(b) Section 5(a) of the Federal Trade Commission Act, as amended, is hereby amended by adding, at the end thereof, paragraphs (7) to (14), inclusive, as follows:

"(7) The owner of a brand, name, or trademark shall be deemed to retain his property rights therein, and in the trade and public goodwill symbolized thereby, regardless of any sale or transfer of the goods to which such brand, name, or trademark relates, and no such sale or transfer shall be deemed to diminish or extinguish any such rights. Any person who resells in commerce goods identified by a distinguishing brand, name, or trademark, either on the label, container, dispenser thereof, or otherwise, may rightfully employ such brand, name, or trademark, but only in effecting the resale of such goods, and subject to the provisions of paragraph (8) hereof.

"(8) When goods usable for the same general purpose are available to the public from sources other than the owner of such brand, name, or trademark, the right of any person to employ such brand, name, or trademark in effecting resale of goods so identified may be revoked by the owner of such brand, name, or trademark, on written notice, for any of the following reasons:

"(a) that the person reselling such goods has employed goods bearing the brand, name, or trademark in furtherance of bait merchandising practices;

"(b) that the person reselling such goods, with knowledge of the owner's currently established resale price or prices, has advertised, offered for sale, or sold such goods at prices other than such currently established resale prices; or

"(c) that the person reselling such goods, with intent to deceive purchasers, has published misrepresentation concerning such goods.

"(9) Nothing herein shall be interpreted to abridge the right of a person, in the regular course of his business and within a reasonable time after the date of any revocation pursuant to paragraph (8) of this subsection, to sell all such goods of which on such date he is possessed: *Provided,* That in such sale he shall commit none of the acts described in paragraph (8) of this subsection: *Provided, however,* That if and in the event that such person, promptly upon such revocation, shall have supplied to the owner of said brand, name, or trademark a correct itemized listing of said inventory with a statement of the price paid per item and the total price paid therefor, together with a firm offer to sell and deliver all said inventory to said owner at any time within ten days thereafter upon payment of said total price, then such person, upon expiration of the ten-day term of said offer without acceptance, may so sell such goods in said inventory, in the regular course of his business and within a reasonable time thereafter, without restriction as to price, in which event each advertisement of, or offer to sell, such goods, shall state plainly that the right of the reseller, offering such goods, to employ in any way the brand, name, or trademark carried by the goods has been revoked as to any such goods not in that reseller's possession at the time of such revocation.

"(10) Any person whose right to employ a brand, name, or trademark has been revoked by the owner thereof pursuant to the provisions of paragraphs (8) and (9) of this subsection and who thereafter, without the express written consent of said owner, first had, resells such goods so identified, or who otherwise employs such brand, name, or trademark in effecting resale of such goods or any other goods, shall be deemed to have committed an act of unfair competition and shall be liable in a civil action for damages and injunctive relief by the owner of the brand, name, or trademark, to prevent and restrain further violations of this Act. Such owner may sue in any district court of the United States in the district in which defendant resides or is found or has an agent, without respect to the amount in controversy, and may recover the cost of suit including reasonable attorneys' fees.

"(11) In any proceeding under paragraph (10) it shall be a defense to the charge of unfair competition for the defendant to establish that the plaintiff has not used due diligence in revoking the right of all other persons in substantial competition with the defendant who are known to plaintiff to be committing any of the acts set forth in subparagraphs (a), (b), and (c) of paragraph (8) hereof.

"(12) No action pursuant hereto shall preclude action otherwise provided by law for wrongful use of a brand, name, or trademark.

"(13) Paragraphs (7) to (12) hereof shall apply to all acts and transactions in or affecting commerce which Congress may lawfully regulate, and to all acts and transactions in any territory of the United States or in the District of Columbia. As used in paragraphs (7) to (12) hereof, the term 'person' means any individual, partnership, or corporation.

"(14) No exercise of any right or remedy provided in paragraphs (7) to (13) inclusive of this subsection shall be construed to be a violation of any of the Antitrust Acts, and all such rights and remedies shall be also available to any owner of a brand, name, or trademark who, in the resale of goods identified by such brand, name, or trademark, shall compete, at any level of distribution, with any reseller offering such goods: *Provided,* That such owner shall sell such identified goods at any level of distribution at the price established for that level of distribution: *And provided further,* That nothing in this Act shall be deemed to modify or repeal the Lanham Trademark Act, Public Law 489, approved July 5, 1946; the Miller-Tydings Act, Public Law 314, approved August 17, 1937; the McGuire Fair Trade Act, Public Law 342, approved July 14, 1952, or any State law described therein."

SENATE

MONDAY, MAY 27, 1963

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

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

O God, our help and our hope, guardian of these pilgrim days, the hurrying pace of our fleeting years frightens and awes us. Strained and tense with the pressures of our burdened lives, we seek the shelter and strength that undergird us as around our restlessness flows Thy rest, in the fulfillment of the promise that Thou wilt keep in perfect peace the mind that is stayed on Thee.

As for this moment of quiet we look away from ourselves and our tasks to Thee, Thou judge of all men, strip us, we beseech Thee, of our disabling illusions, and chasten us for our willful blindness. As the titanic global battle for men's minds rages, may we be strong and of good courage and enabled by Thy grace not only to defend the truth that alone can make all men free, but to live it, as well.

In the performance of this day's duties may we ascend the hill of the Lord with pure hearts and clean hands. Even as sometimes we may question the judgment of comrades by our side, save us from impugning without cause their sincerity and integrity.

We ask it in the Name of the Holy One who warns us: *Judge not, that ye be not judged.* Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 23, 1963, was dispensed with.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 24, 1963, he presented to the President of the United States the enrolled bill (S. 386) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes.

MESSAGES FROM THE PRESIDENT

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

REORGANIZATION PLAN NO. 1 OF 1963, RELATING TO THE FRANKLIN D. ROOSEVELT LIBRARY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 117)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying paper, was referred to the Committee on Government Operations:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 1 of 1963, prepared in accordance with the Reorganization Act of 1949, as amended, and providing for the reorganization of certain functions relating to the Franklin D. Roosevelt Library.

The library project was built under authority of the joint resolution of July 18, 1939. It is located on a site in the town of Hyde Park, Duchess County, N.Y., donated by the late Franklin D. Roosevelt. The library contains historical material donated by him, and other related historical material.

At the present time responsibility for the library is divided as follows:

(1) The Secretary of the Interior is responsible for the care, maintenance, and protection of the buildings and

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

grounds of the library and for the collection of fees for the privilege of visiting and viewing the exhibit rooms or museum portion of the library, exclusive, however, of the function of fixing the amounts of fees charged.

(2) Responsibility for the contents and professional services of the library, and all other responsibility for the library except as indicated above, are vested in the Administrator of General Services.

When the transfer of functions with respect to the Franklin D. Roosevelt Library from the Secretary of the Interior to the Administrator of General Services, as provided for in the reorganization plan transmitted herewith, becomes effective, the Administrator will have complete responsibility for the library, including its buildings, grounds, contents, and services.

Three other Presidential libraries are now entirely under the jurisdiction of the Administrator of General Services (in pursuance of sec. 507(g) of the Federal Property and Administrative Services Act of 1949, as amended): the Harry S. Truman Library at Independence, Mo., the Herbert Hoover Library at West Branch, Iowa, and the Dwight D. Eisenhower Library at Abilene, Kans. The taking effect of the provisions of the accompanying reorganization plan will place the administration of the Franklin D. Roosevelt Library fully on a common footing with the administration of these three other Presidential libraries.

I am persuaded that the present division of responsibility between the Secretary of the Interior and the Administrator of General Services is not conducive to the most efficient administration of the Franklin D. Roosevelt Library. Reorganization Plan No. 1 of 1963 will apply to this library the preferable pattern of organization existing with respect to other Presidential libraries.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 1 of 1963 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended.

The taking effect of reorganizations included in the reorganization plan will provide improved organizational arrangements with respect to the administration of the Franklin D. Roosevelt Library. While such arrangements will further the convenient and efficient carrying out of the purposes of the library, it is impracticable to specify or itemize at this time the reductions of expenditures which it is probable will be brought about by such taking effect.

I recommend that the Congress allow the reorganization plan to become effective.

JOHN F. KENNEDY.

THE WHITE HOUSE, *May 27, 1963.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The 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 bill (S. 1409) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination, with amendments, in which it requested the concurrence of the Senate.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

LIMITATION OF 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 MEETING DURING SENATE SESSION

Upon request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Education of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

SUGAR PRICES

Mr. MANSFIELD. Mr. President, during the past week I have received from the State of Montana a number of communications relative to the price of sugar. These communications have come from bottlers, who of course are interested in the manufacture of soft drinks; but what they say applies not only to bottlers, but also to confectioners, bakers, and housewives.

I have before me some interesting figures from Montana. They indicate, for example, that on January 1, 1963, the price of sugar per hundredweight was $10; on April 1 of this year, it was $10.15; on April 22, $10.30; on May 1—this month—$10.80; on May 6, $10.95; on May 10, $11.45; on May 13, $12.30. Not only that, but on May 16—the same month—the price paid was $13.30; and on May 21, $14.05. This communication comes from a concern in Great Falls, Mont. I have other figures from Missoula, Mont.

This morning I received from a bottler in Oklahoma a letter on this subject; and he shows that in Oklahoma the price of sugar advanced from $9.90 to $15.75 in a period of less than a week.

Mr. SIMPSON. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. SIMPSON. Similar letters are coming from Wyoming. The price has increased to $15.05 per hundredweight. There is plenty of sugar in the factories, but it is being held by them for $20 sugar. For the bottlers and others and for the housewives throughout the Nation this is bringing about a situation that is most distressing; and I commend the distinguished majority leader for bringing up this matter and calling it to the attention of the American people.

Mr. MANSFIELD. I thank the distinguished Senator from Wyoming. It was because of his particular interest in this subject, as well as the interest of others in it, that I dispatched a letter to the chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], who has undertaken to investigate this situation.

Mr. President, rather than take further time of the Senate, I ask unanimous consent to have printed at this point in the RECORD various communications, figures, the letter which I wrote to the distinguished chairman of the Finance Committee, and other communications which will be of interest to those concerned with this particular field.

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

The letter and articles submitted by Mr. MANSFIELD are as follows:

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., May 24, 1963.

Hon. HARRY F. BYRD,
Chairman, Committee on Finance, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I have received a number of communications from businessmen in Montana, especially in the soft drink bottling field, expressing their concern about the skyrocketing increases in the cost of sugar. As an illustration, on the 21st of the month sugar in Missoula, Mont., was $14.05 per hundredweight. A year ago on that same date it was $9.45. It is my understanding that advances in May have been from $10 to $10.15, then to $11.45, then to $12.50, and on May 21 at $14.05 per hundredweight (mentioned above), f.o.b., Missoula.

There are indications also that if some action is not taken shortly that sugar will go up still further in the near future. I have been informed that prior to March 1963, bottlers in Montana were notified in advance of price rises in sugar but that now price advances are in effect the same day that they are notified. It would appear that the larger sugar producers are banding together, and the net result could well be to put the squeeze on all other users including bottlers, bakers, candy makers, and the like.

It has come to my attention that in the State of Montana there are restrictions on purchases of sugar to an amount equal to what was purchased in the same month a year ago.

As I study the statistics that are available, I am under the impression that there are surpluses of sugar on hand and that most of the countries are fulfilling their quota agreements. I would express the hope, Mr. Chairman, that there is no attempt being made by speculators or others to "rig" the price of such a basic commodity as sugar.

In view of the situation as it is developing not only in Montana, but throughout the country, I respectfully request that your committee, which has legislative jurisdiction over this commodity, institute an investiga-

tion into this matter at your earliest convenience. It is my belief that only through the use of the investigative power of the Congress can this matter be dealt with as it deserves, and I therefore urge that you give this proposal for an investigation your most earnest, serious, and personal attention because of the need for it and the need to do something as soon as possible.

Must close now, but with best personal wishes, I am

Sincerely yours,

MIKE MANSFIELD.

[From the Washington Daily News, May 24, 1963]

SUGAR PRICE HITS 83 CENTS HERE

The retail price of sugar, which averaged 55 cents for a 5-pound package recently, rose yesterday to an average of 83 cents, the highest since a record of $1.53 for 5 pounds early in 1920.

Officials said the world sugar market has been growing "tighter" for several months due to two bad crops of sugar beets in Europe and the absence of Cuban sugar.

Refinery officials, meanwhile, pointed out that there is an adequate supply in this country to meet all the demands of the industry and the housewives for the next year. Retailers say there has been no panic buying here, and wholesalers, while still puzzled over the manufacturers' hike in prices, hope for a leveling off soon.

Officials in the bottling, baking, and confectioners businesses here said they are beginning to feel the pinch, but refused to comment on how soon it would affect their retail prices.

[From the U.P.I., May 25, 1963]

WASHINGTON.—The Agriculture Department today expected big new delivery commitments from foreign sugar producers to end speculation and the resulting skyrocketing of sugar prices around the Nation.

The Department announced receipt of the very large new commitments late yesterday, and said the speculative bubble in sugar is bound to burst in the face of this plentiful supply.

Prices have soared in some grocery stores to 98 cents for a 5-pound bag of sugar because of a tight world supply; and hoarding has been reported. Two congressional investigations into the sugar situation have been announced.

As a result sugar already on hand or committed to the United States for 1963 totals 500,000 tons more than last year's entire national consumption.

Murphy said "speculators may be able to keep the bubble going for a while, but not for very long."

The latest congressional investigation was announced yesterday by Senator HARRY F. BYRD, Democrat, of Virginia, who said his finance committee would look into the price increases. It will parallel an investigation by the House Banking Committee.

Murphy said the investigations will show that U.S. sugar supplies are going to be plentiful. They will help restore stability in the sugar market.

A relatively tight world sugar supply early this year caused uncertainty in the market, Murphy said, and gave speculators a chance to bid up prices. The Under Secretary warned that persons who stock up with sugar at the present high prices may suffer losses when the price goes down.

BYRD told a reporter that his Finance Committee will begin its investigation "as soon as we can." One reason for the hearings, he said, will be to determine whether speculators are responsible for the high prices.

[From the Great Falls (Mont.) Tribune, May 23, 1963]

MARKET IN PANIC, SAYS SUGAR OFFICIAL

WASHINGTON.—Lawrence Myers, head of the Agriculture Department's sugar policy staff, said Wednesday the sugar market is in a state of panic.

World prices, he said, have risen from a disastrously low point of about 2 cents a pound for raw sugar in January 1962 to more than 11 cents now. Normally, comparatively little sugar is sold at the world price, which has applied to supplies not committed to specific markets.

[From the Great Falls (Mont.) Tribune, May 24, 1963]

WORLD DEMAND FOR SUGAR SENDS PRICES ROCKETING

NEW YORK.—Sugar prices are climbing like crazy and no one seems to know where it will end.

A commodity that in 1961 was worth 2 cents, and which was excluded from the United States except under rigid quota systems, is being pursued with ardor at about 12 cents.

That's what a pound of raw foreign sugar costs at dockside New York these days.

The American Sugar Refining Co. announced the latest hike in the wholesale price of refined sugar: by $1.75 to $16.80 per 100 pounds in the Northeast. The price was about $10 in January.

The 5-pound bags of sugar that sold for about 55 cents in the supermarket last year are tagged at 69 cents and up.

The 360° turnabout from depressed to premium prices involves several factors. Weather has been bad for Europe's beet crop. Cuba's crop has been far below normal. Demand, meanwhile, has been growing rapidly. Sugar is one of the first luxuries people in emerging nations seek.

The domestic crop generally is all right, but traditionally it is only about half enough to meet needs.

Most trade sources say there should be price relief when the fall beet crop comes in. But the general view seems to be that above-normal prices will continue for a couple of years.

[From the Wall Street Journal, May 27, 1963]

SUGAR FUTURES FALL, NEW DROPS SEEN—CONGRESS TO STUDY RECENT RISES

World and domestic sugar futures declined the daily trading limit of 50 cents a 100 pounds Friday, and an announcement by the Agriculture Department Friday night could point to further declines after the steady rise of recent months.

Agriculture Under Secretary Charles S. Murphy said U.S. buyers have received commitments from oversea suppliers for 10,250,000 tons of raw sugar—500,000 tons more than was distributed in the United States in all 1962.

Mr. Murphy said this indication of plentiful supplies will cause the speculative bubble to burst, and that the speculators can't forestall the decline much longer.

Three congressional committees announced they will begin investigations into the soaring prices of sugar, and Mr. Murphy said he welcomes the inquiries. He said the hearings will show that sugar supplies will be plentiful, and this will help restore "stability" in the sugar market.

However, Mr. Murphy's view that sugar prices will fall soon wasn't supported by Earl P. McHardy, president of the New York Coffee and Sugar Exchange.

"I think that there is little likelihood of prices declining materially during the next few months or possibly a year or two," Mr. McHardy said in a recorded interview on the Columbia Broadcasting Systems Washington Report yesterday. He said the recent price surge followed a period when prices were so low producers couldn't make a profit.

Sugar trade sources said the tight supply situation does appear to be easing, but any great improvement will have to wait the fall harvest of sugar beet crops in this country and Europe.

HOUSEWIFE HOLDS KEY

Until that time, these sources said, the supply and price situation depends largely on the U.S. housewife. If she doesn't hoard sugar, supplies will be adequate; if she hoards, there could be additional price increases, they said.

Trading in sugar futures Thursday and Friday showed the first signs of profit taking in many months. After an early rise Thursday, prices dropped the daily limit of 50 cents a 100 pounds on the New York Coffee and Sugar Exchange. Friday also saw a 50-cent decline.

At the start Friday, the exchange put into effect a pool arrangement to match orders. There was a heavy influx of sell orders, with few dealers ready to buy.

The spot price of domestic and world raw sugar each declined 50 cents a hundred pounds Friday. This took the domestic price at New York to $12.70 a hundred pounds, delivered, and the world price to $12.10 a hundred pounds, f.o.b. Caribbean ports.

Traders saw three factors at play in the decline in futures prices: Profit taking following the long upsurge, the threat of congressional investigations, and the fact that the United States has nearly completed its buying of global quota sugar in the world market.

The congressional investigations into why sugar prices have rocketed will be held by the Senate Finance Committee, the Senate Small Business Committee, and a House banking subcommittee. The Small Business Committee noted that soft drink bottlers, bakers, confectioners and other heavy users of sugar "are predominantly small and independent businesses," according to the Associated Press.

CAUGHT IN PROFIT PINCH

With the rise in sugar prices, many heavy users of sugar have been caught in a profit pinch, and some have increased prices or reduced the size of their products. Over the weekend the Jell-O Division of General Foods Corp. announced immediate increases of about 5 percent in the wholesale prices of its gelatin desserts, puddings, pie filling, and sirups. The company cited a rise of "more than 50 percent in the price of refined sugar over the last 6 months."

Sugar dealers said foreign producers, principally Argentina, last week sold about 60,000 tons of global quota raw sugar to U.S. merchants. The dealers estimated this left less than 2,000 tons to be filled of a 221-317-ton global purchase authorization. This authorization was made when the Government increased U.S. sugar quotas May 6. The global quota is apart from the quotas assigned to specific nations; the overall quota for 1963 is 10,400,000 tons. And, according to Mr. Murphy, 10,250,000 tons of the total quota also has been committed.

Thus, with the global quota nearly filled, the United States will be withdrawing from bidding in the world market. This bidding has been contributing to the upward spiral in prices, dealers say.

The United States still has some buying to do from countries with assigned quotas, but dealers believe this buying will have little effect on prices. Foreign countries are anxious to fill their assigned quotas for the U.S. market so they will receive large quotas in the future, dealers said.

COLD WAR MOVES TO SUGAR MARKET—POSSIBILITY OF SOVIET SALES IN WEST CLOUDS OUTLOOK AS SHORTAGES MOUNT

(By William D. Smith)

The Soviet Union, the "riddle wrapped in a mystery inside an enigma" is living up to its characterization in the present world sugar situation.

Sugar is perhaps in its tightest supply-and-demand position of the century. Consumption is expected to exceed production by some 3,500,000 metric tons in the 1962–63 crop year after a deficit of about 2,500,000 tons in 1961–62. World reserve stocks as a result have been figuratively and literally eaten into.

Prices for raw sugar, refined sugar, and sugar futures have climbed to their highest levels in more than 40 years. On Friday raw sugar sold at 13.20 cents a pound, refined sugar was priced at 16.30 cents a pound and futures were selling around 12.45 cents a pound. A year ago raw sugar stood at 6.45 cents a pound, refined at 9.30 cents a pound and futures were about 2.75 cents a pound.

Standing in the background of this clear picture of one of mankind's most basic economic laws, supply and demand, is the specter of Soviet Russia.

THE LARGEST PRODUCER

The Soviet Union is the world's largest producer of sugar. It produced about 6,500,000 tons in 1962 and some 6,600,000 tons in 1961.

In addition to its own production the Soviet Union has been importing the bulk of the Cuban sugar crop, which formerly went to the United States. In 1962 the Soviet Union is estimated to have imported about 2,400,000 tons and in 1961, some 3,600,000 tons. In both years the bulk of the imports came from Cuba, which until 1961 had been the world's leading producer.

Above and beyond internal production and Cuban imports, the Soviet Union can call upon the far from negligible sugar resources of its European satellites.

The Soviet Union has a potent economic cold war weapon—if it chooses to use this weapon.

The central question is: Has the Soviet Union built up its inventory of sugar or has it allowed an increase in internal consumption? Is the Soviet Union waiting to dump an invisible hoard of sugar, estimated as high as 10 million tons, on the free world or is it simply allowing "Ivan" to use more sugar?

NO ACTION NOTED

The great majority of sugar authorities believes the Soviet Union has thus far not utilized mankind's sweet tooth as an economic lever in the cold war. Refiners, raw sugar sellers, futures traders and industrial users almost to a man say they have seen little evidence of unusual Soviet activity in the world sugar market.

Even some observers, who strongly opposed segments of the sugar bill last summer because of the opportunities it presented for Communist manipulations, concede that, as of now, they have seen no evidence of this feared manipulation.

Most traders hold that prices would not be at their present levels if the Soviet Union was dumping or even slipping sugar on the market to any extent. There was some Soviet selling at discount prices late in 1961 but this was limited and has since been discontinued, according to most sources in the industry.

Although statistics and statements from the Soviet Union must be mixed with a large grain of salt, there is ample evidence to support the sugar trade's assumption that the Soviet Union is not in the world sugar market to any unusual degree.

OUTPUT INCREASED

The Soviet Union has been increasing its production since World War II and is now engaged in a 7-year plan that contemplates an increase in output to 10 million tons by 1965. Plantings have increased according to plan but production has not kept pace with expectations because of poor growing weather and low yields.

Since the war consumption has also increased considerably. Average total consumption during the period 1951–55 was almost twice as high as the 1934–38 average, and the average for the second half of the 1950's was 185 percent higher than for the prewar period. Part of the increase in consumption is a result of population growth but a large percentage stems from increased per capita consumption.

During the period 1934–38 the average Soviet citizen consumed 24.7 pounds of sugar a year. In the early 1950's consumption rose to 44.1 pounds and increased an additional 14.1 pounds in the second half of the decade. In 1961 Soviet per capita consumption was 80.9 pounds compared with about 97.9 pounds in the United States. Under the present 7-year plan, Soviet consumption is expected to increase to about 97 pounds by 1965.

Mr. DIRKSEN. Mr. President, I noted with interest the observations of the distinguished majority leader with respect to the sugar squeeze that presently confronts nearly every consumer in the country.

Last week the confectioners of the country had their national convention in Washington. Sugar was the main topic of conversation, because it bulks so large in the production of confections and confectionery products. Some of the confectioners have expressed the belief that if prices continue to appreciate for another sustained period of time, some of them would probably be driven out of business. So at once sugar becomes a very serious and acute problem.

I have heard it said that one of the reasons for what has occurred is a 50-percent reduction in the Cuban crop, which, of course, does not come to this country, but is available for the world supply.

The second reason assigned is the increasing consumption in European countries. However, I am confident that there is sugar available to break the squeeze. In 1934, Congress enacted the so-called Sugar Act, parceling out the American sugar needs. It was an act of suffrance on the part of the Congress to preserve stability in the sugar market, to make sure that the cane and beet producers and the offshore producers all received a fair share of the market, and that the consumer was protected by the use of a processing tax. That has been in effect for a long time. In fact, the revenues derived from the processing tax are such that over and above what was required as a subsidy for producers became net revenue for the Federal Treasury.

In view of that act, and in view of what we have done under the Sugar Act, I think every sugar producer is under some obligation to the United States, to the people and to the Government which made this possible. There must be sugar in the inventories. It was said that there is sugar in some of the Western States which is presently being held for a price appreciation. Whether we can do anything about that I do not know, but certainly, so far as offshore countries are concerned, if they are holding sugar off the market I think we can use the authority and the leverage we have at the present time to indicate in no uncertain terms that because we have given them a part of the American sugar bowl we want some deliveries and we want the deliveries right now. That is the only way we are going to meet the sugar shortage which presently confronts us.

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED AMENDMENTS TO THE BUDGET, 1964, FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE AND RAILROAD RETIREMENT BOARD (S. Doc. No. 19)

A communication from the President of the United States, transmitting proposed amendments to the budget for the fiscal year 1964, involving changes in limitation and provisions for the Department of Health, Education, and Welfare and for the Railroad Retirement Board (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUMMARY REPORT ON THE TRANSIT DEVELOPMENT PROGRAM, REPORT OF THE NATIONAL CAPITAL TRANSPORTATION AGENCY, AND AUTHORIZATION OF PROSECUTION OF A TRANSIT DEVELOPMENT PROGRAM FOR THE NATIONAL CAPITAL REGION

A communication from the President of the United States, transmitting, pursuant to law, a summary report on the transit development program, by the National Capital Transportation Agency, dated May 1963; a report of the National Capital Transportation Agency, dated November 1, 1962; and a draft of proposed legislation to authorize the prosecution of a transit development program for the National Capital region (with accompanying papers); to the Committee on the District of Columbia.

SALE BY ADMINISTRATOR OF VETERANS' AFFAIRS OF LOANS MADE TO VETERANS UNDER CHAPTER 37, TITLE 38, UNITED STATES CODE

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable direct loans made to veterans under chapter 37, title 38, United States Code (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON CLAIM OF THE LOWER PEND O'REILLE OR KALISPEL TRIBE OF INDIANS *v.* THE UNITED STATES OF AMERICA

A letter from the Chief Commissioner and Associate Commissioners, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of the *Lower Pend O'Reille or Kalispel Tribe of Indians, petitioners,* v. *The United States of America, defendant,* Docket No. 94 (with accompanying papers); to the Committee on Interior and Insular Affairs.

JOINT RESOLUTION OF MAINE LEGISLATURE

Mrs. SMITH. Mr. President, on behalf of myself, and my colleague, the junior Senator from Maine [Mr. MUSKIE], I present, for appropriate reference, a joint resolution of the Legislature of the State of Maine, recommending full development of electric power potential of Passamaquoddy and upper St. John River. I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution was referred to the Committee on Public Works, as follows:

JOINT RESOLUTION MEMORIALIZING CONGRESS RECOMMENDING FULL DEVELOPMENT OF ELECTRIC POWER POTENTIAL OF PASSAMAQUODDY BAY AND UPPER ST. JOHN RIVER

We, your memorialists, the Senate and House of Representatives of the State of Maine in the 101st legislative session assembled, most respectfully present and petition your honorable body as follows:

Whereas the people of Maine throughout the years have supported the concept of developing Passamaquoddy Bay for electric power purposes as indicated by a great number of favorable and sometimes unanimous acts of the State legislature, and earlier by a statewide referendum that favored Quoddy by nearly 10 to 1; and

Whereas the need for vast quantities of reasonably priced power to satisfy the future needs of Maine, the Northeastern States, and the Eastern Provinces of Canada has been established without question; and

Whereas development of electric power from the upper St. John River and Passamaquoddy Bay can be very valuable as peaking power and for base load power; and

Whereas other substantial benefits such as increased numbers of tourists, increased recreational uses of the bay and river, downstream power benefits on the St. John River, flood control benefits, and much needed construction job opportunities in the site areas will result: Now, therefore, be it

Resolved, That the 101st legislature recommends the full development of the electric power potential of Passamaquoddy Bay and such supplemental development of the electric power potential of the upper St. John River as may be recommended as economically feasible by studies now under way by the Department of the Interior without substantial destruction of the recreational and industrial advantages now recognized as existing in the St. John River area, and that necessary interconnecting transmission facilities be provided between the projects and the load centers of the Northeast to provide the optimum benefits to the United States and Canada; and be it further

Resolved, That this 101st legislature respectfully asks that required action be taken to start the projects at the earliest possible time in the most economic and practical sequence of development; and be it further

Resolved, That a copy of this memorial, duly authenticated 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.

In senate chamber: Read and adopted (in concurrence) May 17, 1963.

CHESTER T. WINSLOW,
Secretary.

In house of representatives: Read and adopted May 16, 1963; sent up for concurrence.

HARVEY R. PEASE,
Clerk.

RESOLUTION OF THE SENATE OF THE REPUBLIC OF VENEZUELA

Mr. HUMPHREY. Mr. President, the Vice President has received a communication from the President of the Senate of the Republic of Venezuela, transmitting an official copy of a resolution adopted by the Senate of that country, condemning the dictatorial regime existing in Haiti and appealing to the free Parliaments of America to wage a campaign for the freedom of the people of Haiti.

I ask unanimous consent that, notwithstanding the prohibition on the receipt of petitions from foreign countries, it be noted in the CONGRESSIONAL RECORD and referred to the Committee on Foreign Relations.

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

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

S. 331. A bill to amend section 632 of title 38, United States Code, to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of certain veterans in the Republic of the Philippines (Rept. No. 190); and

S. 384. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to provide increased protection against eviction of dependents from premises rented for dwelling purposes (Rept. No. 191).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with an amendment:

S. 449. A bill to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans (Rept. No. 192).

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

S. 978. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel (Rept. No. 194); and

S. 1036. A bill to amend the inland and western rivers rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes (Rept. No. 195).

By Mr. BARTLETT, from the Committee on Commerce, with amendments:

S. 583. A bill to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force (Rept. No. 196); and

S. 969. A bill to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes (Rept. No. 197).

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, with an amendment:

S. 522. A bill to amend the act establishing a Children's Bureau so as to assist States in providing for day-care services for children of migrant agricultural workers (Rept. No. 198).

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, with amendments:

S. 526. A bill to amend the Public Health Service Act so as to establish a program to assist farmers in providing adequate sanitation facilities for migratory farm laborers (Rept. No. 199).

FINANCIAL ASSISTANCE TO THE STATES TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR MIGRANT AGRICULTURAL EMPLOYEES—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT NO. 201)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 521) to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children, and I submit a report thereon. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. TOWER].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

EXTENSION OF CHILD LABOR PROVISIONS TO CERTAIN CHILDREN EMPLOYED IN AGRICULTURE—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 200)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (S. 523) to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes, and I submit a report thereon. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. TOWER].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

REGISTRATION OF CONTRACTORS OF MIGRANT AGRICULTURAL WORKERS—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 202)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 524) to provide for the registration of contractors of migrant agricultural workers, and for other purposes, and I submit a

report theron. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. TOWER].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

ESTABLISHMENT OF A COUNCIL TO BE KNOWN AS THE NATIONAL ADVISORY COUNCIL ON MIGRATORY LABOR—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 203)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 525) to provide for the establishment of a Council to be known as the National Advisory Council on Migratory Labor, and I submit a report thereon. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. TOWER].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

REPORTS OF COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. WILLIAMS of New Jersey subsequently said in reference to the reports he made today from the Committee on Labor and Public Welfare:

Mr. WILLIAMS of New Jersey. Mr. President, several weeks ago the Subcommittee on Migratory Labor held hearings on a number of bills that would bring much needed help to our hard-pressed migratory farmworkers. Much of the testimony was an eloquent and articulate appeal for these often forgotten people. Witnesses described the burdens and the hardships of the migrant life—the low wages, backbreaking work, the lack of education, lack of child care, the inadequate housing and sanitation facilities, and the abuses of labor contractors. Experts gave us carefully prepared statistics on the wages, the employments rate, the illiteracy rate, and the disease rate. The picture painted by the testimony was neither pleasant nor new. Not that much has changed. Here and there the enlightened efforts of States or of hardworking individuals have improved the life of the migrant. But too much of the bitter hardship and deprivation of these people remains.

In a life marked by thousands of daily, silent tragedies, the public only hears about the newsworthy tragedy. Such a tragedy occurred last Saturday in Florida. A bus, returning a group of 42 migrants to their homes after a day of work in the bean fields near Miami, was sideswiped by a passing truck and plunged into a canal beside the road. In the nightmare panic that followed, 15 adults and over 10 children under the age of 12 were drowned. The youngest child was only 4 years old.

Mr. President, two of the migratory labor bills presently before the Congress are designed to protect the young children of migratory farmworkers. The day-care bill (S. 522) would make it unnecessary for migratory farmworkers to take their young children into the field with them. The child labor bill (S. 523) would protect children from harmful employment in agriculture.

Both of these bills were passed by the Senate in the last Congress. Had these bills been signed into law, the tragedy of these young migrant children might not have occurred.

It is incumbent, therefore, upon us here in the Congress to see to it that these sound measures are enacted in this session. It is the very least we can do for the children of migratory farmworkers.

AMENDMENT OF TITLE 38, UNITED STATES CODE, RELATING TO WAIVER OF INDEBTEDNESS IN CERTAIN CASES—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT NO. 189)

Mr. YARBOROUGH. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (S. 412) to amend title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration, and I submit a report thereon. I ask that the report be printed, together with the minority views of Senators GOLDWATER, PROUTY, TOWER, and JORDAN of Idaho.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Texas.

AMENDMENT OF SECTION 601 OF TITLE 38, UNITED STATES CODE, WITH RESPECT TO DEFINITION OF THE TERM "VETERANS' ADMINISTRATION FACILITIES"—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 193)

Mr. YARBOROUGH. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (S. 625) to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities," and I submit a report thereon. I ask that the report be printed, together with the minority views of Senators GOLDWATER, TOWER, and JORDAN of Idaho.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Texas.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Capt. Albert J. Carpenter, U.S. Coast Guard, for promotion to the permanent rank of rear admiral in the U.S. Coast Guard.

BILLS INTRODUCED

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

By Mr. BIBLE:

S. 1598. A bill to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C., sec. 315g);

S. 1599. A bill to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites, to repeal obsolete statutes, and for other purposes;

S. 1600. A bill to amend section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), and for other purposes;

S. 1601. A bill to provide for public land management and disposition; and

S. 1602. A bill 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; to the Committee on Interior and Insular Affairs.

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

By Mr. FULBRIGHT (by request):

S. 1603. A bill to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock; to the Committee on Foreign Relations.

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

By Mr. JOHNSTON:

S. 1604. A bill to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments; to the Committee on Agriculture and Forestry.

By Mr. RIBICOFF (for himself and Mr. PEARSON):

S. 1605. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. MAGNUSON (by request):

S. 1606. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; and

S. 1607. A bill to amend paragraph (4) of section 15 of the Interstate Commerce Act; to the Committee on Commerce.

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

By Mr. MAGNUSON (for himself and Mr. BENNETT) (by request):

S. 1608. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of

names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Commerce.

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

By Mr. DOMINICK (by request):

S. 1609. A bill to provide for payment of a death gratuity in certain cases involving deaths of members of the uniformed services after June 27, 1950, and before January 1, 1957; to the Committee on Armed Services.

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

S. 1610. A bill to authorize the Secretary of the Interior to set aside certain land within the National Capital Parks System in Washington, D.C., for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. DODD:

S. 1611. A bill for the relief of Fernando Palmieri; and

S. 1612. A bill for the relief of Antonio Palmieri; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 1613. A bill to establish an Office of Reports for each judicial circuit of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. CASE, Mr. COOPER, Mr. ENGLE, Mr. KEATING, Mr. MORSE, Mr. MOSS, Mr. SCOTT, and Mr. WILLIAMS of New Jersey):

S. 1614. A bill to encourage and promote the expansion through private enterprise of domestic exports in world markets; to the Committee on Commerce.

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

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

S. 1615. A bill to amend the General Bridge Act of 1946 for the purpose of maintaining existing bridge clearances on navigable rivers and waterways connecting with the sea; to the Committee on Public Works.

By Mr. HAYDEN:

S. 1616. A bill for the relief of Jao Fernandes Nunes; to the Committee on the Judiciary.

By Mr. HICKENLOOPER (for himself, Mr. ANDERSON, Mr. AIKEN, and Mr. HOLLAND):

S. 1617. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. BURDICK:

S. 1618. A bill to provide for a scenic parkway connection between units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. SPARKMAN:

S. 1619. A bill for the relief of certain employees of the Department of the Army at the Redstone Arsenal, Ala.; to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. INOUYE):

S. 1620. A bill for the relief of Miss Min Min Wong; to the Committee on the Judiciary.

By Mr. COTTON:

S. 1621. A bill for the relief of Tauba Fajga Skowronek; to the Committee on the Judiciary.

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

S. 1622. A bill to prevent certain discriminatory practices by persons engaged in businesses affecting commerce; to the Committee on Commerce.

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

CONCURRENT RESOLUTIONS

UNIVERSITY OF THE SEVEN SEAS

Mr. ENGLE submitted the following concurrent resolution (S. Con. Res. 46); which was referred to the Committee on Labor and Public Welfare:

Whereas the University of the Seven Seas is an institution of higher learning incorporated as a nonprofit educational institution in the State of California; and

Whereas the University of the Seven Seas has been recognized by the Commissioner of Internal Revenue of the United States as a tax-exempt institution authorized to accept tax deductible gifts; and

Whereas the University of the Seven Seas has complied with all requirements of the Department of Education of the State of California pursuant to the issuing of transcripts and the awarding of degrees and diplomas; and

Whereas the University of the Seven Seas is international in scope, having selected members of its Board of Trustees and its faculty from many nations, and being in the process of admitting students from many nations; and

Whereas the several hundred students who will study on its campus will be aboard an ocean liner visiting many nations and acting as informal ambassadors for the nations of their citizenship; and

Whereas these students with their faculty will pursue a serious course of study aboard ship and will undertake field trips in ports which will bring their activities to the attention of many dignitaries in education, government, religion, and other fields; and

Whereas the course of study undertaken in this institution is designed to promote better understanding of international relations and to promote good will among the students and peoples of many nations and has been inspired by the people-to-people concept; and

Whereas this is the first institution of higher education to be established as an international university; and

Whereas the University of the Seven Seas will begin its operations in October 1963; and

Whereas the university is privately endowed: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) it approves the establishment of the University of the Seven Seas and congratulates its founders for their vision in developing such university,

(2) all agencies of the United States Government should cooperate fully with the University of the Seven Seas and assist the institution with the conduct of its international program, and

(3) all institutions of higher education in the United States and other countries should cooperate with the University of the Seven Seas giving due and careful consideration to the accomplishment of students in this institution so that the transfer of a student's achievement among universities everywhere may be facilitated.

ADDITIONAL COPIES OF CERTAIN HEARINGS ON EFFECTS OF TELEVISION PORTRAYAL OF CRIME ON YOUNG PEOPLE

Mr. DODD submitted the following concurrent resolution (S. Con. Res. 47); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary four thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency entitled "Effects on Young People of Violence and Crime Portrayed on Television," part 10, dated June 8, 9, 13, 15, 16, and 19; July 27 and 28, 1961; January 24 and May 11 and 14, 1962.

RESOLUTION

EXPRESSION OF SENSE OF THE SENATE ON BANNING ALL NUCLEAR TESTS WHICH CONTAMINATE THE ATMOSPHERE OR THE OCEANS

Mr. DODD (for himself and Senators HUMPHREY, BARTLETT, BURDICK, CASE, CHURCH, DOUGLAS, CLARK, ENGLE, GRUENING, HART, INOUYE, KEATING, MCGEE, MCGOVERN, METCALF, MORSE, MOSS, MUSKIE, NEUBERGER, PROUTY, RANDOLPH, RIBICOFF, SCOTT, SPARKMAN, YARBOROUGH, DOMINICK, JAVITS, MCCARTHY, KEFAUVER, PELL, LAUSCHE, HARTKE, and BREWSTER), submitted a resolution (S. Res. 148), to express sense of the Senate on banning all nuclear tests that contaminate the atmosphere or the oceans, which was referred to the Committee on Foreign Relations.

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

PUBLIC LANDS REVIEW

Mr. BIBLE. Mr. President, earlier in the session I announced that the Public Lands Subcommittee of the Committee on Interior and Insular Affairs would be conducting an extensive review of the public land laws. Today I shall introduce several bills dealing with this subject, but before doing so I wish to discuss the status of the subcommittee review.

This review is divided into two parts. The first is a review of the Taylor Grazing Act. On January 16, 17, and 18, hearings were held at Reno, Nev.; and these hearings, which total 361 pages, have been printed as part I. On February 7 and 8, a further hearing was held in Washington, D.C. This hearing has been printed as part II, and includes 626 pages of testimony. These two hearings, which cover the grazing-fee question, will be printed and will be made part of the hearing record on public lands problems.

On March 12, a third hearing was held. It was a meeting with the National Advisory Board Council. The transcript runs to some 51 pages. This hearing dealt with the question of the general operation of the Taylor Grazing Act and the question of tenure of grazing permits.

The subcommittee has not completed its review of the Taylor Grazing Act, and consideration is being given to further hearings. The Department and the Council are making their own studies of the question of tenure, and our subcommittee will endeavor to work in a cooperative manner with all interested groups. The subcommittee will consider holding hearings later on Senate bill 872, to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmultiple use. This is an administration bill which was introduced by the subcommittee chairman on February 20. The companion bill in the House is H.R. 3387, which has been the subject of hearings held on March 14 and April 4. The Senate subcommittee has not yet determined when hearings will be held, but this is a matter which will be scheduled at a later date.

The second major part of our review involves the public land laws themselves. Part I of this review was a hearing held on May 6 and 7 on Senate bill 758, to establish a Board of Public Land Appeals in the Department of the Interior. This hearing is in the process of being printed. At the conclusion of that hearing, the chairman asked the Solicitor of the Department of the Interior to convey directly to the Secretary that within 30 days the Department should come back to the committee with its thoughts on improvements that could be effected in the appeals procedures. There will be further hearings on this subject as we go along.

Part II of the public lands review will be hearings on two measures. One of the bills is S. 41, introduced on January 14 by Senator ANDERSON and nine other Senators, which would authorize public land States to select certain public land in exchange for land taken by the United States for military and other purposes. There will be included in that hearing consideration of a second bill submitted on April 12, 1963, which I am introducing today by request of the Secretary of the Interior. This bill would amend section 8 of the Taylor Grazing Act by revising the exchange procedures spelled out in that act.

Mr. President, I ask unanimous consent that the letter requesting this legislation and the text of the proposed bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1598) to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C., sec. 315g), introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C., sec. 315g), as amended, is further amended to read as follows:

"(a) The Secretary of the Interior may, on behalf of the United States:

"(1) Accept a gift of land or an interest in land when in his judgment the gift will promote the purposes of this Act, facilitate the administration of public lands, or otherwise will be in the public interest.

