will be well over 12.5.[2]

Skilled and Semiskilled Workers

Below the professional and technical occupations in amount of training required are those designated as skilled and semiskilled. Both are growing in number, but the skilled occupations are growing more rapidly than the semiskilled.[3]

Unskilled Workers

The percent of the employed population now classified as unskilled will continue to decline.

The least skilled of all workers do the hardest physical work, except perhaps farm laborers, and are usually the lowest paid. Over the past half century their place in the labor force has dropped from 12.5 percent to less than 6 percent in 1960. In numbers, the need for unskilled workers will remain about the same during the coming decade, but their proportion in the labor force will continue to drop—to less than 5 percent by 1970.[4]

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[1] U.S. Department of Labor, Bureau of Labor Statistics, "Occupational Outlook Handbook," Washington, D.C.: Government Printing Office, 1961, p. 29.

[2] Ibid., p. 24.

[3] Ibid., pp. 22–25.

[4] Ibid., p. 26.

Figure 1 shows the trend for three occupational groups from 1900 to 1960 and estimates the trend to 1975. The group with the highest training (professional and technical workers) composes a rapidly rising percentage of the work force. The percentages of the work force classified as farm workers and industrial laborers are rapidly declining.

FIG. 1.—*Occupational distribution of workers*

[Percent of all workers]

Professional and technical:	
1900	4.39
1920	5.4
1940	7.5
1950	8.6
1960	11.2
1975	14.0
Farm:	
1900	37.5
1920	27.0
1940	17.4
1950	11.8
1960	8.1
1975	5.3
Laborers (industrial):	
1900	12.5
1920	11.6
1940	9.4
1950	6.6
1960	5.5
1975	4.4

Sources: Data for 1900–50 from Kaplan, David L., and Casey, M. Claire. "Occupational Trends in the United States, 1900 to 1950." U.S. Department of Commerce, Bureau of the Census, Working Paper No. 5. Washington, D.C.: Government Printing Office, 1958. Table 2, p. 7. Data for 1960 and 1975 from the U.S. Department of Labor, Bureau of Labor Statistics.

Actual 1900–1960 and estimated 1975.

Farm Workers

Farm workers made up 53 percent of the total labor force in 1870; by 1970 they will represent only about 6 percent. The greatest technological revolution in the United States has taken place in agriculture.

In 1870, the number of farmers and farm workers was about 7 million. It reached a peak of 11.5 million around 1910.

By 1950, the number of farm workers had declined to 7 million (12 percent of the labor force), the same number as 80 years before, even though the Nation's population had increased almost fourfold and the quantity of farm products by 4.5 times.

This downward trend in the number of farm workers continued during the 1950–60 decade. In 1960, only 5.9 million farmers and farm laborers were in the labor force; by 1970, the total will have dropped still further, to about 5 million, only 6 percent of the labor force, a ninefold drop in 100 years.[5]

The impact of the reduction in the number of farmworkers is far greater in some States than in others. This is how it is in Mississippi:

The 1960 census shows that over half the farm population of Mississippi has moved to urban centers in the past 10 years, and also about 75 percent of the population lives in urban centers, so we need fewer and fewer farmers, and industrialization is demanding more education. To just get out there and plow a mule, you know, like it has been in Mississippi up until a few years ago, could be done without being able to read and write. But, now we have come to the time that something is going to have to be done about this thing because it requires skills and education that haven't been required before. And it is an emergency.[6]

[5] Ibid., pp. 16–17.

[6] Williams, W. E., supervisor of adult education, Mississippi State Department of Education. Testimony before U.S. 87th Cong., House of Representatives Committee on Education and Labor, 1962.

Industrial Workers

The following examples are illustrative of the present condition of industrial workers:

Because of technological change, about 200,000 production jobs have been eliminated in recent years in the aircraft industry alone.

Productivity (or output per man-hour) in the soft coal industry rose 96 percent since World War II, but employment fell by 262,700.

Steel production in 1960 was almost the same as in 1950, but employment declined by 80,000, or 14 percent.

Employment in the manufacture of refrigerators and washing machines has fallen 18 percent, and employment in instrument production has fallen 15 percent in the last 7 years.[7]

In the highly automated chemical industry, the number of production jobs has fallen 3 percent since 1956, while output has soared 27 percent. Though steel capacity has increased 20 percent since 1955, the number of men needed to operate the industry's plants—even at full capacity—has dropped 17,000. Auto employment slid from a peak of 746,000 in boom 1955 to 614,000 in November 1961.

Since the meat industry's 1956 employment peak, 28,000 workers have lost their jobs, despite a production increase of 3 percent. Bakery jobs have been in a steady decline from 174,000 in 1954 to 163,000 in 1960.[8]

Employment in railroad jobs fell from a total of 1,400,000 in 1947 to 730,000 in 1961—a drop of 670,000. Technological shifts (the diesel displacement of steam was a large factor) and dwindling business in the postwar period are what worked this occupational upheaval in the Nation's railroads.[9]

Changing composition of the labor force

White-Collar and Blue-Collar Jobs

The growing demand for highly trained and skilled personnel and the declining demand for unskilled workers have brought about a major transition in the composition of the labor force.

In 1956, for the first time in the Nation's history, professional, managerial, office, and sales workers outnumbered craftsmen, operatives, and laborers. The startling import of this continuing trend can be fully realized only when we remember that in 1910 the number of white-collar jobs was less than half the blue-collar jobs; now they have left the blue-collars behind, and by 1970 they will be 25 percent greater than blue-collars.[10]

Employment of Women

Another major occupational change concerns the employment of women. It is estimated that during the 1960's the number of women working for salaries and wages will rise at nearly twice the rate for men. By 1970, women workers will number 30 million and will constitute one-third of the labor force. At least two of every five women aged 20–65 will be gainfully employed in 1970.[11]

The growing demand for skilled, semiprofessional, and professional workers can be met in part by capitalizing the potential talents of our womanpower. The considerable percentage of women who lack training required for better-paid jobs are the last untapped reservoir of unspecialized brainpower.

Gains and problems of technological change

Technological change has brought highly significant gains and has also created serious problems, as illustrated below.

Hours and Character of Work

On the gain side is a sharp decline in the number of hours per workweek. The hours in the average workweek declined from 70 in 1850 to 60 in 1900 and to just under 40 in 1960, as shown in figure 2 [not printed in RECORD].

There has also been a marked change in the nature of work. Fewer and fewer workers are engaged in hard manual labor. Gerard Piel describes this change as follows:

"During the past 25 years our technology entered upon the era of automatic production. The real work of extracting nature's bounty from soil and rock and transforming it into goods is no longer done by human muscles, and less and less by human nervous systems. It is done by mechanical energy, by machines under control of artificial nervous systems, by chemicals, and by such subtle arts as applied genetics."

"While the impact of these developments upon industry has attracted most of the attention, their impact upon agriculture has amounted to a revolution."[12]

Per Capita Production

The length of the average workweek has sharply declined. Hard manual work is the lot of a decreasing minority of our labor force. Nevertheless, productivity per capita has sharply increased in the United States.

Between 1929 and 1962 our population grew 53 percent, while our gross national product, in constant (1954) dollars, grew 159 percent. The result is the high standard of living of our affluent society and the economic power that is a major deterrent to foreign aggression.

Technology has brought great gains and also has given rise to serious problems. A major problem is the imbalance between the type of labor force our new technology increasingly requires and the skills and qualifications of large numbers of workers in our present labor force. Far too many receive inadequate education and meager training, while the demand grows for broader education and more specialized skills.

School Dropouts and Elderly Workers

A great variety of unskilled jobs, which youngsters formerly filled at least as stepping stones to something better,[13] or which elderly workers filled, are now disappearing. For example, in New York City alone, there are 40,000 fewer elevator operators as a result of the use of automatic elevators. Each year there will be proportionately fewer openings for the unskilled workers.

Unfilled New Jobs

At the same time that thousands of jobs are being wiped out, new ones are being created in areas unknown only a few years ago. Many of these jobs are unfilled for lack

[7] U.S. 87th Cong., 1st sess., House of Representatives Committee on Education and Labor, Subcommittee on Unemployment and the Impact of Automation. "Impact of Automation on Employment," Washington, D.C.; Government Printing Office, 1961, 23 pp.

[8] Time, "The Automation Jobless—Not Fired, Just Not Hired." Time 77: 69; Feb. 24, 1961.

For further data see U.S. 87th Cong., op. cit.

[9] From a study by the U.S. Department of Labor, Bureau of Labor Statistics, October 1962.

[10] U.S. Department of Labor, op. cit., p. 23.

[11] U.S. Department of Labor. "Manpower Challenge of the 1960's." Washington, D.C.: Government Printing Office, 1961. p. 7.

[12] Piel, Gerard, "Can Our Economy Stand Disarmament?" Atlantic Monthly 210: 37; September 1962.

[13] President Kennedy, speaking recently on behalf of the youth employment opportunity bill stated that "we have in this country 1 million boys and girls who are out of school and out of work. In the next 8 years of this decade, according to some predictions, we are going to have 8 million boys and girls who are going to leave school before they finish, and they are going to be looking for work. They are going to be unskilled, and they may have trouble finding jobs."

of qualified workers. It is not that there are not jobs to be filled but that there are not enough people with the training required to fill them.[14]

Costs of Unemployment

These conditions add up to a hard core of unemployed workers. The insidious growth of unemployment is one of the most critical problems confronting our economic system.

Economic losses from unemployment are never regained. The social costs of unemployment are even greater than the economic losses. The discouragement and frustration of able-bodied men and women, eager to work but unable to find employment, cannot be measured in dollars any more than can the distress of their families. Prolonged unemployment contributes to further unemployment, since human capital deteriorates when it is idle. Unemployment impairs the skills that workers have acquired. It also contributes to family distintegration, crime, and other social ills.[15]

The evils of unemployment afflict all age groups in our labor force. Unemployment is especially high among out-of-school teenagers. This is undoubtedly one of the factors responsible for juvenile delinquency. Unemployment among men from age 20 to age 60 or 65 afflicts both the unemployed man and the other members of his family. Many qualified persons aged 60 and older are ready and able to work, but are denied employment.

Proposed cures for unemployment

There appears to be general agreement that a greatly expanded program for training and retraining the work force is essential if unemployment is to be lessened. There is disagreement about whether such a program is enough. William Glazier states that there is a persistent hard core of unemployed workers, which grew from fewer than 500,000 persons in 1953 to about 2 million at the beginning of 1960. He writes:

"The number has continued to grow. Technological change, decline in some industries and growth in others, shifts in the geographical locations of plants, and changes in consumer demand have caused these many millions of workers to be unemployed and have kept them that way. They are the victims of growth and progress in the American economy.

"The consequential shifts in the structure of industry have left behind a growing pool of unskilled and semiskilled workers handicapped by the limits of a grade school education, equipped with years of routine production-work experience, and burdened with families to support. Many are members of minority groups. In addition, there are the young people under 22 years of age, who have the highest unemployment rate of any group in the Nation today; half of them have still to get their first jobs. They are largely untrained for employment.

"The paradox * * * is that all over the Nation jobs go unfilled. * * * There seems to be no lack of people on the one hand or unfilled jobs on the other; what appears to be lacking is people with sufficient training and the right skills. The jobless worker, in the wrong place with the wrong skills and aptitudes, has become the fall guy. * * *

"As a social objective, training or retraining employed and unemployed persons is much to be desired. It would improve the employability of workers, open up more attractive and higher paid job opportunities, and raise the productive level of the entire Nation. The debatable issue is the appropriateness of retraining as a remedy for the current chronic unemployment." [16]

Positive Measures

Various measures have been suggested so that automation can increase productivity without creating serious unemployment. Some would slow down the pace of automation to a rate that would decrease the amount of labor displacement and joblessness. In some industries, featherbedding is defended as preferable to unemployment.

There is disagreement about how far retraining of those dispossessed of their jobs can be accepted as a solution for technological unemployment.

Regardless of one's point of view on these problems, modern technology and automation are here to stay. They are a stepped-up stage of the industrial revolution through which the output from an hour of labor has constantly been increased. If the United States should attempt to turn back or to stop the clock in this regard, it would lose its paramount economic position in today's competitive world.

The problem is not a new one. At a faster pace than in the past, we must discover the means whereby the rising productivity and standard of living, which are the fruits of technological progress, may be enjoyed without suffering the evil of unemployment and the ills that it breeds.[17]

Governmental Action

Various types of governmental action to alleviate unemployment are being considered, and some are being put into effect. Among the steps that have been suggested for government to take in dealing with chronic unemployment are these:

1. Objective and thorough study to determine the extent, location, and underlying causes of chronic unemployment.

2. Strengthened programs of vocational and technical training to help the untrained become proficient and to retrain those whose original skills are no longer needed.

3. Better information about employment opportunities in other areas of a given State or elsewhere in the country.

4. Industrial development programs on local and regional bases.

The first large-scale effort of the Federal Government to meet the problems posed by automation and unemployment is the $430 million manpower development and training bill which became a law on March 15, 1962. It authorized $100 million in Federal funds for the fiscal year beginning July 1, 1962, and $165 million in each of the 2 succeeding years, with States matching the Federal funds in the third year. More than 1 million persons are expected to benefit during the 3-year program. Priority is to go to unemployed persons and to farm families having net incomes of less than $1,200 per year.[18]

It is outside the scope of this report to appraise the many proposals that have been made and the actions that are being taken to alleviate unemployment. The important fact is that there is general agreement that education has a major role to play in working toward this end.

Modern economy

Ours is an economy that would be unable to operate without a growing percentage of educated workers. Schools, colleges, and graduate schools, by responding to the demands for an ever more highly educated labor force, make a major and indispensable contribution to economic growth.

This, to be sure, is only one of the purposes of education, but it is an important one. "Occupational Outlook Handbook" states the situation as follows:

"The nature of one's job determines in large measure the nature of one's life. Young people who have acquired a skill or a good basic education will have a better chance at interesting work, good wages, steady employment, and greater satisfaction in life in general. Getting as much education and training as one's ability and circumstances permit should, therefore, be high on the list of things to be done by today's youth." [19]

Current conditions indicate that the educated are most in demand and least likely to be unemployed in periods of either high or low economic activity. Under present trends, there appears to be little danger of overeducating our population, especially if effective guidance results in as close a matching as foresight will permit of the number trained and the number needed in each field.

One answer to the obsolescence of skills caused by technological change is reeducation and retraining of displaced workers.

Youths out of school and out of work present a different problem. The need is for cooperative work-training programs between schools and industry, which postpone the entry of these youths into the labor market until they are equipped with marketable skills.

Report of the 21st American Assembly

The final report of the 21st American Assembly on Automation and Technological Change states that to prepare our labor force for the needs of the new technology, we must further improve our educational standards generally and—

1. Increase substantially the number of scientists, engineers, teachers, doctors, and others in the professions.

2. Develop management personnel equipped with the background needed to understand the social and economic consequences of the new technology and with the capacity to adapt technology to the achievement of greater productivity.

3. Expand training programs for technicians and assistants to engineers, scientists, and other professional personnel.

4. Upgrade and modernize the skills of craftsmen and other workers.

5. Improve the quality of the elementary and secondary educational systems, giving particular attention to the basic skills of reading and mathematics, which provide the foundation for all later education and training, and increase the productivity of our education through new techniques.[20]

Range of New Demands

The following points from several sources suggest new demands which schools and colleges must meet:

1. The work force must be both broadly educated as citizens and highly trained as workers if they are to comprehend and adjust to current and future technological change. People must learn to face the necessity for geographical and occupational transfers; low levels of education and training limit mobility and increase insecurity.

2. An adequate supply of professional and technical people must be trained to meet the

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[14] Buckingham, Walter, "The Impending Educational Revolution." Occasional Paper No. 1, Washington, D.C.: Project on the Educational Implications of Automation, National Education Association, 1961, p. 3.

[15] U.S. 87th Cong., op. cit., p. 14.

[16] Glazier, William. "Automation and Joblessness." Atlantic Monthly 210: 44–45; August 1962.

[17] See the following collection of 20 articles reprinted from Monthly Labor Review. U.S. Department of Labor, Bureau of Labor Statistics. "Impact of Automation." Bulletin No. 1287. Washington, D.C.: Government Printing Office, 1960, 114 pp.

[18] NEA Journal. "News and Trends." NEA Journal 15: 4; April 1962.

[19] U.S. Department of Labor, "Occupational Outlook Handbook," p. 28.

[20] Reported in CONGRESSIONAL RECORD, June 6, 1962.

growing needs. In recent years practically every field has been hampered by a shortage of scientists and engineers, of managers and competent administrators, of trained researchers, teachers, skilled craftsmen, and technicians.[21]

3. Vocational education must be geared to visible and continuing changes. Vocational education has been slow in adapting to changing needs, operating too much within the boundaries of concepts formulated around the time of World War I.

4. There should be much more careful planning of women's education to take account of the thousands who enter upon lifelong careers and the rising proportion of women who enter gainful employment before marriage and again after their children are in school or are past school age. To permit more and more women to enter the labor market without adequate training would be disadvantageous to them and to the economy.

5. How leisure time is used will determine whether technological progress and the shorter work day and week serve cultural, moral, and spiritual values as well as material ends. This calls for greater emphasis on education aimed at wise use of leisure time.

6. A more adequate educational and vocational guidance must be offered part-time and full-time junior and senior high school students and community college, junior college, and 4-year college students.

7. Education must be a lifelong process. Lifelong learning is a new imperative. To survive as productive members of our society and even to enjoy the opportunities offered by the promise of additional leisure will require additional knowledge and lifelong learning.

"It should be made clear to every worker in the land that the price of holding a job will increasingly depend on continuing education throughout the entire working life of the individual." [22]

How to deal with technological unemployment is a controversial issue. It is clear, however, that there is need for a labor force with constantly rising levels of general education and occupational training.

Schools will be involved in varying degrees in dealing with technological unemployment. In some cases, such as the elimination of illiteracy, the primary responsibility will rest on a system of public education that makes it impossible for a normal child to reach maturity lacking the ability to read and write. On the other hand, the retraining of adult workers, unemployed because of automation and other factors beyond the control of the individual, will require the involvement of schools to a lesser extent. Doubtless this retraining will require the cooperation of management and labor, certain types of governmental action, and understanding on the part of the community as a whole. Such cooperative action will not be easy to accomplish. But to permit the full impact of automation and other elements in the technological revolution to fall upon the individual worker without appropriate response would be folly with the gravest social consequences.

Fiscal implications

Substantial increases will be required in the financial support of education if it is to play its role in meeting our economy's rising demand for workers with more and better education and training and its role in providing certain types of education to reduce unemployment resulting from automation and technological change.

Whether this additional cost can and will be met will to a considerable degree depend upon the public's conception of the economic significance of education. The next sections of this report bear on this question.

EDUCATION AND EARNINGS—III

The correlation between amount of education and average earnings of individuals has caught the interest of economists. Leaving aside for the moment the issue of whether there is causal relationship between the two, and recognizing the complexity of the factors involved, let us look at the facts.

Education and average annual earnings

Studies as early as 1917 and many dated subsequently have shown that "persons with larger amounts of schooling generally have larger earnings." [23]

The most recent comprehensive figures on this relationship are those of Miller.[24] His findings show that in 1958 average earnings for males 25 years of age and over, associated with varying years of schooling, were as follows:

Less than 8 years	$2,551
8 years	3,769
High school, 1 to 3 years	4,618
High school, 4 years	5,567
College, 1 to 3 years	6,966
College, 4 years and more	9,206

Miller notes the regularity which marks the correlation between education and higher earnings. He finds "that in every year for which data are presented, the completion of an additional level of schooling was associated with higher average incomes for men. This finding parallels that obtained in numerous other studies of the relationship between education and income dating back to the early part of this century. Although the income levels have changed considerably during the past 20 years, the basic relationship between the extent of schooling and income appears to have remained the same." [25]

Education and lifetime earnings

Estimates of lifetime incomes, related to amount of education, are more significant than those for 1 year. Miller's study by complex computations produces derived figures for lifetime earnings from age 18 to death of individuals in the United States in different educational groups. Figure 3 is based on calculations from Miller's study. Miller, commenting on his estimates, states:

"Additional schooling is associated with a very substantial increase in lifetime income. On the basis of conditions in 1958, an elementary school graduate could expect to receive during his lifetime about $52,000 (or two-fifths) more income, on the average, than the person who had no schooling or who terminated his formal education before completing the eighth grade. The difference between the expected lifetime income of the average elementary school and high school graduate was equally striking. In 1958, the average elementary school graduate could expect a lifetime income of about $182,000, as compared to about $258,000 for the average high school graduate. The expected income differential associated with the 4 years of high school education therefore amounts to about $76,000, or 42 percent." [26]

FIG. 3.—*Estimated earnings from age 18 to death and years of schooling completed*

Elementary:	
Less than 8 years	$129,764
8 years	181,695
High school:	
1 to 3 years	211,193
4 years	257,557
College:	
1 to 3 years	315,504
4 years or more	435,242

NOTE.—The above data are based on arithmetic mean for males, 1958.

Source: Miller, Herman P., "Annual and Lifetime Income in Relation to Education." American Economic Review 50:21; December 1960.

Miller points out that many complex factors, other than education, are associated with the higher lifetime earnings of those with higher levels of education. For example, "Since a college degree is the 'open sesame' to many, if not most, high-paying jobs, it should come as no surprise that the greatest income gains associated with additional schooling appear at the college level." [27] Miller claims no direct causal relation between lifetime incomes and education. The conclusions of his study are these:

"This study largely represents an attempt to ascertain if the marked increase in the number and proportion of high school and college graduates during the past generation has been associated with a reduction in income differentials for these groups. * * *

"The figures show that despite large relative reductions in the supply of workers whose schooling did not extend beyond the eighth grade, this group had smaller relative income gains than high school graduates. On the other hand, the large relative increase in the supply of college-trained workers did not adversely affect their relative income position. On this basis it is concluded that the demand for more highly educated workers has kept pace with the increased supply of such workers, and, as a result, their relative income position has not changed. The fact that the proportion of men employed in professional and managerial work—the two major outlets for college-trained men—increased by 50 percent during the past generation suggests that industry has absorbed the increased flow of graduates from our universities." [28]

Demand for educated personnel

Some economists have argued that differentials in earnings associated with different amounts of education eventually will be reduced. It has been predicted that persistent increases in the supply of college-trained students will so flood the market that many of them will eventually be doomed to economic disappointment after graduation. No such trend is discernible in the period since 1939.

It is doubtless true that a prolonged economic depression would result in an oversupply of college graduates. There was an oversupply of nearly all classes of workers in the 1930's, but unemployment was less among trained than unskilled workers. The unskilled are the first to be laid off and last to be employed.

If one assumes prolonged depressions, when the economy comes near to dead center, there will be periods of unemployment and lowered earnings by persons with all levels of education. If one assumes economic activity even as vigorous as that of

[21] Cassell, Frank H. "Changing Manpower Needs." NEA Journal 51: 55; April 1962.

[22] Clark, Harold, "Education in Our Complex Society." NEA Journal 51:52, April 1962.

[23] Norton, John K., "Education and Economic Well-Being in American Democracy." Washington, D.C.: Educational Policies Commission, National Education Association, 1940, pp. 115–121.

[24] Miller, Herman P., "Annual and Lifetime Income in Relation to Education." American Economic Review 50: 5; December 1960.

[25] Ibid., p. 4.

[26] Ibid., p. 22.

[27] Ibid.

[28] Ibid., p. 24.

the United States since World War II, then there is an increasing demand for highly trained persons and a declining demand for the unskilled.

A substantial stepping up of economic activity immediately requires more trained workers. During World War II, there was a serious shortage of workers in many occupations. Many public and private vocational schools ran two and sometimes three shifts and trained 13 million workers in response to the needs of the war period.

Today, there is a continuing shortage of many types of highly educated personnel. For example, the Federal Government finds it extremely difficult to fill civilian posts calling for highly trained persons.

The military demands an increasing percent of trained personnel. Most rejections for military service are among those with little schooling. Once, a young man was urged to "join the Navy and see the world." Now, he is urged to join the Armed Forces to obtain training and education available in hundreds of fields, provided directly by the military or in cooperation with educational institutions.

It is possible that agreement for substantial reduction of armaments would result in temporary oversupply of professional, technical, and skilled workers. Such a situation would require vigorous action in order to absorb this personnel in production for consumption rather than production for military preparedness.[29] However, dire predictions of unemployment and economic depression to follow the end of World War II were not fulfilled.

Under present trends, there appears to be little danger of overeducating our population, especially if effective guidance results in as close a matching as foresight will permit of the number trained and the number needed in each field.

Conclusions

It can be concluded from the facts to date that persons with larger amounts of education earn larger incomes. Even though the general level of schooling has continued to rise during the past generation, the substantial differentials between the earnings of those with less schooling and those with more schooling, at both the high school and the college levels, have continued to hold. The demand for highly trained technical and professional personnel continues to grow.

Just how much the higher earnings of those with more schooling are due solely to their larger amounts of education has yet to be determined. A number of economists are seeking objective answers to this question. They are also exploring the relation of the development of human capital to economic growth. The next section reviews their findings on this important question.

"FULL SPEED AHEAD"—ADDRESS BY CLYDE T. ELLIS, GENERAL MANAGER, NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. MORSE. Mr. President, for more than 25 years the rural electric program, financed by REA, has been recognized as an unquestioned success. Members of Congress who support this program can feel justly proud of its accomplishments. I consider it one of the greatest living success stories in modern American annals.

There are those who say that REA's work is nearly finished. They say, "Nearly all farms in the country now have electric lights, so what more is there for REA to do?" Anyone familiar with the electric industry knows that the demand for electricity in the country is doubling every 10 years and on the rural systems about every 7 years. A doubling of demand necessitates the installation of heavier conductor, transformers, and the like; this represents large capital outlays. Failure to meet this demand is to fail to meet the needs of rural people for adequate and reliable electric power.

Men with foresight have made it possible for the rural electric systems of the country to meet rural America's needs in the past. The REA program has had good leadership. The list of Administrators includes men of foresight and undoubted ability such as John Carmody, Claude Wickard, and the present able and energetic Administrator, Norman Clapp.

If one were to name the man who has done the most to mold and guide the rural electric program there would be no other choice than to name my good friend, a former Member of Congress, Clyde T. Ellis, long the general manager of the National Rural Electric Cooperative Association. For more than 20 years Clyde Ellis has provided continuity of leadership that has assured the growth and success of the rural electric cooperatives. He has led them in one successful campaign after another against the forces of the power companies which would spread their monopolistic control over the areas pioneered and developed by the small but courageous rural systems.

More than 95 percent of all of the REA-financed associations in the country belong to National Rural Electric Cooperative Association and more than 7,000 of these systems' managers and directors, and other rural leaders attended the association's 21st annual meeting in Las Vegas, Nev., in January of this year.

Clyde Ellis gave a ringing address; he did not rest on past successes, rather he focused the attention of his association's representatives on the more important role of the program in the future. That role includes more than just maintaining good electric service in our own rural areas. It includes exporting the REA idea to other areas in the Western Hemisphere.

In many Central and South American countries rural development is the most promising bulwark against the growing pressures of communism. It deserves our full support.

I ask unanimous consent that there be included in the RECORD the most inspiring address by a great American, Clyde T. Ellis, general manager of the National Rural Electric Cooperative Association.

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

FULL SPEED AHEAD

The theme of this meeting is: "Rural Electrification—Important to America's Strength."

This is the story we want to tell—more of the future than of the past. We want the Nation to be aware of the continuing, increasingly important role our systems are playing in the modern society.

I. RECAST THE IMAGE

I want to recommend to you a program of action, beyond anything we have done yet, for getting us on the offensive with a positive living story. I want us to proudly hold up our heads like men, roll up our sleeves and get started full speed ahead. We must recast the image of rural electrification.

Too many people, even some of our friends, think and talk of us in terms of the depression-day programs of the thirties. Too many of us think and talk in terms of the dead past. We recite our glorious success in lighting the darkness of rural America and virtually ignore the tremendous contribution we are making now and will make to the total strength of the Nation.

We shall be judged now and in the future, not on what we have done, but on what we are doing today and shall do tomorrow.

What we're doing today

What are we doing today? We are serving 10 percent of the population and perhaps over three-fourths of the landmass of the country—the difficult part.

We are serving the breadbasket of the world, and partly because of our service the American farmer produces more food of higher quality at lower prices to consumers than any farmer anywhere in all of history.

We are serving more than 80,000 rural schools and churches.

We are employing directly more than 28,000 people with an annual payroll of more than $140 million, and much of this employment is right in the middle of some of the most depressed areas in America, where employment and income really count.

We are providing a yardstick for determining what electricity should cost, and every electric consumer in America benefits from that.

And because we are extending the benefits of electricity to so many millions of people, we have created a new billion-dollar-a-year market, still growing, for electric appliances and equipment. Most of this is made in the cities and gives jobs to city people, and to those in all the related fields of mining, transportation, and marketing.

All this that we are doing is new, a completely new sector of the economy.

We are serving directly hundreds of defense installations, all vital to the security of this Nation—missile bases of all types, missile and satellite tracking stations, radar and navigation control stations, even in the remotest areas—that help protect all America.

Throughout the United States we are taking the lead in rural areas development projects, just as we took the lead in getting the area development programs established. Rural areas development and the Area Redevelopment Administration have already achieved remarkable success and they're just getting started.

There is something more here, too—in our rural electric program—something which in the longer reach of history may be even more important than our tangible accomplishments. We are extending the cooperative, private ownership of electric systems to more than 5 million American households. Every consumer member of a rural electric system and every citizen of a local power district has one vote in the conduct of its affairs and the establishment of its policies. This is democracy at its finest, and this is the cause which America seeks to carry to the other nations of the world.

The REA pattern

In the highest Government circles in Washington this is becoming known as the REA pattern. As you know, we are being asked by the Agency for International Development (AID) of the State Department to

[29] Piel, Gerard. "Can Our Economy Stand Disarmament?" Atlantic Monthly 210: 35–40; September 1962.

lend our experience and know-how to the task of helping the critically important developing countries establish rural electrification cooperatives of their own.

Last November National Rural Electric Cooperative Association and AID signed a reimbursable agreement in President Kennedy's office whereby National Rural Electric Cooperative Association is coordinating your efforts in this area. On that occasion, the President was highly complimentary of you and the rural electrification program as it is being carried out in this country and as you will now help others, and he underscored its importance to the Nation by saying, "I think this can be very important, in fact, one of the most significant actions taken by the AID agency."

For our part, all of us are proud, as Americans, that the country is turning to our program in a time of crisis as a significant weapon for democracy in the worldwide struggle with communism.

All of these, and many others, are things rural electric systems are doing today. The rural electrics are dynamic organizations, geared to the needs of the present in their own communities and responsive to the needs of the United States of America.

And they are ready, willing and able to go full speed ahead to meet the needs and challenges of tomorrow. They are prepared to serve their areas completely—and I mean provide the leadership and serve anything and everything that needs serving in those areas.

II. DEVELOP ALLIES

The second part of the program I want to present to you this morning deals with developing allies among other consumer groups. We've given lip service to this in the past, but unfortunately little has been done beyond the valuable work performed constantly through ECIC—the Electric Consumers Information Committee—in Washington.

If our program is to go full speed ahead, we must take other action now, to develop and hold all possible allies. To do this, we must identify our interests with those of consumers everywhere in a positive manner, urban as well as rural. To get and keep consumer support in the urban areas we must join with all loyal organized consumer groups in a drive against high electric rates everywhere. The desire for low cost electricity is something we share with all other consumer-oriented groups. We must take to them the story of the ridiculous padding that goes into the rate base of the cost-plus power company operations.

I recommend that every system and statewide take steps to establish a local and State counterpart of our national Electric Consumers Information Committee, now. This will provide a vehicle for bringing together on a local and statewide basis all consumer groups which have a natural interest in low cost power. This has already been done with some success in a few States. National Rural Electric Cooperative Association and the national Electric Consumers Information Committee are ready to assist all of you with any organizational details.

Electric consumers are being overcharged by well over a billion dollars a year by the monopoly power companies, and next to nothing is ever done about it. Under our present system of regulation, next to nothing can be done about it.

Our economists have compared the allowable rate of return for 38 large electric utilities with their actual rate of return between 1956 and 1960, inclusively. They calculate the total overcharge by just these companies during this 5-year period at $1,259,043,000—and this is only part of it. Incidentally, if the people of Nevada are interested, the total overcharge during this period by the Nevada Power Co. is calculated at $8,290,000—assuming that 6 percent is a fair rate of return. No wonder it can afford to build spite lines in the desert to try to kill Amargosa.

Here is how it works. A rate, usually suggested by the power company, is fixed by a regulatory commission which is supposed to give the company a certain rate of return, or profit, over and above all operating costs and taxes. But almost always the company gets the rates fixed so high that it earns considerably more than the allowable rate of return.

Most commissions are in effect powerless to do anything about this. The company keeps it.

I propose that we join with other consumer organizations in demanding a congressional investigation of power company overcharges, and in supporting State and Federal legislation to give commissions the power to make them do it—make them in some way return these overcharges to their consumers.

This might be done in part by an amendment to the Federal Power Act to provide that all earnings in excess of a fair rate of return must be used in the public interests as provided by the commission. This would require the Federal Power Commission to check into power company earnings each year. Such an FPC amendment could apply, of course, only to interstate and wholesale power sales. State commissions need similar legislation to cover retail sales.

If a commission should find it not feasible to require a company to actually return the excess to each consumer—though this would be the most desirable—then the commission might treat the excess profits as capital contributed by the consumer, and deduct them from the rate base. This would help bring about a reduction in rates, including wholesale rates to rural electrics.

Now is an excellent time to call for a congressional investigation and to try for reform legislation. There is mounting evidence that consumers are beginning to rebel against high electric rates. In November, the Boston Herald demanded editorially that the new Governor of Massachusetts do something about the high power rates in New England.

A few weeks later a group of industrialists in New York City charged publicly that industrial expansion there is being and would be seriously slowed unless the wall of unreasonable power rates is lowered as soon as possible.

As people everywhere constantly use more power in their homes and businesses and industries, as people realize that power is a rapidly growing cost factor in everything they consume, I predict a rising interest and concern about power rates. So now is the time to move, full speed.

III. GO ON THE PUBLIC-INTEREST OFFENSIVE—FULL SPEED

I have suggested we go on the offensive full speed with a positive story, and I've outlined some proven techniques. I have suggested we recruit all possible allies in a broad program of assisting not only ourselves but electric consumers of the cities too, and I have suggested how it might be done. Now I suggest we go on the offensive to reverse or reform certain trends and practices of the Nation's power industry that are not in the public interest.

I believe it's in the public interest for the rural electrics to have legal protection against these territorial raids, whether they be in the form of a sellout or piracy of individual loads. In several States you have demonstrated that some sort of protective, fairplay legislation can be passed. I recommend that, in every State where such protection does not exist, you move through your statewide to achieve it and that you give your statewide resources it needs to do the job. If Idaho could do it—and Arkansas, Wisconsin, Oklahoma, and other States—then so can the rest of you who need it.

And I think the time has come, too, when we should call on our lawyers and legislative experts to make further efforts to determine what types of Federal territorial protection, legislative and otherwise, are possible.

In another area of the public interest, I believe the consumer groups have a real stake in joining us to get repeal of the vast subsidies now flowing to the power companies under the fast tax writeoff schemes, including that absurd 3-percent tax credit subsidy Congress gave the power companies last year. Even the American Telephone & Telegraph Co. testified against that one, although it would have meant a $75 million annual windfall for the company. A.T. & T. said it would be an outright subsidy for something a utility was supposed to do anyway.

But the power companies were right in there fighting for it. They don't share such concern for the taxpayer any more than they do for the ratepayer.

I don't have to document to this audience that REA, the Interior Department, the Corps of Engineers, TVA, and the Federal Power Commission are not all going in exactly the same direction on matters affecting us. We have become increasingly disturbed by the actions of the Federal Power Commission.

The latest and most alarming is FPC's very recent decision to declare the rural electric co-ops to be public utilities and to exercise jurisdiction over many G. & T. cooperatives and some distribution systems. FPC's action promises to give us all the disadvantages of being public utilities without giving any of the advantages. This action, unless reversed, could throw us to the mercy of the power companies and give them everything they've sought against us but failed to get through normal processes—prolonged public hearings on our loans and wholesale rates, review and appeal to the courts of every FPC decision they don't like.

I believe it is now necessary and in the public interest that the administration exert more leadership and solidarity of purpose in the interest of an abundant supply of electric power in the economy at low cost, for everybody. Somehow we have just got to help get the various agencies of the administration going in the same direction—the right direction—on power.

The President of the United States has called several White House conferences to get people together and crystallize policy in several other areas, such as recreation, conservation, and education.

You have already made suggestions in this direction, with respect to power, in the regional meetings, even when the need was less urgent. Therefore, in your behalf, I now ask the President to call a White House conference on electric energy at the earliest possible time, to include all sources of energy and every segment of electric power generation and distribution.

I won't dwell this morning on other aspects of our public interest legislative program which we have explored together in the past. Your policy is clear in support of regional interties and common carrier transmission lines, and we will be in there fighting for them. We will also do everything we possibly can to secure authorizations and funds for the water resources development projects which you support but which have not been realized as yet.

In the session of Congress just begun, we expect the hardest fight in years—even tougher than last year—on REA loan funds, particularly for generation and transmission. And we must drive again, I believe, for the loan account bookkeeping arrangement to give us credit for the loan funds we repay.

Great battles lie ahead for us. Ever more rapidly changing times make our chances of continuing success more difficult each year.

CURBING THE CUBAN EXILES

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a very good editorial from the New York Herald Tribune entitled "We Have To Curb the Cuban Exiles."

Since my speech of yesterday urging a strict enforcement of our laws against the irresponsible conduct of Cuban exiles, manifested through their raids on Cuban and Russian shipping from our shores, I have received many calls and messages agreeing completely with my speech.

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

WE HAVE TO CURB THE CUBAN EXILES

The dissatisfaction of the Cuban exiles over U.S. Government efforts to curb their raids by sea against Castro and his Russian exiles is evident and understandable. To them, anything that harasses communism in the Caribbean is legitimate and necessary, and many Americans sympathize with that attitude and the actions that flow from it. But the reasons why Washington is backing its disapprobation of the raids with stringent enforcement of American neutrality statutes are sound and compelling.

The raids have not, and, under present circumstances, cannot have any real effect in weakening either Castro's hold on Cuba or the Soviet Union's hold on Castro. They are pinpricks. And while the same may be said for anti-Castro guerrilla attacks in Cuba itself, the raids are taking place at sea—that is, in an area where policing becomes an international, rather than a municipal, obligation.

The law of the sea regarding military activity by those who do not act under the commission of a legal, recognized government is very ancient and very stern. To put no finer point on it, such activity is piracy.

To be sure, in recent years there has been a tendency to condone illegal acts committed on the high seas (as well as in the air) when these are politically motivated. The granting of asylum by Brazil to the terrorists who seized a Venezuelan freighter is a case in point. But the trend is not a healthy one for those who travel by sea or in the international air on their lawful occasions. And in the particular case of Cuba, seaborne raids by exiles pose a special danger to the United States.

Some of those exiles undoubtedly would like to precipitate an armed conflict between the United States and Castro's forces as the surest way in which to free Cuba. Some of Castro's officers, if not the dictator himself, are not averse to raising the temperature of the Caribbean in order to keep Russian troops in the island and bring back the Soviet missiles. And the Soviet Union itself, after backing down on the missile question, might well wish to assert itself on an issue in which international law is on its side.

This could mean a succession of incidents and reprisals in which the United States might lose its freedom of action and be forced into hostilities over acts as meaningless in themselves as the assassination of the Archduke Franz Ferdinand that precipitated World War I. That would be intolerable.

Surely Washington can acquire the information, as it has the means, to prevent a type of anti-Castro activity that cannot benefit the cause of a free America and could set the world aflame.

EQUAL RIGHTS FOR WOMEN

Mrs. SMITH. Mr. President, my colleague, the distinguished junior Senator from New York [Mr. KEATING] spoke last Sunday evening, March 31, 1963, before the opening dinner of the biennial meeting of the B'nai B'rith Women at the Statler-Hilton Hotel, Washington, D.C.

In his remarks, Senator KEATING, one of the Nation's most respected champions of equal rights, called for an end of discrimination against women and chronicled the increasingly important role which women are playing in all phases of our national life.

The B'nai B'rith Women have been concerned throughout their history with problems of equal rights and equal justice.

It was fitting that Senator KEATING, with his magnificent record in this field, should have been chosen to address this outstanding organization.

His pertinent and eloquent remarks, will be of interest to many Members of the Senate, and I, therefore, ask unanimous consent to have them printed in the RECORD.

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

SENATOR KEATING URGES PROGRESS IN ENDING DISCRIMINATION AGAINST WOMEN

It is appropriate, I feel, that your dynamic organization should meet here in Washington. Washington is the old-fashioned town meeting of America's years of birth and growth—a town meeting magnified in size, but unchanged in essence. Under the dome of the Capitol, as under the roof of the old town hall, the voice of the people is heard—the will of the people is made manifest.

This home of our National Government is the beating heart of the body politic we call our Republic.

It keeps in constant, unending flow, to the remotest reaches of this vast Nation, the lifeblood of our historic traditions of freedom and human dignity. And just as the heart takes its strength from the body, only to return it, so does government take its strength from the body of citizens—180 million Americans—who are America. Many life forces flow into the mainstream of our national life to create the surging power of that mainstream.

B'nai B'rith is a manifestation, a living, vital manifestation of the great life force that is the Jewish people.

Your own personal involvement in the future of humanity, in the fate of humanity, is a reflection of a centuries-old acceptance by the Jewish faith of the concept that life is not perfect but perfectible, and that its perfectibility is not the mission of leaders and governments alone, but of individual citizens.

It may well be said that the stream of history is like the sea. Some generations are privileged to travel an ocean of time that is, in a sense, a life cruise on serene waters, unmarred by the storms of war, unaffected by sudden convulsive disturbances of tremendous social change or of political tides that threaten to engulf and sink the very ship of human freedom.

Our voyage today is not serene. It would be false to paint calm into the sea of life on which we are embarked. This is not a pleasure cruise but a sea trial that will call for our full reserves of courage of the heart, sharpness of the mind, and dedication of the spirit.

For we stand at a point in history where no man, no woman has stood before. Consider with me for a moment what makes this year of 1963 an unparalleled year in the history of human destiny.

In vast areas of Africa and in parts of Asia the long silent centuries have come to an end.

The bugles of freedom have blown. Nations rise literally before our eyes, like giants long deep in sleep, and they bring a new dimension to history, a new challenge to the free nations of the world.

And their people are no longer remote from us. In the arithmetic of time and space we used to think of them as light years away. But today they are only a heartbeat distant. The drums of their destiny resound in our ears—because it is a common destiny that we share—the destiny of humanity on this earth. What happens in the Congo, or in southeast Asia doesn't merely happen to the Congolese, to the Laotians, to the people of South Vietnam. It happens to us. It is a shaping force in our lives. Victory or defeat for the common cause of the dignity of man in those areas in victory or defeat in our lives, in our destinies.

The world is full of areas of ferment and change—Europe, the Middle East—Latin America—wherever we spin the globe we touch points of the vast combat area where freedom fights tyranny, where the present fights the past—and all this against the ominous background of man's new-found power to destroy the very civilization he has built up over centuries of time.

Now this is a less spectacular phenomenon of history that I should like to discuss with you briefly today. This is the new role, the more dynamic, more meaningful, more decisive role that women are playing in the shaping of our present and in the creating of our future. As I said, it is not a spectacular phenomenon, because it is a growth rather than an explosion, a developing factor rather than an achieved reality. But this slow revolution is nevertheless a revolution—and its implications are great, its promise is great.

Time was—and within our time—when the only possible award to a woman was—shall I say—a Good Housekeeping Award—in the sense that her preeminent and accepted role was that of wife and mother. Careers were the vested interest of the male of the species. Marriage, maternity, and homemaking, all important as they are, were the only futures to which the average woman could aspire.

But the revolution is here. The sleeping beauty that is womanhood has awakened—awakened to the challenge of life, the opportunities of life, to the new dimensions of interest that make the world a matter of concern as well as the home, that direct her energies to new channels of participation in the life of the community, of the Nation, of the globe.

I spoke of this change as a slow revolution yet in the light of the silent centuries of women's noninvolvement in life beyond the home, much, indeed, has happened in the little more than four decades since American women were accorded the vote. Since that historic acceptance by the male of a two-power world, the ladies have amply proven that they are fully capable of accepting the rights and discharging the responsibilities of active and affirmative participation in the life of this Nation. American women have made outstanding contributions to business, labor, and the professions as well as to government and politics.

It strikes me as more than a mere coincidence that the era of the great forward strides in our national progress—in fields of social advance, of education, of closer international cooperation has, in fact, occurred during the 42 years that the vote has been accorded to—and used by—the women of our land. I say "used by" pointedly, for in the 1960 national election, is is estimated that as many women voted as did men, perhaps a few more.

The fact is, of course, that you members of the fair sex did not look upon the vote as an adornment, as a bouquet thrown to you by a nation of gallant males.

You accepted it for what it is—not an end, but a means to an end—and you made use of it with this purpose in mind.

For what did the women want? They wanted an end to illiteracy—something less than a 72-hour week for women workers—an end to child labor—a lower death rate for mothers and infants—clean milk, clean streets, pure food. These and much more.

They wanted equal guardianship for their children and they wanted to serve on juries. They wanted honest elections and shorter ballots. They wanted consolidated schools and the control of venereal diseases. They wanted better libraries and compulsory school attendance laws.

They wanted protection of dependent, delinquent, neglected, and handicapped children and they wanted better ways to nominate candidates for office. They wanted freer trade among nations and they wanted independent citizenship of women. They wanted the abolition of the spoils system and the strengthening of civil service.

They got most of these things and more besides. They didn't do it simply by mentioning their wishes to their city councilmen, their State assemblymen or their Congressmen. They studied and they worked and they were politically effective.

Now the fact remains—the disturbing yet not disheartening fact—that despite the change in the status of women, in the role of women, in the influence and impact of women in our national life, there remain areas of disparity, of discrimination which are, if I may so put it, the battlefields of the present and the future in this campaign to take sex out of citizenship, to make opportunity no longer a closed corporation.

In this connection, merely to cite the Federal service, 76.1 percent of women were—at the most recent calculation—in the five lowest salary grades, earning less than $4,500—while only 25.1 percent of the men earned this little.

At the other end of the spectrum, let us look at the figures on high salaries. In spite of the fact that approximately 1 out of every 3 Federal white collar workers is a woman most of them don't reach the high salary levels. In grade 18, for example, which is the highest civil service grade, there are 254 men and 3 women. In grade 17 there are 561 men and 8 women; grade 16, 1,271 men and 13 women; grade 15, 11,159 men and 162 women.

Now, parenthetically, let me brag a little and say that out of the seven of my own top people, on the professional staff three are women—which, I feel, illustrates rather forcibly my personal stand in this matter.

On the debit side, as well, are other facts of life that women are forced to live with in our Nation. They are not eligible to serve on juries in Mississippi, Alabama, and South Carolina. In Texas a married woman cannot go into business for herself without the permission of the court. In four of our States, a husband has complete control over his wife's holdings.

I used the term battleground in appraising the all-too-often secondary role assigned to women, and I think it is appropriate, because women like yourselves—the women of B'nai B'rith, and so many other dynamic groups, are not passive, but militant, in extending the frontiers of involvement, of service, of acceptance that the male sex persists in defending.

This defense is what I firmly believe to be a rear guard action that is not fated to succeed.

Indeed, its success would be a failure, in a sense, insofar as the broad concept of democracy and freedom truly has meaning. It would be a failure as well because it would deny this Nation the use of the great sources of strength, of skill, of talent, of spiritual force, that lie—let me, as a man confess it—under the pretty hats and in the dedicated hearts of the sex that men call gentle—while secretly respecting its strength.

To me one of the signal contributions of American women to the life of our times is the active concern they are showing in the vast and complex housekeeping chore represented by the problems, the challenges, the dangers of the world in which we live. Through the medium of organizations like your own, through clubs, committees, study groups and citizen associations, you have extended the searchlight of your interest, your concern, until it now ranges the world.

If I would pay a special tribute to you women of B'nai B'rith today, it is not in a spirit of rising to the occasion—but of recognizing the fact that you women—in a very special, in a very meaningful way, have risen to the occasion that history has created—the occasion to lift hearts and voices to make this a world closer to our concept of what it means to be a member of the community of man.