"(2) Exchange for any lands or interests in lands which are privately owned, or which are owned by a State or political subdivision or instrumentality thereof, not to exceed an equal value of surveyed, unappropriated, and unreserved public lands or interest therein when in his judgment the exchange will be in the public interest: *Provided,* That—

"(A) if the lands or interests in lands offered in exchange for public lands have a value at least equal to two-thirds of the value of the public lands, the exchange may be completed upon payment to the Secretary of the difference in values, or the submittal of a cash deposit or a performance bond in an amount at least equal to the difference of values assuring that additional lands acceptable to the Secretary of the Interior and at least equal to the difference in values will be conveyed to the Government within a time certain to be specified by the Secretary of the Interior;

"(B) an exchange with a State or political subdivision or instrumentality thereof may be made only if the lands involved in the exchange are in the same State.

"(b) Subject to the provisions of subsection (a)(2)(A) of this section the Secretary of the Interior may exchange surveyed, unappropriated, and unreserved public lands or interests therein for lands or interests in lands of approximately equal value that are held by the United States in trust for an Indian or a tribe, band, or group of Indians, or that are owned by an Indian or a tribe, band, or group of Indians subject to a restriction against alienation imposed by the United States, if the exchange is in the best interests of the Indian owner or owners and if the Indian owner or owners consent. The lands or interests in lands acquired by or on behalf of the Indian or Indian tribe, band, or group shall be held in the same status and be subject to the same laws and regulations that applied to the lands relinquished by the Indians.

"(c) Any lands or interests in lands acquired by the United States as a gift or through an exchange under subsection (a) of this section shall upon acceptance of title become public lands and shall become a part of any district established pursuant to this Act or any withdrawn or reserved area within which they are located, subject to all of the laws and regulations applicable thereto and any lands or interests in lands relinquished by an Indian or a tribe, band, or group of Indians pursuant to an exchange under subsection (b) of this section shall upon acceptance of the relinquishment become public lands and shall become a part of any district established pursuant to this Act, or any withdrawn or reserved area, other than an area withdrawn or reserved for a tribe, band, or group of Indians, within which they are located, subject to all of the laws and regulations applicable thereto.

"(d) Either party to an exchange under this section may reserve minerals, easements, or rights of use either for its own benefit, for the benefit of third parties, or for the benefit of the general public. Any such reservation, whether in lands conveyed to or by the United States, shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary by the Secretary of the Interior. When minerals are reserved in a conveyance by the United States, any person who prospects for or acquires the right to mine and remove the reserved mineral deposits shall be liable to the surface owners according to their respective interests for any actual damage to the surface or to the improvements thereon resulting from prospecting, entering, or mining operations and said person shall, prior to entering, either obtain the surface owner's written consent, or file with the Secretary of the Interior a good and sufficient bond or undertaking to the United States in an amount acceptable to the Secretary for the use and benefit of the surface owner to secure payment of such damages as may be determined in an action brought on the bond or undertaking in a court of competent jurisdiction.

"(e) This section shall apply to all the public lands States without exception."

The letter accompanying Senate bill 1598 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., April 12, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C., sec. 315g).

We recommend that the proposed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The proposed bill would eliminate gaps in the Department's exchange authority, and would facilitate the consummation of such exchanges.

More specifically, the proposed bill would (1) authorize exchanges of interests in lands; (2) authorize the acceptance of cash in order to equalize values; (3) establish the same rules for both exchanges with States and exchanges with private individuals and give the Secretary more complete authority to determine whether State exchanges would be beneficial; (4) authorize Indians owning restricted lands to exchange them for public lands; (5) designate lands acquired through exchange as automatically a part of the withdrawn area within which they are located; and (6) make the exchange provisions applicable to Alaska.

The present statute has been construed as not permitting the exchange of interests in lands. Our experience has indicated that some exchanges, of mutual benefit to the Government and to the exchange proponents, have been precluded by the limitation on authority. Our proposal explicitly provides for exchanges of such interests.

Under existing law, exchanges with private individuals can be consummated only if the value of the offered land is not less than the value of the selected land. Often such differences in value lead to extended negotiations and examinations at considerable cost to the Government. Not uncommonly, exchanges die because the exchange proponent is unable to offer additional lands to meet the value requirements. The bill would permit cash payment for not to exceed one-third of the value of the selected land or the filing of a bond or cash deposit to assure the conveyance of additional lands to the Government to make up for any difference in values.

Under existing law where a State exchange involves the selection of lands within a grazing district, the offered lands must lie within the same grazing district and be otherwise unreserved and unappropriated and the sole discretion vested in the Secretary is the determination of "whether the selected lands lie in a reasonably compact body which is so located as not to interfere with the administration or value of the remaining land in such district for grazing purposes." Where the selected lands in a State exchange application are not within a grazing district and are unappropriated and unreserved, the Secretary is directed by the statute "to proceed with such exchange at the earliest practicable date," and he is without authority to consider the impact of the proposed exchange upon good land tenure and use, the local economy and Federal land programs and interests. Under the proposed change he could consider those and similar factors to determine whether a State exchange truly would be beneficial.

The present statute provides that State exchanges can be made on one of two bases—equal value or equal acreage. The Secretary by regulation (43 CFR 147.2(b)) has authorized use of the equal value concept only. Equal acreage is not a sound criterion owing to the vast differences in land values, often depending on location only. The proposed bill would take cognizance of our present practice. Equal value is also the usual concept adopted by the Congress in measures having their own exchange provisions.

Another broadening feature of the proposed bill is the provision which would permit an Indian or Indian tribes owning restricted lands to exchange them for public lands. At the present time public lands are not available for exchange for Indian lands held, with restrictions against alienation, or title to which is in the United States in trust for the Indians, except insofar as authorized by special statutes operative only in limited areas. The proposed bill would extend the privileges of these special statutes to all Indian trust or restricted lands, but exchanges would be made only upon the request or with the consent of the Indian or Indians involved, and the land acquired by the Indians through such exchange would be clothed with all the privileges—and restrictions—as the lands surrendered by them. This provision would afford a greater measure of flexibility both to the Government and to Indians and Indian tribes. It is in part designed to avoid the need for future special legislation on the subject.

Under the present statute, lands acquired through exchange by the United States became a part of the grazing district within which they are situated. However, such lands do not automatically otherwise become a part of other reservations within which situated. Our proposal thus would obviate the issuance of public land orders to some extent. It would not be operative as to lands received by the United States in Indian exchanges in cases where they are situated within an area withdrawn for Indians.

Section 8 of the Taylor Grazing Act has been deemed to be inapplicable to Alaska. There are similar needs for exchange authority in Alaska as in other public land States. Our proposal explicitly provides that its provisions shall apply to all the public land States without exception.

The proposal omits the provisions of subsection (d) of section 8 relating to publication of exchanges. Experience has demonstrated that essentially internal work procedures embodied in statutes decrease their flexibility. They can be effectively instituted through regulation.

Also omitted is the provision that no fees shall be charged for exchanges. This provision was superseded by section 201 of the act of July 14, 1960 (74 Stat. 506; 43 U.S.C. 1361 et eq.) which states that, notwithstanding any other provision of law, the Secretary may establish reasonable fees for processing applications relating to public lands under his jurisdiction.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administraion's program.

Sincerely yours,

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

Mr. BIBLE. Part III of the public land review is the consideration of basic changes in the techniques and methods under which public lands are retained or disposed of by the Department of the Interior. Today I am introducing three bills which deal with this subject. The first measure—and I ask unanimous consent that the message accompanying it and the text of the bill be printed at this point in my remarks—is the request made by the Department of the Interior on June 14, 1961, which was S. 2219 of the 87th Congress. No hearings were held on that bill in the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1599) to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites, to repeal obsolete statutes, and for other purposes; introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Lands Act of 1961".

SEC. 2. For the purposes of this Act—

(a) The word "Secretary" means the Secretary of the Interior.

(b) The term "public lands" means all public lands (including minerals, vegetative and other resources) in the United States, including lands within reservations formed from the public domain and other lands permanently or temporarily withdrawn from any or all forms of appropriation provided for in the public land laws, except (1) public lands in any national forest or national wildlife refuge or other wildlife management areas, or areas administered by the Secretary of the Interior through the National Park Service, (2) the revested Oregon and California Railroad or the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon, (3) any Indian lands or lands set aside or held for the use or benefit of Indians, (4) public water reserves which the Secretary finds are needed by the public for the use, control, or conservation of water and (5) public lands which the Secretary determines are chiefly valuable for minerals other than coal, phosphate, sodium, potassium, oil, gas, oil shale, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), and for lands in the States of Louisiana and New Mexico sulfur also.

(c) Notwithstanding the provisions of subsection (b) of this section, the term "public lands," insofar as the Act authorizes leasing of lands for occupancy purposes, includes the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon.

(d) Notwithstanding the provisions of subsection (b) of this section the term "public lands," insofar as it authorizes the Secretary to subdivide and dispose of lands for urban purposes under section 6 of this Act, includes any lands in the State of Alaska that are held by the United States for the use or benefit of Indians without a recognition of a compensable title in the Indians and that are outside any reserve for Indians or administrative use.

(e) The words "subdivide" and "subdivision" refer to the surveying and platting of lands into lots, blocks, streets, alleys, reserves for public purposes, rights-of-way, and such other tracts as the Secretary finds suitable for proper development of lands for urban purposes or for occupancy purposes.

(f) The term "urban purposes" means any purpose, including commercial, related to the development of an urban or suburban residential community.

(g) The term "business purposes" includes, without limiting the meaning thereof, commercial and industrial activities (including the milling or processing of natural products) but does not include crop agriculture or the removal, mining, extraction, or harvesting of natural products in their natural state.

(h) The term "occupancy purpose" means recreational, residential, business, or community use of separate individual sites of five acres or less and any purpose, including commercial, related to the development of a rural recreational community.

(i) The term "qualified individual" means (1) any individual who is a citizen of the United States aged twenty-one years or more, (2) any partnership or association, each of the members of which is a citizen of the United States aged twenty-one years or more, and (3) any corporation, including nonprofit corporations, organized under the laws of the United States, or of any State thereof, and authorized to do business in the State in which the land is located.

(j) The term "qualified governmental agency" means any of the following, including their lawful agents and instrumentalities: (1) The State within which the land is located, (2) the county or municipality or other local government subdivision within which the land is located, and (3) any municipality within convenient access to the lands: *Provided,* That the lands are within the same State as the municipality.

(k) The word "concurrence", in addition to its usual connotation, also means with the consent of the head of the Federal department or agency or of the State or local governmental unit, in any case where the lands involved have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, county, municipality, water district, or local governmental subdivision or agency.

(l) The word "value" means, in connection with sales, the fair market value of land, including all mineral and other interests in land not to be reserved to the United States under this Act, and, in connection with leases, the fair market rental of land, in either case as determined by the Secretary by appraisal or otherwise, taking into consideration all factors affecting market value.

(m) The term "bona fide occupant" means (1) any person who, at the time when public lands are segregated under the provision of this Act has any right of possession or occupancy of any such lands which is based upon a settlement, entry, location, or other action initiated and maintained in accordance with any statute other than this Act and which, if perfected under the statute, would enable such person to obtain title to such lands, and (2) any person who, at the time of such segregation, has any right of possession or occupancy of any such lands (including a right based on actual possession under section 8 of the Act of May 17, 1884 (23 Stat. 24)) which is subject to extinguishment or termination at will by the United States and is not open to perfection under any statute other than this Act, but which, under the provisions of law applicable to the lands immediately prior to the segregation thereof, is protected against intrusion or invasion by third persons until it is extinguished or terminated by authority of the United States, and (3) any other person who meets such requirements for the recognition of an equity in segregated lands, including, in the case of an Indian in Alaska, an equity based on considerations of economic need as may be prescribed by the regulations issued under this Act;

(n) The word "Indian" means Indian, Eskimo, or Aleut and any tribe, band, or community thereof.

(o) The term "excess public lands" means any public lands (1) which are withdrawn by Executive Order Numbered 6910 dated November 26, 1934, as amended, or by Executive Order Numbered 6964 dated February 5, 1935, as amended, or pursuant to section 1 of the Act of June 28, 1934 (48 Stat. 1269;

43 U.S.C. 315) as amended, or which are vacant, unappropriated, and unreserved public lands in Alaska, and (2) which the Secretary finds are not suitable for disposition under any public land law, other than section 8 of this Act, and (3) which the Secretary finds are not needed for any Federal program, project, or activity.

SEC. 3. It is the policy of the Congress that the Secretary administer this Act so as to promote the beneficial use and disposition of public lands subject to the provisions hereof, and at the same time safeguard the public interest in the lands. To this end, proposed classifications, leases, and sales under this Act should be considered in the light of their effect upon the conservation of natural resources and upon the welfare of the individuals and communities involved, and of their consistency with State laws and local governmental ordinances, plans, and programs. This Act should be administered in a manner which will tend to promote development of the public lands, to maintain in public ownership or control scenic attractions or water or other resources that should be kept open to public use, and to avoid unreasonable interference with the use of water for grazing purposes, undue impairment of the protection of watershed areas, scattered or isolated settlement which would impose undue burdens upon State or local governments in providing governmental services, interference with the application of the sustained yield timber management requirement established by the Act of August 28, 1937 (43 U.S.C. 1181a–1181f), as amended, and nonconforming or substandard land uses.

SEC. 4. (a) The Secretary, with concurrence and under such regulations as he may deem necessary, is hereby authorized to sell to qualified governmental agencies, in tracts not exceeding five thousand acres, at their value any public lands which he may classify as chiefly valuable for urban or business purposes.

(b) Before any lands may be disposed of under this section, it must be shown to the satisfaction of the Secretary that the land is to be devoted to an established or definitely proposed project or program and that the qualified governmental agency has the bona fide intention, authority, and means to develop the lands, or to dispose of the lands for development, for urban or business purposes.

(c) No more than five thousand acres may be conveyed under this section in any twelve-month period to any one grantee for any one project or program, and applications by any one applicant for more than ten thousand acres for any one project or program may not be pending at one time.

SEC. 5. (a) The Secretary, with concurrence and under such regulations as he may deem necessary, is hereby authorized to sell at public auction and at not less than their value to qualified individuals, in tracts not exceeding one thousand two hundred and eighty acres each, any public lands which he may classify as chiefly valuable for urban or business purposes. No qualified individual shall purchase within any twelve-month period more than one thousand two hundred and eighty acres under this section and applications by one qualified individual for more than three thousand eight hundred and forty acres shall not be pending at one time.

(b) To carry out the policies expressed in this Act, the Secretary may, in sales of lands pursuant to this section, prescribe such conditions precedent and conditions subsequent as he deems practicable, feasible, and reasonable.

SEC. 6. (a) Notwithstanding any other provisions of law, the Secretary, with concurrence, is hereby authorized, by contract or otherwise, to cause subdivisional plans to be prepared for and to have subdivided any public lands which he may classify under this Act as chiefly valuable for urban purposes or occupancy purposes.

(b) The Secretary is hereby authorized to lease or sell, at not less than their value, public lands subdivided in accordance with the provisions of this section to qualified individuals and to qualified governmental agencies under such rules and regulations as he may deem desirable, or the Secretary may in the disposal of such subdivided lands to qualified governmental agencies for public purposes apply the provisions of the Recreation and Public Purposes Act of June 14, 1926 (44 Stat. 741; 43 U.S.C. secs. 869—869–4), as amended, but the Secretary in the disposal of such subdivided lands (1) shall give bona fide occupants a preference right to purchase the lands occupied by them or other lands within the same subdivision in lieu thereof, at prices which shall be based upon the value of the property at the time when it is offered for sale diminished by the amount of any increased value resulting from the development or improvement of the lands by the occupant or his predecessors in interest, and by the amount of any further adjustment that is appropriate for giving full effect to the equities of such occupants, (2) shall subject such preference rights to such restrictions, exceptions, and other conditions as he may find to be needed in order to prevent speculation, facilitate settlement, or otherwise protect the public interest, (3) shall not require any payment by any Indian for lands in any subdivision which he finds will serve primarily the needs of the Indian population of Alaska or for lands in any other subdivision of which such Indian is a bona fide occupant, (4) shall not require any payment for any streets and alleys dedicated by any means whatsoever for use of the public or to any qualified governmental agency, and (5) shall not sell or lease more than one tract to any one qualified individual except upon a showing of good faith and reasons satisfactory to the Secretary.

(c) There are authorized to be appropriated such sums, not exceeding $500,000 per annum, as may be necessary for the segregation and classification of lands, the preparation of plans and plats, the determination of improvement requirements, and the conduct of surveys authorized by this section. The Treasury shall be reimbursed for all expenditures for these purposes out of the proceeds from sales of lands under this Act.

(d) The Secretary may require, as a condition precedent to the lease or sale of lands surveyed in accordance with the provisions of this section, the payment or the agreement to pay by the lessee or purchaser to a contractor or contractors selected by such means as the Secretary may provide by regulation of a fair share of the cost of providing on, or for the benefit of, the lands applied for such grades, roads, streets, drains, water supply systems, and other improvements as may be required by local zoning ordinances and standards or as may be usual to subdivision tracts as the Secretary in his discretion determines to be necessary and appropriate for construction prior to the consummation of such lease or sale.

SEC. 7. The Secretary shall issue a restricted patent for any lands disposed of under section 6 of this Act to any Indian who, in the opinion of the Secretary, is not competent to manage the property to be conveyed. Such restricted patent shall prohibit the alienation or taxation of the lands without the approval of the Secretary and may contain such other provisions for the protection of the interests of the owner of the lands as the Secretary finds advisable. Such patent shall also provide that the Secretary, if he determines that the owner of the lands is in a position to manage them without protection by the United States, may terminate the restrictions imposed by the patent in such circumstances and upon such conditions as he finds advisable, whether or not the owner has applied for a termination of the restrictions. The approval by the Secretary of the act of the owner in selling a tract of land for which a restricted patent has been issued under this section shall vest in the purchaser a complete title (which shall be subject to the restrictions only if the purchaser is an Indian and the conveyance provides for a continuance of the restrictions) from the date of such approval.

SEC. 8. (a) The Secretary, under such regulations as he may deem necessary, is hereby authorized to sell at public auction and at not less than their value to qualified individuals and to qualified governmental agencies, in tracts not exceeding one thousand two hundred and eighty acres each, any public lands which he may classify as excess public lands.

(b) In the interest of protecting the stability of dependent economic activities, the Secretary may provide by regulation that, under such conditions which he deems appropriate to effect the purposes of this paragraph, owners of lands contiguous to land offered for sale under this section shall have a preference right to buy the offered land at the highest bid price.

SEC. 9. All revenues derived from the sale or lease of public lands under this Act, except for the reimbursements provided for in subsection (c) of section 6 of this Act, shall be deposited in the Treasury and disposed of in the same manner as moneys received from the sale of public lands.

SEC. 10. All patents or other evidence of title issued under this Act shall contain (1) a reservation to the United States of all deposits of coal, native asphalt, solid and semi-solid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, potassium, and for lands in the States of Louisiana and New Mexico sulfur also, in the lands described in the patent or other evidence of title, together with the right to prospect for, mine, and remove them under applicable provisions of law and (2) any other reservations, conditions or limitations which the Secretary deems necessary or desirable in the public interest.

SEC. 11. (a) The notation in the proper land office of a proposal to classify lands under this Act or the classification of lands pursuant to this Act shall segregate the lands from further application to make entry, selection, or location and from settlement and location under the public land laws to such extent and under such terms and conditions as the Secretary may deem appropriate.

(b) All segregations under this Act shall be subject to valid rights existing at the time of segregation.

(c) No applications shall be filed to lease or purchase lands pursuant to this Act except lands which have been opened thereto by the Secretary.

SEC. 12. (a) Notwithstanding any other provision of law, any lawful zoning action by duly constituted local governmental authority shall govern construction and utilization of improvements on public lands classified under the terms of this Act, except as to such improvements which are being utilized by, or being constructed by or for, the United States or any of its agents or instrumentalities.

(b) Where the governing body of the county so requests it, the Secretary will allow local zoning authorities a reasonable period in which to consider and zone lands in each proposal for subdivision, lease, or sale under the terms of this Act.

SEC. 13. The Secretary is authorized to issue such regulations, make such determinations, and do such other acts or things as

may be necessary or appropriate to carry out the terms of this Act.

SEC. 14. (a) Subject to valid rights and liabilities existing at the date of approval of this Act, the following statutes or parts of statutes are repealed:

(1) Sections 2380, 2381, 2382, 2383, 2384, 2386, 2387, 2388, 2389, 2391, 2392, 2393, and 2394 of the Revised Statutes, as amended (43 U.S.C. 711–715, 717–724);

(2) Act of March 3, 1877, as amended (19 Stat. 392; 43 U.S.C. 725–727);

(3) Section 22 of the Act of May 2, 1890 (26 Stat. 91; 43 U.S.C. 1094);

(4) Act of May 14, 1890, as amended (26 Stat. 109; 43 U.S.C. 1111–1117);

(5) Sections 11 and 16 of the Act of March 3, 1891 (26 Stat. 1099, 1101; 48 U.S.C. 355, 43 U.S.C. 728);

(6) Joint Resolution of September 1, 1893 (28 Stat. 11; 43 U.S.C. 1118);

(7) Act of May 11, 1896 (29 Stat. 116; 43 U.S.C. 1119);

(8) Section 3 of the Act of January 18, 1897 (29 Stat. 490; 43 U.S.C. 1133);

(9) Act of February 9, 1903 (ch. 531, 32 Stat. 820; 43 U.S.C. 731);

(10) The fourth paragraph of section 1 of the Act of March 12, 1914 (38 Stat. 307, 48 U.S.C. 303);

(11) Act of July 9, 1914 (38 Stat. 454; 43 U.S.C. 730);

(12) Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a–355d);

(13) Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a–682e), as amended;

(14) Act of February 26, 1948 (62 Stat. 35; 48 U.S.C. 355e);

(15) Act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a–364e);

(16) Section 2455 of the Revised Statutes (43 U.S.C. 1171, 1171a, 1171b, 1175, 1176, 1177), as amended;

(17) Act of July 24, 1947 (61 Stat. 414; 48 U.S.C. 364).

(b) Section 10 of the Act of May 14, 1898 (30 Stat. 413; 48 U.S.C. 359, 461–465), as amended, is hereby amended to read as follows:

"That ingress and egress shall be reserved to the public on the waters of all streams, whether navigable or otherwise. No entry for railroad, wagon road, or tramway purposes shall be allowed under this Act on lands abutting on navigable water of more than eighty rods. The Secretary of the Interior shall reserve for the use of the natives of Alaska suitable tracts of land along the waterfront of any stream, inlet, bay, or seashore for landing places for canoes and other craft used by such natives: *Provided*, That the Annette, Pribilof Islands, and the islands leased or occupied for the propagation of foxes be excepted from the operation of this Act.

"That all affidavits, testimony, proofs, and others papers provided for by this Act and by said Act of March third, eighteen hundred and ninety-one, or by any departmental or Executive regulation thereunder, by depositions or otherwise, under commission from such officer as the Secretary of the Interior may designate, which may have been or may hereafter be taken and sworn to anywhere in the United States, before any court, judge, or other officer authorized by law to administer an oath, shall be admitted in evidence as if taken before such officer as the Secretary of the Interior may designate. And thereafter such proof, together with a certified copy of the field notes and plat of the survey of the claim, shall be filed in such office as the Secretary of the Interior may designate, and if such survey and plat shall be approved by him or by such officer as he may designate, certified copies thereof, together with the claimant's application to purchase, shall be filed in the United States land office in the land district in which the claim is situated, whereupon, at the expense of the claimant, such officer as the Secretary of the Interior may designate of such land office shall cause notice of such application to be published for at least sixty days in a newspaper of general circulation published nearest the claim within Alaska, and the applicant shall at the time of filing such field notes, plat, and application to purchase in the land office, as aforesaid, cause a copy of such plat, together with the application to purchase, to be posted upon the claim, and such plat and application shall be kept posted in a conspicuous place on such claim continuously for at least sixty days, and during such period of posting and publication or within thirty days thereafter any person, corporation, or association, having or asserting any adverse interest in, or claim to, the tract of land or any part thereof sought to be purchased, may file in the land office where such application is pending, under oath, an adverse claim setting forth the nature and extent thereof, and such adverse claimant shall, within sixty days after filing of such adverse claim, begin action to quiet title in a court of competent jurisdiction within Alaska, and thereafter no patent shall issue for such claim until the final adjudication of the rights of the parties, and such patent shall then be issued in conformity with the final decree of the court."

(c) Any townsite now existing under the above statutes or parts of statutes may continue to be administered thereunder in the same manner as if this Act had not been passed, or, subject to any rights or liabilities now existing, may be administered under the provisions of this Act, as the Secretary finds to be most practicable in each case.

The letter accompanying Senate bill 1599 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., June 14, 1961.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites, to repeal obsolete statutes, and for other purposes.

We request that the proposed bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

Through its Bureau of Land Management this Department manages the national land reserve. For the foreseeable future, our principal function with respect to these lands will continue to be that of management. However, to some extent, we will continue also to be a land disposition agency, transferring relatively small acreages each year where emerging private and governmental needs require lands from the national land reserve and the lands are not needed for more compelling purposes. The President's special message on natural resources to the Congress, dated February 23, 1961, emphasizes the importance of these lands to the national economy and refers to them as "a vital national reserve that should be devoted to productive use now and maintained for future generations."

We have been attempting to perform our management and disposition functions with inadequate means at our disposal. In some measure, this situation stems from the fact that the public land laws are the result of a series of enactments over the years, a large number of which are now obsolete or otherwise insufficient. To some extent, these laws reflect social and economic conditions of the last century and no longer accommodate themselves to today's situations. The Committees on Interior and Insular Affairs have been receptive to proposals to modernize these laws, but as yet have not been presented with any comprehensive proposal to bring the laws up to date. This we intend to do in the months to come.

Our studies to date indicate that a comprehensive, modernized system of nonmineral public land laws should probably encompass the following elements:

1. A system of disposition by lease and sale of public lands found to be chiefly valuable for private use and development other than agriculture. A draft to accomplish this is enclosed in this letter and is more fully described below.

2. Disposition of public lands considered to be chiefly valuable for agriculture. A draft of legislation for this purpose will be prepared. One approach could be to remedy some of the features of existing agricultural public land laws which have caused the greatest difficulties and to introduce to some extent at least, payment for the hands under terms more in keeping with the value of the resources to be obtained in order to eliminate speculative interest in such lands. This could include higher standards for classification, higher standards for development, and changes in details of the homestead and desert land acts. Repeal of the Pittman Act of October 22, 1919 (41 Stat. 293; 43 U.S.C. secs. 351–355, 357–360), and the act of September 22, 1922 (42 Stat. 1012; 43 U.S.C. 356) is another possibility. A proposal (H.R. 6241) for the repeal of the Pittman Act was previously submitted and a hearing held before the House Public Lands Subcommittee on April 21, 1961.

3. Modernizing and streamlining administrative procedures for exchanges of public lands with States and individuals and also exchanges of public lands for Indian trust lands in appropriate circumstances. A draft of legislation to accomplish this will be prepared.

4. Revision and extension of basic authority for the management of public lands under the administration of the Bureau of Land Management. A draft of legislation will be prepared providing specific authorization for the administration of balanced usage of such lands and for sustained-yield management of renewable range, forest, and other resources. Study is also being given to administrative matters for the purpose of determining the need for legislative clarification and simplification of the general authority for the administration of public lands.

5. Easements over public lands. We will prepare draft legislation for the modification of existing right-of-way laws to the extent necessary to provide modern, workable, and uniform law for granting easements affecting lands administered by the Department of Agriculture and the Department of the Interior. Existing right-of-way laws do not make provision for various uses which would seem properly to fall within their general objectives, do not always permit ready terminations of rights granted, and do not contain adequate provision for appropriate terms and conditions for proper management of the surface, and for adequate dimensions to permit necessary utilization.

6. Mineral reservations in connection with land sales. This general field will be considered in two parts. The first part would tend to relieve the difficult situation in Tucson, Ariz., and other localities where the locating of mining claims for the mineral estate in lands, the surface of which has been patented, conflicts with private development of the surface for residential, industrial, and commercial purposes. There are over 30 million acres, only the surface of which has been patented and the mineral estate may be appropriated under the U.S. mining laws regardless of surface development. We expect shortly to submit draft legislation on this first part. A draft for the second part will encompass a proposed uniform system of disposition and reservation of mineral interests in public lands.

One possible approach would be the retention by the United States in all circumstances of those minerals which may be subject to lease under the Mineral Leasing Act of 1920 (41 Stat. 437; 30 U.S.C. 181), as amended, and provision for the sale of the mineral interest for nonleasable minerals, to the patentee in all instances where such mineral values are minor as compared to the surface values.

The above six subjects, of course, describe only certain major areas of concern. Other and less far-reaching proposals will also be made. Requests for legislation on these lesser proposals, together with those above, will be submitted as rapidly as they can be prepared. We anticipate, however, that the completion of all the proposals will take substantial time and accordingly urge that each proposal be given congressional consideration as it is submitted.

The above proposals reflect the opinion of this Department and, except for item 1, have not been as yet approved by the executive branch.

The increasing economic activity in public land States has caused a growing demand for land for commercial and industrial purposes. While this demand exists in connection with many industries, it is particularly pressed for those requiring locations within large areas of open land and climatic conditions of the type found in certain regions where a great deal of public land is situated, such as electronics, aircraft, and missile industries. There is no means easily available for the disposal of public lands, in tracts of sufficient size for these purposes. Cumbersome and roundabout methods have to be used, such as exchanges for the acquisition of suitable lands. Occasionally special legislation for individual sites has been sought.

At the same time that there has been such an increasing demand for public land for commercial and industrial purposes, there has also been an increasing demand for public land in connection with urban and, particularly, suburban development. This development in the periphery around cities and along highways leading out from cities has been one of the most noticeable phenomena of the period since the close of the Second World War.

The proposed bill takes cognizance of these demands and would provide for the disposition of lands at their appraised fair market value to State and local governments for urban or business development under their direction or authorization. Similar provision would be made for the disposition of lands at public auction to private enterprises for urban or business development under their initiative or direction, subject to conditions which the Secretary might prescribe to insure effectuation of the purposes of the transfer.

The proposed bill would authorize this Department to subdivide lands chiefly valuable for urban or occupancy purposes, and to make disposition of such subdivided lands and other small tracts by lease or sale.

The proposed bill also contemplates the sale at public auction of public lands not suitable for disposition under other provisions of law and which are not needed for any Federal program, project, or activity.

The proposed bill does not contain to any appreciable extent operational requirements and restrictions, since these, experience amply shows, tend to impede, if not prevent, efficient and effective operations and lead to numerous amendments of law. The proposed bill would contain policy directives and authority for the Secretary to act effectively to carry out the beneficial use and disposition of the public lands consistent with the public interest. This authority would permit us to classify lands, to segregate them for planned dispositions, to grant preference rights where equity would dictate, and to make conditional conveyances.

This proposed bill, if enacted, should not be regarded as a final resolution of all questions of aboriginal title in Alaska, nor should the proposed bill be considered as prejudicing the claims now pending thereon.

Subsection 6(c) and section 9 of the proposed bill contemplate that receipts from the sale of lands equal to the costs of segregation and classification of lands, the preparation of plans and plats, the determination of improvement requirements, and the conduct of surveys will not go into the funds from which the States allocations are computed. In other words, revenues equivalent to such costs, are impressed with a lien and are to be wholly returned to the U.S. Treasury and the States will receive their shares from the remainder of the proceeds.

Our proposal would repeal a number of laws which are now obsolete in whole or in part or which will be unnecessary if this proposed general legislation is enacted. The laws which would be affected are:

A. The townsite laws, a hodgepodge of legislation passed over the years with varying provisions. The need for their complete revision is discussed in detail in appendix A, enclosed.

B. The Small Tract Act (52 Stat. 609, 43 U.S.C. 682a), as amended, a general and rather simple law which contains certain objectionable features but which is otherwise incorporated in the new proposal. Objectionable features include the automatic reservation of all minerals (discussed in detail in appendix B, enclosed) and the provision for Interior employee participation in the program. With the large scale acquisition of lands by the State of Alaska in the more desirable areas, it no longer seems necessary to make Alaska an exception to the general rules.

C. The homesite, headquarter site, and trade and manufacturing site laws of Alaska, settlement laws. The laws with their limitations are not entirely suitable for the intended purposes. Further, they serve to impede State selections and management of public lands. The low statutory prices for the lands ($2.50 per acre) are inconsistent with good public policy. The proposed bill would permit the Secretary to allow settlement where it would prove satisfactory.

D. Section 2455 R.S., 43 U.S.C. 1171, as amended, providing for the sale of isolated and rough or mountainous tracts. The fact that lands are isolated, rough, and mountainous does not necessarily mean that they are suitable for disposition. On the other hand, the fact that they lack such characteristics does not mean that they are suitable for retention. The criteria in the law are therefore obsolete. The preference right added to the law in 1934 serves to deter competition and to invite sales of adjoining lands for the purpose of creating such rights. The new proposal would permit the Secretary to grant preference rights to adjoining owners under certain conditions.

E. The Alaska Public Sale Act, the act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a–364e). The restrictive nature of the act makes it unsuitable for present conditions, as is discussed in detail in appendix C, enclosed.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.
Assistant Secretary of the Interior.

APPENDIX A

TOWNSITES

Over the years the Congress has enacted a series of laws providing for the withdrawal, location, use and disposal of townsites upon the public lands. The varying procedures prescribed by these laws are partially interdependent, partially alternative, and partially unrelated. Many of the provisions of these laws have become obsolete by reason of such circumstances as changes in other provisions of the public land laws, disposition of substantially all the public lands within a particular category upon which a particular set of provisions was designed to operate, or development of new and better techniques for townsite planning and management that have caused the public to lose interest in employing the older and less advantageous techniques. Practical experience has also revealed a number of particulars in which the existing laws are ambiguous, contradictory, incomplete, or otherwise in need of technical improvement.

Some of the townsite laws; e.g., R.S. 2389, 43 U.S.C. 720, as amended contain limitations upon the size of townsites and upon the area of the various types of tracts in townsites. These limitations at times have tended to impede normal community growth, or the laying out of the townsite and its various public facilities in the most beneficial manner.

Some of the townsite laws contemplate a system of public sales to be followed by private sales (this latter system, except for townsites, was repealed in 1891). Private sales have resulted not uncommonly in dispositions at inordinately low prices. The proposed procedures, on the other hand, would call for disposition of town lots at fair market value, less improvements resulting from activities of bona fide claimants and their predecessors in interest and taking into consideration their equities.

Present townsite laws do not all make provision for preference rights to bona fide occupants or other meritorious claimants. The preference rights proposed to be granted would be subject to "such restrictions, exceptions, and other conditions as he (the Secretary) may find to be needed in order to prevent speculation, facilitate settlement, or otherwise protect the public interest."

APPENDIX B

SMALL TRACT ACT

One of the major problems in the development of land is that the development of subsurface values is often inconsistent with the development of surface values. In particular, the development of land for residential, business, recreational, and community purposes is often inconsistent with the development of the minerals underlying those lands. The impact of the development of the leasable minerals such as oil and gas upon the surface of land can be limited, but the development of other minerals in the category of those locatable under the U.S. mining laws, such as the hard rock minerals, can greatly handicap or even prevent the proper development of the land for surface purposes.

Section 2 of the Small Tract Act of June 1, 1938, as amended (43 U.S.C., sec. 682b), provides that each patent for a tract bought under that act shall contain a reservation to the United States of all the mineral deposits together with the right to prospect for, mine, and remove them. This provision permits, subject to the promulgation of regulations by the Secretary of the Interior, the development of the reserved minerals under the applicable mining and mineral leasing laws. The Secretary of the Interior has by regulation made the reserved leasable minerals subject to the mineral leasing laws, but he has not made the mining laws applicable to the other reserved minerals. Since there is no provision in either the mining laws or the Small Tract Act to protect surface values and improvements, to permit the development of minerals under the mining laws could cause serious loss to surface owners. There is not such a great danger with respect to minerals subject to the mineral leasing laws, since under those laws there is opportunity to establish terms and conditions necessary to

make reasonable adjustment between surface and subsurface development.

Even though the minerals in patented small tract lands have not been opened to appropriation under the U.S. mining laws, the possibility thereof has probably retarded the development of the full surface potential of such lands. Prospective intensive developers could well hesitate to invest the large sums of money required for such development in the light of the possibility that surface values may be entirely destroyed by activities under the U.S. mining laws.

APPENDIX C

The Alaska Public Sale Act (61 Stat. 414; 48 U.S.C. 364a–364e) has not achieved its objective of facilitating industrial and commercial development in Alaska and to make more rapidly available lands suitable for commercial and industrial use than was possible under laws then in effect. The original bill authorized the private or public sale of certain Alaskan land which the Secretary might classify for such disposition. The bill provided that patent should not issue until survey, but contemplated the immediate passage of the entire fee in the land to the purchaser after sale, and contained no provision for the issuance of certificates of purchase, the delay of issuance of patent after sale, or the submission of proof by a purchaser of use of the land conforming to its classification. The bill was amended to include provision for issuance of certificates of purchase and the Department objected to such inclusion, but the amendments prevailed. The law has been interpreted as requiring proof to be filed within 3 years after issuance of the certificate of purchase, otherwise forfeiture of the moneys paid to the Government for the land results, 62 ID 243, 251. The Congress has recognized implicitly the difficulties attendant upon operations under the Alaska Public Sale Act by Private Law 654 (84th Cong., 2d sess.) of May 18, 1956, authorizing in certain circumstances that an extension of time to perform certain acts be granted to Matanuska Valley Lines, Inc., and to Joe Blackard and Russell Swank.

We are informed that issuance of certificates of purchase has not afforded a sufficient predicate upon which loans may be obtained. Without adequate financing, development is difficult, if not impossible.

The restrictive provisions of the Alaska Public Sale Act, requirements for publication, acreage limitation of 160 acres, and withholding of patent until proof of compliance are not conducive to effectuation of the purposes of the law.

Mr. BIBLE. The second measure is a request from the Department of the Interior to amend the sales statutes, which was submitted on February 27, 1963. I ask unanimous consent that the message and text of the bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1600) to amend section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), and for other purposes, introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), is further amended to read as follows:

"SEC. 2455. (a) Notwithstanding the provisions of section 2357 of the Revised Statutes (43 U.S.C. 678) and of the Act of August 30, 1890 (26 Stat. 391), the Secretary is authorized to sell any public lands which he classifies as proper for disposition and as not needed for Federal program requirements or the long range administration of the public lands, in tracts not exceeding five thousand acres each, to qualified governmental agencies at the fair market value of the lands or to qualified individuals at public auction at not less than their fair market value. The Secretary may provide by regulation, under such terms as he deems appropriate, that owners of land contiguous to the land offered for public auction under this section and authorized users of such offered land may have a preference right to buy the offered land at the highest bid price, considering such factors as extent of contiguity of the offered and privately owned land, duration of ownership of the privately owned land, legitimate historical use and topography of the offered land, and desirable land pattern and use.

"(b) The Secretary shall administer this section to promote the beneficial use and disposition of public lands. Proposed classifications and sales under this section shall be considered in the light of their effect upon the conservation of natural resources and upon the welfare of the individuals and communities involved, and their consistency with local governmental laws, ordinances, plans, and programs.

"(c) The notation in the proper land office of a proposal to classify lands under this section, or the classification of lands under this section shall segregate the lands from further application to make entry, selection, or location, and from settlement and location under the public land laws, including the United States mining laws, but not the mineral leasing laws, to the extent the Secretary considers appropriate, but all segregations under this section shall be subject to valid rights existing at the time of segregation. No application shall be filed to purchase lands under this section except lands which have been opened thereto by the Secretary.

"(d) For the purposes of this section—

"(1) The word 'Secretary' means Secretary of the Interior.

"(2) The term 'public lands' means any public lands which are withdrawn by Executive Order Numbered 6910 dated November 26, 1934, as amended, or by Executive Order Numbered 6964 dated February 5, 1935, as amended, or pursuant to section 1 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315), and not otherwise reserved or which are vacant, unappropriated, and unreserved public lands in Alaska.

"(3) The term 'qualified governmental agency' means any of the following, including their lawful agents and instrumentalities: (A) the State, county, municipality, or other local government subdivision within which the land is located and (B) any municipality within convenient access to the lands if the lands are within the same State as the municipality.

"(4) The term 'qualified individual' means (A) any individual who is a citizen or otherwise a national of the United States (or who has declared his intention to become a citizen) aged twenty-one years or more; (B) any partnership or association, each of the members of which is a qualified individual as defined in subparagraph (A); and (C) any corporation organized under the laws of the United States or of any State thereof, and authorized to hold title to real property in the State in which the land is located.

"(e) The Secretary is authorized to issue such regulations as he deems appropriate to effectuate the purposes of this section."

SEC. 2. The Secretary is authorized to consider and proceed with the applications filed and transactions initiated under section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), prior to the effective date of this Act which were valid and subsisting on the effective date of this Act, as if this Act had not been enacted.

The letter accompanying Senate bill 1600 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., February 27, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to amend section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), and for other purposes.

We recommend that the draft bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

The statute now provides that the Secretary of the Interior may order into market for sale at public auction, at the land office district in which the land is situated, isolated tracts not to exceed 1,520 acres. He may also, upon the application of an adjoining owner or an adjoining entryman, order into the market tracts not exceeding 760 acres, the greater part of which is "mountainous or too rough for cultivation." For a period of not less than 30 days after the highest bid is received any owner or owners of the contiguous lands must be afforded a preference right to buy the offered land at the highest bid price, and where two or more persons exercise such preference right the Secretary of the Interior is authorized to make an equitable division of the lands among such preference right claimants. However, an adjacent landowner or owners cannot be required to pay any more than three times the appraised price.

The requirement that land be sold at the land office has impeded the administration of the public sale law and has resulted, we believe, in many situations where the United States has failed to obtain the maximum monetary return from the sale of lands. A sale held at a most advantageous place would bring greater competition and would enhance the probability of greater pecuniary returns to the United States. Today the fact that public lands are isolated or rough or mountainous does not necessarily mean that they are suitable for disposition. On the other hand, the fact that lands lack such characteristics does not mean that they are needed for retention by the Federal Government. Therefore, the criteria embodied in the present law are obsolete.

The preference right provisions embodied in the present law have led sometimes to results not in keeping with good land tenure and use. Presumably, these provisions were designed to protect activities on adjoining privately owned lands which were dependent on the public lands in issue. Not uncommonly, preference rights have been asserted, and recognized by this Department as required by law, by persons who bought a few adjoining feet of privately owned land in order to establish a preference right claim. In many situations persons who owned private land having a considerable acreage contiguous to the public land and whose activities were interrelated with the lawful use of the public land have sustained economic damage because of the inflexibility of the preference right provisions. Since the statute allows a period of 30 days for the assertion of preference rights to buy lands at public sale, many persons have bought adjoining lands during the 30-day period merely to establish a preference right claim under the law. The provision in the existing law that a preference right claimant may purchase the offered land at no more than three times the appraised price has on

occasion resulted in loss of revenue to the United States.

In recent years the increasing economic activity in the public land States has caused a growing demand for public land by local governments and private enterprises for commercial and industrial purposes and for urban and suburban development. The demand for land is particularly urgent for those industries, such as the electronics, aircraft, and missile industries, requiring locations within large areas of open land and climatic conditions of the type found in certain regions where a great deal of public land is situated. There is no readily available means for the sale of public lands in tracts of sufficient size to meet these needs of local governments and private enterprises.

The acreage limitations embodied in the existing statute do not permit sufficient flexibility to satisfy changing demands by industry, local communities, and others.

The draft bill takes cognizance of governmental and industrial requirements for public lands and would grant the Secretary of the Interior authority to sell public lands, not needed for Federal program requirements, in tracts not exceeding 5,000 acres to qualified governmental agencies by negotiated sale for not less than the fair market value and to qualified individuals at public auction at the highest bid price. The bill also contains certain criteria to be followed in the determination whether land is to be sold. The bill also envisages in the interest of protecting the stability of dependent economic activities that the Secretary of the Interior may by regulation establish criteria to grant owners of lands contiguous to the land offered for sale a preference right to buy the offered lands at the highest bid price.

In order to facilitate sales under the bill, it provides that the Secretary would have authority to segregate the lands from other disposition upon a proposal to classify lands for disposition at public sale and that no application shall be accepted to purchase the land except for those lands which have been opened to such application by the Secretary of the Interior. One of the major problems facing our Bureau of Land Management has been the uncontrolled filing of applications under various public land laws. We believe that a more businesslike mode would suggest that applications be filed only for those lands which have been determined to be proper for disposition under the public sale law.

Our bill also envisages that the Secretary would be authorized to issue such regulations as may be necessary to effectuate the purposes of the act and that he may consider and proceed to act upon valid and subsisting applications pending on the effective date of enactment of the bill.

We believe that the enactment of this proposed bill will enable the Department to meet more readily the ever-increasing needs of local governments and private enterprises for public land.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

Mr. BIBLE. The third bill is a composite sale and management proposal which I have had drafted and which I am now introducing. I ask unanimous consent that the text of this measure be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1601) to provide for public land management and disposition, introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall apply to all lands, whether vacant, unappropriated public domain, or otherwise under the administrative jurisdiction of the Bureau of Land Management in the Department of the Interior as of March 15, 1963, and to lands subsequently placed under the jurisdiction of this agency by any Act of Congress.

SEC. 2. The purpose of this Act is to provide for the management and disposition of the lands defined in section 1.

Lands determined to be best suited to public development will be maintained in public ownership and the soil, water, scenic, forest, mineral, range, wildlife, and other resources shall be developed for public use under the principles of multiple-use and sustained yield. Lands determined to be best suited to private development will be disposed of in an orderly manner in cooperation with State and local governments. In determining whether to dispose of lands and resources by sale or lease for private development or certain lands in public ownership, Federal, State, or local, the Secretary shall consider the effect upon the conservation of resources, the welfare of individuals as compared to communities and areas and the relation to State and local laws, ordinances, land development plans, and programs.

The Secretary of the Interior is authorized to sell, lease, or otherwise dispose of any public lands covered by this Act, to classify lands and to retain them for public use and management, to effect their withdrawal and reservation in accordance with applicable statutes, to retain the mineral estate in the United States in any lands where title passes, and to issue rules and regulations to effect the purpose of this Act. No conveyance of title, lease, or withdrawal for a period of more than ten years shall be made under this Act covering an acreage in excess of five thousand acres except by a specific Act of Congress.

No one, including but not limited to individuals, partnerships, corporations or instrumentality of State or local government, shall be eligible to receive conveyances of title, or leases in excess of ten years, or a combination thereof for a series of tracts which will aggregate more than five thousand acres except by a specific Act of Congress. No lease shall convey exclusive use of public lands except by a specific Act of Congress.

SEC. 3. Upon becoming law this Act shall govern the disposition of all public lands to which applicable, except as specifically provided, and the Secretary is authorized to consider and proceed with pending applications made under Acts repealed by this Act if filed and allowed prior to the effective date of this Act, providing that they were valid and subsisting on the effective date of this Act, as if this Act had not been enacted.

SEC. 4. COOPERATION WITH STATES AND LOCAL GOVERNMENT.—Upon the request of the Governor of any State with public lands as defined in this Act, the Secretary of the Interior is authorized to create within that State a land management advisory board which shall consist of nine persons, four to be selected by the Secretary from a group of at least eight persons nominated by the Governor and five to be appointed by the Secretary. The purpose of these boards shall be to advise the Secretary generally on proposals to dispose of, transfer, or retain the public lands covered by this Act. The Secretary shall also seek the advice of these boards on criteria for land classification, disposal, or management, regulation, and such other aspects of the operation of this Act as he elects.

Members of such boards, while attending meetings of the board or otherwise serving at the request of the Secretary shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 736–2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provisions of law, the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence). Members shall serve at the pleasure of the Secretary for terms of not more than four years and their service shall be subject to sections 281, 283, 434, and 1914 of title 18, United States Code, and section 99 of title 5, United States Code.

SEC. 5. The Secretary is directed to sell or lease lands under this Act at fair market value determined by an appraisal except as herein provided. Sales may be at auction or sealed bid; prior to sale there shall be reasonable public notice, including advertisement in newspapers situated in the county where the lands are located: *Provided,* That sales or leases may be made for public purposes to States, counties, and local governments at a nominal sum which shall not be less than a reasonable estimate of the cost of survey, examination, and processing: *Provided,* That such lands will be used for nonprofit purposes.

Conditional transfers may be made to States, counties, and local governments for resale to private parties, when in the public interest, and such transfers shall be made at not more than two-thirds the ultimate sale price and shall include standards of performance. The Secretary may defer all of the payment due from the State or local government until it actually completes the sale, except for the costs incidental to effecting the conditional transfer. Conditional transfers may not be effective for more than a single five-year period plus one extension of equal time.

Where the lands have been and are currently at the time of sale under a permit or lease covering the surface resources, and the land is zoned for a continuation of this use, the Secretary may permit leaseholders or permittees to secure the lands by matching the high bids submitted. Where valuable fixed improvements have been placed on the lands the Secretary may permit the permittee to acquire such lands at the fair market value exclusive of the value of the improvements and the increase in value resulting from such improvements. Indians of Alaska who are the bona fide occupants of land in Alaska shall not be required to make payment for such land.

SEC. 6. In making sales or leases of lands under this Act, or in making decisions to retain land in public ownership the Secretary shall be guided by the following criteria.

He shall seek the general advice of the boards created under section 4. He may refer specific proposals for the advice of the board in the State where the lands are located. He shall be guided, insofar as it is practical and in the national and area interest, by the recommendations of local zoning and planning organizations. Prior to making leases or transfers to States or local governments, he shall, insofar as it is prac-

tical, fill such requests for lands by meeting obligations under applicable land selection Acts in each State so as to extinguish, as promptly as feasible, claims under these Acts.

He shall encourage, when indicated, the development of subdivision plans prior to disposal, including the platting of sites for schools, hospitals, local parks, roads, sewers, utilities, and other normal services of government, and may require an agreement prior to conditional transfer for the equitable sharing of the cost of such improvements in a manner consistent with local law or ordinance.

He shall encourage State and local governments to carry out the role of suburban, urban, business, and industrial site developers.

Except as to improvements which are utilized by or constructed by or for the United States or any of its agents or instrumentalities, lawful zoning action by duly constituted local authority shall govern the construction and utilization of improvements on public lands under this Act.

When a duly constituted local authority with the power to zone lands requests, he shall allow a reasonable period, not to exceed three years, for such zoning authority to take such action and during that period shall make no sale or lease which would permit a use inconsistent with that being made on the day such request was made.

No requests to lease or purchase lands under this Act shall be construed to create a preference or right to lease or purchase, except when provided for adjoining landowners in the case of sale.

SEC. 7. The Secretary shall issue a restricted patent for any lands disposed of under section 6 of this Act to any Indian who, in the opinion of the Secretary, is not competent to manage the property to be conveyed. Such restricted patent shall prohibit the alienation or taxation of the lands without the approval of the Secretary and may contain such other provisions for the protection of the interests of the owner of the lands as the Secretary finds advisable. Such patent shall also provide that the Secretary, if he determines that the owner of the lands is in a position to manage them without protection by the United States, may terminate the restrictions imposed by the patent in such circumstances and upon such conditions as he finds advisable, whether or not the owner has applied for a termination of the restrictions. The approval by the Secretary of the act of the owner in selling a tract of land for which a restricted patent has been issued under this section shall vest in the purchaser a complete title (which shall be subject to the restrictions only if the purchaser is an Indian and the conveyance provides for a continuance of the restrictions) from the date of such approval.

SEC. 8. All revenues derived from the sale or lease of public lands under this Act, except for the reimbursements provided for in subsection (c) of section 6 of this Act, shall be deposited in the Treasury and disposed of in the same manner as moneys received from the sale of public lands.

SEC. 9. All patents or other evidence of title issued under this Act shall contain (1) a reservation to the United States of all deposits of coal, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rocks or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, potassium, and for lands in the States of Louisiana and New Mexico sulfur also, in the lands described in the patent or other evidence of title, together with the right to prospect for, mine, and remove them under applicable provisions of law and (2) any other reservations, conditions, or limitations which the Secretary deems necessary or desirable in the public interest.

SEC. 10. For the purposes of this Act—

(a) The word "Secretary" means the Secretary of the Interior, but he may delegate all responsibility under this Act, except for the promulgation of regulations and final decisions on appeals or disputes, to the Director, Bureau of Land Management.

(b) The term "public lands" means all public lands (including minerals, vegetative, and other resources) in the United States, including lands within reservations formed from the public domain and other lands permanently or temporarily withdrawn from any or all forms of appropriation provided for in the public land laws, except (1) public lands in any national forest or national wildlife refuge or other wildlife management areas, or areas administered by the Secretary of the Interior through the National Park Service, (2) the revested Oregon and California Railroad or the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon, (3) any Indian lands or lands set aside or held for the use or benefit of Indians, (4) public water reserves which the Secretary finds are needed by the public for the use, control, or conservation of water and (5) public lands which the Secretary determines are chiefly valuable for minerals other than coal, phosphate, sodium, potassium, oil, gas, oil shale, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), and for lands in the States of Louisiana and New Mexico sulfur also.

(c) Notwithstanding the provisions of subsection (b) of this section, the term "public lands", insofar as the Act authorizes leasing of lands for occupancy purposes, includes the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon.

(d) Notwithstanding the provisions of subsection (b) of this section the term "public lands", insofar as it authorizes the Secretary to subdivide and dispose of lands for urban purposes under section 6 of this Act, includes any lands in the State of Alaska that are held by the United States for the use or benefit of Indians without a recognition of a compensable title in the Indians and that are outside any reserve for Indians or administrative use.

(e) The words "subdivide" and "subdivision" refer to the surveying and platting of lands into lots, blocks, streets, alleys, reserves for public purposes, rights-of-way, and such other tracts as the Secretary finds suitable for proper development of lands for urban purposes or for occupancy purposes.

(f) The term "urban purposes" means any purpose, including commercial, related to the development of an urban or suburban residential community.

(g) The term "business or agricultural purposes" includes, without limiting the meaning thereof, commercial and industrial activities (including the milling or processing of natural products), crop agriculture grazing or the removal, mining, extraction, or harvesting of natural products in their natural state.

(h) The term "occupancy purpose" means private recreational, or residential uses.

(i) The term "public purpose" means any function of State or local government including but not limited to schools, parks, hospitals, buildings, and structures needed for government facilities: *Provided*, That all such facilities are open to public use and nonprofit in character.

(j) The term "qualified individual" means (1) any individual who is a citizen of the United States aged twenty-one years or more, (2) any partnership or association, each of the members of which is a citizen of the United States aged twenty-one years or more, and (3) any corporation, including nonprofit corporations, organized under the laws of the United States, or of any State thereof, and authorized to do business in the State in which the land is located.

(k) The term "qualified governmental agency" means any of the following, including their lawful agents and instrumentalities: (1) the State within which the land is located, (2) the county or municipality or other local government subdivision within which the land is located, and (3) any municipality within convenient access to the lands: *Provided*, That the lands are within the same State as the municipality.

(l) The word "concurrence", in addition to its usual connotation, also means with the consent of the head of the Federal department or agency or of the State or local governmental unit, in any case where the lands involved have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, county, municipality, water district, or local governmental subdivision or agency.

(m) The word "value" means, in connection with sales, the fair market value of land, including all mineral and other interests in land not to be reserved to the United States under this Act, and, in connection with leases, the fair market rental of land, in either case as determined by the Secretary by appraisal or otherwise, taking into consideration all factors affecting market value.

(n) The term "bona fide occupant" means (1) any person who, at the time when public lands are segregated under the provision of this Act has any right of possession or occupancy of any such lands which is based upon a settlement, entry, location, or other action initiated and maintained in accordance with any statute other than this Act and which, if perfected under the statute, would enable such person to obtain title to such lands, and (2) any person who, at the time of such segregation, has any right of possession or occupancy of any such lands (including a right based on actual possession under section 8 of the Act of May 17, 1884 (23 Stat. 24)) which is subject to extinguishment or termination at will by the United States and is not open to perfection under any statute other than this Act, but which, under the provisions of law applicable to the lands immediately prior to the segregation thereof, is protected against intrusion or invasion by third persons until it is extinguished or terminated by authority of the United States, and (3) any other person who meets such requirements for the recognition of an equity in segregated lands, including, in the case of an Indian in Alaska, an equity based on considerations of economic need as may be prescribed by the regulations issued under this Act;

(p) "Multiple-use" means the management of the various surface and subsurface resources so that they are utilized in the combination that will best meet the present and future needs of the American people; the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.

(q) "Sustained yield of the several products and services" means the achievement

and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of land without impairment of the productivity of the land.

SEC. 11. (a) Subject to valid rights and liabilities existing at the date of approval of this Act, the following statutes or parts of statutes are repealed:

1. Chapter 7 of title 43, United States Code, sections 161–302, homesteads generally.
2. Chapter 8 of title 43, United States Code, section 315f, Taylor Grazing Act.
3. Chapter 9 of title 42, United States Code, sections 321–338, desert land entries.
4. Chapter 10 of title 43, United States Code, sections 351–360, Pittman Act.
5. Chapter 16 of title 43, United States Code, sections 671–700, sale and disposal of public lands.
6. Chapter 17 of title 43, United States Code, sections 711–731, reservation and sale of townsites on public lands.
7. Chapter 24 of title 43, United States Code, sections 1021–1048, under State laws, Minnesota and Arkansas.
8. Chapter 26 of title 43 (United States Code, sections 1071–1080, abandoned military reservations.
9. Chapter 27 of title 43, United States Code, sections 1091–1134, public lands in Oklahoma.
10. Chapter 28 of title 43, United States Code, sections 1153–1156, patents for private claims, Missouri.
11. Chapter 28 of title 43, United States Code, sections 1171–1177, sale of isolated tracts.
12. Chapter 28 of title 43, United States Code, sections 1191–1193, evidence of title.
13. Sections 11 and 16 of the Act of March 3, 1891 (26 Stat. 1099, 1101; 48 U.S.C. 355, 43 U.S.C. 728), townsites, Alaska.
14. The fourth paragraph of section 1 of the Act of March 12, 1914 38 Stat. 307; 48 U.S.C. 303), townsites, Alaska.
15. Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a–355d), townsites, Alaska.
16. Act of February 26, 1948 (62 Stat. 35; 48 U.S.C. 355e), townsites, Alaska.
17. Act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a–364e), sale of public domain, Alaska.
18. Act of July 24, 1947 (61 Stat. 414; 48 U.S.C. 364), zoning of land, Alaska.

(b) Section 10 of the Act of May 14, 1898 (30 Stat. 413; 48 U.S.C. 359, 461–465), as amended, is hereby amended to read as follows:

"That ingress and egress shall be reserved to the public on the waters of all streams, whether navigable or otherwise. No entry for railroad, wagon road, or tramway purposes shall be allowed under this Act on lands abutting on navigable water of more than eighty rods. The Secretary of the Interior shall reserve for the use of the natives of Alaska suitable tracts of lands along the waterfront of any stream, inlet, bay, or seashore for landing places for canoes and other craft used by such natives: *Provided,* That the Annette, Pribilof Islands, and the islands leased or occupied for the propagation of foxes be excepted from the operation of this Act.

"That all affidavits, testimony, proofs, and other papers provided for by this Act and by said Act of March 3, 1891, or by any departmental or Executive regulation thereunder, by depositions or otherwise, under commission from such officer as the Secretary of the Interior may designate, which may have been or may hereafter be taken and sworn to anywhere in the United States, before any court, judge, or other officer authorized by law to administer an oath, shall be admitted in evidence as if taken before such officer as the Secretary of the Interior may designate. And thereafter such proof, together with a certified copy of the field notes and plat of the survey of the claim, shall be filed in such office as the Secretary of the Interior may designate, and if such survey and plat shall be approved by him or by such officer as he may designate, certified copies thereof, together with the claimant's application to purchase, shall be filed in the United States land office in the land district in which the claim is situated, whereupon, at the expense of the claimant, such officer as the Secretary of the Interior may designate of such land office shall cause notice of such application to be published for at least sixty days in a newspaper of general circulation published nearest the claim within Alaska, and the applicant shall at the time of filing such field notes, plat, and application to purchase in the land office, as aforesaid, cause a copy of such plat, together with the application to purchase, to be posted upon the claim, and such plat and application shall be kept posted in a conspicuous place on such claim continuously for at least sixty days, and during such period of posting and publication or within thirty days thereafter any person, corporation, or association, having or asserting any adverse interest in, or claim to, the tract of land or any part thereof sought to be purchased, may file in the land office where such application is pending, under oath, an adverse claim setting forth the nature and extent thereof, and such adverse claimant shall, within sixty days after the filing of such adverse claim, begin action to quiet title in a court of competent jurisdiction within Alaska, and thereafter no patent shall issue for such claim until the final adjudication of the rights of the parties, and such patent shall then be issued in conformity with the final decree of the court."

(c) Any townsite now existing under the above statutes or parts of statutes may continue to be administered thereunder in the same manner as if this Act had not been passed, or, subject to any rights or liabilities now existing, may be administered under the provisions of this Act, as the Secretary finds to be most practicable in each case.

SEC. 12. This Act is not intended to repeal or supersede any section of the Mining Act of 1872 as amended (30 U.S.C. 21–54), the Mineral Leasing Act of 1920 as amended (30 U.S.C. 18–287) the Color of Title Act of 1928 as amended (43 U.S.C. 1181), the Mining Claims Occupancy Act (30 U.S.C. 701–709) or any other Act affecting the public lands unless this is specifically done in this Act.

Mr. BIBLE. I wish to emphasize that in introducing these measures I express no favoritism or sentiment toward any one of them. What I seek to do is to place before us the broadest possible range of solutions so that the committee will benefit by receiving the comments of all interested groups and persons, along with their suggestions on how the public land laws may best be modernized.

The draft legislation which I have had prepared, deals with the retention and management of lands, the sale of lands, the application of the multiple-use principle to lands retained and repeals a vast amount of existing public land law dealing with homesteading and sale of land. The bill would create land management advisory boards in each of the public land States and would develop a cooperative Federal, State, and local government procedure for the operation of our public land program. The bill proposes to utilize the tools of local zoning and cooperation to achieve proper disposal goals while, at the same time, providing needed authority for multiple-use management.

Prior to scheduling any hearings on this part of the public land review, the subcommittee will solicit the views of the various States and their subdivisions, as well as the views of various groups concerned with land management and use.

Part IV of the public land review involves the consideration of multiple-use legislation. Should the comprehensive land revision contemplated in part III of our review adequately treat the subject, this legislation would be unnecessary. There is presently before the committee S. 601, a bill introduced by the Senator from Utah [Mr. Moss] and the Senator from Wyoming [Mr. McGEE] which would direct the Secretary of the Interior to manage the public lands under the jurisdiction of the Bureau of Land Management in the principles of multiple use and sustained yield. On March 25 the Secretary of the Interior transmitted to the Congress a request for similar legislation which I am today introducing. I ask unanimous consent that the message from the Secretary and the text of the proposed bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1602) 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, introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress that (a) the public lands, (b) the revested Oregon and California and Coos Bay Wagon Road grant lands, and (c) all other Federal lands, including those situated in the State of Alaska, which are exclusively administered by the Secretary of the Interior through the Bureau of Land Management, shall be managed for (1) domestic livestock grazing, (2) fish and wildlife development and utilization, (3) industrial development, (4) mineral production, (5) occupancy, (6) outdoor recreation, (7) timber production, (8) watershed protection, (9) wilderness preservation, and (10) other beneficial purposes. Nothing herein shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to these lands.

SEC. 2. The Secretary of the Interior is authorized and directed to develop and administer the lands described in section 1 for multiple use and sustained yield of the several products and services obtainable therefrom. In the administration of such lands due consideration shall be given to all pertinent factors, including, but not limited to, ecology, priorities of use, and the relative values of the various resources in particular areas.

SEC. 3. As used in this Act, the following terms shall have the following meanings:

(a) The term "public lands" means any lands (1) withdrawn or reserved by Executive

Orders Numbered 6910 of November 26, 1934, as amended, or 6964 of February 5, 1935, as amended, or (2) within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, or (3) located in the State of Alaska, which are not otherwise withdrawn or reserved for a Federal use or purpose.

SEC. 4. The purposes of this Act are declared to be supplemental to the purposes for which any of the Federal lands in section 1 of this Act have been designated, acquired, withdrawn, reserved, held, or administered. This Act shall not be construed as a repeal, in whole or in part, of any existing law, including, but not limited to, the mining and mineral leasing laws.

The letter accompanying Senate bill 1602 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., March 25, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is 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.

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The proposed bill would direct the Secretary of the Interior to manage the public lands and other Federal lands, including those situated in the State of Alaska, which are administered exclusively by the Secretary of the Interior through the Bureau of Land Management under the principles of multiple-use and sustained-yield management. The national forests were directed to be managed under these same principles by the act of June 12, 1960 (74 Stat. 215; 16 U.S.C. 528–531).

The lands which would be affected by this bill comprise a total of approximately 467 million acres, and contain an almost infinite variety of publicly owned resources. Through the years, the desirability of the planned management of these resources for maximum benefit to the general public has become increasingly apparent, not only to various organizations promoting conservation, but also to distinguished Members of the Congress and the executive branch of the Government.

The President in his special message to Congress on natural resources dated February 23, 1961, termed these lands "a vital national reserve that should be devoted to productive use now and maintained for future generations." The President took cognizance of the need for improved management of the public lands and directed the Secretary of the Interior in the above message to "develop a program of balanced usage designed to reconcile the conflicting uses—grazing, forestry, recreation, wildlife, urban development and minerals."

Congress took an important step in the direction of providing for the management and conservation of the public lands with the enactment in 1934 of the Taylor Grazing Act (43 U.S.C. sec. 315, et seq.). This law, in part, authorized the Secretary of the Interior, "in order to promote the highest use of the public lands pending its final disposal" to classify the public lands for various types of disposition and to establish and manage grazing districts in those areas where the lands are chiefly valuable for grazing and raising forage crops.

Three years later, in the historic O. & C. Act (43 U.S.C. 1181(a)) Congress directed that the revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road grant lands under the jurisdiction of the Secretary of the Interior be managed "for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal (sic) of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

When, in 1955, legislation was enacted authorizing the disposal of materials on public lands of the United States (30 U.S.C. 601), the Department, in conformity with the principles enunciated by Congress in the landmark O. & C. Act, adopted the goal of disposing of timber "in such a manner and in conformance with sound timber management principles as to obtain maximum permanent benefits and in addition, dispose of forest products under the principles of sustained yield management" 43 CFR 259.4(a).

Thus, in fiscal year 1962 under the provisions of these various management and sustained yield acts, almost 11 million head of sheep, horses, and cattle grazed on the lands administered by the Secretary through the Bureau of Land Management, and 1,165 million board feet of timber, of a value of over $30 million, was harvested therefrom. These same lands supported well over 2 million big game animals, and in addition, pursuant to leases issued under the Mineral Leasing Act (30 U.S.C. 181, et seq.) yielded revenues of slightly over $100 million.

It is now timely and highly desirable to have statutory recognition of multiple-use principles with respect to the lands being administered by the Secretary of the Interior through the Bureau of Land Management.

The enactment of the proposed bill would not preclude the disposition of any lands subject to classification and disposition under the Taylor Grazing Act, as amended, 43 U.S.C. 315f. Similarly, lands would continue to be disposed of under the Small Tract Act, as amended, 43 U.S.C. 682a, the Recreation and Public Purposes Act, as amended, 43 U.S.C. 869, and under such other public land laws as may require or render desirable the disposition of lands.

The proposed bill explicitly provides that it is not to be construed as a repeal, in whole or in part, of any existing law, including, without limitation, the U.S. mining laws and mineral leasing laws. The bill is not intended to, and would not, prohibit the reserving of lands for specific purposes.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed draft bill from the standpoint of the administration's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

Mr. BIBLE. In order to assist in achieving an orderly flow of this legislation, the subcommittee will shortly publish a committee print which will contain the text of these bills and pertinent statistics which will be useful to the various groups considering the legislation.

At this time I want to assure all who may be interested that the subcommittee intends to proceed with deliberate speed and that it will take into account, as best it can, all the recommendations which may be made to it. The public land laws of the United States have been in effect for many, many years and there is a definite need to modernize them. The subcommittee will want, however, to proceed with caution so that any new legislation which is enacted will include all the features necessary for sound public land administration.

INCREASE IN CAPITAL STOCK OF INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock.

The proposed legislation has been requested by the Secretary of the Treasury, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point together with the letter from the Secretary of the Treasury dated May 13, 1963, in regard to it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1603) to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bretton Woods Agreements Act, as amended (22 U.S.C. 286–286K–1), is amended by adding at the end thereof the following new section:

"SEC. 19. The United States Governor of the Bank is authorized to vote for an increase of $1,000,000,000 in the authorized capital stock of the Bank under article II, section 2, of the articles of agreement of the Bank, as recommended in the report, dated November 6, 1962, to the Board of Governors of the Bank by the Bank's Executive Directors."

The letter presented by Mr. FULBRIGHT is as follows.

THE SECRETARY OF THE TREASURY,
Washington, May 13, 1963.

The Honorable LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill, "To amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock," together with a Special Report of the National Advisory Council on International Monetary and Financial Problems on the subject.

The draft bill is technical in nature. It would authorize the U.S. Governor of the Bank to vote for an increase of $1 billion in the authorized capital stock of the Bank as provided for in a draft resolution now pending before the Board of Governors. The

United States will not subscribe to any of the new shares, hence the approval of the draft legislation would not contemplate or require the appropriation or expenditure now or in the future of any funds by the United States. However, section 5 of the Bretton Woods Agreements Act (59 Stat. 514, 22 U.S.C. 286c) requires congressional authorization for the U.S. Governor to agree to an increase in the capital stock of the Bank whether or not the United States actually subscribes to any part of the increase.

The last legislative action in regard to the capital of the Bank took place in 1959, when the Congress amended the Bretton Woods Agreements Act to authorize the U.S. Governor to the Bank to vote for a 100-percent increase in authorized capital, raising the Bank's total authorized capital from $10 billion to $20 billion, and for a further $1 billion special increase in authorized capital to meet anticipated subscription needs (Public Law 86-48, approved June 17, 1959, 73 Stat. 80). Upon the increase in the Bank's capital, members increased their subscriptions by not less than 100 percent generally, and by larger percentages in the case of certain members. On its part, the United States, under authority of the same 1959 legislation amending the Bretton Woods Agreements Act, subscribed to an increase of $3,175 million in the callable portion of its subscription, bringing the total U.S. subscription to $6,350 million.

As of March 15, 1963, $20,710 million of the authorized capital had been subscribed by member countries, leaving an unsubscribed balance of $290 million. However, expected increases in capital subscriptions currently amount to $66 million. In addition, pending membership applications from 18 countries will involve capital subscriptions of over $300 million. Thus, subscription requirements already in view substantially exceed the balance of available authorized capital.

To meet this situation, the Board of Governors, at the annual meeting of the Bank in September 1962, adopted a resolution directing the executive directors to consider the question of a $1 billion increase in the Bank's authorized capital and to submit a proposal to the Governors for action. The executive directors, in a report of November 9, 1962, concluded that an increase in capital stock is desirable to insure that the Bank has adequate capital stock for additional new members and to provide for special increases in members' capital subscriptions. Attached to the report was a draft resolution for the approval of the Board of Governors which authorizes an increase of $1 billion in authorized capital stock. The draft resolution also provides that in the absence of notice to the contrary by December 31, 1963, members waive their rights to subscribe to a proportionate share of the increase as provided in article II, section 3(c) of the Bank's articles of agreement. This provision was inserted in order to formalize the expectation that present members will not avail themselves of their right to subscribe to the new capital stock. The United States at present has approximately 28 percent of total votes in the Bank. Even with the subscription of newly authorized capital by others, the United States will continue to have a sufficiently large proportion of the votes to assure adequate representation of its interests.

Since its foundation the United States has actively participated in the work of the Bank. We have strongly supported its highly successful efforts in promoting economic development in less developed areas. The passage of the draft legislation would assure the continued smooth functioning and expansion of the Bank.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposal has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

DOUGLAS DILLON.

PREMARKETING CLEARANCE OF INSECTICIDES

Mr. RIBICOFF. Mr. President, as the Senate knows, the Subcommittee on Reorganization and International Organizations has started its study of interagency coordination in environmental hazards. Our initial hearings are being devoted to the problems of chemical poisons, especially pesticides, and we have already found that there are a number of problems in this field that warrant careful study.

I am pleased to note also that the Commerce Committee, under the chairmanship of the distinguished senior Senator from Washington, has announced its intention to look into those aspects of this field that come within its jurisdiction. This is a most significant development, and I am hopeful that before long other committees of the Congress will find that there are parts of this problem which merit their serious attention as well.

The focus of our inquiry is upon the problem of coordination of policy and programs within the Federal Government. Just last week we uncovered an important example where lack of coordination has perpetuated a serious gap in Federal law that should have been closed some time ago.

Under present law a manufacturer who wants to market a pesticide applies to the Department of Agriculture for registration. The Department reviews the application to determine whether the product is safe and whether the labeling is proper. If the Department disapproves the product, present law permits the manufacturer to market the product under a procedure called protest registration.

This means that the Department of Agriculture can determine that a product is too hazardous to be allowed on the market, yet that same product can be sold to the public, and there will not even be a warning on the label to tell unsuspecting purchasers that it has been disapproved by the Government. The Government's only remedy then is to catch up with the product after it has been placed on the market and bring a court action to have it removed. But this may not happen for a great length of time, and until it does, the public continues to buy the product. This has happened before, and there are products for sale today that have been disapproved by the Department of Agriculture.

The problem is similar to the one that had existed in the drug field until adequate legislation was passed. As with drugs, the issue is whether an undesirable product will come on the market and stay on the market until the authorities catch up with it, or whether premarket clearance will make sure that the public is never subjected to a hazard in the first place.

At our hearings last week, we learned that the Secretary of Agriculture strongly favors a change in the law to close this gap. Yet we also have learned that no bill has been submitted to Congress by the executive branch for a considerable length of time because of disagreements between agencies on the details of such a bill.

Of course, recommendations from the executive branch are often helpful to Congress, but I do not believe there is any need for Congress to wait for such recommendations. We have our own responsibilities, and initiating needed legislation is certainly one of the most important parts of our job.

I am therefore introducing today, for myself and the Senator from Kansas [Mr. PEARSON], a bill to end the practice of protest registrations. This means that premarketing clearance will be required of all insecticides without the exception presently contained in the law. Provision is made for hearings on all applications and judicial review of any disapproval.

The bill deletes the provisions now in the Federal Insecticide, Fungicide, and Rodenticide Act for registration of economic poisons under protest and prescribes the procedure to be followed in refusing or canceling registrations. Provision is made for referral of the question of eligibility of an article for registration to an advisory committee; for public hearing if requested with respect to the Secretary's action after consideration of the views of such committee; and for judicial review of the order issued by the Secretary after such hearing. The procedure generally follows that provided in the Federal Food, Drug, and Cosmetic Act with respect to pesticide chemicals. In addition, the bill gives the Secretary of Agriculture power to require that every pesticide formulation carry its registration number on the label.

The need for this legislation has been recognized by the executive branch and by industry representatives. I am hopeful that hearings can soon be held.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1605) to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes, introduced by Mr. RIBICOFF (for himself and Mr. PEARSON), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, 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 section 2.z.(2)(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163, as amended; 7 U.S.C. 1958 ed., Supp. III, 135(z)(2)(b)) is hereby amended by inserting before the semicolon at the end thereof

the following phrase: "other than the registration number assigned to the economic poison."

SEC. 2. Section 3 of said Act (61 Stat. 166; 7 U.S.C. 135a) is hereby amended by deleting the word "and" at the end of section 3.a.(2)(b), changing the period at the end of section 3.a.(2)(c) to a semicolon, and adding after section 3.a.(2)(c), a new provision reading as follows: "and (d), when required by regulation of the Secretary to effectuate the purposes of this Act, the registration number assigned to the article under this Act."

SEC. 3. Section 4 of said Act (61 Stat. 167; 7 U.S.C. 135b) is hereby amended by changing the word "registrant" wherever it appears in subsection a. and in the first sentence of subsection c. to "applicant for registration" and by deleting the remainder of subsection c. and inserting in lieu thereof the following:

"If, upon receipt of such notice, the applicant for registration does not make the corrections, the Secretary shall refuse to register the article. The Secretary, in accordance with the procedures specified herein, may require the modification of the claims or labeling of, or cancel the registration of, an economic poison whenever it does not appear that the article or its labeling or other material required to be submitted complies with the provisions of this Act. Whenever the Secretary determines that registration of an economic poison should be refused, or that an economic poison that is registered does not appear to warrant the claims made for it or that the article or its labeling or other material required to be submitted does not comply with the provisions of this Act, he shall notify the applicant for registration or the registrant of his determination and the reasons therefor. Within thirty days after service of such notice, the applicant for registration or the registrant may file a petition requesting that the matter be referred to an advisory committee to be appointed by the Secretary. Each such advisory committee shall be composed of experts, qualified in the subject matter and of adequately diversified professional background selected by the National Academy of Sciences and shall include one or more representatives from land-grant colleges. The size of the committee shall be determined by the Secretary. Members of an advisory committee shall receive as compensation for their services a reasonable per diem, which the Secretary shall by rules and regulations prescribe, for time actually spent in the work of the committee, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Secretary shall furnish the committee with adequate clerical and other assistance, and shall by rules and regulations prescribe the procedures to be followed by the committee. The Secretary shall forthwith submit to such committee the application for registration of the article and all relevant data before him. The petitioner, as well as representatives of the United States Department of Agriculture, shall have the right to consult with the advisory committee. As soon as practicable after any such submission, but not later than sixty days thereafter, unless extended by the Secretary for an additional sixty days, the committee shall, after independent study of the data submitted by the Secretary and all other pertinent information available to it, make a report and recommendation to the Secretary as to the registration of the article. After due consideration of the views of the committee and all other data before him, the Secretary shall make his determination and issue an order, with findings of fact, with respect to registration of the article and notify the applicant for registration or registrant. Any person adversely affected thereby may file objections thereto and request a public hearing thereon. In the event a hearing is requested, the Secretary shall, after due notice, hold such public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. Any report, recommendations, underlying data, and reasons certified to the Secretary by an advisory committee shall be made a part of the record of the hearing, if relevant and material, subject to the provisions of section 7(c) of the Administrative Procedure Act (5 U.S.C., sec. 1006(c)). The National Academy of Sciences shall designate a member of the advisory committee to appear and testify at any such hearing with respect to the report and recommendations of such committee upon request of the Secretary, the petitioner, or the officer conducting the hearing: *Provided*, That this shall not preclude any other member of the advisory committee from appearing and testifying at such hearing. As soon as practicable after completion of the hearing, the Secretary shall act upon such objections and issue an order granting, denying, or canceling the registration or requiring the modification of the claims or the labeling. Such order shall be based only on substantial evidence of record at such hearing, including any report, recommendations, underlying data, and reason certified to the Secretary by an advisory committee, and shall set forth detailed findings of fact upon which the order is based. All data submitted to the Secretary or to an advisory committee in support of a petition under this section shall be considered confidential by the Secretary and by such advisory committee until final action is taken concerning registration of the product. Until such final action such data shall not be revealed to any person other than those authorized by the Secretary or by an advisory committee in the carrying out of their official duties under this section. Notwithstanding any other provision of this section, the Secretary may, when he finds that such action is necessary to prevent an imminent hazard to the public, by order, suspend the registration of an economic poison immediately. In such case, he shall give the registrant prompt notice of such action and afford the registrant the opportunity to have the matter submitted to an advisory committee and for an expedited hearing under this section. Final orders of the Secretary under this section shall be subject to judicial review, in accordance with the provisions of subsection d. In no event shall registration of an article be construed as a defense for the commission of any offense prohibited under section 3 of this Act."

SEC. 4. Section 4 of said Act (61 Stat. 167; 7 U.S.C. 135b) is hereby further amended by redesignating subsections d. and e. as subsections e. and f., and by adding a new subsection d., as follows:

"d. In a case of actual controversy as to the validity of any order under this section, any person who will be adversely affected by such order may obtain judicial review by filing in the United States Court of Appeals for the circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia Circuit, within sixty days after the entry of such order, a petition praying that the order be set aside in whole or in part. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose, and thereupon the Secretary shall file in the court the record of the proceedings on which he based his order, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have exclusive jurisdiction to affirm or set aside the order complained of in whole or in part. The findings of the Secretary with respect to questions of fact shall be sustained if supported by substantial evidence when considered on the record as a whole, including any report and recommendation of an advisory committee. If application is made to the court for leave to adduce additional evidence, the court may order such additional evidence to be taken before the Secretary, and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper, if such evidence is material and there were reasonable grounds for failure to adduce such evidence in the proceedings below. The Secretary may modify his findings as to the facts and order by reason of the additional evidence so taken, and shall file with the court such modified findings and order. The judgment of the court affirming or setting aside, in whole or in part, any order under this section 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 18 of the United States Code. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order. The court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this section."

SEC. 5. Subsection 8.b. of said Act (61 Stat. 170; 7 U.S.C. 135f.(b)) is hereby amended by deleting the second proviso therein.

SEC. 6. Subsection 3.a.(1) and subsection 9.a.(1)(b) of said Act (61 Stat. 166, 170; 7 U.S.C. 135a.(a)(1), 135g.(a)(1)(b)) are hereby amended by changing the phrase "has not been registered" wherever it appears therein, to read "is not registered."

SEC. 7. This Act and the amendments made hereby shall become effective upon enactment.

AMENDMENT OF INTERSTATE COMMERCE ACT, RELATING TO RECOVERY OF REASONABLE ATTORNEY'S FEES IN CERTAIN CASES

Mr. MAGNUSON. Mr. President, at the request of the American National Cattlemen's Association and the National Woolgrowers Association, I introduce, for appropriate reference, a bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property. I ask unanimous consent to have printed in the RECORD a brief in support of the bill by those two associations.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the brief will be printed in the RECORD.

The bill (S. 1606) to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The brief presented by Mr. MAGNUSON is as follows:

BRIEF IN SUPPORT OF PROPOSED BILL TO AMEND PARAGRAPH 11 OF SECTION 20 OF THE INTERSTATE COMMERCE ACT

That the proposed amendment is required by the farmers, producers, shippers and consignees of fruits, livestock, vegetables, and

other perishable commodities to insure the payment of the full actual loss, damage, or injury to property in transportation caused by any common carrier, railroad, or transportation company as provided in paragraph (11) of section 20 of the Interstate Commerce Act, hereinafter termed the "act." In support of such amendment we respectfully say:

I. That paragraph (11) of section 20 constitutes the Carmack amendment, enacted as part of the Hepburn Act of June 29, 1906, as amended by the first Cummins amendment of March 4, 1915, the second Cummins amendment of August 9, 1916, the transportation act, 1920, the act of July 3, 1926, the Newton amendment of March 4, 1927, the act of April 23, 1930, United States Code, August 9, 1935; 34 Stat. 595; 38 Stat. 1197; 39 Stat. 441; 44 Stat. 835; 44 Stat. 1448; 46 Stat. 251; 49 Stat. 543, and 54 Stat. 919.

(a) That while paragraph (11) of section 20 definitely provides the liability of any common carrier, railroad, or transportation company * * * shall be the full actual loss, damage, or injury to the property caused by it or them, and further provides time for filing claims and instituting suits, it is silent as to reasonable attorney's fees in such suits.

II. (a) That section 8, and paragraph (2) of section 16 of the act, each contains provision respecting reasonable attorney's fee, substantially the same as here proposed to be added to paragraph (11) of section 20.

1. That, however, the U.S. Supreme Court in *Atlantic Coast Line R. Co.* v. *Riverside Mills* (219 U.S. 186 (1911)), held:

"Section 8 of the act, providing for the taxing of an attorney's fee as part of the costs, applies to cases where the cause of action is the doing of something made unlawful by some provision of the act, or the omission to do something required by the act, and there is a recovery of damages sustained in consequence of such violation of the act, but does not apply to cases where, as here, the loss or damage is in no way traceable to the violation of any provision of the act."

2. That the Court in *Meeker* v. *Lehigh Valley R. Co.* (236 U.S. 412 (1915)) further ruled, in substance:

"The services for which an attorney's fee is to be taxed and collected, as provided in sections 8 and 16 are those in Court action, involving violation of some provision of the act, in which the recovery is had and not those in the proceeding before the Interstate Commerce Commission, hereinafter termed the 'Commission'."

3. That as loss, damage, or injury to property in transportation is not traceable to the violation of any provision of the act, as stated by the Court in *Atlantic Coast Line R. Co., supra,* the shipping public, under the present act, cannot recover reasonable attorney's fee as a part of the costs of the suit.

III. That the anomalous situation confronting the shipping interests is illustrated, using the same shipment, by the following:

1. That the rates and charges thereon are assailed before the Commission as unreasonable under section 1 of the act, and reparation is sought. After an investigation by the Commission, it finds for complainant and awards reparation. Complainant brings suit, and the Court, as is usual in such case, enters judgment for the plaintiff, and under section 16(2) of the act, reasonable attorney's fee is taxed and collected from defendant as a part of the costs of the suit.

2. That the same shipment was partly lost, damaged, or injured in transit. The owner files a claim, which the carrier refuses to pay, and the owner seasonably institutes suit, and sustains the burden of proof on the trial of the case. The Court enters judgment in favor of the owner for the full actual loss to the shipment. However, the owner must pay and bear the reasonable fee of his attorney as the present law governing such loss and damage suits estops the Court from including such fee as part of the costs of the suit. The owner is "out" the amount of the attorney's fee.