After all, the dignity of man and of woman is not something we can sit home and wait for—like a letter we hope has been written—a letter we hope will arrive.

On the contrary, the forward movement of humanity to new levels of justice, of freedom, comes only when human effort, human will, human resolve push it forward—when the human spirit stops accepting the world as it is, and fights for the better world it finds in its dreams, in its hopes—in its heart.

The cause of B'nai B'rith is a great and stirring cause—because it is the cause of humanity, the cause of brotherhood, the cause of free men who seek to give freedom an ever richer meaning, an ever-extending dominion.

This cause you honor and enrich by your dedication was born of a great and ancient faith. It was born deep in the hearts and in the history of the Jewish people. It is as old as that spirit of brotherhood, which was, in a sense, the birthmark of that splended and courageous people.

I have been several times, either six or seven, to Israel. I know it not merely as a place on the map. Having seen it, I know it for what it is—a page in history—a page written in bold, brave letters by a bold, brave people—a page that tells what man can achieve on this earth when his spirit, his will, his mind and his muscle are committed to creating the substance of reality out of the challenge of a dream.

And it is because I know Israel and its people—it is because I know the great spiritual and intellectual enrichment our Nation has received from its Jewish citizens—and it is because I know the magnificent role and achievements of B'nai B'rith that I feel proud and privileged to be with you here today.

One may well say that any victory over prejudice is a victory for us all—for our Nation—for humanity. The battle is not easy. At times it seems almost hopeless, but there is a candle of courage that leads us on, because we know that we are building, however slowly, greater mansions for the spirit of man—that we are building a world where freedom does not come in colors, in creeds, in sizes, or in half portions—but is the common heritage, the common pride, the common glory of us all.

IMPLEMENTATION OF THE U.S. CIVIL RIGHTS COMMISSION RECOMMENDATIONS

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed in the RECORD two editorials discussing the series of civil rights bills, which a group of Republican Senators, including myself, introduced last Thursday to implement the legislative recommendations of the U.S. Civil Rights Commission and the platform pledges of both major parties in 1960. The editorials, one from the New York Times this morning, the other from the Washington Post yesterday, underscore fairly both the broad scope of our bills and their significance.

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

[From the New York Times, Apr. 2, 1963]

REMINDER ON CIVIL RIGHTS

A group of Senate Republicans has introduced a sheaf of civil rights bills which top anything we have seen thus far in the new Congress. New York's two Senators, JAVITS and KEATING, are in this group. So are CASE of New Jersey; SCOTT of Pennsylvania; SALTONSTALL, of Massachusetts; KUCHEL, of California; BEALL, of Maryland; and FONG, of Hawaii.

The bills these gentlemen have introduced would do many useful things: Give the Commission on Civil Rights permanent status; outlaw discriminating practices at the polls; do the same thing in federally financed housing projects; penalize discrimination in Federal employment, and enforce a more rapid pace in the achievement of school desegregation.

It is easy enough to dismiss all this as a political gesture, designed to embarrass the Kennedy administration. But the fact remains that, while President Kennedy sent a civil rights message to Congress on February 28, he has not followed it up with concrete legislative proposals. The Republicans now have.

[From the Washington (D.C.) Post, Apr. 1. 1963]

POLITICS AND PROMISES

Republican Senators CASE, FONG, JAVITS, KEATING, KUCHEL, and SCOTT have introduced a comprehensive set of bills designed to eradicate racial discrimination in the areas of voting rights, education, employment, housing, and the administration of justice. We think it is scarcely too much to say that if these bills were enacted and effectively administered they would serve to solve the most vexing and disfiguring of American domestic problems. They would confer on American Negroes the first-class citizenship promised to them by the 13th, 14th, and 15th amendments nearly a full century ago.

These Republican proposals are radical in the sense that they go to the root of the race problem and seek to excise it by treating all men equally regardless of color. But they are not at all radical in the sense of being novel. One need not search very far to find their antecedents. All these proposals are set forth as solemn promises in the Republican Party platform for 1960. All these proposals are also set forth as solemn promises in the Democratic platform of 1960. It would be hard to say which platform trumpets the promises more appealingly and melodiously. But it is easy to say that the promises are as yet unfulfilled.

They are not unrealizable. They are not visionary. Indeed, the Republican platform of 1960 said of them that "each of the following pledges is practical and within realistic reach. They are serious—not cynical—pledges made to result in maximum progress." The Democratic platform asserted that "the time has come to assure equal access for all Americans to all areas of community life, including voting booths, schoolrooms, jobs, housing, and public facilities." The Democrats were then seeking the Presidency and so their platform included an

observation that "what is now required is effective moral and political leadership by the whole executive branch of our Government to make equal opportunity a living reality for all Americans."

For all the loftiness of purpose and sincerity of concern among the half dozen Republican sponsors of the civil rights measures pledged by the two major political parties, no one, we suppose, seriously expects any of these bills to be enacted into law in the 88th Congress. The chances are against any of them even coming to a vote in both Houses of Congress.

THE IRON CURTAIN

Mr. DODD. Mr. President, there has come to my attention an outstanding book review printed in the Catholic Transcript, the archdiocesan newspaper of Connecticut. The review concerned the new book by Harry and Bonaro Overstreet, "The Iron Curtain," and was written by Rt. Rev. Msgr. John S. Kennedy, an outstanding scholar, lecturer, writer, and churchman, who is the editor of the Catholic Transcript.

Monsignor Kennedy points out how the Overstreet book traces the origin of the Iron Curtain under Lenin, its development under Stalin, and its perpetuation and refinement under Khrushchev. The books points out that the absolute control over information, travel, and communication which the Communist Party exercises over the people in its grasp is essential to the preservation of the Communist system. Should the Kremlin ever become unable to practice a ceaseless brainwashing of the Russian people, or to prevent these people from getting information from the outside, their system could not survive.

The Overstreets point out that the free world should make a constant target of the Iron Curtain. In Monsignor Kennedy's words:

> The authors strongly urge organized action against the Iron Curtain. World public opinion, they maintain, should be brought to bear against the barricade set up by the Communists. "It is high time," they say, "for totalitarian communism to be confronted not by random questions and expostulations but by an informed and tenacious demand that it show cause for its need to operate behind a barrier of electrified barbed wire, minefields, guard towers, jamming stations, press censorship, and travel restrictions."
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> They list specific demands which should be voiced endlessly and tirelessly, and which they believe are bound to have profound impact. If the free world focuses attention on the Iron Curtain by every possible means and on every possible occasion, this device so useful to the Communists is bound to be less so.

I congratulate Harry and Bonaro Overstreet, whom I am proud to know and number among my friends, for another profound and valuable contribution to the understanding of communism by the people of the free world, and I commend Monsignor Kennedy, also a valued friend, for his unusually perceptive and illuminating book review.

Mr. President, I ask unanimous consent that the article, "Khrushchev's Curtain," by Msgr. John S. Kennedy, be printed at this point in the RECORD.

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

KHRUSHCHEV'S CURTAIN

(By Rev. John S. Kennedy)

Harry and Bonaro Overstreet, who, a few years ago, produced an invaluable handbook on communism, now turn their attention to one of the principal features of the Communist empire, "The Iron Curtain" (Norton. $4.50). The name, of course, was coined by Winston Churchill in 1946, but the reality, although denied by the Soviets, has functioned since the days of Lenin and ever must remain, in the Overstreets' judgment, an integral feature of the Communist system.

The Iron Curtain, they aver, is unique in human history. No other nation has ever devised a more complex and complete barrier between itself and the outside world. It constitutes a concrete definition of what communism takes to be the proper relationship between its sphere and the realm of freedom. It consists not merely of the artificial physical barriers which run unbroken for some 6,000 miles between the Artic Ocean and Iran, but also of travel restrictions, censorship, radio jamming, the rewriting of history, and so on. Its maintenance is phenomenally costly, but the Communists are ready to pay any price for this absolute necessity.

It proclaims that there is irreconcilable enmity between the Communist concepts and practices and all others. It also proclaims the Communist insistence on totalitarian control of its subjects and on their isolation from, and immunization against, ideas other than the Communist and persons holding such ideas.

The Iron Curtain has two purposes: first, to keep in—that is, "to keep the people where the party wants them to be and to keep them subject to influences of the party's choosing until they can be brought to the point where they will feel free in adhering to the party line;" secondly, to keep out—that is, "to make the party the supreme arbiter of contacts between the two orbits."

Since the Iron Curtain was so designated for the first time during Stalin's rule, it may be thought of as having been brought into being by him. The Overstreets show that it existed before he came to power. Nor did it cease to be when he died. Khrushchev is commonly credited with having somewhat liberalized contacts between the Communist and non-Communist worlds. But he has done nothing of the sort. The Overstreets think that Khrushchev has as tight a grip on his people as did Stalin, but exercises it by less obvious, if no less effective, means.

The party now has extremely efficient and far-reaching psychological controls. It "has the machinery it needs for enacting total watchfulness and total interference in private lives." In the social laboratory which Khrushchev runs, man is being redesigned. And this is not done by brainwashing. Rather, it is done, first, by making everyone and everything utterly dependent on the party; the party has a monopoly of the ways of making a living, of rewards and punishments, of access to education, work opportunities, living space. Secondly, and even more tellingly, the private aspects of life are all but eliminated and existence is so thoroughly socialized as to convince a person that he is the creature of the collectivity, with no intrinsic, individual significance or value and no recourse.

The authors maintain that the characteristic Russian makeup has been an invaluable asset to the successive dictators in their design. They cite, for example, the Russians' immemorial experience and expectation of being rigorously ruled from the top; their penchant for the emotional and practical security of group life; their "preference for rigidly dichotomized either-or formulations and an accompanying contempt for qualifying phrases"; their ingrained conviction that Russia's destiny is to "civilize" the whole world. The "new Soviet man," then, is simply the old Russian newly disciplined.

But for all Khrushchev's success in this respect, the Overstreets feel that time is working against his—or his successor's—indefinitely maintaining tight control over the people. It is not only that every dictatorship undergoes an erosion of its powers, not only that crises in production inevitably recur in the Soviet system, it is also, for example, that there has emerged a class of experts in science and technology. This type, as well as the multiplication of it, is requisite to both the economy and the defense of the U.S.S.R. And the expert will not be as amenable as simpler folk to strict control.

Another factor which disrupts the closed world of communism is the conflict which has broken out within the Communist bloc. This is altogether at odds with Marxist doctrine, which flatly declares that such friction is an impossibility. But its existence is by now notorious, and the fiction that the Communist world is a monolith has been irreparably shattered.

Resurgent nationalism has manifested itself in the satellites, the most striking example being Poland. And although Soviet force could once stamp out any such unwanted development, its utility has been severely reduced, as witness tiny Albania's defying Khrushchev and doing so with impunity.

More meaningful, however, are the Yugoslav-U.S.S.R. and the China-U.S.S.R. quarrels. The history of Tito's assertion of some measure of independence is recapitulated. It began in 1948, hence has been at work for 15 years. Stalin resorted to every sort of pressure to crush it, but to no avail. Khrushchev has assiduously courted Tito, and at present the two countries have drawn closer. But the Overstreets interpret this as indicating merely that "Yugoslavia feels firmly enough grounded in its autonomous rights to enter into as much cooperation with the Soviet Union as its national interests dictate."

The story of the split between China and Russia is much more interesting and consequential. Mao Tse-tung followed Stalin's plan for Communist conquest of China, only to have it fail. He then devised his own scheme of procedure, and this succeeded. Thus, from the start of the Communist ascendancy in China, the leader was his own strategist and tactician, not taking orders from Moscow, but relying on his own methods. And this has left Mao with the conviction that his way is the right one for communism's conquest of the world.

The cleavage and rivalry between Khrushchev and Mao are, then, real and extreme. The two are in competition for leadership of the Communist world and for hegemony over the new nations, such as those in Africa. Polycentric communism is here to stay, the Overstreets conclude, and uniformity behind the Iron Curtain is now no longer possible.

The authors strongly urge organized action against the Iron Curtain. World public opinion, they maintain, should be brought to bear against the barricade set up by the Communists. "It is high time," they say, "for totalitarian communism to be confronted not by random questions and expostulations but by an informed and tenacious demand that it 'show cause' for its need to operate behind a barrier of electrified barbed wire, mine fields, guard towers, jamming stations, press censorship, and travel restrictions."

They list specific demands which should be voiced endlessly and tirelessly, and which they believe are bound to have profound im-

pact. If the free world focuses attention on the Iron Curtain by every possible means and on every possible occasion, this device so useful to the Communists is bound to be less so.

In addition to its main line of argument, this book presents many occasional observations on the Communist system which are thought provoking. Its tone is calm, its manner objective, and its reasoning cogent. It is a valuable contribution to the understanding of the enemy we face, and who, smiling or frowning, remains implacably an enemy.

SAFETY IN FLYING

Mr. HARTKE. Mr. President, member airlines of the National Air Carrier Association established a record in 1962 that was unequaled by any other segment of the American airline industry by flying more than a billion passenger-miles without an accident involving injury or loss of life, according to figures released by the Civil Aeronautics Board in Washington, D.C.

This perfect safety record for 1962 compares with two other segments of the U.S. airline industry as follows: First, the certificated all-cargo airlines flew 946,638,000 revenue passenger-miles under charter and sustained 3 accidents with 121 fatalities; and, second, the certificated domestic trunk airlines flew 32,059,681,000 revenue passenger-miles and sustained 4 accidents with 158 fatalities. All of the figures used are from official records of the Civil Aeronautics Board.

These supplemental airlines, all Government and civilian contract carriers, also maintained a perfect safety record during the year 1961. In fact, CAB records show that the seven members of NACA have operated an average of 15 years with only one accident involving loss of life.

In addition to flying 1,063,398,000 passenger-miles during the year 1962—more than 75 percent of all presently certificated supplemental airline passenger-miles flown—the seven members also flew 259,881,632 cargo ton-miles safely, to almost every part of the world.

The members of the National Air Carrier Association—NACA—are: American Flyers Airline Corp., Fort Worth, Tex.; Capitol Airways, Inc., Nashville, Tenn.; Modern Air Transport, Inc., Trenton, N.J.; Overseas National Airways, Washington, D.C.; Saturn Airways, Inc., Miami, Fla.; Southern Air Transport, Inc., Miami, Fla.; and World Airways, Oakland, Calif.

The seven members of NACA hold all requisite permits from the Civil Aeronautics Board, the Federal Aviation Agency, and the Military Air Transport Service with respect to both operating authority and safety requirements.

These are the same rules under which the scheduled airlines, the scheduled air-cargo carriers, and other certificated segments of the U.S. airline industry operate charter trips. In addition to these normal governmental operating and safety requirements, NACA members impose on themselves even more stringent safety rules, violation of which can mean being dropped from the association.

NACA functions as a normal trade association in behalf of its members and also provides a single source of procurement of charter air transportation—both passenger and freight.

In establishing their perfect safety record for 1962, CAB reports show that NACA members transported within the continental limits of the United States and overseas a total of 396,955 passengers, military and civilian. The passengers ranged from soldiers moved for the Cuban crisis to lodge members of Eastern Star.

Total revenue miles flown were 30,796,548 and the total operating revenue of the seven companies was $60,887,961, of which $50,664,630 was in Department of Defense contracts.

NACA members have gross assets of $35,868,324. By the autumn of 1963, these assets will have more than doubled due to the acquisition of new jet aircraft now scheduled for delivery.

The combined total employees of NACA members is 1,139, operating more than 100 aircraft.

These aircraft range from C-46's carrying vital cargo loads to the Caribbean to the most modern jet turboprop airlines. This summer one of the NACA members, World Airways, will receive three Boeing 707-320C jets. The 320C is a convertible cargo-passenger plane with the longest range of any commercial jet—6,500 miles—and World is the first airline anywhere to buy them.

Another NACA member, Capitol Airways, will accept delivery this summer on a Douglas DC-8F jetliner.

I ask unanimous consent to have printed in the RECORD a statistical table prepared by the National Air Carrier Association, relating to this matter.

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

Table I

	Revenue-miles	Revenue passengers	Passenger-miles	Cargo ton-miles
American Flyers Airline Corp	954, 518	39, 645	41, 664, 000	4, 536, 670
Capitol Airways, Inc	11, 214, 806	69, 790	258, 721, 000	93, 332, 126
Modern Air Transport, Inc	325, 747	17, 776	18, 379, 000	1, 875, 080
Overseas National Airways	3, 244, 911	96, 386	249, 280, 000	26, 245, 658
Saturn Airways, Inc	530, 360	21, 312	33, 566, 000	3, 815, 445
Southern Air Transport, Inc	3, 271, 024	87, 417	97, 662, 000	19, 848, 759
World Airways, Inc	11, 255, 182	64, 629	364, 126, 000	110, 227, 894
Total	30, 796, 548	396, 955	1, 063, 398, 000	259, 881, 632

Table II

	Defense contracts	Total operating revenue	Total assets
American Flyers Airline Corp	$1, 633, 291	$2, 208, 865	$689, 567
Capitol Airways, Inc	14, 911, 657	18, 775, 194	16, 143, 750
Modern Air Transport, Inc	913, 448	1, 005, 491	351, 409
Overseas National Airways	6, 160, 785	8, 439, 293	1, 993, 282
Saturn Airways, Inc	781, 888	1, 417, 285	913, 599
Southern Air Transport, Inc	4, 824, 834	5, 733, 821	2, 244, 041
World Airways, Inc	21, 438, 727	23, 308, 012	13, 532, 676
Total	50, 664, 630	60, 887, 961	35, 868, 324

MGM-CINERAMA COMMENDED ON "HOW THE WEST WAS WON"

Mr. HARTKE. Mr. President, the other evening many Members of this body and the House were guests at the premier performance in Washington of the new motion picture, "How the West Was Won."

This is a spectacular tribute to the brave men and women who helped make this country great. Parts of it were filmed only a few miles from my home in Indiana.

The screenplay took up five related, but distinct, periods—the early days of the Ohio Valley, the covered wagon and gold rush, the Civil War, building of the transcontinental railroad and the development of roads. My own State, Indiana, was, of course, a part of two of these phases. All of them opened the West.

I wish to commend Metro-Goldwyn-Mayer and the Cinerama Co. for their work in creating this magnificent historical document. They should be pleased with the results of this undertaking. Those who see the film will be justly proud of the heritage we have in America.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

URBAN MASS TRANSPORTATION ACT OF 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and be made the pending business.

There being no objection, the Senate resumed the consideration of the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. RIBICOFF. Mr. President, I support the mass transportation bill not merely because the commuters of Connecticut need it—which they do—not merely because the New York metropolitan area must have it—which it must—and not merely because commuter transportation is one of the most serious problems facing our Nation.

I speak for the mass transportation bill because of its importance to the Senate itself, because of its importance to the legislative process, and because of its importance to the lawmaking function of our Federal Government.

For this bill will put to the test—as will no other bill before the Congress—whether the lawmaking process of our Government is going to work in the national interest, or whether it is going to founder on the shoals of State and regional self-seeking.

This bill requires us to decide whether we are lawmakers for a nation or ambassadors from the States to the Nation's Capitol.

Let us face the facts: In this debate we have been told that the bill should be rejected, because there are some States where mass transportation is of little concern. "What good does this bill do for my State?" That is the question asked or implied by much of what has been said here.

To those who ask that question, I answer: This bill is good for the Nation, and for that reason should be supported by every State.

We have become a nation of cities, and the trend toward urban living will continue. If we are to legislate for the needs of today and tomorrow, if we are to preserve in an urban future the great human values which flourished so successfully in our rural past, we must concern ourselves with the grave ills that threaten our cities with premature deterioration.

I ask no Senator to support a bill he believes harmful to his State. But if Senators reject a bill because it helps solve a national problem which is more serious in other States than their own, then our Federal Government is in serious danger.

We became a nation when the representatives of our States realized that selfish provincialism must be replaced by constructive cooperation. History shows that we are weakened as a nation when we fail to cooperate in solving problems that reach beyond the borders of our separate States.

Let no one mistake the serious implications in the attack upon the mass transportation bill.

If votes are withheld by States that have little or no present need for Federal funds for commuters, where do these States expect to find support for their own urgent needs? If State benefit becomes the test, why should the representatives of metropolitan America spend their constituents' money for the needs of rural America? If State benefit becomes the test, where will the votes be found to reclaim the lands of the vast Southwest; to develop the mighty power potential of the Northwest; to provide rural electrification for the Southeast; to insure farm income in the Midwest?

Opposition to this bill would not only be short-sighted in the national interest, it would be economically short-sighted as well. If the cities do not receive help for their commuter problems, they may not help the rest of the country with their votes—and they certainly will not be as able to help the rest of the country with their money.

We are told the Nation cannot afford this bill—that our national revenues will not permit this amount of spending. The facts are just the opposite. Our national revenues require this amount of spending. The revenues of our country will decline if our cities cannot continue their crucial role in the economy of this Nation.

The New York metropolitan area and the other large urban areas of the Nation are the hubs around which turn the industry, finance and commerce of these United States.

They are the high income areas—indeed, much of the opposition to the bill dwells on this fact—but they are also income-generating areas; from them stems the wherewithal for the industry—the mining—the agriculture of our entire country.

Yet today our great cities, and their suburbs, are in need. They are being strangled—choked to death—for lack of adequate mass transportation.

We have before us now a bill which would take a giant step forward in providing this mass transportation.

Will the rest of the country, so dependent on our cities, refuse them aid now in their hour of need?

The Federal Government—representing all our people—cannot ignore this question. The continued economic vitality and growth of our urban areas is essential to our national welfare. Indeed, the welfare of all our citizens directly depends upon the commerce and industry of our great cities.

This commerce and industry generate economic activity which in turn produces profit taxable for Federal income purposes. From these funds come Federal programs to aid the peanutgrower in the South and the corngrower in the Midwest. From these funds come Federal irrigation and reclamation projects to make the deserts of the West bloom and the farmlands of the Midwest prosper. From these funds come the electrification programs that have changed the living standards of rural America.

Most of our Federal programs, even those programs in which the cities do participate, are usually weighted in favor of rural America. Each dollar put up by a rural State for public welfare, for example, is matched by far more Federal money than the dollar put up by an industrial State.

We citizens of the industrial urban States have for years gladly supported programs to help our fellow Americans who happen to live in less affluent parts of our country.

The people of the States of Connecticut, New York, and New Jersey, for instance, in fiscal 1962 paid almost one quarter of the total Federal tax collection for that year. Yet Federal aid payments to these States and their local units of government and individual citizens amounted to about one-tenth of the total Federal payments throughout the Nation.

These three States alone—Connecticut, New York, and New Jersey—are paying 25 percent of the bill and receiving 10 percent of the return. They do not begrudge this arrangement; they do not bemoan this discrepancy—though many of our residents find it increasingly difficult to justify. These States can continue to do their share—in reality more than their share—in recognition of their responsibilities under our Federal form of government. They will continue their payments unless shortsighted opposition to legislation such as the bill before us kills the goose that is laying the golden eggs for the Nation.

Our opponents are saying, "It's every State for itself and the Devil take the underrepresented hindmost." This is a dangerous slogan for the Nation and ultimately for every single State.

This bill must stand or fall on its merit, its worth not to any one State or any one group of States but its worth—its necessity—for the entire Nation and its growth.

These are days when a very large proportion of our attention is directed to the great issues that confront us throughout the world. I do not minimize these matters. Of course they require our urgent attention. But we must also meet the urgencies that confront us here at home.

High on that domestic agenda of unfinished business is safe, convenient, and economic transportation for the commuters of this country, and the sane and healthy development of our cities and suburbs. This is a priority item. We need it now. We needed it yesterday—indeed, the day before yesterday.

Today we are spending billions to reach the moon while we just talk about spending millions to move commuters in and out of our great cities. Only last week a high ranking official of NASA estimated the cost of the first roundtrip of Americans to the moon's surface to be $20 billion. And that is the cost only of those activities directly related to realizing the goal of landing on the moon by 1970. The goal is laudable, but I believe that getting to work and getting home again is just as important as getting to the moon.

Let me tell Senators what this legislation means to the commuting areas of Connecticut which I represent and to the entire tristate region of New York, New Jersey, and Connecticut. The future of the New York metropolitan area depends on the success of its mass transportation system, and in this region rail service must play the key role.

Where Detroit's auto production, Chicago's metal manufacture, or southern California's aerospace industries lie outside their central business districts, in New York there is a high concentration of key economic decisionmakers in a relatively few acres of real estate on the island of Manhattan, and a very heavy movement of workers in and out of that area every day.

Not only is the area small and the size of the total contribution of New York's goods and services great, but many of its activities cannot be duplicated elsewhere. It is the home of the American theater and opera and the cradle and marketplace of all the arts. Nowhere else in the world are so many of the nation-serving functions so readily available. Nowhere else can so many different leaders communicate face to face: corporation executives, financial advisers, lending institutions, leading law firms, advertising men, management consultants.

Clearly, this Connecticut-New York-New Jersey region plays a vital and irreplaceable role as the largest single industrial, business, and cultural center of the Nation. The main key to the successful functioning of this marvelous urban complex is to get the people into these beehives of activity in the morning and back to home at night.

And the best means of accomplishing this goal is through rail mass transit commuter service. Anyone who thinks more highways can do the whole job in this region just is not being realistic. Already, because of lack of good and flexible rail commuter service, a vast new population of automobiles, rather than people, is daily poured into downtown Manhattan. The automobile requires about 300 square feet of parking space, three times as much as a person requires for office space or commercial area.

If the present highways are not capable of handling the peak traffic to New York in the morning and evening hours, what are we going to do? Build more highways? Take more property off the tax rolls? Place a greater burden on remaining property owners for essential services to which they are entitled? Pump more carbon monoxide into the atmosphere? The cost of acquiring land for rights-of-way and the costs of construction are skyrocketing.

Safe and efficient mass transportation is essential if city dwellers are to live in true communities, and to enjoy the sense of neighborhood which characterized American life in the small towns in which most of us grew up. Without it, families will remain isolated from the cultural advantages which lie at the heart of the city. Without it, city streets will deteriorate into parking garages. Without it, the rich and the poor will lead increasingly separate lives—and this will be a marked departure from the democratic life in which we were brought up. Without it, adjacent communities will become utterly isolated from each other.

What are we going to do with the cars which are brought into the city?

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

Mr. RIBICOFF. I am pleased to yield to the Senator from Texas.

Mr. TOWER. I believe that when the Senator testified before the committee he said that actually what is proposed to be spent now is only a start, and really not enough.

Mr. RIBICOFF. Truthfully, I agree with that, I say to the Senator.

Mr. TOWER. Then actually, when we consider that the immediate needs over the next few years would be an amount of about $10 billion, the bill before the Senate could not resolve all the problems for us, could it?

Mr. RIBICOFF. No. But I say to the distinguished Senator that we must make a start at some time. The longer we wait the more we compound the problems facing our Nation. Since some 70 percent of the people today live in the urban centers of the United States, each delay of each year means more crowding and crowding, to strangle the economic life of urban America. Therefore, I say that a start must be made and must be made now. I believe that America is too late in starting at the present time, and tomorrow will be still later.

Mr. TOWER. Mr. President, will the Senator yield further?

Mr. RIBICOFF. I am glad to yield.

Mr. TOWER. The Senator anticipates, then, that we face only a start and that we shall have to subsequently adopt additional measures authorizing much vaster sums for transportation?

Mr. RIBICOFF. I would have to say, in all truth, to the Senator from Texas, that this is only a start. I would anticipate that considerably more money will be needed to solve the problem. But I believe this is a very important investment for America, because, as I said previously, this measure allows America to generate productivity, wealth, and taxes which will go to support all the processes of our Government, whereas we would lose much if we choked off the productivity and life of our Nation.

Mr. TOWER. I thank the Senator.

Mr. RIBICOFF. People can be piled 30, 40, or 50 stories high, but cars cannot be piled that way. The streets are already choked with traffic so that not only does it impede the flow of commuter traffic, with attendant delays and hazards, but it interferes with the essential local city traffic, impedes necessary deliveries, slows down emergency services such as fire apparatus and ambulances, and makes it difficult to get to stations and airports.

Mass rail transportation must carry more of the load. But, in order to attract commuters to this service, it must be frequent, convenient, comfortable, and reasonably priced. This the railroads of the area cannot afford to do on their own. They are financially weak—our own New Haven Railroad is bankrupt—and they cannot modernize and support what amounts to a true public service out of other revenues.

An already bankrupt railroad cannot continue to add almost $6 million in commuter service losses annually to its present debt. The interest and labors of the Governors of Connecticut, New York, and New Jersey have helped, but the States alone cannot provide a long-range cure.

The very nature of the mass transit problem in the great urban areas requires major financial aid by the Federal Government. Many of us dislike increased Government participation or further subsidization of any phase of our economy.

But national needs require national effort. That effort must be supported at all levels—private, local, State, and Federal. The Founding Fathers recognized that States could not deal with matters involving interstate movement beyond their jurisdictions and that inconsistent, independent action by the several States could hamper and burden regional and national progress. Indeed, this recognition is one of the factors that impelled them to draft the Constitution and form a federal union.

The Federal Government has been aiding transportation in this country for a long time. In many areas the size of the support has reached major proportions.

Federal funds build interstate highways, construct airports, dredge harbors, improve river navigation, and, in one way or another, aid many of the carriers that use these facilities.

Federal dollars have made it possible to drive across the Nation in days, to fly across the Nation in hours, to move cargo on inland waterways faster than ever before. What we need are Federal dollars devoted exclusively to the problem of moving large numbers of commuters in and out of the great urban centers of this Nation.

And each Federal dollar spent on this program will benefit more people per day than any other form of Federal aid which has ever been given to any form of transportation.

Yet we are told that State and local resources are sufficient to solve this problem. But who makes that assertion? Have governors come here and said, "We will send to our legislatures budget requests for millions in new spending authority for mass transit"? Have members of State legislatures come here and said, "We will vote to increase States taxes to pay for modern commuter service"? I know of no such testimony.

It is easy to say what can be done when you do not have the responsibility for doing it. It is easy for the national chamber of commerce to assure us that State and local revenues are sufficient. But in what State has the chamber recommended higher taxes to produce this revenue? And how many local chambers of commerce along the New Haven-New York commuter run agree that Federal funds are not necessary?

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

Mr. RIBICOFF. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. If the Governors and legislatures of the States and the mayors and councilmen of the cities do not believe that there should be remissions made of taxes and grants made by the Government, how does the Senator from Connecticut come to the conclusion that

that which the local officials refuse to do, the Federal Government should do, with its $305 billion debt, with its inability to balance the budget, and with all the other fiscal problems confronting the Government?

Mr. RIBICOFF. I shall be pleased to answer the distinguished Senator from Ohio, who, like me, was the Governor of a great State. I do not believe the great State of Ohio is much different from other States in this land of ours. The truth is that the States of our Nation are rurally dominated in the State legislatures. One of the great tragedies of America and one of the reasons why the Federal Government is involved in so many of these programs is the fact that the States refuse to face the great problems of a changing America. It is these rurally dominated legislatures which close their eyes and do not pay heed to the crying needs of the cities. It is this rural domination throughout the 50 States that makes it impossible for the States to face those problems.

Why does the Congress come into this problem? Because the Congress of the United States looks at the problems with perspective and a philosophy about the growth of America and realizes that these problems must be solved. If the States do not solve these problems because of the rural domination in their legislatures, we must come to the U.S. Congress to help solve them. I am not trying, here in the Congress, to solve a problem which is purely local, but when we deal with the needs of our people and the growth of America, and when we deal with matters of interstate commerce, there is definitely a role for the Federal Government.

In my State the problem we have with transportation is not a Connecticut problem. If it were merely a local problem, Connecticut would be handling it. But the problem of the 30,000 people who go out of Fairfield County every morning, get on the train and go to New York City, and those same 30,000 people who leave New York City in the evening and go back to Connecticut, is not merely a Connecticut problem.

This same problem is multiplied many times in the State of the Senator from New Jersey, where many, many more thousands are affected. The same thing happens in all the great metropolitan complexes.

What surprises me today is the great resistance to this bill in view of the fact that all over the Nation there are these great metropolitan complexes, and when Congress has provided a great amount of money in the way of subsidies for all forms of transportation except one; namely, the railroads. It is surprising because we have provided millions of dollars to give aid to airlines, shipping, highways, and harbors, but refuse to give this kind of aid.

I wish to make another statement to the Senator from Ohio, because, as a former Governor, he realizes the problems involved in our highway systems. I read the CONGRESSIONAL RECORD with interest, and I noted the comment of the distinguished Senator from Ohio, for whom I have the highest respect, concerning what proof there is that people will give up use of the automobile. I say the proof is that we are so choking our highways that soon we will not be able to use them. If the problem in the State of Ohio is the same as that in Connecticut, and perhaps every other State, we cannot build highways fast enough to take care of the people using the highways.

Does the Senator want to see, not many years from now, the time come when we will have nothing but concrete roadways and amacite roads, without a blade of grass or space for people to live in? That is what we are coming to. This is an effort to provide economical, efficient transportation, and in so doing we will save billions of dollars in highway construction, by not having such a great need for additional highway systems.

Congress has voted a series of appropriations, amounting eventually to $41 billion, for the Federal highway system. The Federal Government pays 90 cents for every dollar spent, to match the 10 cents the States pay. If the Federal Government can put up 90 cents to match every 10 cents provided by the States for roads, I cannot understand why we cannot vote for two-thirds matching grants to help build a mass transportation system which will move the same people who now use the roads. The highways cannot do the whole job. To the extent we can help solve the problem, we will make it unnecessary to appropriate additional huge sums of money for interstate roads.

Mr. LAUSCHE. Will the Senator yield further?

Mr. RIBICOFF. I am glad to yield.

Mr. LAUSCHE. My question was why the people do not help solve the problem back home, and the Senator answered that the State legislatures are dominated by rural representatives.

We have many rural States, and in some instances, the argument of the Senator from Connecticut may be correct. However, I wish to point out to the Senator from Connecticut, for whom I have the highest regard, that when this idea with respect to Federal aid to the local transit systems had its inception, there appeared before the Commerce Committee Hon. Raymond R. Tucker, mayor of St. Louis, Hon. Richardson Dilworth, mayor of Philadelphia, Hon. Robert Wagner, mayor of New York City, Gov. David Lawrence, of Pennsylvania, Hon. Anthony J. Celebrezze, mayor of Cleveland, and James Symes, of the Pennsylvania Railroad, as well as George Alpert, of the New York, New Haven & Hartford Railroad. I should like to read what Mr. Alpert said. He is the president of what the Senator from Connecticut has identified as the defunct Hartford Railroad.

Mr. RIBICOFF. The former president.

Mr. LAUSCHE. The former president; yes. Mr. Alpert testified before the committee. He said:

> Municipalities find it difficult, some of them, to do a great deal for us. Take taxation, for example. The city of Boston taxes us to the queen's taste.

If the Senator from Connecticut knows Mr. Alpert, he can easily identify that to be Mr. Alpert's language.

> The city of Boston taxes us to the queen's taste. Our South Station, one of our two terminals in Boston, is assessed for $12,200,000. It was built in 1897 for about $15 million. And here 60 years later it is still assessed for $12,200,000, which is supposed to be its fair value.
>
> The fact that we have been trying for 3 years to get somebody to buy it for $4 million doesn't seem to be relevant, but it is assessed for $12,200,000.

This is Mr. Alpert still speaking:

> This is a statement I know that you will find hard to believe. Our tax rate in Boston is $101.20 per thousand dollars. So that on an assessment of 300 percent of the value, at a rate of $101 a thousand, this is confiscatory.

That New Haven Railroad is paying to Boston a tax of $1,200,000 a year on this one building, which it is willing to sell for $4 million. How does the Senator from Connecticut explain the refusal of the city of Boston to take care of that problem? I might say that Boston, according to the witnesses who appeared before the Banking and Currency Committee, seems to be one of the main proponents of this multibillion-dollar giveaway scheme.

Mr. RIBICOFF. I shall be pleased to answer the question of the distinguished Senator from Ohio by saying that in my opinion, if those facts are correct, the continuation of such a policy by Boston would be sheer stupidity. There is no justification whatever for Boston or any city or any State to continue to carry out such a policy.

In recognition of what this means, let me give the Senator from Ohio an example in our own State of Connecticut. Starting in 1961, Connecticut gave up its gross revenue tax, which had produced $1.2 million a year. Towns levy property taxes, but only on nonoperating property, and that totals less than $100,000 in all of the State.

The State of Connecticut pays the railroad one-half million dollars each year, starting in 1961, for maintenance of bridges, crossings, and other property. Thus there is no State tax on the New York, New Haven & Hartford of any sort, and no city tax of any sort, with the exception of the $100,000, which is spread through the 169 towns where the railroad might own a piece of commercial property.

It would seem to me that the Housing Administrator should, in the exercise of his discretion, make a condition, before any of these grants are made to public bodies, that some tax relief be granted. There is absolutely no justification for relief being granted without the States and municipalities doing their part.

My contention is that this should not be entirely a Federal obligation. This is an obligation of the cities and States, who must bear a part of the burden. However, that burden is so great, and the national interest is so vitally involved here, that there is distinctly a role for the Federal Government to play. This is of vital importance to the security of our whole Nation. It is not

only important to Cincinnati and Cleveland and New York and Fairfield County in Connecticut and New Jersey, but it is important also for all of the 50 States, because the rural States, to which the Senator from Ohio has referred, are the States which are the beneficiaries of the great revenue-producing States such as the States the Senator and I represent.

I do not begrudge, as a Senator from the State of Connecticut, the money we generate in tax revenue being used to help America grow, and to make sure that even the least prosperous State will get the benefit the State of Connecticut gets.

It would be tragic indeed if these States, whose growth is generated by the tax revenue from the Senator's State and my State, were to kill the goose that lays the golden egg by refusing to recognize the economic problems our States have in generating the revenues that are so essential to the growth of America.

The Senator speaks about the national debt. The debt will go sky high, and will go even higher, if the people who work in New York City, for example, and live in the suburbs, cannot get back and forth to work. That is what will happen if we break down this complex.

There are those who decry all this and who say they prefer a rural America, and prefer not to have an urbanized America. However, we cannot stop, and is impossible to stop, the normal growth that is taking place in the United States. We must recognize that we are no longer 13 rural States on the eastern seaboard, but that we are a vital nation of people who have moved into cities. The cities are becoming heavily populated, and they will represent the bulk of the population of America. It would indeed be shortsighted for the least populated States, whose representatives come here year in and year out, to receive substance and benefit with the assistance of Senators from the larger and industrial States, to now say, "What does this do for my State?" I hope the time will never come when every measure that is decided here is decided by the yeas and nays depending on "What does my State get out of it?" It would be a sad day for the future of our country if that were to happen.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. RIBICOFF. I should like to say that the Commerce Committee amendments, with all due respect to the Committee on Banking and Currency, have improved the bill and have strengthened the bill. On page 5, subsection (c) reads:

(c) No Federal assistance under this act shall be extended to any State or local public body or agency thereof to assist any private mass transportation company unless the Administrator is assured that the State or States and the local public bodies or agencies thereof in the area covered by a proposed project have afforded the company every feasible relief, compatible with their own fiscal responsibilities, including, but not necessarily limited to, relinquishment of real property taxes, personal property taxes, and franchise taxes;

Therefore, if the city of Boston comes to the Administrator for help under this bill, and if the Housing Administrator notes this outrageous action on the part of Boston, it may not get relief.

Mr. LAUSCHE. I am thoroughly familiar with that language. I discussed it yesterday. I will not repeat my views today. However, it is of a very flexible nature. The State of Connecticut and, I believe also—is there another State that has entered into some sort of agreement to provide tax relief?

Mr. RIBICOFF. New York and Rhode Island.

Mr. LAUSCHE. Rhode Island. I would like to point out that beginning in 1959, and especially in 1960, recommendations were made that, instead of coming to the Federal Government for grants, the attempt should be made to try to solve the problems back home.

I wish to read now the testimony given at the hearing of February 16, 1960, when Symes and Alpert and the mayors appeared. They said they had developed a four-point program.

First, they said a national policy should be established by Congress for a balanced, coordinated transportation system; second, that the Federal, State, and local governments should be asked to develop rational tax policies for the railroads.

The railroads were begging Connecticut, Rhode Island, New York, and Boston for relief. It was not until 1961 that some thought was given to that petition. I respectfully submit that while those three States have given some relief, Massachusetts gave very, very little. Most of the States have given no relief. An effort ought to be made to see what will happen under the recommendation for State relief.

Mr. RIBICOFF. When that recommendation was made, I was Governor of Connecticut. The Legislature of Connecticut meets in odd years, not in even years. The next meeting of the State legislature, which took place in 1961, less than 1 short year from that period, granted all this tax relief and gave up its taxes on the railroad.

Mr. LAUSCHE. What did that amount to?

Mr. RIBICOFF. For Connecticut, it amounted to $1,200,000 a year. In addition to removing their tax obligation, we gave a subsidy of another half million dollars a year to enable the railroad to repair its trestles and bridges. So the State of Connecticut has acted.

Mr. LAUSCHE. That amounted to $1,200,000?

Mr. RIBICOFF. It amounted to $1,200,000.

Mr. LAUSCHE. But the program under consideration now will cost the Federal taxpayers $6 billion, according to some estimates; probably $8 billion, according to others.

Mr. RIBICOFF. I should say the United States could not make a better investment.

Mr. LAUSCHE. Does the Senator from Connecticut subscribe to that expenditure?

Mr. RIBICOFF. I subscribe to that expenditure. We do not quarrel, do we, in the U.S. Senate about spending $41 billion for an Interstate Highway System to move people across State lines? That is what is proposed to be done in this instance, when we are talking about a transportation problem, and are spending $41 billion to move people across State lines in automobiles. I cannot see why we cannot justify spending, even granting the Senator's figures, some $6 billion over 3 years to move people across State lines by means of mass transportation.

I want to see something remain of our cities and suburbs; but if we build highways to take care of the vast growth in automobile traffic, we shall have nothing left to tax. That is what we are coming to.

Everywhere we go in America we find that highways—and they are needed—are tearing down cities, destroying taxable property, and invading rural America, until we see one ribbon of concrete after another ribbon of concrete.

We are talking not only about the economic life of the country, but of the esthetics of the country, as well. Let us save a part of America and bring people back to the cities. I think it will not be possible to prevent the increase in the number of crowded highways unless we pass a bill such as has been developed and is now before Congress in the form of the Mass Transportation Act.

Mr. LAUSCHE. The Senator from Connecticut will concede, will he not, that for the building of highways, the users of highways pay taxes on the purchase of gasoline, tires, and automobile accessories? These taxes are placed in a trust fund, in order that the building of the highway system may be self sustaining.

But the bill sponsored by the administration contemplates that all citizens shall pay money out of the general taxes to relieve, as the Senator from Connecticut has said, New York, Boston, Philadelphia, and other places which are said to have metropolitan problems.

Mr. RIBICOFF. With all due respect to the Senator from Ohio, I should say nothing of the sort. A tax is a tax, no matter what it is called, whether it is an income tax, a sales tax or a tax on gasoline and tires. The tax still comes out of the taxpayer's pocket.

What we are asking for out of the general revenues is exactly the same as Congress votes, year in and year out, in rivers and harbors legislation.

The funds which are appropriated constantly, year in and year out, for the improvement of rivers and harbors, comes from the general revenue. If the Federal Government can spend the taxpayers' money to widen rivers, deepen channels, and dredge harbors, then, for heaven's sake, why may it not spend some of the Federal revenue to move people into and out of the cities? I think it is a shortsighted attitude to neglect the problems of the cities.

We live in a changing America. We are 37 years away from the 21st century. The time has come for many of us to stop and realize that we are approaching the 21st century, and not continue to argue and talk as if we were in the middle of the 19th century.

Great problems face our country. We ought to realize that America is moving ahead; that we are not the rural America of past years. We must recognize the needs and problems that have arisen from the fact that we have become an urbanized Nation.

Mr. LAUSCHE. I regret that I must disagree vehemently with the Senator from Connecticut when he says there is no difference between the taxes collected to build up a trust fund for the highway building program and the taxes which are generally assessed throughout the country. There is a trust fund. When I pay a gasoline tax, it is a user's tax. But under the proposed program, there will be nothing of that nature. The funds will come out of the general taxpayers' pockets. That is considerably different from paying a user's tax.

I come from a large city. I know what that means. Cincinnati is not asking for this benefit. There is not a single city in Ohio which is asking for it, except Cleveland; and Cleveland began to ask for it only when it learned that there was to be a gift program.

I point out how the giving away of money corrupts the morals of the people. Cleveland decided to build a transit system on its own initiative. Taxes were voted. Highways were ordered to be rebuilt. Cleveland was going forward with a project to extend rapid transit. The vote was 3 to 2 in favor of going forward on a local basis. Then word came from Washington that there was to be a giveaway program. What happened? The officials of Cleveland changed their judgment. One of the members of the board said, "If the Government is planning to give the money away, why should we spend our own money?" So they changed their vote, and now they are waiting to see whether the Federal Government will say, "We will give you the money; do not borrow it. Do not try to do the job yourself. The good Government in Washington, through the U.S. Congress, will give you what you need." I cannot subscribe to that policy.

Mr. RIBICOFF. I simply wish to close on this note in the debate with the Senator from Ohio. He has not answered the question as to rivers and harbors legislation, which benefits the various States. I imagine the great State of Ohio was the beneficiary of the rivers and harbors program as it affects the Ohio River and many other rivers in his State, and also the Great Lakes. Funds for those projects come out of the general revenues, I am sure. I do not begrudge the use of such funds, when they are necessary, to widen or deepen the Ohio River, or when they are necessary to make the streams of his State more navigable, or are necessary to improve navigation on the Great Lakes. I think that is fine. But those funds come out of the general revenue.

Mr. LAUSCHE. I agree with that statement. But I have been fighting subsidies to the airlines. I have been seeking to impose a user's tax on the inland waterways. I have been seeking equality of treatment for the railroads. But I do not want to have equality of treatment achieved by pushing the Federal Government still deeper into the subsidy field. That is where I part from the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I am about to conclude my remarks. We have been told that no Federal funds are needed for mass transit throughout the Nation because in San Francisco the voters approved a bond issue to finance a rapid transit system for that city. Does it also follow that the Nation can do without Federal funds for the Interstate Highway System because Connecticut voted bonds for the Connecticut Turnpike before 90–10 matching funds became available? If that argument had prevailed in 1956, we would not have our interstate highways across the Nation today. If the argument prevails today, what will become of our cities in 1970?

The Federal funds are desperately needed for States and regions with major commuter problems, and should be used in whatever way the State or region wants to use the money. Each State or region faces its own problems in mass transportation. No single answer can or should come from Washington. In the New York metropolitan area, we would use the funds primarily for rail service, for that is our greatest need.

The only earmarking on the funds would be their use solely for commuter transit. The method of transportation would be the choice of the State or regional authority applying for the funds.

The bill before us meets the need head on. It is vitally needed, and should be passed at this session of Congress.

Mr. President, defeat of this bill would be a tragedy for the commuters of this country and for the lawmaking process of our Government. Its passage will help insure the strength and vitality of our Nation, the growth of our economy, and the preservation of our traditional values in urban America.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Connecticut yield to the Senator from Montana?

Mr. RIBICOFF. I am pleased to yield to the majority leader.

Mr. MANSFIELD. I wish to commend the distinguished Senator from Connecticut on his speech. It is his first speech of major significance in this body. I think it has cleared up many of the questions which have been in the minds of many of us, especially those of us who come from not exactly rural areas, but certainly not urban areas—areas in the Rocky Mountain West.

The Senator from Connecticut has a distinguished record—first, as a Member of the House of Representatives, in which body I had the pleasure and the privilege of serving with him, and also, incidentally, on the same committee.

The Senator from Connecticut has been the Governor of his State. Therefore, he has first-hand, personal knowledge of the problems which confront an extremely crowded area.

The Senator from Connecticut has been a member of the President's Cabinet, and thus has become more fully aware—on the national level—of the problems which he saw as a State Governor.

And now the Senator from Connecticut is a Member of this body; and he has given us the definite benefit of his wide and varied experience.

As a spokesman in this respect for the approximately 70 percent of our population who live in urban areas, the Senator from Connecticut has done a magnificent job. I commend him for the clarity of the statement he has made, and also for the fact that he has "laid it on the line," so to speak, insofar as the needs of those who live in these areas are concerned.

I must state, in all honesty, that the Senator from Connecticut was not speaking for only the State of Connecticut. Instead, he was speaking for all the States which are in a similar situation.

I was very much impressed by the Senator's statement that he hopes the day will not come when Senators will think only of how a particular piece of legislation will affect their own States, and will vote only on that basis. Of course, that is a factor which all of us must never forget; we must always keep it in mind. But just as we are Senators from a particular State, so are we Senators of the United States; and on that basis we have to consider the interests of the Nation as a whole.

This is one area in which those of us who come from the least populous States can do something to give the consideration which is due to the part of the country in which 70 percent of the population live—70 percent of the population who have no Cabinet representation or no status as such, but who, in my opinion, are entitled to as much consideration as the farmers, who comprise 9 percent of the population.

This is a good bill. The Senator from Connecticut has made a good and a sound case in favor of it; and I compliment him on the clarity of his statement and on the dispatch he has shown.

Mr. RIBICOFF. I thank the Senator from Montana.

Mr. SPARKMAN. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. SPARKMAN. I wish to add my word of commendation of the Senator from Connecticut for the very fine presentation he has made on the pending measure.

In the course of the hearings on the bill, one of the finest and clearest statements made to us was made by the Senator from Connecticut. I am very much pleased to hear him follow it up here on the floor of the Senate while the bill is under consideration by this body.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. WILLIAMS of New Jersey. Mr. President, I certainly join our senior leaders in applauding the eloquent statement the Senator from Connecticut has made. No one could speak with greater knowledge of the problems of urban transportation. The statement of the distinguished Senator from Connecticut has certainly been most helpful to the Senate; and I hope that Senators who are not present at this time will read in the RECORD the statement the Senator from Connecticut has made. If there is time for that to be done before the final vote is taken, it will be most helpful.

I should like to ask the Senator from Connecticut one or two questions.

Mr. RIBICOFF. Certainly.

Mr. WILLIAMS of New Jersey. We have heard many statements to the effect that urban transportation is a local problem, and that local answers should be found. Many persons have asked, "What has the Federal Government to do with it?"

Let me ask the Senator from Connecticut whether the principal commuter line in Connecticut is the New York & New Haven Railroad.

Mr. RIBICOFF. It is the only commuter line which can possibly transport people to work from one of the most important segments of the State of Connecticut to New York, and then return them home.

Mr. WILLIAMS of New Jersey. It passes through many towns and cities as the commuters journey from Fairfield County to New York, does it not?

Mr. RIBICOFF. Yes. It taps a county with a population of approximately 600,000, then passes through Westchester County, N.Y., which is heavily populated, and then reaches New York City. Therefore, perhaps one and half-million persons—both in New York and Connecticut—depend upon this railroad for their daily transportation.

Mr. WILLIAMS of New Jersey. Can any town, city, county, or State really accomplish anything to meet the problems of this railroad in the absence of a regional plan for it?

Mr. RIBICOFF. That would be impossible. New York by itself could not do the job. Connecticut by itself could not do the job, either, because this railroad crosses State lines.

This fact points up the great problem which exists in many of the urban centers of the Nation, because by using mass transportation and fast transportation, people cross State lines to go to work and then to return home.

Mr. WILLIAMS of New Jersey. So far as local initiative is concerned, have not the three States—Connecticut, New York, and New Jersey—joined in a transportation committee?

Mr. RIBICOFF. Yes; and they are studying the question of working together on this problem.

After having worked on this problem with Governor Harriman, Governor Meyner, and Governor Rockefeller, and after having watched the Governors who have succeeded us in these three States, it is my considered judgment that all three of these States are more than willing to do their share. I know that Connecticut is; I know that New Jersey is; and I know that New York is. But because of the fact that three States are involved, and also because of the fact that their transportation problems are indissolubly tied together, it becomes absolutely necessary for the Federal Government to play a role. Furthermore, if any problem affects interstate commerce, this is a classic example.

Mr. WILLIAMS of New Jersey. Is the situation of these three States unique; or is their situation similar to that of other States, in terms of fiscal policy, fiscal hardship, rising debt, rising cost, and increasing pressures to meet the public needs?

Mr. RIBICOFF. There is no question that their situation is not unique. I think it will be found that the tax rates and the debts of the States and the cities have risen entirely out of proportion to their share of the Federal taxes and the Federal debt. Although debt is to be decried, the fact remains that these States and cities are very hard pressed in this field. I think the important factor to be considered is that here we have an opportunity to create wealth, because these commuters are not going on joyrides. They are traveling to work, and they must arrive on time. Thus they have an opportunity to earn income; and, in that way, taxes which help pay the bills of the entire Nation are generated.

Mr. WILLIAMS of New Jersey. When the Senator returns to his beautiful State, I wonder if he hears the taxpayers' associations and others lament that Congress has been approving programs to benefit the Southwest, the West, and the Northwest, while the State of Connecticut is sending $2 to Washington and getting $1 back.

Mr. RIBICOFF. I have not been in this body long enough to have heard such complaints, but I anticipate that I shall hear them with increasing frequency as the years go by. There is no question that what the Senator has said is becoming an almost universal cry of dissatisfaction. Every time a program is approved, whether it is a program related to agriculture, reclamation, or another type of water project, there is lack of understanding and an irritation concerning the expenditures. That is why I have pleaded with Senators to recognize the problems of our State and the fact that we in our State are generating the tax dollars to help such projects. All we ask is that Senators take into consideration the fact that we have a unified and interdependent America, and that a Senator should not look at every problem from the standpoint of how the program would help his own State. If we are to start adopting that kind of philosophy and voting that way, the consequences will be tragic for the future growth of our Nation.

Mr. WILLIAMS of New Jersey. I do not know whether it is because those of us from the populous Northeast have a greater understanding or that our friends from rural States are men of greater persuasion, but it is a fact that again and again we from the cities have voted for reclamation, water conservation, and other similar projects, and we receive precious little for the cities.

We are talking about a bill that would provide $100 million for the first year for a national transportation program.

The senior Senator from Utah reminded us of a great program that he guided through the Senate some years ago. I believe that the program provided $1 billion for a reclamation project in the Upper Colorado. The Senator said it was in 1955. I refreshed my recollection and discovered that I voted for that program in March 1956. In view of the budgetary situation, perhaps the Senator from Connecticut and I will have to sharpen our pencils. If we cannot strengthen our Nation at the urban level with the amount of money that is so desperately needed, will we have enough for a $1 billion reclamation project?

Mr. RIBICOFF. I hope that the distinguished Senator from New Jersey and I will never adopt that philosophy.

I do not believe in the philosophy of retaliation. I understand the problems of the respective States. I want the West to grow. I want to see growth in the South, the Midwest, and the North, because the growth of each State helps all other States. My only plea is that Senators from States which are the beneficiaries of such programs have the same philosophy that we have, and understand that the proposal would be a part of our growth and our very sustenance.

Mr. WILLIAMS of New Jersey. That is my philosophy, too.

Mr. RIBICOFF. I am pleased to yield to the Senator from Texas.

Mr. TOWER. I point out that the project that has been referred to was a self-amortized project. I further point out that the issue is not a rural-versus-urban issue. I have made a survey of every city in my State having a population in excess of 50,000, and I have found that every one has expressed opposition to the bill. The survey included Houston, Tex., which is the heart of a complex of an area containing 2 million people. The cities are by no means unanimously in favor of the bill. The representative of the U.S. Chamber of Commerce testified that their survey showed a majority of their constituents were opposed to the measure.

Mr. RIBICOFF. In answer to the Senator from Texas, I should like to say that while those cities may be opposed to the proposed program, they are in favor of many projects in the rivers and harbors program of which they are beneficiaries and the cities in our State are not.

This is the problem on which I plead for the understanding of the distinguished Senator from Texas. I should like the Senator to understand that while the cities in his community might reject the program, denying a need for the type of help proposed, they plead for other types of help which are a drain on the Federal Treasury. Senators who are opposed to the bill go to the Federal Treasury for money to support measures which help their States.

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

Mr. RIBICOFF. I am pleased to yield to the Senator from Texas.

Mr. TOWER. Have the urban areas of New York, Connecticut, and New Jersay never received any benefit from rivers and harbors legislation?

Mr. RIBICOFF. Yes, but in an infinitesimal amount compared to what has been received by other States of our Nation in the more rural areas. I have no objection to those programs. I am for building up rural America. All I ask is that rural America understand the problems and needs of urban America.

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

Mr. RIBICOFF. I am pleased to yield.

Mr. TOWER. At some future date will the Senator from Connecticut join me in an effort to take the Government out of the business of subsidizing agriculture? I would be happy to cooperate with him in such a project, recognizing the great outlays for agriculture. However, I point out that only 25 percent of our agrarian economy is subsidized.

Mr. RIBICOFF. I would be pleased to discuss the subject with the distinguished Senator from Texas.

Mr. CLARK. Mr. President, will the distinguished Senator yield?

Mr. RIBICOFF. I am pleased to yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. First, I wish to congratulate my good friend from Connecticut for a magnificent major maiden effort as a Senator in support of proposed legislation which is as vitally important to my State as it is to his. We have come to expect from the former Governor of Connecticut and the former Secretary of the Department of Health, Education, and Welfare the same incisive ability to go to the heart of a problem, and the same understanding of the problems of others, as he showed clearly in the address he has just completed. The Senate is indeed fortunate to have the junior Senator from Connecticut in its midst, fighting for proposals that will make America strong at home as well as abroad.

I should like to ask the Senator a few questions. Is it not clear to the Senator from Connecticut that one of the three vital elements which would preserve the health, integrity, and indeed, the continuance and prosperity of our cities, middle sized as well as large, is an ability to move people and goods in, around, and through metropolitan communities with a minimum of delay and a maximum of expedition?

Mr. RIBICOFF. The Senator is absolutely correct.

Mr. CLARK. I believe my friend will agree that the other two problems confronting the great metropolitan areas are in the fields of housing and water.

Mr. RIBICOFF. The Senator is absolutely correct.

Mr. CLARK. In the housing field and in the water field is it not true that the Federal Government has already intervened on a mass scale to assure health in our metropolitan communities in connection with those two great services which they so much need?

Mr. RIBICOFF. We might as well face the fact that in the future there will be increasing demands for recognition of the problems of urban America. We shall hear increasing debates in behalf of such developments. We have neglected those problems on a national scale, and neglected them to our peril.

Perhaps there are those who are fearful of facing the consequences of those problems, but we dare not refuse to face them. The problems of urban America relating to human rights are upon us today. They concern juvenile delinquency, health, medicare, air pollution, and transportation. Not wanting them to exist does not mean that they will go away. No great nation such as ours can allow itself to be choked off by failure of the national legislative body to recognize the needs of our people and to tackle the problems that face us. In future years the Congress will face more and more of such problems. Perhaps we do not like them, but we must be honest with one another and recognize that they exist. The Congress will have to deal with them.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. RIBICOFF. I am pleased to yield.

Mr. CLARK. Was it not true in the Senator's wide experience as Governor of the great State of Connecticut, as was the case in my experience as mayor of Philadelphia, that, dealing with the problem of shelter and housing—residential, commercial, and industrial—it became clear perhaps 15 or 20 years ago that we could not provide a healthy shelter situation in our cities without intervention by the Federal Government through the FHA, through the urban renewal program, and through the public housing program?

Mr. RIBICOFF. The Senator is correct.

Mr. CLARK. It is not true that in each instance it was necessary to bring the credit of the Federal Government to bear, because private enterprise was unable to construct adequate housing at a profit to take care of the needs of the people?

Mr. RIBICOFF. Not only is the Senator's statement correct, but also this fact is amply shown in the case of mass transportation. Time and again I have had occasion to talk with bankers, investment counselors, and insurance companies about the prospects for obtaining private money for the field of mass transportation. The response has been unanimous, to the effect that there is no profit in mass transportation, and that no sound private investment would be justified. Consequently, the great resources of investment from private sources do not go into this field.

If there is a national need—which there is—if private means cannot take care of this need; if local means cannot take care of this need; and if State means cannot take care of this need; we as a nation cannot allow the need to go neglected. This is where the Federal role comes into play, because it is an absolute necessity to take care of a basic need facing the Nation.

Mr. CLARK. I ask my friend if he has not looked with profit at page 5 of the committee report from the Committee on Banking and Currency, where there is set forth a summary, by States, of the number of U.S. transit companies which have been sold or abandoned in the past 9 years. I invite my friend's attention to the fact that in Connecticut five have been sold and three abandoned. In Pennsylvania 19 companies have been sold and 7 have been abandoned.

Has it not been my friend's experience that it is becoming increasingly difficult, and in some areas absolutely impossible, for private transit companies either to operate at a profit or to render the service required by the inhabitants of the districts they serve?

Mr. RIBICOFF. There is no question about it.

Mr. CLARK. I ask my friend one more question. I am sure that he—the same as I—has always supported the Federal road program which is under the A–B–C sections and which provides for 50-percent Federal subsidy for the major highway systems within the States, and also the Federal Interstate Highway System, which calls for the Federal Government to put up $9 for every interstate road built for every $1 put up by a State or local authority.

I ask my friend how he could justify that vast expenditure of Federal money for highways, supported by the overwhelming majority of the Members of the Senate, and then fight this bill, which is intended to provide mass transit for the same people at a far lesser cost both to the Federal Government and the individual taxpayers.

Mr. RIBICOFF. To do so would be most illogical.

Mr. CLARK. I thank my friend for his remarks.

Mr. DODD subsequently said: Mr. President, earlier today my distinguished colleague from Connecticut, Senator RIBICOFF, made his maiden speech on the floor of the Senate. Unfortunately I was detained at a committee meeting at the time. I have read every word of this outstanding speech.

Senator RIBICOFF spoke of the compelling need of our State and of our region for a Federal program to promote the development of mass commuter transportation. Senator RIBICOFF's speech was eloquent, incisive, and statesmanlike. It was essentially an appeal to our colleagues from other sections of the country to show the same concern and sympathy for our problems as those of us from the Northeast and other urban areas have shown for problems of agriculture, reclamation, public power, rural electrification, and other programs essential to the development of those regions.

Senator RIBICOFF pointed out that Connecticut, New York, and New Jersey pay 25 percent of the Nation's taxes and in turn receive only 10 percent of Federal expenditures.

He pointed out that we are willing to do this because what is good for the Nation as a whole is good for Connecticut, New York, and New Jersey. But now we have an urgent need, a need shared by great urban areas throughout the country, and we have a just claim upon support from the whole Nation.

I congratulate Senator RIBICOFF on the first of many distinguished addresses to this body. It is a real personal pleas-

ure for me to have this good friend and this great public servant as my colleague in the Senate.

HONORARY CITIZENSHIP FOR SIR WINSTON CHURCHILL

Mr. DIRKSEN. Mr. President, by direction and by authority of the Senate Committee on the Judiciary, I ask unanimous consent that out of order I may call up for immediate consideration H.R. 4374, which is a bill to proclaim Sir Winston Churchill an honorary citizen of the United States of America.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 4374) to proclaim Sir Winston Churchill an honorary citizen of the United States of America.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. DIRKSEN. Mr. President, I suggest that Senators who may wish to proclaim the merits and great attributes of Winston Churchill withhold their remarks until some time tomorrow, in order that the Senate may get on with the business of the day.

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

Mr. DIRKSEN. I yield to the Senator from Montana.

Mr. MANSFIELD. Was the bill reported unanimously by the Committee on the Judiciary?

Mr. DIRKSEN. Yes.

Mr. MANSFIELD. I thank the Senator.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 4374) was ordered to a third reading, read the third time, and passed.

Mr. RANDOLPH subsequently said: Mr. President, I am gratified by the overwhelming response to the proposals presented by the distinguished junior Senator from Ohio [Mr. YOUNG] and other Members of the Congress to accord honorary citizenship to Sir Winston Churchill of Great Britain. It was a genuine privilege to have joined in the cosponsorship of legislation to bring this deserved honor to a gallant gentleman and an esteemed leader of freemen.

It is pleasing to recall, too, that the West Virginia Legislature, on February 22, 1963, adopted a resolution bestowing on Sir Winston Churchill the title of "Honorary Citizen of the State of West Virginia."

Sir Winston Churchill is not only a most distinguished elder statesman and citizen of Great Britain, but, indeed, he is now about to become officially an honorary citizen of the United States. In a larger sense we can honor this courageous and inspiring leader during the strife and turmoil of two World Wars as truly a citizen of the world.

URBAN MASS TRANSPORTATION ACT OF 1963

The Senate resumed the consideration of the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

Mr. SPARKMAN. Mr. President, if I may have the attention of the Senator from Texas [Mr. TOWER], I wish to suggest that the committee amendments be agreed to at this time. Then there will be a clean bill before the Senate.

Mr. President, I ask unanimous consent that the committee amendments to the pending bill may be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Alabama?

Mr. TOWER. Mr. President, reserving the right to object—and I do not intend to object—it will be understood, of course, that all rights are to be preserved?

Mr. SPARKMAN. Yes. As I understand, under the procedures of the Senate, the bill before us would be considered as if a clean bill, and amendments would be in order to all parts of the bill.

Mr. TOWER. I thank the Senator. I have no objection.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Alabama?

Mr. LAUSCHE. Mr. President, I did not hear the request.

Mr. SPARKMAN. I asked unanimous consent that the committee amendments be agreed to, so that the bill can be considered as a clean bill, and amendments may be offered to the whole bill.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Alabama? The Chair hears none; and, without objection, the committee amendments are agreed to en bloc.

Mr. ENGLE. Mr. President, I call up the amendment in the nature of a substitute to S. 6, as reported by the Senator from Washington [Mr MAGNUSON] from the Committee on Commerce, and I ask unanimous consent that the amendment may be agreed to and thereafter be considered as an original bill for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection?

Mr. LAUSCHE. Mr. President, reserving the right to object, the measure which the Senator from California is offering is the one that has a $500 million grant provision and a $500 million guarantee loan program in it. Is that correct?

Mr. ENGLE. The Senator is correct. It is the substitute offered by the Senate Committee on Commerce. If the request is granted, it will then be a substitute under the number of the bill offered by the Senator from New Jersey [Mr. WILLIAMS] and will be subject, of course, to further amendment, and all rights will be protected. This is a procedural step.

Mr. LAUSCHE. Is this the bill that picked up my $50 million guarantee program, which another Senator raised to $100 million, and still another raised to $500 million, at which time I quit?

Mr. ENGLE. Yes.

Mr. LAUSCHE. That is what happened. I proposed $50 million. Another Senator said $100 million. Finally, a third Senator said $500 million.

Mr. ENGLE. That was for the guarantee bond program.

Mr. LAUSCHE. And I said I had better get out.

Mr. ENGLE. We adopted the principle sponsored so vigorously by the Senator from Ohio; we merely expanded it.

Mr. TOWER. Mr. President, reserving the right to object, it is my understanding that we will be treating this proposal as an original bill, and it would be subject to amendment just as an original bill would be. Is that correct?

Mr. ENGLE. Yes. It is a procedural step for the purpose of getting the matter before the Senate.

Mr. WILLIAMS of New Jersey. Mr. President, if the request is agreed to, amendments can be offered to the substitute, as I understand. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WILLIAMS of New Jersey. May an amendment be offered to one of those amendments?

The PRESIDING OFFICER. Yes.

Mr. WILLIAMS of New Jersey. Further reserving the right to object—and I am certainly not going to object—I wonder what the substitute does in terms of the guarantee and the $500 million guarantee authority. It is not a reduction of the authority to guarantee that was in the original proposal of the Senator from Ohio. As I understand his approach, he provided a revolving fund, and that amount would have permitted a guarantee of over $1 billion.

Mr. LAUSCHE. How much?

Mr. WILLIAMS of New Jersey. Over $1 billion.

Mr. ENGLE. I will leave it to the Senator from Ohio to answer.

Mr. LAUSCHE. I will answer that question. My bill provided for a $50 million guarantee loan fund for 1 year. I want to repeat what I said previously. In the committee a Senator said, "Raise it to $100 million." Then out of a clear sky another Senator said, "Raise it to $500 million." I did not know what it was going to jump to and I got out.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. LAUSCHE. Yes. I want to say categorically that my bill provided a guarantee loan fund to be appropriated, not by financing out of the back door, $50 million for 1 year. The amended bill provides a $500 million authorization.

Mr. WILLIAMS of New Jersey. The Senator is talking about a revolving fund that would be used to pay off what was guaranteed. We are talking about apples and oranges, not the same thing.

Mr. President, I withdraw my objection.

Mr. ENGLE. This is a procedural matter. It places the amendment in the nature of a substitute to S. 6 before the Senate for the purpose of amendment, and the Senator from Ohio and all other Senators can either vote against it or

amend it; but what it does is put us in a position to operate upon this particular legislative proposal.

I ask unanimous consent to have it adopted. As I said to the Senator, it is a procedural step. He has a right to offer his amendment.

Mr. LAUSCHE. I repeat the question. The measure offered by the Senator from California comes as a new bill, subject to amendment in accordance with the regular rule. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. Mr. President, I am opposed to these mass transportation bills, both the original proposal and the proposal as proposed to be modified.

EXCESSIVE COST OF BILL

I can see the advantages these bills may have, and it may be that they will bring some assistance to hard-pressed commuters in our cities. Residents of our cities need and deserve Federal assistance. I have supported urban renewal programs. I think the record on urban renewal has been a good one. I intend to support it in the future.

I think we have to recognize several things about the pending bill, however; in the first place its enormous cost. To begin with, only as a starter, and I stress the words "as a starter," the bill provides $500 million in outright grants over the next 3 years. As the Senator from Ohio has mentioned, it is a $1 billion bill, in view of the additional $500 million guarantee. I think a realistic appraisal suggests that it is going to cost as much as $1 billion or more a year in the future.

The need for the bill in New York, Chicago, Los Angeles, Boston, and many other cities has been stressed before our Banking and Currency Committee. There has not been any showing that this need cannot be met locally if there is a desire to do it.

SAN FRANCISCO PROVIDES $729 MILLION WITHOUT FEDERAL HELP

The fact is that San Francisco has already found that it can engage in one of the most ambitious and extensive transportation programs in the country, a program costing $792 million for this relatively middle-sized city, which will finance the entire cost itself. If San Francisco can do it, I cannot understand why other cities cannot do it.

It is said that these commuters need assistance. I think they do. But, after all, those who commute from rural areas to large cities have incomes that exceed the national average income, and if anybody can afford to pay the cost of the service, it seems to me the commuters can do so.

The point has been raised by the able Senator from New Jersey that at least in 3 States, New York, New Jersey, and Connecticut, there is a complicated interstate problem and that only the Federal Government can move in and solve the problem. At least, that has been the implication.

Authorities have been established in the past, along with interstate compacts, to solve similar problems. Why not this problem? For example, the Illinois-Wisconsin-Indiana area and the great New York metropolitan area suggest this kind of reasonable approach. We have had experience with this kind of problem in the past, and it has worked. The money is there. The income is there. San Francisco has shown, it seems to me, that it can be done.

Sure, the sacrifices and the burdens are great, but I think, on the basis of what we have learned in the hearings, this problem can be solved and solved locally.

In view of the enormous size of our budget and the need of keeping Federal spending as low as possible, to support a new program that will become a multi-billion-dollar program in a short time is a serious mistake.

I have a series of amendments I want to offer to the bill. Because of the complicated legislative maneuvering, it has been very difficult for me to draft the amendments, not knowing which bill was going to be before the Senate, and therefore what line or page my amendments would refer to.

I ask unanimous consent that I may introduce my amendments later on in the day, before, say, 6 o'clock, even if the Senate adjourns, and that the amendments can be printed and be available for introduction as printed tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendments will be received, printed, and lie on the table.

PROXMIRE AMENDMENTS CARRY OUT COMPTROLLER GENERAL RECOMMENDATIONS

Mr. PROXMIRE. Mr. President, these are amendments all of which were recommended by the Comptroller General, all of which will safeguard the interest of the Federal Treasury, some of which can save the Federal Government many millions of dollars. One amendment, for instance, provides for renegotiation if a Federal project grant turns out to result in an excessive, unjustified profit for the local transit company. This gives an opportunity for the Federal Government to reclaim some of its grant.

These recommendations by the Comptroller General make a good deal of sense to me, and they will make a great deal of sense to Senators, regardless of their position on the bill, if they will listen to the arguments in support of the amendments with an open mind. They will, in my opinion, improve the bill substantially in this regard.

THE WAUSAU STORY; CASE HISTORY OF ADVANTAGE OF LOCAL FINANCING

Mr. President, my prime objection to the pending bill is that it eliminates the discipline which it is necessary to have in order to insure efficiency in transit operations.

I believe that a classic example of what I have in mind is provided by what transpired in Wausau, Wis., between 1955 and 1959. It shows the importance of efficiency. It shows the importance of the cruel, painful, and tough adjustments which local businessmen and local transit authorities often must make if they are to have a profitable operation.

ECONOMIC PRESSURE FORCED LOCAL RESPONSIBILITY FOR EFFICIENCY

The Wausau, Wis., Transit System was operated between 1955 and 1958 at a loss which exceeded $6,000 each year. The operation was absentee-owned by persons who lived in Chicago, Ill. The local businessmen, in the period from 1954 to 1957, made an exhaustive analysis of the whole situation locally and made a thorough study of transit operations all over the country. They then brought in some very tough and difficult recommendations—tough for the people who lived there and for the people who operated the transit system.

The story of what happened in Wausau indicates what will happen to a system if it is left alone and no Federal subsidy is provided to meet the very difficult economic exigencies in connection with the survival of our free enterprise system.

In the first place, the transit system curtailed its service by one-third; in other words, that it eliminated one-third of its operation.

In the second place, it reduced its time of operation, to provide operation only from 9 a.m. to 6 p.m.; the 6 to 9:30 p.m. service was dropped. Sunday morning service was eliminated.

The city council, which provides the money for the Wausau school system, was persuaded to agree to an increase in the fares, charged to the local property taxpayers, for students who were being transported by bus owned by this transit system. The fare was increased from 12½ to 16½ cents.

EFFICIENCY ADJUSTMENTS IMPOSSIBLE WITH FEDERAL HANDOUTS

I believe that all of these very tough and difficult adjustments would have been impossible if a Federal subsidy program had been in effect and if it had been possible for the local authorities to turn to the Federal Government for assistance.

Incidentally, the increase in the fares was approved by the Wisconsin Public Service Commission.

In addition, it was necessary, in order to keep operating and in order to provide for the necessary transportation facilities and buses, to borrow money. Local businessmen loaned $2,500. The school board loaned another $2,500. Other local money was raised. It was raised on the basis of local people who had a direct, immediate, and personal knowledge of the transit operation.

During this period the transit system went through as difficult and as rocky a time as can be imagined. The transit system owed $22,000, which was a great deal of money for such a small system. Most of it was owed to the Internal Revenue Service. The Internal Revenue Service came within an eyelash of foreclosing on the property.

There was a period during which the transit system lacked cash to meet its payroll. There was a strike threat. The transit system almost came to the point of halting its operations. It was difficult to get spare parts to continue operations. A petition was filed by the owners of the transit system to abandon operations. That petition was denied by the Public Service Commission of Wisconsin.

WAUSAU ACHIEVES SUCCESS

Because of the painful but necessary economies in operation which were instituted, based on the pressure of economic necessity, this transit system slowly and gradually solved its problems itself.

Now it is expanding its service. It has found credit with which to buy new equipment. It found that credit locally. It has new local open lines of credit. It is successful. It is making a small profit each year. That profit is beginning to grow.

In the words of Mr. Delmar Drum, of the Wausau Chamber of Commerce;

> We feel very strongly that our problem was a local problem and one that only can be effectively dealt with at the local level. Financing was just a small part of this thing. It is the cooperation between people and understanding between the various organizations and people that really was the reason for the success.

I believe, if we consider the situation in Wausau, Wis., we must know that, after all, if Wausau had been in the position of being able to get a substantial grant from the Federal Government, money which would not have to be returned to the Federal Government, there would have been an entirely different course of action followed in Wausau. It would not have streamlined its operations, including working rules, to make it more efficient. There would not have been the realization of the importance of cooperation to provide a more efficient operation.

It was the pressures of economic necessity which drove this operation to self reliance and success, not by subsidy, but by efficient and profitable operation. It accomplished what was needed in Wausau to the satisfaction of all the people involved. Incidentally, the cutting back of service and the increase in the fares did not resul. in complaints in Wausau. If a subsidy had been involved, there would have been very vehement protest.

BILL PUTS BIG INCENTIVE ON ELABORATE TRANSIT PROGRAMS

This is a good fiscal reason why I believe the bill is unsound in its terms. The bill provides, in the grant section, that the Federal Government shall contribute two-thirds of the net project cost.

This means that if it is possible to finance, say, a $10 million program out of revenues, and the local authorities have the choice or the alternative of having simply a $10 million operation with no Federal gift or a very elaborate $40 million operation with a $20 million giveaway there is a real incentive for going for a big, substantial operation.

Let us assume this program becomes as big as everyone assures us it will, a multibillion dollar operation.

Now assume that a particular transit company has a net income available for buying facilities, and so forth, after all operating costs of $10 million a year. Let us say that this is considered adequate to finance a $100 million transit program that will do the basic transportation job. In the city council debate there are local boosters who argue, "Let us make our city really bloom. We ought to have an elaborate subway system, or perhaps a monorail, or some other very attractive transit to bring people in from all the surrounding territory. Of course this is going to cost more. It is going to cost $400 million."

However, of the additional $300 million over the basic $100 million, the Federal Government will pay $200 million, and we will only have to pay $100 million. The argument will be that employment can be provided through this elaborate system, and profit can be made through additional business, surely during the construction period itself.

The argument can be made that all this additional business and additional profit will be made by the local people. With local pressures such an argument can be very convincing, indeed.

INCENTIVE TO PUSH COST ON TO FEDERAL GOVERNMENT

There is the further provision in the proposed legislation, which was spotted by the Comptroller General, which makes makes the net project cost system especially vulnerable to exploitation.

Let us say in this hypothetical situation that although the local authorities in their hearts recognize they would have $10 million left over after covering operating expenses, they still might like to persuade the Federal Government to put up as much as possible, not one-half of the total project cost, not two-thirds of what they would calculate the net project cost to be, but two-thirds of the whole project cost. What would they have to do in order to achieve that purpose? They would have to convince the Administrator that probably there would be no substantial amount available over the cost of operation. Therefore, in this $400 million project the Federal Government has to come in with $270 million, and the local people will put up not $200 million, but $130 million, of which $100 million is in reality financed out of fare box net revenue. Local taxpayers chip in $30 million and get $270 million or nine times that much in Federal money.

Now there is a tremendous incentive for local transit authorities to make this case. It is extremely difficult for the Administrator to find anything else, because in all these cases we have to make all kinds of extraordinarily difficult assumptions as to the number of people who will use a new transportation system, what amount of fare they will be willing to pay, and a number of other assumptions that can provide almost any answer one wants.

On this basis, if the local transit people advise the Federal Government that they will not have any excess above their operating cost, the Federal Government if convinced will come in with $270 million of the $400 million cost. Then what will happen? As the Comptroller General points out, although the local transit company is making a substantial amount, the Federal $270 million is gone for good. It may be possible for the local people to finance a $10 million operation. There is no possibility for renegotiation, which the Comptroller General urges, and there is no possibility of the Federal Government getting its money back. So there is every incentive for the local people to make a showing that they cannot do more than cover the cost of operation and thus, in effect, require a maximum contribution from the Federal Government.

My main point, which I wish to reiterate, is that there is every incentive in every city council to go for the big elaborate, costly operation, rather than a simple system which can be financed out of farebox revenues. Why? Because the Federal Government will come in on the big one, and the Federal Government will contribute nothing if the operation can be financed locally out of farebox revenues.

The distinguished Senator from Connecticut [Mr. RIBICOFF], in his very fine maiden speech, talked, as did the Senator from Pennsylvania and other Senators, about the importance of the planning subsidy that will be paid for highway construction. The fact is that at the present time our cities and urban areas gain greatly by this subsidy. I quote from page 12 of the report of the Committee on Banking and Currency:

> Under the present $41 billion Federal-aid highway program, approximately $20 billion will be spent for the Interstate System in urban areas. In addition, on the Federal-aid primary and secondary systems the expenditures for streets and expressways in urban areas runs into hundreds of millions of dollars every year. For example, Congress has authorized for this program $925 million for fiscal year 1963, 25 percent of which is earmarked specifically for urban portions.

This is a novel protest. The people who want these funds for the big cities are saying, "We are getting such heavy subsidies from the Federal Government, that we are building too many roads into our cities."

The argument is that they are getting so many automobiles into the cities that more and more valuable urban locations are needed for parking space. This ties up the cities in traffic jams, so it is necessary to have a separate subsidy which will enable people to come into the cities by buses at lower cost.

This is a quite novel, intriguing kind of argument. I suppose if the subsidy to transit systems becomes more and more generous, the advocates of highway building will come along and say, "We need to balance this out. We need a larger subsidy for highways." Obviously, it would be possible to become involved in a vicious circle.

The argument was made, on the basis of a very careful study at Northwestern University, that it is highly questionable that a low, subsidized fare will necessarily result in an increase in the number of people who will not take their automobiles into the cities, but will travel by the transit systems. It may well result in more people using the transit systems, people who use it little or not at all now. In some instances—as the Boston experiments show—it will. But whether those who have come into the city before by automobile will stop coming by automobile, and come in by bus transportation, is, I submit, questionable. The Northwestern University study shows that it is necessary to reduce the fare to zero, or even to minus 10 cents

or 25 cents, to get any significant increase in the number of people who will use a transit system. Obviously, if that kind of incentive is needed, it will not be possible to get it.

WHY SUBSIDIZE MASS CONCENTRATION?

There is a basic assumption in the bill that the central metropolitan area needs an additional subsidy, beyond the urban renewal subsidy, in order to get more people to live in the central city, to work in the central city, and to shop in the central city.

Is this assumption reasonable? I think that from the standpoint of national defense and the economic standpoint there should be at least equal opportunity, economically, for people to live outside cities, to obtain the great advantages of living in wider spaces. The kind of artificial incentive provided in the bill, it seems to me, would concentrate the population in a way which I think we could argue strongly is unhealthy and unwise. I think at the very least we can say that the Federal Government should not use its enormous power and its great financial ability to increase artificially the size, activity, and business in the central cities, the big cities, as compared with smaller areas.

To sum up, there are very definite, clearcut, obvious local advantages, as every Senator knows, in having an operation paid for on the basis of local financing. If a subsidy is needed, it should be paid for out of the local imposition of taxes in the area. There is a great advantage in that. I think the Wausau story is a perfectly valid one, one which could be applied in hundreds of cities throughout the country.

Some of the transit systems have been abandoned, and perhaps they should have been abandoned. If there is enough will and ingenuity in the cities to keep them going, they will be kept going. If not, why should the Federal taxpayer subsidize them.

I wish to call the attention of the Senate, and to stress it, the fact that the Comptroller General had a whole series of objections to the bill, most of which have not been included in the amended bill and have been given no consideration. I expect to offer some of the amendments tomorrow to take care of the Comptroller General's proposals.

Finally, I think we should recognize that the net project cost conception in the bill places a very heavy artificial, unnatural, uneconomic incentive on the building of big, elaborate transportation operations and discourages operations which can be financed locally from local revenues.

The PRESIDING OFFICER. The bill is open to amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COTTON. Mr. President, the urban mass transportation bill is costly—one of the most costly domestic programs ever considered by the American Congress.

It is wasteful.

It is autocratic.

It is political.

It is loosely and carelessly drawn.

And it is unnecessary.

The original bill calls for $500 million for grants. The Commerce Committee amendment added $500 million in guaranteed loans. Thus, this is now a billion dollar program. But this is merely a drop in the bucket. Its most ardent supporters estimate it will cost $2½ billion over the next 10 years. The Housing and Home Finance Administrator, who will administer it, testified that the cost might reach $5 billion. In other testimony the cost was estimated to be $10 billion in 10 years. After having watched these programs mushroom, I find that it is always safe to expect the highest figure.

Let us make no mistake; our action on this bill will be decisive. If it is enacted, it will launch the Federal Government on a new spending program involving billions of dollars. If the bill is enacted, it will dash the hopes for reducing the Federal budget. If enacted it will mean that probably we shall have no tax cut, or that we shall have a tax cut so slight that it will be utterly ineffective in providing jobs and stimulating the national economy.

The bill is a beautiful example of waste. It specifically provides subsidies only for transportation systems which are economically unsound and have no hope of being self-supporting. It has long been said that the sure way for any nation in the world to secure American foreign aid is to furnish evidence that it is in danger of going Communist. The only way for a city to get Federal transportation aid under this bill is to make sure that its transit systems are bound to lose money. Thus, the measure discourages prudence and rewards waste.

It is autocratic, in that it makes a czar of the Housing and Home Finance Administrator. There are no real safeguards or legislative guidelines in the bill. The Administrator could give away millions of dollars—and ultimately billions—to whom he chose. Furthermore, he could force the agency of the city or community to adopt a plan and a rate structure acceptable to him, and to him alone. If they failed to comply with his wishes, he could not only cease extending Federal grants or loans; he could also stop all forms of assistance to the area from his agency, which would mean cutting off slum clearance, urban redevelopment, and any other program which had been in effect, no matter how long it had been in effect or no matter how well administered it had been. Has there ever been a greater example of naked, ruthless Federal power?

By the same token, the bill gives unlimited opportunity for politics. There are no priorities or standards for selecting the beneficiaries out of the long lines of applicants. It is a political grab-bag, pure and simple. Without impugning the motives of the present or the future occupants of the Administrator's chair, the bill would confer a power that would be almost irresistible; and the money would likely be distributed where it would do the most good when the votes were counted.

The bill is loosely and carelessly drawn in other respects than the lack of priorities, standards, or guidelines. The definition of "urban area" would permit, according to testimony, as many as 17,000 built-up localities to qualify. Under the language of the bill, the Administrator could give aid to freight distribution systems which did not carry a single passenger. The bill has constantly been referred to as a 3-year bill. Yet it has no termination date; and in one section it specifically refers to a long-range program.

Mr. TOWER. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. Certainly.

Mr. TOWER. Is the Senator from New Hampshire aware that in the testimony submitted before the Banking and Currency Committee, witness after witness testified that the bill would be only a start, and that the intention was to expand the program very greatly?

As a matter of fact, just this morning, the distinguished Senator from Connecticut [Mr. RIBICOFF] said he anticipates that the bill would be only a start.

So could we not be getting into billions of dollars of expenditures?

Mr. COTTON. I think it would be inevitable that we would be getting into billions of dollars of expenditures. I think this program would be absolutely bound to grow—and to grow even beyond the limits of our imagination today.

The only restrictions of the bill on the mode of transportation—and I am referring to some of the parts of the bill which do not indicate careful draftsmanship and workmanship—is that it shall be over prescribed routes, open to all the public, and not by air. Under that definition, almost everything could qualify, even moving sidewalks and elevators.

Does the need justify the huge expenditure involved? The evidence seems to indicate that the need is decreasing, rather than increasing. The Federal Highway Administrator testified before our Commerce Committee that 45 percent of the interstate highway funds are being spent in urban areas, and that spectacular progress is being made in the construction of freeways or freeway systems in cities. He noted that in Detroit the opening of its freeways has reduced traffic volume on adjacent streets by as much as 34 percent; and in Boston, travel on some streets has been speeded up as much as 50 percent by diversion of traffic through high-speed, high-capacity central arteries. This highway program is financed almost entirely by user charges, in the form of gasoline and other taxes, imposed on the motorists who use them. The "passing through"

traffic is rapidly being diverted by adequate bypasses. More important than this, however, is the change of the location of jobs and population. The moving of industries into the country and the establishment of market centers in the suburbs are annually reducing the traffic into central business districts. The shopper goes to the suburbs; the clerks who serve them are moved there, too.

Considerable light is thrown on this situation by a report entitled "Technology and Urban Transportation," by John R. Meyer, of Harvard University; John F. Kain, of the Rand Corp.; and Martin Wohl, of the Massachusetts Institute of Technology. The report was prepared at the request of the White House; and, to my mind, at least, it takes on added significance from the fact that Professor Meyer has been a White House consultant, and Professor Wohl is a Commerce Department consultant on transportation matters.

The report notes that evening rush-hour traffic leaving downtown Detroit has declined by about 8 percent over the 10-year period ending in 1953. In Chicago, the rush-hour traffic leaving the downtown area has declined over the last 10 years, despite a 20-percent increase in the population of the metropolitan area, and despite the continued existence, and even expansion, of a well-developed rapid transit system. In Minneapolis, there has been a steady decline in the number of people entering the central business district each day—a decline which has amounted to 16 percent since 1947. In New York City, a 10-percent decline has occurred between 1948 and 1956 in the number of people daily entering downtown Manhattan, and other examples are cited.

As the report points out, the growing decentralization of our major cities poses major problems for mass transit enterprises. Indeed, it states that "the best future public system may not be mass transportation as conventionally conducted in the past." Personally, I have a suspicion that most Americans are likely to continue driving to work until someone invents a transit system that will pull into his driveway, take him to work at a time he chooses to leave, and stop at the bakery or drycleaners on the way home.

Mass transportation service in most urban areas has been declining in recent years. In the 4-year period from 1956 to 1960, the number of passengers carried by buses and streetcars declined by 22 percent. And since 1954, about 195 transit companies have been abandoned. Proponents of this bill see in these facts a crisis in urban transportation, and contend that they prove the need for Federal subsidies. If we had followed this line of reasoning 50 years ago, we might still have Federal subsidies for hitching posts and horse watering troughs.

In the light of this evidence, how can we even think of throwing away our chances of conquering the twin giants of the 88th Congress—economy and tax reduction? That is what the passage of this bill, in any form, is bound to do.

As the Senate approaches a vote on the urban transportation bill, let Senators make no mistake. The bill would launch the first of new programs. Speaking for myself, I believe that the President of the United States, when he spoke of spurring our sluggish economy and making sure that the Nation will grow and move, made a most constructive proposal by stating that we must find a way to reduce the restrictions of the tax burden. The words I am about to use may not have been the President's words. I will take responsibility for them. We must find some way to reduce the tax burden, especially on the jobmaking industries. I hope to be able to support such a tax reduction. I want to be able to support it even if we are unable to prune the existing budget as substantially as we might hope.

But as surely as day follows night, if we launch and inaugurate new spending programs in this year of our Lord 1963, we shall be utterly unable to enact a bill that would relieve the tax burden and would give the spur to our economy that we so badly need.

Mr. President, if we enact the proposal, the first program to be submitted, should our action be followed by approval in the other body, we shall have "crossed the Rubicon." We shall have enacted the first of the big spending bills, and we shall be sounding the death knell to any hope of really constructive achievement in the 88th Congress toward spurring our Nation's economy.

I shall vote against S. 6, and I urge the Senate to reject it.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

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

Mr. COTTON. I must yield first to the distinguished Senator from New Jersey because he spoke first.

Mr. WILLIAMS of New Jersey. I asked the Senator to yield for perhaps what is not a germane question. However, we are talking during the relaxed luncheon hour and, I gather, we have not adopted a rule of germaneness.

I wish to ask my friend and part-time neighbor one or two questions to correct a rather fuzzy recollection of mine.

As the Senator knows, I am a property-owning taxpayer at a little place called Tamworth in the great State of New Hampshire. When the Senate business, or lack of business, permits, my wife, children, and I travel to our place for a few days—and, in recent years, it has literally been a few days.

When we were there in the fall—I believe, though it may have been the spring of 1960—I saw the picture of the distinguished Senator from New Hampshire in the local newspaper. It depicted his presence at the dedication of a dam in the State of New Hampshire. The former Vice President was with the Senator, as I recall. I desired to attend the dedication, but I concluded that perhaps, coming from this side of the aisle, I would put a pall on an otherwise very happy occasion.

The first question I wish to ask the Senator is in relation to that dedication. What dam was it? Was it the Hopkinton?

Mr. COTTON. I believe that was the ground-breaking ceremony of the Hopkinton-Everett Dam, a flood control project.

Mr. WILLIAMS of New Jersey. Is that a local or a State project?

Mr. COTTON. That is a Federal project.

Mr. WILLIAMS of New Jersey. Involving Federal funds only?

Mr. COTTON. Practically totally, yes.

Mr. WILLIAMS of New Jersey. The purpose of the dam is purely flood control?

Mr. COTTON. I think that is a correct statement.

Mr. WILLIAMS of New Jersey. What will be the cost to the national taxpayers of that dam?

Mr. COTTON. I cannot recall those figures.

Let me say first, we are most happy to have the distinguished Senator from New Jersey in New Hampshire as a part-time resident of the beautiful town of Tamworth, which was once graced by an ex-President of the United States, Grover Cleveland. Grover Cleveland was a pretty hardheaded, tightfisted conservative Democrat of the old school.

I was waiting for the point of the question of the Senator.

If there is anything inconsistent in opposing a new program on mass transportation and permitting the building of a dam for the protection of life from floods, a program which is paid for by Federal funds, but which is for the benefit not only of one State but of several, and which is designed to hold back the floodwaters from Massachusetts—we New Hampshire people are very solicitous about Massachusetts these days—first, I see no analogy. Second, I add that whatever would be the merits or demerits of past programs, my principal point is that this is not the time to start a new one.

Mr. WILLIAMS of New Jersey. Then I gather that it is implied in the Senator's statement that he recognizes that a need has been stated. We are not meeting our requirements in transportation, and particularly in mass transportation in urban areas.

Mr. COTTON. Oh, no. If the Senator listened to what I said, I think he would realize that one of my principal points was that the need, if there is such need for mass transportation—I did not say Federal—is on the decrease rather than the increase, for the reasons stated.

I have heard repeatedly on the floor of the Senate the comment made by friends of mine for whom I have the most profound respect that we who live in the small, sparsely populated States of this country ought to contribute to the solving of the problems of the metropolitan, thickly populated areas of the great States because—and I ask Senators to listen to this, Mr. President—because those great States pay so much of the taxes, such a huge proportion of the taxes, and more taxes than we pay.

The logic of that has always escaped me. I do not feel a need for contributing to the Kennedys or the Rockefellers or

the Vanderbilts from my meager bank account because they pay more taxes than I do. They pay more taxes because they have more money.

As I have listened to the words of the Governor of New York, Mr. Rockefeller; to the words of a distinguished former Governor of New York, Mr. Averell Harriman; to the words of the mayor of New York City, Mr. Wagner; unless I am grossly deceived, the treasury of the great State of New York is in a far, far better condition than is the Federal Treasury. New York is in a far better condition to cope with such transit problems, as it may have, peculiar to the State. I can see no rhyme or reason for making this a Federal problem and reaching into the pockets of the people in my State and in other States across this broad land to finance these things.

Why, one can follow one street in Greater Boston, from south Boston through to the northern extremity of what is known as Greater Boston, and one can find more wealth and taxable property on that street than exists in the entire State which I represent.

When we are asked to finance a Federal mass transit program to help those who are in absolutely the best possible condition to help themselves, and when there is written into the bill a provision that they cannot be helped unless they can show they are inefficient and losing money, and when there is written into the bill a provision to create a czar in Washington, D.C., why, the bill becomes the most glaring example of Federal domination of States and of local communities that I have seen, I think, in all the years I have served in the Congress.

That is what I am talking about. I do not say that there is no transit problem. But I say, first, that it is being blown up, though it is on the decrease; and, second, that the Federal Government, in this particular year when we are straining every nerve to hold the line, when we are not going to be able to inject some real life blood into the veins of this country unless we reduce the budget and, above all, refrain from plunging into new expenditures, should not engage in such an activity at this time.

Mr. President, I feel that I must yield to the Senator from Ohio, who has been on his feet for some time.

Mr. WILLIAMS of New Jersey. Mr. President, I wonder if the Senator would yield for one observation.

The PRESIDING OFFICER. (Mr. YOUNG of Ohio in the chair). Does the Senator from New Hampshire yield?

Mr. COTTON. I yield to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. I do not wish to make this into an argument, but I respectfully ask the Senator from New Hampshire to read the RECORD for April 1, 1963, at page 5338, at his leisure, since there appear the statements of two of his former colleagues from New Hampshire, who spoke quite to the contrary.

Mr. COTTON. Mr. President, I am glad the distinguished Senator raised that question. I was beginning to fear that he would not do so. I did read the quotation in the RECORD. It was incredible to me, after having been a lifelong friend and associate of the late Senator Bridges, and after having served with him in the Congress for 14 years and in this body for 7 years.

It was also incredible to me that he should be quoted as one of the fathers and sponsors of Federal mass transportation, so incredible that I thought there must be something wrong. Therefore, before I came to the Chamber to take the floor, I looked up the RECORD.