IV. That common carriers, railroads, or transportation companies have been and are fully cognizant of the foregoing facts, and proceed accordingly. Rarely do they pay more than 50 percent of the full actual loss, if anything, account loss, damage, or injury to perishable traffic, including livestock. Consequently, the owners of such traffic have been and are being deprived of millions of dollars annually to which they are rightfully and lawfully entitled. Thousands of such transactions could be cited, of which the following are representative:

1. Amount claim $406.50: "The additional investigation conducted has developed time of loading origin, equipment was inspected and found to be mechanically okay and cars were freshly bedded. The shipment was handled in accordance with the contemplated schedule and was stopped for the normal times for F.W. & R. while enroute. You, of course, can appreciate the natural droppings from calves after being confined to cars for approximately 8 days would, of course, contribute considerably to condition of bedding at time of arrival destination. Also, we have been advised that this condition was not reported to the carrier until approximately 2 days after arrival at which time it was noted that calves were developing 'shipping fever'. As you know, shipping fever is a disease which increases in virulence and is a condition over which the carriers would have no control nor be responsible for due to the inherent weakness or natural propensity of the animals. * * * Therefore, have no alternative than to confirm disallowance of claim."

2. Amount claim $2,402.16: "Shipment was handled in accordance with the contemplated schedule, being stopped at * * * and * * * for feed, water, and rest. Stock was being unloaded at * * * with one dead being noted at that point. Upon arrival at destination, at time of unloading four head dead, seven down, five sick. Veterinarian was called, diagnosed sickness as being hemorrahagic septicemia, basing diagnosis on autopsy. Mr. * * * was notified and local veterinarian was authorized to treat the animals on the approval of Mr. * * * delivering carrier's agent."

"This being a clear record case, have no choice than to advise you claim for 11 dead * * * from hemorrhagic septicemia is respectfully disallowed. However, and so as to concede all possible doubt in favor of the claimant, I do offer to adjust for 50 percent the average value of one head dead * * * plus $45 salvage realized from sale of one animal at, * * * or $145.09, and would like to have your permission to so adjust. Other than amount offered claim being respectfully disallowed."

3. Amount claim $375.58: "Now find that this shipment was loaded at, * * * received by the * * * from the * * * and arrived at stockyards, * * *, and unloaded. Reloaded at * * * unloaded * * * reloaded at * * * and unloaded * * *, reloaded and arrived destination same date, and unloaded.

"In view of the detailed service record, and in accordance with the uniform and consistent practice, and so as to concede all possible doubt in your favor, offer is made to adjust for 50 percent the average value of two head, or $187.79, and would like your permission to do so. Other than the foregoing offer, balance of claim is respectfully disallowed."

That the following is a rare exception to the prevailing policy of the carriers to either deny any payment or to pay only 50 percent of the full actual loss, damage, or injury:

4. Amount claim $250.80: "Investigation has also developed there was no carrier negligence, or mishandling, per copy of the movement attached. It is apparent the animals died of natural causes, or from getting down in the car and suffocating. * * * This would make the average value of the lambs to be $21.24 each, or a total of $233.64. In line with the uniform and consistent practice, am willing to adjust this claim on a basis of 75 percent of the $233.64, or $175.23. * * * I am therefore willing to adjust this claim for 75 percent of $233.64, the value of the 11 head of sheep, plus $18.20 refund on the feed at * * * or a total of $193.43, and request your permission to do so. Any amount over the proposed offer of settlement is respectfully disallowed."

V. That claimants under the existing law are forced, generally, to pay and bear their attorneys' fees in suits for loss, damage, or injury to perishable shipments, including livestock, is the proximate cause for the chiseling tactics of the carriers hereinbefore outlined respecting such claims, is clear. In some instances where claimants have refused to accept less than the amount of the full actual loss, damage, or injury, and signified their intention to bring suit, the carriers have reluctantly increased their offers to as much as 75 percent of such loss; in other cases, the carriers have pointed out to claimants that the latter would have to pay their attorneys' fees, and the carriers have offered to and did pay on such claims the amount of the full loss, damage, or injury, less the estimated amount of the attorneys' fees. Therefore, the farmers, producers, shippers, and consignees of fruits, livestock, vegetables, and other perishable commodities, are subjected to unjust discrimination, undue prejudice and preference at the hands of the carriers in the settlement of legitimate claims for loss, damage, or injury. Consequently the proposed amendment to paragraph (11) of section 20 should be enacted into law.

Respectfully submitted.

AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION,
Denver, Colo.
NATIONAL WOOL GROWERS ASSOCIATION.
Salt Lake City, Utah.

AMENDMENT OF PARAGRAPH (4), SECTION 15, OF INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, at the request of the American National Cattlemen's Association and the National Woolgrowers' Association, I introduce, for appropriate reference, a bill to amend paragraph (4) of section 15 of the Interstate Commerce Act. I ask unanimous consent to have printed in the RECORD a brief in support of the bill by those two associations.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the brief will be printed in the RECORD.

The bill (S. 1607) to amend paragraph (4) of section 15 of the Interstate Commerce Act, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The brief presented by Mr. MAGNUSON is as follows:

BRIEF IN SUPPORT OF PROPOSED BILL TO AMEND PARAGRAPH 4 OF SECTION 15 OF THE INTERSTATE COMMERCE ACT

That paragraph 4 of section 15 of the Interstate Commerce Act, hereinafter termed the act, contains limitations on the power of the Interstate Commerce Commission, hereinafter termed the Commission, to prescribe through routes, and is commonly known and hereinafter referred to as the short-haul provision of the act, and provides:

"In establishing any such through route the Commission shall not (except as provided in section 3, and except where one of the carriers is a water line) require any carrier by railroad, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith, which lies between the termini of such proposed through route, (a) unless such inclusion of lines would make the through route unreasonably long as compared with another practicable through route which could otherwise be established, or (b) unless the Commission finds that the through route proposed to be established is needed in order to provide adequate, and more efficient or more economic, transportation: *Provided, however,* That in prescribing through routes the Commission shall, so far as is consistent with the public interest, and subject to the foregoing limitations in clauses (a) and (b), give reasonable preference to the carrier by railroad which originates the traffic. No through route and joint rates applicable thereto shall be established by the Commission for the purpose of assisting any carrier that would participate therein to meet its financial needs."

Average circuity by major commodity groups and short-line length of haul

[In percent]

Mileage blocks	All commodities	Products, agriculture	Animals and produce	Products, mines	Products, forests	Manufacturings and miscellaneous
1 to 49	14	30	----------	6	6	19
50 to 99	16	19	0	13	16	19
100 to 199	16	20	4	16	12	18
200 to 399	15	16	10	13	11	18
400 to 599	14	18	6	12	10	17
600 to 999	14	12	8	18	13	16
1,000 to 1,399	13	11	8	14	13	15
1,400 and over	12	12	5	21	10	12
Total	14	13	8	14	11	15

(e) Obviously, the required or authorized movements of freight via circuitous routes are wasteful transportation. They result in increased operating expense and decreased net operating revenue of the railways as a whole, and are violative of the national transportation policy. Moreover, the circuitous hauling of commerce cannot be reconciled with paragraph 2 of section 15a of the act respecting honest, economical, and efficient management of the railways as a whole.

VI. (a) That there can be no sound argument that circuitous hauling of traffic by the rail lines does not increase their operating expenses. The Commission has prepared and made available to the public numerous studies of railroad carload costs. Thereunder such costs increase as the distance increases. Moreover, such cost scales, generally, include or require an allowance for 14-percent circuity in each territory (i.e., the amount by which the actual miles of haul exceed the short-line or ratemaking miles), based upon the report for 1947 hereinbefore cited (I.C.C. statement No. 2–54, May 1954, p. 7). Therefore, scales of rates prescribed by the Commission, or voluntarily established by the rail carriers, based upon such studies, apparently are 14 percent higher than they would be if circuitous transportation was nonexistent. Thus, the shipping public is unduly burdened thereby, and the rail lines have no incentive to, and therefore, they see no necessity for, curtailing or eliminating their uneconomical and wasteful transportation.

(b) Likewise the decreased net operating revenue of the railways resulting from circuitous and wasteful transportation appears to be of no great concern to them. They merely seek further general increases, and there have been eight such permanent proceedings since 1946, in all their rates and charges to recoup their losses due to such wasteful transportation, and other factors. In Increased Freight Rates, 1951 (284 I.C.C. 589), the Commission, at page 612, said:

"Neither the strongest nor the weakest lines can control the rate adjustment; and as has been shown, the great body of the rail carriers are in the middle class, with aggregate earnings that for the immediate future must be considered as substandard, and inadequate."

1. Therefore, the middle class or average rail carriers are the yardstick. Consequently, transportation should be conducted so as to improve their conditions, as distinguished from that of particular carrier or carriers. Eliminating circuitous hauling of freight, by the repeal of the short-haul provision of the act, will result in decreased operating expense and material increase in the net operating income of the railways, all of which is in the public interest, as contemplated by the national transportation policy.

VII. While generally the originating railway zealously retains its long haul, the fact that there are important exceptions thereto strongly establishes that the "long haul" is used in some instances as a bargaining or trading factor between the originating and other lines. For example, the Union Pacific to retain its long haul refused to establish through routes and joint rates with the Denver & Rio Grande Western Railroad Co., on traffic between points in the Northwest, on the one hand, and points Denver and east thereof, on the other hand. *Denver & R.G.W. R. Co.* v. *Union Pac. R. Co.* (287 I.C.C. 611). However, on traffic originating on the Union Pacific in Colorado, Iowa, Kansas, Missouri, and Nebraska and destined to points in California, the Union Pacific does not retain its long haul but delivers such traffic to the Atchison, Topeka & Santa Fe Railway Co. and other carriers at Denver or east thereof although it could handle the traffic through to Barstow, Calif., via its own line and thus secure its long haul. The Union Pacific and its connections defended the latter practice before the Commission in *Kern Valley Packing Co.* v. *Atchison, T. & S.F. Ry. Co., supra.*

VIII. The railways, in support of their position and practices, hereinbefore outlined, rely upon the short-haul provision of the act. In order for a shipper or consignee to secure relief thereunder he must file formal complaint with the Commission and adduce evidence upon the trial to establish either or both of the propositions, (a) that present through route is unreasonably long as compared with another practicable through route which could otherwise be established, or (b) that the through route proposed to be established is needed in order to provide adequate, and more efficient or more economic, transportation. Moreover, in the majority of such cases where the Commission finds in favor of complainants, the railways appeal to the courts and after substantial cost, effort and time to all concerned the Supreme Court of the United States ultimately decides the controversy. Therefore, stronger degree of proof is first required before the Commission than otherwise if complainant is to prevail and second, long drawn-out court proceedings generally follow before relief is obtained. *D. A. Stickell & Sons, Inc.*, v. *Alton R. Co.* (255 I.C.C. 333); *Pennsylvania R. Co.* v. *United States* (323 U.S. 588); *Omaha Grain Exc. of Omaha, Nebr.* v. *Missouri Pac. R. Co.* (278 I.C.C. 519); *Thompson* v. *United States* (343 U.S. 549); *Valier Community Club* v. *Montana Western Ry. Co.* (275 I.C.C. 512); *United States* v. *Great Northern R. Co.* (343 U.S. 562); *Chicago, M., St. P. & P. R. Co.* v. *United States* (366 U.S. 745), and many others cited in annual reports of the Commission to the Congress. Consequently, in a large number of instances the shipping public suffers in silence rather than to become involved in such costly litigation, and the railways continue to further dissipate their net earnings through inefficient, uneconomic, and wasteful circuitous transportation, contrary to the public interest and the national transportation policy.

In the Chicago, M., St. P. & P. R. Co. case, supra, the Supreme Court in a 6 to 2 decision recently ruled that the protection against short hauling in section 15(4) of the act, although "framed in the singular," applies where two railroads own a third railroad as well as when only a single railroad and a subsidiary are involved, and affirmed the judgment of the Federal district court sustaining the decision of the Commission.

However, Justice Douglas wrote a dissenting opinion, in which he was joined by Justice Black. Therein he said that the question presented concerned the meaning of the words "common management or control" as they were used in section 15(4) of the act. He declared that "if the Great Northern and the Northern Pacific, which own the Spokane, Portland & Seattle Line, are to be granted the special monopolistic protection now extended, section 15(4) should be rewritten."

Proponents of the proposed bill to cancel the short-haul provision of section 15(4) of the act agree with Justices Douglas and Black that said provision is monopolistic and should be rewritten; however, reducing the two spears of grass to one would not go far enough. It would still leave the monopolistic provision in the act, contrary to the public interest and the national transportation policy.

IX. (a) The short-haul provision was enacted in 1910. The Commission was opposed to the provision at that time. Difficulties were encountered in administering it, which are well illustrated in various decisions of the Commission and the courts, and

in a number of annual reports to the Congress between 1930 and 1940 the repeal of the provision was recommended.

(b) In 1937 the then Federal Coordinator of Transportation, the late Joseph B. Eastman, made a similar recommendation in which the Commission concurred (S. Doc. No. 152, 73d Cong., 2d sess., p. 94) saying:

"Upon consideration, however, it appears that the Commission was right in 1910 when it opposed the proviso in its entirety. Railroads have no private or proprietary rights with respect to the traffic which they originate, and railroad lines are built to furnish transportation service to the public. These lines ought to be used to the best public advantage, in the public interest, and the Commission ought to have full power to require their joint use with that end in view. It follows that the proviso should be entirely eliminated, as it already has been, in effect, where one of the participating carriers is a water line."

(c) In 1940 when the Transportation Act of 1940 was under consideration, Commissioner Eastman, as Chairman of the Commission's Legislative Committee, repeated this recommendation in a joint letter to Chairmen Wheeler and Lea, dated January 29, 1940 (House committee print, 76th Cong., 3d sess., p. 47). The Congress did not see fit to follow that recommendation, and since then section 15(4) has continued to be a perennial center of controversy before the Commission and the courts.

(d) The Commission in its report on S. 438 to Hon. Edwin C. Johnson, chairman, Senate Committee on Interstate and Foreign Commerce, dated February 1, 1949, suggested the repeal of section 15(4) and in its further report to Mr. Johnson on S. 792, dated February 10, 1949, the Commission recommended the repeal of the first two sentences and the retention of the third sentence of section 15(4), and submitted proposed bill identical to the instant proposed bill, in lieu of S. 792. Moreover, the Commission in its report on S. 2782 to Hon. Edwin C. Johnson, dated April 21, 1952, reiterated its prior and repeated opposition to the short-haul provision here concerned (Senate committee print, 82d Cong., 2d sess., p. 1681). However, the Congress did not adopt the Commission's recommendations and the controversy has continued before the Commission and the courts.

That the short-haul provision of the act, which the proposed bill would repeal, is repugnant to the public interest, and the national transportation policy as declared by the Congress in 1940 to promote safe, adequate, economical and efficient service and to foster sound economic conditions in rail transportation. The short-haul provision results in inefficient, uneconomical, substantial and needless wasteful transportation by the railways, and greatly increased operating expenses which are saddled upon and borne by the shipping public. In support of the foregoing we respectfully say:

I. That since February 27, 1920, under the act, the railways of the Nation, in theory at least, are supposed to constitute a national railway transportation system. However, on October 31, 1954, in actual practice, there were a total of 444 separate and distinct railways (126 class I and 318 class II and III) reporting to the Commission, not including 135 switching and terminal companies, of joint terminal companies, and 41 electric lines (Commission's 68th annual report (1954), p. 68). Consequently, instead of a national railway transportation system there were, at least, 444 separate and independent railways each of which takes the position that it has a private or proprietary right with respect to the traffic which it originates, and juggles the freight tariffs traffic and traffic accordingly.

II. That, therefore, in actual practice, it rests within the power of the individual railways by insistence on their long hauls to place localities and shippers on the lines of other railways or not on their direct lines at severe rate and competitive disadvantages and to deprive shippers of relatively equal opportunities in markets served only by them. However, because of the short-haul provision of the act, the Commission cannot make any general order which will correct this situation, but must apply its mandatory process to particular cases, which must be presented and considered upon their individual merits. *Investigation of Alleged Unreasonable Rates on Meats* (23 I.C.C. 656 (May 13, 1912)). As hereinafter shown, in some detail, such procedure places an unwarranted, costly, and unbearable burden upon the shipping public.

III. That is has been and is well understood that the carriers' operating costs for moving traffic increase as the distance increases. Therefore, for many years it has been the practice of the Commission to prescribe maximum reasonable class and commodity rates on mileage basis. In such cases the Commission since June 6, 1922, has said that "the rate between any two points shall be determined by the shortest route over which carload traffic can be moved without transfer of lading." *Southern Class Rate Investigation* (100 I.C.C. 513), *Consolidated Southwestern Cases* (123 I.C.C. 203; 269 I.C.C. 214), *Western Trunk-Line Class Rates* (164 I.C.C. 1), *Eastern Class-Rate Investigation* (164 I.C.C. 314), *Livestock—Western District Rates* (176 I.C.C. 1), hereinafter termed the Western Livestock case, and later cases too numerous to mention. In *National Forge and Ordnance Co.* v. *Pennsylvania R. Co.* (256 I.C.C. 744), the Commission, at page 745, stated:

"However, in fixing the mileage which is to govern a rate between any two points, it is customary to use the distance over the shortest line or route over which carload traffic can be moved without transfer of lading, and not the distance over a longer route which may be more satisfactory for operating purposes."

Hence, circuitous hauling of freight should be discontinued whenever possible.

IV. (a) That in the Western Livestock case the Commission in 1931 prescribed maximum reasonable mileage rates, which were the same for both single-line or joint-line application, for the future on edible livestock for distances of 2,500 miles and less throughout the western district of the United States. Therein the Commission, at page 83, said:

"That rates in excess of those so determined are, and for the future will be, unreasonable; that the rate between any two points shall be determined by the shortest route over which carload traffic can be moved without transfer of lading, except that in making the rate for an interterritorial haul the rate shall be determined by the route which, when the arbitrary is considered, will result in the lowest rate; but that where said shortest route would, within the meaning of section 15(4) of the act, short haul a carrier, * * * the carrier be not required to maintain over said shortest route the rate determined as above indicated."

(b) That the prescribed rates became effective January 25, 1932. However, while the rates between any two points were based on the short-line distance between said points, their joint-line application, generally, was not authorized by the railways over the short-line route, or over many other slightly longer routes, but was purposely restricted by the railways to substantially greater distance routes, in order to preserve to the origin or destination lines their long haul. Consequently, where shippers or consignees route their livestock over the short-line or slightly longer routes not authorized by the governing tariffs, in order to avoid additional stops for feed, water, and rest under the Federal 28- to 36-hour law, the higher cost thereof, and excess shrink to their livestock resulting from moving such perishable traffic over the greater distant routes authorized by the railways, such shippers have been and are charged materially higher combination of the full local rates. Numerous illustrations can be cited but the following should suffice:

1. That between representative origin in New Mexico and destination in Nevada, from and to which there has been an annual movement of livestock, the short-line and ratemaking distance via a practical route was only 1,059 miles compared with distance of 2,139 miles via the only authorized tariff route, which was 201.93 percent of the short-line distance route. However, in order to secure its long haul the origin line for 22 years only authorized routing via its unduly circuitous route; it held itself out to move the livestock 2,139 miles over its line at the prescribed rate for only 1,059 miles. The experienced livestock shippers and receivers would not allow their shipments to move via the circuitous route for the reasons hereinbefore stated, and directed that their livestock move via the shorter and direct route via which combination of the local rates of $1.2995 per 100 pounds prior to January 15, 1954, was assessed and collected by the railways and paid by the consignees, compared with prescribed rate of $1.0868 had the livestock moved via the unreasonably longer authorized route. In other words, the consignees were penalized 21.27 cents per 100 pounds to move their livestock but 1,059 miles while the railways would have moved it 2,139 miles at the lower rate prescribed for 1,059 miles.

2. That between representative origin in North Dakota and destination in California the short-line distance was 1,960 miles. However, the distance via the shortest-authorized tariff route was 2,433 miles, or 473 miles greater than the short-line and ratemaking distance. On shipments which moved via the shorter route the consignees were forced to pay higher charges than would have accrued had the railways performed 473 more car-miles of service.

3. That between representative points in New Mexico, Arizona, and California the distance via the only authorized routes exceed by as much as 119 miles those via the short-line and ratemaking route. However, shippers and consignees are penalized approximately 29 percent when they route their livestock via the short-line route.

4. That the same principle is further illustrated by many reports of the Commission, of which the following are representative:

Crouch v. *Nevada N. Ry. Co.* (208 I.C.C. 586); *Los Angeles Union Stock Yards Co.* v. *C., M., St. P. & P. RR. Co.* (222 I.C.C. 23); *Cuneo Bros.* v. *Northern Pac. Ry. Co.* (229 I.C.C. 429); *Anker Meat Co.* v. *Great Northern Ry. Co.* (281 I.C.C. 179); *American National Live Stock Association* v. *A., T. & S.F. Ry. Co.* (284 I.C.C. 531, reopened), and *Kern Valley Packing Co.* v. *Atchison, T. & S.F. Ry. Co.* (292 I.C.C. 729). *Corn Fed Cattle Co.* v. *Southern Pacific Co.* (296 I.C.C. 423), *Same* v. *Same* (299 I.C.C. 73), and *Chicago, M., St. P. & P. R. Co.* v. *Spokane, P. & S. Ry Co.* (300 I.C.C. 453, 492).

V. (a) That the inefficient, uneconomical, and wasteful transportation performed by the railways is not limited to the livestock traffic but applies to all railroad traffic even to a greater degree than to livestock.

(b) That the distance rail traffic is hauled over the actual route of movement generally exceeds the corresponding distance over the shortest route, or the short-line distance route. This important fact is due to a number of causes, the more important of which are the general practices of each of the 126 class I railways, which operate approximately 95 percent of the total railway mileage of the United States, and obtain about 97 percent of the total revenues, and some of the 318 classes II and III railways, to (a) secure

its long haul on all traffic originated or terminated by it irrespective of the circuity of its line or route, (b) circuitous lines, under relief from the fourth section of the act, handling substantial volume of traffic in competition with the direct or short-line route carriers, and (c) some consignors or consignees routing their traffic via circuitous routes for various reasons, one of which is that representatives of railways constituting such circuitous routes have solicited the traffic.

(c) There has been and is substantial movement of freight traffic via circuitous routes under relief from the fourth section of the act. Moreover, each week the railways file and the Commission processes additional applications for such relief. For example, the Traffic Bulletin for the representative week ending April 2, 1955, part I, pages 12, 13 and 14, lists 40 fourth-section applications Nos. 30394 and 30433, inclusive, of which 34 are based upon circuitous lines or routes desired to meet the competition of the direct lines or routes.

(d) That the ratio of the average of the distances via the actual route of movement, the shortest route, or the short-line distance route, expressed as a percentage of circuity has been of considerable interest in traffic studies. The following table shows the average circuity of traffic in terms of specified average lengths of haul (short-line) and major commodity groups based on a representative 1-percent sample of the Commission's waybill sample of carload traffic for the year 1947, as reported in monthly comment on transportation statistics of the Commission's Bureau of Transport Economics and Statistics dated January 11, 1952:

(e) During 1954, the National Association of Railroad and Utilities Commissioners, which organization like the Commission represents the public interest, and the American Short-Line Railroad Association, American National Cattlemen's Association, National Wool Growers Association, and others, went on record in support of the repeal of the short-haul provision of paragraph 4 of section 15 of the act. Hence, it is clear, we think, that the public interest requires such repeal, and we respectfully but urgently ask the Congress to enact the bill here proposed.

AMENDMENT OF ACT RELATING TO A REGISTER OF NAMES IN THE DEPARTMENT OF COMMERCE OF CERTAIN MOTOR VEHICLE DRIVERS

Mr. MAGNUSON. Mr. President, on behalf of myself and the Senator from Utah [Mr. BENNETT], by request, I introduce, for appropriate reference, a bill to amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of Commerce, requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1608) to amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers introduced by Mr. MAGNUSON (for himself and Mr. BENNETT) (by request), was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 19, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 88th Congress, 1st session, a draft of a proposed bill: "To amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers."

The driver register established in the Department of Commerce pursuant to the act approved July 14, 1960, 74 Stat. 526, as amended by the act approved October 4, 1961, 75 Stat. 779, is now well established and operating in accordance with the objectives of the Congress in enacting this legislation. At the present time, more than 90 percent of eligible jurisdictions are participating in this service. Many States have utilized information available in the driver register files and some 18,000 reports have been sent to the States relating to the identification of approximately 10,000 drivers.

The experience of the Department of Commerce with the newly established driver register has led us to believe that certain amendments to existing legislation would permit the Department of Commerce to furnish improved service to the States with respect to motor vehicle operators. We proposed, therefore, that the basic act be amended to remove two specific restrictions on the State reporting function.

The first restriction in the existing law relates to the type of State action taken, and limits the States to reporting only their terminations or temporary withdrawals of driving privileges. It does not now authorize the reporting of the important category of denials of licenses, regardless of the gravity of the cause of such action. The proposed legislation would specifically include this necessary and uniformly used type of State action as a reportable matter.

The second restriction limits the reportable terminations and withdrawals to those occasioned by only two causes; namely, driving while under the influence of intoxicants, and convictions of an offense resulting in a death. Other causes deemed by a State to be of comparable gravity are not authorized to be reported, whether or not they result in termination or withdrawal of driving privileges. The draft bill would meet this problem by removing the restrictive language from the basic act. It would permit the inclusion of drivers denied licenses because of mental or physical disability, all mandatory revocations appearing in the Uniform Vehicle Code, and habitual violators who lose driving privileges under point systems now in effect in various States. It is considered that the inclusion of drivers in these categories would improve the scope of the service in line with the fundamental intent of the Congress.

Under the draft bill, with respect to any given individual who has lost or has been denied operating privileges in one State, a sequence of three identifiable State actions would still be required before he may be denied operating privileges in another State on the basis of information furnished through the driver register. First, the State in which he lost or was denied the privilege may or may not decide that the transmission of this information to the driver register is desirable. Second, the State in which he subsequently applies for a license may or may not request information from the driver register concerning the applicant. Third, this latter State may or may not decide that the information furnished provides a valid ground, under its own law, for denying a license to the applicant. If at any point in this sequence, a State decision is negative, then the loss of driving privileges in the first State will not operate by itself to preclude the issuance of a license in the receiving State. It is thus evident that the operation of the program would continue to depend entirely upon the concurrence of both, or all, of the States concerned.

This proposal would therefore be sufficiently flexible to allow the States' administrators, the men who are in the best position to determine which drivers are problem drivers, to determine in each instance which records are to be sent to or requested from the driver register. We believe that the States making use of the driver register service, as well as other interested organizations, would be in accord with the enclosed draft legislation.

The draft bill would also amend section 2 of the 1960 act establishing the driver register to provide that Federal agencies may request of and receive from the Secretary of Commerce such information as may be contained in the register. The purpose of this amendment is to permit Federal agencies, such as those having highway safety responsibilities in connection with which data from the driver register would be extremely valuable, to obtain such information directly from the Secretary. For example, this authority would be particularly helpful to the Interstate Commerce Commission in its investigative work relating to drivers and vehicles.

It is anticipated that enactment of this proposed legislation would not require additional funds for the operation of the driver register.

The Department of Commerce recommends the enactment of the proposed draft legislation.

The Bureau of the Budget advises that there would be no objection to the submission of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

LUTHER H. HODGES,
Secretary of Commerce.

CONSTRUCTION OF A BUILDING BY THE BUREAU OF WATER RESOURCES OF THE NATIONAL RIVERS AND HARBORS CONGRESS

Mr. DOMINICK. Mr. President, on behalf of myself and the senior Senator from Colorado [Mr. ALLOTT], I introduce, for appropriate reference, a bill which would authorize the Secretary of the Interior to set aside land within the National Capital Park System in Washington, D.C., for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress.

The building would be devoted entirely to the education of the public in the field of water resources. We in Colorado are particularly interested in this bill, since water is a very valuable commodity in the arid West, and it is imperative that the public of the entire country be educated generally in the field of water resources.

Perhaps the most favorable aspect of this legislation is that the building is to be constructed and equipped without cost to the United States by the Bureau of Water Resources of the National Rivers and Harbors Congress, and further that the building will be operated

and maintained by the Bureau without cost to the United States on a nonprofit basis.

As we all know, most States in the West, including the State of Colorado, are now experiencing a time of great drought; and, therefore, we in Colorado are enthusiastic in supporting legislation which would further public education and research in the field of water resource development.

Mr. President, I ask leave to have the bill remain at the desk for a week, because I think this is a subject of such interest that many other Senators will wish to cosponsor the bill.

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

Mr. DOMINICK. I yield.

Mr. HOLLAND. I congratulate the distinguished Senator for the introduction of that bill. I am strongly interested in the objectives pursued in the bill. I should like to be one of those who will join as cosponsors. I have heard other Senators express the same desire. Do I correctly understand the Senator is asking that the bill be held at the desk, so that we may have the privilege of joining, to show our interest, in cosponsorship?

Mr. DOMINICK. I sincerely appreciate the comments made by the Senator from Florida. I ask to have the bill remain at the desk for 1 week, if I may, for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table for 1 week, as requested by the Senator from Colorado.

The bill (S. 1610) to authorize the Secretary of the Interior to set aside certain land within the National Capital Parks System in Washington, District of Columbia, for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress, and for other purposes, introduced by Mr. DOMINICK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CREATION OF EXPORT ADVISORY COUNCIL

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to create a National Advisory Council on Export Policy and Operation to encourage increased U.S. exports. Cosponsoring the bill are Senators CASE, COOPER, ENGLE, KEATING, MORSE, MOSS, SCOTT, and WILLIAMS of New Jersey.

This bill is designed to encourage and promote the expansion of U.S. exports through private enterprise. This is by general agreement the most effective answer to our very vexing balance-of-payments deficit.

The bill would establish a National Advisory Council on Export Policy and Operation, an interdepartmental council under the Secretary of Commerce, first, to develop a unified export expansion policy for the United States; second, to give to the export expansion effort a permanent place in the machinery of the U.S. Government; and third, to develop new ideas in the export field for the use of both Government and private business.

The greatest weakness of our present export expansion effort is that it lacks specific objectives and that its outlook and purpose are limited. It is vital that we see exports in total perspective. To look at the subject in a fragmented way, through the eyes of one Government agency or through spokesmen of some special interest groups, is not enough. There is a national interest involved here which exceeds the interests of any one group or any one Government agency. The proposed Council is designed to infuse the Government, U.S. labor and the U.S. business community through the existing Export Expansion Council of the Commerce Department with a deep sense of motivation in the export field which it is seriously lacking at this time.

Substantial progress has been made in the past 3 or 4 years to promote U.S. exports and to arouse the interest of the U.S. business community in exporting. The Export-Import Bank since 1961 has instituted such new programs as export guarantees for medium-term export sales and export credit insurance for both short-term and medium-term transactions, the latter through the Foreign Credit Insurance Association—FCIA. The Departments of Commerce and State have expanded their export promotion services, and the Small Business Administration has created a Foreign Trade Division, which in cooperation with the Commerce Department assists small business in exporting.

But nonetheless, notwithstanding all these Government export expansion efforts, only a small fraction of American business firms are in the export field today; our exports are still only 4 percent of our gross national product—in contrast with Canada's 16 percent, United Kingdom's 14 percent, West Germany's 16 percent, France's 12 percent—and the dollar value of our exports has remained relatively unchanged since 1961, when it was $20.2 billion; in 1962 it was $20.9 billion; and during the 1st quarter of 1963, $20.4 billion—annual rate.

In short, the answer to our international balance-of-payments deficit does not lie in cutting down on the great responsibilities which we have and must carry forward, whether it is in foreign aid or in the stationing of our troops in various areas of the world, or in our responsibilities to the U.N.; the answer lies in doing a better business job. These figures clearly demonstrate that we are not doing the job, even remotely, which is within our potential and capabilities. In addition, greater exports will place greater competitive factors on American business—both management and labor—causing them to deal more realistically than ever before with automation and financing of foreign developments in the real sense of private enterprise.

The proposed Council, which is to be composed of the heads of Federal agencies which have major programs in the export expansion field, would be empowered to make recommendations to the President on policy measures designed to improve the effectiveness of those programs. After close consultations with the existing Export Expansion Council, a group of businessmen appointed by the Secretary of Commerce in April 1962 to increase the awareness of the American business community to opportunities in exporting, the proposed interagency Council would advise the President concerning major obstacles affecting expansion of our exports, and would recommend steps to be taken for their elimination, on the basis of studies for which this bill also provides.

The proposed Council would be empowered to undertake studies of issues of basic importance, such as tax and other types of incentives to exporters; export problems caused by noncompetitive ocean freight rates; various means to improve communications between the United States and foreign business communities, particularly with the business communities in developing nations. The Council would also be charged with responsibility to study the organization and composition of our exporting community; and to keep under continuous review tax and other incentives made available to competitors of the United States. Under its authority to make studies, the Council could explore, for example, how we could strengthen the hands of our exporters through new forms of business organization, such as joint private-public corporations, and could convene conferences to examine the exporting problems and needs of a particular industry.

While there has been much talk of providing tax incentives to American business in the export field, the administration has not yet come forth with a meaningful proposal. I believe that the Council, by including all interested Government agencies, would be in an excellent position to make recommendations to the President on tax incentives designed specifically to increase our exports. The tax credit approach is a potent weapon applied on a growing scale by European countries: It has been applied recently with notable success in France, and other Common Market countries are quickly following this lead. Secretary of Commerce Hodges asserted in a recent interview that the United States will soon have to adopt every trade-promotion technique used by competing countries in further intensifying our own export expansion. I heartily concur.

The proposed Council could make a major contribution to the success of our export expansion efforts.

I consider this an extremely important bill, focusing the attention of our whole governmental machinery on the need for export expansion. That is something other countries, faced by the necessity of either exporting or dying, like Great Britain, for example, have done. We have not done it, because we have not had the pressures that these countries have had. Now we do have such pressures. They come in a different way, of course. It is not necessary for us to export in order to eat. However, it is

necessary for us to export in order to keep the peace, which is at least as critical to all mankind.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks. In view of the interest expressed by several of my colleagues, including those who along with me were cosponsors of the original bill introduced by Senator SPARKMAN in the 87th Congress, I ask unanimous consent that the bill lie at the desk for 1 week for additional cosponsors and that it be printed in full in the RECORD as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from New York.

The bill (S. 1614) to encourage and promote the expansion through private enterprise of domestic exports in world markets, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Export Policy Act of 1963".

SEC. 2. The Congress finds and declares that foreign trade represents a strong and vital element in the economic leadership of the United States in the free world, that the expansion of exports by and through private enterprise is the most effective and positive answer to the balance-of-payments deficit, that such expansion has become increasingly important to the economic welfare of this Nation, and that a tremendous opportunity exists for realizing such expansion by opening to small business concerns the great opportunities which exist in foreign markets for United States products and services.

In recognition of the foregoing, it is the purpose of this Act to establish an interagency advisory council which shall, on a continuing basis, (1) provide for the coordination of Government programs and policies designed to promote and expand United States exports, and (2) give guidance and direction to the implementation or augmentation of such programs and policies.

SEC. 3. (a) There is hereby established the National Advisory Council on Export Expansion Policy and Operations (hereinafter referred to as the "Council") which shall consist of the following members: The Secretary of Commerce, who shall serve as Chairman; the Secretary of the Treasury; the Secretary of Agriculture; the Secretary of State; the Secretary of Defense; the President of the Export-Import Bank of Washington; the Administrator of the Small Business Administration; and the Administrator, Agency for International Development.

(b) It shall be the duty and function of the Council—

(1) to recommend to the President, after consultation with the National Export Expansion Council, established by the Secretary of Commerce on April 4, 1962, general policy directives for the guidance of departments and agencies of the Government in the carrying out of programs and operations relating to export promotion and expansion;

(2) to review and coordinate, to the greatest extent practicable, those programs and operations of the departments and agencies of the Government which relate to motion and expansion; and

(3) to review, revise and augment, insofar as is practicable, recommendations of the interagency export promotion task force, established in 1959, in the light of changing conditions and needs.

(c) The Council shall undertake studies, after consultation with the National Export Expansion Council, with a view to making recommendations to the President, for the promotion and expansion of United States exports. Among such studies the Council shall consider—

(1) means to assist the development of business councils, associations, or chambers of commerce, or representatives of local United States and of indigenous business in particular foreign countries (especially in developing countries) where such entities do not exist, to foster better understanding between the United States and the business communities of such countries, and to provide a means for the free exchange of information concerning production, distribution, marketing, and advertising techniques, labor-management relations, and other matters of mutual interest in the furtherance of trade between the United States and such countries;

(2) the desirability of providing additional tax incentives, consistent with United States treaty obligations, to encourage United States exports; and

(3) the respects in which existing laws providing benefits to United States business concerns engaged in the export trade could be strengthened.

(d) The Council shall also conduct continuing studies on the nature and composition of the United States exporting community, and the problems resulting from the maintenance of non-competitive ocean freight rates by United States carriers; and shall maintain current information on tax or other forms of assistance accorded to foreign competitors of the United States business concerns.

(e) For the purpose of carrying out the studies referred to in subsections (c) and (d), the Council may contract with private groups or organizations without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), or any other provision of law requiring competitive bidding.

(f) The Council is authorized to utilize the facilities, information, and personnel of the departments and agencies of the executive branch of the Government which it deems necessary to carry out its duties under this Act; and each such department or agency is authorized to furnish such facilities, information and personnel to the Council upon request made by the Chairman.

(g) The functions, powers and duties of the National Export Expansion Coordinator are hereby transferred to the Council.

(h) The Council shall make semiannual reports to the President and to the Congress concerning its activities and functions under this section setting forth therein such recommendations as it deems advisable.

ADJUSTMENT OF WHEAT AND FEED GRAIN PRODUCTION

Mr. HICKENLOOPER. Mr. President, for myself, the senior Senator from New Mexico [Mr. ANDERSON], the Senator from Vermont [Mr. AIKFN], and the Senator from Florida [Mr. HOLLAND], I introduce, for appropriate reference, a bill entitled "A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes."

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1617) to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes, introduced by Mr. HICKENLOOPER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. President, I ask unanimous consent that the bill may be printed in the RECORD, at the conclusion of my remarks, in full.

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

(See exhibit 1.)

Mr. HICKENLOOPER. Mr. President, I also ask unanimous consent to have printed in the RECORD a technical explanation of the bill.

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

(See exhibit 2.)

Mr. HICKENLOOPER. Mr. President, the four Senators who introduce the bill—myself, the Senator from New Mexico [Mr. ANDERSON], the Senator from Vermont [Mr. AIKEN], and the Senator from Florida [Mr. HOLLAND]—have been interested in the basic economic aspects of this approach to the farm problem for a long time.

The Senator from New Mexico is a former member of the Agriculture Committee of the Senate, a former distinguished Secretary of Agriculture, and a former Member of the House of Representatives. The Senator from Vermont [Mr. AIKEN] is the ranking Republican member of the Senate Committee on Agriculture, former chairman of the committee, and one of the outstanding agricultural authorities in this country.

The Senator from Florida [Mr. HOLLAND] is chairman of the Agriculture Subcommittee of the Appropriations Committee, a member of long standing of the Agriculture Committee of the Senate, and a devoted student of agriculture and its economic problems.

So far as I am concerned, I do not claim competence in agriculture that will compare with the knowledge of these gentlemen, but I am a member of the Agriculture and Forestry Committee of the Senate and have been for 14 years—almost 15 years—and I come from a State with the biggest volume of diversified agricultural production in the United States. We have a vital interest in the approach to and solution of the economic problems of agriculture, the freedom of the farmer, and the maintenance of a self-determining system in agriculture which will bring economic prosperity as well as continued freedom of operation.

Those of us who have offered this bill call attention to the fact that the time has come for Congress to take an economic approach to the solution of what is essentially an economic problem.

Excessive partisanship is inappropriate at this time. A totally political approach to the problem of agriculture cannot succeed. Last week's wheat referendum makes it clear that the Nation's farm families do not want to be pawns on a political chessboard.

Our bill will be known as the "Wheat and Feed Grains Act of 1963."

The bill would repeal existing law, giving authority to the Secretary of Agriculture to conduct another referendum on the multiple-price certificate plan for wheat in 1964.

Last week's vote makes it abundantly clear that there is no sense in another referendum. It is now obvious that Congress made a mistake in adopting the legislation which authorized the 1963 referendum. The major purpose of our bill is to correct this error, rather than to "bail out" wheat farmers.

Our bill offers them the type of wheat program for which we believe many farmers voted last week when they turned thumbs down on the compulsory control program.

The Hickenlooper-Anderson-Aiken-Holland bill repeals authority for the Secretary of Agriculture to set wheat acreage allotments or proclaim wheat marketing quotas. Beginning in 1964, price support for wheat would be set at the U.S. equivalent of the average world market price during the immediately preceding 3 marketing years, or 50 percent of parity, whichever is higher. The average world market price is currently about $1.35 per bushel. Fifty percent of parity is about $1.25 per bushel.

To assure farmers that the market price would be above the support level, the bill provides that the Secretary of Agriculture could not sell wheat from the Commodity Credit Corporation's stocks for unrestricted domestic use at less than 115 percent of the support price. Assuming a support level of $1.35 per bushel, the CCC's sales price would be about $1.55 per bushel, plus carrying charges.

The Hickenlooper-Anderson-Aiken-Holland bill sets up a feed grain program which would be completely compatible with the wheat program provided in our legislation and consistent with the long-term interests of livestock, dairy and poultry producers.

The bill repeals the provisions of the Feed Grain Act passed earlier this year. Beginning in 1964, there would be no acreage allotments for feed grains, and price supports would be set at 90 percent of the average prices received by farmers during the immediately preceding 3 years—currently about $1 per bushel—or 50 percent of parity, whichever is higher. Fifty percent of parity is about 81 cents per bushel.

As in the case of wheat, the bill provides that the Secretary of Agriculture could not sell feed grains for unrestricted domestic use from the Commodity Credit Corporation's stocks at less than 115 percent of the support price, plus carrying charges. With the support price at $1 per bushel, this would mean a CCC sales price of about $1.15 per bushel, plus carrying charges, for corn.

To help bring supplies of wheat and feed grains into line with current demand, the Hickenlooper-Anderson-Aiken-Holland bill would direct the Secretary of Agriculture to carry out a cropland retirement program. The Secretary would make an annual determination of first, the total cropland available for the production of crops in the United States; second, the total acreage of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed necessary to bring the total estimated annual production plus the anticipated release from the Commodity Credit Corporation stocks into balance with the estimated annual disappearance of such commodities; and third, the total acreage of farm cropland which should be retired from production in order to achieve a supply-demand balance.

It is recognized that it will not be possible to retire all the necessary acreage the first year, and so the Secretary would be directed to estimate the amount of acreage that can be effectively and economically retired in the respective year.

The Secretary would be authorized for 3 years to enter into contracts for the retirement of cropland. Emphasis would be placed on the retirement of whole farms. Producers of all commodities would be given an opportunity to participate. To prevent unduly disruptive effects upon the economies of counties and communities, the Secretary would be directed to place a maximum limitation on the percentage of total cropland which may be retired.