As Al Smith said, "Let's look at the record."

I found that on June 8, 1961, the distinguished Senator from Ohio [Mr. LAUSCHE], who is now on his feet hoping for an opportunity to ask a question, offered an amendment to the housing bill to strike out the authorization for mass transit demonstration grants, and on that there was a yea-and-nay vote.

I find that there were four absentees from this body who were paired as desiring to be recorded as voting for the amendment offered by the Senator from Ohio, which was against the mass transit proposal.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. COTTON. I wish to read the names first. Those four were Senators Aiken, Allott, Bridges, and Goldwater.

I noticed that my distinguished friend from New Jersey quoted something which the late Senator Bridges had said. I noticed also that he quoted some words from Daniel Webster, and referred to him as that other great statesman from New Hampshire. Those words appear, I believe, in the House of Representatives.

I was in the House when that Chamber was rededicated, and I read that with some amusement. I remember turning to a friend of mine and saying, "They must have searched for days and days and days, to take out of context something which the great Webster said which was absolutely applicable to the New Deal and to the New Frontier; and they finally found something, a rather innocuous statement that we should develop our country, that we should develop its resources and we should improve opportunities, and so forth and so on."

Those are all very praiseworthy sentiments. Good heavens, the New Frontier and the New Deal are not the only people who believe in their country and who want to see it developed.

Daniel Webster would turn over in his grave if he could hear the words he used interpreted as bearing out a system of complete government support and government control over the people of this country.

I could not find the text from whence the Senator from New Jersey took the words of my late friend Styles Bridges. I am sure he did it most sincerely. He was a friend of Styles Bridges. He loved him and respected him. He would not take advantage of one who is not here to answer for himself.

Mr. WILLIAMS of New Jersey. May I clarify that?

Mr. COTTON. I know that Styles Bridges voted against the mass transit proposal.

Mr. WILLIAMS of New Jersey. The answer is that he did not. The late Senator Styles Bridges was a sponsor of the mass transportation bill that year. He was absent and not voting on the one vote. That was with respect to a demonstration program. That was not the bill.

Mr. COTTON. He must have been very much less than enthusiastic about mass transportation when he voted against it.

Mr. WILLIAMS of New Jersey. The statement which I quoted was from his testimony, submitted to the committee in the hearings on the bill.

Mr. COTTON. The only vote he cast was against it.

Mr. WILLIAMS of New Jersey. There was only one vote taken, and he did not vote.

Mr. COTTON. I beg the Senator's pardon.

Mr. WILLIAMS of New Jersey. There was only one vote taken, and he did not vote.

Mr. COTTON. He was paired, and it was announced that he was against the experimental mass transportation proposal. I do not get that impression from the Senator's quote, put in the RECORD yesterday.

Whatever may be the facts, I am not my brother's keeper. I was a Member of the Senate at that time. I spoke and I voted as I speak and shall vote today. I shall continue to speak and to vote the same when the solvency of my country is at stake. Whatever the late Senator Bridges may have said or done, the fact is that we who are living have our duty to perform.

Mr. WILLIAMS of New Jersey. If I have done nothing else, I have brought forth the great eloquence of our friend from New Hampshire.

Mr. COTTON. And the Senator has caused his friend from New Hampshire to do a little homework, to find out how the late Senator Bridges voted.

I am sorry to have made the Senator wait so long, and I yield with pleasure to my friend from Ohio.

Mr. LAUSCHE. The Senator from New Hampshire made the statement that this program is a new one by way of subsidization. Will the Senator elaborate on that statement?

Mr. COTTON. I am not sure that I quite understand the Senator's question.

Mr. LAUSCHE. The Senator from New Hampshire has said that we are entering into a new field of governmental activity.

Mr. COTTON. I mean exactly this: Despite this experimental bill, when the Federal Government assumes the burden of financing to the extent of 66⅔ percent on grants and 75 percent on guaranteed loans for mass transportation, we are certainly entering a field that we have not penetrated beyond the outer crust before, and we are starting on a program that will go down a long, long, expensive road. That is what I meant.

Mr. LAUSCHE. We are entering into a field of subsidizing mass transportation, and that is a field in which the Fed-

eral Government has not been until this time.

Mr. COTTON. Other than the mere scratching of the surface. That is correct.

Mr. LAUSCHE. The Senator refers to the program of 2 years ago.

Mr. COTTON. Yes.

Mr. LAUSCHE. But the program of 2 years ago, against which I believe Senator Bridges voted, provided that there shall be loans, and not grants. Am I correct in that statement?

Mr. COTTON. I think that is correct.

Mr. LAUSCHE. Two years ago we provided $12½ million to be available to local transportation systems to make tests of how they might improve their service. I have a letter here from the American Municipal Association stating they represent 13,000 municipal governments and they support this bill.

Is it not a fact that, under the language of the bill, every municipal government within the Nation, having a population of 2,500 or more, will be made eligible to get grants from the Federal Government?

Mr. COTTON. That is certainly correct, if they are willing to surrender their birthright in that respect to the Federal Government.

Mr. LAUSCHE. That is, they will be able to come to the Federal Government and say, "We cannot finance our own systems. We need financial help. We want to buy buses. We want to buy buildings." And if they have an overall transportation plan, they will become eligible for a Federal Government gift.

Mr. COTTON. They will become eligible if the all-powerful Housing Administrator approves of the plan and likes the color of their hair and decides that he will put them on the eligible list.

Mr. LAUSCHE. The Senator from New Hampshire has spoken of the "all-powerful" Director of the HHFA. Does he mean by that statement that it will depend upon what he thinks has been done by the local communities, and, in the final word, he will be able to say either, "Yes, you get the money," or "No, you do not get it"?

Mr. COTTON. The Senator from New Hampshire means exactly that. This bill is the most amazing bill, if I can read English, that I have ever seen in this body, because it does not set up any guidelines. It does not set up any criteria of any importance in determining eligibility. It simply provides that the Administrator of the Housing Agency, if he approves of a plan presented to the Agency by the city or community, if he chooses to do so, at his own will or pleasure, can put them on the list and can decide to give them grants or afford them guaranteed loans. Then those local governments cannot change their plans without his permission, and if they do not behave and stay in line according to his precepts, he withdraws his approval, and when he withdraws his approval that city is completely starved of everything that his Agency does. They get nothing for urban renewal. They get nothing for slum clearance. They are just outcasts—and at the will and pleasure of one bureaucrat.

Mr. LAUSCHE. Will the Senator yield further?

Mr. COTTON. I yield.

Mr. LAUSCHE. I have been interested in the Senator's statement that in this year when people are asking for a tax cut we are entering into a new program of subsidizing. I wonder if the Senator from New Hampshire can make an observation on this statement? Those Members of the Senate who are speaking most vigorously for a tax cut are the ones who are speaking most vehemently for this new spending program.

Mr. COTTON. The only observation the Senator from New Hampshire would make in reply to the very pertinent inquiry of the Senator from Ohio is that what he says is true—that, in most respects, the same Senators are supporting this bill who are supporting the President and asking for a tax cut. I would say that up to the present moment, looking back at all history, they are affording on the floor of the Senate and to the country the greatest demonstration of one's trying to have his cake and eat it, too. It just cannot possibly happen.

Even if we should pass this and other new programs to launch new spending programs and then, heedless of all laws of economics, should pass a tax cut—and, as I remember, the President's recommendation is a tax cut that will be applied consecutively over 3 years—before the first year was completed we would be engulfed in such an avalanche of spending, inflation, debt, and fiscal irresponsibility, that the taxes would go back into effect, and more taxes would go into effect than had been taken off. Does the Senator from Ohio agree with that statement?

Mr. LAUSCHE. Of course I agree with it. I am, frankly, deeply amazed by those who are going to the people of the country and saying, "We will get you a tax cut. We want to help you in your financial distress." They are reaching ears that in many instances are listening and believing. But these people do not know that the ones who are talking about a tax cut are following a course of conduct that makes a tax cut impossible and, if passed, would make it practically criminal.

Mr. COTTON. The Senator has put his finger on the real issue before the Senate and before the Congress. I am one who has always been thankful that we have in the Senate a man with the convictions and the clarity of vision and the power to speak and stand for those convictions that have always characterized my friend from Ohio. I pray God that the Senate, when it comes to vote, will rise to the occasion and that we will not pronounce the doom of the real program that the country needs in the 88th Congress by frittering away our resources with such a bill.

Mr. LAUSCHE. I get letters from citizens of Ohio stating, "I am amazed that you are against a tax cut."

I answer them by saying: "I favor a tax cut. I have been trying to follow a course of action in the 6 years that I have been in the Senate that would make a tax cut possible. I now will vote for the tax cut if we will reduce expenses."

This is not the way to reduce expenses. The pending bill means that we will get into a new field. We have heard the Administrator of HHFA testify that it would cost not less than $4 billion and probably $6 billion. I believe it will cost $8 billion to $10 billion before we get through. Yet there are men who profess to be friends of the public who are promising a tax cut, entering into this extravagant and unjustified program.

Will the Senator yield further?

Mr. COTTON. I yield.

Mr. LAUSCHE. I wish to repeat what I said twice this morning. When we considered the new part of the bill, I had a $50 million guarantee loan provision in it. One of my associates said, "Make it $100 million." Then someone else said, "Make it $500 million."

So what began in the bill as a $50-million-a-year program, has now risen to a $500-million grant and a $500-million-guarantee loan program.

The argument was made a moment ago that we must save the country, and that the way to save it is to send to Boston and New York and Philadelphia and Newark money with which to subsidize street transportation. To those who argue that way I say, "The way to save the country is to quit the spending programs. That is how we will save the country, not otherwise."

I thank the Senator.

Mr. COTTON. I thank the Senator for his contribution in the form of his very pertinent observations. I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The bill is open to amendment.

Mr. MORTON. Mr. President, during the last year and a half or 2 years I believe I have spoken to as many undergraduate bodies and university bodies as any other Member of the Senate. It was something I liked to do, because I have had certain political extracurricular activities to perform during the last 2 or 3 years. It was something which I felt I should do. It is interesting to me that only one generation ago, when I graduated from college, in 1929—I believe that is one generation ago—the total Federal budget was about 40 percent or less than 40 percent of what the interest is today on our national debt. These young men and young women who are starting out to earn a living and starting out to pay taxes are faced with a national debt which is 2½ times the cost of the Government when I got out of college.

For this reason I believe we, as Members of the Senate, must exercise a degree of selectivity in the new programs which we undertake. We must establish priorities. I believe that we, who have been Members of Congress for a period of years, recognize the impossibility of curtailing or restraining programs which are established, for our whole social and economic life has been geared to these programs. If we eliminate one, whether it is good or bad, we upset some segment of our economy.

Now we are faced with a hundred-billion-dollar budget; in fact, it is $107 billion in obligational authority. We are now faced with a demand for lower taxes.

It seems to me that this puts extra emphasis on our responsibility to be selective, to establish priorities.

I would be the last to say that there is not a great problem in our metropolitan areas with respect to commuter transportation. One does not have to live in New York City, one need only to visit there occasionally, as I do, to know that this problem exists. However, there are many other problems. We have the problem of unemployment, especially among our young people. We have the problem of surplus agricultural products. We have the flood control problem. We have a great number of problems.

It seems to me that some of these problems must be solved locally. It is our obligation, as national representatives of the National Congress to exercise our best judgment, and only adopt those new programs which are absolutely essential and which are a Federal responsibility.

I know that the example of San Francisco has been given, that San Francisco has authorized a bond issue in excess of three-quarters of a billion dollars, whose chief purpose is to solve this problem in their community.

I do not see how we can continue to go down that road.

About 8 months ago, during the busy days of the last Congress, I went home to Louisville for the weekend, or what was left of the weekend. My oldest grandson reminded me that I had forgotten his birthday, which indeed I had. So I said, "All right, get in the car." I took him down to the toy store in the suburban area in which he lives. Of course, he wanted everything in the store. That is a natural reaction for a young child. I finally convinced him that he could have any one item in the store, that I did not care which one it was, but that he had to make a decision. He had a very difficult decision to make. However, he had to exercise some degree of selectivity. I might say that I am happy that he could not read the price tags, because I came out of it pretty well.

The fact remains that it is our responsibility to establish priorities and to exercise a degree of selectivity. Uncle Sam cannot do it all at home or abroad. I was glad that the President sent us a message today in which he cuts down his former request for foreign aid. Unless I am misled by the political signs, it will be further cut.

Here, in this instance, I know there is a problem. However, I believe there is a cheaper and a better solution than to turn this thing over, as it is done in this very loosely drawn bill, to the Federal Government.

COMMISSION TO REVISE THE ANTITRUST LAWS

Mr. JAVITS. Mr. President, out of order, I send to the desk, and ask unanimous consent that it may be received and appropriately referred, a bill to establish a Commission to revise the antitrust laws of the United States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1255) for the establishment of a Commission on Revision of the Antitrust Laws of the United States, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JAVITS. Mr. President, the minority of the Joint Economic Committee, of which I am a member, unanimously recommended this measure in the committee's 1963 report, issued on March 13.

Our antitrust laws were written in the 1890's, and they have not been reviewed in a comprehensive manner in 20 years. It is my belief that in certain of their applications, they are having an adverse effect upon U.S. productivity, on our long-range economic growth, on trade, and on foreign investment and foreign economic policy generally.

Furthermore, the Supreme Court decisions applying the "rule of reason," under which antitrust laws are interpreted and which really represent, in a sense, the very regulations under which we expect business to proceed, come too late in many such situations to enable the Government and business to deal adequately with our national interest.

I point out that so much emphasis has been placed on tax reduction this year that there is an impression that it is the sole needed remedy for the Nation's economic ills.

But other important actions must be taken at the same time, and other things must be done, if we are to bring our economy into that area of growth and productivity which we must have to deal with endemic unemployment.

I have urged that we deal with strikes, with modern technology, and automation. I urge also that we deal with bringing the antitrust laws more into line with the needs of our Nation. We cannot afford to continue to stumble along with an antitrust policy created for an almost entirely different world than the one in which we live today. Much of our antitrust laws is valid, but much needs to be revised, too.

I should like to outline a number of compelling situations which dramatically underscore the need for a review and revision of the antitrust laws.

First. The repeated vacillation of a series of successive administrations on Middle East oil consortia in the Iranian oil case underscores the need for greater assurance on the part of U.S. industry as to the position which the Attorney General will take at a time far enough in the future to permit the long-range planning necessarily involved in important and complex industrial and financial actions. The need for greater definiteness which is so forcefully demonstrated in the Iranian oil case is equally applicable to domestic applications of the antitrust laws.

Second. Extraterritorial application of the antitrust laws has become a matter of particular concern for U.S. business in relation to the developing antitrust laws of the European Economic Community. There is a grave danger that the emerging Common Market antitrust policy may afford European firms a degree of flexibility which will render U.S. business uncompetitive. Our serious balance-of-payment problems and the concomitant need to increase U.S. exports strongly demonstrate the need for a reappraisal of our antitrust policies and in particular the extraterritorial application of those policies to U.S. companies.

Third. A special and difficult case of extraterritorial application is that of Western inability to counteract the Soviet trade offensive which is becoming more widely recognized every day. The particular need for guidelines in combatting economic warfare was recognized in section 708 of the Defense Production Act of 1950, which gave the Attorney General of the United States power to exempt agreements from the antitrust laws—that is, as between competitors—where he found that the defense benefits of the transaction would outweigh the anticompetitive aspects. Almost without comment, the Congress in 1955 repealed so much of section 708 as authorized the exemption in regard to nonmilitary goods. As a result the foreign oil agreement, one of several civilian agreements entered into prior to 1955, cannot now be repeated, although the Soviet oil offensive has been stepped up to proportions which are causing increasingly greater alarm in the West. As recently as last fall, the National Petroleum Council, a joint industry-government group, in a comprehensive report concluded that Soviet oil exports to Western European nations had reached alarming proportions and that "concerted effort by the leading countries of the free world" was required. Such cooperative action might well demand the kind of antitrust exemption powers which the Congress eliminated from the Defense Production Act in 1955. The limited scope of the export promotion exemption of the Webb-Pomerene Export Trade Act of 1918 would also be a relevant subject for study in this connection.

Fourth. Another area where extraterritorial application of the antitrust laws requires study is that of potential United States and European private enterprise cooperation for development of underdeveloped nations.

The President of the United States in his message on foreign aid, sent to Congress only today, made a statement which is one of the most significant I have ever seen in a foreign aid message to Congress.

He says:

> The primary new initiative in this year's program relates to our increased efforts to encourage the investment of private capital in the underdeveloped countries.

That is a campaign in which I have been engaged for 17 years. I am glad to see, at long last, that the full impact of it is being realized at the top level. If we are to do that, we shall also have to devise some means by which people will not be prosecuted under the antitrust laws if they actually pursue a national policy which the President asks us to adopt. No one is looking for untrammeled authority for business to do anything it pleases; on the contrary, any implementation of this policy will, I am

sure, involve the tightest, strictest supervision and control. There is considerable difference between saying that what is permitted must be done in the public interest, and having laws which prohibit its being done at all. Such laws are really getting in our way, causing us to stumble over our own feet, in a way which now requires review.

Fifth. What took place in the development of the Communications Satellite Corporation during the last session of Congress highlighted another important area to which a commission such as I propose would undoubtedly devote study—the possibility of wide-scale joint cooperative efforts by Government and industry in partially public, partially private, corporations to undertake vast ventures in the realm of space and atomic technology. The size and complexity of the subject matter and the public interest involved in such undertakings may make wholly private ownership unfeasible, and the productive capacity of private enterprise and technological risks involved make wholly public ownership unsatisfactory. Numerous other potential applications of this novel and very hopeful technique make a thorough study of antitrust implications highly important, particularly in view of the strong attack on the Communications Satellite Corporation measure made by a minority of Senators on antitrust grounds.

The list of critical cases which the proposed Commission would be charged with studying could be elaborated at much greater length. But these are some of the major areas of concern.

My bill calls for a bipartisan, 12-member Commission, composed of the widest spectrum of membership, including four Members of Congress, two members of the executive branch, and six experts from the private sector. The Commission will undertake a review of all the antitrust laws of the United States, along the lines of the Temporary National Economic Commission which undertook a similar study, at congressional direction, in 1940, 23 years ago. Unfortunately, that effort was eclipsed by the beginning of World War II. No similar study has been undertaken since that time except for the more limited Attorney General's National Committee To Study the Antitrust Laws in 1955, 8 years ago.

When one considers that the Sherman Act dates from 1890 and the Clayton Act from 1914, and that the last major study was undertaken more than 20 years ago, it seems clear that the time has come for the kind of broad-based analysis which the proposed Commission would be most capable of providing. This is especially true in view of the fact that we want to stimulate and accelerate our growth rate and the progress of our economy. This activity is one of its major, inherent factors.

We have very important and excellent antitrust and monopoly subcommittees of the Committees on the Judiciary of both the Senate and the House. They are generally engaged in the process of review and revision of the antitrust laws. However, their efforts are not, of course, comparable with the analysis in depth which an independent commission of the kind to which I refer can provide. Participation on the Commission by Members of Congress, and, of course, the opportunity for ultimate action by Congress on the Commission's recommendations, insure that Congress will retain full control of the formulation of policy in this area.

Mr. President, I ask unanimous consent that the bill may remain at the desk for additional sponsorship until the end of this week.

I also ask unanimous consent that the text of the bill may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, the bill will remain at the desk until the end of this week; and without objection, the bill will be printed in the RECORD.

The text of the bill is as follows:

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

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of the Congress to promote the economy of the United States, to increase the efficiency of United States business (which is defined to include management, labor, investors, farmers, and consumers), to improve quality, stabilize prices, and increase output and real wages, to promote the free flow of goods and services to the American people and to enable United States business to play its proper role in the preservation and development of freedom and well-being at home and abroad by (1) strengthening the laws prohibiting monopoly and unreasonable restraints on trade and commerce; (2) clarifying standards of conduct deemed unlawful under the antitrust laws in domestic and foreign business; (3) adjusting the antitrust policies of the Federal Government as they affect the productivity and long-range economic growth of the United States and United States foreign trade, investment, and economic policy; (4) eliminating conflicts in policy and inconsistencies in the said antitrust laws as interpreted by the courts and administrative agencies; (5) providing limits upon the responsibility under said laws of business for acts performed at the request of duly authorized United States Government authorities; (6) revising Federal antitrust laws, the effect of which is to impair initiative and business development in the public interest; (7) coordinating the activities of the Government in relation to the administration and enforcement of the antitrust laws; and (8) improving the methods and procedures of administration and enforcement of such laws.

ESTABLISHMENT OF THE COMMISSION ON REVISION OF THE ANTITRUST LAWS

SEC. 2. For the purpose of carrying out the policies set forth in section 1 of this Act, there is hereby established a bipartisan commission to be known as the Commission on Revision of the Antitrust Laws (in this Act referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of twelve members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government and two from private life.

(2) Four appointed by the President of the Senate, two from the Senate and two from private life.

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) POLITICAL AFFILIATION.—Of each class of two members mentioned in subsection (a), not more than one member shall be from each of the two major political parties.

(c) VACANCIES.—Vacancies in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

SEC. 4. The Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

SEC. 5. Seven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) MEMBERS OF CONGRESS.—Members of Congress, who are members of the Commission, shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) MEMBERS FROM THE EXECUTIVE BRANCH.—Any member of the Commission who is in the executive branch of the Government shall each receive the compensation which he would receive if he were not a member of the Commission, plus such additional compensation, if any, as is necessary to make his aggregate salary not exceeding $22,500; and he shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of the duties vested in the Commission.

(c) MEMBERS FROM PRIVATE LIFE.—The members from private life shall each receive not exceeding $75 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

EXPENSES OF THE COMMISSION

SEC. 8. There is hereby authorized to be appropriated out of any money in the Treasury, not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

EXPIRATION OF THE COMMISSION

SEC. 9. Sixty days after the submission to Congress of the report provided for in section 10(b), the Commission shall cease to exist.

DUTIES OF THE COMMISSION

SEC. 10. (a) INVESTIGATION.—The Commission for the purpose of recommending to the Congress measures required under and amendments to the antitrust laws to accomplish the policy declared in section 1 of this Act, and other measures deemed by the Commission necessary or appropriate thereto shall study and investigate and shall hear evidence with a view toward determining, but without limitation, (1) the effect of the existing price systems and pricing policies of trade and industry upon the general level of trade, employment, profits, production, and consumption; (2) the effect and operation of existing antitrust statutes as interpreted by and administered under judicial decisions and administrative regulations, decisions, and orders, upon competition, price levels, employment, profits, production, and consumption; (3) the extent and causes of

concentration of economic power and financial control and their effect on competition and the public interest; and (4) the capability of trade and industry to assist our Nation in meeting its responsibilities at home and abroad.

(b) REPORT.—The Commission shall make a report of its findings and recommendations to the Congress on or before February 1, 1965, and may submit interim reports prior thereto.

POWERS OF THE COMMISSION

SEC. 11. (a)(1) HEARINGS.—The Commission or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(b) OFFICIAL DATA.—Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

HEALTH CARE FOR THE AGING

Mr. JAVITS. Mr. President, the number of studies into the problems of the aging now in progress is an indication of the interest which this situation has aroused. Economic factors as well as medical services, physical facilities, and health care are aspects of the problem which must be studied and analysed on a continuing basis.

One study is currently underway by the National Committee on Health Care of the Aged which was organized at my suggestion. Its report, which is likely to have an impact on the health care legislation now before the Congress, is expected to be ready early in May. The membership of this Committee is representative of interested and qualified groups and consists of Dr. Arthur Flemming, former Secretary of the Department of Health, Education, and Welfare, now president of Oregon University, Chairman; Marion B. Folsom, also a former Secretary of the Department of Health, Education, and Welfare, now director of Eastman Kodak Co., Rochester, N.Y.; Dr. Vernon W. Lippard, dean of Yale Medical School, New Haven, Conn.; Thomas Tierney, executive vice president, Colorado Hospital Service, Denver, Colo.; Dr. Arthur Larson, former Director of USIA, now professor at Duke University, Durham, N.C.; Russell A. Nelson, director of Johns Hopkins Hospital, Baltimore, Md.; Dr. Dickinson W. Richards, emeritus professor of medicine, College of Physicians and Surgeons, Columbia University, New York City; Dr. Russell Lee, Palo Alto Clinic, Calif.; Hubert Young, vice president, Liberty Mutual Insurance Co., Boston, Mass.; Dr. James Dixon, president, Antioch College, Ohio; John C. Leslie, vice president, Pan American Airways, New York City; Winslow Carlton, health consultant, New York City; and Dr. Howard Bost, of the University of Kentucky, Executive Director of the Committee.

I do not think enough attention has been given to the organization of this body; and in the sense that people may look forward to and may expect this report—which of course will be available to all the public—I call attention to the fact that this group is in being, and I also call attention to those who are members of it and to the problems with which it will deal.

I hope that when the National Committee on Health Care for the Aging makes its report, it will immediately be made available to all Members of Congress, and that it may be a real guide as to whether the bill which I and a number of other Republican Senators have introduced or the Anderson-Javits bill of last session or the administration's bill or some other plan is the best. But I am confident that the report will be a very important milestone in this field; and I think the members of the group are very representative professional and lay persons who have undertaken this very large task. It will take about a year to complete. They have held an enormous number of meetings; and certainly they are entitled to be known, and certainly they are entitled to the respect of all of us for the job they have undertaken. So we eagerly await the result of their work.

Another group at work on this subject is the Health Information Foundation, which became affiliated with the University of Chicago in 1962. It has recently released an analysis of the national health situation and the needs which will have to be met in order to provide for the changing medical picture of our population. I ask unanimous consent to have printed in the RECORD an analysis by the Health Information Foundation and a report of its own future plans, entitled "Current Problems in Hospital and Medical Administration," which was released on March 11, 1963.

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

CURRENT PROBLEMS IN HOSPITAL AND MEDICAL ADMINISTRATION

The maintenance of health and the reduction of disease and impairment is important to the public welfare. This country has excellent medical resources. The services of hospitals and other medical personnel are being used to a greater extent than at any time in the past. Health levels in the country are at the highest point in history, but there is an insistent demand for improvement.

There is continual examination of medical services. Questions are raised as to whether the total national cost is too great, whether services are broadly available to all, whether care is organized on the most efficient basis, whether the public is able to pay for needed care, and whether the quality of education and the number of people being trained is adequate. Similarly, question is raised as to the adequacy and distribution of physical facilities.

Questions raised about the efficiency of hospital and medical care are given urgency by the increasing costs of service. This country in 1962 spent $30 billion or 5.8 percent of gross national product. This contrasts with expenditures of $3.6 billion or 3.4 percent in 1928–29.

There is need for additional research to provide facts needed for decision on major national policy issues. Programs of the Federal Government are being formulated which will materially affect future developments. Expanded Federal support is contemplated for medical research, for planning and construction of hospital facilities, for the support of group practice units, for medical, dental and nursing schools and for the purchase of hospital services for all older people.

The non-governmental sector of the health field, representing three-quarters of all expenditures, is moving forward. But voluntary health insurance, in spite of its rapid growth, has not reached desirable goals in enrollment and extent of benefits. Beds available are inadequate in numbers but are increasing rapidly, but without exact knowledge as to the number needed in general hospitals and in institutions for the care of long-term illness such as mental hospitals and nursing homes. The practice of medicine is becoming increasingly institutionalized, but with no agreement as to the best methods for organizing practice in or out of the hospital.

A better educated public is using medical care more intelligently and is spending an increasing proportion of greater incomes for such services. Unresolved is the portion of personal expenditures which should be covered by health insurance. Disease patterns are changing. The infectious diseases are better controlled, but the population is aging with a greater incidence of chronic disease and a concomitant increase in demand for care. In the face of increasing public use of services, there is criticism of overuse by some segments of the population and acknowledged underuse and lack of availability for others.

The importance of medical care, the rapidly shifting patterns for the provision of care, and the increasing demand for service all point to the need for a university center which can contribute new knowledge and better trained people to assist in planning hospital and medical services for the future. Crucial to the future is the development of the proper organization and administration of the hospital and medical establishment.

FUTURE PLANS FOR THE FOUNDATION

The University of Chicago has many resources to draw on to broaden the program of the Health Information Foundation. The foundation's concern is with improved understanding of the social and economic aspects of medical care. Members of the faculty in a number of departments have varying degrees of interest in this field. The foundation provides focus for such interest and its staff can often be helpful. Faculty from other departments also are of assistance with research carried on by the staff of the foundation. The involvement staff in teaching makes immediate use of knowledge gained through research.

The University of Chicago has one of the leading medical schools in the country. Discussions with members of the medical faculty indicate interest in broadening the curriculum of that school to provide pertinent courses in preventive medicine. There are a number of doctoral students in several schools within the university, doing their dissertation in the hospital and medical care field, who have come to the research staff of the foundation for assistance and guidance. In addition, students are applying for enrollment in the Ph. D. program of the graduate school of business for study under the guidance of the staff of the foundation.

Plans for the future are now being formulated. It seems clear that there is need for a core staff within the foundation. Such a staff needs to be drawn from several disciplines. Working together as staff of the foundation will provide an opportunity for interaction and for a broad approach to the complex problems of the field of hospital and medical care. The core staff should be small in number. Each should have teaching and research interests. Each should, over time, be responsible for a number of research projects.

The foundation's director of research is a medical sociologist, and that discipline is represented by another member of the staff who is concerned with the organization of research. A sociologist experienced in survey research has just been appointed to the staff of the foundation and the faculty of the graduate school of business, and as associate study director in the National Opinion Research Center, which is affiliated with the University of Chicago.

The hospital and medical care field involves many professionals—physicians concerned with very diverse specialties, scientists with a background in physics, mathematics, and many others, and in addition, nurses and other technical workers trained for some aspect of patient care. Patient care often involves all of these specialties, and effective care is dependent on joint efforts in an organized setting operating in a harmonious and cooperative manner. Hospitals and other medical care organizations present a primary challenge to management. Behavioral scientists have been increasingly concerned with research which will shed light on interpersonal and group relationships. A foundation staff drawn from these disciplines can continue to make substantial contribution to better understanding of how people work together most effectively in the care of patients.

The foundation staff should also include an experienced medical economist. A faculty committee is seeking an economist of stature with an interest in medical care, for appointment to the faculty of the graduate school of business and the staff of the foundation.

The economy of the medical care field needs continuing study if national decisions are to be made on the basis of fact. Medical care expenditures, the product of use and price, are under searching public review and criticism. Wise public decision requires more economic analysis of these factors. Such analysis will definitely affect public policy decisions, particularly as to the place of government. Economic analysis can also improve efficiency in the delivery of quality hospital and medical care.

Discussions are progressing with the appropriate representatives of the faculty of the medical school for the appointment of a physician to that faculty and to the staff of the foundation. Research on hospital and medical care, to be effective, requires the participation of a physician with primary responsibility for certain types of research and for consultation on research by other members of the staff from the social sciences.

A physician staff member would have responsibility for teaching preventive medicine in the medical school. Jointly with social scientists there would be opportunity in teaching to provide a broad range of information on the social and economic aspects of medical care, all of which would be pertinent to some degree for medical students, the students in the graduate program in hospital administration and for doctoral students concentrating on the field of hospital and medical care administration.

Increased expenditures for hospital and medical care have raised questions about the quality of service. Increased costs can be explained only as it is demonstrated that the quality of service is satisfactory. Study of the quality of hospital and medical care is complex and requires a multidisciplinary approach. Elementary to the consideration of quality is the service rendered by the physician. Research in this area, to be effective, requires participation by physicians respected by their profession and experienced in research in the use and quality of medical care.

There is also need for the appointment of a faculty member to the graduate school of business interested in the field of operations research and willing to be concerned with improving the efficiency of operation of hospitals and other medical organizations. As possible, such an individual should be added to the faculty and to the staff of the foundation.

The increased cost of care in hospitals and other medical care organizations emphasizes the need for concentrated attention in improving efficiency in the planning and operation of institutional services. Operations research in medical care is being developed in a few universities and is the most promising approach to fundamental examination for improved efficiency of hospital operation.

The foundation will not, in all likelihood, be able to assemble more than a limited number of such senior study directors. It is, however, one of the strengths of the university setting that such a staff will be active members of the faculty of the appropriate school involved both in teaching and research.

THE CENTER FOR HOSPITAL AND MEDICAL ADMINISTRATION

The University of Chicago presently contemplates the development of a Center for Hospital and Medical Administration to operate as a unit of the graduate school of business, to include the activities of the Health Information Foundation, the graduate program in hospital administration, a doctoral program in the graduate school of business with hospital and medical administration as a field of concentration, and with teaching responsibilities in the medical school.

The Center for Hospital and Medical Administration, with the key staff contemplated, has an opportunity on an interdisciplinary basis to extend and deepen the original purposes of the Health Information Foundation and the graduate program in hospital administration in both research and teaching. Such a staff will develop courses for students in a master's degree program in hospital administration. Some courses would have content equally valuable for medical students and for doctoral students who are preparing to do teaching and research in the hospital and medical care field. Advanced education at the doctoral level should also be valuable as preparation for hospital and medical administrators who might contribute the leadership needed if the field is to be efficiently organized to meet its full potential in the prevention, diagnosis, and treatment of disease.

The Health Information Foundation has been generally recognized as contributing useful, factual information for the health field. Research projects financed or directed by the foundation have developed new and consequential information. From the first the foundation has endeavored through a public education program to distribute widely pertinent information. The foundation has also helped develop the emerging field of social and economic research in health.

Funds are available from private foundations and from Government for the support of specific research projects, but success in developing the Center for Hospital and Medical Administration is dependent on support not now available through the usual resources of the university. The pharmaceutical industry, at the time of affiliation, transferred to the university funds which will be helpful in developing the Center but inadequate to give assurance of support on a stable basis.

The University of Chicago, building on the going program of the Health Information Foundation, can become a center under nongovernmental auspices which will have significant impact on the development of medical and hospital care in this country. With adequate support, the Center will be concerned with research and teaching in the interests of a better understanding of our system of medical care. Public education actually carried on by the foundation will be continued. The entire program should be supportive of the original intent of the sponsors of the foundation. Namely, that a well informed public will make the needed investment in medical care, maintaining a proper balance between support from Government and from the private sector of the economy, a balance which has to date assured a free flow of funds for the needed expansion of medical care services and at the same time permitted the flexibility which has encouraged high quality care.

URBAN MASS TRANSPORTATION ACT OF 1963

The Senate resumed the consideration of the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

Mr. JAVITS. Mr. President, I should like to direct my attention to the pending bill.

I favor the bill, and I shall vote for it.

I must say that I have been surprised to notice that in some newspaper accounts it has been stated that "the bill is facing solid Republican opposition."

Mr. President, I know of no such "solid opposition." I shall vote for the bill; and, in my judgment, other Senators on this side of the aisle will also vote for the bill. So it disturbs me to read such statements about some "solid Republican opposition," because in my opinion millions of Americans, in cities large and small, in the great metropolitan complexes of the Nation, will be much interested in the vote on the bill.

The bill will affect vitally the 70 percent of the Nation's population which now lives in the urban areas. In fact, this percentage is increasing. Most of these people have dismal daily experiences with commuting and transportation problems. It is almost literally true that metropolitan complexes are strangling in the toils of impossible transportation facilities. These include

overcrowded facilities, frustrating delays, inadequate service, bottlenecks, and so forth.

So certainly it would be most unfortunate and most misleading if there were published any statements to the effect that a monolithic approach was being made by the members of my party in the Senate to this very, very serious problem.

Mr. President, in discussing the merits of the bill, let me state that it is a fact that communication and transportation systems of the kind we are discussing—commuter systems, and so forth—are involved in grave difficulties, and more and more it is being found that if they are going to charge any sort of economic fares, they cannot be maintained as municipal services strictly in the realm of private enterprise. In one way or another, municipalities which have been interested in such means of transportation must help with them if they are to be maintained. So the bill really signalizes greater participation by such municipalities in the consolidation of systems, in the modernization of systems, and, indeed, in their ownership and operation, whether actually or by contract, in order to make sure that they continue and that these growing metropolitan complexes do not become completely anarchic through dependence on automobile transportation. I have previously joined the Senator from New Jersey [Mr. WILLIAMS] in supporting this bill. I have done so on previous occasions, and I do so now. It is well known that the individual automobile—considering the road space it uses, and so forth—is, on the whole, a very uneconomic means of solving the transportation problems of the metropolitan complexes.

So, first of all, the bill signalizes the fact that there will be greater community participation, at the governmental level, and so forth, in helping all these areas face their great transportation problems. Through many other programs they have been helped in many other ways by the Federal Government. Among those programs are those which deal with unemployment, so this is one of the essential characteristics of the bill.

One of the points which always is made in connection with such measures is that it will give someone "a free ride" or "a handout." But, Mr. President, that will depend upon the administration of the program. On the other hand, among the members of the Banking and Currency Committee are some very clear-sighted Senators, including Senators on my side of the aisle who are opposing the bill, who, I am sure, will "ride herd"—and I pledge that I will do so, too—in order to make sure that the administration of the bill will not be profligate. So, Mr. President, it is clear that the program will not become unduly costly. The cost will depend very largely upon the action we take. It is clear that the bill as it now stands will authorize appropriations in the amount of half a billion dollars; and another half a billion dollars will be added if we accept the amendments proposed by the Commerce Committee. I refer to its amendments which authorize guaranteed bonds—which, incidentally the distinguished occupant of the chair, the Senator from Ohio [Mr. LAUSCHE], recommended, although he made very clear that that does not mean he is committed to the bill.

I am in favor of getting the municipalities or the States to carry the load insofar as they can, although superficially that would increase the money tag on the bill. But it is important that we note that if the cost of the program were to tend to get out of hand, we would not have to make further appropriations or to authorize additional appropriations.

In addition, it is said that the program is "new." However, I feel very strongly that if we were to adopt a rule that, because of our economic exigencies, we would not approve any new program, we would be in very grave trouble and would show a parochialism and a narrowness of outlook which the country does not expect of us.

Many persons point out the necessity for economy, particularly in view of the $56 billion of estimated expenditures for the national defense. However, I do not think those estimates are sacrosanct, and I would join in voting for any cuts which may be possible. In addition, it is felt—and this was acted on in the other body—that the national defense does not actually require total appropriations of $56 million. As a result, economies could very well result.

Likewise so, I have joined other Senators in voting to make reductions in the funds for agricultural programs and in those for programs in the field of health, in view of the fact that all the money proposed could not be used, and that if the entire amount requested were to be placed in the pipeline, much of it would be wasted.

In short, Mr. President, we cannot well adopt the doctrinaire point of view that we will not vote for any new programs, regardless of what may be involved. In my opinion, one of the most important features of the bill is that it will make possible a new approach to mass transportation.

I do not believe we have begun to approach the potentialities of innovation, invention, research and development in that field and, because it is an unprofitable field. Because in many cases it is a burden even upon municipalities it is a proper area for consideration. Great numbers of people are involved. There are great concentrations of population in metropolitan centers. If they are really strangled, traffic-wise and communications-wise, it is most unwise from the point of view of the national interest, in terms of either communications within these metropolitan complexes or the undue concentration of population to disregard the problem. The people do not have the transportation means to enable them to spread out.

So there is a vital national interest. There is a vital public interest which well deserves the support of the Congress.

I do not hold that we can write the bill off because it can be said superficially that the people who are interested in it are largely in New York, Los Angeles, Philadelphia, Boston, Washington or Baltimore. What is wrong with that, when those complexes represent the overwhelming taxpaying majority of the United States.

So I hope that Senators will take a sympathetic look at the proposed legislation. That does not mean that the door would be closed to any amendment. I am not pledged to vote for the bill with every line and word contained in it. At a meeting this morning one of our colleagues pointed out that there may be much wider power in the administrator in respect to cutting off aid when certain conditions occur in a particular project than anybody had in mind or wished to accept. That provision can properly be amended. I think the fundamental concept is essential. I think it is right. I think it will serve a basic and important element of our population, which urgently needs help in this regard.

People are looking to us to take an interest in our people in the cities and to have some solicitude for them, I hope very much that the members of my party will look with open eyes and open mind on this particular measure. I am confident that they will.

Again I repeat what I have previously said. When the votes are counted, I believe it will be found that there is no "solid Republican opposition," to the measure, which I consider to be highly desirable for the people in the cities. They represent the overwhelming majority of the people of the United States.

NATIONAL HARMONY WEEK

Mr. DIRKSEN. Mr. President, at the direction and request of the Senate Committee on the Judiciary, I ask unanimous consent that I may be permitted to call up for immediate consideration House Joint Resolution 282, which was reported earlier today.

The PRESIDING OFFICER. The House joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 282) designating the 6-day period beginning April 15, 1963, as National Harmony Week, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. DIRKSEN. Mr. President, on April 15 the Society for the Preservation and Encouragement of Barber Shop Quartette Singing in America, Inc., will observe the 25th anniversary of the founding of this organization. The organization has extended to all corners of the country. Members have entertained in schools and hospitals, and everywhere they have rendered a very useful service.

I think it was Shakespeare who once remarked:

The man that hath no music in himself,
Nor is not moved with concord of sweet sounds,
Is fit for treasons, stratagems and spoils;
The motions of his spirit are dull as night,
And his affections dark as Erebus:
Let no such man be trusted. Mark the music.

I used to do a little barber shop quartet singing myself once upon a time, and I know the glories of its cadences, the lilting music, and the inspiration we find in such lyrics and melodies as "Down by the Old Mill Stream," "Back Home in Indiana," or "Sweet Adeline."

So may their tribe increase and may their glories flourish.

The measure is a House joint resolution. I asked the President to issue a proclamation. Under the act of Congress a 6-day period would be designated as National Harmony Week.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 282) was ordered to a third reading, was read the third time, and passed.

WINSTON CHURCHILL

Mr. YOUNG of Ohio. Mr. President, the action of the Congress of the United States in authorizing the President of the United States to issue a proclamation declaring Winston Churchill to be an honorary citizen of the United States of America will be greeted with acclaim throughout the free world, and by the governing officials of all countries of the world which are now engaged in the grim struggle against Communist aggression.

In the entire history of mankind, very few individuals have made as many notable contributions to their times as has Winston Churchill in the 20th century. The entire world is indebted to him for his leadership in the struggle of free men and women, first against nazism and fascism, and then against communism. He is one of those honored few whose names themselves speak for their achievements.

As a writer, an historian, and an orator, he is, indeed, one of the great masters of all time in the use of the English language. He has earned for himself a place among the literary giants of the English-speaking world.

In addition, Winston Churchill has manifested his greatness and his patriotism in such a manner that a thousand years from now people in far places will recall his life and say of him that, in the dark hour of Nazi aggression, under his leadership, the peoples of the world were restored to their simple dignity as creatures of God.

Many years ago—in fact, in the latter part of December 1941, following Pearl Harbor—as Representative at Large from the State of Ohio, I sat within a few feet of Mr. Churchill and heard him tell a joint meeting of the Members of the Senate and the House of Representatives that his father was an Englishman and his mother an American and had that situation been reversed and had his father been an American and his mother an Englishwoman—he hoped and believed he would be sitting there in his own right as an American citizen.

I remember also on that occasion when he was denouncing that day of infamy, December 7, 1941, he said:

> We Anglo-Saxons will teach them a lesson that they and the world will never forget.

He fulfilled that pledge.

Mr. President, on August 9, 1962, I introduced a joint resolution which would have authorized the President to issue a proclamation declaring Winston Churchill an honorary citizen of the United States. This was the first resolution introduced for this purpose. My distinguished colleague, the senior Senator from Ohio [Mr. LAUSCHE] and other Senators joined me as coauthors. That joint resolution was reintroduced on the opening day for receiving resolutions and bills in the present Congress.

Mr. President, the facts are that on July 23, 1962, only a short time before the joint resolution was introduced in this Chamber by me and cosponsored by my colleague [Mr. LAUSCHE] and other Senators, the Plain Dealer, a great newspaper in Cleveland, Ohio, and in our Nation, published an excellent article on Winston Churchill. The article was entitled, "Hero of Two Nations." Its author was Kay Halle.

Miss Halle is one of the outstanding women in the United States. She is a personable television and radio commentator, a journalist, an author, and a world traveler of note. Not only is she at the present time one of the world's outstanding women, but also during World War II she served her country in an executive capacity in the Office of Strategic Services. In recent years she has been serving the administration as a member of President Kennedy's Advisory Committee on the Arts.

Miss Halle, of Cleveland, Ohio, first met Winston Churchill in 1931. At that time she was writing a column from London for the Cleveland News. During her stay in England in the following years, she spent many weekends at Chartwell with the Churchill family. She recalled those years, 30 years later, in her article published in the Plain Dealer.

In that article she wrote of the contribution and the service which Winston Churchill had rendered to his nation, to the United States and, in fact, to all the nations of the free world. She suggested that it would be fitting if the President of the United States, under an act of Congress, should bestow upon Winston Churchill honorary citizenship of this country.

When the word goes out from Washington that the President of the United States has issued such a proclamation—and it will be issued very shortly, due to the authorization by both bodies of the Congress—it will be a fitting honor, and, I fear, one of the final honors which will come to this great citizen of the world.

I invite attention, Mr. President, to the fact that although many resolutions have been introduced in both bodies to confer honorary citizenship upon Winston Churchill, we should recall at this time that Kay Halle of Ohio was the person who first suggested that this be done.

We can all take some satisfaction that this action, without precedent in the history of our country, has taken place; and that, in his final days on this earth, Winston Churchill, former Prime Minister of England, former leader of the free world, is an honorary citizen of the United States.

Mr. LAUSCHE and Mr. DIRKSEN addressed the Chair.

Mr. YOUNG of Ohio. I yield first to my distinguished senior colleague.

Mr. LAUSCHE. Mr. President, I merely wish to commend my colleague for the beautiful remarks he has made with respect to Sir Winston Churchill. I was glad to join him in sponsorship of the measure. I am prouder now, knowing that the objective is reaching its achievement, to be a sponsor along with him of this very fine measure. I commend him for the remarks he has made.

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

Mr. YOUNG of Ohio. I yield to the Senator from Illinois.

Mr. DIRKSEN. I should afford full credit to the distinguished Senators from Ohio and West Virginia for having introduced the measures in the Senate.

I was directed by the Committee on the Judiciary this morning to report the House bill and ask for its passage, because the Senate bill carried a preamble. Since there was a variance as between texts, the Senate bill would have had to go to conference. Time was of the essence. Therefore, we submitted the House version, and the bill was passed today.

I am deeply grateful to my friend from Ohio for having taken cognizance of this matter quite some time ago.

Mr. YOUNG of Ohio. The distinguished minority leader has, from the beginning, been enthusiastic in his support of this measure, and all Americans can be grateful to him for the fact that, largely due to his leadership, this action was taken today.

The bill will go immediately to the White House, and very shortly Winston Churchill will be made an honorary citizen of the United States.

Mr. DIRKSEN. Mr. President, will the Senator yield once more?

Mr. YOUNG of Ohio. Yes, indeed.

Mr. DIRKSEN. Since the Constitution of the United States allows for no titles of nobility, I think the record ought to show that, here, he will be Mr. Winston Churchill.

Mr. YOUNG of Ohio. I agree. Like the distinguished Senator from Illinois, I have no truck with titles of nobility.

THE SITUATION IN GREENWOOD, MISS.

Mr. STENNIS. Mr. President, I desire to speak briefly concerning the situation at Greenwood, Miss., largely a factual statement, and I prefer not to yield until I have finished my brief statement, at which time I shall be glad to yield.

The public statements about the situation at Greenwood made by outside agitators and picked up and circulated by the newspapers, radio, and television, have painted a very unfair and wholly misleading picture.

I am not saying the newspapers gave slanted accounts—certainly not all of them—but the statements themselves were slanted, and as reflected through this medium, gave a very unfair and wholly misleading picture. Also, these statements are an unjust vilification of

the fine people and public officials of Greenwood and Leflore County.

The facts are simple. The people of Greenwood are the innocent victims of organized pressure groups imported into Greenwood from outside Mississippi, hundreds and thousands of miles away. Under the guise of assisting the local Negro people in registering to vote, these professional troublemakers have organized one of the most bitter hate campaigns ever devised in this country. In conducting these meetings, they have gone out of their way to flaunt their organized mobs and publicize their intentions to secure the widest possible public notice and to create all possible resentment. In short, they have purposely inflamed the public mind, through their meetings, their organized mob marches on the courthouse, and their wild charges and speeches. They have misled not only the local Negroes they profess to be assisting, but they have misled the people of the Nation into believing there is a wholesale effort on the part of local city and county officials to prevent the local Negroes from registering to vote.

The fact, however, is that the circuit clerk, Mrs. Martha Turner Lamb, a fine public official, has received the applications for registration offered by those who presented themselves.

If I may add a statement at this point, it should not be in order for mobs of people to congregate and push themselves as a group into the office of any public official, much less the office of a lady public official; and it should not be in order to do so anywhere, and make immediate demands on the lady official, or any other official, so far as that is concerned, for immediate mass attention and immediate favorable response to their requests, whatever they may be. If we have reached the point where that is the rule to be followed, we have reached the point where we no longer have law and government.

Those found by Mrs. Lamb to be qualified for registration, according to the laws of the State of Mississippi, have been registered. The office of the circuit clerk, the registrar, is open each day. Each day, a number of qualified applicants have been registered. Last week, during 1 day alone, I am advised that 50 Negro applicants were actually registered to vote.

I do not know that all 50 had applied that day—there has to be an examination—but I am told that at least that many were put on the rolls that day. Others registered as late as yesterday.

Of course, the law does not permit any organized group, white or Negro, to form in the middle of a public street in the business district of the city of Greenwood, blocking, traffic and disturbing the peace and good order of the community, and march shouting to the courthouse, creating further violence every step of the way.

And of course, this is what the officials of the city of Greenwood have stopped. They have the legal duty and responsibility to maintain law and order, to quell disturbances, to keep traffic moving and to arrest those disturbing the peace. They have not interfered with an attempt of any person to enter the courthouse or the county registrar's office, individually or in small groups, to make an application to register to vote.

But, in the face of these facts, the Justice Department has filed a suit, with many requests for the court to enter orders against the local officials.

The Justice Department should stop its well-known practice of filing suits right and left whenever a member of some minority group makes an allegation unsupported by proof, and contrary to the facts. The Federal Government does not have a monopoly on protecting constitutional rights. Under the facts, it has no authority whatever in this matter in the city of Greenwood. Our State and local governments have the responsibility for maintaining law and order; and Greenwood, Miss., and Leflore County are doing this very thing under the most difficult circumstances.

The law-abiding citizens of a peaceful community like Greenwood rightfully look to their local public officials to maintain law and order and to protect them from unlawful invasions and breaches of the peace.

In connection with this very suit, I should like to turn briefly, not merely to what I might say about the situation, but to what Judge Claude F. Clayton said yesterday at the regular term of court in Mississippi, in passing on the application of the Justice Department for a temporary restraining order against these very officers I have been talking about.

Judge Clayton is one of the outstanding Federal judges in the entire Nation. I assure my colleagues that I know Judge Clayton personally, and have known him for a long time. He is an experienced, able judge. He had served on the bench before he was appointed a Federal judge. He is a man of firm convictions. He is resolute by nature. He has the greatest professional pride and also the highest judicial pride. He represents integrity on and off the bench.

As I have said, in hearing this matter yesterday, on a temporary basis, Judge Clayton very properly ruled that the request of the Justice Department was not sufficient to "warrant trampling on the rights" of these officials, and he refused to take any action pending a full hearing on the merits on Thursday of this week.

In announcing his action, Judge Clayton said:

> I detest any action on the part of anyone which interferes in any way with any right of any person which is given and protected by law.
>
> This includes the right to register and the right to vote, provided the standards now rightfully established by the laws of the State of Mississippi are met.
>
> These are the rights which belong to all of us. These are the rights which belong to the city of Greenwood, its officials and its police officers and to the officers of Leflore County.

Mayor Charles E. Sampson, of Greenwood, has rightfully announced his intention to keep law and order in Greenwood. Mayor Sampson and City Commissioners B. A. Hammond and W. G. Mize, Jr., have done an outstanding job in dealing with this most difficult situation.

The chief of police, Curtis Lary, has taken precautions to prevent breaches of the peace, and has repeatedly made a public announcement to these groups, as follows:

> Because of present public excitement resulting from recent events here, it is considered necessary to peace and order that no large organized groups be allowed on the streets of Greenwood. Therefore, you must disperse. If it is your purpose to go to the courthouse to apply for voter registration, you will not be prevented from doing so but in order to insure that there will be no breach of the peace you must proceed in smaller groups.

This is a step which is absolutely necessary in order to maintain law and order under the most difficult circumstances and tremendous provocation.

The real issue is whether unwanted and unwelcome outside organizers, vote peddlers and pressure groups will be permitted to invade a peaceful community for the sole purpose of creating turmoil and disturbing the peace.

These professional troublemakers are not interested in Greenwood, in Leflore County, or in Mississippi. Nor are they truly interested in the welfare of the Negro citizens of that community. Nor are they welcome or wanted by either race. Their sole purpose is to create strife and discord and to overturn the peaceful and harmonious cooperation among the people of the two races built up over generations.

These people, representing the so-called Student Nonviolent Coordinating Committee, CORE, and other notorious busybodies, had hardly parked their cars in Greenwood before they were sending telegrams to Washington calling for Federal troops.

As is usual in such cases, once the trouble starts these paid professional agitators will be satisfied and will move on elsewhere to start new battles and new tensions, leaving behind them the turmoil and unrest they were paid to create. Unfortunately, they also will leave to the local people of both races the hopeless task of repairing the damage and attempting to restore the peaceful and harmonious cooperation between the races built up over the years.

The people of Greenwood are not responsible for the situation in which they find themselves. They have acted in good faith, with remarkable patience and admirable restraint, under the most extreme provocation.

I am confident the duly constituted law enforcement officers of the city of Greenwood and Leflore County will continue to maintain law and order.

To the degree that I have kept in touch with these gentlemen during this ordeal, I can say that they are carrying this added responsibility, and have uniformly obtained certain assurances which were supported by action from day to day.

I think the public will soon realize what is happening and will no longer follow these schemes of publicity and building up of false issues and the carrying out of such planned provocation.

Instead of the Federal Government filing suits against local authorities, if

they are going to be there at all, they ought to be standing side by side or at least encouraging them to follow a pattern of their own law as made by the legislature and as written in the regular constitutional way and in the processes of self-government, and to maintain law and order and orderly processes of government in that way.

Heretofore all the complaint has been directed to the charge that local forces do not maintain law and order. In this case the entire pattern has been within the processes of the law, according to the statutes, and action through duly constituted authority.

If that is not protection through local government and self-government and representative government and free government, I do not know where we can turn for an example of it.

I warn the people of this Nation against taking a superficial and surface impression, artificially created. They should look to the facts and determine the real issues and to get down to the heart of the problem.

Instead of condemning, we should commend. I believe that the filing of suits of injunction against all the officers is an invitation to violence and an invitation for some group outside the law to act for themselves.

I hope that this matter will be reconsidered. In the meantime I urge the people of the city of Greenwood and the county of Leflore, through their officials, to stand their ground and continue, of course, to follow their course as in the past.

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

Mr. STENNIS. I am glad to yield to my colleague from Mississippi.

Mr. EASTLAND. As my colleague realizes, there has been no allegation that an attempt has been made to prevent people from registering.

Mr. STENNIS. The Senator is correct. I have not had an opportunity to read the bill of particulars in the suit that has been filed. Perhaps the Senator has.

Mr. EASTLAND. There has been no allegation of that kind; in fact, 300 persons have applied to register in the past few days. Those who are qualified will be registered. There is no such contention as has been suggested. Outside agitators from New York and other areas talk to Negroes and say, "If you want to get relief, if you want to get social security, if you want to get commodities, come with us." Then they take them in a body and parade them down the street, demonstrating and stopping all traffic, walking through red lights, and being taken to the courthouse. The only obstacle has been that they cannot demonstrate, they cannot stop traffic, they cannot violate the the ordinances of that city. When they reach the courthouse they can go to the clerk's office at any time and make their application, as provided by the laws of our State.

Judge Clayton is a great lawyer. I agree with my colleague that he is one of the great judges of this country. Charley Sampson, the mayor, has rendered distinguished service. The chief of police has done a good job. The city attorney has done a good job. There is no allegation anywhere that an attempt has been made to prevent these people from applying for registration. In fact, they have come forward by the hundreds to do so. They have been there at the instance of outside agitators who say, "You cannot get relief, you cannot get social security, you cannot get commodities unless you follow us, and follow us down the main street, against red lights, and deprive the citizens of the city of the right to govern their own affairs."

The suit which the Department of Justice has filed is not a voting rights suit. The question is, Can the people maintain order on the streets of their own city?

Mr. STENNIS. Through their own officials.

Mr. EASTLAND. Of course; through their own officials. That is the test. Judge Clayton was eminently correct in his decision.

Mr. STENNIS. I thank my colleague.

This situation can come close to home in the case of each of us in Washington in our official offices. It can come much closer home than anyone might think. Only last week some of this same group that is in Greenwood, Miss.—perhaps not the same individuals, but individuals with the same connections—showed up in our offices in the Senate Office Building, to parade and picket and make a show. The way we learned about the probable presence of these people in our offices was through the members of the Senate Press Gallery, who called and said, "Have they gotten there?"

The response was, "Whom are you talking about?"

We were told, "We have been called by this group and they said they were going to picket your offices."

The purpose is to make a show of publicity, to create a disturbance, and to create a false issue, merely to carry a point or to create a disturbance and mislead the American people.

It is pitiful to me—and I say this with the greatest respect to our news media—that items like this can be instantly picked up and publicized in every living room or drawing room, and on every newsstand all over the Nation, causing the public to fall victims to such misleading tactics and to planning of this kind.

It is a severe strain upon free government.

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

Mr. STENNIS. I yield.

Mr. EASTLAND. I live close to the city of Greenwood. I was in Greenwood several days last week. I speak with firsthand knowledge. This demonstration had not caught on. There is not the tension in Greenwood that has been pictured in the eastern press. The movement is not supported by a majority of the Negro race or by a majority of the white race; in fact, it is condemned by a majority of the Negro race. The Justice Department action was merely an attempt to rescue a drowning baby. It is not possible to get citizens of the Negro race from the city of Greenwood to participate. So the instigators have gone into the rural areas and have contacted Negroes who want commodities and have said, "Join with us, and we will lead you to the promised land, provided you march down the street, obstruct traffic, walk a red light, and go to the courthouse."

Those acts of walking down the street and obstructing traffic are the heart of the suit that has been filed.

Mr. STENNIS. I thank the Senator.

The officers, the board of aldermen, the mayor, the police, the city attorney, and others, are due the commendations and the appreciation of the whole body of people of the Nation, especially those who appreciate the difficulty that is always present when any kind of agitation starts which would try to pit the races one against the other.

I feel certain that every Senator, if he understood the situation, would join with me in heartily commending the action taken by those officials. I hope they will continue their pattern of conduct; I believe they will.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 94)

The PRESIDING OFFICER (Mr. EDMONDSON in the chair) laid before the Senate a message from the President of the United States, transmitting a draft of proposed legislation to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

(For message from the President, see House proceedings of today).

ORDER OF BUSINESS

Mr. GOLDWATER. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

Mr. TOWER. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I yield.

Mr. TOWER. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Arizona yield for that purpose?

Mr. GOLDWATER. I yield for that purpose, with the understanding that I do not lose the floor.

The PRESIDING OFFICER. That will be the understanding. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GOLDWATER. Mr. President, I have agreed to yield to the Senator from Alaska, with the understanding that I will not lose my place on the floor.

WHY STAND IN THE WAY OF CUBA'S FREEDOM FIGHTERS?

Mr. GRUENING. Mr. President, yesterday, while the able senior Senator from Oregon [Mr. MORSE] was criticizing the Cuban refugees for their raids on Castro's Cuba, I engaged in a colloquy with him in which I expressed my sympathy for, and understanding of, these courageous freedom fighters who feel impelled at the risk of their lives to strike whatever blows they can at Castro's totalitarian tyranny and its ruthless and bloody suppression of the liberties of the Cuban people.

While I did not engage in a lengthy discussion with the Senator, who was making his customarily effective presentation of the legal and other aspects of these raids, condemning them unqualifiedly, I sought to indicate my view that there was another side to this issue, and that I was not convinced of the correctness of his view and of the position which the administration appears to be taking that these raids should at all costs be prevented by the United States.

I was therefore interested to note in this morning's Washington Post a column entitled "The Cuban Raids," with the subtitle "Why Stand in the Way?" written by Roscoe Drummond. The article expresses a view with which I find myself in general accord. I ask unanimous consent that the article be printed at this point in the RECORD.

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

THE CUBAN RAIDS—WHY STAND IN THE WAY?

(By Roscoe Drummond)

Many Americans must feel both confused and frustrated by the difference between what the administration says about Castro's Cuba and what it does.

Unquestionably President Kennedy seeks the goal of a "free Cuba." He told the released Cuban invasion prisoners on their return to Florida that he was confident their battalion flag would fly victoriously in Havana.

But when those Cubans hit at the Castro and Soviet forces, the President wants them to stop it.

Vice President LYNDON JOHNSON tells the graduating class of the Inter-American Defense College that we "cannot be content until communism is gone from Cuba."

But when the Cuban refugees, who are intent upon wresting their freedom from those who have taken it from them, take action to do something about it, the highest officials of the administration express only disapproval.

Thus far President Kennedy has given no adequate explanation as to why he does not want the anti-Castro Cubans to fight the Castro-Soviet forces at any point they can make contact.

Until the administration makes a more persuasive case against the Cuban refugee's harassing their oppressors every chance they get, my instinct is on the side of the refugees.

I think a good case can be made that the refugee raids are useful and that we ought not to discourage them or stand in the way.

We say we want the Castro regime overthrown. We say that only the Cuban people can bring it about. With those two conditions, who is to begin the process unless it is the Cuban refugees?

You may believe that the hit-and-run raids are only insignificant, hectoring pinpricks. So were Castro's first hit-and-run attacks on Batista. The only way to begin is to begin.

Remember Hungary? Surely any prudent man could have told the latent and fermenting Hungarian freedom fighters that it would be fantastically foolhardy for them to consider attacking the occupying Soviet tanks with their bare fists and handmade grenades. But they did. You couldn't have prevented them. And despite the ultimate repression, it was a revolt for freedom which was worth all the bravery that went into it. Hungary is better off today for it.

Admittedly there are risks for the United States in the Cuban hit-and-run raids. Castro might sink an American boat in a spasm of anger. But might it not be better to deal with such an incident than to say that the Cuban freedom fighters must not decide how they shall fight for their freedom?

The administration has said it "will not be content until the last of Soviet forces are withdrawn from Cuban soil." It can be honestly argued that the refugee raids may provide an excuse for Moscow to keep Soviet troops in Cuba. The opposite may be nearer the truth. Is it likely that finding things calm in Cuba will provide any incentive for Khrushchev to call his troops home?

In 1960 Mr. Kennedy proposed that we would do more to help the Cuban resisters both inside and outside Cuba. Now that the refugees are regaining their morale after the Bay of Pigs, it seems ironic, at the very least, that the United States should send the FBI and the Coast Guard after them.

Telling the Cuban resisters what not to do isn't going to further the cause of a free Cuba. If the administration is convinced that the Cuban refugees are doing it wrong, then at the very least it should be making suggestions and helping them to do it right.

THE SITUATION IN GREENWOOD, MISS.

Mr. JAVITS. Mr. President, will the Senator from Arizona yield, provided he does not lose the floor?

Mr. GOLDWATER. Mr. President, I yield to the Senator from New York, with the understanding that I do not lose the floor.

Mr. JAVITS. Mr. President, I have been informed that while I was at lunch, the distinguished junior Senator from Mississippi [Mr. STENNIS] made a statement on the Senate floor which at least brings into question the propriety of the action taken by the Attorney General of the United States in connection with the situation in Greenwood, Leflore County, Miss., where the United States is seeking to enjoin local authorities from interfering with a petition by the local citizenry—Negroes, to be precise—for the redress of grievances.

I express my approval of the action of the Attorney General in instituting the suit. I think it was his manifest duty to do so, in view of the fact that constitutional rights are brought into question, including the right of petition for the redress of grievances by constituted authorities. I approve very much of the Attorney General's taking this action.

As a matter of general principle, I have very deep faith in the processes of the law and the courts. I have argued this point before, and I do so again. In the face of situations which have such incendiary possibilities as in this particular area about which the press has written so much, the chances will be very much better for the processes of order and tranquillity if an individual citizen feels that tongue may be given for his grievances through the courts, and that there is a possibility of redress.

The Attorney General is in this civil injunction suit proceeding under section 1971 of title 42 of the United States Code, which was part of the Civil Rights Act of 1957. The important thing, which I wish to emphasize, is that here is an outlet, here is a substitute for either the effort which the marchers are making or the efforts to stop them which are being made by the police and other municipal authorities. In an area where there are the raw materials of violence, the capability of the courts to act in situations of this kind is designed to head them off and to give, as I say, an outlet, a tongue, to every man's grievance.

Therefore, I have always favored strongly the so-called part III in regard to civil rights, so that the Attorney General might sue in representative cases; and I feel very deeply that this is the way to save ourselves from the dangers involved in such situations—dangers which we have already seen erupt into violence, not only like that which occurred at Oxford, Miss., where marshals and troops are employed, but also the danger involved when people are fired on while they are in their homes and the danger involved when buildings are burned. This is no tea party. This situation is very, very dangerous, in terms of the future of the Nation. So anything we can do to give it a peaceful outlet—and I think recourse to the courts is the most logical and most desirable procedure—we should encourage.

Although I respect, and indeed would fight for, the right of the Senator from Mississippi to say whatever he believes he should say, I also feel it my duty to juxtapose to the general thrust of the statement of the Senator from Mississippi—as I understand it from what I have been told by my assistants who heard him make it—this statement of my own position.

Mr. STENNIS. Mr. President, I should like to say to the Senator from New York that, if I correctly understood him, I am glad he did not substantially contradict the facts I related in regard to the registration—in other words, that the applications were being received and were being passed on, without denying any person the right to file his application in an orderly way and to have it passed on. The Senator from New York does not know of any exception to that general statement, does he?

Mr. JAVITS. I was addressing myself to what we have read in the press about the action of the police and other authorities in blocking and breaking up any march by a number of persons—for example, on one day last week by a group of some 100, and on another by a group of some 42. It is claimed—and the courts will try it out—that in the community there is a climate of intimidation which runs counter to the fundamental provisions of the 1957 Civil Rights Act which prohibit interference with any effort to register and to vote. I say to

the Senator from Mississippi that the courts will decide as to that.

For myself, I believe that the path of constitutional propriety is to permit people to march peaceably in order to petition for redress of their grievances.

But the fundamental point I make now is even more limited than that. I only say that if we do not want violence—and I know of no Senator who does want it—in my opinion, people must have an outlet. So I think litigation of this character is a proper and sensible outlet; and I hope very much the Attorney General will prosecute this suit with speed and with diligence.

Mr. STENNIS. Mr. President, let me say that it would be one thing to bring a suit if someone had been denied an opportunity to file an application or to take the examination or to register, or even had protested and had been arrested on that account, or if someone wanted to test the legality of an arrest. But this is a broadside lawsuit, in the absence of an application by anyone to have the law-enforcement machinery used to enjoin such action. It has not been charged that there has been a violation of anyone's right. It is to that point that I addressed my remarks.

Mr. JAVITS. Mr. President, I only say that when it appears that in a particular community it would be unhealthy for some persons to register and to vote, the U.S. Government has a right to take action. In my opinion, those who at least seemingly make the situation look unhealthy have the burden to withdraw such barriers.

So I think the Attorney General is taking action in that situation; and I am glad he is doing so by means of action of that kind.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY—PLAN WITH SOVIET UNION FOR RECIPROCAL BURNING OF OBSOLETE BOMBERS

Mr. GOLDWATER. Mr. President, at this time I see on the floor the Senator from Pennsylvania [Mr. CLARK]. Therefore, I wish to refer now, briefly, to a statement he made yesterday.

Mr. President, yesterday the Senator from Pennsylvania [Mr. CLARK], had a number of remarks to make about my efforts to get a straight story from the U.S. Arms Control and Disarmament Agency on its plan with the Soviet Union for the reciprocal burning of obsolete bombers. He charged me with doing a "disservice to the cause of peace" by implying that officials of the Disarmament Agency are either guilty of crass dishonesty or are being misunderstood by newspaper reporters. He then went on to make out a case for the fact that the Disarmament Agency officials were misunderstood by newspaper reporters.

Mr. President, the whole episode goes back to March 9, when, in a speech I made in Aurora, Ill., I asked whether it was true that plans were in the making for the reciprocal burning of 30 American B-47's and 30 Russian Badgers, in a giant disarmament demonstration. On March 11, wire service stories which appeared in the newspapers reported:

> U.S. Disarmament officials deny that any plan has been shaped for reciprocal burning of bombers by the United States and the Soviet Union.

Now let me quote the reference by the Senator from Pennslyvania to the denial story, in his remarks on the floor yesterday. He said:

> This story which appeared in the papers on Monday, March 11, was based on telephone conversations between reporters and the Agency spokesman. These conversations took place on Sunday, March 10. On Monday morning, March 11, the Agency representative who spoke to the press the day before felt after reading the morning papers that his earlier comments to the newspaper correspondents evidently had not been clearly understood. To clarify any misunderstanding the agency at noon that day released the following statement through the State Department.

The statement referred to by the Senator from Pennsylvania [Mr. CLARK] was that the Disarmament Agency had been engaged in several internal studies, and that among them was the possibility of a simultaneous reduction of B-47's and Russian Badgers.

Before I proceed, Mr. President, let me quote from a press release which the Senator from Pennsylvania issued yesterday in support of his remarks on the floor. Here is what it said, in part:

> It is a disservice to the cause of peace to imply that honorable men patriotically and intelligently serving their country are either guilty of crass dishonesty or are being misunderstood by reporters. Neither charge is true. The first suggestion is inaccurate; the second, just plain wrong.

Mr. President, if my suggestion that Disarmament officials are being misunderstood by reporters is "just plain wrong," as the Senator from Pennsylvania claimed, why is it necessary for him to defend the denial story which was based on the conversations with the Disarmament official? Why is it necessary for the Senator from Pennsylvania to point out that, after reading the newspapers, the Disarmament official decided that he had not been clearly understood?

Another point I should like to raise right here is that if—as the Senator from Pennsylvania contended—the Disarmament official hastened to issue a statement clarifying the situation at noon on March 11, why did the press release referred to carry the date of March 12? Could it be that the testimony of Secretary of State Dean Rusk before the Senate Foreign Relations Committee on March 11 prodded the Disarmament official to issue a clarification on March 12? In that testimony, Secretary Rusk told the committee that the bomber-destruction plan had been under study and consideration, and that the stories about a denial from the Disarmament Agency must have stemmed from a misunderstanding.

Another point made in the press release by the Senator from Pennsylvania was that the Disarmament Agency told the truth, the whole truth, and nothing but the truth about the bomber-destruction plan. This raises several questions.

First. If the Disarmament Agency had told the whole truth—including the fact that the bomber-destruction plan about which I inquired had been under discussion—is it likely that competent newspapermen would have been so lacking in understanding that they would have taken that statement to be a flat denial of the plan?

Second. Why did it take the Disarmament Agency 3 days to tell the whole truth?

I submit that the fact remains that I asked a perfectly legitimate question, based on solid information; and the Disarmament Agency answered it in a fashion that caused most newspapers in the United States to publish headlines to the effect that the Government had denied the existence of a bomber-destruction plan. The fact also remains that the Disarmament Agency apparently did not get around to trying to correct this impression until after Secretary of State Rusk had testified that the denial story was erroneous. With the flow of news being what it is today, of course, the Agency's clarification never saw the light of day in any newspaper I read. So the public was left with the impression that the question I had put to the administration had no basis in fact. I say this was as neat an operation in news management—whether wittingly or unwittingly—as any I have witnessed since the New Frontier came into office.

Mr. President, I ask unanimous consent at this time to place in the RECORD two newspaper stories, one from the Washington Post of March 11, 1963, entitled "Plan To Burn 30 Bombers Hotly Denied," and the other from the Washington Star of the same date, entitled "Administration Denies Bomber-Burning Plan."

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

[From the Washington Post, Mar. 11, 1963]

PLAN TO BURN 30 BOMBERS HOTLY DENIED

U.S. disarmament officials denied yesterday that any plan has been shaped for reciprocal burning of bombers by the United States and the Soviet Union.

The disavowal of such plans came as a result of a speech given in Illinois Saturday by Senator BARRY GOLDWATER, of Arizona, a spokesman for Republican conservatism and a frequent critic of U.S. disarmament negotiations.

GOLDWATER asked, "Is it true that there are plans in the making to give up 30 of our B-47 bombers along with 30 Russian Badgers—that there then would be a gigantic bonfire in which all these weapons would be destroyed for the benefit of mankind?"

GOLDWATER said, "I have heard that the administration is seriously considering a pool with Russia to destroy weapons, item for item." He added this would be "stupid (and) ridiculous."

A spokesman for the U.S. Arms Control and Disarmament Agency said he is puzzled by GOLDWATER's reference to 30 bombers and hazarded a guess that the Senator might have been confusing it with the figures in a proposed general disarmament treaty suggested by the United States at Geneva last summer.

That draft called for mutual destruction of 30 percent of all basic weapons in the first phase of a move toward general and complete disarmament.

The proposals never got anywhere and one of the chief obstacles was, the spokesman said, that while the Russians agreed that there should be mutual inspection of the destruction of weapons, they rejected further inspection to determine what arms remained. The U.S. position was that there could be no destruction without the right of followup inspection.

The spokesman said that in view of the failure of this broad proposal, there has been some internal discussion within the Government of less ambitious programs as first steps toward a general program which seems many years away.

But, he said, none of these proposals has even been agreed upon internally, let alone offered to the Russians. He noted that destruction of 30 B-47's and 30 Badgers would be no more than a token gesture, in any event, since there are many hundreds of each type in service.

[From the Washington Star, Mar. 11, 1963]

ADMINISTRATION DENIES BOMBER-BURNING PLAN

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The disavowal of such plans came as a result of a speech given in Illinois Saturday by Senator GOLDWATER of Arizona, a spokesman for Republican conservatism and a frequent critic of U.S. disarmament negotiations.

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GOLDWATER STATEMENT

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INTERNAL DISCUSSION

The spokesman said that in view of the failure of this broad proposal, there has been some internal discussion within the Government of less ambitious programs as first steps toward a general program which seems many years away.

But, he said, none of these proposals has even been agreed upon internally, let alone offered to the Russians. He noted that destruction of 30 B-47s and 30 Badgers—both obsolescent bombers—would be no more than a token gesture in any event since there are many hundreds of each type in service.

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

Mr. GOLDWATER. I am happy to yield to my friend from Pennsylvania.

Mr. CLARK. I listened with interest to the comments made by my good friend from Arizona. As a result of what he has said, I should like to ask him whether he is still of the view that the Arms Control and Disarmament Agency executives were guilty of crass dishonesty by the issuance of deliberately false and misleading information.

Mr. GOLDWATER. I must say to my good friend from Pennsylvania that, unless we both admit that the newspaper people in this country cannot understand the English language, the executives were guilty of what I charged them with. The press must have telephoned them on Sunday after my speech on Saturday night, because on Monday morning newspaper stories were published in both the morning and evening newspapers, in which the headlines stated "Plan to Burn 30 Bombers Hotly Denied" and "Administration Denies Bomber Burning Plan."

Mr. CLARK. Mr. President, does the Senator yield further?

Mr. GOLDWATER. I am happy to yield.

Mr. CLARK. I take it, then, that my friend from Arizona is still of the view that Mr. William Foster, who must bear the ultimate responsibility for what is done by subordinates in his Agency, and the other chief executives of the Arms Control and Disarmament Agency, are guilty of crass dishonesty, having issued deliberately false and misleading information.

Mr. GOLDWATER. If they accept the responsibility for the statement to the press on Sunday, I must make that statement.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. GOLDWATER. I yield.

Mr. CLARK. In the light of what the Senator from Arizona said on March 21, what I said yesterday, and what he and I have said today, I contend that we ought to let the record rest where it is. I reiterate everything I said yesterday. I thank my friend for yielding.

Mr. GOLDWATER. Mr. President, I could not be happier than to let the matter rest. But I think it would be an injustice to the American people if what I have said had not been called to their attention. I say to my friend from Pennsylvania that the impression was so widespread that a newspaperman who is an old personal friend of mine took me to task sharply in a newspaper in California, pointing out that I was going off halfcocked, not knowing what I was speaking about. In effect, the denial by the Arms Control and Disarmament Agency made me out to be a liar, although those words were not the terms used.

I think we have served our purpose. I still contend that the original release from the Agency on the Sunday following my speech was erroneous. I must consider that it was purposely erroneous because it was retracted and changed 2 days later.

URBAN MASS TRANSPORTATION ACT OF 1963

The Senate resumed the consideration of the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. I wish to inquire of the Chair if I am correct in my assumption that during my absence earlier today the amendment in the nature of a substitute submitted by the Senator from Washington [Mr. MAGNUSON] on behalf of the Committee on Commerce was accepted.

The PRESIDING OFFICER. That is correct. By unanimous consent, the Senate agreed to the amendment proposed by the Commerce Committee as a substitute for the bill (S. 6) as reported by the Committee on Banking and Currency, as amended, for the purpose of further amendment.

Mr. GOLDWATER. Mr. President, I wish to offer an amendment.

Mr. TOWER. Mr. President, will the Senator yield for the purpose of permitting me to determine whether a quorum is present?

Mr. GOLDWATER. I shall be happy to yield for that purpose, if I do not lose the floor.

Mr. TOWER. Mr. President, I ask unanimous consent that the Senator from Arizona may be permitted to yield to me for the purpose of determining the presence of a quorum without his losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GOLDWATER. Mr. President, I call up my amendment No. 20 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 26, beginning with line 6, it is proposed to strike out everything through line 23.

Mr. GOLDWATER. Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GOLDWATER. Mr. President, for years I have based my opposition to Federal aid to education in part on the ground that Federal assistance inevitably leads to Federal control over the activity assisted.

No better example of the manner in which Federal domination follows the Federal purse strings has recently come before this body than the mass transportation bill we are debating today. Both

S. 6, reported by the Banking and Currency Committee, and the Magnuson substitute, approved by the Commerce Committee, contains a provision requiring as a condition precedent to the granting of any Federal assistance or financing of any project that arrangements be made by the Administrator of Housing and Home Finance, in consultation with the Secretary of Labor, to protect the interests of employees affected by such assistance or financing.

Mr. President, I read the language from the bill:

Such protective arrangements shall include, without being limited to—

I suggest that this is the pertinent and important language—

without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements; (2) the encouragement of the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) priority of employment or reemployment of employees terminated or laid off; and (5) paid training or retraining programs.

Mr. President, it should be fully understood that the language contained in section 10(c) of S. 6 and section 19(c) of the Magnuson substitute would place State and local governments and their subordinate agencies under the control, domination, and authority of the Federal Government with respect to their dealings and agreements with their own employees.

The enactment of this provision would represent a complete reversal of the public policy of the United States, which for over a quarter of a century, as enunciated in the Wagner Act and the Taft-Hartley Act, has specifically excluded, by definition, any State or political subdivision thereof from all obligations imposed by the Federal Labor-Management Relations Act, including the requirement to bargain collectively with representatives of its employees. Both the Wagner Act and the Taft-Hartley Act have long recognized the right of the States, local governments, and communities to regulate and manage their affairs and their arrangements with their employees free from Federal interference and control.

I might say in this connection, Mr. President, that many States have laws which prevent bargaining with unions in the area of public employment. This section of the bill would preempt such laws and such ordinances as passed pertinent thereto by the local authorities.

If my amendment should fail, I believe it would be advisable to refer this particular provision to the Committee on Labor and Public Welfare, so that the committee might give due consideration to such a far-reaching and novel proposal.

I do not believe it is proper to legislate in the field of labor in a mass transportation bill or, in fact, in any other type of bill; and I believe that historically the Senate has been very circumspect in paying attention to the prerogatives of the several committees.

If this subject had been given adequate discussion in the committee hearings there might have been some answer to the problem. I have been reading the transcript of the hearings. I noticed that Mr. Wirtz, the Secretary of Labor, as shown in his testimony, on page 308, gave to the bill the language which I have read, with the exclusion of "without being limited to".

In looking for further comments on this particular subject, I found that the Senator from Texas [Mr. TOWER] questioned Mr. Wirtz, as shown on page 312. I quote the question by the Senator from Texas:

I was particularly interested, because in my State it is prohibited by law for public employees to strike. And this would not affect that?

This is the answer which was given by the Secretary of Labor. It is a rather fuzzy answer, I must say.

Secretary WIRTZ. When you say "not affect" it, that would be a somewhat broader question. Surely on the question of superseding—I say "surely"; to the best of my knowledge—that is true. Now, whether there would be an effect I think is a somewhat different question.

It is my understanding it could not change those laws. Now, I assume that this kind of provision would require the facing up to some problems which would be presented in that situation. I think they could be worked out.

But I should like it quite clear that I think that there could be no superseding here of the State law.

That is not very conclusive language from the Secretary of Labor. I wish he had pursued the subject further and had been better advised on it, because it is my understanding that prior to the obtaining of any loan or grant under the terms of the bill all the provisions of the bill must be met. One of those conditions is the continuance of any collective bargaining arrangements which may have been made with a private transportation company which is about to be taken over by the local community, which means by the Federal Government.

This being true, if the language remains in the bill, the bargaining arrangements—which are quite unlimited because of the language reading "without being limited to"—would be so broad, in my opinion, as to allow the local employees engaged in transportation to strike if they felt a strike were necessary against the local government, or, in fact, against the Federal Government, because an arm of the Federal Government would be involved in it.

I have no objection to local employees having bargaining rights. I object violently to any employee of any government having the right to strike. I will defend the right to strike of any worker except those who are engaged in work for the Government. I do not believe they should ever be allowed this right, and they are not allowed this right under the Taft-Hartley law, section 2, paragraph (2), of which provides in part:

The term "employer" includes any person acting as an agent of an employer, directly or indirectly, but shall not include the United States or any wholly owned Government corporation, or any Federal Reserve bank, or any State or political subdivision thereof,"

This same idea is perpetuated throughout our labor laws.

In the Fair Labor Standards Act, as amended, under section 3, "Definitions," subparagraph (d), it provides that:

"Employer" includes any person acting directly or indirectly in the interest of an employer in relation to an employee, but shall not include the United States or any State or political subdivision of that State.

If this language remains in the bill, I am afraid we shall again be preempting established State laws, city ordinances, county ordinances or laws, whichever pertain.

As I said a moment ago, if the local government wishes to extend the collective bargaining rights, wages, working conditions, and so forth, with no right to strike, that is up to the local government, be it city, county, or State; but if the United States moved in with the language contained in subsection (c) of section 19, it would have the effect, I believe, of preempting State law in this area.

I wanted to bring this subject to the attention of my colleagues, because I could not believe that most of us would like to see that happen. I think this provision was put into the bill without adequate hearings or discussions. Had there been discussions, I feel certain that the very capable chairman of the subcommittee would have suggested that it go over to the Committee on Labor and Public Welfare, on which he also serves so well.

That is all the discussion I care to make on this subject. It is a very plain case. Shall we preempt State and local law by the proposed act, or shall we allow State and local governments to grant that right if they so desire, or withhold it if they do not wish to grant it, without the right being preempted by the Federal Government?

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

Mr. GOLDWATER. I am happy to yield to the Senator from Texas.

Mr. TOWER. Is the Senator aware that in the subcommittee, when the bill was being considered, a provision was included following the word "rights" in line 17 of page 26, "to the extent not inconsistent with State or local law"? In other words, the section read, "The encouragement of the continuation of collective bargaining rights to the extent not inconsistent with State or local law." In full committee, the phrase "to the extent not inconsistent with State or local law was deleted."

Under those conditions, could it not be considered that it was the legislative intent that the laws of the States should be overridden and superseded?

Mr. GOLDWATER. Whether that was the intent or not, the result of the language of this section, to which I have referred, and to which I have offered my amendment, certainly would preempt local and State law. It cannot be read any other way. Even the Secretary was very fuzzy on this point. He did not

think it would. We cannot take the Secretary's thoughts as binding in law and legislative intent. As I read the language, it would absolutely preempt State and local law.

Mr. TOWER. Furthermore, there was no testimony from the Administrator as to whether or not he thinks the language supersedes State or local law; and, after all, it is the Administrator who is going to make these decisions.

Mr. GOLDWATER. The Senator is absolutely correct. I said earlier, when the point was called to my attention by one of the witnesses who testified, that I was concerned about it. I was hopeful that the committee would drop the language and let the Labor and Public Welfare Committee study it. I have not followed it "down the road" far enough to know, but I have the feeling that this language could destroy the purpose of section 14(b) of the Taft-Hartley Act. I am not a lawyer, but I have to follow my lawyers' advice, and they are pursuing this subject. But certainly, if we make interstate business what heretofore has been intrastate business, because we impose Federal jurisdiction, it may be that the application of section 14(b) cannot be applied to what is purely local business.

I feel that this provision goes much further than the committee realized, and further than many other Senators realize.

Mr. TOWER. I have it on the authority of a lawyer that it is an assault on section 14(b) of the Taft-Hartley Act.

Is the Senator aware of the fact that many States have laws that prohibit political subdivisions from recognizing unions as bargaining agents with reference to strikes and picketing? This provision would knock those laws into a cocked hat. I believe that 20 States have some kind of prohibition against strikes against public utilities. The proposed act would supersede those laws. At the very least, the Administrator could lay down, as a condition for giving aid, the condition that a State should have to revise its laws or make an exception to its laws to accommodate this program.

Mr. GOLDWATER. I invite the Senator's attention to the language of subsection (c) of section 19; namely:

> It shall be a condition of the granting of any assistance or the financing of any project under this Act that fair and equitable arrangements are made, as determined by the Administrator after consultation with and the concurrence of the Secretary of Labor.

I do not see any mention in that language of local, county, or State government. The condition of the granting of assistance is that these conditions, as a minimum, must be complied with.

As I have said, the language reads, "Such protective arrangements shall include, without being limited to," and while strikes are not mentioned, the language "without being limited to" is used. Then we go through every other operation of collective bargaining; and, as I have said, if it is the desire of the State or local government to grant that right, after it has become wedded to the Federal Government, it may do so. But let the local governments decide that question. Let not the Congress of the United States preempt State laws.

I do not think it is so important that we should continue to tear down further what I consider to be the great bastion of the 10th amendment, or the rights of States.

The rights under the Labor-Management Act have been granted and protected time and time again. This body overrode a Presidential veto which attempted to strike out section 14(b). Section 14(b) is one of the most important parts of the Labor Act. Of course, it is a target of organized labor. I do not believe this body or the other body should be partners in the crime of destroying the Labor-Management Act without adequate consultation with the appropriate committee.

Mr. TOWER. In practical effect, so far as the implementation of the law is concerned, it will not be Congress, but one man, who will have in his hands the power to abrogate, supersede, or nullify existing laws of State and local governments; namely, the Administrator.

Mr. GOLDWATER. The Senator is correct. He would have to have the concurrence of the Secretary of Labor, which would not be very difficult to obtain.

Mr. TOWER. No; not likely.

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

Mr. GOLDWATER. I yield.

Mr. LAUSCHE. I have been trying to analyze the language contained in subsection (c) to determine how far the Administrator could go in the imposition of working conditions and wages upon a city which might take over a private company under the proposed act. Let us assume that there is a private transit company which is shaky in its finances, and it is decided that a public transit company shall take it over. As a prerequisite to the right to obtain money from the Federal Government, the Administrator would first have to make provision for the preservation of the rights, privileges, and benefits under existing collective bargaining agreements.

Am I correct in my understanding that that would mean that the city or the public body taking over the shaky transit system would have to continue the collective bargaining agreement?

Mr. GOLDWATER. My answer to my good friend from Ohio is "Yes"; that they would come under the provisions of this language, even including the right to strike. If they were employed in a private transit company, they would retain those rights in Government employment by the language "without being limited to," and even without the language "as determined by the Administrator" they certainly would get into this area.

Mr. LAUSCHE. Then, to summarize, the Administrator would have the power to say, "Your application for aid will be denied unless you agree to collective bargaining and unless you agree that the right to strike against the municipality or other public body shall be granted"?

Mr. GOLDWATER. My answer again would have to be "Yes." It would be whatever the Administrator determined in each and every case. However, I certainly understand this language to mean that anything that is of a collective bargaining nature, including working conditions, hours, and wages, and pension rights, and so forth, including the right to strike, would go into the public body once it was transferred from the private sector.

Mr. LAUSCHE. Going to item 2, on line 16, he would have to make provision for the encouragement of the continuation of collective bargaining rights. It is my understanding that the Secretary of Labor went one point further on that item, and he urged that this item 2 be retained as follows: I am now reading from page 308 of the testimony. He urged the "prevention of curtailment of collective bargaining rights." That language is in italicized type on page 308. The Secretary of Labor wanted to add a provision which would prevent the curtailment of collective bargaining rights. Obviously the committee did not go that far on that subject.

Mr. GOLDWATER. If the Senator will yield for an observation, the committee wisely did not accept that language, but I believe the language "without being limited to" very adequately replaces that suggested language.

Mr. LAUSCHE. Item 1 achieves what item 2 may not achieve. Let us go to item 3:

> The protection of individual employees against worsening of their positions with respect to their employment.

My inquiry is, let us assume that featherbedding caused the shakiness of the private transportation system's finances, and the public body takes it over and wants to eliminate that featherbedding. Could it be done under the language of this bill?

Mr. GOLDWATER. No. In the testimony, the Senator from Alabama [Mr. SPARKMAN] elicited from Secretary Wirtz this answer:

> Senator SPARKMAN. In other words, this would conform here with that?

He was referring to the Supreme Court decision on featherbedding.

> Secretary WIRTZ. Yes.

We have only the Secretary's own personal feelings there. There was no testimony by the Solicitor. No cases were brought up to prove that. Nothing was said except the word "yes." All the language that the Senator has read so far would, in my opinion, negate that.

Mr. LAUSCHE. Well, to me it is rather clear that if he must make provision for the protection of individual employees against the worsening of their positions with respect to their employment, he could prohibit the elimination of their featherbedding jobs. I do not believe there is any question about subparagraph 3 meaning that very thing.

Mr. GOLDWATER. The Senator from Ohio is a lawyer, and I have great respect for his ability. I am merely a layman. I have a divided opinion as to whether the Supreme Court decision could overrule the Administrator, or whether they might even go so far as to determine that this is intrastate, and thus keep it from under that decision. However, I would have the same fear the Senator

from Ohio entertains, that this could be done.

Mr. LAUSCHE. The Supreme Court decision against featherbedding was made in the absence of statute. The Supreme Court said that the company has a right to determine how they will employ their employees. Here we have a Federal statute in contemplation which provides that the Administrator shall not worsen the positions. Therefore we have a completely different situation from that which prevailed in the Supreme Court case.

Mr. GOLDWATER. Let me see if I understand the Senator's contention. If there is featherbedding which is being practiced, and the company is transferred to the ownership of a municipality, and they cannot worsen the working conditions, they cannot, therefore, eliminate featherbedding. Is that correct?

Mr. LAUSCHE. That is correct. That is the force of the language in the bill.

On line 19, the language reads:

Priority of employment or reemployment of employees terminated or laid of.

That means that the Administrator will have to make provisions for the granting of priorities in rehiring of employees laid off.

Mr. GOLDWATER. The Senator is correct.

Mr. LAUSCHE. Then No. 5: "Paid training or retraining programs." That is understandable.

Now my question is, Does this not mean that the Federal Government, as a prerequisite to the making of these grants, can impose conditions of employment as the Administrator sees fit, conforming with the language that we have just read?

Mr. GOLDWATER. Yes, he can. I might add that these conditions of employment could be against existing Federal law. In other words, we could, by the adoption of this language, in one area of employment in our country go against not only the Labor-Management Relations Act, but also against the Fair Labor Standards Act.

Mr. LAUSCHE. As I understand, the language which the Senator from Arizona and I have been discussing has nothing to do with the general language contained in the Davis-Bacon Act. Is that correct?

Mr. GOLDWATER. I am glad the Senator has brought up that point. This in no way affects the application of the Davis-Bacon Act. It in no way interferes with the action of the Secretary of Labor in this general field of jobs involving Federal funds. That is contained in paragraph (a) of section 19. My amendment in no way affects that. My amendment merely gets at what I think is a back-door way of destroying certain parts of our labor laws and destroying State and local autonomy.

Mr. LAUSCHE. I have not studied this item. Perhaps the Senator from Arizona has. Is there any other statute on the Federal books in connection with grants which contains a provision that seeks to give the Federal Government the right to establish working conditions?

Mr. GOLDWATER. If there is, I am not aware of it. I am informed that, outside the Davis-Bacon Act, there is no other law that can be applied. This then could become a precedent, and it could become an established part of any grant-in-aid program.

Mr. LAUSCHE. Would the Senator allow me to put a question to the sponsor of the bill, to ask whether there is any statute on the Federal books which now, as a condition to obtaining grants, imposes working conditions?

Mr. WILLIAMS of New Jersey. Well, we have referred to the Davis-Bacon Act.

Mr. LAUSCHE. We have conceded that. However, is there any other statute anywhere that imposes such conditions as a prerequisite to the obtaining of grants?

Mr. WILLIAMS of New Jersey. There are some areas that we all know of, where there is a Federal program, and where as a result of the Federal program individuals are adversely affected in working conditions, provision is made for training and retraining, and priority of employment.

The answer is "Yes." If by Federal action a man's working situation is worsened, we think it is fair and equitable to take care of him. That is true in the trade expansion program; certainly it is true in the railroad field, where mergers and consolidations have been approved by the Interstate Commerce Commission. I am sure there are other areas, too.

Mr. LAUSCHE. That does not apply to grants. My question deals with grants. Is there a Federal statute today which provides that unless these working conditions are introduced, the aid will not be provided?

Mr. WILLIAMS of New Jersey. I do not know if there are any. I cannot answer the Senator's question. If we never did anything for the first time, we would all be living back in the times and the dress of revolutionary days, never having left New Hampshire.

Mr. GOLDWATER. Mr. President, I should like to address a question to the Senator from New Jersey. Does he not believe it would have been much wiser to have had the Committee on Labor and Public Welfare hold hearings on this particular section? This section has a very heavy effect upon cities and communities.

Several men who testified before the Senator's committee told me about this. Two of them were mayors. They expressed great concern over the fact that this language was being made a part of a mass transportation bill, when it so vitally affected all sectors of the employment problems of local governments. The Committee on Labor and Public Welfare might well have agreed to this language. However, I believe it is so vital and important that it should not be included in a bill which is aimed as a solution of transportation problems.

Mr. WILLIAMS of New Jersey. I am sure that every measure of any importance is of interest to one or more committees other than the principal committee. We know that the bill under consideration has been thoroughly studied by two committees. Perhaps the Committee on Finance would be interested in the part of the bill relating to financing, and other committees might have a minute interest in the bill also.

This provision is truly ancillary to the thrust of the transportation program. It is only included in the interest of fairness and equity. If as a result of the expenditure of Federal funds, a railroad employee having a lifetime of contributions to a pension system were to lose it because his railroad was taken over by the public, that would be grossly unfair. This provision protects those rights which have been hard earned and enables them to continue.

The legislative history has to be corrected, however, because if the bill shall be enacted, we must have a record that will show that the bill does not preempt State law; it does not control or dominate with irrevocable authority local situations. The bill provides for the encouragement of collective bargaining. That does not put the force of a mandate on a community. Although I am a lawyer, I am rather rusty for lack of practice. However, I do not believe we can pass a law which would change State law; and we do not attempt to do so. The bill encourages collective bargaining.

Mr. MILLER. Mr. President, will the Senator from Arizona yield, that I may ask a question of the Senator from New Jersey?

Mr. GOLDWATER. I yield for that purpose.

Mr. MILLER. Is it the intention, so far as the Senator from New Jersey and the committee are concerned, to the best of the Senator's knowledge, that the provision which is the subject of the amendment of the Senator from Arizona shall not be inconsistent with State law?

Mr. WILLIAMS of New Jersey. Is that another way of saying that it cannot preempt or be a substitute for State law?

Mr. MILLER. I should think so.

Mr. WILLIAMS of New Jersey. That is my answer. It was the same answer the Secretary of Labor gave to the committee.

Mr. TOWER. Mr. President, will the Senator from Arizona yield, that I may propound a further question to the Senator from New Jersey.

Mr. GOLDWATER. I yield for that purpose.