The Secretary would be authorized to make rental payments in cash or in kind to producers who have retired cropland under the program.

The principles of our Wheat and Feed Grain Act are those for which wheat farmers voted in last Tuesday's referendum. Enactment of this legislation would be a second giant step toward a prosperous and relatively free agriculture.

I shall not burden the Senate further except to ask unanimous consent that the bill remain at the desk until the close of business of the Senate a week from today for the addition of names of other sponsors who have indicated their desire to cosponsor the legislation.

The PRESIDING OFFICER. Without objection, the bill will remain at the desk as requested.

EXHIBIT 1

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 "Wheat and Feed Grain Act of 1963."

Declaration of Policy

SEC. 2. The Congress finds that the production of excessive supplies of wheat and other grains depresses prices and the income of farm families, constitutes improper land use, and is wasteful of our natural resources. It is hereby declared to be the policy of the Congress and the purpose of this Wheat and Feed Grain Act of 1963 to bring the supplies of wheat and feed grains into line with current demand in order to (a) increase per family farm income; (b) reduce the surplus of wheat and feed grains; and (c) decrease the public costs of maintaining farm programs. To effectuate the policy of Congress and the purpose of this Act, programs are herein established to assist farmers in (1) diverting a portion of their cropland from the production of excessive supplies of wheat and other grains; (2) carrying out a voluntary program of soil, water, forest, and wildlife conservation; and (3) obtaining commodity prices in the marketplace higher than levels at which commodity loans are made available by the Commodity Credit Corporation.

TITLE I—LAND RETIREMENT AND SOIL CONSERVATION

Annual determination, voluntary land retirement, rental payments in cash or kind

SEC. 101. Beginning with the 1964 crop year, the Secretary of Agriculture is authorized and directed to establish and carry out a cropland retirement program. In formulating and administering such program—

(a) The Secretary shall each year make and announce an annual determination of—

(1) the total estimated cropland available for the production of crops in the United States in that year;

(2) the total acreage of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed necessary to bring the total estimated annual production plus the anticipated release from the Commodity Credit Corporation stocks into balance with the estimated annual disappearance of such commodities; and

(3) the total acreage of farm cropland necessary to be retired and devoted to soil-conserving uses in order to achieve this balance, and the acreage that can be retired effectively and economically in the respective year.

(b) The Secretary is authorized to enter into contract for periods of not less than three years with producers determined by him to have control for the contract period of the farms covered by the contracts, if such producers agree to retire and devote to soil-conserving uses any or all farm cropland. The Secretary shall determine and announce the period within which such contracts will be entered into. This period shall be of sufficient duration to provide an opportunity for maximum producer participation. The Secretary shall encourage the retirement of whole farms and shall provide full opportunity for producers of all commodities to participate voluntarily in the cropland retirement program: *Provided,* That the Secretary shall place a maximum limitation on the percentage of total cropland which may be retired and devoted to soil-conserving uses in any State or county if he finds that such action is necessary to prevent the cropland retirement program from having an unduly disruptive effect on the economies of counties and local communities; and *Provided further,* That any cropland retired and devoted to soil-conserving uses under the cropland retirement program established pursuant to this title shall be deemed in subsequent years to have been planted cropland for the purpose of establishing cropland history.

(c) The Secretary shall make an annual rental payment either in cash or in kind to producers who: (1) retire and devote cropland to soil-conserving uses with proper management pursuant to subsection (b) of this section, and (2) otherwise comply with the cropland retirement program as set forth in this title.

The Secretary shall determine the rate of rental payments that will provide producers with a fair and reasonable annual return on the land retired and devoted to soil-conserving uses after taking all relevant factors into consideration, including (1) the incentive necessary to achieve voluntary participation in the program, (2) the loss of crop production on the retired acres, (3) any savings in cost which result from not planting crops, (4) the estimated profit margin of crop production on the designated acres, (5) continuing farm overhead expenses, (6) the cost of establishing a conservation practice on the retired acres, (7) the value of the land for production of commodities customarily grow on such kind of land in the county or area, (8) the prevailing rates for cash rentals for similar land in the county or area, and (9) drought, flood, or other abnormal condition.

The rate on lands determined in accordance with the preceding paragraph shall be adjusted on a State, county, and individual farm basis in such a manner as the Secretary determines will facilitate the practical administration of the program. The lands to be covered by contracts shall be determined by a competitive bid procedure whereby a producer wishing to obtain a contract shall specify the percentage of the rental rate applicable to his farm which he is willing to accept.

(d) The Secretary shall compensate producers for participating in the cropland retirement program—

(1) through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in accordance with regulations prescribed by the Secretary in cash upon presentation by the producer or by any holder in due course; or

(2) if option is exercised by the producer thirty days before compensation is tendered, through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in accordance with regulations prescribed by the Secretary in wheat, corn, oats, rye, barley, or grain sorghum upon presentation by the producer or by any holder in due course. The Secretary shall limit the distribution of the certificates redeemable in kind if he finds the issuance of such certificates will have an adverse effect on wheat, corn, oats, rye, barley, or grain sorghum market prices or upon livestock marketing or livestock market prices, and in no case shall a certificate be redeemable at less than 115 per centum of the current support price plus reasonable carrying charges for any such commodity. In order to assist producers in the establishment of soil-conserving uses on cropland retired under the cropland retirement program, the Secretary shall coordinate such program with the agricultural conservation program established pursuant to the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 163, 16 U.S.C. 590 and the following).

Terms and conditions of contracts with producers

SEC. 102. (a) Under any cropland retirement contract the producer shall agree—

(1) to establish and maintain with proper management for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities or other soil-, water-, wildlife-, or forest-conserving uses (excluding orchards and vineyards) on an acreage of land which is specifically designated at the time the contract is entered into and which has been regularly used in the production of crops (including crops such as tame hay, alfalfa, and clovers), which do not require annual tillage;

(2) to allow to remain fallow, idle, and in the production of crops (including tame hay, alfalfa, and clovers) which do not require annual tillage throughout the contract period, an acreage of the remaining cropland on the farm which is not less than the acreage normally allowed to remain fallow, idle, and in the production of crops which do not require annual tillage on such remaining acreage;

(3) not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals;

(4) not to graze any acreage established in protective vegetative cover;

(5) not to adopt any practice, or divert lands on the farm from conservation, woods, grazing, or other noncropland use, to any use specified by the Secretary in the contract as a practice or use which would tend to defeat the purposes of the contract;

(6) to abide by regulations prescribed by the Secretary with respect to the planting of crops during the contract period for later harvest or use; and

(7) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of this title and to facilitate the practical administration of the cropland retirement program, including provisions relating to control of noxious and other objectionable weeds.

(b) In the event that the Secretary determines that there has been a violation of the contract (including the prohibition of grazing on retired acreage) at any stage during the time such producer has control of the farm and that such violation is of such a substantial nature as to warrant termination of the contract, the producer shall forfeit all rights to payments or grants under the contract, and shall refund to the United States all payments and grants received by him thereunder. In the event that the Secretary determines that there has been a violation of the contract but that such violation is of such a nature as not to warrant termination of the contract, the producer shall accept such payment adjustments, and make such refunds to the United States of payments received by him, under the contract, as the Secretary may determine to be appropriate.

SEC. 103. The Soil Bank Act, as amended, (70 Stat. 118, 7 U.S.C. 1801 and the following) is amended as follows:

Administrative and judicial remedy

(1) The first sentence of section 107(d) of such Act (7 U.S.C. 1831(d)) is amended by adding after the words "paragraph (6) of subsection (a)" the phrase "or under section 102(b) of the Wheat and Feed Grain Act of 1963."

Effect on other programs

(2) Section 112 of such Act (7 U.S.C. 1836) is amended by adding after the words "under this subtitle" each time it appears therein the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Geographic applicability

(3) Section 113 of such Act (7 U.S.C. 1837) is amended by adding after the words "subtitle B" the phrase "and title I of the Wheat and Feed Grain Act of 1963."

Reapportionment prohibited

(4) Section 115 of such Act (7 U.S.C. 1803) is amended by adding after the words "conservation reserve programs" the phrase "or the cropland retirement program established pursuant to title I of the Wheat and Feed Grain Act of 1963."

Utilization of local and State committees

(5) Section 117 of such Act (7 U.S.C. 1805) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1963."

Utilization of other agencies

(6) Section 118 of such Act (7 U.S.C. 1806) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1963."

Utilization of land use capability data

(7) Section 119 of such Act (7 U.S.C. 1807) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1963."

Finality of determinations

(8) Section 121 of such Act (7 U.S.C. 1809) is amended by adding after the words "this title" the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Protection of tenants and sharecroppers

(9) Section 122 of such Act (7 U.S.C. 1810) is amended by adding after the words "this title" the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Penalty for grazing or harvesting

(10) Section 123 of such Act (7 U.S.C. 1811) is amended by adding after the words "section 103 or 107" the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Pooling of cropland retirement land

(11) Section 126 of such Act (7 U.S.C. 1814) is amended by adding after the words "conservation reserve program" the phrase "or in the cropland retirement program pursuant to title I of the Wheat and Feed Grain Act of 1963."

Incorrect information furnished by the Government—marriage of producers

(12) Section 128 of such Act (7 U.S.C. 1816) is amended by adding after the words "conservation reserve program" the phrase "or the cropland retirement program established pursuant to title I of the Wheat and Feed Grain Act of 1963."

Authorized period of contract and expenditure—appropriations

SEC. 104. (a) The Secretary is authorized to formulate and announce programs under this title and to enter into contracts thereunder with producers during the three-year period 1964–66 to be carried out during the period ending not later than December 31, 1969, except that contracts for establishment of tree cover may continue until December 31, 1976.

(b) The period covered by any contract shall not exceed three years except that contracts for the establishment of tree cover may extend for ten years.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, including such amounts as may be required to reimburse the Commodity Credit Corporation for its actual costs incurred under the payment-in-kind program established by this title.

Termination and modification of contracts

SEC. 105. The Secretary may terminate any contract with a producer by mutual agreement with the producer if the Secretary determines that such termination would be in the public interest. The Secretary may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of this title and to facilitate the practical administration of the cropland retirement program.

Regulations

SEC. 106. The Secretary shall prescribe such regulations as he determines necessary to carry out the provisions of this title.

TITLE II—REPEAL OF AUTHORITY FOR ACREAGE ALLOTMENTS AND MARKETING QUOTAS ON WHEAT AND CORN—THE PRICE SUPPORTS ON WHEAT, CORN, OATS, RYE, BARLEY, AND GRAIN SORGHUM

SEC. 201. Notwithstanding any other provision of law, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum, sections 321 through 339 of parts II and III of subtitle B and sections 379 (a) through 379 (j) of subtitle D of title III of the Agricultural Adjustment Act of 1938, as amended, (52 Stat 31; 7 U.S.C. 1281 and following) are repealed. Parts IV, V, and VI of subtitle B are redesignated as parts II, III, and IV respectively, and subtitle F is redesignated subtitle D.

SEC. 202. Effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum, the Act of May 26, 1941, as amended (P.L. 74, 77th Congress, 55 Stat. 203), is repealed.

SEC. 203. Effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum, sections 327 and 328 of the Food and Agriculture Act of 1962, (P. L. 87–703, 87th Congress) are repealed.

SEC. 204. Subsection (h) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, (Public Law 46, 74th Congress) is repealed.

SEC. 205. Effective with the 1964 crops, section 105 of the Agricultural Act of 1949, as amended (7 U.S.C. 1441 note) is amended to read as follows:

"SEC. 105. Notwithstanding the provisions of section 101 of this Act, beginning with the 1964 crops, price support shall be made available to producers for each crop of corn, oats, rye, barley, and grain sorghum at 90 per centum of the average price received by farmers during the three calendar years immediately preceding the calendar year in which the marketing year for such crop begins, adjusted to offset the effect on such price of any abnormal quantity of low-grade corn, oats, rye, barley, and grain sorghum marketed during any such years: *Provided*, That the level of price support for any crop of corn, oats, rye, barley, and grain sorghum shall not be less than 50 per centum of the parity price therefor."

SEC. 206. Section 107 of the Agricultural Act of 1949, as amended, (7 U.S.C. 1445 (a)) is amended to read as follows:

"SEC. 107. Notwithstanding the provisions of section 101 of this Act, beginning with the 1964 crop, price support shall be made available to producers for each crop of wheat at the United States farm price equivalent, as determined by the Secretary, of the average world market price during the immediate preceding three marketing years: *Provided*, That the level of price support for any crop of wheat shall not be less than 50 per centum of the parity price therefor."

TITLE III—GENERAL PROVISIONS

Federal irrigation, drainage, and flood control projects

SEC. 301. Section 211 of the Agricultural Act of 1956, as amended, (7 U.S.C. 1860) is amended (1) by striking "three years" each time it appears therein and inserting in lieu thereof "eleven years", and (2) by adding after the words "soil bank provisions of the Act" in subsection (b) the phrase "and under title I of the Wheat and Feed Grain Act of 1963."

Restrictions on sales by the Commodity Credit Corporation

SEC. 302. Section 407 of the Agricultural Act of 1949, as amended (7 U.S.C. 1427) is amended by changing the period at the end of the fourth sentence to a colon and adding the following:

"*Provided*, That effective July 1, 1964, the Commodity Credit Corporation shall not make any sales (except sales offset by equivalent purchases) of wheat, corn, oats, rye, barley, grain sorghum, soybeans, or flaxseed for domestic use at less than 115 per centum of the current support price for any such commodity, plus reasonable carrying charges."

EXHIBIT 2

TECHNICAL EXPLANATION OF THE WHEAT AND FEED GRAIN ACT OF 1963, A BILL TO ADJUST WHEAT AND FEED GRAIN PRODUCTION, TO ESTABLISH A CROPLAND RETIREMENT PROGRAM, AND FOR OTHER PURPOSES, INTRODUCED BY SENATOR BOURKE B. HICKENLOOPER AND OTHERS IN THE SENATE, MAY 27, 1963

Short title: This act may be cited as the Wheat and Feed Grain Act of 1963.

Section 2: Declaration of policy. To bring the supplies of wheat and feed grains into line with the current demand in order to increase per family farm income, reduce the surpluses, and decrease the public costs. Programs are established to assist farmers in diverting cropland from production, carrying out voluntarily a program of conservation and obtaining market prices higher than support prices.

TITLE I—LAND RETIREMENT AND SOIL CONSERVATION

Section 101: (a) The Secretary of Agriculture is directed to carry out the cropland retirement program. The Secretary shall make an annual determination of (1) the total cropland available for the production of crops in the United States; (2) the total acreage of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed necessary to bring the total estimated annual production, plus the anticipated release from the Commodity Credit Corporation stocks into balance with the estimated annual disappearance of such commodities; and (3) the total acreage of farm cropland which should be retired from production in order to achieve a supply-demand balance. It is recognized that it will not be possible to retire all the necessary acreage the first year, and the Secretary is directed, therefore, to estimate the amount of acreage that can be effectively and economically retired in the respective year.

(b) The Secretary is authorized to enter into contracts for the retirement of cropland for 3 years. He must announce a period within which such contracts will be entered into. There should be sufficient time so that maximum producer paricipation is possible. Policies should emphasize the retirement of whole farms. Producers of all commodities should be given the opportunity to participate. To prevent unduly disruptive effects upon the economies of counties and local communities, the Secretary is directed to place a maximum limitation on the percentage of total cropland which may be retired in any one State or county. Cropland so retired shall be deemed in subsequent years to be planted cropland for the purpose of establishing cropland history.

(c) The Secretary is directed to make rental payments in cash or in kind to producers who have retired cropland under the program and have complied with other requirements of the program. The rate of rental payments shall be determined by the Secretary with the view toward providing producers with a fair and reasonable return on the land retired and in accordance with other specified criteria. Rental rates shall be adjusted on a State, county, and individual farm basis, and the lands to be covered by contracts shall be determined by a competitive bid procedure whereby a producer wishing to obtain a contract shall specify the percentage of the rental rate applicable to his farm which he is willing to accept.

(d) The Secretary is directed to compensate participating producers (1) through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in cash or (2) if option is exercised by the producer 30 days before compensation is tendered, through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in wheat, corn, oats, rye, barley, or grain sorghum. The Secretary is directed to limit certificates redeemable in kind if he finds such certificates will have an adverse effect upon the market price of wheat, corn, oats, rye, barley, grain sorghum or livestock. A certificate may not be redeemed at less than 115 percent of the current support price, plus reasonable carrying charges for such commodity. The Secretary shall coordinate this program with the agricultural conservation program established pursuant to the Soil Conservation and Domestic Allotment Act.

Section 102: (a) Under any cropland retirement contract, the producer shall agree (1) to establish and maintain the proper vegetative cover on a specifically designated acreage of land which has been regularly used in the production of crops; (2) to allow to remain idle on acreage of the remaining cropland on the farm which is not less than the acreage normally allowed to remain idle; (3) not to harvest any crop from the designated acreage except timber, wildlife, or other natural products; (4) not to graze the acreage; (5) not to adopt any practice or divert lands to any use specified by the Secretary as tending to defeat the purposes of the contract; (6) to abide by regulations prescribed by the Secretary; and (7) to such additional provisions as the Secretary determines are desirable, including provisions relating to control of noxious and other objectionable weeds.

(b) In the event that the Secretary determines that there is a substantial violation of the contract, the producer shall forfeit all rights to payments and shall refund to the United States all payments received by him under the contract. Where the Secretary determines that the violation is not substantial, adjustments of payments may be prescribed by the Secretary.

Section 103: Technical provisions of the Soil Bank Act, including judicial review, reapportionment, utilization of local and State committees and other agencies, utilization of land use capability data, protection of tenants and sharecroppers, etc., are incorporated.

Section 104: (a) The Secretary may formulate and announce retirement programs during the 3-year period 1964–66. All contracts are to expire by December 31, 1969, except contracts for establishment of tree cover which may continue until December 31, 1976.

(b) Contracts may not exceed 3 years except tree cover contracts which may extend for 10 years.

(c) Funds are authorized to be appropriated as may be necessary to carry out the program, including funds to reimburse the Commodity Credit Corporation for its actual costs under the payment-in-kind program.

Section 105: The Secretary is authorized to terminate or modify contracts with producers by mutual agreement when determined to be in the public interest.

Section 106: The Secretary is directed to prescribe such regulations as he determines necessary.

TITLE II—REPEAL OF AUTHORITY FOR ACREAGE ALLOTMENTS AND MARKETING QUOTAS ON WHEAT AND CORN—PRICE SUPPORTS ON WHEAT, CORN, OATS, RYE, BARLEY, AND GRAIN SORGHUM

Section 201: Authority for the establishment of acreage allotments and marketing quotas for wheat and corn is repealed, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum.

Section 202: Public Law 74, 77th Congress, relating to farm marketing quotas is repealed, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum.

Section 203: Sections 327 and 328 of the Food and Agriculture Act of 1962 are repealed, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum.

Section 204: Authority to conduct a special acreage diversion program for the 1964 and 1965 crops of feed grains is repealed.

Section 205: Beginning with the 1964 crops, price supports shall be made available to producers for each crop of corn, oats, rye, barley, and grain sorghum at 90 percent of the average price received by farmers during the 3 calendar years immediately preceding the calendar year in which the marketing for such crops begins. Authority is given to adjust price supports so as to make allowance for abnormal quantities of low-grade grain in any of the years. The price support for such crops may not be set at a level lower than 50 percent of the parity price for such crop.

Section 206: Beginning with the 1964 crops, price support for wheat shall be set at the U.S. farm price equivalent of the average world market price during the immediately preceding 3 marketing years. The level of price support for wheat may not be less than 50 percent of the parity price.

TITLE III—GENERAL PROVISIONS

Section 301: Lands reclaimed under flood control projects are made ineligible for any land retirement benefits under the cropland retirement program.

Section 302: Effective July 1, 1964, the Commodity Credit Corporation shall not sell wheat, corn, oats, rye, barley, grain sorghum, soybeans or flaxseed for domestic use at less than 115 percent of the current support price for any such commodity, plus reasonable carrying charges. Sales which are matched by equivalent purchases are exempted.

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

Mr. HICKENLOOPER. I yield.

Mr. CARLSON. I appreciate the Senator from Iowa's introduction of this bill as it affects wheat. I have just returned from Kansas, having been there 3 or 4 days after the referendum. I am convinced, based on the last vote, that the wheatgrowers of our Nation are concerned about and interested in a voluntary program. They realize also that in the present situation, where we have a large surplus of wheat, it is not possible to immediately go to a supply-and-demand program. Therefore, while I have not read the Senator's bill and am not familiar with it, I shall, coming from the largest wheat-producing State in the Nation, look at it with great interest, with the hope that I can give most of it, if not all of it, favorable consideration.

Mr. HICKENLOOPER. I thank the Senator. I have asked that the bill be printed in full in the RECORD, and it will appear in the RECORD in the morning, and I have also asked that there appear in the RECORD an explanation of the bill.

I am sure those of us who sponsor the bill believe that something should be done about the present problem. It is an economic approach to an economic problem. It is not a partisan, political approach to a segmented portion of the whole agricultural problem which has beset us for a long time. I and the sponsors of this bill believe it has great merit and deserves earnest and proper consideration and real study as an approach to the problems of agriculture, if a free economy is to be preserved and if agriculture is to avoid the necessity of a planned or regimented one, which all of us hope will be avoided.

Mr. SIMPSON. Mr. President, a Congress can consider itself extremely fortunate when it has at hand clear and tenable evidence of public sentiment regarding the field of legislation it is debating.

In the vitally important area of farm legislation we now have such evidence, provided very graphically by the May 21 wheat referendum. The overwhelming majority of nearly 1½ million wheat producers has told us unequivocally that private enterprise and the laws of supply and demand must govern farm production. The American farmer told the Nation loudly and clearly that he opposes the continued presence of Government in agriculture.

The American wheat producer stood tall and declared loudly and clearly last Tuesday that he does not want the Federal Government controlling his livelihood and his very way of life. For the first time in 13 national wheat referendums, the farmer declared that he wants controls diminished and eventually withdrawn through an orderly but definite process.

There are some other lessons contained in the stunning defeat of the administration's wheat program. Perhaps the most important—the most patent—is that farmers are looking to the legislative branch of Government, not the executive branch, for the remedial action necessary to draw the Federal machine off the farm. The farmer has shouted loudly and clearly to Congress that he wants us to stop delegating our authority and prerogatives to the executive branch of Government. If the Chief Executive and the Bureaus have unwarranted and unjustified powers, it is because the Senate and the House have given them those powers.

Another truth apparent in the May 21 vote is that farmers recognize the need to unite to battle their way out of the bureaucratic jumble in which they are entangled.

In handing the Kennedy-Freeman wheat program a stunning defeat, the farming community has indicated to us what our action must be.

This administration indicated, through a Presidential press conference, that it will oppose any new farm program. But, from what provision of the U.S. Constitution does the President draw the power to dictate the policy of Congress?

Mr. President, and colleagues, it is not in the providence of the administration to direct the course of this body. We are the lawmakers—the legislators of the United States. From this Hall and from the floor of the House of Representatives come the laws that the executive branch is directed by the Constitution to implement.

Mr. Freeman doubts that new legislation will emanate from Congress. He predicts that wheat farmers will reap not their wheat because of last week's vote, but the bitter fruit that he thinks they deserve because they had the effrontery to oppose the might of the U.S. Department of Agriculture. It is our duty to prove the Secretary wrong in his false basic premise.

The distinguished Senator from Iowa [Mr. HICKENLOOPER], with others of us joining as cosponsors, introduced a bill that has several qualities rare in farm legislation—not the least of which is its logic and commonsense workability. This bill is bipartisan in nature and is understandable to farmers.

By supporting the Wheat and Feed Grains Act of 1963, the Senate now has an opportunity to rescind its hasty action in passing H.R. 4997, a bill that is violently opposed by the Nation's wheat farmers.

It is truly a rare occasion when the Senate can view its action in the clear light of retrospection and make the corrections expected of a group which is dedicated to the representation of the people.

I am confident that the Senate's Agriculture Committee will give speedy consideration to the Wheat and Feed Grains Act of 1963 so this session of Congress can claim authorship of a farm bill that is supported by the man it so vitally affects—the American farmer.

THEODORE ROOSEVELT SCENIC PARK ROAD

Mr. BURDICK. Mr. President, in Medora, N. Dak., on May 18, I attended a public meeting in regard to S. 786, my bill to provide for the construction of a scenic road between units of the Theodore Roosevelt National Memorial Park in North Dakota.

The discussion at Medora developed, among other things, the need for more specifics to guarantee minimum disruption to the ranching industry. I had been assured by Park Service representatives that the scenic road would not inconvenience the ranchers to any appreciable degree and that their wishes in regard to fencing would be followed. However, to remove all doubt, these assurances have been incorporated into a new bill that I introduced today for appropriate reference.

The new bill provides specifically that the road may be used by adjoining landowners for movement of farm vehicles, including trucks. In regard to fencing, it provides that the Department of the Interior shall be guided by the range laws of North Dakota, local requirements and the desires of adjoining landowners. The bill also specifies that the easement on the land adjoining the right of way, which shall not exceed an average of 100 acres per mile, shall preserve the present use and appearance of such land, thus permitting grazing and other present uses, as well as prohibiting the erection of unsightly signs and structures.

An objection heard at Medora was that the bill would permit unlimited acquisition of land for recreational and interpretive facilities, which included a site for a typical ranch of the Old West on which to provide longhorn cattle and other stock to characterize the period. Unlimited acquisition, of course, was never intended. Upon consultation with the Park Service, I learned that the related sites would be adequately developed in an area not to exceed 1,500 acres and, therefore, that limitation has been placed in the new bill.

Although the bill provides for the acquisition of 25 acres per mile for road purposes, as a practical matter, a rancher could graze his cattle right up to the shoulder of the road, and the only loss of use of land would be the roadbed itself, which has been estimated to be about 3 acres per mile.

The construction of this road would open up an area of great natural beauty and historical interest to thousands of Americans—the Badlands of North Dakota. I hope it will receive favorable consideration in this Congress.

Mr. President: I ask unanimous consent that the bill be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1618) to provide for a scenic parkway connection between units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes, introduced by Mr. BURDICK, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enhance public enjoyment of the Theodore Roosevelt National Memorial Park, the Secretary of the Interior is authorized to accept the donation of, or to procure by such other means as may be in the public interest, lands and interests in lands in the State of North Dakota for the development of a scenic parkway that traverses generally the area of the Little Missouri River and connects the existing units of the memorial park. Such parkway shall include necessary connections, bridges, and other structures and utilities, together with related sites for recreational and interpretative facilities, including a site which the Secretary may manage as a typical ranch of the Old West and on which he may provide longhorn cattle and such other stock as characterize the period: *Provided,* That the related sites shall not exceed fifteen hundred acres.

SEC. 2. Lands acquired for such parkway, not including lands for related recreational and interpretive purposes, shall consist of the fee title to a right-of-way of not more than an average of twenty-five acres per mile and of scenic easements on lands adjoining the right-of-way to preserve the present use and appearance of such lands, said easements not to exceed an average of one hundred acres per mile. Notwithstanding any other provision of law, Federal property required for such parkway or its directly related facilities may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the purposes of this Act. All property acquired or transferred pursuant to this Act shall become a part of the Theodore Roosevelt National Memorial Park and be administered in accordance with such special rules and regulations as the Secretary may promulgate to further the purposes of this Act: *Provided, however,* That the Secretary shall permit the use of the parkway by farm vehicles, including trucks, of adjacent land owners; and in regard to fencing, the Secretary shall be guided by the range laws of North Dakota, local requirements, and the desires of adjoining landowners.

SEC. 3. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

PREVENTION OF CERTAIN DISCRIMINATORY PRACTICES BY PERSONS ENGAGED IN BUSINESSES AFFECTING COMMERCE

Mr. HART. Mr. President, on behalf of myself, and the Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill which would authorize the Attorney General of the United States to bring civil action in any instance where a person engaged in interstate commerce might deny those services or facilities to any person because of his race, religion, color, or national origin.

Congress is being called upon to explore the desirability of expanding the authority of the Federal Government to enter suits on behalf of individuals who are barred from accommodations or services because of race. Many of us have urged such expansion.

Congress has found it desirable explicitly to give this authority to the Attorney General in the area of voting. On a number of occasions we have sought to extend this so-called title III authority to all areas covering rights guaranteed by the 14th amendment. The distinguished Senator from Illinois [Mr. DOUGLAS] has introduced S. 1389, on which I am cosponsor, to achieve this broad and desirable objective.

Legislation requiring equal access to the public accommodations and services offered by businesses licensed by a State was introduced last week by a bipartisan group headed by Senator COOPER, of Kentucky, and Senator DODD, of Connecticut. This proposal represents an important and useful area for the Congress to consider.

It is my view, Mr. President, that the bill I introduce today would reach this end by another route. The commerce clause of the Constitution is the basis of the proposal I offer.

Many competent students of the Constitution hold the view that there exists today sufficient authority under which the Attorney General could enter suits in behalf of individuals whose rights might be impaired and argue that there is little or no need for additional statutory authority to give the Attorney General title III authority. This general view would also be held by those who feel that such authority presently exists under the commerce clause. Indeed, a recent decision by the Fifth Circuit Court of Appeals in United States and Interstate Commerce Commission against City of Jackson, et al. implies such authority.

Clearly, Mr. President, Congress should move expeditiously to explore and resolve this question of whether additional authority is needed. This is essentially the purpose of the bill I introduce today and I would hope that hearings by the appropriate committee can proceed on this all-important matter of assuring every citizen of our Nation full and equal access to any service or facility of businesses which stand in the flow of commerce between the States.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD and that this bill remain at the desk for 3 days so that those who may wish to cosponsor it may have an opportunity to do so.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Michigan.

The bill (S. 1622) to prevent certain discriminatory practices by persons engaged in businesses affecting commerce, introduced by Mr. HART (for himself and Mr. HUMPHREY), was received, read twice by its title, referred to the Committee on Commerce, 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 whenever a person engaged in any business affecting commerce refuses or denies to any other person, or withholds from another, equal treatment in the facilities, services or accommodations afforded by one in such business on the ground of race, religion, color, or national origin of such other person, the Attorney General may institute for the United States, or in the name of the United States a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

SEC. 2. (a) When used in this Act, the term "business affecting commerce" includes those engaged in transporting goods in commerce, in selling goods or services in commerce, in purchasing goods in commerce for resale, in purchasing services in commerce, or in advertising in commerce or through the use of the mails or by radio or television.

(b) The term "commerce" includes trade, traffic, commerce, transportation, or communication among the several States; or between any State or Commonwealth or possession of the United States or the District of Columbia any place outside thereof; or within the District of Columbia, the Commonwealth of Puerto Rico or any possession of the United States; or between points in the same State but through any point outside thereof.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1964—AMENDMENT

Mr. McGOVERN submitted an amendment, intended to be proposed by him, to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF REPORTED BILLS

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the junior Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor to Senate bill 522, Senate bill 523, Senate bill 524, Senate bill 525, and Senate bill 526.

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

ADDITIONAL COSPONSOR OF BILL

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the junior Senator from Rhode Island [Mr. PELL] be added as the cosponsor of S. 702, relating to domestically produced fishery products, on the next printing of the bill.

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

INCREASING THE PERSONAL EXEMPTIONS IS THE BASIC ESSENTIAL TO A SOUND TAX CUT—ADDITIONAL COSPONSOR OF BILL

Mr. GRUENING. Mr. President, I ask unanimous consent that I may be permitted to join my able and distinguished colleague, the senior Senator from Indiana [Mr. HARTKE] in cosponsoring the measure he introduced on May 16, 1963, (S. 1555) entitled the Individual Income Tax Reduction Act of 1963. I commend him for his foresight in introducing this measure and for the simplicity of his approach. It requests an increase of the individual exemption from $600 to $1,000. In this effort he has taken the leadership since he first introduced this measure in 1961.

At that time he met with a negative report from the Treasury Department. I hope that his latest effort will not meet a similar response.

Speaking on February 25 last before a symposium on economic growth, sponsored by the American Bankers Association, President Kennedy said that if no tax cut is enacted, he would make the following predictions:

First, that tax revenues will continue, year in and year out, to be insufficient to balance the budget, no matter how tight the administration and Congress control expenditures.

Second, that the country will, in the not too distant future, be struck by its fifth postwar recession, with a heavy loss of jobs and profits, a recordbreaking budget deficit, and an increased burden of national debt.

Third, that unemployment and unused business capacity will remain at or above their present high levels, creating a lack of investor confidence at home, and a lack of confidence in the dollar abroad.

Fourth, that the pressure for a 35-hour week, for restrictions on imports and automation, and for large, "quickie" tax cuts, and sharply increased Federal spending, will all grow beyond manageable limits.

Fifth, that this Nation's rate of economic growth will not match over the next 10 years the record of most other industrial powers, or our own record in this country.

I am not gainsaying the fact that tax reforms are needed to distribute the Federal tax burden more equitably. I am saying, however, that we need an immediate tax cut that would bring immediate benefits to the largest number of people. Many of the President's tax reforms would bring about inequities and cause a decrease in purchasing power in the hands of the very people who should be receiving an increase in purchasing power.

Increasing the personal exemption, which is what Senator HARTKE's bill does, would achieve the result the President seeks although it may not follow the final Presidential prescription. It would release immediately approximately $200 million in purchasing power and the sum available in one year would be $11.7 billion. It would give an immediate boost to our economy by putting this purchasing power in the take-home pay of the taxpayers of the Nation in the very next paycheck after this amendment becomes effective. There will be no forms to fill out. There will be no long delays in obtaining rebate checks—those will come later.

I am not unaware, Mr. President, that, since the delivery of the President's tax message, the state of our economy, as measured by national indexes, has improved. But the serious pockets throughout the country do persist. They must be wiped out. We cannot be complacent while 5.6 percent of our total labor force is unemployed. We cannot tell the more than 4 million unemployed men and women that there is no need to get this country moving economically.

It was for this reason that on March 19, I, together with a number of my colleagues, introduced a bill, S. 1121, to increase the authorized amount for the accelerated public works program.

That is why today, I am joining the distinguished senior Senator from Indiana in cosponsoring his bill which will give the President the tax cut which he so rightly believes we need, but will give him the tax cut speedily and simply and in a manner which each taxpayer can understand readily without waiting to compute his income tax return next year.

ESTABLISHMENT OF JOINT COMMITTEE ON NATIONAL SECURITY AFFAIRS—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that, at the next printing of the concurrent resolution (S. Con. Res. 42) establishing the Joint Committee on National Security Affairs, the name of the Senator from Connecticut [Mr. DODD] may be added as a cosponsor.

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

TV VIEWING OF SENATE SESSIONS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to add the name of the distinguished Senator from Pennsylvania [Mr. CLARK] as a cosponsor of my resolution (S. Res. 140) which is now sponsored by the Senator from Oregon [Mr. MORSE] and myself, allowing TV viewing of Senate sessions.

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

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of May 13, 1963:

S. 1517. A bill to provide for the issuance of a special U.S. postage stamp in commemoration of the Crusade against Cancer: Mr. CLARK, Mr. DODD, Mr. DOUGLAS, Mr. GRUENING, Mr. HILL, Mr. KEATING, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. METCALF, Mr. RIBICOFF, and Mr. SYMINGTON.

Authority of May 16, 1963:

S. 1555. A bill to amend the Internal Revenue Code of 1954 so as to increase to $1,000 the amount of each personal exemption allowed as a deduction for income tax purposes: Mr. MCGOVERN and Mrs. NEUBERGER.

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. MAGNUSON:

Address by Secretary of Interior Stewart L. Udall, delivered at the commissioning of the oceanographic research vessel *Albatross IV*, Woods Hole, Mass., May 9, 1963.

DESIRES OF CATTLEMEN

Mr. SIMPSON. Mr. President, I call to the attention of the Senate four resolutions which, in my opinion, reflect the feelings and philosophy of the people of Wyoming. These well-prepared resolutions have been written by the Green River Valley Cattlemen's Association, of Pinedale, Wyo.

These resolutions, which deserve the attention of every person in Government—whether an elected official, a dedicated civil service employee, a political appointee, or one who is only in Government temporarily—are a tribute to the cattlemen of America.

These resolutions show that the cattleman is keenly aware of the Federal Government's ever-presence. The cattlemen want the Federal Government to return to a government of law and not men; to reduce expenditures and abolish all needless spending; to halt attempts to influence the public on highly controversial programs which are advocated by the administration; and to adopt a responsible fencing program.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, resolutions adopted by the Green River Valley Cattlemen's Association on May 11, 1963.

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

GREEN RIVER VALLEY CATTLEMEN'S ASSOCIATION RESOLUTION ADOPTED MAY 11, 1963, PINEDALE, WYO.

Whereas the administrative and executive department of the Federal Government exercises dictatorial powers over the people of the United States and can change rules and regulations over the voice of our duly elected Representative in Congress through the use of the Federal Register: Therefore be it

Resolved, That we, as members of the Green River Valley Cattlemen's Association, expend every effort and use every available means to assist all other groups that are endeavoring to return to rule by legislation in lieu of rule by Executive order and that we urge our State legislature and our U.S. Congressman and Senators to do everything possible to return to the government of statute and laws.

GREEN RIVER VALLEY CATTLEMEN'S ASSOCIATION RESOLUTION ADOPTED MAY 11, 1963, PINEDALE, WYO.

Whereas it is apparent that the offices of the Bureau of Land Management and the Forest Service are overloaded with administrative personnel;

Whereas we feel that too much money is expended on the cost of administration and not enough on range improvements: Therefore be it

Resolved, That the congressional Appropriations Committees be requested to make a careful study of the administrative forces

of these departments with the idea in mind to reduce the expenditures in this area and apply the money saved to an overall range improvement program in cooperation with the permittees; and be it further

Resolved, That a copy of this resolution be sent to the Wyoming Stock Grower's Association, American National Cattlemen's Association, and Appropriations Committees of the U.S. House of Representatives and U.S. Senate, the Secretary of Interior, and Secretary of Agriculture.

GREEN RIVER VALLEY CATTLEMEN'S ASSOCIATION RESOLUTION ADOPTED MAY 11, 1963, *PINEDALE*, WYO.

Whereas the U.S. Government is using taxpayers moneys to finance propaganda, literature, films, travel, public appearances, radio, and TV to promote support of programs which are highly controversial to the general public;

Whereas the Government is using these moneys to present half-truths of only one side of the controversial subjects and are threatening agriculture with reprisals if cooperation is not obtained: We, the Green River Valley Cattlemen's Association

Resolve, To oppose such tactics and propose the enactment of such legislation to make these tactics illegal and penalties applicable to the same.

GREEN RIVER VALLEY CATTLEMEN'S ASSOCIATION RESOLUTION ADOPTED MAY 11, 1963, PINEDALE, WYO.

Whereas fences are essential to the efficient control of livestock on U.S. Forest Service lands and also to proper range management, and

Whereas Forest Service policy is contrary in spirit to Wyoming fencing laws: Be it therefore

Resolved, That the legislature be requested to adopt legislation specifically placing the responsibility and liability for negligent fence maintenance on the Department of Agriculture and the Forest Service, and where livestock is in trespass, the owner shall in no way be responsible if the fences have not been properly maintained.

A CITY DRENCHED WITH LIGHT

Mr. INOUYE. Mr. President, there are times when inaugural speeches by university presidents are noted for their brilliance and keen understanding of the role of education in a contemporary American community. However, this type of speech is an uncommon occurrence. When there is an exceptional one, it seems to me appropriate not only for the State and the university concerned but for the United States as a whole. I think that the inaugural speech delivered by President Thomas Hale Hamilton of the University of Hawaii on March 28, 1963, is outstanding in this respect. I ask unanimous consent that the speech by President Hamilton be printed in the RECORD.

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

A CITY DRENCHED WITH LIGHT

(Inauguration address by Thomas Hale Hamilton, president, University of Hawaii)

On a day such as this, one is pleased with the many blessings he sees about him. It is good to have one's family and friends with him. To share a platform with the Governor of his State is an honor. It is gratifying to see so many legislators and other public servants here. The presence of representatives of a large number of colleges, universities, and learned societies, who come to honor not an individual but the University of Hawaii, gives pleasure in its contemplation. And of course, one is reassured by the presence of a dedicated faculty and administrative staff, a conscientious board of regents, our concerned alumni, and representatives of an able student body.

I am particularly pleased with the presence in the presidential party of two distinguished educators to whom we all are so deeply indebted. I refer, of course, to Dr. Laurence Snyder and President-Emeritus Gregg Sinclair.

Gratitude needs to be expressed to all who have worked so hard to make this day and this week a success. My special appreciation is extended to the members of the drama department, for they, I think, have best caught the spirit of the occasion. I urge those of you who have not done so to attend their singularly appropriate performance of "Oh Dad, Poor Dad, Mamma's Hung You in the Closet and I'm Feelin' So Sad." I must confess to a certain relief that the department passed by the opportunity to present "Long Day's Journey Into Night."

One, of course, does not assume the duties of a university president lightly. It is a position, under the very best of conditions, fraught with a fair number of frustrations, a host of dilemmas, constant paradoxes, and, it often seems, but pitifully few successes.

Unfortunately, society seems to expect a great deal of the university president. These expectations recently were expressed with both style and wit by John Gardner, the president of the Carnegie Corp. of New York: "The university president is expected to be kindly with the students, patient with the alumni, irreproachable with the faculty, irresistible to the legislators, and awe-inspiring to the general public."

Then he continues with a sentence from which I have never taken much comfort: "It is an impossible job."

Now I am sure that I cannot meet all of these requirements, nor even one of them perfectly. So I shall have to be what I am, a professional who will try to muster enough stamina to get through until next Tuesday and enough vision to see a little beyond Wednesday. If this be good enough, fine; if not, let us paraphrase the bard by saying, "Men have died, and worms have eaten them, but not for a university presidency."

Since I arrived in Hawaii, a number of citizens have been willing to give me the benefit of their views on various matters, large and small. And for all of this I have been grateful. I have been conscious of the number of times this counsel has concluded with the statement, "Hawaii wants one of the world's great universities." And one or two have held that we should settle for nothing but the world's greatest university.

Now such advice is not quite so novel as one might suppose. It has been some years since a university president was inaugurated with the admonition that he should bend his every effort to bring forth an institution of marked mediocrity. But I do wonder whether all who have expressed this goal are fully aware of its implications. I am reminded that, when told of a man who excused himself by saying, "After all, I'm only human," Dylan Thomas retorted, "But deep down inside himself he really doubted it."

Part of the difficulty arises, I suppose, from the debasement of language which we have suffered in recent years. In some quarters what is really but an adequate product is described as great; if it has the slightest elegance it is magnificent. There must be a kind of Gresham's law for language as there is for currency.

But assuming that we mean what we say, how does a university become great or for that matter even good? It requires, I think, the presence of five factors: resources, the proper environment, time, knowledge of the special nature of a university, and a sense of purposiveness within the university itself.

When one considers these factors one is impressed by the extent to which such reflection indicates the necessity for mutuality of concern on the part of both the university and the larger society of which it is a part. For while some seem to be primarily the responsibility of the university and others the responsibility of other segments of society, the sense of mutuality is the thing which penetrates. Surely only a good society can produce a good university, and, contrariwise, to postulate the former without assuming the presence of the latter is misleading.