Mr. TOWER. If that is the case, why did we strike from the bill, reported by the Committee on Commerce, on page 26, line 17, the collective bargaining section: "to the extent not inconsistent with State or local law"?

If it is our intent not to be inconsistent with State or local law, why was that provision deleted?

Mr. WILLIAMS of New Jersey. The answer is very simple. The provision should not have been included in the first place. If we had not made a mistake in the first place by doing what was unnecessary, it would not have been necessary to delete that provision.

Mr. TOWER. I still do not understand the point in taking it out if, as the Senator has said, it is not the intent to be inconsistent with State law.

Mr. WILLIAMS of New Jersey. Must we, in every paragraph of every bill, say, "The action under the authority of this legislation shall be in conformity with the Constitution of the United States"?

Mr. TOWER. What reflects legislative intent more clearly than the language which was deleted from the bill?

Mr. WILLIAMS of New Jersey. I am sure the Senator knows that if one makes a mistake, he should not try to preserve it. In our legislative history, shall we magnify a mistake which we made together?

Mr. SPARKMAN. Mr. President, will the Senator from Arizona yield? I think I can suggest something which will perhaps clarify this point.

Mr. GOLDWATER. I yield.

Mr. SPARKMAN. That was not the only change. I call the attention of the Senator from Texas to the fact that lifting the words "not inconsistent with State law," was not the only change that was made. The language was worded differently. We rewrote it to read "The encouragement of the continuation of collective bargaining rights." The way it was originally written, with the words "not inconsistent with State law," it was virtually a mandate to continue collective bargaining rights not inconsistent with State law. The committee decided that it would be better simply to use the words "encouragement of the continuation of collective bargaining rights."

Mr. TOWER. It would have been better if we had recognized that the trade unions do not appreciate this particular provision: "To the extent not inconsistent with State or local law."

Mr. SPARKMAN. I do not believe the trade unions came in on that change one way or the other.

Mr. GOLDWATER. I point out to the Senator from Alabama that we would not need that second provision. We already have the language "the preservation of rights, privileges, and benefits, including continuation of pension rights and benefits, under existing collective bargaining agreements."

The provision "the encouragement of the continuation of collective bargaining rights" is redundant. I do not see that anything has been added. That provision could be eliminated. The language has been complicated.

The fact that the provision "not inconsistent with State or local laws" has been deleted does not have any effect.

My whole point is that we are attempting a major alteration in the Nation's labor laws, and are seeking to do it through a subsection in a mass transportation act.

Mr. SPARKMAN. I think there is a distinction. The language to which I was calling attention referred specifically to collective bargaining rights. The one to which the Senator from Alabama refers is "the preservation of rights, privileges, and benefits, including continuation of pension rights and benefits, under existing collective bargaining agreements." That relates to agreements which are already in existence.

Mr. GOLDWATER. That is the only place we worry about. The present State and local laws, in many cases, prevent certain kinds of bargaining. Mostly, such laws prevent striking. State and local governments provide for bargaining for working conditions mostly, but do not include the right to strike.

The preservation of rights under existing collective bargaining agreements is repeated:

> The encouragement of the continuation of collective bargaining rights.

I am not arguing one point against another. I am arguing that the entire approach should not be in the bill; that if it is desirous to have such legislation, it should come as a major alteration to the existing labor-management act.

Mr. SPARKMAN. There may very well be duplication; I do not know. I know that the language was written, it was done clearly with the idea that while there would be an encouragement of a continuation of collective bargaining rights, it was not intended to supersede State laws. I believe the questioning of the Secretary of Labor indicates our concern about that. It was not our intention to supersede State laws, and we do not intend, I am sure, to do so. We do not believe that the language has that effect.

Mr. GOLDWATER. If we are to depend on the Secretary's testimony for legislative history, neither side has much of a leg to stand on, because this language is about as fuzzy-wuzzy as any I have ever tried to read. It reads like some of the texts on proper punctuation, because when one gets through reading it, it is just a lot of language.

Mr. TOWER. Actually, the Secretary was testifying on the basis of the language he submitted to the committee, not the language which was finally provided in the bill.

Mr. SPARKMAN. That is correct.

Mr. President, will the Senator from Arizona yield further?

Mr. GOLDWATER. I yield.

Mr. SPARKMAN. I admit that in reading the Secretary's answer, there is a chance of someone's misunderstanding it. But if the entire statement is read, I think we find that he clearly said it will not supersede State laws.

He was asked, "Does it affect them?" He replied, "That is different"—and it is. If it has any effect whatever on them, that would be covered by the word "effect." I think the Secretary was splitting hairs when he tried to make that distinction. Of course, it might have an effect upon State laws; but even in that connection he repeated his statement that it will not supersede or displace or override them.

Mr. GOLDWATER. Let me read what Secretary Wirtz said, as it appears on page 313. His statement was made in answer to a question by the Senator from Texas [Mr. TOWER]:

> But I should like it quite clear that I think that there could be no superseding here of the State law.

But that is not a statement on which one could rely with any conviction. He merely said he thought there could be no superseding of State law.

I may point out to the Senator from Alabama that this is one of the reasons why I grow so much concerned about this matter—namely, when I find that both of the committees are attempting to have the Senate legislate in a very sensitive field and thus amend legislation which has taken over 30 years to develop—a field so sensitive, indeed, that we do not dare deal with it on the floor.

So I think the bill should properly have been referred to the Committee on Labor and Public Welfare.

Alabama has a right-to-work law, under section 14(b) of the Taft-Hartley Act; and so does Arizona. Some persons believe that a back-door attempt to get at section 14(b) is being made.

The only statements to which I can refer in connection with this matter are some rather limited ones by Secretary Wirtz. The hearings on the other phases are quite complete; but this matter is entirely different, and is one in regard to a legislative field which is so sensitive that neither the Republicans nor the Democrats dare deal with it here on the floor—in other words, the question of how far the Federal Government can go in stamping out rights and laws of local governments.

Mr. SPARKMAN. Let me point out that at another place Secretary Wirtz said "surely" this amendment would not supersede State laws.

Mr. GOLDWATER. On what page is that statement to be found?

Mr. SPARKMAN. On page 312, near the bottom.

Mr. GOLDWATER. But he added "to the best of my knowledge."

Mr. SPARKMAN. Yes, he said "to the best of my knowledge—that is true."

But aside from this, that is something new. We tried to work out what we regarded as fair protection of the workers, without in any way trying to change the ruling of the Supreme Court on featherbedding.

The Senator noted that I was careful to inquire about that—and at the same time without superseding or doing away with State laws. I believe we did make sure of that. I believe we have worked out about as good a provision as could be obtained.

Mr. GOLDWATER. I must say that my experience in 11 years of service on the Committee on Labor and Public Welfare, in hearing testimony in regard to this delicate field, does not make me feel assured about this matter. Secretary Wirtz said, "to the best of my knowledge—that is true." The entire sentence reads as follows:

> Surely on the question of superseding—I say "surely"; to the best of my knowledge—that is true.

But if in the mind of the Secretary of Labor there is a question about the effect, I suggest that we should hold some rather deep and long hearings on this subject. The floor of the Senate is not the proper place for the original consideration of amendments to the labor-management relations law.

I shall not argue this matter sentence by sentence and word by word. I merely state that this is not the proper forum for such action on the national labor relations law. Therefore, I suggest that

the bill be referred to the Committee on Labor and Public Welfare.

I do not know of any necessity to engage in a mad rush to bring about a change in this situation. Perhaps after further study is made I shall change my mind—although I may not. At any rate, I wish to learn more about this matter.

Mr. LAUSCHE. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I yield.

Mr. LAUSCHE. Did the Senator from Arizona say there is no mad rush to have this bill passed?

Mr. GOLDWATER. Yes. I see no reason why we should be in a great rush to give the President an Easter egg. I would just as soon give him a Fourth of July firecracker, or perhaps a piece of Thanksgiving pumpkin pie. This is a very important measure, and I do not believe we have to pass it in the next few weeks.

Mr. LAUSCHE. Then I heard the Senator correctly.

Mr. GOLDWATER. The Senator from Ohio certainly did.

Mr. LAUSCHE. Let me say that never before have I begged as fervently as I did to have the bill referred to the Commerce Committee, where it rightfully belongs. Finally, I was given about 10 working days in which to deal with the bill.

I assure the Senator that there is an intense rush to have the bill passed; that is my interpretation of the situation. I regret that in that respect I must disagree with the Senator from Arizona.

Mr. GOLDWATER. Oh, no; the Senator from Ohio does not disagree with me. I said there is no mad rush to have the bill passed; but perhaps I should say there is no mad rush on the part of the Senator from Arizona. I think the Senator from Ohio should also hear more testimony about the bill.

Mr. LAUSCHE. I think there is an attempt to give the President an Easter present.

Mr. MILLER. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I yield.

Mr. MILLER. After listening to the debate, it seems to me that we should be able to agree on an amendment. If I correctly understood the statements of the Senator from Alabama, the Senator from New Jersey, and apparently those of the other members of the committee, the intention is that anything done under this section of the bill shall not be inconsistent with State law. I believe that the provisions set forth in paragraph (c) have some merit. It seems to me that if we can do this consistent with State law, without superseding it, that will be desirable—in other words, to seek to preserve the rights, privileges, and benefits of those affected by this legislation and also the priority of employment and the pay for training or retraining programs.

If it is agreed that these are desirable provisions, on the one hand, and yet, on the other hand, that they should not be inconsistent with State law, it seems to me we merely have to insert a provision to the effect that these provisions shall not be inconsistent with State law.

If what I have proposed seems reasonable, I should like to ask the Senator whether it would be well to change the amendment, as follows:

In line 10, following the comma, insert the words "and consistent with the laws of the State in which the project or a portion of the project is located" so that paragraph (c) will then read, in part, as follows:

> (c) It shall be a condition of the granting of any assistance or the financing of any project under this Act that fair and equitable arrangements are made, as determined by the Administrator, after consultation with and the concurrence of the Secretary of Labor, and consistent with the laws of the State in which the project or a portion of the project is located, to protect the interests—

And so forth. It seems to me that if we could adopt such language, we could reach an agreement. I think that such a provision would make very clear what we desire. Then we could get on with consideration of the bill.

Mr. GOLDWATER. Mr. President, the point that I believe my friend from Iowa misses is that any provision at all of the type to which I have referred in the bill might affect a part of the Labor-Management Act and a part of the Fair Labor Standards Act.

I have serious concern that it could affect section 14(b) regardless of how the bill might be amended, other than striking the entire provision. Should we write in language "consistent with State laws," I point out that there may be States—though I do not know if there are any such—that already have right-to-work laws but have no laws applying in that field. So "consistent with State law" would open wide the field for destruction of that section of the Taft-Hartley Act. I would much prefer to get the feeling of the Senate on the elimination of the entire subsection, and if I fail in my endeavor, if the Senator from Iowa then wishes to offer his amendment, I would be perfectly happy to go along with it. I would like to have an expression of the Senate on my proposal to eliminate the entire provision.

Mr. MILLER. I share with my friend from Arizona his concern about amending section 14(b) through a back door. While I do not claim any expertise in the field of labor law, it seems to me that it would be clearly inconsistent with a State law which covers the subject of union shops to permit the Administrator, with the approval of the Secretary of Labor, to act contrary to legislation in a State on that point in the face of language such as that which would provide:

> These equitable arrangements must be approved by the Administrator, the Secretary of Labor, and be consistent with the laws of the State in which the project, or a portion of the project, is located.

To have something like that happen would do violence to plain language. I suggest that if an attempt were made by the Administrator to take such action, a very successful case could be brought by the aggrieved parties.

Mr. GOLDWATER. Mr. President, politics and lawmaking are arts of compromise, I suppose. I do not believe any language should be in the bill relative to that subject because it is not needed. Not only is it not needed, but also any language that we might insert would be dangerous to the existing law of a State, and a failure to recognize the right of the States in that field. It is also wrong to legislate in this sensitive and delicate field on another piece of proposed legislation. We are very careful about that when we refrain from legislating on many subjects, and when we in this body respect the prerogatives of the other body by not introducing and acting upon appropriation bills.

I merely point out that in principle the entire section is wrong, in this or any other bill. If the provision would be a good thing for the laboring people of our country, for the States, and for management, it should come before the Senate Committee on Labor and Public Welfare, and we should have adequate hearings on the measure.

I do not argue that the language proposed by the President might not be good in another case. But my particular objection is to the inclusion of any language of that type in a bill of this kind. If it is the desire of the Senate to have it, it should be included in a separate piece of legislation coming from the appropriate committee after proper study. With all due respect to the committee—and I have the utmost regard for all members of the committee—we could not call Secretary Wirtz's wobbly opinion of his own words testimony on which some future court or some future lawyer could lean. If we were to lean on such testimony, it would be like leaning on an old, rotten fence, which is likely to fall down because there is nothing to hold it up.

Much as I respect the Senator from Iowa, I shall not accept his amendment because I think the subject is a matter of law principle. It is a matter of Senate principle. Do we or do we not believe that we should amend the Labor-Management Act by a section appearing in a law that has absolutely no relationship to the act to which I have referred?

Mr. President, I have no further argument to offer on the amendment. I am ready to vote.

Mr. WILLIAMS of New Jersey. Mr. President, I feel that the debate has been useful. The Senator from Alabama [Mr. SPARKMAN] expressed the intention of the committee, which was necessary in this legislative debate. But lost in the discussion is the fact that while a few workers might be adversely affected, in the net there would be a great stimulus to the return to the railroads of workers who have been furloughed. There would be more employment in transit on the buses. So far as working people in transit are concerned, there is great hope for them in the proposed legislation.

Mr. GOLDWATER. Mr. President, I could not agree more fully with the Senator. If the bill is passed, it should stimulate employment. But that has no bearing on the subject we have been discussing today. I believe there are 42 cities in the United States with a population of 300,000 or more that already have bargaining agreements with transportation unions. I am not concerned that the collective bargaining arrangements

would be disturbed in the cities. I think they would continue. I do not wish to amend a very important law by the proposed back-door method.

Mr. WILLIAMS of New Jersey. Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

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

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment to meet at 12 o'clock noon tomorrow.

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

URBAN MASS TRANSPORTATION ACT OF 1963

The Senate resumed the consideration of the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

Mr. MANSFIELD. Mr. President, I have a unanimous-consent request to make. I hope that all bases have been touched.

I ask unanimous consent that at the conclusion of the morning hour tomorrow 1½ hours be allotted for consideration of the amendment to be offered by the Senator from Ohio [Mr. LAUSCHE]; that 1 hour be allotted for the consideration of all other amendments, to be divided 30 minutes to each side; and that 6 hours be allotted for consideration of the bill itself.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. JAVITS. Mr. President, will the Senator yield at that point?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I have a rather serious official mission abroad which will take me away Thursday night. I am sure the Senator is aware of it.

Mr. MANSFIELD. I am.

Mr. JAVITS. What is the intention of the leadership with respect to concluding consideration of the bill?

Mr. MANSFIELD. It should be concluded by Thursday.

Mr. JAVITS. I thank my colleague. I must leave about 4:30 or 5 o'clock.

Mr. MANSFIELD. We shall do our best to finish. If necessary, the Senate can meet early on Thursday. Unfortunately, some proud fathers in this body must look after some princesses until the noon hour tomorrow.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana?

Mr. GORE. Mr. President, reserving the right to object——

Mr. MANSFIELD. I missed one base.

Mr. GORE. I do not have an important mission abroad, but I have an important engagement in Tennessee.

Mr. MANSFIELD. That would be of equal importance.

Mr. GORE. Tennessee is not foreign territory. I was hoping the vote would come either tomorrow or on Friday.

Mr. MANSFIELD. It could come tomorrow. We cannot tell. The pending request will give us an opportunity to sound out sentiment among Senators.

Mr. GORE. I think I am being sounded out on the vote. Under the circumstances, I object.

Mr. MANSFIELD. Mr. President, I withdraw the request.

The PRESIDING OFFICER. The request is withdrawn.

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

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. GOLDWATER] to strike out subsection (c) of section 19.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Maine [Mr. MUSKIE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The Senator from New Mexico [Mr. MECHEM] is detained on official business.

The result was announced—yeas 27, nays 63, as follows:

[No. 28 Leg.]

YEAS—27

Allott	Ellender	Mundt
Bennett	Ervin	Pearson
Byrd, Va.	Goldwater	Robertson
Carlson	Holland	Simpson
Cotton	Hruska	Stennis
Curtis	Jordan, Idaho	Thurmond
Dirksen	Lausche	Tower
Dominick	McClellan	Williams, Del.
Eastland	Morton	Young, N. Dak.

NAYS—63

Aiken	Bartlett	Beall
Anderson	Bayh	Bible
Boggs	Hill	Monroney
Brewster	Humphrey	Morse
Burdick	Inouye	Nelson
Byrd, W. Va.	Jackson	Pastore
Cannon	Javits	Pell
Case	Johnston	Prouty
Church	Jordan, N.C.	Proxmire
Clark	Keating	Randolph
Cooper	Kennedy	Ribicoff
Dodd	Kuchel	Russell
Douglas	Long, La.	Saltonstall
Edmondson	Long, Mo.	Scott
Engle	Mansfield	Smith
Fong	McCarthy	Sparkman
Fulbright	McGovern	Symington
Gore	McIntyre	Talmadge
Gruening	McNamara	Williams, N.J.
Hart	Metcalf	Yarborough
Hartke	Miller	Young, Ohio

NOT VOTING—10

Hayden	McGee	Neuberger
Hickenlooper	Mechem	Smathers
Kefauver	Moss	
Magnuson	Muskie	

So Mr. GOLDWATER's amendment was rejected.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. I believe that this time I have not touched all bases, but I am not absolutely certain. Nevertheless, I should like now to renew the unanimous-consent agreement I sought previous to the yea-and-nay vote; but that instead of 6 hours of debate on the bill, I ask that there be substituted 4 hours of debate on the bill.

Mr. PROXMIRE. How much time will that allow on amendments?

Mr. MANSFIELD. One hour on all amendments, except 1½ hours on the Lausche amendment.

Mr. JAVITS. Does the Senator believe that we can finish with the bill some time Thursday evening?

Mr. MANSFIELD. We will do our very best.

Mr. GORE. Does the Senator mean that we will do our very best to finish by Thursday or by tomorrow evening, if we can?

Mr. MANSFIELD. Tomorrow. We will do our very best to finish tomorrow.

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

Mr. MANSFIELD. I yield.

Mr. KEATING. May I inquire whether it is the intention of the distinguished majority leader to hold the Senate in late session tomorrow evening in order to vote on the bill?

Mr. MANSFIELD. I hope it will not be necessary, because of a commitment.

Mr. KEATING. I might say that I have a very important speaking commitment in New York tomorrow evening. I will be glad to stay as late as necessary, but would appreciate the majority leader's guidance as to what may be expected.

Mr. MANSFIELD. Well, I believe the rest of us have a very important dinner engagement tomorrow night, too.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this evening it adjourn until 10 o'clock tomorrow morning.

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

URBAN MASS TRANSPORTATION ACT OF 1963

The Senate resumed the consideration of the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

Mr. TOWER. Mr. President, on behalf of the Senator from Iowa [Mr. MILLER] and myself I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The Senate will be in order. The amendment will be stated.

The LEGISLATIVE CLERK. On page 26, line 10, after the comma, it is proposed to insert the following: "and consistent with the laws of the State in which the project or a portion of the project is located."

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

Mr. TOWER. I yield.

Mr. MANSFIELD. I ask unanimous consent that 20 minutes of debate be allotted to the pending amendment, 10 minutes to a side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

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

Mr. TOWER. I yield.

Mr. DIRKSEN. I am trying to clarify with the majority leader whether any more yea-and-nay votes will be had this evening.

Mr. TOWER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. TOWER. Mr. President, I yield 5 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, during the discussion of the amendment of the Senator from Arizona I pointed out that it seemed to me, from the discussion that had been held on the amendment, most of us were in agreement that the points covered on page 26 of the bill, in section (c), are desirable. Furthermore, the opinion was expressed very strongly by the managers of the bill that there was no intention that State law be usurped or that anything be done under this section of the bill that would be contrary to State law.

The purpose of the amendment offered by the Senator from Texas and myself is merely to state what has been stated on the floor by the managers of the bill, and nothing else. The purpose is merely to write into the bill, so that we will have no question whatever, that the intention that has been expressed on the floor will be in the law and will be so interpreted.

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

Mr. MILLER. I am happy to yield.

Mr. SALTONSTALL. Let us suppose that a project extends into two States. Does that mean that the law will be different in one State from what it is in the other State?

Mr. MILLER. I thank the Senator for making that inquiry. The amendment is designed to cover that subject. The language of the amendment provides that nothing shall be done by the Administrator——

Mr. COOPER. Mr. President, may we have order? We cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MILLER. The language of the amendment makes it clear that nothing shall be done by the Administrator which will be inconsistent with the State law in the State in which the project or a portion of the project is located.

The intention, of course, is that where there is a multi-State project, as, for example, a project in New Jersey and New York, the State law with respect to the portion of the project in New York would control, and the State law of New Jersey with respect to the portion of the project located in New Jersey would control.

In other words, we have tried in this simple amendment to express very clearly what I am sure is the intention of the sponsors of the bill and what the Secretary of Labor himself expressed was the legal meaning of the bill, but as to which he could not say definitely, because the language was not there.

Mr. SALTONSTALL. I thank the Senator from Iowa.

Mr. MILLER. Mr. President, I yield back the remainder of my time to the Senator from Texas.

Mr. TOWER. Mr. President, I believe this is a good amendment. The intent has generally been expressed that we are not trying to break State law, we are not trying to supersede or nullify State law. Therefore, there does not seem to me to be any reason why we cannot provide specifically in the bill that our intent is not to supersede State law, and include a provision that the language will apply insofar as it is consistent with the laws of the States. That is the least we can do if in reality it is our intent not to try to nullify State laws.

Mr. WILLIAMS of New Jersey. Mr. President, this proposition was discussed in connection with a previous amendment. It seems to me that we have one or two very simple propositions. If the requirement of the amendment that the program be consistent with State law is tantamount to meaning that the program cannot supersede or preempt or override State law, this is, in my judgment, a dangerous amendment, for one very important reason: It is unnecessary to include it at this point, because it gives the clear implication that it is needed. If the provision is needed, we will find, day after day in this Chamber, that it will have to be put in on the record made on this bill. I believe it is good doctrine that one should never write into legislation what clearly is unnecessary; to do so opens a dangerous precedent for the future. That is simply my position.

Mr. MILLER. Mr. President, I am sure the Senator recognizes that the mere opinion of the Secretary of Labor regarding the interpretation of the language of the bill would not stand up in court. What really counts in court is what the law provides. Now we have a chance, merely by adopting a simple amendment, to make certain, beyond any shadow of a doubt, what we are seeking to do.

The Secretary of Labor was honest in his statement. He indicated that what he was saying was his opinion. He "thought." He "felt sure." He "felt sure that was the way the law would be construed." He covered himself by making certain that he could not speak as a judge.

We are trying to make the language clear, so that there will not be any litigation and no question about the meaning.

If I gained the correct impression from what both the Senator from New Jersey and the Senator from Alabama said, the intention is exactly what the amendment provides. All we are trying to do is to make the intent certain, beyond a question of a doubt; and all that is necessary is to adopt a very simple amendment.

There is no intention to weaken the bill. Actually, this gives the section the effect which we seek. The provisions of this section are desirable provisions; at the same time, we want to make certain that the desirability is consistent with State laws.

Mr. WILLIAMS of New Jersey. It has been expressed that the Secretary of Labor did not express himself strongly in his language to the effect that this provision could not supersede State law. He said, "I think," and "I believe"; but it must be remembered that there is no one off the bench in this country in whom we can have more reliance for opinions on the language of labor law than Secretary Willard Wirtz, who has had a lifetime of practice in this field and is acknowledged to be one of the great labor leaders of the country. When he says, "I believe this is true," I will believe that it is true.

Mr. TOWER. Mr. President, I yield 3 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, I will support the amendment offered by the Senator from Iowa [Mr. MILLER] and the Senator from Texas [Mr. TOWER].

The Secretary of Labor stated in ambiguous terms that the language of the bill as now written could not impose conditions as a prerequisite to the right to a grant, if those conditions were in conflict with State law.

A reading of the language of the bill indicates to me that the Secretary of Labor made a statement that could not be supported by the language herein

written. His answer was of a doubtful nature. His language was "if" and "but."

The proposal of the Senator from Iowa and the Senator from Texas is to write into the bill language which will clearly carry into effect the purposes enunciated by the sponsor of the bill and others who support it. The language that is contemplated being written into the bill would appear on page 26, line 10, and reads:

with and the concurrence of the Secretary of Labor, and consistent with the laws of the State in which the project or a portion of the project is located.

The amendment contemplates that whatever conditions the Administrator shall impose must be consistent with the laws of the State in which the project is situated. I believe the amendment should be adopted. We ought not to leave the question in doubt. The language proposed by the Senator from Iowa [Mr. MILLER] and the Senator from Texas [Mr. TOWER] clearly sets forth the intent that no conditions will be imposed which will be in conflict with the laws of the State in which the project is located.

Mr. WILLIAMS of New Jersey. Mr. President, I yield to the Senator from New York as much time as he may require.

Mr. JAVITS. I will take 3 minutes, if that is agreeable, to speak in opposition to the amendment.

The reason I oppose the amendment is that I believe the provisions with respect to labor are in balance now, so far as Senators like myself are concerned. I should like to state my understanding of the situation and why I believe the amendment will complicate it rather than improve it.

My understanding of the amendment is that the Secretary of Labor, under the bill, cannot supersede State law. If State law makes it impossible for the employees of municipal transit systems to bargain collectively, then it makes it impossible. There is nothing in the bill that can override it. Indeed, I doubt that the Constitution will permit it, and I doubt that it can be done under any phase of the Taft-Hartley law.

However, what it does, by not mentioning the proposition, is to enable the Secretary of Labor and the Housing Administrator, to go into a State where a right-to-work law or some other law deprives the municipal employees—that is, employees of the transit system—of collective bargaining rights. Perhaps because the Administrator has money to give out, some States may be induced to make some accommodation on that score by the necessary exemption from the law or any interstate compact entered into with other States.

Therefore, we have a balanced scheme. We do not override the law; at the same time, we do not compel the Federal Government to go in where the law is adverse to the interest of labor and labor's own point of view, and perhaps also even give encouragement to exempt a situation of this kind where the State desires to get this type of Federal help.

I think that is giving something on both sides, while at the same time not giving the Administrator instructions, which is what the amendment would do, that he must go into such States, notwithstanding the fact that the municipal transit system workers might be deprived of collective bargaining rights.

Therefore, I believe the amendment should be rejected.

Mr. WILLIAMS of New Jersey. Mr. President, I yield back the remainder of my time.

Mr. TOWER. Mr. President, I yield myself 2 minutes.

It does not seem to me that every State having a right-to-work law necessarily creates an unfavorable climate. Texas is a right-to-work State, and Texas has one of the lowest unemployment rates in the country.

What this amendment is primarily addressed to is the fact that many States have laws relative to public employees. For example, in Texas a political subdivision is prohibited from recognizing a union as a bargaining agent. Public employees are prohibited from striking or picketing. These are the things we are concerned about in right-to-work laws.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). The question is on agreeing to the amendment of the Senator from Texas [Mr. TOWER]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Missouri (when his name was called). On this vote, I have a pair with the junior Senator from Virginia [Mr. ROBERTSON]. If the junior Senator from Virginia [Mr. ROBERTSON] were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was resumed and concluded.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Washington [Mr. MAGNUSON], the Senator from Maine [Mr. MUSKIE], and the Senator from Oregon [Mrs. NEUBERGER] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Tennessee would vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER] is absent on official business.

The result was announced—yeas 36, nays 52, as follows:

[No. 29 Leg.]

YEAS—36

Allott	Holland	Pearson
Bennett	Hruska	Prouty
Carlson	Johnston	Russell
Cotton	Jordon, Idaho	Saltonstall
Curtis	Lausche	Simpson
Dirksen	Long, La.	Sparkman
Dominick	McClellan	Stennis
Eastland	McIntyre	Talmadge
Ellender	Mechem	Thurmond
Goldwater	Miller	Tower
Hayden	Morton	Williams, Del.
Hill	Mundt	Young, N. Dak.

NAYS—52

Aiken	Engle	McNamara
Anderson	Ervin	Metcalf
Bartlett	Fong	Monroney
Bayh	Gore	Morse
Beall	Gruening	Nelson
Bible	Hart	Pastore
Boggs	Hartke	Pell
Brewster	Humphrey	Proxmire
Burdick	Inouye	Randolph
Byrd, W. Va.	Jackson	Ribicoff
Cannon	Javits	Scott
Case	Jordan, N.C.	Smith
Church	Keating	Symington
Clark	Kennedy	Williams, N.J.
Cooper	Kuchel	Yarborough
Dodd	Mansfield	Young, Ohio
Douglas	McCarthy	
Edmondson	McGovern	

NOT VOTING—12

Byrd, Va.	Long, Mo.	Muskie
Fulbright	Magnuson	Neuberger
Hickenlooper	McGee	Robertson
Kefauver	Moss	Smathers

So the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

UNANIMOUS-CONSENT AGREEMENT THAT TIME LIMITATION START AT THE CONVENING OF THE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time limitation previously agreed to start at the convening of the session tomorrow, and not at the conclusion of the morning hour or the regular business.

The PRESIDING OFFICER. Without objection it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That on Wednesday, April 3, 1963, upon the meeting of the Senate, a yea-and-nay vote be taken on the Tower amendment No. 12 to S. 6, the Urban Transportation Act of 1963, and that during the further consideration of the said bill, debate on any amendment (except the substitute amendment (No. 18) to be offered by the Senator from Ohio [Mr. LAUSCHE] which is to be limited to 1½ hours), motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal. (April 2, 1963.)

Mr. TOWER. Mr. President, I call up my amendment No. 12 and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On page 18, line 12, it is proposed after "rights" to insert "to the extent not inconsistent with State or local law".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

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

Mr. TOWER. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 10 minutes be allotted to the amendment, 5 minutes to be under the control of the Senator from Texas [Mr. TOWER] and 5 minutes to be under the control of the Senator from Alabama [Mr. SPARKMAN].

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

Mr. TOWER. Mr. President, by way of explanation, the amendment that I propose is one that was written into the bill in the subcommittee and was stricken out in the meeting of the full committee. The amendment would merely affect only one small provision of section 19, subsection (c). It would provide that the provision for the encouragement of the continuation of collective bargaining rights would be not inconsistent with State law. It would affect only one of the many things that are listed here—preservation of rights, privileges and benefits under collective bargaining agreements, and so forth. It would apply only to the encouragement of the continuation of collective bargaining rights. All I seek to do is to protect the laws of States which provide that political subdivisions may not recognize unions as bargaining agents.

Mr. WILLIAMS of New Jersey. Mr. President, the amendment really contains the same provision contained in the amendment just acted upon by the Senate.

Mr. TOWER. The amendment previously acted upon would have covered all of the so-called rights enumerated. The present amendment would cover only one. It would cover only the right pertaining to collective bargaining.

Mr. WILLIAMS of New Jersey. It seeks to accomplish the same objective?

Mr. TOWER. It seeks to accomplish the same objective.

Mr. WILLIAMS of New Jersey. Then the debate can be shorter; but it is the same debate.

Mr. TOWER. The amendment is addressed, however, to only one of the enumerated rights, whereas the other amendment was more comprehensive and addressed to all of them.

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

Mr. TOWER. I yield to the Senator from Florida.

Mr. HOLLAND. Do I correctly understand that the amendment would eliminate from the bill the present provision that a State, or a portion of a State, to obtain a grant of help under this particular bill, would have to waive the applicable provision of State law, even if it provided a right-to-work provision by constitution? Would it have to negate that as a condition to bringing itself under the provisions of the bill?

Mr. TOWER. The provision is as follows:

> The Administrator after consultation with and the concurrence of the Secretary of Labor, to protect the interests of employees affected by such assistance or financing will make "protective arrangements."

The language continues:

> Such protective arrangements shall include, without being limited to—

One of the enumerated protective arrangements is—

> the encouragement of the continuation of collective bargaining rights.

Such encouragement of the continuation of collective bargaining rights would have to be consistent with the State law, if my amendment should be agreed to.

Mr. HOLLAND. Would that not mean, unless the amendment is agreed to, that in a State which has a right-to-work provision under its constitution, the city which is seeking an advantage of Federal largesse under the bill would have to agree in advance that the provisions of the State constitution should be inoperative?

Mr. TOWER. It would have to make an exception to its own laws, if the Administrator decided this was a condition for giving aid.

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

Mr. WILLIAMS of New Jersey. Mr. President, I think I have the floor.

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

Mr. WILLIAMS of New Jersey. Mr. President, I wish to make a brief statement. My reasoning is the same as it was with respect to the previous amendment.

To provide specifically that the rights could not be inconsistent with State law would be to imply that without such language there is the possibility of the program being inconsistent with State law, which we know is not the fact. If the language is put in, it seems to me, while it might seem a small matter in respect to this bill, it would set a precedent for other legislation, which I think would be dangerous.

The provision is that there shall be encouragement of the continuation of collective bargaining rights. I do not see how encouragement could ever be inconsistent with any law—a local law, a State law, or a constitution. Encouragement relates to hope.

Mr. SPARKMAN. Mr. President, will the Senator yield to me?

Mr. WILLIAMS of New Jersey. I yield.

Mr. SPARKMAN. I invite the attention of the Senator from Florida.

I shall vote for this amendment because I think it is clarifying in nature, but I am not at all in agreement with the suggestion made by the Senator from Florida as to what the effect would be if the amendment were not added. All the way through our consideration of the bill our purpose was to draft provisions which were not inconsistent with State law. We repeated that statement over and over. We have repeated it on the floor this afternoon. It was not intended that the language was to supersede or override State law in any way whatsoever.

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

Mr. SPARKMAN. I shall vote for the amendment because I think it would make the language more clear. That was our intention all the way through. The testimony bears it out.

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

Mr. SPARKMAN. I yield.

Mr. HOLLAND. Do I correctly understand that the Senator thinks the inclusion of these words would carry out the intention of preserving and protecting State right-to-work laws?

Mr. SPARKMAN. I think it would.

Mr. HOLLAND. I shall vote as the Senator from Alabama indicates.

Mr. TOWER. Mr. President, I still cannot understand how one could definitely say that the provisions of the bill would not be inconsistent with State law, when the bill has not been enacted and tested in the courts.

I am willing to yield back the remainder of my time.

Mr. LAUSCHE. Mr. President, will the Senator yield to me?

Mr. TOWER. I yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to make a brief statement while many Senators are in the Chamber.

The provision allowing the Administrator to establish conditions in working relations as a prerequisite to the right to obtain a grant is a completely new philosophy in government. Up until now there has been the right to impose the Walsh-Healey Act and the Davis-Bacon Act. If and when the bill is passed, any local or State government which wishes a grant will have to bow to the conditions of labor-management relations imposed by the Congress.

I say to Senators, "You are joining the movement to drive collective bargaining into State governments."

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of New Jersey. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. TOWER] (putting the question).

Mr. GOLDWATER. Mr. President, I ask for the yeas and nays.

Mr. MANSFIELD. The Senator from Texas said he would not ask for the yeas and nays.

Mr. HOLLAND. Mr. President, I ask for a division.

Mr. GOLDWATER. Mr. President, the Senator from Texas is not asking for the yeas and nays. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. LAUSCHE. Mr. President, there was a commitment made that there would not be a yea-and-nay vote. I should like to vote "yea."

Mr. MANSFIELD. Mr. President, I should like to explain the situation. The Senator from Texas [Mr. TOWER] stated at the beginning that he would ask for the yeas and nays on the amendment. Then he indicated that he would ask for a voice vote.

The only reason why I have raised the question—and of course, any Senator can ask for a yea-and-nay vote—is that I believe both leaders informed Members on both sides of the aisle that it was their understanding that there would not be a yea-and-nay vote on the amendment, but only a voice vote.

That statement is made by way of explanation.

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

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. Could we have the vote tomorrow morning?

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Montana has the floor.

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

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Does the Senator have any objection to a request for a division?

Mr. MANSFIELD. Not at all. I have no objection to a request for a yea-and-nay vote. I am merely trying to explain the position of the leadership in this regard, for we have unintentionally created an impression that there would be no yea-and-nay vote, and we may have been wrong in so doing.

Mr. HOLLAND. Mr. President, I request a division.

Mr. DIRKSEN. Mr. President, I ask unanimous consent, if a yea-and-nay vote is ordered, that the vote be taken at 10 o'clock tomorrow morning, immediately after the morning hour.

Mr. MANSFIELD. There will be no morning hour.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. Mr. President, with that understanding I now ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOMINICK and Mr. ELLENDER addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I have an amendment which I should like to send to the desk, to be considered as an amendment to the bill after the vote is taken on the Tower amendment. I should like to have the yeas and nays taken tomorrow on this particular amendment, which does not deal with a labor problem, but deals with another situation.

Mr. MANSFIELD. Mr. President, a point of order. I do not think the Senator is in order in requesting a yea and nay vote on his amendment at this time, because the amendment is not the pending question. I assure the Senator that when his amendment becomes the pending question tomorrow we shall be delighted to assist him in having the yeas and nays ordered.

Mr. DOMINICK. I thank the Senator from Montana.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1035) to extend the provisions of section 3 of Public Law 87-346, relating to dual rate contracts.

EDUCATION FOR EMPLOYMENT

Mr. BOGGS. Mr. President, I introduced on Thursday, March 28, S. 1222, a bill to strengthen and improve vocational education in this country in the belief that this is a sensible, long-range method of alleviating the unemployment problem and at the same time easing the continuing shock to our economy caused by rapid technological changes.

I also offer it as an alternative to the youth employment bill (S. 1), which claims to answer in part the unemployment problem for youth, but which in fact only postpones facing this problem. And it is a costly postponement, in terms of wasted opportunity for young people as well as in dollars. We can afford to spend neither foolishly.

Statistics tell the story pretty well. The latest rate of unemployment for February is 6.1 percent, the first time the rate has topped 6 percent since December of 1961.

But even this figure is misleading if we consider the plight of the young adults who are unemployed. That rate is 2½ times the overall rate. In our present employment revolution the young and untrained citizens of our country are finding it increasingly difficult to find work.

The picture does not look any brighter as we look ahead. We have coming into the labor force between 1960 and 1970 some 26 million young people, many of whom will find no jobs available for them because they do not have the skills employers need.

That is the paradox in today's unemployment situation. At the same time that the President calls unemployment "our No. 1 economic problem," the "help wanted" columns of our newspapers are filled with offers of jobs. But employers have difficulty filling their needs. There simply are not enough trained people to go around.

The report of Secretary of Labor Wirtz last month on research and training activities under the Manpower Development and Training Act points up this situation.

In talking about the program under this act, the Secretary says:

> It is particularly concerned with the anomaly of persistent unemployment amid shortages of workers qualified to fill existing job openings.
>
> This failure to mesh available jobs with available jobseekers is the result of economic developments which have been operating for some time—

He continues:

> Among these developments are: the emergence of new industries and products and the decline of older ones; the impact of new technologies, notably automation; shifts in the location of industries; shifts in market demands; the effects of foreign competition; and the entry of vast numbers of youth into the labor force.

In a later published statement, the Secretary comments about the need "to work out a complete new kind of training program, one which is going to involve integration of the system of education with the new demands of the job market. That is going to involve a much heavier demand on our facilities for vocational education," he said.

Some steps have been taken to solve this gap between available jobs and qualified applicants. The Manpower Development and Training Act just mentioned, which I supported last year, is one step, and a good one. There are other avenues for supplying the skills necessary for persons to get jobs. I am impressed with the opportunity a young man has in signing up for a training program in the military service, for instance.

But the chief source of trained jobseekers must come from an expanded, broad program of vocational training, or, as I prefer to call it, education for employment. Consider again these young people of our Nation who are entering adulthood. Some have completed high school but have decided not to continue their education. Others have dropped out of school for one reason or another as soon as they reached the minimum legal age for leaving school. There are few places ready to accept these youth in our rapidly changing labor market. Unskilled labor is needed less and less as machines take over much of the drudgery of industry.

These young people I speak of are simply not prepared, by today's standards, to get and hold a well-paying job. And the problem will almost surely get worse. "Automation" is still a new word in our vocabulary, and its tremendous effects need the searching examination which could be gained through a White House conference, which would be called if a bill I introduced earlier in the session were passed.

There is before the Congress a bill, S. 1, which seeks to answer in part the unemployment question. Proponents of the youth employment bill say this CCC-type measure will not only give jobs to young men but will provide "useful work experience opportunities" to aid them in finding jobs when they leave the Youth Conservation Corps. A second feature of the bill would provide State and local area employment under vari-

ous levels of government. In effect, the young men would be doing jobs which do not now exist, and which, if they did exist, would not have attracted regular workers, anyway.

Frankly, if this were the early 1930's, I would vote for such a measure. But this is 30 years later and conditions are far different than they were then. At that time there was a desperation which caused men to welcome the chance for any employment at all. The Nation's economy was staggering.

Today we have a variety of economic cushions which help support a man and his family. We are also in the midst of a prosperous era.

Proponents of the bill cite its beneficial provisions as far as reducing juvenile delinquency and helping this country's needed conservation projects are concerned. As long as the measure is voluntary, however—and I do not see how it could be otherwise—there is going to be great difficulty attracting to it that segment of our young population which causes our delinquency problems. We should be getting some help in this area as a result of the Juvenile Delinquency Act passed by the Congress last year, and signed by the President last September 22. As for conservation, I would sooner support increased appropriations for existing agencies to carry out needed conservation work than to have gangs of inexperienced young men attempting the projects on a Youth Conservation Corps basis.

These two aspects of the bill—curbing delinquency and aiding conservation—are really side issues. The administration calls it a youth employment bill. Employment is the big problem. The chief trouble with the administration's proposal is that it simply postpones a long-range solution by putting thousands of young men on the Federal payroll. Regardless of what the bill's proponents say, I cannot understand how this outdoor work would give a young man the marketable skills he needs in today's job market.

Let me quickly say that I understand how the purpose of the bill can attract support. Who does not want something done to help these young people find jobs? But let us see that they have something to offer so they can both find jobs and keep them.

We come down, then, to a fairly simple proposition: Give these young men, and young women too, I must emphasize, the skills they need to fill the job opportunities. Give them a greater chance to learn to earn.

I realize this has the sound of an oversimplification. And it lacks the definite prospect of putting a specific number of people immediately to work, as would occur if the youth employment bill were passed and we were successful in recruiting young people for both the conservation and local employment job areas.

However, look at the alternatives. On the one hand, there is a new Federal sub-agency which, like most agencies, is bound to grow. There is a depression-type program operating at a time when this country is the model of successful free enterprise in the world. And there is at best a temporary solution to a grave and vexing problem which will only get worse if it is not faced squarely.

Simply, my bill provides for an expanded and improved vocational education system through cooperation with State vocational agencies on a matching fund basis. The purpose of the bill is plain: to help people get jobs by providing greater opportunities to learn saleable skills.

The amount of money provided—$150 million—is approximately $100 million more than is now being spent under existing Federal laws providing vocational education aid. I am in large part guided, in setting this figure, by the informed estimate of the National Vocational Education Association that this is as much as could be effectively utilized the first year.

At present the annual investment in vocational education in this country amounts to $250 million, with $117 million from local funds, $89 million from State funds, and $48 million from Federal funds.

Let me also mention this. My bill would not destroy any of the programs set up under the time-tested George-Barden Act of 1946. Instead, it updates vocational education legislation since that time and allows for expanded vocational education programs.

It is important at this point to emphasize that vocational education should not be thought of as applying only to highly skilled or technical trades. We need a wide range of skills taught in our schools—especially in the clerical, sales, and service fields which the Department of Labor's just-issued "Report on Manpower, Requirements, Resources, Utilization, and Training" shows to be growing rapidly. The summary report by the panel of consultants on vocational education, appointed at the President's request, also stresses the need for training in office and distributive education occupations. This report, issued last year, also calls for a broader vocational agriculture program.

We must see that persons in the "slow learner" category in our schools get at least a general preparation for employment. This is a group which I am afraid has often been overlooked.

One new type of vocational education facility is the area vocational-technical center which can serve a number of high schools. By concentrating tools and other training aids in one place and serving a large number of students, it is possible to provide the up-to-date instruction needed. We have an admirable example of this type of institution operating in Sussex County, Del., and I know a vocational-technical center can be a boon not only to the students themselves but to an area's economy.

While the provisions of this bill are intended principally to benefit the young people who are entering the work force, including school dropouts, it also allows for vocational training for older persons who are unemployed, in need of increasing their skills, or who have never worked but now find a need to do so.

A relatively small portion of the Nation's education budget is now spent on vocational education but at least the programs are sufficiently established to provide a firm basis for expanded training. Other ways of providing job training, effective as they might be in a limited way, do not have the broad base of a varied vocational education program administered by State vocational education departments which best know local conditions and employment opportunities.

I would like to point out that vocational education is not being proposed as a cure-all. Stimulation of our economy by one means or another will create additional jobs. But the point has to be emphasized that jobs alone are not the answer. We must have trained people to fill them and that is what I hope will be brought about through passage of the bill which I am introducing.

To further point up my contention of the need for training to fill the jobs, I would like to have inserted in the RECORD at this point a thoughtful editorial from the March 14 issue of the great newspaper, the Christian Science Monitor. It is entitled "Employment: The Challenge."

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

EMPLOYMENT: THE CHALLENGE

"The most pressing internal challenge before the Nation today," says President Kennedy, "is the achievement of full employment in the United States."

The analysis he and his advisers make is relatively familiar: Since 1957 the number of new jobs created annually has been only half as great as during the preceding decade—an increase of half a million jobs a year—not enough to employ the million new workers coming into the labor market each year.

Yet this is only one side of the picture. On the other are columns, even pages, of "help wanted" advertisements in local and metropolitan newspapers, lists of unfilled jobs at employment agencies, and employers who have given up trying to find certain skills.

This is not to say that large numbers of Americans are dodging work, though there probably are abuses of unemployment compensation to match the cases in which benefits ought to be lengthened. But many young Americans, whether through their own indolence or by public neglect, are not getting the vocational training needed to equip them with skills for today's jobs. And older workers lack the retraining that would make new companies want to take them on.

Lester Velie explored this situation in a trenchant article in the January Reader's Digest entitled, "Why Can't Johnny Get a Job?" He found thousands of well-paid jobs going begging but at the same time one out of every five boys between 16 and 19 looking for work without finding it. Why?

Mainly because Americans have permitted an appalling obsolescence in their trades and commercial high schools over the last 25 to 50 years. With emphasis on university degrees, "the job needs of the majority who will drop out or won't go beyond high school are largely neglected," says Mr. Velie. Only 4 percent of public school funds go for vocational training.

Vocational education has lacked status, equipment and manpower. For years, vocational instructors were left out of local teachers' associations. The ancient ovens in a baker's school or the battered gages in a metalworking shop would not train pupils for yesterday's jobs, let alone tomorrow's. And the pay offered to an instructor in plumbing or bricklaying was far below the going rate in the trade.

America will never meet its employment problem this way. Conservation corps and domestic peace corps might help a little. A cut in Federal income tax rates might help more broadly. And for a little while an easy money or lavish spending policy might help—though that way can lie "boom and bust."

But it would not take astronomical amounts of money to improve the country's vocational education establishment, certainly not as compared with Skybolts and moon shots. It would take some revision of the law passed in 1917 under which aid to vocational education still is distributed among American States with more emphasis on dressmaking and farmwork than on modern factory employment. It would take also a great deal of local attention to high school shop and commercial training.

But it might do more to solve unemployment than economic gimmicks.

Mr. BOGGS. Mr. President, I think that an expanded vocational education program is a practical, long-range way to attack the unemployment problem, especially as it affects the young people of our Nation. I hope that my colleagues will give this proposal their close attention and I ask unanimous consent to have the bill printed at this point in the RECORD.

There being no objection, the text of the bill (S. 1222) was ordered to be printed in the RECORD, as follows:

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Education for Employment Act of 1963".

DECLARATION OF PURPOSE

SEC. 2. It is the purpose of this Act to authorize Federal matching grants to States to assist them in expanding and improving their programs of vocational education. These expanded and improved programs are to help provide the skills necessary for persons to get jobs. The programs are for students in high school, persons who have completed or discontinued their formal education and are preparing to enter the labor market, and persons who are already in the labor market but want to upgrade their skills or learn new ones. The programs are to be related to actual or anticipated opportunities for useful and remunerative employment.

VOCATIONAL EDUCATION ACT AMENDMENTS OF 1963

SEC. 3. The Vocational Education Act of 1946, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), is amended to read as follows:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Vocational Education Act of 1963'.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 2. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, $150,000,000, and such sums as the Congress may determine for each of the next four fiscal years, for the purpose of making grants as provided in this Act.

"ALLOTMENTS TO STATES

"SEC. 3. (a) Ninety-five per centum of the sums appropriated pursuant to section 2 shall be allotted among the States on the basis of the number of persons in the various age groups needing vocational education and the per capita income in the respective States as follows: The Commissioner shall allot to each State for each fiscal year—

"(1) an amount which bears the same ratio to 50 per centum of the sums so appropriated for such year, as the product of the population aged five to nineteen, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

"(2) an amount which bears the same ratio to 20 per centum of the sums so appropriated for such year, as the product of the population aged twenty to twenty-four, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

"(3) an amount which bears the same ratio to 15 per centum of the sums so appropriated for such year, as the product of the population aged twenty-five to sixty-five, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

"(4) an amount which bears the same ratio to 10 per centum of the sums so appropriated for such year, as the sum of the amounts allotted to the State under subsections (1), (2), and (3) for such year bears to the sum of the amount allotted to all the States under subsections (1), (2), and (3) for such year.

The allotment to any State for any fiscal year computed pursuant to the foregoing provisions of this subsection which is less than the total amount apportioned to such State for the fiscal year ending June 30, 1963, under the Vocational Education Act of 1946, and supplementary vocational education Acts shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments so computed for each of the remaining States, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from thereby being reduced to less than the amount apportioned to such remaining State for the fiscal year ending June 30, 1963, under such Act or Acts.

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under section 5 shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under such subsection for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use under the approved plan of such State for such year and the total of such reductions shall be similarly realloted among the States not suffering such a reduction. Any amount reallotted to a State under this subsection during such year shall be deemed part of its allotment under subsection (a) for such year.

"(c) (1) The 'allotment ratio' for any State shall be 1.00 less the product of (A) .50 and (B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands), except that (i) the allotment ratio shall in no case be less than .25 or more than .75, (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be .75, and (iii) the allotment ratio of any State shall be .50 for any fiscal year if the Commissioner finds that the cost of education in such State exceeds the median of such costs in all the States by a factor of 2 or more as determined by him on the basis of an index of the average per pupil cost of constructing minimum school facilities in the States as determined for such fiscal year under section 15(6) of the Act of September 23, 1950, as amended (20 U.S.C. 645) (relating to Federal school construction assistance in federally affected areas), or, in the Commissioner's discretion, on the basis of such index and such other statistics and data as the Commissioner shall deem adequate and appropriate.

"(2) The allotment ratios shall be promulgated by the Commissioner for each fiscal year, between July 1 and September 30 of the preceding fiscal year, except that for the fiscal year ending June 30, 1964, such allotment ratios shall be promulgated as soon as possible after the enactment of the Vocational Education Act Amendment of 1963. Allotment ratios shall be computed on the basis of the average of the per capita incomes for a State and for all the States (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands) for the three most recent consecutive fiscal years for which satisfactory data is available from the Department of Commerce.

"(3) The term 'per capita income' for a State or for all the States (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands) for any fiscal year, means the total personal income for such State, and for all such States, respectively, in the calendar year ending in such fiscal year, divided by the population of such State, and of all such States, respectively, in such fiscal year.

"(4) The total population and the population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"USES OF FEDERAL FUNDS

"SEC. 4. (a) A State's allotment under section 3 may be used, in accordance with its approved State plan, for any or all of the following purposes:

"(1) Vocational education for persons attending high school;

"(2) Vocational education for persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market;

"(3) Vocational education for persons (other than persons who are receiving training allowances under the Manpower Development and Training Act of 1962 (Public Law 87–415)) who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment;

"(4) Vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program;

"(5) Construction of area vocational education school facilities;

"(6) Ancillary services and activities to assure quality in all vocational education programs, such as in-service teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and State administration and leadership.

"(b) Five per centum of the sums appropriated pursuant to section 2 for each fiscal year shall be used by the Commissioner to make grants to State boards designated under section 5(a)(1), or with the approval of such board in any State, to local education agencies, and to other public or nonprofit private agencies or institutions in such State, to pay part of the cost of experimental, developmental, or pilot programs developed by such boards, agencies, or institutions and designed to meet the special vocational education needs of youths, particularly youths

in economically depressed communities, who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education programs.

"STATE PLANS

"SEC. 5. (a) A State which desires to receive its allotments of Federal funds under this Act shall submit through its State board for vocational education, designated or created pursuant to section 5 of the Smith-Hughes Act (the Act approved February 23, 1917 (39 Stat. 929)), (hereinafter referred to as the 'State board') to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which—

"(1) designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies;

"(2) sets forth the policies and procedures to be followed by the State in allocating each such allotment among the various uses set forth in paragraphs (1), (2), (3), (4), (5), and (6) of section 4(a), and in allocating Federal funds to local educational agencies in the State, which policies and procedures insure that due consideration will be given to the relative vocational education needs of all groups in all communities in the State, and that Federal funds made available under this Act will be so used as to supplement, and, to the extent practical, increase the amounts of State or local funds that would in the absence of such Federal funds be made available for the uses set forth in section 4(a), and in no case supplant such State or local funds;

"(3) provides minimum qualifications for teachers, teacher-trainers, supervisors, directors and others having responsibilities under the State plan;

"(4) provides for consultation with, and utilization of, the public employment services, including use of counseling and guidance services and use of occupational information supplied by such services in determining whether there is a reasonable expectation of employment in the occupations for which persons are to be trained;

"(5) sets forth procedures for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this Act;

"(6) provides assurance that the requirements of section 7 will be complied with on all construction projects in the State assisted under this part;

"(7) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this Act, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall approve a State plan which fulfills the conditions specified in subsection (a), and shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State board.

"(c) Notwithstanding subsections (a) and (b), any State which desires to receive a portion of its allotments for the fiscal year ending June 30, 1964, or for the fiscal year ending June 30, 1965, or for each of such fiscal years, equal to the total amount apportioned to such State for the fiscal year ending June 30, 1963, under the Vocational Education Act of 1946 and supplementary vocational education Acts, may do so if the State board files with Commissioner, at such time or times as the Commissioner may by regulation prescribe, a request in writing that the State plan approved by the Commissioner under the Vocational Education Act of 1946 and supplementary vocational education Acts be deemed the State's approved plan for purposes of this Act. Such State plan shall be deemed to be the plan of the State approved under this section for the purpose of entitling the State to such portion of such allotments for such year or years unless and until (1) such request is withdrawn by the State, or (2) such State plan or the State's administration thereof is determined by the Commissioner not to conform with the requirements of the Vocational Education Act of 1946 and supplementary vocational education Acts, or (3) the Commissioner approves a State plan of the State pursuant to subsection (b) of this section.

"(d) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State board finds that—

"(1) the State plan has been so changed that it no longer complies with the provisions of subsection (b) or (c), or

"(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that no further payments will be made to the State under this Act (or, in his discretion, further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to such State under this Act (or shall limit payments to programs under or portions of the State plan not affected by such failure).

"(e) A State board administering a State plan approved under subsection (b) or (c) which is dissatisfied with a final action of the Commissioner under subsection (b), (c), or (d) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the Commissioner may modify or set aside his action. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

"PAYMENTS TO STATES

"SEC. 6. (a) Any amount paid to a State from its allotment under section 3 for the fiscal year ending June 30, 1964, shall be paid on condition that there shall be expended for such year, in accordance with the State plan approved under section 5, an amount in State or local funds, or both, which at least equals the amount expended for vocational education during the fiscal year ending June 30, 1963, under the State's plan approved under the Vocational Education Act of 1946 and supplementary vocational education Acts.

"(b) Subject to the limitations in section 4(b), the portion of a State's allotment for the fiscal year ending June 30, 1965, and for each succeeding year, allocated under the approved State plan for each of the purposes set forth in paragraphs (1), (2), (3), (4), and (6) of section 4(a) shall be available for paying one-half of the State's expenditures under such plan for such year for each such purpose.

"(c) The portion of a State's allotment for any fiscal year allocated under the approved State plan for the purpose set forth in paragraph (5) of section 4(a) shall be available for paying not to exceed one-half of the cost of construction of each area vocational education school facility project.

"(d) Payments of Federal funds allotted to a State under section 3 to States which have State plans approved under section 5 (as adjusted on account of overpayments or underpayments previously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditures by the States of the funds so allotted.

"LABOR STANDARDS

"SEC. 7. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and (b) shall receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87-581). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"DEFINITIONS

"SEC. 8. For the purposes of this Act—

"(1) The term 'vocational education' means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control or under contract with a State or local educational agency, and is conducted as part of a program designed to fit individuals for useful employment as skilled workers or technicians in recognized occupations (including the occupations vocational training for which was assisted by Federal funds under the Vocational Education Act of 1946 and supplementary vocational education Acts, but excluding such occupations as the Commissioner determines, and specifies in regulations, to be generally considered professional or as requiring a baccalaureate or higher degree). Such term includes vocational guidance in connection with such training, the in-service training of teachers, teacher-trainers, supervisors, and directors for such training, travel of students and vocational education personnel, and the acquisition and maintenance and repair of instructional supplies, teaching aids and equipment, but does not include the construction or initial equipment of buildings or the acquisition or rental of land.

"(2) The term 'area vocational education school' means a school (A) principally used for the provision of vocational education to high school students, or to persons who have completed or left high school and who are available for full-time or part-time study in

preparation for entering, or improving their situation in, the labor market, or to both such students and such persons, and (B) available to all residents of the State or of an area thereof designated and approved by the State board administering a State plan approved under section 5.

"(3) The term 'Commissioner' means the Commissioner of Education.

"(4) The term 'State' includes in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"(5) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State.

"(6) The term 'school facilities' means classrooms and related facilities (including initial equipment) and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

"(7) The term 'high school' does not include any grade beyond grade 12.

"(8) The term 'Vocational Education Act of 1946' means the Vocational Education Act of 1946, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg), in effect immediately prior to the enactment of the Education for Employment Act of 1963.

"(9) The term 'supplementary vocational education Acts' means section 1 of the Act of March 3, 1931 (20 U.S.C. 30) (relating to vocational education in Puerto Rico), the Act of March 18, 1950 (20 U.S.C. 31–33) (relating to vocational education in the Virgin Islands), section 9 of the Act of August 1, 1956 (20 U.S.C. 34) (relating to vocational education in Guam), all as in effect immediately prior to the enactment of the Vocational Education Act Amendments of 1963.

"FEDERAL CONTROL OF EDUCATION PROHIBITED

"SEC. 9. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system."

SEC. 5. Section 1 of the Act of March 3, 1931 (20 U.S.C. 30) (relating to vocational education in Puerto Rico), the Act of March 18, 1950 (20 U.S.C. 31–33) (relating to vocational education in the Virgin Islands), and section 9 of the Act of August 1, 1956 (20 U.S.C. 34) (relating to vocational education in Guam), are hereby repealed.

URBAN MASS TRANSPORTATION ACT OF 1963

The Senate resumed the consideration of the bill (S. 6) to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

Mr. ELLENDER. Mr. President, I have studied S. 6, the urban mass transportation bill, reported by the Senate Committee on Banking and Currency. I have also reviewed the amendments to be offered as a substitute for S. 6, reported by the Committee on Commerce. I find myself in total disagreement with the bill, as well as the proposed substitute.

I am opposed to this legislation on several grounds, most of which have been discussed and pointed out by the minority views of the members from both committees that considered the problem. I have found the criticisms, particularly those of my distinguished colleagues, Senator ROBERTSON, of Virginia, and Senator PROXMIRE, of Wisconsin, cogent and to the point. I am in full agreement with their thinking. In addition to the points they have raised in opposition to this bill, I would like to go one step further.

There is one main objection which should be raised to this legislation, but so far I have not seen it voiced by any of the dissenting members of the two committees which had this bill under their consideration. I shall get to that point further in this discussion.

First, let us consider some of the many objections that have been raised. High on this list is the excessive cost that is attached to this proposal. I note that S. 6 calls for an expenditure of between $500 and $650 million over the next 3 years. This is quite a large sum. It becomes particularly large when we consider the precarious budgetary condition in which our country finds itself today.

Over the last 25 years, the floodwaters of debt have slowly risen up to the chin of the American taxpayer. They are much like the fabled Tantalus of Greek mythology. It will be recalled that poor Tantalus was floating in a pool of water while just out of his reach was a limb by which he might pull himself up to dry land and safety if he could reach it. Each time he reached, however, the water would recede and make his effort in vain. Tantalus would try and try to pull himself from the water, but each time he failed.

Our Government has tried and tried to pull itself from the floodwaters of debt, but each time it has failed. Each year the promise of a balanced budget has hung just out of our reach. Each year, the promise that the debt will be reduced has been held before us, but like Tantalus, we never seem to gain it.

I do not believe that the floodwaters of debt will recede from the chin of the American taxpayer in the foreseeable future, but I, for one, intend to do everything possible to put these floodwaters back in the channels of fiscal responsibility. We have all heard much talk of budget cutting, yet when we come down to individual items, the talk seems to dissipate into thin air. Oh, yes, I know it well—how well I know it. I have spoken out continually and conscientiously for an intelligent and adequate program of economy. Yet, when support is needed and I knock on the door, nobody is at home.

Today, we are being asked to authorize $650 million of transportation aid to the large cities of our Nation. We are faced with this proposal even though the Federal Government is currently saddled with a $300 billion debt and even though we are scheduled to increase that debt during the current fiscal year by $10 billion. I do not believe the cities we are being asked to give assistance are in any such financial condition, at least I hope they are not, for if so, it does indeed bode ill for the Nation.

The $500 million expenditure envisioned in this bill is but a drop in the bucket of what this program, if adopted, will ultimately cost. I note this statement on page 6 of the majority statement of the Committee on Banking and Currency:

> Total capital requirements for mass transportation in the next decade were estimated at $9.8 billion by the Institute of Public Administration in its 1961 report to the Secretary of Commerce and the Housing Administrator. The estimates were rough approximations, but they were based on intensive study of published information and on-the-spot investigations in 26 urban regions. The $9.8 billion estimate was made up of the following: $2.8 billion for already planned new systems; $1.7 billion for extensions of existing systems; $4.3 billion for rehabilitation and replacement; and $1 billion for new projects being considered for initiation in the next decade. For all these purposes, the costs of rights-of-way and structures were estimated at $6.4 billion and rolling stock at $3.4 billion.
>
> Although the maximum theoretical Federal contribution of the total estimated $9.8 billion need could be $6.3 billion over a 10-year period, this assumes that Federal assistance will be sought for every single project, that every single application will meet the tests of soundness, feasibility, and consistency with the planning requirements of the bill. It also assumes that no part of the total cost can be privately financed with revenue bonds supported by the fare box.

I note that the majority of the committee assumes that the expense to the Federal Government will not be anywhere near the $6.3 billion figure quoted above. I find this assumption extremely faulty. According to the report, it is stated that Federal assistance will not be sought by every city seeking a solution to its transportation difficulties. Experience has proved, I believe, that those cities which will not seek such assistance if this bill becomes law and if this assistance becomes available, will be very few indeed. As an illustration of this, I might point out an example quoted on page 6 in the majority report. The report says:

> The Delaware Port Authority is constructing a high-speed rapid transit line between Philadelphia and Camden to cost about $55 million. Approximately $25 million will be met from the fare box, leaving a gap or net project cost of about $30 million, which the authority is prepared to provide from its own reserve funds.

I would like to repeat those last four words—"its own reserve funds."

In other words, Mr. President, the Delaware Port Authority, a local body, has moved to meet the transportation requirements of the Philadelphia-Camden complex, a local area. The local need is being met by the local people and this is the way it should be. I do not believe that the Delaware Port Authority would have acted to solve this problem on its own in using its own funds if Federal money were available.

That represents my second main objection to this bill. In addition to it being extremely costly to the Federal Government, with every expectation that the cost will double, triple, and quadruple in the forthcoming years, the bill puts the

long hand of the Federal Government into one more local area where it does not belong. Urban transportation is a local problem, which is open to local solution. There is no need for a gigantic Federal program to step in with its financing and, naturally enough, with its control. I think the evidence clearly indicates that where there are urban transportation problems and where those problems are great enough, the local community will stir itself to find solutions. I turn again to the majority report to find justification for this view.

On page 9 of the report, the majority cites a situation prevailing in Pensacola, Fla. The transit company there is operating with 22 buses, mostly old. It has been suffering from a drop in patronage over the last 5 years and last year lost about $8,000. I now quote two paragraphs from that portion of the report:

> Company officials estimate that if the city of Pensacola were to purchase 18 new air-conditioned buses costing about $160,000 and lease them to the company with repayment over the life of the equipment, this would produce a savings of $10,000 in maintenance and $35,000 in depreciation savings from nonownership of the equipment thus eliminating their present deficit.
>
> Based on their knowledge of the reversal of ridership in San Antonio when air-conditioned buses were installed, these officials believe they would also be able to halt the decline in their ridership which, if accomplished, would enable them to stay in business indefinitely without further assistance.

I now ask why the city of Pensacola, Fla., could not issue revenue bonds, set aside part of its tax revenue, give tax reductions or exemptions to this local transit company, in order to raise the funds which apparently are needed for the transportation system. The majority says that "any Federal assistance rendered in this situation would be of significant help." Naturally it would be of help. Anywhere we make cheap money available with a minimum of justification, we can be of significant help.

A second example which the majority cites as showing where this bill is needed is analyzed by Senator ROBERTSON in his dissenting view. I refer to the example of the Boston & Maine Railroad, which the committee says is "showing results which are attracting nationwide attention." The Senator from Virginia analyzes this example on page 39 as follows:

> An indication of the probable cost is shown by the experiment with the Boston & Maine Railroad. This road was given a subsidy of over $2 million a year for passenger service in return for which it agreed to run more trains and charge lower fares. The number of former highway users who are now using that train service is too inconsequential to affect traffic congestion, and yet that subsidy is costing taxpayers about $1 a day for each passenger being carried under the subsidy program.

I submit that any subsidy which is costing taxpayers about $1 a day for each subsidized passenger should attract nationwide attention.

My good friend from Virginia [Mr. ROBERTSON], goes on to point out that many, many people in the cities would prefer to live in the country; at the same time the money to be made in the city is usually much greater than that to be made in the country. As a result, every individual must weigh in the balance whether he or she prefers city or country life. Some choose to live in the country and work in the city and these people make up the tides of humanity which flow and ebb over our city streets in the morning and evening. In effect, they are trying to have their cake and eat it too. Many of them have learned to their consternation that this cake is not so sweet and tempting as the frosting of country life and city wages make it appear. As a result, they are now calling upon Uncle Sugar to supply the sweetening in the form of cash.

Thus far, my criticism of this proposed legislation has been based, first, on the cost, which is almost certain to grow substantially greater over the next few years. We have seen that the $500 million expenditure represents a very small part of the $10 billion estimated need. I have not gone into the subject of backdoor financing which is contained in S. 6. That provision alone would be more than sufficient to warrant my opposition to this measure.

Secondly, I am opposed to the bill on the grounds that it is a further invasion of local rights and local responsibility on the part of the all-powerful Federal Government. My friend the Senator from Wisconsin [Mr. PROXMIRE] goes into this aspect in detail in his dissenting view. He points out that several cities have attacked this problem on their own with gratifying results. He notes that during the hearings on this measure there was "no showing that our great cities are so lacking in financial resources that they are incapable of solving their own problems." He also says:

> It is possible that some cities may find that they desire mass transportation systems that cannot be financed by charging those who will use the system. In this case, as in Boston, San Francisco, and other cities, they may decide on a locally financed subsidy. But if this is inadequate, why should the Federal Government be called upon to pick up the bill for whatever economically unfeasible system of transportation local authorities may decide on?

He continues further to point out that there is built into this legislation incentives that will work in favor of elaborate, expensive investments that cannot be justified on the basis of what users can afford or will pay. He makes plain that—

> The most serious shortcoming of this program is that it will surely tend to discourage the hard, tough job of streamlining transportation operation to meet the necessities of population, location, income, work schedules. The political pressure for uneconomic schedules, and unjustifiably low fares is sure to increase with "Uncle Sugar" picking up the tab for two-thirds of additional investment costs.

But, Mr. President, though these criticisms are all extremely valid, they do not touch upon one of the most serious aspects or objections that I find in this bill. In my view, the most dangerous feature of this legislation is that it will put the Government into a large scale program of subsidizing transportation. It will set a precedent that can easily be extended; it will extend from the cities to the suburbs and grow until it reaches all across the country. With the Government subsidy will come Government control, and with Government control will come Government ownership. I have no doubt that many of the central planners in our Government cheerfully envision this prospect. They are looking for the day when a little group of men sitting behind mahogany desks here in Washington can control, by managerial edict, every facet of the transportation system which stretches across this great continent. To bring this plan into being, a start must be made somewhere, and I believe that the cities were chosen to form a first battleground.

Mr. President, I am opposed to the proposed legislation on the above grounds and because, in my opinion, it represents the first battleground in the fight for Federal control of our transportation system.

AUTHORIZATION FOR COMMITTEE ON AGRICULTURE AND FORESTRY TO MEET DURING SENATE SESSION ON WEDNESDAY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry may be permitted to meet during the session of the Senate tomorrow.

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

ORDER OF BUSINESS AT 10 A.M. WEDNESDAY

Mr. HUMPHREY. Mr. President, I desire to have it clearly understood that at 10 o'clock tomorrow morning the Senate will vote. Not only will the Senate convene at 10 o'clock, but it will also be voting at 10 o'clock. The officers of the Senate will notify Senators between the hours of 9 and 10 o'clock that a vote will take place at 10 o'clock, so that all Senators can be present and accounted for.

A PROGRESS REPORT ON PROTECTION OF THE PUBLIC HEALTH AND HELPING TO ASSURE SAFE, EFFICACIOUS DRUGS—FDA STILL HAS A LONG WAY TO GO TOWARD SCIENTIFIC AND ADMINISTRATIVE EXCELLENCE

Mr. HUMPHREY. Mr. President, yesterday I stated that I would report to the Senate on the protection of public health and the efforts which are being made in Congress, particularly in the Subcommittee on Reorganization, to improve the administrative action and structure of the Food and Drug Administration.

I note today that the Food and Drug Administration has made considerable progress in meeting the standards and goals we have outlined. For this I wish to commend them.

From time to time, I have reported to the Senate on the Senate Reorganization Subcommittee's study of "Interagency Coordination in Drug Research

and Regulation." I shall do so once again today. I feel that the Senate and the Nation are entitled to a current account of what is being done in their behalf.

The views which I shall express are my own, based on evidence compiled by the subcommittee. On technical issues, the best medical judgment has been sought, since, as laymen, we do not attempt to render technical judgment.

It will be recalled that, on March 20 and 21, 1963, our subcommittee resumed its hearings. The subcommittee heard seven witnesses. The first—Dr. John Nestor—testified concerning his personal experiences as a medical officer in the New Drug Division, Food and Drug Administration. Six other witnesses followed.

ISSUES WITHIN FDA

I shall speak today almost exclusively as regards the issues raised by Dr. Nestor. His comments involved serious allegations about inadequacies inside the Food and Drug Administration. The agency and the Nation are, therefore, entitled to a further report.

THE SIX OTHER ISSUES DISCUSSED

I shall have more to say in the future about the comments of the other six witnesses.

But, briefly, let me list the six topics which they individually discussed:

First. Reorganization of the Food and Drug Administration and strengthening of policies of the Bureau of Medicine—Dr. Charles May.

Second. Avoidance of excessive use of psychotropic drugs by noninstitutional patients, and recognition of the extravagance and unsoundness of certain claims—Dr. Fritz Freyhan.

Third. Avoidance of overuse of antibiotics—Dr. Hobart Reiman.

Fourth. Improvement of clinical testing of drugs—Dr. Walter Modell.

Fifth. Improvement in standards of drugs for infants under 2—Dr. Norman Kretchmer.

Sixth. Reestablishment of a physician-to-physician, 24-hour-a-day, long-distance telephone communication service like the former mediphone—Dr. Cortez Enloe.

Each of these witnesses was selected with care. Each is a physician, recognized by his peers. None has less than a decade-and-a-half of medical experience. Each has repeatedly presented his views before the medical community, in significant articles, papers and statements. Each merited the further attention of the Senate and the forum of public opinion. Each commented on issues involving medical communication; that is, on improved exchange of information on safe, efficacious drugs, or on the side effects of drugs—or on a certain number of unsafe, ineffective, or useless drugs.

TESTIMONY SUBSTANTIATED ON THREE DIFFERENT BASES

Now, as regards Dr. Nestor, let me state the following.

Thirteen days have elapsed since his comments on March 20. During this time, the subcommittee has received additional strong evidence of the soundness of his presentation. This evidence has consisted of three types of support:

(a) Actions taken by the Food and Drug Administration itself, and by companies which produce certain drugs criticized by Dr. Nestor.

(b) The inability of the agency in its initial rebuttal to challenge successfully a single major point which he made.

(c) Additional information compiled by the subcommittee from other sources, from letters, telephones calls, visits and the medical literature.

ACTIONS TAKEN ON THREE DRUGS, AS URGED BY DR. NESTOR

First, as regards subsequent actions, let these facts be noted. Three of the drugs mentioned on March 20 by Dr. Nestor were: Menadione—vitamin K_3; Coldaid; PRN. In the last 10 days, action has occurred on all three, in a manner which had been urged by Dr. Nestor. Thus:

(a) In the March 28 Federal Register, pages 3051–3052, the Food and Drug Administration, after a 60-day waiting period, rescinded the right to include vitamin K_3 in prenatal supplements. FDA stated:

> The petition did not establish the safety of Menadione for this use.

(b) The day after Dr. Nestor's testimony, Coldaid, an antihistamine, which had never been cleared as a new-drug application, was withdrawn by the company. A week and a half before his testimony, Dr. Nestor had written to the company, notifying it to file for a new-drug application.

(c) The day after his testimony, the company which had produced PRN, an antihistamine which has also been used as a form of tranquilizer, voluntarily withdrew its new-drug application.

These were no small actions; each was highly significant in its own way.

Two of the actions, Menadione and PRN, had been long in the making; each action had, unfortunately, been needlessly delayed; each action—when it came—represented an advance in the protection of the public health.

The record shows and the record will further show—that Dr. Nestor's testimony was right on each of the three types of issues involved in these three drugs.

THE KEY ISSUE OF WHEN DOES FDA ACT

Of the three, the FDA action on vitamin K_3 was, of course, the most important.

In this action, as in virtually all actions involving the public health, the key question for the Senate to consider is: "Was the right decision taken by the Food and Drug Administration at the right time?"

Please note that to make the right decision, but tardily, is to risk the public health.

ACTION AT "TURTLELIKE" PACE

FDA ultimately did make the right decision. But it proceeded at a turtlelike pace.

Let it be carefully noted that FDA does have to satisfy detailed requirements of law. FDA does have to accord producers and owners of a drug their prerogatives under due process of law; that is unquestioned. But, within this statutory and administrative framework, FDA's supreme obligation is to the public health; FDA could have acted and should have acted with greater speed.

The food additive law—Public Law 85–929—has been on the statute books since September 6, 1958. That was 4½ years ago. To be sure, it does take a considerable time to begin implementation of a new law; 4½ years, nonetheless, is a long time.

The Menadione issue, itself, has been actively pending for well over a year.

What does a year really mean? For one thing, it means that 4¼ million American babies were born during that time period. It means that an uncounted number of pregnant women—nobody knows how many—might have taken vitamin K_3 on a prescription or over-the-counter basis. Dr. Nestor testified Menadione is present in 50 to 70 products.

Time is obviously of the essence in protecting the public health, particularly the health of pregnant women.

Exactly where and how time was needlessly lost can be spelled out only after exhaustive analysis of the file which is within FDA's own possession. But, our review of the chronology has already confirmed a needless loss in time, at several key junctures.

REPEATED WARNINGS IN MEDICAL LITERATURE

The regrettable timelag speaks particularly eloquently against this background—within a year of the enactment of the food additive law, the literature of medical science began to contain warning after warning against use of vitamin K_3 by pregnant women, particularly in high dosages.

The warnings were not merely in obscure journals; they were in the leading journals of the land, such as Pediatrics.

As in the case of most such medical comments, many of the authors invariably urged "more study" of vitamin K's hazards; the dangers were not regarded as absolutely conclusive. But, for that matter, scientists, with their usual reserve, may urge more study even when evidence mounts very sizably. For example, even after thousands of European babies were born deformed and apparently from thalidomide, there were still some scientists who sought definitive proof.

That was their prerogative.

But a regulatory agency cannot wait indefinitely for more study.

BURDEN OF PROOF WAS ON MANUFACTURER

For here is the crucial fact: The burden of proof was not on FDA to prove vitamin K_3 was unsafe. The burden of proof rested exactly to the contrary—that is, on the manufacturers to prove it was safe.

How could they prove it was safe if article after article contended it was potentially or actually harmful?

And, how could so much resistance within FDA be justified when the only pediatrician in the agency stated emphatically—over a year ago—that the medical literature contained adequate warning of hazard?

SENATOR HILL'S COMMENTS IN 1958

In the legislative history of the enactment of the law, we find the report by the Senate Committee on Labor and Public Welfare, as presented by its distinguished chairman, Senator HILL, on August 18, 1958. In reporting the amended version of H.R. 13254, 85th Congress, Senator HILL stated on page 6:

Safety requires proof of a reasonable certainty that no harm will result from the proposed use of an additive.

He added:

The safety of a given additive involves informed judgments based on educated estimates by scientists and experts of the anticipated ingestion of an additive by man and animals under likely patterns of use.

A WARNING IN 1959

But, if we look at the "educated estimates" of scientists, we see that their estimates ran precisely in the direction against use of Menadione, particularly at high dosages.

In Pediatrics, 23: 553, 1959, I repeat, 1959, J. F. Lucey and R. G. Dolan wrote:

The assumption has been made that this is a harmless prenatal vitamin. It is being widely and needlessly used. This certainly does not seem wise.

That was 3 years—or, one might say, three times 4¼ million baby births—ago.

NINDB REPORT 4 MONTHS AGO

Here, however, is another crucial point. In December 1962 the National Neurological Institute prepared for the House Committee on Appropriations an 84-page report, describing the perinatal collaborative research project. The report is formally titled, "Report on a Collaborative Project for the Study of Cerebral Palsy. Mental Retardation, and Other Neurological and Sensory Disorders of Childhood." This is what the report states on page 26:

In the last few years, it has become a practice to add Menadione to prenatal supplements, in dosages of 1–3 mg. daily. This dosage exceeds several fold that considered to be safe for the newborn, and since it is taken daily for many months by pregnant women, the question arises as to whether the Menadione taken by the mother is a factor in the hyperbilirubinemia or jaundice of her offspring.

The report goes on to say:

The approach to the resolution of this question requires an adequately controlled clinical study.

On March 27, 1963, Dr. Richard L. Masland, Director of the National Institute for Neurological Diseases and Blindness wrote, in response to my request:

In one of our collaborating institutions, a controlled study of the effect of Vitamin K in pregnancy already is underway. We consider this type of investigation to be one of the important potential areas of contribution of the collaborative project.

He was referring, of course, to the perinatal collaborative research project, the greatest in the world, I may add.

I am delighted this additional study is underway. But, the Federal regulatory process should not have to wait for study after study, particularly when the studies should have been made in the first place before the temporary petition was submitted by the manufacturers and allowed by FDA.

The question is: in the future, will FDA resolve reasonable doubts in favor of the public, including unborn babies?

The President of the United States has launched the greatest program in history to protect unborn babies. And I want FDA to become a real, operating part of that program.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as appendix A, certain additional comments from the medical literature as regards Menadione.

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

APPENDIX A

[Reprinted from Pediatrics, vol. 28, No. 3 September 1961]

VITAMIN K COMPOUNDS AND THE WATER-SOLUBLE ANALOGS—USE IN THERAPY AND PROPHYLAXIS IN PEDIATRICS

The present report concerns the nature and functions of natural vitamin K compounds and of some synthetic naphthoquinone derivatives, referred to as vitamin K analogs. The report emphasizes the use of these compounds in pediatrics, especially for prevention and treatment of hemorrhagic disease of the newborn. The demonstration that water-soluble analogs of vitamin K may be toxic for the newborn infant makes it imperative that these substances be used judiciously.

However, it seems impossible as yet to specify a maternal dose that will be both effective and safe for the newborn infant. It is not yet possible to specify a dose and route of administration of vitamin K for the woman in labor that will provide effective and safe prophylaxis for the infant.

RECOMMENDATIONS AND CONCLUSIONS

For reasons mentioned, it is recommended that vitamin K prophylaxis be administered to the infant after birth rather than prenatally through administration to the mother.

[From Pediatrics, June 1962]

HYPERBILIRUBINEMIA OF THE NEWBORN AND PRENATAL ADMINISTRATION OF VITAMINS

To the EDITOR:

It is now admitted that hyperbilirubinemia suffices to produce kernicterus in the neonate. Therefore, the prophylaxis of kernicterus parallels that of hyperbilirubinemia. Any factor thought to favor or induce hyperbilirubinemia commands full investigation. Among the different pharmacologic agents responsible for the production of hyperbilirubinemia, the administration of large doses of vitamin K or its precursors to the newborn has been incriminated in many instances.

Recently, I have come across two cases in which the ingestion by the mother of a multivitamin preparation containing 0.5 milligrams of vitamin K daily up to the morning of delivery was followed by the development of hyperbilirubinemia high enough in one case to necessitate two exchange transfusions.

RAYMOND G. D'ADESKY, M.D.

MARQUETTE, MICH.

(Editorial comment: Implicit in Dr. d'Adesky's letter is the common problem of identifying and assessing any single cause of neonatal hyperbilirubinemia. Perhaps the greatest difficulty is to ascertain in a given infant that any one of several factors, especially the iatrogenic, is not responsible. The problem is aggravated by nagging doubts as to whether all potential factors are yet identified.)

[From American Journal of Obstetrics and Gynecology, Mar. 15, 1963]

ARTICLE BY MIRIAM G. WILSON, M.D., ON "THE EFFECT OF MATERNAL MEDICATIONS UPON THE FETUS AND THE NEWBORN INFANT"

(By Miriam G. Wilson, M.D., Department of Pediatrics, University of California, Los Angeles, Calif.)

Until recently, fetal effects of maternal medications have been studied primarily in relationship to congenital anomalies. Although teratogenic or potentially teratogenic effects continue to be of interest, increasing attention is being given to other fetal alterations showing administration of medication to the mother. Stimulating such study has been the relatively recent evidence that the placenta is not an effective barrier between the maternal and the fetal circulations. Substances found in the mother's blood, including proteins of large molecular size and red blood cells, may be transferred to the fetus. Whether or not placental transfer is of clinical significance for the infant needs to be determined for many different medications.

Another reason why maternal medications are being more carefully evaluated is that as fetal and neonatal physiological processes have become better understood, neonatal drug metabolism is found to be quite complex. The relationship of kernicterus and hyperbilirubinemia has encouraged investigation of the metabolism of many substances in addition to bilirubin. These studies have yielded information about the participating enzyme systems and individual variation in drug detoxification and excretion among infants of different ages. Drug metabolism may be a greater problem in the newborn infant because of drug competition for enzyme systems that are also very likely immature and inefficient. Further complicating the problem of neonatal drug metabolism, many new medications used in the management of pregnant women have become available, particularly tranquilizers, antihypertensives, diuretics, synthetic narcotics, and antibacterial agents. The effect of these substances on the fetus is not well known. Many drugs, harmless for the pregnant woman, may have unforeseen and undesirable effects on the fetus. In addition to the medications used for obstetrical conditions, a large number of drugs have contributed to the improved medical management of seriously or chronically ill pregnant women. More of these women, consequently, are now able to be delivered of viable infants, with medical complications, in some instances, attributed to maternal drug therapy. The important social problem of narcotic addiction, which does not spare the young pregnant woman, has also contributed to perinatal morbidity and mortality.

Some of the reasons for the increasing attention to fetal effects of maternal medication have been reviewed. Since the placenta is known to be an ineffective barrier between the maternal and fetal circulations, any drug dangerous to the infant may be considered potentially dangerous to the fetus when given to the mother. Certain specific medications known or suspected to show fetal or neonatal effects will be discussed.

SYNTHETIC VITAMIN K, NAPHTHALENE, AND OTHER DRUGS CAUSING HEMOLYSIS

Certain drugs are associated with increased jaundice and hyperbilirubinemia in the newborn infant, thus exposing him to an increased risk of kernicterus. Synthetic analogs of vitamin K, which contain the radical naphthoquinone, have resulted in neonatal hyperbilirubinemia when administered in large amounts. Menaphthone dipotassium bisulfate, a synthetic vitamin K preparation used in England, has not resulted in hyperbilirubinemia in premature

infants, when given in total doses of 60 milligrams during the first 48 hours of life. The danger of synthetic vitamin K, when given to the mother before delivery, was not appreciated until Lucey and Dolan noticed in their hospital morbidity review an unusually high incidence of exchange transfusions in premature infants. Further review of the cases disclosed that certain mothers, just before delivery, had received menadione sodium bisulfite in high parenteral doses in the range of 70 milligrams. A disproportionately high number of their newborn infants had serum bilirubin levels above 20 milligrams percent, followed by exchange transfusions in almost all instances.

Hyperbilirubinemia following the administration of synthetic vitamin K is probably due primarily to increased red blood cell hemolysis. The manner in which hemolysis is produced in newborn infants is very similar to that seen in individuals whose red blood cells are genetically susceptible to hemolysis by fava beans and certain drugs. Hemolytic anemia in such susceptible individuals may follow exposure to naphthalene, which is similar in chemical structure to synthetic vitamin K, and to drugs such as primaquine, nitrofurantoin, phenylhydrazine sulfonamides, and other aniline derivatives. The extreme sensitivity of certain newborn infants to naphthalene is evident from some of the dramatic cases reported. For example, hemolytic anemia occurred in the newborn infant of a mother who ate mothballs during pregnancy to satisfy an inordinate craving for flavor. Another newborn infant had acute hemolytic anemia following the use of diapers that had been stored in mothballs.

The red blood cells of individuals susceptible to hemolysis from exposure to chemical agents appear to be genetically abnormal in that they are deficient in certain enzymes, such as glucose-6-phosphate dehydrogenase, which in turn maintains glutathione contained within the red blood cell in a reduced state. Reduced glutathione, in turn, protects the cellular hemoglobin from toxic effects by various drugs. Zinkham and Childs have observed that neonatal red blood cells incubated with vitamin K analogs show decreased glutathione and subsequent hemolysis. Neonatal hyperbilirubinemia from synthetic vitamin K, as well as from the enhanced sensitivity of the genetically predisposed individual, may be due to a glutathione instability of the red blood cells.

The dangerous ill effects observed when synthetic vitamin K preparations are given to newborn infants probably depend on cumulative effects. In one study, hyperbilirubinemia was not observed when as large an amount as 25 milligrams of vitamin K_1 was given intravenously the first day, but when the same total amount was given orally in five divided doses at 3-hour intervals, hyperbilirubinemia was found. Studies have not shown the hemoglobin to be decreased proportionately with the degree of hyperbilirubinemia. It has been suggested that the usual laboratory measurement of hemoglobin will not be affected unless the bilirubinemia is marked.

Some evidence suggests, in addition, that vitamin K analogs are hepatotoxic, especially in "sensitive" indviduals, including premature infants as well as patients with hepatitis. Hepatic damage has been observed in dogs given menadione sodium bisulfite in large doses (15 to 40 milligrams per kilogram per day for 15 days). Following synthetic vitamin K administration, serum bilirubin values have increased in patients with early hepatitis. As a further complication, vitamin K analogs may be partially excreted as glucuronides and, therefore, compete with bilirubin for the glucuronyl transferase hepatic enzyme system. Synthetic vitamin K substances, therefore, may produce hyperbilirubinemia in the newborn infant in at least two and possibly three ways.

[From Pediatric Herald, vol. No. 9, November 1962]

DRUG TOXICITY IN NEONATE IS KEY TO SUSPICION OF FETAL RISK

CHICAGO.—Drug toxicity in the neonatal period often provides a good index of suspicion of fetal risk, physicians were told here during a discussion of placental transfer of noxious agents.

Addressing the annual session of the American Academy of Pediatrics, Dr. Sidney Q. Cohlan, associate professor of pediatrics at New York University School of Medicine, said a painful awareness has recently developed that the fetus and newborn infant may respond very differently, sometimes with calamitous results, to the rapidly proliferating therapeutic agents.

EFFECT OF DRUGS

In a review of drugs that may induce morbidity in the fetus, he said fetal toxicity, by and large, parallels the known side effects in the newborn and mother. After discussing thalidomide, he made these comments on other specific agents:

Vitamin K's disputed role in the prevention of hemorrhagic disease of the newborn makes its routine prenatal administration open to question. "Certainly where the advent of prematurity is a possibility, prenatal use of vitamin K is a potential hazard."

OTHER DRUGS: COLDAID AND PRN

Mr. HUMPHREY. Mr. President, let us turn briefly to the other two drugs I mentioned at the outset.

With regard to Coldaid, the Food and Drug Administration had this to say in its public statement of March 21, 1963.

Coldaid: This is an antihistamine preparation for the common cold. It was not regarded as a new drug in the reduced dosage in which it is being distributed until quite recently.

The firm has been advised that it may not be distributed without a new drug application for the symptoms of the common cold.

It was Dr. Nestor who so "advised" the firm, as of March 8, 1963.

The company had, in effect, marketed Coldaid at one dosage—without a new drug application; it had then come in with a new drug application so as to market it at a higher dosage. Under the circumstances, Dr. Nestor did not see how the original, uncleared, drug dosage could be allowed on the market while review was being made of a brand new application at a higher dosage.

The company has now withdrawn Coldaid, albeit "under vigorous protest."

I shall have more to say in the future about this matter of: (a) appearance of drugs on the market which do not receive the clearance of new drug applications.

(b) the inadequate procedure within FDA to prevent such marketing in the first place or to take prompt remedial action, once it is noted.

The issue of what is or is not a "new drug" is often exceedingly difficult and complex. A private decision may and often is made in perfect good faith that a drug is not a new drug; that, however, is not the paramount issue. The issue is: the establishment of a sound Federal system which will minimize possible hazard to the public.

I turn now to PRN—the trade name for Phenyltoloxamine. Of this product, FDA stated on March 21:

Dr. Nestor asserts that one drug, PRN, was allowed on the market without the necessary chronic toxicity studies. Animal studies with the drug on dogs were regarded as adequate by our Division of Pharmacology and Bureau of Medicine. As an extra precaution, long-term rat studies were requested. This drug has not been distributed since 1961. It was discontinued because it was not profitable. No evidence that we have seen calls into question the original judgment on the drug.

Here are the real facts, as information reaches me:

(a) The original new drug application for PRN was made effective in 1957 with the understanding and condition that the company perform certain long-term chronic toxicity studies in rats and report the results to FDA.

The firm never sent these studies in until Dr. Nestor demanded them, some months ago. When the studies were received, the data raised considerable doubt as to whether the long-term toxicity testing established safety.

(b) Whether a drug is profitable or is being "pushed" by a company at any given time is hardly the question which should be of determinative interest to FDA. What should be of interest was that the company's new drug application was still effective. That was the crucial fact; it was so crucial that: (a) the company owning PRN authorized another company to use its files so as to remarket the drug; and (b) Dr. Nestor has strong doubts over some 25 new drug applications which also contain the same chemical ingredient, but at lower dosages. All of these new drug applications are now effective; the prescription and nonprescription drugs are now on the market. The whole files of these related new drug applications must now be reviewed, in the light of doubt over PRN.

SAFETY OF SERIES OF DRUGS MAY COLLAPSE LIKE "HOUSE OF CARDS"

I emphasize this last point. FDA approval of one drug may and does often serve as the foundation for approval of a whole series of drugs. If the safety of the first drug comes under a "medical cloud," so to speak, the other drugs' "evidence of safety" may also come under the same cloud.

I do not attempt to judge whether this or any other drug is safe or unsafe. I have merely described the doubts in the minds of medical and pharmacological officers. The fact that proof of safety does not exist does not, of course, mean that proof of harm exists.

But it can happen and has happened that a group of drugs, once thought "safe," collapses like a "house of cards," when the "foundation drug," so to speak, on which all others were based, is recognized as unsafe.

Unfortunately, I may add, the Food and Drug Administration does not have a satisfactory cross-indexing system as regards the thousands of drugs and chemical entities, reflected in new drug applications.

FDA's admittedly awesome burden becomes even more burdensome because it

has not equipped itself with the modern means, electronic data processing equipment, to handle its staggering load.

SUBCOMMITTEE'S FUTURE PROCEDURE

I shall not at this time attempt to detail a number of other serious aspects on individual drugs.

I shall merely say that the subcommittee will continue to proceed in an orderly fashion to get the facts and in fairness to all concerned.

I am inviting FDA's written reactions in as much detail as it wishes to express—to the criticisms made in the March 20, and for that matter in the March 21 hearings.

These written reactions will be studied in the light of facts to be gained from direct study of FDA files by the subcommittee's own staff.

I am content to let the facts—or lack of facts—in FDA's full files speak for themselves, adding only such evaluation as is necessary to provide a summarized but rounded picture. This subcommittee has always "done its homework." We prepare carefully. I have stated nothing in my public or private comments which is not backed up by solid medical documentation.

The subcommittee now confronts so many "leads" that it cannot reschedule public hearings until after the additional facts have been traced on which to base the soundest possible hearings.

It had been my hope to hold additional hearings on April 11. That is not feasible if full justice is to be done to the enormous amount of factual material involved. The subcommittee has, it should be noted, many other important obligations.

On this particular subject, we will want to hear from the American Medical Association and possibly other witnesses, either before or after official Health, Education, and Welfare Department testimony. A date for resumption of the hearings will be announced at the earliest practicable opportunity.

I may say, in addition, that we have a very considerable residue of material which we would have taken up at the March 20–21 hearings, had time permitted. We have covered only a fraction of the material already in our files—material of the type which commands the attention of the Congress and of the Nation.

VIEWS ARE PRO-FDA AND PRODRUG THERAPY

These views are presented with the goal of serving the health of the American people.

The views are based on deep convictions which are prohealth, pro-FDA, and prodrug therapy. But my convictions require frankness; we dare not ignore persistent conditions which are harmful to the best interests of health, of FDA, and the cause of pharmaceutical science.

The only purpose in identifying these conditions is to effect improvements. My goal is to help build a stronger, sounder FDA, a stronger sounder program of drug research, drug testing, drug evaluation, drug communication.

My goal is a Federal medical community—of 10 or so health agencies—which work together instead of living in separate worlds, as they have to so considerable an extent heretofore.

SUMMARY

How may we summarize the situation at this point?

First. The Food and Drug Administration still has a long way to go toward scientific and administrative excellence within the Bureau of Medicine and between that and other bureaus.

Second. There are twin dangers ahead but at opposite poles. At one extreme is the danger, feared by the pharmaceutical industry and, indeed, by many outstanding medical researchers—the fear that a Federal bureaucracy will grip the over 2,000 clinical investigations underway and that drug progress may be stifled; there is the fear that excessive caution, a tendency to panic, may doom otherwise worthwhile drugs whose value outweighs their risk.

The opposite danger, feared by the strongest supporters of the drug amendments of 1962, is that the letter and spirit of the new regulations may become dead letters, because of what they fear will be a continued, permissive attitude on the part of the Food and Drug Administration.

Either a dead hand of bureaucracy or a dead law would be intolerable, so far as I am concerned.

I cannot reiterate too strongly that we need to maintain a sense of perspective, a sense of balance, on drugs.

Fortunately, within the Food and Drug Administration there are some signs that neither of the above extremes will take place. I welcome such signs.

Third. The Food and Drug Administration will not make satisfactory progress toward excellence until it realistically recognizes its shortcomings of the past.

We must be assured that the blunders of the past are not repeated in the future. When I say "blunders," I refer to the tragic, inept handling of drugs such as Marsalid, MER/29, Altafur, and so forth, which took an awful toll in human suffering. The subcommittee is now publishing the chronologies of the Food and Drug Administration of actions on these drugs.