The resource factor is, I think, the easiest to comprehend, although sometimes very difficult to come by—but one must face up to the fact that the higher learning is very costly.

Not quite at random, I selected three American State universities which I consider of first quality. Whether they are great or not is a moot question, but in my opinion they are among the best we have; and incidentally, I have been in this profession long enough not to be so foolish as to name them. Originally I included here a fairly elaborate analysis of the resources available to these three institutions, but this is no day for me to play the numbers game or, indeed, for you to consume a diet of statistics. Let it only be said that without any increase in number of students, our total budget would need to be doubled if the resources of our university were to equal the least affluent of these three. This is true in spite of the fact that the State of Hawaii in recent years has made a far greater effort than ever before to support its university.

No one could hold seriously that the quality of an institution can be judged solely by resources available related to its enrollment. But a relationship there is, for in the long run less than average effort produces less than average results and never excellence. If this be a part of the price of greatness, are we willing to pay it? And can we pay it? Interestingly enough, if the university properly plays its role, I am not too concerned about the willingness of the community. This I think is present. Our economic ability to do so is another matter, one to which I have given some thought and to which I shall return.

I said that the second factor necessary for excellence relates to the environment. Much of this the university itself has to create. Institutions, as individuals, tend to play the roles they cast for themselves, and a great institution always must exhibit competence and poise and maturity and self-respect. But the environment of the larger community of which the university is but a part also is a conditioning element.

There must be present a society which at least in the main is sufficiently mature that it pays no homage to small words, to small deeds, to small men. While it must glory in the distinctiveness of human beings and delight in the creativity which results in a society which not only permits but encourages one man to differ from the other, it must strive to settle no issues of import on any basis other than principle. It must, without denying the importance of the emotional and the spiritual, have a high regard for rationality as the primary faculty by which we can comprehend man's essentially tragic condition.

And then there is the factor of time. It is paradoxically true that an excess of virtue may produce a vice. And this is sometimes true in our American attitude toward time. So eager are we, and properly so, to correct errors, to make progess, that we sometimes forget that some growth simply demands time.

A plant gains no health and vigor if it is pulled from the ground periodically to note

the condition of its roots. A university, in particular, does not achieve excellence overnight. Recall that while many of the American universities which we now revere came into being in the 17th and 18th centuries, as late as the latter part of the 19th they were characterized by Dean Andrew West, of Princeton as mainly institutions "with some anticipations of university studies toward the end of the course."

There is of course a danger here. If brash and imprudent impatience is a danger, complacency is its equal. Between Scylla and Charybdis the wise must steer.

The community desiring excellence in its higher learning must know a great deal about the special nature of a university. A university is the most perplexing, frustrating, difficult, and wonderful social institution devised by man. And it is all of these things because it exists for paradoxical ends. It is inevitable that universities should occupy an ambivalent place in a society even though that society creates, supports, and at times praises them. A university is established by a society to insure that the values to which that social order subscribes are perpetuated; there is, in effect, an orthodoxy at stake. And yet, in its rarer moments society also acknowledges that it is equally important to examine and, indeed, to modify that orthodoxy. Thus the university is mandated to question the value system which it is also supposed to preserve. Problems inevitably arise, however, from the fact that the whole society does not uniformly subscribe to both these ends. There are always some to whom it appears that the university ought to be preserving instead of questioning. And to others the reverse is true. This is why universities are so often misunderstood by the society which sustains them. This is why a public university is not like any other agency of government and cannot be so regarded if it is to achieve the excellence of its nature. And the proper treatment of a university cannot await universal agreement that it has achieved excellence, for the former is a prior and necessary condition of the latter.

The only proper stance for a university as it faces the paradox of its nature is the fundamental premise of the vocation of scholarship: That truth is always preferable to error. This does not mean that at all times the university can be confident it possesses the truth. A little humility here would help. With the best of intentions, universities have, with all their solemnity and tradition, taught error, whether it be the astronomy of Ptolemy or the theory of ether. But the validity of the premise is not by such facts disproved.

Finally, it seems to me that no good university can exist unless it contains within itself a sense of purposiveness which is shared by all who make up the university community. It must know its nature, it must know its purposes, it must know the needed means, and it must have a plan which relates means to its purposes. The possibilities of planning can, of course, be overemphasized. What physics department chairman in 1940 could have foretold his need for a reactor and an accelerator just 10 years later? But the university must develop the general sense of direction related to time and means. If it does not, others will do the job and understandably so.

Keeping all these matters firmly in mind is perhaps most difficult in an institution such as this. This is the people's university. Being such it must be both responsible to the society of which it is a part and responsive to the needs of the peoples of that society. But this does not mean that it should sway with each new gust of the wind of public opinion. At times it will best serve the people by saying "no." And it need not be too concerned at the criticism which then ensues. One of the remarkable things about good universities is that their record of survival is far better than that of the particular societies which first established them.

These remarks may seem sobering. They were meant to be. It does no good for either you or me to underestimate the magnitude of the task with which we jointly are confronted. And yet I am not pessimistic. Given determination, we can, I think, by combining the assets of the State with Federal assistance, and a great increase in private giving, muster the resources necessary. Time is always available for wise use, use which avoids both imprudence and complacency. I shall use my influence, as others have and will, to see that the university exhibits poise and maturity and self-respect. We can hope with some confidence that the proper nature of a university becomes increasingly clear, and concern with purpose and means will be at the university a first order of business.

It is important that this be done. Given a society, such as ours, dedicated to human dignity and the equality of men, a society which must remain free and open, safe and productive, there exists no better investment than a university of quality. For it is a great university which can make of our society what Athens was in the eyes of Socrates. Maxwell Anderson described that vision in these words which I have quoted before, which I shall quote again, and with which I close: "Athens has always seemed to me a sort of mad miracle of a city, flashing out in all directions, a great city for no discoverable reason. But now I see that Athens is driven and made miraculous by the same urge that has sent me searching your streets. It is the Athenian search for truth, the Athenian hunger for facts, the endless curiosity of the Athenian mind, that has made Athens unlike any other city. This is a city drenched with light—the light of frank and restless inquiry—and this light has flooded every corner of our lives: our courts, our theaters, our athletic games, our markets—even the open architecture of the temples of our gods. This has been our genius—a genius for light * * *. Shut out the light and close our minds and we shall be like a million cities of the past that came up out of mud, and worshipped darkness a little while, and went back, forgotten, into darkness."

A KEY TO VICTORY IN VIETNAM—OUR DETERMINATION TO SUCCEED

Mr. INOUYE. Mr. President, last December, the very distinguished Senator from the State of Washington [Mr. JACKSON], one of our ranking members of the Senate Committee on Armed Services, visited South Vietnam at the invitation of the Secretary of the Army, Cyrus R. Vance, for a close look at the counterinsurgency program.

During this visit, the Senator from Washington conferred with many hundreds of persons—American and Vietnamese Government officials; American and Vietnamese officers and men in the field.

The March 1963 issue of the Army magazine has a special report submitted by U.S. Senator HENRY M. JACKSON on his South Vietnam visit.

I most respectfully feel that the Senator's candid observations on the counterinsurgency program is worthy of our serious consideration.

Mr. President, I ask unanimous consent to have Senator JACKSON's special report entitled "A Key to Victory in Vietnam" printed in the RECORD.

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

A KEY TO VICTORY IN VIETNAM—OUR DETERMINATION TO SUCCEED

(By Senator HENRY M. JACKSON)

The struggle in South Vietnam, with all its frustrations and vexations, is the kind of effort the U.S. Army will be making for a long time. We have got to get used to that idea.

In Communist jargon this is a "war of national liberation"—the kind of war that Khrushchev and Mao think they can win. More than 2 years ago Khrushchev pledged that he would wage such struggles in Asia, Africa, Latin America, and the Middle East. We have got to take him seriously. There are signs aplenty that he has other such ventures in mind—perhaps some in our own backyard.

This is not war on a large scale, involving the movement of big units, heavy firepower, sustained combat, and well-defined fronts. Militarily it is a war of skirmishes and ambushes, hit-and-run attacks, with the enemy breaking off contact when opposed and filtering away into the rice paddies or the jungle. Politically it is a war to destroy the confidence of the people in their Government, to build up such physical exhaustion and such war-weariness that the will to resist will be eroded, and to create the fear and uncertainty which will pave the way for any regime which can promise order, no matter the terms.

The Chinese Communists have been perfecting this type of warfare for more than a generation. We have got to learn to combat it in a fraction of the time. The encouraging fact about the struggle in South Vietnam is that we are learning.

Because the experience in South Vietnam has much to teach us, I wanted to see it for myself and was privileged to spend 8 days there last December at the invitation of Secretary of the Army Cyrus Vance. Along the way I stopped to talk with Admiral Felt in Hawaii, and in Saigon I talked with Ambassador Nolting and the key members of the country team. I was accompanied by Col. George B. Sloan, chief of the U.S. Army congressional liaison and inquiry division, who had had a chance to study the situation there on an earlier trip in October. Together we visited a number of units in the field, talking with the officers in South Vietnamese units and their American advisers. I also had a number of talks with high officials of the Vietnamese Government, including Premier Diem and his brother and close adviser, Nu.

Of course, I spent a good deal of time in discussions with Gen. Paul D. Harkins, Maj. Gen. Charles J. Timmes, chief of the MAAG, Brig. Gen. Joe Stilwell, Jr., the Army support commander, and Col. George Morton, who is directing our Special Forces operations. From my own personal standpoint the visits to the field, with opportunities to observe combat operations and conditions, were the highlights of the trip.

The first thing to observe is that our effort in Vietnam involves all elements of our Government. State, AID, USIA, CIA, and the military all have their parts to play—and all must be played well.

The second point to be made is that our effort in South Vietnam is closely related to the situation in the rest of southeast Asia, especially Laos, Cambodia, and Thailand. It is not possible, I am sure, to conduct a wise policy in Vietnam in isolation from our policies in southeast Asia as a whole.

I have often heard it said in a critical tone of voice, that we should send our best people overseas on tasks like this one. I am prepared to testify that we have a splendid group of Americans in South Vietnam,

and we back home can and should take pride in them and their efforts. They are mature, competent, and realistic. They show a real sensitivity to the nature of the struggle in which they are engaged. They have good morale and preserve a good American sense of humor—qualities that are as important as they are remarkable when one is living knee-deep in water, as many of our advisers are. These comments apply not only to the Army personnel, but also to the Embassy, the AID, and USIA missions, the Marines, Air Force, and Navy, and others. A lot of credit goes to General Harkins and Ambassador Nolting for creating a real team effort—of the kind that we are going to be called on to make elsewhere. It is good to know that it can be done when you have the right people with the right spirit.

Of special interest to the Army, and something Army officers will be studying with great care, is the role of the helicopter and slow, highly versatile, fixed-wing aircraft like the Caribou. Together with good communications, so that one has up-to-the-minute information on where the Viet Cong are, this equipment gives the South Vietnamese forces an advantage in terms of ability to move quickly and concentrate that is probably the key factor in turning the tide in Vietnam.

The sky is a highway without roadblocks. The helicopter frees the Government forces from dependence on the poor road system and the canals which are the usual arteries of communication. It enables them to achieve surprise. I think of it as a cavalry of the air—with all of the advantages and more that cavalry used to give in combat with an enemy on foot. There is still a lot to learn, but our people are learning fast. One place where we can improve is to supply more of these craft and to improve our maintenance.

The new Army is a lot more than a well-trained group of fighting men. American personnel are living, for example, with peasants in the Delta and with mountain people, or Montagnards, in the high country. Wherever they are, they are teaching—and they are learning. And the latter is probably more difficult than the former, for an American is inclined to doubt that a primitive tribesman has much to teach him. But these do, and we can learn just as our forefathers learned a lot from the Indian about survival in the wilderness.

Our men are doing a marvelous job of establishing personal links with the people. I saw American soldiers helping with the construction of huts, simple schoolrooms, community facilities, and the simple but effective fortifications around the so-called strategic hamlets. A good many have learned some words of the native dialects and a good many are teaching English to the villagers. In one unit I met a noncom who had been up all night helping with the delivery of a baby. In short, the American soldier has a kind of "peace corps" of his own—but in this peace corps one carries his rifle on his shoulder, for the crackle of gunfire may interrupt any task.

For this is a struggle in which blood is being spilled. Last year the South Vietnamese suffered more than 11,000 casualties. According to the official estimates the Vietcong had 28,000. Admiral Felt estimates that the enemy is making about 50 armed attacks a month at the present time, which is about half the number a year ago. So progress is being made, thanks in large part to the effectiveness of U.S. Army advisers, who serve not only at corps and divisional headquarters but down to the battalion level. As our casualty lists show, a good many advisers have been in the thick of operations, which often involve units of platoon or squad size.

Large areas of the delta and the high plateau and mountain country in the north have been in Vietcong hands since shortly after World War II. In fact, Vietnam has never been truly unified in modern times. The Government therefore must not only try to protect the country against guerrilla attacks but also carry out an effort to establish its authority and legitimacy in areas where it has never been recognized. To win the loyalty and support of the people and to build a sense of statehood where none has existed are difficult tasks in the best of circumstances. Probably the remarkable thing is how much has been accomplished along this line.

The Communists control nearly half of the countryside and nearly half of the villagers, who make up almost 90 percent of the population. In the areas that they dominate, the Vietcong collect taxes, highway tolls, and contributions of food and supplies from the peasants.

It is still not safe to venture far from Saigon without an armed convoy. The railroads have to be protected from sabotage and ambush and train service and other ground transport are frequently interrupted.

Why are we involved? Not just because Vietnam is a potentially rich country, though it is that. More because its loss would be an important political and psychological victory for the Communists, helping to confirm in their minds that the tide is running their way in Asia and that the West really has no answer to the war of national liberation.

But mostly for the simplest of all reasons: the Communists have got to be stopped. And they have got to be stopped where they make their effort. There isn't any nice, pleasant battleground where we could make a stand in preference to this one.

Since my return I have been asked many times how the struggle is going. Are we winning? When will it end?

The honest answer is that no one can be certain whether he is winning. It isn't that kind of a fight. It doesn't oppose large, organized units. It doesn't have clearly defined fronts. It won't end with a surrender ceremony. What we hope for, and have a chance of achieving, is that it will peter out—the attacks will become less frequent, the Vietcong will find it more difficult to recruit, the supporters of the Government will gain confidence, and one day the enemy will slink away into the swamps and not return, or return as a defector.

By such measures as we have, the trends are favorable at this time; the tide seems to be turning. Viet Cong casualties are up; losses of Government equipment are down; captures of Viet Cong supplies are up; the number of armed attacks is declining; the number of strategic hamlets is increasing; and so on.

But optimism even of this kind has to be qualified. Of course ups and downs around this trend have to be expected, and we should not be surprised by setbacks or read too much significance into one or two spectacular victories. Furthermore, the basic trend could be reversed if the Viet Cong receives stepped-up assistance from the north, Red China, or the Soviet Union.

And it would be reversed if events go badly in Laos and Cambodia. In all frankness the prospect in these neighboring countries is not good. The "neutralist" government of Cambodia is leaning with the wind—and it thinks the wind is blowing from the north. The so-called coalition government in Laos was a marked child from its birth. It will be little short of miraculous if it can preserve effective neutrality in the struggle that rages in and around it.

In these circumstances the U.S. Government must take a long, hard look once again at its policies in southeast Asia. What are the areas that must be genuinely, not just nominally, denied to the Communists if the security of South Vietnam is to be safeguarded? Obviously, or so it seems to me, the area along the Mekong River, in what might be called the panhandle of Laos, is of key importance. If this area is, in fact, denied the Communists—that is, neutralized in the full sense of the word—this will have great meaning for the position of Cambodia, Vietnam, Thailand, and even Burma. If it is not, that will have other, grave implications.

We must look also at the intensity and adequacy of our efforts in South Vietnam. The road ahead is probably long and hard. We must be prepared for that. But the journey may be shortened and the burdens lightened if we approach the task with the determination to succeed and ask ourselves what is needed for success. Perhaps the question of determination is the key question.

It is just possible that with a few more shoves, we might get a bandwagon rolling. Little successes can lead in this situation to more and bigger victories. Confidence in the Government could grow rapidly once it is evident that the Government is beginning to get the upper hand.

For this reason this seems to me a psychologically opportune moment to step up the scale and intensity of our programs in all reasonable ways.

MAJ. LEROY GORDON COOPER, JR.

Mr. INOUYE. Mr. President, on May 18, 1963 the people of Hawaii gave Maj. Leroy Gordon Cooper, Jr., a tremendous reception, second only to that given the late President Franklin D. Roosevelt when he visited the islands.

In welcoming Major Cooper, Gov. John A. Burns, of Hawaii, gave the following public remarks, which I ask unanimous consent to have printed in the RECORD.

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

WELCOME REMARKS BY GOV. JOHN A. BURNS ON ARRIVAL OF MAJ. L. GORDON COOPER, JR., HICKAM AIR FORCE BASE, MAY 18, 1963

Major Cooper, it is always a great pleasure to welcome distinguished guests to Hawaii. It is doubly pleasurable, in your case, because we regard you as a hometown boy—a native son of Hawaii.

You have traveled a greater distance than any other person in history to reach our islands. We, therefore, hope your short stay with us will be as memorable for you as it will be for us in having you here.

There are cherished events in the lives of all of us. In your case, I am sure that two such events are linked with Hawaii: first, your marriage to your very lovely wife, here on this very base in 1947; and second, your reunion today with her and your family. This is a fitting epilog to your historic and courageous orbital flight in space.

We are honored to welcome you and your family to our islands, and we hope that you will return often.

REMARKS BY GOV. JOHN A. BURNS, PRESENTATION OF MAJ. LEROY GORDON COOPER, JR., TO THE PEOPLE OF HAWAII AT IOLANI PALACE, MAY 18, 1963

I am most pleased to see how well the citizens of this State have responded today to honor a most distinguished visitor to Hawaii. It is not every day that we have the privilege of welcoming a person who has traveled such a long and historic route to reach our shores.

We have all read or heard of Maj. Leroy Gordon Cooper, Jr.'s successful multiorbit mission around the earth in his *Faith 7* spacecraft.

His achievement is something that those of us earthbound individuals, who live some-

what more mundane lives, marvel at. Major Cooper is an inspiration to all of us, not merely because of his successful orbital flight, but also because he stands as a symbol of the kind of heights within reach of those of us who live in a democratic society.

Behind Major Cooper's accomplishment is the long record of his pioneer forefathers. Just as the early pioneers dared to brave the unknown West, so, too, has Major Cooper, along with his fellow Project Mercury astronauts, opened up a new frontier for others to follow.

Major Cooper's successful completion of his hazardous journey is a tribute to his personal courage and ability. It exemplifies the manner in which Americans are able to rise to any challenge thrown against them. Major Cooper is a reminder to all of us, that we can do whatever we dare to do.

As most of you know, Major Cooper is regarded as a hometown boy—a "native son" of Hawaii. He lived here when his late father was stationed with the Air Transport Command at Hickam Air Force Base. Major Cooper attended the University of Hawaii for 3 years. He was married at the Hickam Chapel.

We are proud to have him and his family back, especially under such auspicious circumstances.

We are doubly proud that the first American soil Major Cooper set foot on after his 575,000-mile trip through space is Hawaiian soil.

Hawaii and Major Cooper have something very much in common. Major Cooper is a pioneer in the new space frontier. We, in Hawaii, are pioneers in a new frontier involving the entire Pacific and the countries rimming this vast ocean.

I am priviliged, in behalf of the people of this State, to present Major Cooper with a medal in commemoration of his noble achievement.

Major Cooper, I present to you, from the people of Hawaii, this bronze Statehood Medallion, which was struck in 1959 to commemorate Hawaii's admission into the Union.

I believe this is a fitting token by which to mark this great day in your life and in the lives of all of us, who, as fellow Americans, share in the glory of your feat.

TRIBUTE TO DR. ALLAN F. SAUNDERS

Mr. INOUYE. Mr. President, once before I spoke of the effectiveness in teaching and community service of Dr. Allan Frederic Saunders, dean of the University of Hawaii. I indicated then that he was probably one of the most outstanding educators Hawaii has ever had. It seems now that my feelings on this have been seconded by an editorial in the Honolulu Star-Bulletin.

I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Honolulu Star-Bulletin, May 24, 1963]

EXPANDING RIPPLES

There is given to some in this, as in other communities, the capacity to influence the life of their communities through those they have taught.

Among this rare group is Dr. Allan F. Saunders, dean of the College of Arts and Sciences of the University of Hawaii, who retires this year after a career in education extending back 44 years.

His field is political science and his special concerns have been political theory, more especially American political theory, and group dynamics.

Many of the young men who came into political prominence in Hawaii since World War II sat at his feet and were influenced by his thinking. He schooled them not only in political techniques, but in the socio-economic principles which we see being applied to the Government of Hawaii by our latter year legislatures.

Senator DANIEL K. INOUYE, one of Dr. Saunders' students, honored him with a testimonial in the CONGRESSIONAL RECORD. The legislature, during its recent session, memorialized his work in a concurrent resolution. On Tuesday, the city council similarly spoke in glowing terms of his contributions to higher education in Hawaii.

In another sphere, he has given devoted leadership to the cause of the United Nations in Hawaii.

Tomorrow night, his admirers are uniting to honor him at a "mahalo party" at the Ala Moana Center banquet hall.

Considering the political connections of so many of his former students, we can forecast that the oratory will be eloquent and Dr. Saunders, while pleased, may find himself just a bit embarrassed by the effusiveness to which politicians, including his own former students, often are given.

When all the whereases have been recited and the resolves set forth, Dr. Saunders will retire from the scene at the University of Hawaii secure in the knowledge that by influencing the minds of men now influential, he has left his mark on this community.

STUDY OF KEY CURRENCIES REVEALS WEAKNESSES IN DOLLAR AND POUND

Mr. ROBERTSON. Mr. President, there is a thoughtful article in the May 24, 1963 issue of the American Banker by a London correspondent concerning a recent British study of the British and United States currencies. Those of us whose primary concern is with the fiscal affairs of our Government have been aware for some time of the weakness of our dollar. And we know how serious that weakness could be to us should there be any general consensus among foreign nations, who are in a position to present to us for redemption in gold between $19 and $20 billion, that gold would be more valuable to them than interest on our money and the goods and services that can be bought in this country with our dollars.

The weakness of our dollar is clearly demonstrated by the continued drain upon our diminishing gold supply. That gold supply is now below $16 billion and is falling nearly every month, although we need more than $12 billion of gold to back our currency even on a 25-cent gold basis. We have, of course, a very small amount of free gold with which to meet potential demands from abroad for the exchange of dollars for gold.

The study of this situation by the distinguished economist, A. R. Conan, leads him to the conclusion that there are three ways in which the weaknesses in both dollar and pound could be strengthened, namely: "Visible trading, government spending and investment policy."

Administration experts and banking experts are now urging expansion of our foreign trade. We already have a sizable export surplus, and we are handicapped in expanding it further by two factors:

First, modern plants built in competing countries with our money.

Second, creeping inflation in this country which over the years has been gradually pricing our products out of world markets. So our opportunities to expand our exports are rather limited. And the same thing is true of foreign investments. Those investments are made by private individuals and corporations and are largely influenced by the attitude toward private capital of the undeveloped nations of the world.

That leaves Government spending as a factor on which this Congress can and should act. We now have military establishments in 52 nations of the world—and all of that military personnel, plus hundreds of thousands of their dependents, are spending dollars abroad. That grandiose display of military power is no longer necessary and it can and should be substantially reduced, including a reduction of our NATO forces and a reduction of our military aid to our allies. But by far the biggest element of spending which is accumulating surplus dollars abroad is our foreign aid program. There was a time when war-torn countries could not get the supplies they needed except in this country. During that period nearly all of our foreign aid came back to U.S. suppliers. Today, at least $1 billion of our $4 billion foreign-aid program results in a drain on our balance of payments. The question is whether under present circumstances we can afford the level of commitments we have undertaken, particularly when the foreign-aid program is confused in purpose, scattered over more than 80 countries, and capable of reduction even in the view of the President's own advisory Clay Commission. Hence, I recommended in a speech in the Senate on March 7 that we could and should reduce the current foreign-aid budget by $1.8 billion.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article from the American Banker, entitled "Study of Key Currencies Reveals Weaknesses in Dollar and Pound."

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

[From the American Banker, May 24, 1963]

STUDY OF KEY CURRENCIES REVEALS WEAKNESSES IN DOLLAR AND POUND

LONDON.—An interesting study of the dollar and the pound in recent years has been made by A. R. Conan, the economist who is now consultant to the Overseas Development Institute, for the Westminster Bank Review.

Although they have faced rather different problems and have followed totally different policies, he concludes, the two Governments concerned (the United States and Britain) now need to pay attention to the same thing—to the invisible account in general and oversea investment in particular.

Both key currencies have been under pressure, Mr. Conan remarks. Weaknesses have appeared in each. Britain, until very recently, has relied on deflation to overcome the weaknesses. The United States however has relied on direct action. It has opened up oversea markets, tied aid to American goods,

checked the increase in Government spending overseas and limited travel expenditure.

The United States, says Mr. Conan, has been the more successful. It has maintained "an enoromous export surplus" without deflation. But Britain even with deflation has been unable to do more than "effect a near-balance between exports and imports."

Some experts had forecast a U.S. trade surplus of $2–$3 billion. The average American surplus at the beginning of the sixties, Mr. Conan notes, was in fact almost $5 billion.

Britain, which was in earlier times geared to a visible deficit of about $1 billion, has almost reached a point of balance.

America's imports, at more than $16 billion, have increased substantially. Britain's imports have not increased.

The high standard of living in the United States, a number of British experts reckoned, would in the end create an adverse trade balance. The fundamental forces postulated by these authorities either do not operate as stated or are offset by other factors, Mr. Conan believes.

In spite of inflation, Britain's deficit has been reduced. At the same time, in spite of recent deflation, no surplus has appeared. The British economy seems resistant to both inflation and deflation.

Part of Britain's difficulties, Mr. Conan reckons, may be due simply to the fact that Commonwealth trade arrangements are a one-way street, with Britain giving quotas, guaranteed markets, protection and safeguards to the products of countries like Australia and India, while its own goods are aften impeded or prohibited from the very same countries.

On invisible account, America has a deficit, Britain a surplus. There is, however, one common factor: Government spending overseas is now the major factor in the invisible account. The experience of both countries shows that it is difficult to bring this spending under effective control, even when a main objective of policy may be to reduce it.

There is also one uncommon factor: America's investment income from overseas has increased very rapidly to exceed $4 billion while Britain's has risen very slowly to almost $900 million.

The final effect, taking both visibles and invisibles into account, is that the United States has a large current account surplus ($2.8 billions in 1962) and Britain a small one ($200 million).

Now, says Mr. Conan, summing up, the lesson is that for each of the world's key currencies there are the same three areas in which strengthening operations can be undertaken; visible trade, government spending and investment policy.

The most effective policy would be one that had an impact on all three. "To produce such an impact, however, might not be easy except in a tightly controlled economy."

Government account is immune from economic policy, he adds, but can be contained by political decisions limiting commitments. Private invisibles, however, are to a great extent immune from policy decisions of any kind. In between is the visible trade balance, which can be controlled directly or indirectly.

A further increase in America's trade surplus, while not ruled out, is considered unlikely (it is huge already and it always has to be remembered that one country's surplus is another's deficit). At the same time Britain's plan for an increased surplus is dependent on a twofold increase in invisible earnings, which is equally unlikely.

"This aspect of a complex problem may be a corrective to overoptimism as to the possible results of growth policy," Mr. Conan concludes. "The key currencies must not only pay their way but have also to do a good deal more."

There is a lot in it. If Britain's trade surplus now rises sharply, which is by no means impossible, or its investment income grows, and if America's capital account is strengthened, which is not impossible either, the key currencies could both look really good again quite soon. And that in spite of any apparent setbacks in Geneva.

TRIBUTE TO MRS. LADY BIRD JOHNSON

Mr. MONRONEY. Mr. President, students and faculty members of the University of Oklahoma had the privilege last week of welcoming to their campus for a brief visit Mrs. Lady Bird Johnson, the charming and intelligent wife of the Vice President. Many of my constituents have told me how pleased they were to have the opportunity to acquaint Mrs. Johnson with many of the efforts being made at the university to improve academic programs there. They were delighted to have the privilege of showing Mrs. Johnson what is being done at the University of Oklahoma to help train members of the Peace Corps, to improve adult education opportunities, and to pioneer in student leadership training activities.

Mrs. Johnson made a contribution of lasting significance to the progress of the university by making this visit. This was another example of the gracious and meaningful interest taken by Lady Bird Johnson in important areas of American life.

Her untiring attention to causes where women can best serve is in the tradition of the late first lady of the world, Mrs. Eleanor Roosevelt. Lady Bird Johnson's love for human beings and respect for human dignity have made and will continue to make a tremendous contribution to our national and international welfare.

It was good to have these facts recognized editorially in the Washington Post recently. I think the editorial merits the attention of those who may not have seen it the day it was published. Therefore, I ask unanimous consent that it be printed at this point in the RECORD.

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

SALUTE

It appears to be the fate of Vice Presidents to serve in relative obscurity. But this ought not to obscure the usefulness of what they do in quiet ways. In particular it ought not to obscure the warmth and unstinting compassion with which Vice President LYNDON JOHNSON has used his office for human and healing purposes—or the extraordinary degree in which he has been helped in this service by a lady of exceptional grace, his wife.

A week ago Vice President JOHNSON was given the Distinguished Service Award of the Capital Press Club and accepted this tribute to his efforts in the field of civil rights with an expression of faith that "the day will come when it is not necessary nor remarkable to give or receive human rights awards—not necessary or remarkable simply because justice will be colorblind and all men and women will be judged on their merits and not on irrelevant considerations of ancestry."

And last night at Cleveland, the Volunteers of America gave the Ballington and Maud Booth Award Citation to Mrs. Lyndon Johnson "in grateful recognition of her devoted, untiring and outstandingly successful efforts to marshal the forces for good in our land in behalf of the less fortunate, particularly those who suffer from economic and social disadvantage."

Both awards were richly earned. And we presume that the Vice President will take no offense if we salute with particular appreciation a lady who holds no public office but has nonetheless rendered unstinting and indefatigable public service. Her countrymen owe her the warmest gratitude.

ANGOLA

Mr. CURTIS. Mr. President, several days ago I offered for the RECORD a column written by our distinguished colleague, the junior Senator from Arizona, relating to Africa. For your further interest, I would like to offer for the RECORD an article appearing in the Newark (N.J.) Star-Ledger on Thursday, May 2, 1963, written by Senator GOLDWATER, entitled "Is U.S. Winking at Plot on Angola?" I believe this interesting and very informative news story deserves the attention of all Members of this body.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD.

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

IS U.S. WINKING AT PLOT ON ANGOLA?

(By BARRY GOLDWATER)

The problem of Angola in West Africa is still plaguing one of our important NATO partners, the Portuguese. But the U.S. Government is strangely quiet about one important facet of that problem, the maintenance on Belgian Congo soil of a camp where men are being trained for an armed invasion of Angola.

The Congo Government of Cyrille Adoula is openly supporting the movement aimed at the Portuguese province. Moreover, the revolutionary camp has the active support of Algerian Premier Ben Bella, who came to this country to negotiate for American aid and then went on to Havana where he pledged his undying support of Fidel Castro.

Castro himself has described the movement to drive the Portuguese out of Angola as a Communist objective. And Ben Bella has on several occasions proclaimed that he will give aid and arms to the Angolan rebels.

There can be no doubt that the action of the Adoula government in helping to pave the way for an invasion of Angola is a violation of the United Nations Charter. And it is perfectly obvious that the United Nations, dominated by the Afro-Asian bloc, is not about to pay any attention to the Portuguese protests.

This being the case, the whole question comes back to Washington and the attitude of the U.S. Government. For the Adoula government in the Belgian Congo exists primarily through the support of the United States. While the Congo budget is about $400 million a year, the country's internal income is only about $160 million. Somebody must pick up the tab, of course, and in this case it is the United States which contributed over $200 million in 1962.

Quite naturally, the Portuguese want to know why the United States doesn't insist that the Adoula government disband the training camp and put a halt to the flow of arms and trained guerillas from Algeria and Tunisia. As our NATO ally sees the situation, Adoula would have no choice but to agree if we took a firm stand against his tacit participation in a program of armed aggression.

In March, 1961, an uprising in Angola near the Congo border resulted in horrible ex-

cesses, including the killing of more than a thousand Portuguese. The Portuguese claim the rebels actually were terrorists from the Congo and that the so-called uprising was, in actual fact, an invasion of Angola.

In this instance, the Portuguese drove the revolutionaries back across the Congo border, and the fact that the fighting was confined to a relatively small area seems to support Portugal's claim that there is little popular support inside Angola for the overthrow of the existing government.

To say the very least, the New Frontier's attitude on the question of Portuguese provinces is confused and contradictory. In March 1961 we voted against Portugal at the United Nations on the Angolan question—including a resolution which condemned the Portuguese for defending themselves. But late in 1962, we pulled away from the Afro-Asian bloc and voted against resolutions urging sanctions and other punitive measures aimed at the Portuguese.

Of course, the critics of the Portuguese claim that Angola and Mozambique, a province on the east coast of Africa, are colonies and must be freed. Portugal, on the other hand, claims that both provinces are integral parts of their own country.

RESOLUTION OF TOWN OF LANCASTER, N.Y., FOR 1965 CENSUS

Mr. KEATING. Mr. President, on May 6, 1963, the Town Board of the Town of Lancaster, Erie County, N.Y., adopted a resolution favoring and urging enactment of legislation by the Congress of the United States of America, authorizing a national census of population, housing, and unemployment to be held in 1965.

Mr. President, I ask unanimous consent that this resolution be printed in the RECORD at this point.

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

Whereas legislation has been introduced in the Congress of the United States of America, authorizing a national census of population, housing and unemployment to be held in 1965, and

Whereas it is in the best interests of the residents of the town of Lancaster to have the said census conducted in 1965: Now, therefore, be it

Resolved, That the Town Board of the Town of Lancaster favors and urges enactment of legislation by the Congress of the United States of America, authorizing a national census of population, housing and unemployment to be held in 1965; and further be it

Resolved, That certified copies of this resolution be forwarded to the Subcommittee on Census and Government Statistics of the House Committee on Post Office and Civil Service; U.S. Senators JACOB K. JAVITS and KENNETH B. KEATING; and to Congressman JOHN R. PILLION.

RESOLUTIONS ADOPTED AT THE UPPER NEW YORK STATE REGION OF HADASSAH

Mr. KEATING. Mr. President, at a recent conference of the Upper New York State Region of Hadassah, three resolutions were adopted that have particular bearing on world governments and policies.

The first resolution deals with freedom of emigration—that is, the right of every individual to leave and return to any country, including his own, retaining the full enjoyment of all the rights of that country. The second resolution calls for the elimination of racial discrimination—discrimination which is becoming increasingly evident and harsh in some areas of the world. The third resolution condemns the Arab military buildup in the Middle East—a buildup apparently undertaken for the purposes of subjugating Israel to the ambitions of Middle East rulers.

Mr. President, I have a great deal of respect and admiration for this organization. The response to many compelling world problems, as exemplified by the following resolutions, is highly commendable.

Mr. President, I ask unanimous consent that following my remarks the texts of the three resolutions may be printed in the RECORD.

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

RESOLUTIONS ADOPTED AT UPPER NEW YORK STATE REGION OF HADASSAH AT BUFFALO, N. Y., APRIL 30, 1963

FREEDOM OF EMIGRATION

Hadassah, representing more than 318,000 American Jewish women from every State in the United States is encouraged by the adoption of a set of principles by the United Nations Subcommission on the Prevention of Discrimination and Protection of Minorities in respect of the right of every person to leave any country including his own and to return to his own country freely.

These principles emphasize that one of the purposes of the United Nations is to promote and encourage universal respect and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion; describing the right of everyone to leave any country including his own as an indispensable condition for the full enjoyment by all of their civil, political, economic, social and cultural rights. These principles, extending freedom of movement from one country to another to nationals of every country, represent a heartening move toward achieving the objectives of the United Nations.

Hadassah expresses the fervent hope that these declarations will be adopted by the appropriate bodies of the United Nations, which will testify to the peoples of the world that the dignity of all human beings will be legally protected as well as morally professed.

ELIMINATION OF RACIAL DISCRIMINATION

Hadassah, representing more than 318,000 American Jewish women from every State in the United States, is encouraged by the adoption of a series of basic principles by the United Nations Subcommission on the Prevention of Discrimination and Protection of Minorities designed to eliminate all forms of racial discrimination. This declaration seeks to embody in international law the principles of justice, equality and freedom, subscribed to by the American people.

Hadassah views with apprehension and concern mounting evidence of antisemitism in many countries and especially in the Soviet Union. The above principles, when adopted, would outlaw racial discrimination, a flagrant violation of the charter of the United Nations, and a denial of the fundamental human rights proclaimed by the Universal Declaration.

We especially welcome the draft declaration of Mr. Morris B. Abram, U.S. representative on the Commission (attached to this resolution), and his statement emphasizing the American desire "to give effect to the principle of equality of all men and all peoples without distinction as to race, color, or religion as guaranteed in the United Nations Charter."

Hadassah urges the Government of the United States to exert its prestige and influence to promote the adoption of these principles in the appropriate bodies of the United Nations so that they may be written into the record of the society of nations.

ARAB MILITARY BUILDUP IN MIDDLE EAST

The 318,000 American Jewish women, who are members of Hadassah, the women's Zionist organization of America, view with consternation and apprehension, reports that Egypt is engaged in a powerful military buildup, directed at the destruction of Israel. Egypt is now producing the most modern and sophisticated military weapons, including rockets, warheads and missiles. German citizens have gone to Egypt to lend their scientific knowledge, technical skills and experience, and the resources of German parent factories, to assist Premier Nasser to develop the military strength necessary to achieve his objective.

The Federal Republic of Germany, which has accepted the moral responsibility of preventing a resurgence of Nazi ideology and a recurrence of its concomitant barbarism, has expressed the view that it is "legally helpless" to stop this collaboration with Premier Nasser on the part of its nationals. We believe that a government committed to prevent a repetition of one of the most shameful eras in history, must and will find a way to overcome these legal technicalities and will take steps to recall its nationals from Egypt and to stop their collusion with that country's aggressive plans.

The conscience of the German people can hardly fail to be sufficiently aroused to demand such action.

It is our hope that the community of nations, as well as the Government of West Germany, will take every possible measure to prevent the President of Egypt from pursuing a course which would result in what the President of the United States has referred to as a "military balance of power in the Middle East which is such as to encourage aggression rather than discourage it."

SHREWD ANALYSES OF WORLD POLITICS

Mr. KEATING. Mr. President, over the last few months a number of extremely interesting articles have appeared in the New York Herald Tribune, authored by veteran Reporter Marguerite Higgins. These articles, covering world affairs from Cuba to Laos, and from Europe to Uruguay, offer valuable insights which, I believe, deserve the careful attention of Washington policymakers.

Miss Higgins points out with undeniable force that U.S. Kremlinologists have a dangerous record of inaccuracy in predicting Soviet intentions from Korea to Cuba. Too often, she maintains, we accept the Communist line that poverty and economic motives breed communism whereas in fact, in almost every case of Communist takeover, military superiority and political agitation have been the main contributing factors.

As far as U.S. policy in Cuba is concerned, Miss Higgins rightly, in my judgment, points out that a lot more is at stake than one small Caribbean island. She quotes the neutralist Premier of Laos, Prince Souvanna Phouma, as saying:

Anything that happens anywhere in the world that makes the Kremlin believe you Americans have lost the will to act lessens our chances of survival.

She sees our present Cuban policy as a serious threat to the credibility of U.S. policies all over the world.

Mr. President, these articles offer a wealth of information and perceptive judgment. I ask unanimous consent that they be included following my remarks in the RECORD.

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

[From the New York (N.Y.) Herald Tribune, Apr. 22, 1963]

THE STATE OF THE SOVIET UNION

(By Marguerite Higgins)

WASHINGTON.—Shrunken as the world is, Americans tend to have a foreshortened view of the globe that makes it hard to grasp that ebbs and flow of American policy in Cuba can set up cataclysmic tides and cross-currents in a place as far away as Laos.

But this is the case because, as a top diplomat put it, "every single thing the United States does—or fails to do—is minutely examined by the Soviet bloc as a measure of its will to use its power to defend the freedom of others when this is threatened."

Or as Prince Souvanna Phouma, neutralist Premier of Laos once put it to this correspondent: "The only thing that stands between a Communist takeover of all of Laos is fear of U.S. intervention. Anything that happens anywhere in the world that makes the Kremlin believe you Americans have lost the will to act lessens our chances of survival."

On Cuba, American policy has become one of making the Caribbean physically safe for the Communists by preventing harassment of Castro or the Russians by the freedom fighters.

Now no one would disagree with President Kennedy on the proposition that refugees and exiles cannot be allowed to determine American policy, which must rest solely on the national interest. But there is certainly room—indeed a necessity—for responsible debate as to whether the national interest is in fact served by a policy of making the Caribbean physically safe for the Communists.

How does it look, for instance, to Mr. Khrushchev? If he were to give a State-of-the-Soviet-Union address—and speak frankly—what conclusions might be drawn about American attitudes toward Cuba today and its effect on the international interests of the Soviet bloc?

Considering that the United States itself was created by revolution instigated by the freedom fighters of 1776, Mr. Khrushchev might reasonably be expected to be somewhat surprised at the rather substantial degree of acquiescence by both public and the press in the decision to prevent harassment of the Communists in the Caribbean.

Is it perhaps that Americans of our day being comfortable, satisfied, and already blessed with freedom, do not like to be disturbed, especially if they can comfort themselves with the administration's assurance that the preservation of order in the Caribbean is in the best interests of everybody including the would-be disturbers of the peace, the freedom fighters?

And would Mr. Khrushchev be unreasonable if, in talking privately to the comrades, he posed this question: "If the Americans are unwilling to be disturbed about Cuba, a place so close to home, are they really likely to do anything more than talk about Laos?"

In the New Frontier's rationale for making the Caribbean safe for the Communists, we often hear that the hit-and-run raids by such organizations as Alpha 66 are illegal and indecisive.

This is unlikely to be taken seriously by Mr. Khrushchev who is not likely to forget that revolution, by definition, is illegal and that goes for the American Revolution, the Russian revolution, and the Algerian revolution. And as a Senator, Mr. Kennedy did not let the "illegality" prevent him from being one of the earliest and most ardent supporters of the Algerian revolution even at the early period when it was still in the pinprick stage and therefore indecisive.

Indecisive? No revolution based on guerrilla war (as distinguished from a palace coup d'etat) ever was decisive in its first phases. And hit-and-run raids, far from being ineffective, are the only tactics that will accomplish the guerrilla warriors' aims, which are not to do formal battle but to undermine the enemy's will to fight and make it too uncomfortable for him to stay around for more pinpricks. By Mr. Kennedy's standards, China's Mao Tse-tung was a failure because for more than 20 years his hit-and-run guerrilla war was ineffective.

More significant to Mr. Khrushchev will be the New Frontier's statement that attacks by freedom fighters (even though disavowed by Washington) might drag this country into war. It is an advantage to know that your enemy is afraid, especially if it appears that he is more afraid of you than you are of him. And Mr. Khrushchev may be tempted to make that judgment. He sees that the mere presence of Soviet troops in Cuba has caused the United States in its anxiety to avoid a confrontation with the Soviet Union to tie not only its own hands but those of its friends. The same degree of fear has not yet been displayed by the Kremlin. Americans are in Vietnam. No orders have yet come out to prevent Vietcong attacks on American soldiers. Russian officers are present in Laos as advisers to the Red side.

Can Khrushchev do anything other than ask himself whether fear of a confrontation with the Communists may not immobilize American power in Laos as it has in the Caribbean?

Fortunately, Mr. Khrushchev would also have to remember some recent history showing that Americans are very undependable people. For instance, in 1950, just when the whole world thought they had written off Korea, the Americans changed their minds and went in.

[From the New York Herald Tribune, Apr. 8, 1963]

A NEW BREED?

(By Marguerite Higgins)

WASHINGTON.—Is the same old pattern of military coup d'etat repeating itself in Latin America? Are the bright hopes of the Alliance for Progress to be tarnished by antidemocratic eruptions such as those of the last 12 months in Peru, Guatemala and Argentina?

In Washington there has been a notable lack of handwringing over the military coups. Indeed, New Frontiersmen will insist at the drop of a sombrero that despite the military takeovers progress is being made. On inquiry one discovers that the New Frontier Latin-American experts have some fascinating reasons for this silver-lining approach.

These reasons center on the New Frontier's growing belief that a new breed of military leaders is developing in Latin America: the new breed can be summed up as military with a social conscience and a sense—even if still somewhat limited—of the political directions and long-run needs of our times. The new Latin-American breed differs as much from the gaudy and greedy caudillos of the past as Egypt's Nasser differed from Farouk or Pakistan's Ayub Khan differed from old style Asian war lords.

Latin-American military dictators in the style of the late unmourned "General" Trujillo of the Dominican Republic have traditionally created the image of seeking power for personal gain in the form of Swiss bank accounts, pleasure palaces, yachts, rank and title for the men, jewels for the ladies. The easiest way to get where the Trujillos of Latin America were going was to "cooperate" with the landed gentry and the established rich, who were in turn rewarded by getting richer.

In any case, few have accused Trujillo types of being nagged by social consciences or hep to the 20th century.

No one is arguing that any Latin-American country has yet produced a leader of, say, the stature of Ayub Khan. But things are better than they used to be.

Consider the case of Guatemala and the coup conducted by former defense minister Enrique Peralta Azurdia. Washington, of course, is disappointed that President Ydigoras was not permitted to finish out his term. There are some (by no means all) who doubt the seriousness of that Communist threat to Guatemala posed by the return from exile of left-leaning former President Arevalo. But Washington, having been convinced that both Mao Tse-tung and Castro were only agrarian reformers, has shaky grounds for attempting to insist that Colonel Peralta's measure of the threat is wrong.

And with the coup a fait accompli, Washington is taking comfort from the fact that Colonel Peralta has promised elections "when things return to normal in 6 months or so," that he has given respected civilian leaders a majority of posts in his cabinet; and that he has displayed the essential element of the new breed—a social conscience.

According to both public and private reports out of Guatemala, Colonel Peralta has announced a plan of economic and social reform that goes beyond anything the previous regime attempted and includes a law to defend workers' rights, massive public-works projects, and rural electrification. Further, he has announced acceptance of financial reforms essential to qualify for certain types of Alliance for Progress assistance.

As to Peru, Washington is convinced that the military junta there is going to live up to its promises of June elections, and partly as the result of pressure from the new breed of officer. For it is the younger officers of the Peruvian Army who have been pushing their elders toward a return to civilian rule.

In Argentina, it was a retired officer—one of the old breed—who took the lead in seeking apparently unsuccessfully to upset the constitutional processes. So far, the new breed appears to prevail.

In Latin America there is fortunately more than one example of the new breed of military contributing to progress. In El Salvador, a coup d'etat of young officers (in 1961) led in due course to free elections and a democratic (an incidentally pro-American) government.

The motto of the Alliance for Progress calls for social justice and economic progress—in freedom. Every one would like to see all three at once. Still, in the New Frontier view, the new breed even as dictators help to create the climate for eventual freedom in so far as their budding social consciences contribute to economic progress and stability. So, despite occasional upsets in the cast of characters, the word with regard to the Alliance for Progress remains: "the show must go on."

[From the New York Herald Tribune, Apr. 29, 1963]

KHRUSHCHEVISM—THE PROBLEMS

(By Marguerite Higgins)

WASHINGTON.—The first time this writer heard Premier Khrushchev bring up the subject of his own mortality was in the process of a scolding.

It was fall, 1960, the year of shoepounding. The scene was a Soviet mission reception. In a tone more in sorrow than anger, Mr. Khrushchev began: "Miss Higgins, you have been writing filthy things about me * * * but I tell you what I will do. When I am

in the Communist heaven, and I see you at the gate, I shall turn to our Communist God and say 'God, let her in for she did not know what she was doing'."

It brought down the house—and is typically Khrushchev. It is typical of his gift for the unexpected and the nonconforming. It is a quality that frees him from being an ideological bore and has helped to give him a greater claim to a measure of popularity with the Soviet people than any other political leader.

It is also a quality that gets him into trouble. Indeed, back in the fall of 1954, the reigning U.S. Kremlinologists poohpoohed rumors of Khrushchev's rise, saying that the Russian people and the Soviet hierarchy would never settle for such an uninhibited, informal type as Khrushchev and much preferred as a leader someone with the steady aloof style of Malenkov who was then Premier. So it was a wrong guess. But it is true that there has been much evidence throughout the years of mutterings against Mr. Khrushchev's impetuous and garrulous manner, especially on the part of his more stiff-necked colleagues like Molotov.

Now Mr. Khrushchev's public mention of his age (69) and inability to go on forever as Soviet Premier and Party Secretary have become the launching pad for new rumors that he is in trouble and on his way out.

In this case there is an interesting split among the Kremlinologists. Those in Europe have almost automatically assumed that if there is reshuffle of any kind in the top leadership, it is because Mr. Khrushchev is being pushed into a change against his will.

Washington begs to differ. There is a surprising unanimity among the Kremlinologists here that Mr. Khrushchev is deliberately acting on his own best judgment to set the stage for a change that, in the beginning at any rate, will do very little to alter the real power situation however many titles he may choose to shed.

The basic reason for this judgment is the lack of evidence that any Soviet faction could or would reverse the basic policies pursued by Mr. Khrushchev. Criticism of style and timing is outweighed by agreement on substance.

For instance: Russia's quarrel with Red China is a product of history (the fact that Mao Tse Tung gained power in spite of Moscow rather than because of Moscow) not of Mr. Khrushchev. No future Soviet leader could capitulate to Red China's unconditional demands for acceptance of its more militant, riskladen attitude toward the world. No Soviet leader can risk confrontations leading even in the remotest possibility to atomic destruction; therefore there is no substantive way in which Soviet policies toward the United States can harden (except in tone and manner) in those areas where Washington's commitment to freedom has any credibility.

And whatever Mr. Khrushchev's personal feelings in the matter, it is clearly not in the interest of the Soviet Communist party to have its leader appear to be quitting under fire.

At the same time, both Mr. Khrushchev and his collective leadership have shown themselves very conscious of the unsettling effects both internationally and nationally of a transition inside Russia carried on in an atmosphere of uncertainty. After all, they went through it themselves after the death of Stalin.

And there is also the simple fact that Mr. Khrushchev's health is not of the best. So why not give himself a release from some of the pressures attendant to the ceremonials of being Premier as well as party Secretary by giving the Premiership and some on-the-job training to a potential future leader? Fear of competition? So far, it is Mr. Khrushchev who is the expert at getting rid of competition.

Moscow wits are currently quipping that the new Soviet constitution will soon add to its extensive (on paper) Bill of Rights the right to posthumous rehabilitation. The betting in Washington is that Mr. Khrushchev is still on the go—not on the skids—and will never have to have his friends invoke that right.

[From the New York Herald Tribune, May 6, 1963]

FALLACIES FOR OUR TIME

(By Marguerite Higgins)

WASHINGTON.—The Italian elections have been more unsettling to the New Frontier than at first meets the public eye. Look below the surface and it will be found that gains made by the Italian Communists constitute a most impudent assault on a pillar of New Frontier ideology. This is the doctrine that poverty breeds communism and that the answer to Moscow's ambitions in this hemisphere is to concentrate south of the border on social reform and the gross national product. Even in his Moscow-supplied military clothing Castro is no threat to the United States, according to the New Frontier, and all the psychological, tactical and subversive potential of a Soviet military presence in this hemisphere will be as nothing if the good guys (us) can only get to Latin America fustest with the mostest in the way of a rising standard of living.

But wait just one moment. Isn't this precisely where the Italian elections come in?

For in the last year the Italians have been the stars of Europe economically. In Italy the standard of living has been rising faster than almost anywhere else, the gross national product has been spurting and the summation of it all is the current phrase "the Italian economic miracle."

So do economic miracles also breed communism?

It is a silly proposition but useful at least if it makes the point that the opposite proposition—that poverty breeds communism—is equally silly if accepted as absolute dogma on the causes and cure of the Communist challenge.

Now to be specific, the Alliance for Progress is laudable and necessary to the United States irrespective of the Communist threat because the long-run economic good of this country will be adversely affected if its next-door neighbors remain have-not nations with chaotic and depressed economies.

But it is fallacious to pretend that higher standards of living are going to buy off or fend off the Communist challenge.

It was not poverty that bred communism in Cuba. Cuba had the highest standard of living in Latin America prior to Castro, according to such an authority as Dr. Alberto Lleras Camargo, an outstanding statesman and former President of Colombia. It was a political-military revolution that carried Castro to power on the strength of false promises of freedom and an end to the Batista corruption at the top.

It was not poverty that bred communism in Vietnam. In company of Vietnamese local officials this reporter has tramped and jeeped through scores of villages in both North and South Vietnam and talked with innumerable village elders in areas threatened by the Communists. Their overwhelming anxiety was whether the authorities could offer them physical protection against the Communist infiltrators that came into the village at dark. They were not interested in President Diem's views on Western dancing or even, at that moment, in his promises of land reform. They wanted a specific commitment of soldiers to prevent the Communists from cutting off (literally) a village head or two to "bend" one village into collaborating. It was not poverty but terror that bred communism.

In fact, in all 12 Communist-seized countries visited by this writer, there was not one in which the poor—the workers and peasants—were in the Communist vanguard. It was only a tiny minority of intellectuals who had the leisure and freedom from hard physical work to initiate Communist activity.

And at the decisive moment in areas ranging from the South China Sea to the Caribbean, the Communists won despite high standards of living (as in Czechoslovakia) or low standards of living (as in North Vietnam) by skillful, relentless use of violence usually abetted by a Red army.

In Latin America there is not the slightest reason to believe that the Communists are going to let rising standards of living stand in their way in the future any more than in the past. "Che" Guevara, who is Castro's leading doctrinal strategist, confidently told the London Daily Worker (December 1962) that the Cuban example proved there is no solution but armed struggle to overthrow governments. He boasted that guerrillas in Venezuela, Guatemala, Paraguay, and Colombia are already beginning their pinprick wars, and this of course has been verified in testimony by John McCone, head of the Central Intelligence Agency.

It is fine to fight poverty. It is fallacious to believe that dollars and cents can buy freedom from fighting back against the Communists when they have declared war against those on our side. And the true measure, of course, of the cost to us of the Soviet military presence in the Caribbean is the degree to which it will enhance the Communist prospects in this violent struggle which the Yankee dollar is powerless to buy off.

[From the New York Herald Tribune, May 13, 1963]

KREMLINOLOGISTS AND THE KREMLIN

(By Marguerite Higgins)

WASHINGTON.—Should Communist North Vietnam forever be assured of remaining a privileged sanctuary from which Red guerrillas can be launched into Laos and South Vietnam (and soon Thailand and Malaya) to torment and murder the people of those tragic lands? Is there some inexorable force that compels the United States of America always to fight on its own side of the 40-yard line? Is Hanoi entitled permamently to a guaranty that it can play as dirty as it pleases without fear of reprisal on its own home ground?

This point was raised the other day by Senator STUART SYMINGTON who, in addition to being from Missouri, was a Democratic contender for the Presidential nomination and is a former Secretary of the Air Force. He was promptly and predictably denounced for being rash by certain New Frontiersmen, including the new Assistant Secretary for Political Affairs, W. Averell Harriman.

Yet the truth is that some very prominent New Frontiersmen have forcefully and officially questioned North Vietnam's status as a privileged sanctuary.

White House sources admit, for example, that Walt Whitman Rostow, head of the State Department policy planning staff, has forcibly taken this position: Why should the Communists end their troublemaking in Laos and South Vietnam so long as the main culprit—the Communist Vietminh—knows that there is no punishment to fit the crime? It should be hastily added that none of this means that anybody advocates bombing Hanoi tomorrow. It does mean that Communist Vietnamese must be put on notice—as a first step—that immunity from reprisal will be withdrawn if provocations continue and that such things as Communist escalation of the war in Laos carry this risk.

One reason that this advice has been ignored in the past is the argument of the Kremlinologists that the Soviet Union

wanted for its own reasons to put the situation in Laos and Vietnam "on the back burner"—to use the jargon of the experts. And if the Soviet Union not only would—but could—deal with Kremlinologists, leave the problem to Moscow?

The theory that Moscow really wanted to restore the peace in southeast Asia has prevailed through the recent Harriman mission to Moscow. But in recent days the Kremlinologists (perhaps to excuse a theory gone wrong) have suggested that perhaps Moscow is helpless to enforce its will in south Asia.

Then on Friday, Soviet Premier Khrushchev roughly pulled the theoretical house down. For it was Moscow—not Peiping or Hanoi—that demanded an end to the only development that has contributed in the slightest to the keeping of the peace in Laos. This was the stationing of the peace-keeping mission of the International Control Commission on the Laotian Plain of Jars. The presence of the Commission on this plain at least has deterred the Reds from renewing their attacks. Yet Moscow formally demanded the withdrawal of the peace-keeping unit from this crucial area—which amounts to saying to the Commission, "Get out of the way and let our Communist friends take over."

Now the Kremlinologists have more right to be wrong than most experts. Kremlinwatching is an inexact science. Even so, the reigning Kremlinologists have had an extraordinary influence on this administration.

It is understandable. When he took office, President Kennedy had an extraordinary respect for experts, especially if they were articulate, and could, so to speak, recite well in class. Before he entered the White House, Mr. Kennedy had not been involved in the stresses and strains of direct dealings with the Soviets. This only heightened his respect for the experts who had.

Their advice then has had a crucial part in New Frontier history. This helps explain why the advice has become controversial and has been a source of concern to such Americans as Gen. Lucius D. Clay during those periods in Berlin when he sought to exert counterpressure against the Russians and was called "provocative" for his pains.

In the recent past, of course, the worst mistake of the Kremlinologists has been to assure the administration that Khrushchev would never dare put long-range missiles in Cuba. The Kremlinologists also had an important hand in getting the blockade of Cuba lifted even before the Russians lived up to their end of the bargain (the Soviet bombers were still in Cuba at the time). The early lifting of the blockade was urged as a means of saving face for Khrushchev who must not, it was argued, be driven into a corner there to act like a wounded bear.

But history will certainly show that almost without exception the top Kremlinologists have been on the side of attempted accommodation with the Soviets and have sincerely felt that honorable solutions could be found in areas "where mutual interests coincide." Laos was judged to be such an area. But those who disagree with the Kremlinologists simply don't believe that interests can coincide on anything important so long as the Russians are committed to maintaining their Communist character.

U.S. PARTICIPATION IN INTERAMA

Mr. HOLLAND. Mr. President, the State of Florida has created a State agency known as the Inter-American Center Authority, for the purpose of creating and maintaining in Dade County, Fla.—that is, in Miami—an institution known as Interama, which is designed to be the first permanent international exposition to portray the American way of life—not only the North American way, but also the Central American and South American way—of "Progress with Freedom," to show what all the Americas have achieved without the sacrifice of civil liberties or individual freedom within the framework of democratic institutions.

The State of Florida, the County of Dade, and the city of Miami have all made important contributions of great value to this project, and work is now in progress in an area of approximately 1,700 acres, which has been donated by the city of Miami or by Dade County, through the use of a $21 million bond issue which has been issued by the State authority which is handling that institution.

The county commissioners of Dade County, Fla., recently passed a resolution requesting the President of the United States to give his support and approval to the participation of the United States in Interama by authorizing the construction and operation of an appropriate Federal exhibit pavilion at Interama and by giving other assistance. I ask unanimous consent that resolution 8640 of the County Commissioners of Dade County, Fla., be printed in the body of the RECORD at this point.

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

RESOLUTION 8640

Resolution requesting the President of the United States to approve the U.S. participation in Interama by providing a Federal exhibit and by assisting in the construction of exhibits of Latin American nations

Whereas the prosperity of the United States requires the development of improved relations and increased trade with the Latin American republics; and

Whereas international friendship and trade are founded upon the good will and mutual respect of the people of one nation for those of others, and must be based primarily upon extensive and direct personal contact and understanding; and

Whereas the natural expansion of our trade with Latin America, without subsidy or compulsion, will sustain employment and production and improve living standards both in the United States and in Latin America, preventing the infiltration of undemocratic philosophies in Latin America while promoting mutual good will, understanding, and confidence, lasting trade connections, and solidarity among all the American republics; and

Whereas the State of Florida has established as a State agency, the Inter-American Center Authority, to create and maintain Interama in Dade County, Fla., as the first permanent international exposition to portray the American way of life; "Progress With Freedom," to show what the Americas have achieved without the sacrifice of civil liberties or individual freedom within the framework of democratic institutions; and

Whereas Interama will be a showcase of life in the Americas and will reflect the accomplishments and aspirations of the peoples of the Americas through dynamic exhibits, events and live performances that will be constantly revised and updated; and

Whereas Interama will bring together, under freedom, the governments, industries and cultures of the Americas in a spirit of good will and understanding and provide a continuous exchange of ideas and peoples; and

Whereas Interama has been endorsed by the Congress of the United States and by Latin American nations and the spirit and substance of Interama's goals parallel and support those of the Alliance for Progress; and

Whereas the State of Florida, Dade County and the city of Miami have already donated substantial moneys and contributed land which is now being developed as the Interama site, and the proposed construction and operation of Interama have been proven economically feasible, based on studies made by responsible survey organizations: Now, therefore, be it

Resolved by the Board of County Commissioners of Dade County, Fla., That on behalf of the people of Dade County, this board does hereby respectfully request the Honorable John F. Kennedy, President of the United States, to approve the participation of the United States of America in Interama by authorizing the construction and operation of an appropriate Federal exhibit pavilion at Interama and by assisting the countries of Latin America in constructing their own national exhibits; be it further

Resolved, That copies of this resolution be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the U.S. House of Representatives and to each Member of the Florida delegation to the U.S. Congress.

ABOLITION OF CIVIL DEFENSE AGENCY OF PORTLAND, OREG.

Mr. YOUNG of Ohio. Mr. President, last week, the City Council of Portland, Oreg., showed extreme wisdom in voting to abolish the local civil defense program and to put an end to the expenditure of the taxpayers' money in that city for the purpose of fallout shelters. The members of the city council, by a 4-to-1 vote, eliminated the local civil defense agency's $110,000 budget for the coming year. In doing so they typified the growing national disillusionment in the civil defense program.

The only person voting to the contrary was the mayor of Portland. Of course, following the vote of the city council, he took action to put an end to the civil defense shelter program in Portland, Oreg., effective on July 1.

We cannot be too harsh upon the mayor of any city in the United States who desires to adhere to the shelter program, because it affords him an opportunity to put some political hacks on the payroll of his city and have the Federal Government, by matching funds, bear the major share of the expenditure. I do not condemn the mayor of Portland. I praise him for immediately following the decision of the city council appointing a commission to dispose of civil defense operations in Portland. The agency's functions will be assumed by fire, police, and other existing departments that normally deal with disasters.

The decision to abolish the city of Portland's civil defense agency has been followed by a move to cut the Oregon State program drastically. Following the action by the Portland City Council, the $410,000 budget for a 20-man State staff was slashed by the Oregon Legislature's ways and means committee to $50,000 for a 6-man staff. It is to be regretted that Assistant Secretary

of Defense for Civil Defense, Steuart L. Pittman, injected himself into the issue by threatening to withhold Federal civil defense funds from Oregon because he claims it would be impossible for a six-man staff to perform civil defense functions satisfactorily in Oregon. Mr. Pittman, who was a lawyer in Washington before he was appointed to his job, knows or should know that the advance of science has been so rapid in this country that it has outstripped these civil defense shelters, and that the civil defense shelters that might be of some little use now will be of no use whatever a year from now. Furthermore, he might well consider following Oregon's example and reduce the number of high-salaried personnel in the Federal civil defense bureaucracy. There are too many now doing nothing but thinking up silly schemes to waste taxpayers' money. Not only would this save money but it would probably result in a more efficient agency with a more realistic program.

He ought to know, as all Senators do know, that in England and France there are no fallout shelters such as we have. There is no civil defense bureaucracy in England, feeding at the public trough, and rendering no service to the citizens.

When I first spoke out against the expenditures for civil defense shelters early in 1959 I was practically alone. Now I am happy to see that officials of a great city such as Portland, Oreg., see the utter waste and futility of a civil defense shelter program, and have officially adopted that position by an overwhelming vote of the city council.

It is to be regretted that a Federal official seeks to inject himself into the situation by trying to compel the councilmen of the city of Portland and officials of the State of Oregon to disregard their best judgment, and continue to waste taxpayers' money. I am glad those councilmen have stood up and been counted in favor of curtailing useless expenditures which would result in no good to the people of Portland.

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

Mr. YOUNG of Ohio. I yield.

Mr. GRUENING. I commend the Senator from Ohio for his persistent and sound position against the waste and extravagance that have characterized the civil defense and shelter program. I think it has been made increasingly clear to those who want to view the question intelligently, analytically, and without panic, that there are no shelters that would truly protect those seeking refuge in them against the varying forms of attack that could come in the event of nuclear war. There are better methods, I believe, of protecting the people; namely, by being strong and thereby deterring aggression. But if we continue in the direction we have been going, with our shelter program, we will continue to waste money, while giving our people a wholly false and unjustified sense of security.

I commend the Senator for his forthright persistence in presenting facts and information to the American people.

Mr. YOUNG of Ohio. I express my appreciation to the distinguished Senator from Alaska, who is one of the great public servants of this country.

U.S. STAND ON CUBA

Mr. YOUNG of Ohio. Mr. President, mail from Ohio citizens to me indicates that the Cuban situation is foremost in the minds of many people.

Let us give this situation a moment's consideration. The United States' greatest cold war triumph was won last October when President Kennedy, with his firm, determined, and unyielding attitude toward Khrushchev and toward the missile and offensive airplane buildup in Cuba, compelled Premier Khrushchev to turn tail and withdraw those offensive weapons from that little island.

The Soviet Union would be at a great disadvantage were it to wage a war against us based on Cuba. It must have been in the realization of that fact that Khrushchev wrote those hysterical letters to our President following last October 20, yielded altogether, and withdrew the offensive missiles at that time.

The Soviet Union would be at an even greater disadvantage than we would be were we compelled to wage a war against Red China or the Soviet Union in South Vietnam or Laos. Former President Eisenhower recently said that Americans should support the Kennedy administration's Cuban policy. The facts are that our Government officials have more information than is available to others. Furthermore, our forces at Guantanamo Naval Base and our airpower could readily destroy all of Castro's military installations, war planes, and artillery in 1 day—probably in one strike—and, incidentally, kill many Cuban civilians women, and children, as well as men, in the process.

Our Government is doing everything against Cuba short of a shooting war. Our U–2 planes continue constant surveillance, and all photographs are examined minutely for possible Soviet missiles and military buildups.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. I ask unanimous consent to continue for 2 additional minutes.

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

Mr. YOUNG of Ohio. Were this Nation to do to any strong nation, what we have been doing to Cuba since last October, there would immediately result either a declaration of war or a shooting down of our U–2 planes violating the air space of such nation.

I favor continuing the administration's policy of bringing to bear every possible pressure short of war to remove communism and Castro from Cuba. We have already succeeded in cutting off much of the trade between Cuba and the free world.

We have at this time what we did not have at the time of the Bay of Pigs—we have the complete cooperation and support of the Organization of American States. No Americans are losing their lives in the process, as some would surely lose their lives were we to use our tremendous armed might to wipe out all the strength Castro has, to singe his whiskers, and send him fleeing from Cuba if he had the opportunity to do so.

We have the cooperation of our friends and allies. We are engaged in a tough economic quarantine of Cuba, and we are doing everything short of war to suppress the spread of communism in the Western Hemisphere and to end the tyranny of Castro in Cuba. At the same time no American lives are being lost. The policy of this Government toward Cuba deserves the support of the American people.

TREASURY'S DILLON

Mr. GRUENING. Mr. President, in the current June issue of Harper's magazine is an extremely interesting and well-written article entitled "Treasury's Dillon," with the subtitle "The Conservative Power Center in Washington."

This article sheds a good deal of light on the policies of the administration and where some of them apparently originate.

I believe that reprinting this biographical essay performs a useful service in informing the public about the direction in which we seem to be moving and why, and I ask unanimous consent that this article be printed at the conclusion of my remarks.

Similarly illuminating is an interpretative column by James Reston entitled "On the Art of Quitting and Firing." I ask unanimous consent that it, too, be printed following the previous insertion.

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

TREASURY'S DILLON: THE CONSERVATIVE POWER CENTER IN WASHINGTON

(By Joseph Kraft)

At a meeting in Washington not long ago, one of the Nation's leading economists was projecting a complicated set of equations showing the relation between employment and Government spending. Off in a corner, jotting the numbers on a pad, sat the Secretary of the Treasury, Douglas Dillon. It happened that there was a slip in the addition supporting one of the equations. Dillon spotted the mistake, and, minor though it was, interrupted the proceedings to point it out. "Mr. Secretary," the economist said, rounding on him, "I always knew you were good at small problems."

It was a just verdict—but incomplete. For it overlooks that rare technique known in Washington as Dillontory tactics. By being good at the small problems Dillon makes himself master of the big ones.

He has utilized to the full the overwhelming bureaucratic force of the Treasury. He has charmed the White House, and kept his congressional fences in constant repair. As a result he has been able to put across relatively conservative policies, while smothering, within the councils of the administration, projects for a far more energetic effort to revitalize the economy. Though the only card-carrying Republican in the Cabinet, Dillon has had a major impact on the main domestic program of the Democratic administration. He has been the odd man in it.

For three-quarters of a mile Pennsylvania Avenue runs on a straight line from the Capitol toward the White House. But one block from the Executive mansion it bends

sharply, north and then west, to get round the Treasury Building. It is a symbolic detour, expressing a change of course imposed on many things more important than Pennsylvania Avenue. For the Treasury Department is one of the great power centers of the U.S. Government.

Next to the Supreme Court, Treasury is probably the most august institution in Washington. Since 1836, or longer than any other Department, it has lived in the same house: a 5-story, granite Greek temple with long, airy corridors, a dearth of elevators, and a plenitude of high spacious offices hung with somber portraits of frock-coated gentlemen. It is still administered in the cozy, old-fashioned way; 4 or 5 men making all the policy decisions, without the encumbrance of State's 11 Assistant Secretaries or the Pentagon's network of committees, boards, and steering groups. Old-line bureaus like the Mint, with a strong instinct of craftsmanship, engross much of Treasury's personnel. The Department has an unmatched reputation for staff competence; Walt Whitman was a Treasury clerk, and the case of Daniel Bell, who rose from stenographer to Under Secretary in the Truman administration, offers perhaps the only modern example of Horatio Alger in the Federal bureaucracy. "Around here," one Treasury aide says, "the quill pen is still in vogue."

Not that the computer is ignored. As much as any other agency, Treasury has profited from the expanding role of Government. The New Deal reforms made the Secretary trustee of billions of dollars worth of pension funds. During the war, Treasury undertook all foreign financing operations, from lend-lease through UNRRA. Today, the Secretary has principal responsibility for all international monetary arrangements, and, as Chairman of the National Advisory Council on International Monetary and Financial Problems, he has veto power over all foreign loans. Indeed, the Treasury is probably the only major Government body whose writ runs indisputably to both foreign and domestic matters.

For on the domestic side, the Treasury is probably the only Federal agency which handles a major area of public policy without a check, or at least some kibitzing by some other agency. It is, within the Executive, the unquestioned master of Government revenues. It administers and collects taxes through the Bureau of Internal Revenue. Its Office of Tax Analysis is the principal source of all information on the tax system. At the same time, Treasury has sole responsibility for debt management, or the business of selling Government securities to meet Government deficits. Every year, the Treasury markets something like $100 billion in I O U's of one kind or another, and the rates it sets or gets determine the pattern of credit for the whole economy.

BANKER'S BIAS

Revenue responsibilities impart to the Treasury a characteristic, institutional bias—a bias against Government spending. When the Government needs more money, Treasury has a choice. It can go to the Congress and ask for increased taxes. It can float securities in the market—a step which in recent years has also meant asking for an increase in the national debt.

Either way, however, increased Government spending spells trouble for the Treasury. Moreover, in managing the Federal debt, the Treasury comes into daily contact with the private credit system. What farmers are to the Agriculture Department and unions are to the Labor Department, banks are to the Treasury. From the earliest years, Treasury has tended to take on the bankers' prejudices in favor of sound business practice, balanced budgets, and restrained spending. Homilies like, "I don't think you can spend yourself rich," may seem a matter of personal preference in the mouth of Eisenhower's Secretary of the Treasury, George Humphrey. But it should not be forgotten that Truman's Secretary, John Snyder, expressed doubts on the wisdom of the Marshall plan, while so dedicated a New Dealer as Henry Morganthau constantly implored Roosevelt to "be very careful about money spending." The fact is that even more than the Bureau of the Budget, Treasury is the "no" man in Government.

Because of the Treasury Department's institutional bias, the personality of the Secretary tends to become a matter of strategic political choice. The Republicans, being opposed to spending, have generally put strong men at the Treasury and made it the anchor of their policies. Andrew Mellon dominated the Cabinets of Harding, Coolidge, and Hoover. George Humphrey differed privately and publicly with President Eisenhower on the budget for fiscal 1958, and was able to make his views prevail. Indeed, 6 days after Humphrey had declared himself, Eisenhower told the press, "With the thought behind the Secretary's statements, I am in complete agreement."

The Democrats, on the other hand have tended to place at the Treasury men who would easily bow to the White House. Wilson's Secretary of the Treasury, William G. McAdoo, became his son-in-law. For Morgenthau, as Arthur Schlesinger wrote, "his highest ambition * * * was to serve Franklin D. Roosevelt." Snyder held office entirely by the favor of Harry Truman, and the measure of his power was well reflected in what happened when he expressed doubts about the Marshall plan. The next day, Truman told his press conference: "The Secretary of the Treasury and the Secretary of State and the President are in complete agreement."

When the Democrats regained power in 1960, economic circumstances seemed to call for another round of the old tradition. The Nation was slipping into its third recession in 6 years. Unemployment was above the 6 percent mark. In rate of economic growth the United States had lagged behind almost all the other industrial nations. For all these headaches, the accepted Democratic medicine was an increase in consumer demand, brought about either (1) through more Government spending, or (2) through a tax cut unleashing purchasing power, or (3) through easy credit, or (4) through all these combined. And that indicated a Secretary of the Treasury who, far from dominating, would be dominated by the rest of the administration.

But there was a new element in the economic picture—a balance-of-payments crisis reflecting an excess of dollar spending abroad over dollar earnings. In the month of October 1960, there had been a particularly sudden shift of short-term capital from dollars to pounds sterling and Swiss francs—the consequence of preferential interest rates abroad, and (some said) of a lack of investor confidence in Kennedy. Politically, moreover, there was heavy weather. The Democratic margin in the presidential election had been exceedingly narrow, and in the congressional races, Democratic strength had ebbed since 1958. All polls indicated widespread congressional and public enthusiasm for the Eisenhower goals of balanced budgets and curtailed Federal spending. For all these reasons there was pressure on the new President to pick a Secretary of the Treasury who would inspire confidence outside, as well as inside, the administration.

In these conflicting circumstances, the President chose, as the 55th American Secretary of the Treasury, C. Douglas Dillon.

COOL TO DOGMA

To many, it looked as though another weak sister had come to the Treasury. "An affable easygoer," Senator ALBERT GORE called Dillon. And superficially, at least, his life record seemed less a biography than a composite picture of the establishment.

He came from the right background (son of a Wall Street tycoon). He underwent the right schooling (Groton and Harvard). He made the right marriage (to a Boston debutante). He chose the right jobs (partner in the family firm of Dillon, Read; Ambassador in Paris; Under Secretary of State). He favored the right hobbies (golf and the collection of French paintings and fine china). He accumulated the right properties (an apartment on Fifth Avenue in New York, and homes in Washington; Hobe Sound, Fla.; Dark Harbor, Maine; Far Hills, N.J.; and Versailles, France). He supported the right causes (Groton, Harvard, the New York Hospital, and the Metropolitan Museum of Art). He wore the right clothes (dark suits with vests over finely striped shirts and figured ties). He was blessed by the right looks (tall and lean with a well-shaped head and good features). And he conducted himself in the right manner (reserved with strangers and crowds; engaging with friends).

But beneath the surface were two qualities invaluable for success in the Government. For one thing there was an extraordinary flexibility, and capacity to adjust. Dillon acknowledges no intellectual heroes and no philosophy of public affairs. He is cool to dogma, and one of the few occasions on which he got angry in a congressional hearing occurred when a legislator called him, in Dillon's own words, "a goddamned Keynesian." "Compromise," says the person who has worked longest with Dillon, is the word that best characterizes his approach to governmental problems.

On occasion, that approach has seemed opportunistic. As Ambassador in Paris, Dillon twice left the reservation to endear himself to his French hosts: supporting the French position in Algeria in a speech in March 1956, and hinting at support for the Suez expedition during a TV interview in 1957. But the Dillon approach also opens the door to good ideas. At the State Department in the Eisenhower years, Dillon was a champion of development loans in foreign aid. He worked out with the Latin American countries at the Bogotá conference of 1960 plans which give him a claim to be at least the grandfather of the Alliance for Progress. He was the undoubted father of the chief agency for economic cooperation with Western Europe—the Organization for Economic Cooperation and Development, or OECD. Being flexible, moreover, he felt no pain—despite the adverse advice of Eisenhower and Nixon—in switching from a Republican to a Democratic regime.

In no time at all he absorbed the ruling cliches of New Frontier economics. Answering a question on the issue of the balanced budget at his confirmation hearings, he might have been John Kennedy himself: "I think that the basic thing about a balanced budget is that it should be balanced over a period of years." Social grace and the pragmatic style won him friends up and down the new administration. Prof. Seymour Harris, a leading figure in the Harvard group, called him "the Alexander Hamilton of the 20th century." "Winning" was the adjective he evoked among the White House staff. He became a regular member of the half-social, half-academic exercises at Robert Kennedy's Hickory Hill University. With the President his relations have been easy and warm. The Dillons are among the very few Washington hosts who have had the Kennedys to dinner. The President placed the Secretary on what has become the topmost organ of the Government—the Executive Committee of the National Security Council.

With flexibility Dillon combines an iron grasp over whatever he does. During his

first weeks at the Embassy in Paris he read every single incoming and outgoing cable, and learned every job in the shop. At his thrice-weekly staff meetings in the Treasury, he goes round the room systematically searching out what his subordinates are doing. "He really runs this place," they say to a man. Meticulously detailed information features all his congressional appearances. Here, for example, are excerpts from a series of exchanges with Congressman HALE BOGGS on the 1963 tax bill:

"Mr. BOGGS. If my memory serves me correctly, corporate profits for 1962 were running over $50 billion. Is that right?

"Secretary DILLON. $51 billion.

"Mr. BOGGS. We have continued to run an unemployment situation which exceeds 5 percent.

"Secretary DILLON. Yes: 5.8 percent.

"Mr. BOGGS. So the result of the recession was a deficit approaching $13 billion.

"Secretary DILLON. $12.4 billion was the administrative budget. $13.1 billion was the cash budget.

"Mr. BOGGS. The fact is that the tax rate was reduced by $7 billion.

"Secretary DILLON. $7.4 billion."

Dillon has been known to go on that way for hour after hour, speaking on the most detailed matters, with only a few notes, and with his aids, sitting—not, as is usually the case, at his side, but behind him. "Way behind him," the late Senator Kerr once said.

In fact, three of Dillon's helpers, if not always abreast of him, have been vitally important in the Treasury operation. There is the Under Secretary, Henry Fowler, a courtly Virginian, with a vast experience of politics gained as a Washington lawyer inside and outside the Government. It is a mark of Fowler's political skill that though he once ran against the Byrd machine in Virginia, nearly beating the veteran Congressman HOWARD SMITH, he won confirmation from Senator BYRD's Finance Committee without a hitch. Fowler has imparted to the Treasury an acute sense of the climate on Capitol Hill. For example, one of the items due for inclusion in this year's tax proposals was the repeal of an amendment made in last year's measure by Senator RUSSELL LONG of Louisiana. But when Senator Kerr died in January, LONG became No. 2 man on the Finance Committee. Fowler had the repeal of the Long amendment out of the tax proposals within a week.

Besides Fowler, there are Robert Roosa, the Under Secretary for Monetary Affairs, a brilliant, bespectacled and bow-tied economist who taught at MIT before moving to the research staff of the Federal Reserve Bank of New York; and Assistant Secretary Stanley Surrey, a smiling, gray-haired tax lawyer from the Harvard Law School. Roosa and Surrey are experts' experts—some say, fanatics—in their fields. They have worked very closely with Dillon in forging Treasury measures in the areas of taxation and international monetary policy.

CREDITS—AND DEBITS

On the tax side, Dillon's aim has been to stimulate the economy by increasing incentives for the private sector. To that end, the Treasury under Dillon has probably done as much in the past 2 years, as any previous peacetime administration did in four. By an administrative action (considered by the Eisenhower regime but abandoned as too difficult in 1959) the Treasury has revised depreciation guidelines in order to speed up, by an estimated 32 percent, the rate of tax writeoffs on some 70 to 80 percent of the machinery and equipment currently in use. Through the Revenue Act of 1962, Treasury has provided a 7 percent tax credit for investment in new machinery and equipment. The tax proposals submitted to the Congress this year include a comprehensive, across-the-board reduction of corporation and personal income taxes, and a start at closing some of the more famous loopholes—notably the exceptions made for depreciation allowances for stock option plans, for personal holding companies, and for charitable and interest deductions.

On the international monetary, or balance-of-payments side, Dillon's aim has been to whittle down the deficit gradually until the demand pull of a revitalized economy could suck back enough investment funds to right the balance entirely. To that end the Treasury under Dillon has carried out an extensive range of measures never before even considered by this country. An arrangement has been negotiated with nine other countries giving the International Monetary Fund extra resources of $6 billion to use in heading off a run on the dollar. By the so-called "twist" policy, long- and medium-term interest rates have been kept relatively easy, while short-term rates have been held high enough to make it profitable for investors to keep their short-term holdings in dollar accounts. By a series of exceedingly complicated "swap" and "forward market" operations, the Treasury has acquired holdings of Italian, West German, and Swiss currency to use against speculative assaults on the dollar.

It cannot be argued with any confidence that Dillon's policies have failed. The recession of 1960 has come to an end. Gross national product has advanced ever since February 1961. Unemployment has been cut back, and the workweek has been lengthened. The balance-of-payments deficit has dropped from $4 billion in 1960, to $2.2 billion in 1961, and $2 billion in 1962. On the other hand, GNP at the end of 1962 was only $562 billion against an administration estimate of $570 billion. Unemployment has stayed above the 4 percent target. Growth has been well below the administration's pledged goal of 5 percent annually. And the specter of an aborted recovery, and a new recession, has haunted the administration since the early summer of 1962.

In these circumstances, many of the President's advisers have criticised Dillon's actions as inadequate technical fiddling. They have advocated a far bolder address to national economic problems. But at every turn they have encountered stubborn resistance. Dillon has consistently held that "no drastic measures are immediately necessary." And the true measure of his powers lies less in what he has done than in what he has cut off. Two stymied initiatives, in particular, are important.

One of the initiatives came last summer on balance of payments. A number of European countries, including France and Britain, felt that the $6 billion earmarked for defense of the dollar in the International Monetary Fund was insufficient, and proposed that further joint measures be considered. Dillon and Roosa argued that the possible alternatives were impractical, and that any American show of a desire for help at a moment when the balance was adverse would only weaken confidence and spur a further flight from the dollar.

But almost everywhere else in the administration—in the Council of Economic Advisers, in the State Department, in the White House—there was keen interest in the proposals. It was argued that a massive new effort to protect the dollar would insulate the domestic economy against balance-of-payments pressure and thus make possible new domestic measures to stimulate the economy. Prof. James Tobin, then a member of the Council of Economic Advisers, was delegated to keep watch over the proposals. Two American officials—former Assistant Secretary of the Treasury John Leddy, and the Assistant Secretary of State for Economic Affairs, Griffith Johnson—went to Europe to learn more of the proposals, and to evince American interest. The President himself chaired one meeting that discussed the matter, and participated actively in the give-and-take. While no decision was reached, it was agreed that the door would be held open for the new proposals until after the meeting of the IMF and World Bank scheduled for September 17, 1962, in Washington. At least that was the agreement that everyone but Dillon and Roosa seemed to remember.

For in the first week of September, without any warning or any advance clearance, the Treasury exploded a bomb. It took the form of an article by Roosa in the Businees Review of the Federal Reserve Bank of Philadelphia. The article criticized in great detail and in the sharpest terms the proposals that were expected to be put forward at the Fund and Bank meeting. It argued that apart from the measures already being undertaken by the Treasury, there was "no real escape" from the balance-of-payments problem. If only because a denial might in fact have weakened confidence and started a run on the dollar, the article killed, there and then, any prospect of a new approach to the problem.

The second important initiative came last December in the field of taxation. Ever since the administration took office, the Council of Economic Advisers, and notably Chairman Walter Heller, had been advocating a major tax cut as a means of stimulating the economy. Treasury had consistently opposed the cut on the ground that it was not necessary to the economy, and would throw the budget seriously out of balance. And, repeatedly, circumstances reinforced the Treasury argument. Thus in the spring of 1961, when the issue first came to a head, the need for new defense and space spending ruled out the cut. In the summer of 1962, when it again came up, the tax-cut proposal ran into the deep-seated conviction of Surrey and of Chairman WILBUR MILLS of the House Ways and Means Committee that a tax reform was also necessary. They argued that a quick cut would rule out the chance for reform.