NEW YORK POST EDITORIAL COMMENDS SENATE DRUG HEARINGS

Mr. President, I believe that my colleagues will be interested in an editorial which appeared in the Monday, March 25, 1963, issue of the New York Post. The editorial commended the Senate Government Operations Subcommittee hearings. It concluded with the sound suggestion to the Nation "This is no time to take a sleeping pill."

I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

HUMPHREY'S DRUG HEARING

The Senate could not have a more knowledgeable man heading an investigation of drug marketing safeguards than HUBERT HUMPHREY, of Minnesota. A pharmacist himself before he turned to politics, HUMPHREY is in a uniquely informed position to evaluate the testimony being presented before his subcommittee.

In one of the developments, the FDA is challenging the testimony of its medical officer, Dr. John O. Nestor, who said it has overruled expert medical opinion and permitted the sale of potentially dangerous drugs.

HUMPHREY says he is unimpressed by the denials. The FDA will have a chance to defend itself at a public hearing in the near future when Commissioner Larrick and his associates will be subjected to cross-examination.

The Kefauver-Harris drug-reform bill, enacted by Congress last year, is a good measure, but its effectiveness depends on the way it is administered by the FDA. Without an infusion of new blood, Senators KEFAUVER and DOUGLAS warned at the time, it was doubtful the FDA would apply the new regulations forcefully.

The main purpose of the HUMPHREY hearings is to revitalize the FDA by replacing tired old bureaucrats with scientist-administrators. It will only be achieved if the public pays attention.

This is no time to take a sleeping pill.

SUBCOMMITTEE'S FAIRNESS TO DRUG COMPANIES

Mr. HUMPHREY. Mr. President, I should like to make one additional point. It will be noted that in all of my prepared statements, I have identified drugs only by the name of the drug itself, and not by the name of the company.

Whenever one of these drug names is mentioned, however, I suppose that it is inevitable that the press will call to identify which company produces the particular drug. When we have been asked that question, we have suggested the names of standard medical publications where the information can be found, or have suggested that inquirers contact the Pharmaceutical Manufacturers Association, the American Pharmaceutical Association, or other authoritative sources, or, if a press service urgently needed the information, we have provided the data directly.

In the hearings on March 20 and 21, it was, likewise, almost inevitable that the names of individual drug companies came out in the back-and-forth discussion.

Throughout this entire effort, however, we have endeavored to be absolutely fair. If any company has any reason to question the facts or policy assertions or conclusions expressed in the course of the subcommittee's work, I want to invite that company to file a statement with the subcommittee. We will then consider how to handle the matter in the fairest way possible. If it turns out that the subcommittee's record should be amended or supplemented in any way, shape, or form, we will be glad to do so.

I do not want the hearings or the testimony taken there to do any injustice. I want it clearly understood that if, perchance, any witness makes a statement which later does not turn out to be creditable or which cannot be verified, I want the record at that point amended so that the pharmaceutical manufacturer or the company which manufactured the drug will be given every opportunity in the record, as early as possible, to refute erroneous testimony. It is not the desire of the subcommittee chairman or of the subcommittee to do any injury whatsoever to any legitimate

manufacturer or to any doctor or to any scientist or, indeed, to the Food and Drug Administration. We would like every company to recognize that our continued interest is in advancing the cause of pharmaceutical science.

Time and again I have been pleased to state that the American pharmaceutical industry is second to none in the world in its high standards; it is second to none, in comparison with foreign drug industries, in its contributions to research; it is second to none in its philanthropic efforts; it is second to none in the public services it has rendered.

At this point I note that the ship SS *Hope* has been supplied with literally hundreds of thousands of dollars worth of drugs, free of charge, from the American pharmaceutical manufacturers themselves, a fine organization representing some of the best companies in America. Dr. Austin Smith, who represents the pharmaceutical manufacturers, is considered to be one of the outstanding men in his profession. He is a very competent scientist, and is a man of the highest integrity.

The pharmaceutical industry faces problems which I have publicly identified and will continue to identify. The industry is entitled to fair play and respect, as is every American citizen or company; and that is precisely what we have been pleased to accord it, and will continue to accord it.

I may say that I would be particularly interested in reasonable treatment to the smaller drug enterprises which, in this highly competitive industry, inevitably face particularly difficult problems.

The subcommittee's focus, in any event, is on Federal activities. We are the Committee on Government Operations, and our stress is on what our U.S. agencies do or do not do, have done or have not done.

I repeat that I am going to pursue this inquiry without fear or favor, because we are dealing with a subject which affects the life, the well-being, the happiness, and the health of every American citizen; and I think it is the sworn duty of a Member of Congress to pursue his responsibilities and obligations with fairness, but with fearlessness; with prudence, to be sure; but also with a sense of public dedication. I shall attempt to live up to this standard.

Mr. HART. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. HART. There is no doubt in the mind of any of us, Mr. President, that that is precisely the course which the hearings under the leadership of the Senator from Minnesota will follow; and that is consistent with his course for many years in the Congress.

Mr. HUMPHREY. I thank the Senator from Michigan.

Mr. President, I continue with my statement:

Fourth. The Food and Drug Administration needs frankness from its friends; but it also needs their support for adequate resources. The Food and Drug Administration must have more manpower, better salaries for manpower, better space, better equipment.

It would be cruel and unfair to ignore the enormous handicaps under which the Food and Drug Administration has labored. In many respects, the Bureaus of the Food and Drug Administration have done a remarkable job, considering the limitations imposed upon them. But, in other respects—including those I have enumerated—the Food and Drug Administration has made its own problems, or has failed to deal with its own problems.

Fifth. The Food and Drug Administration must have a topnotch Director of the Bureau of Medicine, and soon. A vacancy in so crucial a position for a period of as long as 1 year is indefensible. The Bureau has inevitably drifted like a ship without a rudder. The Commissioner had sought to fill the vacancy; but apparently the matter has been out of his hands.

Sixth. The Food and Drug Administration will never be able to do its job adequately until it is able to call on, and does call on, the resources of the U.S. Government and of the professional community. It has yet to do so. Other agencies have given it little attention. The U.S. Public Health Service and the Food and Drug Administration have acted like an indifferent married couple; they know they should "stay married," but they prefer to observe the union with gestures, instead of with real meaning.

As to private medical science, the Food and Drug Administration is beginning now, fortunately, to call on more private consultants, but still on a relatively spasmodic, ad hoc basis.

Seventh, The future of the Food and Drug Administration depends on this agency's personnel—their caliber, their morale, their leadership. It is they who will determine whether the agency will achieve true excellence.

The day must come when the existing nucleus of the Food and Drug Administration, of outstanding scientists, of dedicated inspectors, and of other personnel will modernize their own agency.

The day must come when the personnel of the Food and Drug Administration enjoy a reputation second to none in the esteem of the American people. This Nation is already deeply in the debt of Food and Drug Administration for many faithful services. The problem now is to extend this record into the other areas where even the agency's strongest partisan should be willing to concede the need for improvement.

A NEW HONOR TO COMMISSIONER LARRICK

Next month, at its annual meeting, in Bal Harbour, Fla., the American Pharmaceutical Association will bestow honorary membership upon Commissioner George Larrick.

Last year, it was my pleasure to receive the same honor, along with Sir Hugh Linstead, president of the International Pharmaceutical Federation.

I congratulate Commissioner Larrick upon this latest in a series of honors during his long career.

The Federal issues which I have raised and which I will continue to raise are issues of fact and policy. They are not, and never have been, issues of personalities.

The pharmacists, the M.D.'s, the Ph. D.'s, and other professionals who have written to me enthusiastically from all parts of the Nation have demonstrated their awareness of my desire to advance in a fair and objective manner the best interest of the healing arts.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD: (a) An additional statement which I have prepared in regard to a goal I have long fought for—a national drug information clearinghouse. I include an excellent Washington Post editorial on this subject. (b) One of innumerable letters received from overseas—this one from Prof. Dr. W. Kroll, of the Federal Chamber of German Physicians, responding to my inquiry as regards collection of information on adverse reactions. (c) Finally, an article published in the distinguished periodical, the Reporter, of March 28, 1963. The article was written by one of the most knowledgeable journalists in the land on this subject—Mr. Morton Mintz. It was Mr. Mintz' story on Dr. Frances Kelsey and thalidomide, as published in the Washington Post, which triggered an incredibly beneficial chain reaction for protection of the public health. Mr. Mintz has subsequently and deservedly received the Heywood Broun and George Polk Awards for his reportorial feats.

There being no objection, the statement, the letter, and the article were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY—AN IMPORTANT MILESTONE IN PROTECTING THE PUBLIC HEALTH: PROPOSAL FOR A CENTRALIZED DRUG-DATA INFORMATION SYSTEM

On Thursday, March 21, the Senate Government Operations Subcommittee on Reorganization and International Organizations heard important testimony on, among other topics, the critical need for a centralized system of drug information.

Coincidentally, that very morning, I received an advance copy of a welcome statement which was to be delivered that day before the National Federation of Science Abstracting and Indexing Services.

The statement was prepared by F. Ellis Kelsey, Ph. D., Special Assistant for Science Information to the Surgeon General of the U.S. Public Health Service. Dr. Ellis Kelsey is the husband of Dr. Frances Kelsey, the medical officer of the Food and Drug Administration who has been honored for her success in preventing the commercial introduction of thalidomide into the United States.

In his statement, Dr. Ellis Kelsey proposed the establishment of a National Drug Information Clearinghouse.

The full text of Dr. Kelsey's excellent speech will be printed within the subcommittee hearing record, volume III.

CONGRATULATIONS TO ELLIS KELSEY

I should like to congratulate Ellis Kelsey for his vision and enterprise.

It will be recalled that it was he who had arranged, on behalf of the Surgeon General, Dr. Terry, the successful Conference on Health Communications, held at Airlie, Va., in November 1962.

I had personally urged the calling of such a conference in a public statement [1] 6 months earlier on May 14, 1962.

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[1] Release, Senate, May 4, 1962, "An Action Program for Strengthening Medical Information and Communication."

OPPORTUNITY CONFRONTING SURGEON GENERAL

It is gratifying to note that Surgeon General Terry is moving ahead expeditiously in this field of better communication.

The Surgeon General confronts many other problems and challenges. We, of the Congress and of the Nation, expect a great deal of him.

But, I believe that if he and his staff continue to spearhead this particular drive, we will all have great reason to be proud of the results which will accrue to medical and pharmaceutical science.

PROBLEMS OF A CLEARINGHOUSE

Bringing Dr. Kelsey's proposal into reality will require men, money, material, and time.

A "clearinghouse" implies cooperative arrangements between a wide variety of sources, both as to input and output. These sources would have to include, for example, the Food and Drug Administration, the National Institutes of Health, the National Library of Medicine, the Veterans' Administration and other agencies, as well as a wide variety of nongovernmental sources—the American Medical Association, specialty medical organizations, pharmaceutical companies (to the extent they feel it feasible, without endangering their proprietary rights) the American Pharmaceutical Association, and others.

The time to proceed on this effort is now. Too much time has already needlessly elapsed. Much of that time was lost, speaking very frankly, because the leading Federal agencies were, for so long, relatively indifferent to the problem.

The medical research agencies contended this was "not a research function"; the medical care agencies contended it was "not a service function"; most agencies looked to private efforts; private sources looked to supplemental Government efforts.

Month after month, year after year, I personally reiterated to all of them—in statements in committee, on the Senate floor, in the press and before public assemblies—the absolute importance of affirmative action.

What does the record show?

Who actually did what and when?

Who did not do what and when?

Let us see a few of the principal actions, step by step, over the past 2 years.

A 2-YEAR CHRONOLOGY 1961–63

June 20, 1961, I testify before the Senate Appropriations Committee on the need for centralized abstracting-indexing on all drugs.[2]

I point out that only the National Heart Institute is centrally abstract indexing its drug literature. I point out further the duplication and waste which occur when, entirely independently, other institutes or other sources later scan the very same journals for information on similar or other drugs.

March 20, 1962, I write to the Secretary of Health, Education, and Welfare, pointing out that there is still no comprehensive, departmentwide information system.[3]

August 1962, at hearings of the Senate Reorganization Subcommittee the Director of the National Institutes of Health concedes that only three of the then seven categorical institutes have a substantial drug information program. NIH reveals no plans as regards the other four institutes, nor plans for an overall interinstitute system, such as I had urged.

August 15, 1962, Senate Reorganization Subcommittee gathers information on the operation of Mediphone, Inc. For 4 months this service had provided 24-hour-a-day, physician-to-physician information on any of 9,000 drugs—on contraindications, toxicity, side effects, etc.[4]

September 21, 1962, the Director of the National Institutes of Health announces at our hearings the beginning of a more comprehensive drug information program.[5]

November 5–8, 1962, Surgeon General's Conference on Health Communication takes place, but fails to recommend a "drug information management system," such as was mentioned in a preconference working document.[6] The conference does urge "cooperation of all groups, governmental and nongovernmental, concerned with drug information" to establish a "worldwide drug information system."[7]

January 10, 1963, a panel on information of the President's Science Advisory Committee issues a comprehensive report.[8] It suggests that each NIH institute "consider establishing what would amount to a very elaborate specialized information center with services available to the entire biomedical community." This would include drug and nondrug areas and is precisely what I have been recommending for 2 years.

January 23, 1963, a specialized panel of the President's Science Advisory Committee comments on the great potentialities of computers in the life sciences. It states that "new information technologies would appear ideally suited to prompt recording, analyzing and reporting of any untoward effects" from drugs.[9]

March 16, 1963, Senate Reorganization Subcommittee releases[10] report, "The Nature and Magnitude of Drug Literature." The report, prepared by the National Library of Medicine at the subcommittee's request, estimates that 200,000 original papers in the pharmaceutical literature are prepared annually and describes other problems of elusive drug information.

March 20, 21, 1963, witnesses testify at Reorganization Subcommittee hearings on imperative necessity for improvement in drug information and evaluation resources.[11] The former head of Mediphone estimates that—for $200,000—he could provide its type of service on a contract basis to Federal agencies and the Nation's scientific community. He reports, however, virtually no previous interest in Mediphone on the part of any agency but the Veterans' Administration.

A LARGER SYSTEM OF SYSTEMS

This is where we now stand. Obviously, we still have a long way to go. But, let's not lose any more time. Let representatives of the principal drug information sources—the generators, packagers and users—work out together a common program.

And, let them plan it, as Dr. Kelsey rightly urged, as a part of a much larger, i.e. drug and nondrug health clearinghouse system.

To that I may add, let the clearinghouse for health sciences be recognized as an integral part of an overall system for all the sciences—the physical, social, mathematic, engineering and life sciences.

This is no idle dream. The fact is that parts of an "all-science" system already exist and are already functioning, but on relatively uncoordinated, disuniform basis. I refer to:

The very modern NASA system.

The system of the Atomic Energy Commission.

The system of the Armed Services Technical Information Agency.

The Science Information Exchange, etc.

The present patchwork should be transformed into a rational "system of systems," such as this subcommittee—its members and staff—have long proposed.

GREAT POTENTIAL ON USEFUL DRUGS

I predict that there will be a drug information clearinghouse and that it will be a great boon to medicine and to pharmaceutical science.

It should be pointed out, too, that in much of the advance thinking about a clearinghouse, its value has been mentioned as a means of calling attention to adverse drug reactions. The fact of the matter is, however, that the clearinghouse could serve for just the opposite objective also. It could and would call prompt attention to the beneficial effects of the vast number of efficacious and safe drugs.

And, it would provide varied information for the widest variety of audiences—for basic and applied researchers, administrators, drug companies, practitioners, pharmacists, other members of the healing arts, etc.

The clearinghouse could help further raise the high and well-justified confidence of the American people in the healing arts, including pharmaceutical science.

The type of dedication which Ellis Kelsey has evidenced should be paralleled by dedication on the part of all sources whose cooperation will be so vitally necessary. Exactly where the clearinghouse or system of clearinghouses will be established, under whose auspices, whose financing, whose "language" system, etc.—are important but hardly insoluble problems. Let us get on with the task.

[From The Washington (D.C.) Post, Mar. 28, 1963]

AID TO HEALTH

The creation of a national drug information clearinghouse is a necessity if the public is to be given ample protection in this age of rapid development of new medicines. Many agencies are now assembling information about new and old drugs, but often one does not know what the others are doing. It is said that the National Library of Medicine collects drug information from 2,200 medical journals, but 1,800 other medical journals are not screened for this purpose. The mountains of information available in many different places will be of only limited service until it can be brought together in one place and systematically classified.

Perhaps the greatest use of the proposed clearinghouse will be made by the Food and Drug Administration. With its extended authority to pass on the efficacy as well as the safety of drugs, the Food and Drug Administration would doubtless have to create a drug information center of its own if one were not otherwise available. In addition the center should be of enormous value to the National Institutes of Health, the American Medical Association, the American Pharmaceutical Association, the drug-manufacturing companies and innumerable health agencies.

The net effect should be to hasten the detection of any harmful effects of drugs still in the experimental stage. On the other hand, the center could serve to speed

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[2] Reprinted in Senate Committee on Government Operations, Subcommittee on Reorganization and International Organizations, hearings on "Inter-Agency Coordination in Drug Research and Regulation," pt. 1, p. 140.

[3] Ibid., pp. 141–143.

[4] "Inter-Agency Coordination in Drug Research and Regulation," pt. 2, pp. 591–604.

[5] Senate Committee on Government Operations, Subcommittee on Reorganization and International Organizations, "Inter-Agency Coordination of Information," pt. I, pp. 115 ff.

[6] U.S. Department of Health, Education, and Welfare, "Surgeon General's Conference on Health Communications," February 1963, p. 24.

[7] Ibid, p. 13.

[8] President's Science Advisory Committee, "Science, Government, and Information," The White House, p. 49.

[9] President's Science Advisory Committee, Life Sciences Panel, "Some New Technologies and Their Promise for the Life Sciences," The White House, p. 5.

[10] Release, House, Mar. 5, 1963.

[11] "Interagency Coordination of Drug Research and Regulation," pt. 3 (to be printed).

the dissemination of information about new, safe and highly efficacious drugs. The large potential of the proposed clearinghouse has been fully explored in the hearings conducted by Senator HUMPHREY. No one appears to be in opposition. It remains for Congress to provide the funds, admittedly a sizable sum, to make this essential aid to health a reality.

ARZNEIMITTELKOMMISSION DER
DEUTSCHEN ÄRZ TESCHAFT,
Göttingen, March 26, 1963.

Mr. HUBERT H. HUMPHREY,
Chairman, U.S. Senate International Health Study, Senate Office Building, Washington, D.C.

DEAR MR. HUMPHREY. The president of the Bundesärztekammer, Dr. Fromm, has sent us your letter of February 13 concerning the system of collecting informations on adverse effects of drugs and a warning service of the Federal Chamber of Physicians.

I have the honor to inform you, that the first steps to this system had already been done before the thalidomide tragedy had happened. It was after the spring meeting of the German Society of Internal Medicine in April 1961, that the drug committee of the Federal Chamber of Physicians published a proclamation asking all doctors to send any observation on adverse drug effects to the office of the drug committee. The publication of the proclamation has been repeated several times and is now going to be changed to a continuous publication in the journal "Ärztliche Mitteilungen" of the Federal Chamber of Physicians. At the same time we are now preparing a very simple form to be filled in by the doctors to make it as easy as possible for them to give the informations.

Since 1961 several warnings have been given to the doctors on serious side effects of drugs and in other cases we have urgently asked the manufacturers to give more detailed information on the side effects of certain drugs.

The activity of the drug committee in collecting information of side effects is now considerably intensified. Some time ago we have also contacted Dr. Norman DeNosaquo, secretary of the Section on Adverse Reactions of the Council on Drugs, Chicago, for exchange of informations. An exchange of informations is also being prepared with the members of the European Economic Community and will work as soon as in these countries a system of collecting informations and warning has been established.

Sincerely yours,

Prof. Dr. DR. W. KOLL.

[From the Reporter, Mar. 28, 1963]

NEW DRUGS: IS GOVERNMENT SUPERVISION ADEQUATE?

(By Morton Mintz)

"The more we have examined the handling of the new drugs by the Food and Drug Administration," HUBERT H. HUMPHREY told the Senate last October, "the more we have been surprised, shocked and disappointed. Often, testing has been going on in a manner which should have sent shivers down the spine of the medical profession—drugs intended for use by victims of chronic disease—day after day, year after year—were released by FDA even before—I repeat—before—chronic toxicity tests had been completed on animals * * * shocking reports of injuries and deaths to test patients, as received by drug companies, have often gone unreported to FDA, or have been downgraded by skillfully contrived half-truths, or have been reported accurately to FDA, but virtually ignored. Drugs have been approved which FDA now admits should never have been approved. Drugs have been kept on the market long after FDA admits they should have been eliminated * * *."

Senator HUMPHREY made these disclosures on October 3, 1962, just as the Kefauver-Harris drug-reform bill was being enacted into law. Many of its provisions, such as the requirement that experimental drugs be properly tested on animals before being tested on human beings, go a long way toward correcting the drug abuses that have been making headlines since Senator KEFAUVER began his investigation of the drug industry 3 years ago. Under the new law, the Secretary of Health, Education, and Welfare (HEW) can order a drug off the market instantly if there is evidence that it is an imminent hazard to the public health; drug companies must list the side effects of their products in their advertising; and a new drug must be proved effective as well as safe before it can be marketed. Furthermore, physicians must obtain the consent of patients before giving them experimental drugs, unless this is deemed not feasible or not in the patient's interest.

The FDA, moreover, has been given greater powers for factory inspection and quality control. In addition, tighter regulations for human testing proposed last summer by Anthony J. Celebrezze, the new Secretary of HEW, went into effect this February. These require that the FDA must be notified of all clinical (human) trials of new drugs, and that the FDA must be kept fully informed of what happens during testing. The clinical testing must be properly planned and executed by qualified investigators, and again must be based on adequate animal studies.

But the effectiveness of the new law and of the regulations depends greatly on the organization that exists to administer them. Senator HUMPHREY, the only licensed pharmacist in Congress, is beginning hearings on the FDA this month, but the Senate majority whip has already gathered enough evidence in the preliminary investigation by his Government Reorganization Subcommittee to cast grave doubts on the agency's use of the power it already had, let alone its ability to exercise more. And Senator EVERETT M. DIRKSEN, far from being encouraged found in the belated issuance of the new HEW regulations "an unparalleled example of bureaucratic inertia." The fact is that the FDA could have issued them at any time since 1938.

That year marked the passage of the first significant drug-safety legislation since the FDA was established 56 years ago. It resulted from the disastrous carelessness of a manufacturer who the year before had marketed sulfanilamide in liquid form, using an automobile antifreeze as the solvent. More than a hundred people died. The 1938 law prohibited the sale of any new drug unless the FDA allowed an application for it to become effective. The FDA's decision was to be based on its evaluation of the animal and clinical testing reported by the manufacturer in his application. It was ruled that human testing was to be under the direction of an expert "qualified by scientific training and experience to investigate the safety of drugs." The FDA, however, has never set standards for an "expert," on the debatable ground that to do so would interfere in the practice of medicine. Even if this premise could not be challenged, the fact is that clinical testing is sometimes performed by research scientists who are not physicians. The new HEW regulations, moreover, set higher standards for the initial clinical tests than for those which follow, and their adoption by the FDA would seem to imply that the FDA agrees that it had some rights to set standards without interfering in the practice of medicine. Though FDA Commissioner George P. Larrick has complained that he could not find a consensus on the definition of an "expert," he has never asked professional or industry groups to help him obtain agreement and arrive at workable definitions. Nor did the FDA regulate or require reports on drug testing on humans.

The FDA was concerned only with the testing done on drugs for which marketing applications were filed. Currently, the agency receives an average of 375 new-drug applications a year, but manufacturers have been testing four to five times as many without reporting them. In 1959 alone, manufacturers tested 1,900 new drugs on humans. Since the Second World War the drug industry has expanded tremendously, and 90 percent of today's prescriptions are for drugs that were unavailable 20 years ago. Meanwhile, qualified investigators are in increasingly short supply, and some manufacturers have decided that the mere possession of an M.D. or Ph. D. degree in basic medical science is sufficient for clinical testing. "Nobody knows," HUMPHREY told the Senate, "how many thousands of drugs have been tested, have caused harm, have been shelved, and never reported, never discussed * * * the most dangerous part of the iceberg has lain below the surface."

OF MICE AND MEN

Though the new regulations finally require that the FDA be informed hereafter on all clinical testing while it is in progress, its past performance in evaluating the relatively few medical-research reports it did get has not been reassuring. Even less reassuring has been its anesthetized response to various cries of alarm.

"We firmly deny," Commissioner Larrick told Senator KEFAUVER's subcommittee in June 1960, "that new drug applications have been allowed to become effective on the basis of inadequate laboratory and clinical investigation work." The 61-year-old Commissioner has been with the FDA for 40 years. In 1955, a year after he became head of the agency, a citizens advisory committee had found cause to urge the FDA to develop better methods for evaluating new drugs. In June 1960, Dr. Barbara Moulton, a former FDA medical officer, testified before the Kefauver subcommittee that the situation was "extremely dangerous," in October of the same year she presented extensive evidence to document her charge, and in September a special committee of the National Academy of Sciences National Research Council called for remedial action "with the least possible delay."

In July 1961, Dr. Louis Lasagna of Johns Hopkins University gave the Kefauver subcommittee some insight into the quality of animal testing that sometimes preceded the clinical testing: "I have been approached to start human testing of a drug," he said, "with the only information available being the amount of drug necessary to kill 50 percent of mice receiving the drug in one intravenous dose."

There were warnings from the agency itself. In October 1961, an FDA statistician, drawing on 13 years' experience, said in a paper presented at a conference of FDA's top officials: "* * * the low quality of research data in NDA's (new-drug applications) is general and not isolated. Unfortunately for the medical officers, they must within short periods of time make decisions one way or another * * * they are forced to gamble; the information which they need to reduce almost to zero the risks of an incorrect decision too often is unavailable to them, because of weaknesses in research methods * * *."

But such criticism had little real impact on the FDA hierarchy or their superiors in HEW—until the scandal about the thalidomide sleeping pill. A number of details in that story, as brought out by Senator HUMPHREY's subcommittee, amply illustrate the shortcomings of FDA'S head-in-the-sand posture about drug testing.

Smith, Kline & French Laboratories of Philadelphia tested thalidomide in 1956–57, without any reported deformities resulting among 875 patients. Not having required

that it be informed, the FDA knew nothing of this until March 1962. In September 1960, the William S. Merrell Co. of Cincinnati filed an application to market the sedative. It came out later that Merrell and three other subsidiaries of Richardson-Merrell, Inc., ultimately distributed 2.5 million thalidomide tablets to 1,267 physicians for experimental use.

About a month after Merrell had first applied to the FDA, it issued to its sales force a manual on how to present physicians with its clinical-testing program for Kevadon, its brand name for thalidomide. "You can assure your doctors that they need not report results if they don't want to," the manual stated, "but that we, naturally, would like to know of their results. Be sure to tell them that we may send them report forms or reminder letters, but these are strictly reminders, and they need not reply. Let them know the basic clinical research on Kevadon has been done.

"Don't get involved by selling a basic clinical research program instead of Kevadon," the manual continued. "Appeal to the doctor's ego—we think he is important enough to be selected as one of the first to use Kevadon in that section of the country. Don't forget that you are a salesman, a professional salesman."

Perhaps such an approach to testing helps explain why the former Chief Medical Director of the Veterans' Administration, Dr. William S. Middleton, has found that "the desultory returns from over 1,200 physicians * * * could have no scientific significance or validity." "Yet," he added, "this formula for deriving new drug introduction and acceptance has obtained for many years." When the FDA finally investigated last summer, it discovered that only 276 of the 1,267 physicians had reported to Merrell in writing on their clinical trials, and further, that at least one-fifth had not signed the statement of investigative qualifications that FDA regulations required the manufacturers to obtain.

On November 29, 1961, a year after the company had filed its application with the FDA, Merrell learned from West Germany that thalidomide had been associated with birth deformities. The next morning it notified Dr. Frances O. Kelsey of the FDA, who had been withholding approval of the drug. At that point, Commissioner Larrick could have issued a public warning—the very course recommended by Dr. Herman I. Ghinn, our deputy scientific attaché in Bonn, in a dispatch relayed to the FDA and HEW in January 1962. Larrick, however, chose to let the company handle the matter.

Why the FDA didn't undertake an immediate effort then to retrieve the drug puzzled Senator JACOB K. JAVITS, Republican, of New York, among others. He asked Commissioner Larrick during the preliminary investigation by HUMPHREY's subcommittee, what happened when Dr. Kelsey got the information.

JAVITS: "Then did you just talk to the company in general?"

LARRICK: "It was not conclusively proved at that stage."

JAVITS: "When was it?"

LARRICK: "There was strong circumstantial—there would be people who would give you an argument about it now . . . who would say that the problem here has been exaggerated."

Larrick admitted that the FDA could accomplish the retrieval of drugs more effectively than any company, but added that he was "not quarreling" with what Merrell did.

What Merrell did, according to its own report cited by HUMPHREY's subcommittee, was send a warning letter in early December, 1961, to its "active" thalidomide investigators, although the FDA was unaware that they represented only one-tenth of the physicians who had received the experimental tablets. Three months later, Merrell and its affiliates finally wrote all of them asking them to destroy or return the remaining supplies. "At the time," Commissioner Larrick said later, "I thought that was sufficient."

That it was not sufficient has become by now a familiar story. After reports published in mid-July of Dr. Kelsey's achievement in blocking the application of thalidomide, the FDA embarked on a crash program to ferret out the unsuspected numbers of tablets that had got into the hands of the public. A month later, the FDA, finding that substantial quantities were still at large, had to plead with the public to clean out medicine chests and flush all unidentified pills down the toilet. Nearly 21,000 persons in this country had obtained thalidomide from both foreign and domestic sources, and at least 9 women who took it during pregnancy bore babies without arms and legs.

DRUGS ON THE MARKET

Recently the FDA has decided that it does have a quarrel with Merrell, and it has asked the company to show cause why its method of distributing the thalidomide tablets should not be referred to the Justice Department for possible legal action. Thalidomide, at least, was never allowed to go on the market. Other drugs that had to be recalled were. One was Marsilid, and in its case the FDA displayed what can be called remarkable patience in dealing with its manufacturer, Hoffmann-La Roche of Nutley, N.J. Marsilid was first approved in 1955 for use, with limitations, in treating critical cases of tuberculosis. Later it was found to have effect as a psychic energizer, or "happiness pill," and the company applied for a supplemental new-drug application for its use in treating mental depression. But Marsilid also was associated with 246 known cases of hepatitis (liver damage), 53 of which resulted in death. At least 400,000 patients used it. Hoffmann-La Roche, it would seem from the account given HUMPHREY's subcommittee by the FDA, was rather casual in reporting some of the hazards of Marsilid. Although it received the first reports of deaths and injuries in connection with the drug in September 1957, it did not mention liver damage to the FDA until half a year later, in February 1958, when it asked permission to change the label. By the end of 1958, the adverse reports on a variety of side effects were mounting and the drug company asked for another supplementary new-drug application under which a brochure listing new restrictions on its use would accompany the drug. The FDA, in turn, suggested a strong warning to be printed in bold type on the label.

The strong warning was not put on, however, and during the next year the company continued to market the drug. Nonetheless, the FDA approved the supplemental new-drug application in January 1960. Seven months later, it renewed its request for the stricter warning label. Finally, in September 1960, its request was complied with, but the sale of Marsilid under a proper warning label was short-lived. It was withdrawn from the market the next January, because, as the FDA put it, "drugs with similar therapeutic usefulness but with greater safety were available."

But these drugs had been available and marketed since 1959. Moreover, the five Veterans' Administration hospitals that had tested Marsilid had discarded it much earlier, between December 1958, and June 1960, because of reports of "severe liver damage," "excessive toxicity" and—in a hospital system with more psychiatric patients than any other in the world—"limited usefulness."

Why did the FDA permit Marsilid to remain on sale until 1961? Larrick's explanation is that it was regarded as valuable in "near deathbed cases" but this was true only initially when it was used to treat tuberculosis, not mental depression.

Larrick has said that he is "proud" of the FDA's handling of Marsilid. Dr. Moulton, on the other hand, seemed prouder of the press when she testified about an earlier request to change the label. Marsilid's hazards, she said, "were well known in the Bureau of Medicine long before the newspapers began to carry reports on the subject. When this occurred there was prompt if not entirely effective action by FDA to revise the labeling. Prior to the newspaper publicity, however, we raised our voices in vain."

Another drug that had to be withdrawn from the market was MER/29, a Merrell product intended to reduce the amount of cholesterol in the blood, although the role of cholesterol in heart disease is controversial. Senator HUMPHREY has called the FDA's handling of the application for this drug "shocking * * * a sharp indictment of the FDA itself—its laxity, its tardiness in seeking to remove the drug from the market, its failure to protect the public interest."

The new drug application for MER/29 was filed in July 1959, and was assigned to a 32-year-old FDA physician who had only recently completed his residency in internal medicine. He was promptly contacted by Merrell's F. Joseph Murray. "The company was extremely anxious to get the drug on the market," the young man recalled. However, the report of the FDA pharmacologists on MER/29 was unfavorable. And, the physician said, he was aware that scientists at the National Institutes of Health were concerned about MER/29's effects. (Later, their research showed that in blocking the formation of cholesterol, MER/29 largely defeated its purpose by causing an abnormal accumulation in the blood vessels of a related fatty substance, desmosterol.) The FDA physician felt the MER/29 might be helpful in dealing with arteriosclerosis. Nonetheless, he repeatedly held back approval by judging the application incomplete because it failed "to report clinical studies in full details." But 22 days after he again made such a judgment, on April 19, 1960, FDA's young medical officer let MER/29 be marketed—before, according to Senator HUMPHREY, the "full details" were in, and even though he regarded its value as "theoretical." The new drug went on sale, not because its effectiveness against heart disease and arteriosclerosis had been established but "solely on the evidence of safety."

By September 1960, the FDA had so many disturbing reports about the effects of the drug—cataracts, baldness, changes in hair and skin color—that it asked Merrell to submit a supplemental NDA and to revise the label to warn against use of MER/29 in women of child-bearing age. Meanwhile the adverse reports continued to pour in. On November 16, 1961, FDA scientists recommended that the drug be withdrawn, but the FDA administrators did not suspend the application. For a total of 2 years the Merrell product, heavily advertised in medical journals, was profitably sold as a prescription drug and taken by more than 300,000 persons. Then in March 1962, by sheer accident, the FDA learned, as it reported to HUMPHREY's subcommittee that reassuring data in the NDA from tests on monkeys "had been falsified." The FDA investigation of this has been followed up by a Federal grand jury. In April, Merrell recalled the drug. In May, Larrick cited clinical evidence showing "that the drug was unsafe" and suspended the application. In August, the FDA admitted that the decision to allow marketing had been a mistake.

That decision was made 2 months before Larrick had told the Kefauver subcommittee

that it "is extremely improbable" that falsified data would not arouse the FDA's suspicion, and "categorically" denied that the review of new-drug applications "may in some instances have been superficial." The criterion for release of a drug, he said, is whether "the good in saving lives and alleviating suffering clearly outweighs the hazards."

By a curious aspect of the FDA's decision-making machinery, approval of a new-drug application can be given by a medical officer "on his own initiative, without review by any of his colleagues," according to Dr. Moulton. And as Commissioner Larrick has testified, the medical officer's decision "represents an institutional decision that the drug is safe for use under the conditions and in the dosages prescribed in the labeling." But when a medical officer believed a drug to be unsafe and wanted to deny its approval, the situation was different. According to Dr. Moulton, he had to have "the unanimous support of the Chief of the New Drug Division, the Director of the Bureau of Medicine, the Commissioner, and usually also the Director of the Bureau of Enforcement and the General Counsel's office." The agency statistician described an FDA physician's plight quite well in the internal report already cited. "The medical officer," he said, "is in an untenable position because if he were to adopt the view that an application were incomplete unless the research supporting it were properly conducted, he would pass few applications. But this would result in a major shift in FDA policy, and have a far-reaching effect on a major industry. Clearly, a shift of this magnitude is not to be made by the medical officers."

In view of the medical officer's responsibilities, however, it seems strange, as Senator HUMPHREY points out, that the physician handling the NDA for MER/29 "never consulted with the National Institutes of Health before the drug went on the market. Nor did NIH initiate such consultation," although it "has been supporting considerable research on cholesterol-lowering substances."

This lack of communication between two branches within HEW particularly irritated Senator HUMPHREY, who for years has been trying to bring about a systematic exchange of drug data between the FDA, the hospital systems of the Public Health Service and the Defense Department, and the NIH, which "has the greatest pool of drug research information in the world." He has found "little systematic communication," even among the institutes of the NIH. The thalidomide scandal has brought Senator HUMPHREY some measure of success, however. The NIH, for example, is now methodically feeding the FDA the result of an electronic data processing survey of 50,000 pregnancy case histories, yet NIH's Director acknowledges that he is "not at all certain we would have done" precisely that if the thalidomide story had not been publicized.

As for the FDA itself, HUMPHREY claims that its high officials "have apparently been content" to let the agency "stagnate as a scientific backwater" despite the "deep interest of a few extremely talented M.D.'s and pharmacologists." The FDA's isolation has made it dependent, in many cases, on plain luck. The "falsified" MER/29 monkey data came to FDA's attention only because an FDA inspector happened to ride in a car pool with the husband of a woman who had quit her job in Merrell's animal research laboratories. Dr. Kelsey's determination to block the marketing of thalidomide was decisively hardened because she "chanced" to read a letter to the editor of one of the world's 4,000 medical journals, a letter that associated the drug with peripheral neuritis.

HUMPHREY considers it "a miracle that we learn as much as we do." Though many sources—such as pharmaceutical companies, the FDA, hospitals, the Veterans' Administration, and the NIH—compile data on reactions, they do not cooperate "to any real extent" with each other. According to HUMPHREY, the individual clinician "tends to be so busy that often his reports are a fraction of what they might be. This is a crucial point; it explains in part a tendency to overvalue fragmentary favorable reports." Although the FDA itself has had a small reporting program, involving at most 150 out of the Nation's 6,000 hospitals, HUMPHREY's subcommittee has "yet to find anyone who has substantially used this program or anyone at the reporting end who had received useful 'feed-back' from it."

Consequently, HUMPHREY found it "incredible" that the FDA had not made "systematic use" of outside consultants. Although the agency supplied him with a "nominally" long list of outside consultations HUMPHREY found it "completely misleading." "It pretends that an isolated telephone call or letter or short visit for a curbstone—I emphasize—curbstone judgment represented 'consultation.' I am surprised," he continued, "* * * that FDA states consultation has 'routinely' occurred. The men * * * inside the agency who have fought and begged for outside consultation * * * have been discouraged at worst, or ignored at best, from above."

PRESSURE AND PERSUASION

The atmosphere inside the agency apparently has been one of considerable discouragement from above, accompanied by constant harassment from some drug manufacturers. Dr. Moulton has told of cases in which orders came "from above" for medical officers to certify drugs about which they had doubts, the justification being that the manufacturers should "be in a much better position to judge their safety." She contended that in many of its activities the FDA had become "merely a service bureau" for the drug industry.

Dr. Moulton has also complained that manufacturers' representatives spend "3 or 4 days a week in the New Drug Branch offices, arguing each point step by step, wanting to know and being told exactly where the application is at all times and which chemists and which pharmacologists are assisting in its review."

One physician who worked on the application for Marsilid, the "happiness pill" associated with hepatitis, left the FDA shortly thereafter to work for Marsilid's manufacturer, Hoffmann-La Roche. The letter he authorized, while in the FDA, to warn prescribing physicians about Marsilid's side effects did not impress Dr. Moulton, who informed the Kefauver subcommittee that "the important facts were obscured by so much irrelevant material that it failed to serve as an effective warning."

The FDA's involvement with the industry was brought home forcibly by the disclosures that the head of its Division of Antibiotics, Henry Welch, was writing articles for professional journals that brought him a profit, as Senator DOUGLAS told Congress last summer, of "approximately $288,000 * * * from the firms he was supposed to be regulating." Dr. Welch was allowed to resign in 1960, when the Kefauver subcommittee fully explored the matter, but even then, as KEFAUVER found, his superiors "were derelict in the performance of their duty * * * they whitewashed it. He was not even asked by FDA's top officials how much his 'honorariums' as he called them, amounted to. That was an outrageous conflict of interest." The matter is now before a grand jury.

When the new-drug bill was passed in Congress, both Senator KEFAUVER and Senator DOUGLAS voiced their concern about the ability of the FDA to administer it, and both called for "an infusion of new blood." Senator HUMPHREY has made it clear that he has "little reason for confidence in the policy echelons of FDA," but does not attack Commissioner Larrick personally; indeed he calls him "a faithful and dedicated public servant." Last October, however, a second Citizens Advisory Committee, reporting on a year-long study of the FDA, recommended that its top posts should "no longer * * * be held primarily by persons whose backgrounds have been as inspectors, but should include scientists with broad experience as well." The Commissioner's post was specifically included. Larrick, who is not a college graduate, joined the FDA as an inspector in 1923 and rose through the ranks, becoming Commissioner in 1954. His Deputy Commissioner started as an inspector in 1925.

But the chairman of the Citizens Committee, George Y. Harvey, who has since become a consultant to HEW on FDA matters, blunted what appeared to be a committee attack on Larrick. He told a press conference that the report was directed "to the future," and that Larrick could carry out its recommendations if he takes them "to heart and attracts the right kind of people."

Attracting and holding the right kind of people may prove exceedingly difficult. Dr. Moulton had quit in disgust so that she could speak out. A former scientific director, Dr. Paul L. Day, found life at the FDA impossible after he had criticized the agency for its "lack of sufficient vision of its proper role in the protection of the health of the American people" and "courage to present, adequately, a bold program." He resigned.

In a recent reorganization, Dr. Kelsey was promoted to head a new Investigational Drug Branch, and she has received from the President the Nation's highest honor for distinguished Federal civilian service. But generally, FDA medical officers have been overworked in thankless, glamorless, paper-pushing jobs. Under the new regulations and the Kefauver-Harris law they will get hundreds of thousands of additional reports a year. More physicians have recently been recruited for the Bureau of Medicine—22 in February—but there will still be too few specialists to evaluate the highly specialized material that will be flooding in, and they still do not have an effective consulting service.

To attract and hold top scientists to the Bureau, Larrick could have pushed for FDA's own research program, as Dr. Day recommended. Larrick could have pressed for exemption of more physicians from civil service salary restrictions, and he could have tried hard to make working conditions more attractive. He did neither.

Since 1957, while enforcement and other FDA branches have stayed put in the HEW Building, the Bureau of Medicine has been shifted from a formers nurses' dormitory near the city incinerator to ramshackle structures that were not air-conditioned, and from those to a World War II temporary building.

All of these quarters were distant from the Division of Pharmacology, whose work is integral with the Bureau of Medicine because it evaluates the animal testing in new-drug applications. Yet, as of early March, the Bureau was destined to be moved once more, this time to a converted automobile-servicing garage in one of the most crime-ridden precincts of Washington and at least a mile from the Division of Pharmacology and other FDA scientists with whom the Bureau physicians should consult.

Congress has long treated the FDA shabbily, but HUMPHREY has said that the price of generous treatment will be a demand for "men with drive, with initiative * * * not just 'going by the book,' by the letter of the law, but by its spirit, its tone, its fundamental purpose."

HEW is assuming that it can put new life into the FDA by teaching the old watchdog new tricks, but in and out of Congress this approach is considered excessively optimistic in view of the past handling of drug problems. Critics believe the FDA can become the great, vital agency HUMPHREY envisions only if the old watchdogs are replaced by a new breed of scientist-administrators.

The hearings by Senator HUMPHREY's Government Reorganization Subcommittee this month and next will be followed by more hearings in the House. But it remains to be seen whether the FDA can continue to ignore criticism as it has in the past, or if Dr. Moulton will continue to stand by her testimony of 1960 that "hundreds of people, not merely in this country, suffer daily, and many die because the Food and Drug Administration has failed utterly in its solemn task of enforcing those sections of the law dealing with the safety and misbranding of drugs * * *."

THE GIANT CANADA GOOSE

Mr. HUMPHREY. Mr. President, it was my intention yesterday to call to the attention of the Senate a human interest story. At this time I shall take only a few moments to do so.

I had hoped to announce to the Senate, yesterday, that the world's largest goose, the giant Canada, which for over 30 years was thought to be extinct, has been rediscovered in Minnesota. These huge geese, which range in weight from 15 to 19 pounds, were found by Dr. Harold Hanson, of the Illinois Natural History Survey. Dr. Hanson, in cooperation with personnel of the Minnesota Department of Conservation and the U.S. Fish and Wildlife Service's Bureau of Sport, Fisheries and Wildlife, trapped approximately 200 of the birds, for examination and banding.

I am sure this will come as welcome news to sportsmen throughout the country. It also will be a source of joy to the membership of the Midwest Goose Association. Our Minnesota town of Sleepy Eye was privileged to be host to that association when it held its annual meeting January 10.

The flock of giant geese has been roosting on Silver Lake, which is in a Rochester park. The present nesting grounds of this giant goose are not known with certainty; but small scattered populations are believed to nest in the Dakotas, in western Minnesota, and in Manitoba. Returns from birds banded this winter may shed further light on the location of the present breeding grounds.

The giant Canada goose was well known to a past generation of hunters in the northern prairie States. In 1951, Jean Delacour, the internationally known waterfowl authority, supported the findings of James Moffitt, America's foremost student of geese, by describing and naming the giant Canada goose after it was thought to be extinct.

We in Minnesota are inclined to boast a bit about our North Star State. Our forefathers built a great and growing commonwealth out of the beautiful and fertile wilderness they found there. The rediscovery in Minnesota of the giant Canada goose is just one of many significant occurrences involving our great State which give us even more reason to do a little bragging.

We are very proud of the fact that our State provides very wholesome recreation. It is one of the fine hunting areas in the United States; and we are particularly proud of the fish, the fowl, and the other wildlife which make possible some of the most enjoyable outdoor sports activities which America is privileged to have.

Let this be notice to historians of the future that on Silver Lake, in Rochester, Minn., a lake kept partly open by the discharge of warm water from a nearby electric generating plant, it was discovered that the giant goose not only is still among us, but even appears to have a sizable population that is adapting to man's changes of environment.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come at this time before the Senate, I move that the Senate adjourn, in accordance with the previous order, until tomorrow, at 10 a.m.

The motion was agreed to; and (at 6 o'clock and 8 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Wednesday, April 3, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 2, 1963:

IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. John Lawrence Ryan, Jr., O16451, Army of the United States (major general, U.S. Army).

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

Lt. Gen. Theodore William Parker, O18369, Army of the United States (major general, U.S. Army), in the grade of general.

Maj. Gen. Harold Keith Johnson, O19187, Army of the United States (brigadier general, U.S. Army), in the grade of lieutenant general.

Maj. Gen. Creighton William Abrams, Jr., O20296, Army of the United States (brigadier general, U.S. Army), in the grade of lieutenant general.

IN THE MARINE CORPS

Lt. Gen. Edward W. Snedeker, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of lieutenant general in accordance with the provisions of title 10, United States Code, section 5233.

Having designated, in accordance with the provisions of title 10, United States Code, section 5232, Maj. Gen. Frederick L. Wieseman, U.S. Marine Corps, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of lieutenant general while so serving.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 2, 1963

The House met at 12 o'clock noon.

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

Colossians 3: 14: *Above all these things put on love, which is the bond of perfectness.*

Almighty God, our Father, who art the same, yesterday, today, and forever, amid all the miseries and mutations of time, grant that our hearts may be the sanctuaries of Thy love.

May we feel the wealth and warmth of Thy love and seek to make it the commanding and controlling factor and force in our daily life.

Inspire us to discover in these critical and confused days that love is the one cardinal virtue that will cast out fear and constrain us to rise above all cold and rebellious tempers of spirit.

Hear us for the sake of our Lord who walked the road of the loving heart. Amen.

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 4374. An act to proclaim Sir Winston Churchill an honorary citizen of the United States of America; and

H.J. Res. 282. Joint resolution designating the 6-day period beginning April 15, 1963, as "National Harmony Week," and for other purposes.

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

S. 1035. An act to extend the provisions of section 3 of Public Law 87-346, relating to dual rate contracts.

The message also announced that the Vice President has appointed Mr. JOHNSTON and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the Report of the Archivist of the United States Numbered 63-9.

CUBAN ANTI-CASTRO GROUPS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the