But by December 1962, a program had been worked out that incorporated a tax cut with tax reforms. The administration was pledged to the cut; both the Congress and the public had been accustomed to the idea. The big question was how much of the cut would apply in 1963. Heller argued for roughly $5 billion. For the first time he had important support by the White House staff. But Dillon argued that such a cut now would force him to seek an increase in the debt limit, and he said that he doubted the Congress, and particularly the Republicans, would go along. When the tax proposals finally emerged, they were spread out over 3 years, and carried a cut for 1963, of about 1 billion. Against all the odds, Treasury had won again.

PUBLIC PREJUDICE STILL INTACT

Combine what Treasury has done with what it has stopped, and there emerges the main substance of the administration's record in economic policy. It is a program that places main reliance for stimulating the economy on tax measures—many of them highly technical and difficult to comprehend. It is remarkable for avoiding the familiar Democratic policies of easy money, welfare spending, and a big push for consumer demand.

No doubt the national mood, far more than the Secretary of the Treasury, has been the shaper of these policies. Nothing drastic has happened to shake the public prejudice against more far-reaching Government measures. The Congress is under no pressure to modify its conservative bent. And the President, while not as orthodox in economic matters as some believe, is politically a man inclined to middle positions. "He prefers,"

one White House official has said, paraphrasing the old French Socialist motto, "to have 'no enemies on the right.'"

But what Dillon has done is to fragment majority opinion within the administration. He and his associates have at all times been able to come up with measures—ingenious if not dramatic—which seem to meet immediate needs. By compromise, as in the tax issue, they have reduced major questions of principle to matters of detail. By bureaucratic end running, as in the balance-of-payments matter, they have bottled up proposals for alternative action. The net effect has been to imprison the administration within the prevailing climate of opinion. The majority of the President's advisers have not been able to publicize their ruling convictions in a way that might eventually change public opinion. For Dillon has not only won most of the points in the continuing debate. He has won them in a way that obscures the fact that a debate has even been going on. He has won them bureaucratically, on the inside, by being good at small problems.

[From the New York Times, May 24, 1963]

ON THE ART OF QUITTING AND FIRING

(By James Reston)

WASHINGTON, May 23.—The art of quitting and firing has almost vanished in Washington. Officials are never "fired" these days: they are merely "called to fields of higher dedication." They never quit on principle: they slip away silently, blaming "family considerations."

Baseball is the last of the professions where losers are booted out publicly. When the Washington Senators lost 10 out of 11 games recently, which is only slightly worse than their average, Mickey Vernon, the manager, was canned on 12 hours' notice. But even he issued a communique of unsurpassed sweetness.

"I just feel disappointed," he said. "But I think I've been treated very well."

How John McGraw would have hooted at that. He would have kicked in the clubhouse door. He would have declared that even an act of Congress couldn't get the Senators out of the American League cellar. And, so saying, he would have shoved over the Washington Monument and left town in a blaze of profanity.

AGE OF EVASION

This, however, is the age of evasion. We haven't had a good slambang exit since General MacArthur. Even Sherman Adams, who was supposed to be the curmudgeon's curmudgeon, took his rug and flew softly away, and Allan Dulles, as a reward for Cuba, was all but canonized at the end.

Under President Kennedy the system is remarkably smooth. He is a master of the delayed shift. Chester Bowles is the best illustration of this technique. If the man doesn't measure up as Under Secretary of State, or somebody at the White House thinks he doesn't measure up, he is not called in and asked to go away, but is shifted to the White House and given a fancy title as adviser to the President on Africa, Asia, Latin America and underdeveloped points east.

IN LONELY SPLENDOR

There, then, he sits in lonely splendor, like a deviationist in Siberia, until he is sufficiently softened up to want out, at which time he is smuggled off to India without a fuss.

Sometimes the direct transfer or consolation-prize technique is used. For example, if Adm. George W. Anderson is being stubborn, awkward or too talkative, or all three, as Chief of Naval Operations, he is given the option of retirement or opulent banishment to a new post which, the President explains, "requires a good deal of skill and a good deal of dedication." All men who get this treatment are "dedicated."

From the administration's point of view the system has certain advantages. Mainly it muffles the struggling on the back stairs and keeps a lot of awkward questions from being debated in public.

What is harder to explain is why the victims go so quietly. Here the expert is former Secretary of State Dean G. Acheson, who after long personal study and experience has a taste for stylish resignations and deft decapitations.

Mr. Acheson believes that officials stay on partly because of the boredom of private life, partly because "making a fuss" has gone out of style, partly because "saving face" has become increasingly important in the Western World, and partly because officials, like other people, like to eat.

STIFLED DISSENT

One result of all this is that a good deal of informed and dissenting opinion within this administration is not getting out.

Equally important, the dissenters are hesitating more and more to push their views up to the top in private.

Every President has this problem sooner or later. As time goes on and problems and frustrations build up, officials hesitate to add their own doubts to the President's worries. Meanwhile, Presidents hesitate to provoke dissent, important as it is.

This problem increases in direct proportion to the respect and affection inspired by a President in the members of his staff. The more they admire him and sympathize with his burdens, the more they hesitate to question or challenge him. And this is a real problem for President Kennedy, for he has both the respect and admiration of his staff.

BACK TO TOPEKA

Accordingly, the decline of the volcanic resignation is a loss. This is not to say that tame and deserving bureaucrats, like condemned convicts, do not deserve a good dinner before they go, but an apoplectic dissenter on his way out had a certain therapeutic and educational value.

Anyway, the polite habits of the Government establishment do not have to be transferred to baseball. The opposite might even be preferable.

For the old rule of professional baseball, was that losers were either benched, traded or sent back to the minors whence they came. McGraw didn't transfer hitless infielders to the outfield, or tanglefoot outfielders to the infield. He didn't ask whether they were nice guys, either. He just sent them back to Topeka.

WESTERN ELECTRIC'S PARTICIPATION IN AID—NIGERIAN PROJECT

Mr. JAVITS. Mr. President, under a $352,000 contract awarded by AID, Western Electric Co., 195 Broad Street, New York, is assisting the Government of Nigeria in developing a master plan for a telecommunications system in that country, as well as working out the time-phasing of the plan for continued appropriate AID financing.

As is well known, it has been my long-standing belief that aid to developing countries is within the long-range self interest of the private economic sector as it assists in forwarding and supporting the peace leadership of U.S. foreign policy. It is clear to me that this Nigerian effort is such a project.

Western Electric, in supplying the technical services needed to embrace the Nigerian 6-year economic development plan for a telephone, telegraph, and radio transmission network and including all levels from local exchanges to international links, called back into temporary service, key personnel, who have recently retired.

The spirit and ingenuity demonstrated by Western Electric in solving the evident problem of a shortage in expert talents by recalling retired employees in order to implement this national interest project is highly commendable and represents an approach which could well serve as an example to the whole U.S. business community—management and labor alike.

So I hope Senators will read it. All of us know of great companies. This great company is helping our Government win the war for freedom in the world. I pay the greatest tribute to Western Electric for having participated in this way.

Mr. President, I ask unanimous consent to insert in the RECORD a release dealing with this subject.

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

NIGERIA COMMUNICATIONS PLANNING HELPED BY U.S. TECHNICAL STUDY

Nigeria's planning for the future of its telecommunications system will benefit from an American technical services effort announced today by the Agency for International Development.

Under a $352,000 contract awarded by AID, Western Electric Co., 200 Church Street, New York, will provide up to 20 engineers, technicians, and other personnel to assist the Government of Nigeria in preparing analytical and planning data as part of the countrywide telecommunications development program. Working with the Nigerian Government's Posts and Telegraphs Division, Western Electric experts will help in formulating a telecommunications development plan.

The AID-financed effort will assist the Government of Nigeria in defining the telecommunications portion of the country's 6-year economic development plan now in its second year. It embraces telephone, telegraph, and radio transmission networks and includes all levels from local exchanges to international links.

TRANSITION TO AUTOMATION

Mr. JAVITS. Mr. President, one of the greatest object lessons as to how to deal with the transition to automation without putting the burden on the back of the worker is contained in an article published in the New York Times this morning. It relates to force automation by the longshoremen on the docks of the Pacific Coast. We learn how a militant union has solved a difficult problem dealing with the automation of the docks.

Every Senator, and every believer in free enterprise in this country, should read the article. It describes a wave of the future.

I ask unanimous consent that the entire article may be printed at this point in the RECORD.

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

PORT AUTOMATION ON WEST COAST THRIVES UNDER A NEGOTIABLE PACT

(By John D. Pomfret)

SAN FRANCISCO, May 26.—A revolution in cargo handling is gradually taking place on the bustling docks of the San Francisco area and at other ports along the west coast.

While important in itself, this has a broader significance as a case history of the capacity of labor and management through collective bargining to make sweeping adjustments to major technological changes.

Balancing labor's demand for job security against managements' for more flexible and efficient operation is a common theme running through many contract negotiations at a time when automation and other kinds of technological change are making it possible to do more work with fewer workers. west coast longshoring is one of the few industries where a fundamental revision of the rules by which men work has been made successfully so far.

The work practices and rules that had grown up in the west coast longshoring were about as tightly restrictive as any.

Loads brought to the docks and warehouse pallets used to be removed, then rebuilt on the longshoremens' pallets before being loaded into the hold. No more than 2,100 pounds in a single load could be lifted into or out of a ship, although available equipment could handle much more.

When work was mechanized, the union would insist that the same number of men be kept on. Sometimes workers simply refused to allow new methods to be introduced. Some gangs worked on what was called a four on-four off system—four men working while the other four, called witnesses, watched. Now vastly bigger loads, glued or strapped together and put into large containers at distant warehouses, move in one smooth flow from truck to hold. Resistance to new methods has almost disappeared. So have "witnesses." Employers assign men with much greater flexibility and no longer fear that if they make costly investments in new machinery the longshoremen will not use it.

This dramatic change on the waterfront was brought about through a mechanization and modernization agreement between the International Longshoremen's and Warehousemen Union and the Pacific Maritime Association, representing the employers. Reached late in 1960 and running to July 1, 1966, the agreement gives the employers much greater leeway in introducing new methods and assigning longshoremen.

TWENTY-NINE MILLION DOLLARS FOR RETIREMENT

In exchange, the employers agreed to pay into a fund $29 million over the life of the contract to provide for voluntary retirement at age 62 and to finance a guarantee that the pay of regular longshoremen would not be allowed to drop below the equivalent of 35 hours' wages a week because of more efficient operation. The guarantee does not apply to reduced hours that come as a result of economic conditions.

In addition, longshoremen are protected under the contract from unduly burdensome work, unsafe methods, and individual speedup.

The Pacific Maritime Association has not yet developed figures that it feels measure precisely the gains in output accomplished through the agreement. One reason for this is that the agreement has allowed the employers to dispense with the services of so many clerks that there are not enough left to collect the needed data.

However, J. Paul St. Sure, association president, said that association's figures indicated a saving in 1961 of 1,500,000 man hours over 1960. The 1962 payroll for the same tonnage was about what it was in 1958, indicating that the employers were getting enough extra work for each labor dollar to have absorbed a 20-percent increase in labor costs, Mr. St. Sure said.

"We can't tell how much of this is attributable to the agreement with the union and how much to other factors," Mr. St. Sure said. "The important thing from our standpoint is the reversal of a trend. Year after year we have been adding to labor costs and unit costs kept going up, too. Now we have turned the corner on unit costs. They are declining."

BIG SAVINGS ON SHIPS' USE

But the biggest saving is probably the extra use the steamship owners get from their ships. Vessels that once took days to unload and load now turn around in hours. This timesaving is like adding ships to a fleet without cost.

So radical a change in waterfront labor relations did not occur overnight.

Years of conflict in the industry reached a climax in a strike in 1948 that lasted 95 days. Both the union and the industry came out of that ordeal determined to find a better way.

With Sam Kagel, their chief arbitrator, they developed a system of instant arbitration by which grievances on the docks are handled on the spot by arbitrators who are always on call. The system has virtually eliminated the "quickie" work stoppages that used to plague the docks.

Mr. St. Sure and Harry Bridges, union president, talk frequently, and the union and employers' association also developed a system of continuous consultation through their joint west coast labor relations committee.

In addition to a disposition to agree rather than fight, the union and the association prepared carefully for the new agreement.

Although the agreement was not signed until October of 1960, the union was taking stock of the situation more than 3 years before. The report of a union study committee in 1957 was remarkably candid.

"Our present policy," the report said, "can be described as one of intermittent guerrilla warfare directed against all changes which we anticipate will reduce the need for men. Do we want to stick with our present policy of guerrilla resistance or do we want to adopt a more flexible policy in order to buy specific benefits in return?"

The union, convinced for one thing that it could not stave off change forever, decided on the more flexible policy.

The employers' group, for its part, began a conformance program in 1958 to make the stevedoring contractors toe the line. The contractors usually are paid on a cost-plus basis by the association's member steamship companies; so the higher the contractors' labor costs, the higher their fees. This gave them a vested interest in loose labor practices. The employers' association sent observers to the docks and instituted a system of fines of up to $5,000 for contractors who allowed longshoremen to violate the terms of the labor agreement.

In 1958 the union and the association froze the registration of so-called A longshoremen to avoid a buildup that would necessitate layoffs when restrictive practices were eliminated. The A men under the hiring-hall system used on the west coast have first chance at the available work. The available work is divided evenly between them under a rotational hiring system. Only A men are union members. When there is work left over, it goes to the B men, who are not union members, and finally to the casual workers whose connection with the industry is marginal and who average 50 to 60 hours of work each year.

Far from being starved for work, as many had feared they would be, the B men have been getting almost as much work as the A men under the new agreement. Their annual earnings in 1962 averaged $5,800, compared with $6,100 for the A men.

BRIDGES URGES INNOVATIONS

The attrition rate among longshoremen, partly due to the early retirement provision in the new agreement, has risen from 4 to 8 percent a year since the agreement went into effect.

Nor have the employers introduced innovations as rapidly and cut manpower requirements as had been expected, partly because of the large investment required to buy containers and cranes and modify ships to use the new methods. In fact, Mr. Bridges has been urging the employers to move faster. One of the benefits of the agreement promised the union members was relief from heavy work and Mr. Bridges does not think they are realizing it fast enough.

Attrition has cut the A list from about 14,000 in recent years to about 10,500 today. Gang shortages have developed in some ports. For the first time since 1958, about 1,500 men now are being added to the A list. The money from the fund has yet to be used to make good on the 35-hour pay guarantee.

SUBCOMMITTEE MEETING DURING SENATE SESSIONS ON TUESDAY AND WEDNESDAY OF THIS WEEK

Mr. BIBLE. Mr. President, I ask unanimous consent that the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia be permitted to meet during the sessions of the Senate on Tuesday and Wednesday, May 28 and 29, of this week.

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

DEATH OF ORVIL DRYFOOS, PRESIDENT AND PUBLISHER OF THE NEW YORK TIMES

Mr. KEFAUVER. Mr. President, it was with profound regret that I learned of the death of Mr. Orvil E. Dryfoos, the able and widely admired president and publisher of the New York Times. He was, as Herbert H. Lehman has simply described him, a great newspaperman and a great American. The loss of Mr. Dryfoos in the prime of his distinguished career is a tragedy which will truly be felt throughout the Nation.

The passing of Mr. Dryfoos is felt with special sadness by those of us from Chattanooga, where the sister paper of the New York Times, the Chattanooga Times, is published. We remember with pride and affection that the man who took over as publisher of the Chattanooga Times in 1878, the late Adolph S. Ochs, later became publisher of the New York Times and molded it into the great newspaper that it continues to be today.

It was in the same fine tradition of Mr. Ochs and subsequently of Mr. Dryfoos' father-in-law, Mr. Arthur Hays Sulzberger, that Mr. Dryfoos directed the New York Times until his death. Mr. Ochs, in his will, had written that it was the responsibility of the Times to be "an

independent newspaper, entirely fearless, free of ulterior influence, and unselfishly devoted to the public welfare without regard to individual advantage or ambition, the claims of party politics, or the voices of religious or personal prejudice and predilection." When, a little more than 2 years ago, Mr. Dryfoos became publisher of the Times, he pledged publicly that he and his associates would maintain vigilantly the high standards set by his predecessors.

And so he did. He bore his vast responsibilities with great humility, including those which weighed upon him during the long and trying New York newspaper strike. He also bore his responsibilities well.

That Mr. Dryfoos was held in the highest esteem throughout the journalism profession is evidenced by the many editorial tributes which are being accorded him. One is the editorial appearing in today's Washington Post.

Mr. President, 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:

ORVIL E. DRYFOOS

Orvil E. Dryfoos, president and publisher of the New York Times, in the new tradition of newspaper proprietors and managers, was a man who chiefly found his creative fulfillment in fostering the creative gifts of others. He never had a byline in his own newspaper but he did not need one to prove his journalistic gifts to those who had occasion to know of his talents. His death Saturday, at the early age of 50, was a severe blow to newspaper colleagues who had confidently looked forward to great accomplishment under the leadership which Dryfoos had so recently assumed.

The role which he chose for himself was one that required greater restraint than the old-fashioned journalistic proprietors imposed on themselves. It was the same role as that of the late Adolph Ochs, who rejuvenated the New York Times, and the same as that of Arthur Hays Sulzburger, now chairman of the board, who as publisher so largely fashioned the present-day New York Times. It is one of the marks of the great influence of the paper that this new sort of proprietor has largely succeeded the old-time publishers who often combined the genius of circus owners and bankers. Their flamboyance and self-advertised personal idiosyncracies left no one in doubt about who was managing their newspapers. The new school of proprietor proceeds in ways that often leave the talents of the publisher largely undiscovered by the general public. So it was with Mr. Dryfoos but no one on the New York Times was unaware of the impact of his personality upon his institution. This method of working not only suited the New York Times tradition, but it suited the personality of the newspaper's publisher. He clothed his very great journalistic authority in a mild and modest demeanor that did not diminish his power and that made him, at the same time, a man greatly loved both in his own professional community and in every other circle in which he moved.

Mr. JAVITS. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. JAVITS. I have just come from the funeral of Mr. Dryfoos, where there was a representation of most distinguished citizens of the State of New York and other States, led by the Governor and Lieutenant Governor of New York.

The solemnity and distinguished character of the services reflected the exemplary life and distinction of leadership quality of Orville Dryfoos, who was very dearly beloved in our State.

Mr. KEFAUVER. I read the excellent statement by the distinguished senior Senator from New York as published in the New York Times yesterday.

Mr. JAVITS. Will the Senator from Tennessee include in his remarks the statements made by a great many distinguished Americans?

Mr. KEFAUVER. Yes. Mr. President, I ask unanimous consent that there may be printed at the conclusion of this colloquy the remarks made by several distinguished Americans, as published in the New York Times of yesterday.

Mr. JAVITS. I thank the Senator from Tennessee.

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

[From the New York (N.Y.) Times, May 26, 1963]

ORVIL E. DRYFOOS DIES AT 50; NEW YORK TIMES PUBLISHER

Orvil E. Dryfoos, president and publisher of the New York Times, died of a heart ailment shortly after 3 a.m. yesterday in the Harkness Pavilion of the Columbia Presbyterian Medical Center. He was 50 years old.

Mr. Dryfoos entered the hospital on April 15. Two weeks earlier, at the end of the 114-day New York newspaper strike, he had gone to Puerto Rico for a rest. But while there he entered San Jorge Hospital at Santurce, near San Juan.

Upon his return to New York, he went directly from the airport to the medical center.

During his final illness he was in good spirits and replied cheerfully to get-well messages. He said he was getting a good rest and hoped to be back on the job soon.

Mr. Dryfoos had had rheumatic heart disease as a young man. He first learned of it when it prevented his acceptance for military service in World War II.

Mr. Dryfoos is survived by his widow, three children, his mother and two brothers. Mrs. Dryfoos is the former Marian Effie Sulzberger, oldest child of Arthur Hays Sulzberger and Iphigene Ochs Sulzberger. Mr. Dryfoos succeeded Mr. Sulzberger as president and publisher of the Times. Mr. Sulzberger is chairman of the board of the newspaper.

The three Dryfoos children are Jacqueline Hays, born May 8, 1943; Robert Ochs, born November 4, 1944, and Susan Warms, born November 5, 1946.

Mr. Dryfoos lived at 1010 Fifth Avenue, near 81st Street, and at Rock Hill, Stamford, Conn. His mother, the former Florence Levi, now Mrs. Myron G. Lehman, lives at Carlton House. His father, Jack A. Dryfoos, died at the age of 52 in 1937. His brothers are Donald Dryfoos, of 301 East 47th Street, and Hugh Dryfoos, of 969 Park Avenue.

A funeral service will be held at 10 a.m. tomorrow at Temple Emanu-El, Fifth Avenue at 65th Street. The burial will be private. The family has requested that instead of sending flowers, friends make contributions to Dartmouth College, from which Mr. Dryfoos was graduated in 1934.

Mr. Dryfoos took over the duties of publisher of the Times from Mr. Sulzberger on April 25, 1961. He had been president of the New York Times Co. since 1957 and a director since 1954, when he was named vice president.

Beginning in 1943 he served as assistant to the publisher. For a year previously, he was on the Times' local reportorial staff. It was in that capacity that he began newsroom friendships that continued on a first-name basis for the rest of his life.

Mr. Dryfoos brought to his associates a genial disposition and a warm good nature that showed itself in his ready smile. An adjective frequently applied to his appearance was "boyish."

At the same time, he brought to the newspaper a dedication and a steadiness of judgment that met a severe test in the 16-week newspaper strike, the longest and costliest in the industry in this city.

The long negotiations were wearing on those who were to any degree involved. (During a lull, Mr. Dryfoos flew to Puerto Rico for a few days, but he was already feeling the effects of his illness and did not get the rest he had sought.)

An informal, unpretentious man, the publisher kept generally in the background during the tedious and sometimes rancorous talks. Yet he exerted a constant influence toward conciliation and a fair settlement.

He kept in mind the situation of newspapers in a weaker position, whose survival was threatened. There were times when he acted as a peacemaker and was instrumental in persuading negotiators to resume interrupted talks.

MOBILIZED RESOURCES

During the strike, the Times' working personnel dropped from about 5,000 to 900. Mr. Dryfoos and his advisers mobilized the 900 so that the newspaper could continue to publish its international and western editions and maintain its ancillary services as far as possible.

The 72 newspapers in the United States, Canada and overseas that subscribe to the New York Times News Service were given 20,000 words a night.

The Western edition of the Times, printed in Los Angeles since October 1, 1962, continued to receive most of its 80,000 words a day from the New York office.

The Western edition had been announced formally by the Times on October 31, 1961, after a year's study of the operation of the international edition, printed in Paris since October 1960.

Mr. Dryfoos had taken a primary role in the groundwork for the Western edition; the decision to go ahead with it was one of the major steps taken during his administration as publisher.

The international edition continued to receive an average of 36,000 words a night during the strike. WQXR, the Time's radio station, more than doubled its news broadcast time.

Throughout the long winter of dislocation, Mr. Dryfoos maintained contact with his staff, including those who were not at work.

He wrote a letter to employees at their home addresses early in the shutdown. Some of them replied to Mr. Dryfoos to express their appreciation of the tone of the letter.

On March 9, he wrote again, promising "a warm welcome" when the strike was over. And on March 31, when employees finally returned to work, they found a letter reproduced in Mr. Dryfoos' handwriting, beginning: "It's good to see you back at work."

To a friend, he wrote on March 14, when the end of the strike remained in doubt: "Certainly these 'hundred days' have been the most awful I have ever lived through." And, in a scrapbook begun when he was appointed publisher, a reproduction of the Associated Press bulletin, announcing the end of the strike, on March 31, lay yesterday at the top of a batch of unmounted material.

Apart from an ability to maintain a personal touch throughout his large organization, Mr. Dryfoos, as publisher strove to make

the Times more readable and more incisive while sacrificing none of the paper's comprehensive news coverage.

Mr. Dryfoos' first act as publisher, announced on April 25, 1961, was the appointment of John B. Oakes as editor of the editorial page. He kept in close touch with Mr. Oakes on editorial policy.

He also kept abreast of the daily news flow. He usually attended the daily news conference, at which the next morning's newspaper is planned.

The publisher also bore a heavy responsibility for the economic health of the paper. The Times operated on a profit margin so modest that it sometimes astonished men in other lines of business.

While Mr. Dryfoos, like Mr. Sulzberger and Adolph S. Ochs before him, felt that his primary task was to maintain the paper's independence and reliability, he also felt that it was necessary for the institutional strength and growth of the New York Times to improve its profit position. He made that one of his principal aims as publisher.

MARRIED IN 1941

Orvil Eugene Dryfoos joined the Times 6 months after his marriage on July 8, 1941, to the Sulzbergers' daughter. Mr. Sulzberger in 1935 had succeeded his own father-in-law, Mr. Ochs, as publisher.

"I was sensible enough to marry the boss' daughter," Mr. Sulzberger once remarked to Mr. Dryfoos, "and you were, too."

Marriage changed the course of Mr. Dryfoos' career. A sociology major at Dartmouth, he had obtained his bachelor of arts degree and then started as a runner in Wall Street. Eventually, he bought a seat on the New York Stock Exchange. Mr. Sulzberger urged him to join the Times.

"I was hesitant about coming in," Mr. Dryfoos once recalled. "I was enjoying my work downtown and doing fairly well, considering conditions then. When Mr. Sulzberger spoke to me about it, I thought about it for some time before I made my decision."

When, having made his decision, and joined the Times, Mr. Dryfoos was put into the city room. For a year he worked as a cub reporter and once had an unbroken string of 17 night assignments—an ordeal that gave him a lasting distaste for after-dinner speeches.

He also worked as a legman for more experienced reporters. Late in March 1942, he accompanied two of them to an arms plant in Bridgeport, Conn., where an explosion had killed three persons and injured many.

FOUND SATISFACTION

It was an assignment that gave the junior reporter great professional satisfaction.

As a reporter he never got a byline—an omission he occasionally referred to later with mild regret.

For a while, he was on the makeup desk. Then he was named assistant to Mr. Sulzberger. As an executive observer, he accompanied Times teams to every major party national convention, beginning in 1944.

As an administrator, Mr. Dryfoos made an outstanding record at the Times. He knew how to delegate responsibility and at the same time how to master intricate details himself. But none of his ultimate responsibilities lessened his ease of manner with his staff.

During the late hour negotiations in the Daily News strike last November that preceded the citywide shutdown, Mr. Dryfoos never failed to chat with his own and other reporters assigned to the meetings.

Orvil Dryfoos was born in New York on November 8, 1912. His father was in the textile business and was treasurer of a paper novelty manufacturing company. The boy was sent to the Horace Mann school, where he was on the soccer, tennis, and swimming teams. He also wrote a sports column called "The Dug Out" for the Horace Mann Record.

HONORARY DEGREE GRANTED

From Horace Mann he went to Dartmouth. In 1957 Dartmouth granted him an honorary master of arts.

Last June he received an honorary doctor of laws degree from Oberlin College.

His first job was with the brokerage firm of Asiel & Co., where he remained for 3 years. In 1937, as a partner in Sydney Lewinson & Co., he purchased a seat on the Exchange. He was an active trader until the end of 1941, and gave up his seat on the Exchange 8 years later.

A sketch of Mr. Dryfoos in the Times of April 26, 1961, on his appointment as publisher, noted that he "is not known as a 'driving' executive, although he can be firm when necessary," and that "he prefers to vest responsibility in competent men and let them carry out the duties to which they have been assigned."

Mr. Ochs, publisher of the Times from 1896 until his death on April 8, 1935, wrote in his will that it was the responsibility of the Times to be "an independent newspaper, entirely fearless, free of ulterior influence, and unselfishly devoted to the public welfare without regard to individual advantage or ambition, the claims of party politics, or the voices of religious or personal prejudice and predilection."

Under that will, Mr. Dryfoos eventually became one of three trustees controlling a majority of the voting stock of the Times. He succeeded Julius Ochs Adler, vice president and general manager, who died on October 3, 1955. The two other trustees were Mr. and Mrs. Sulzberger.

SETS FORTH GOAL

In a personal statement on the editorial page on his first day as publisher, Mr. Dryfoos wrote:

"I pledge that my associates and I will maintain vigilantly the high standards set by our predecessors."

Mr. Dryfoos became president of the company in 1957, and Mr. Sulzberger, remaining as publisher, became board chairman, a new position in the organization. Mr. Sulzberger's retirement as publisher came 4 years later.

Mr. Dryfoos was active in civic, educational, philanthropic, and publishing industry programs. He was a trustee of Dartmouth College and a lay trustee of Fordham University. He was a trustee and a member of the executive committee of the Rockefeller Foundation.

He served as a director of the New York Convention and Visitors Bureau, the Hundred Year Association of New York, the Fifth Avenue Association and the New York World's Fair 1964.

In 1963, when he retired as a director of the Bureau of Newspaper Publishers Association, he was awarded a bronze plaque for distinguished service to the newspaper business.

AIDED RED CROSS

In World War II he was vice chairman of the New York Red Cross Chapter's Blood Donor Committee. This was the forerunner of the peacetime blood donor program.

Mr. Dryfoos was a trustee of the Baron de Hirsch Fund. He belonged to the France-America Society, the American Australian Association, the Pan-American Society of the United States, the Pilgrims, and Sigma Delta Chi.

He was a member of Congregation Emanu-El.

His clubs included the Century Country of White Plains, the Dutch Treat, and the Century Association of 7 West 43d Street. His suburban address was 1219 Rockrimmon Road, Stamford.

Mr. Dryfoos was president and director of the Interstate Broadcasting Co., Inc. (WQXR), and various Times subsidiaries. He headed the New York Times Foundation, a corporation arranged for charitable purposes, and the New York Times Neediest Cases Fund.

[From the New York (N.Y.) Times, May 26, 1963]

KENNEDY AND OTHER LEADERS EXPRESS SYMPATHY

President Kennedy was among the many prominent persons from around the world who yesterday paid tribute to the late Orvil E. Dryfoos, publisher of the New York Times. The following are some of the many messages received here:

President Kennedy: "American journalism has lost one of its most distinguished figures today with the death of Orvil Dryfoos, publisher of the New York Times. That great newspaper has suffered a serious loss. Mr. Dryfoos will be sorely missed by those who knew and admired his integrity, courage, and his devotion to journalistic truth."

Secretary of State Dean Rusk: "I have learned with deep sadness of the untimely death of Mr. Orvil E. Dryfoos, president and publisher of the New York Times. His passing is a profound loss to journalism, to the public whom he so well served, and to the many, like myself, who valued him as a personal friend and a creative American."

Mayor Wagner: "I am shocked and saddened by the death of Orvil E. Dryfoos, who was an outstanding publisher, an outstanding citizen, and a friend whose memory I shall always cherish. He was a vital force in this community, a man who was never afraid to speak out for things in which he believed, and the good he did testifies to the kind of fine man that he was. Orvil Dryfoos was a man of broad interests, of penetrating viewpoint, of unchallengeable personal integrity; and most of all, he was a man of warmth, wisdom, and compassion—the kind of man we are proud to know as friend. New York City mourns his passing. All of us shall miss him greatly in the years to come."

Adlai E. Stevenson, U.S. representative at the United Nations: "I am shocked by the death of this young and brilliant man. His promise in journalism was limitless and I have lost an old and dear personal friend."

Secretary of the Interior Stewart L. Udall: "All of us in Washington who knew Orvil had the highest regard for his convictions and traits of character. By his thoughtfulness and his deep interest in the large and small problems of the world in a sense he personified the best traditions of the New York Times. He was deeply interested in the things that add quality to life, and this also gave him special distinction. It is tragic that his service to the nation has ended in the very prime of life."

Herbert H. Lehman, former Senator and Governor: "I am deeply shocked and saddened to hear of the untimely passing of Orvil Dryfoos. I have known him for a great many years and had a great affection and admiration for him. He was a great newspaperman and a great American. He will be sorely missed not only by his family and his countless friends but by the entire community which he served so well, I send heartfelt sympathy to his family."

Senator JACOB K. JAVITS: "He was one of the finest of men. Already a leading publisher, every sign pointed to greatness for him in his chosen field and in the unique position of his paper. We shall all miss a great and warm friend and an outstanding American."

Senator KENNETH B. KEATING: "Journalism has lost one of its most brilliant and distinguished leaders. His death is a tragic loss not only to the New York Times but the entire profession which he so responsibly and nobly served. His friends and admirers, of whom I was privileged to be one, are deeply saddened."

Bernard F. Gimbel, chairman of the board, Gimbel Brothers, Inc.: "In the untimely passing of Orvil E. Dryfoos, the newspaper world and the community has suffered a great loss. His character, ability and high sense of integrity and modesty, were inspirations to all. He enjoyed the affection and respect of everyone who knew him and will be missed by many."

Jack I. Straus, chairman of the board of R. H. Macy & Co.: "Orvil's death is a tragic blow to the newspaper profession, to the New York community and to the world. His brilliant and courageous leadership of his great institution was testimony to his character and unique ability. We have lost one of our city's great people and I have lost a fine personal friend."

Henry C. Alexander, chairman, Morgan Guaranty Trust Co. of New York. "The death of Orvil Dryfoos in the prime of his distinguished service to publishing and to the community is shocking and tragic. He filled with competence and unassuming modesty a place of high responsibility in the life and work of a great city. The condolence of all goes to his family and his associates on the great loss they have suffered."

Rev. Dr. Julius Mark, senior rabbi, Congregation Emanu-El: "His untimely passing was a severe shock not only to his associates but to his host of friends. He carried on the fine traditions of the Times. He was respected in his profession and won the esteem of newspapermen not merely in this country but throughout the world. His passing at so early an age is a tragic blow. The hearts of his innumerable friends go out in sympathy to his wife, his children, and to Mr. and Mrs. Arthur Hays Sulzberger."

Rabbi Maurice N. Eisendrath, president, Union of American Hebrew Congregations: "We join with the many persons throughout the world in mourning the loss of a distinguished leader in the field of journalism. His personal integrity and high ideals were reflected in the high standards for which the New York Times has come to be esteemed."

Very Rev. Laurence J. McGinley, rector and president, Fordham University: "New York and the publishing world have lost a very fine young leader who had a great vision and both the intellectual and moral stamina to do a great deal of good through the printed word. He had a very personal sympathy with good causes and he will be much missed by those of us who knew him and who are grateful to him for the fine example he gave in a very important sphere. This university is particularly sorry to lose him because he was a very cherished member of our board of lay trustees."

Trustees of Dartmouth College: "The trustees of Dartmouth College have lost in Orvil E. Dryfoos a beloved colleague. The warmth of his heart and the range of his knowledge were remarkable. In academic life, he remained in touch with the world that gives substance to the mind, but he never lost sight of the spiritual aspirations that give meaning to practical affairs. Dartmouth College will be ever in his debt, not merely for what he did, but also for what he was. His life was a noble example of what it means to be a liberally educated man."

Dr. John S. Dickey, president of Dartmouth College: "I have never known private responsibility to be borne as a public trust with more grace and greater fidelity than he brought to the leadership of the Times. Dartmouth College was the beneficiary of his devoted trusteeship. All who knew him were enriched by the generosity of his spirit."

Howard S. Cullman, honorary chairman, Port of New York Authority and president of Cullman Brothers, Inc.: "America has lost a great citizen and an outstanding, public-spirited publisher. I have lost a warm personal friend, whom I have admired all his life."

John Hay Whitney, editor in chief and publisher of the New York Herald Tribune: "No one knows a man quite as well as his competitors, and in the 2 years since he assumed control of the New York Times, we at the Herald Tribune came to know and admire Orvil Dryfoos. He was an asset to his newspaper. He presided over its recent expansion to the West Coast and he helped to maintain its finest qualities. But more than that, he was an asset to the entire newspaper community in this city and in the Nation as a man of good will, good taste, and constant interest in the value and function of news. For that, and more for the fine human qualities that made him a friend, we shall miss him."

Paul Miller, president of the Associated Press and the Gannett Newspapers: "I am shocked to learn of Orvil's passing. He was a wonderful friend and a dedicated publisher who put the call of his many responsibilities to his newspaper ahead of everything else. He will be sadly missed by many."

Pierre Lazareff, publisher and editor of France-Soir: "The death of Orvil Dryfoos throws newspapermen and newspapers throughout the world into cruel mourning. The New York Times and the one who was its most recent animator are examples and guides for our entire profession."

Henry L. Lambert, president of the New York Board of Trade: "His services not only to the Times, which he served so well, but to the community as well, will be missed."

Mims Thomason, president of United Press International: "Not only his family and the New York Times, but the entire profession, has suffered a great loss in the death of Orvil Dryfoos. It is twice a tragedy that his passing should have occurred so early in an already outstanding career."

Walter Thayer, president of the New York Herald Tribune: "Orvil Dryfoos and I became warm friends under one of the most difficult situations our newspapers, or the newspapers of this city, have ever faced: the long, drawn-out strikes that ended only 2 months ago. In that time, when public and private demands were at odds, when the need was for understanding and breadth of outlook, he showed himself to all involved as a man of deep personal integrity and complete selflessness. His concern had become the whole of the newspaper industry in the city and the Nation and he gave of himself unstintingly to solve its problems. To all those who dealt with him he was generous, intelligent and fine. His sudden passing is a sharp personal loss. It is a loss, too, to New York and to the Nation of which he was a leading citizen."

Richard D. Peters, editor of the New York World-Telegram and the Sun: "This is a great loss for American journalism. Mr. Dryfoos had wonderful enthusiasm for everything about newspapers and the men and women working with them."

F. M. Flynn, president of the Daily News: "Orvil's death is a deeply saddening shock to me. He was a loyal friend, a kind and generous person of great character. His firm belief in a strong and free press caused him to give untiringly of his time and ability to newspaper problems. The long hours and endless seeking for fair solutions to the recent labor controversies undoubtedly placed a heavy toll on his health. Newspapermen everywhere will share the loss which his associates at the New York Times must suffer. My most sincere and hearfelt sympathy is extended to Marian and other members of Orvil's family."

Miles H. Wolff, acting president of the American Society of Newspaper Editors and executive editor of the Greensboro (N.C.) Daily News: "The death of Orvil E. Dryfoos is a blow to American journalism. Although he was head of the New York Times only a short time, he had demonstrated that he was a worthy successor to Arthur H. Sulzberger and the late Adolph S. Ochs. His ability had brought him recognition as a leader in the newspaper industry. The American Society of Newspaper Editors joins the Nation in sympathy to his family and his associates on the New York Times."

Donald B. Abert, executive vice president and general manager of the Milwaukee Journal: "The Journal Company certainly extends its sympathy to the Times. It is a great shock to learn of the death of Mr. Dryfoos. His death is a great loss to the newspaper industry."

Jack Tarver, chairman of the board of the Bureau of Advertising of the American Newspaper Publishers Association and president of the Atlanta Journal and Constitution: "Mr. Dryfoos was one of the ablest working newspapermen I ever knew. He was a member of our board and I came to rely on him and his instinctive insight into our problems. As publisher of the New York Times, it would have been easy for him not to care about the problems of smaller papers but he showed that he did care and that he had an overall understanding of the industry. He had a tremendous grasp not only of the obligations of a newspaper but also of what it must have to serve the public and its readers."

Harold L. Bache, of Bache & Co.: "His devotion and accomplishments in the field of journalism will remain an inspiring example for many future generations."

Dr. J. George Harrar, president, Rockefeller Foundation: "The tragic and untimely death of Orvil Dryfoos is an irreparable loss to much more than the world of journalism. Mr. Dryfoos has been one of the clearest voices in the Nation in support of progressive effort towards the solution of problems involving race relations and equality of opportunity for all. As a trustee of the Rockefeller Foundation, he was a sensitive but strong and wise force. All of us share with his family a deep sense of personal sorrow."

George D. Woods, president of the International Bank for Reconstruction: "Orvil Dryfoos had great integrity and a kindly, sympathetic, understanding character with a fine training under his predecessor and father-in-law, Arthur Hays Sulzberger. He was at the threshold of a constructive career as one of our great newspaper publishers. His influence for sound liberalism and tolerance in national and international problems will be sorely missed. His family and friends have suffered a tragic and untimely loss."

Barrett McGurn, president of the Overseas Press Club: "Members of the Overseas Press Club stricken at tragic news. Sincerest condolences."

The Newspaper Guild of New York: "Mr. Dryfoos will ever be remembered by Guild members at the Times as an understanding and sympathetic employer, and by newspapermen everywhere as a publisher of vision who boldly expanded his great newspaper to national and international scope against the tide of so many newspaper closings."

John Costello, chairman of the Times unit of the Newspaper Guild: "We will remember Mr. Dryfoos for his friendly ways and his many acts of personal kindness."

Mr. KEATING. Mr. President, the death of Orvil E. Dryfoos brings a tremendous loss, both to journalism and to the Nation. The publisher of the New York Times was renowned for the guidance he provided his newspaper and for the interest and dedication he gave to his city, State, and Nation.

Personally, he will remain in my memory as one of the towering figures of our time in the field he so richly

honored by his gifts of spirit, of intellect, and of personal dedication.

Professionally, the excellence of the Times is its own eloquent testimonial to his genius as a newspaper executive.

Publicly, his devotion to serving the best interests of the people and his selfless efforts in the public service have won him the gratitude and respect of countless numbers the Nation over.

I join with the world in mourning his death.

VISIT TO TENNESSEE BY PRESIDENT KENNEDY

Mr. KEFAUVER. Mr. President, on Saturday, May 18, my State of Tennessee was honored by an all-too-brief visit by President Kennedy. I believe it was the first visit to Tennessee by a President in office since the administration of the late Franklin D. Roosevelt.

The welcome given President Kennedy was one of the warmest and most enthusiastic that I have ever seen the people of Tennessee give a distinguished visitor. Some 250,000 persons turned out to greet him during the approximately 3 hours he was in the capital of our State.

The high point of his visit, of course, was the President's speech before about 33,000 persons at Dudley Field, the Vanderbilt University stadium. He spoke on the occasion of the 90th anniversary of Vanderbilt. Not only was the speech interrupted many times by applause, but it was hailed by many distinguished Tennesseans as a great declaration of human rights and responsibilities. For example, Dr. Alexander Heard, the chancellor of Vanderbilt, called it "an educational state paper of the first importance." I am confident that it will be quoted for many years.

Mr. President, the entire proceedings at the Vanderbilt stadium, including the President's address as actually delivered, have been recorded in the Vanderbilt Gazette of May 22, and I ask unanimous consent that this report be printed at this point in the RECORD.

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

[From the Vanderbilt Gazette, May 22, 1963]

AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES COMMEMORATING THE FOUNDING OF VANDERBILT UNIVERSITY—RECORD OF THE PROCEEDINGS AT VANDERBILT STADIUM, MAY 18, 1963

Chancellor ALEXANDER HEARD (presiding). Please remain seated while the Reverend William C. Finch, Dean of the Divinity School of Vanderbilt University, gives the invocation.

Dean WILLIAM C. FINCH. Almighty and Eternal God, we thank thee for the vision of the founders of this university, for the high purpose of its creation in a time of national crisis, that unity might be restored and the peoples of this country be made one. We praise Thee for all who have shared in its service across these years and we pray Thy continued blessing upon Vanderbilt University as it moves into ever-enlarging service.

O God, bless our country. Upon the President of the United States and all those in authority let Thy benediction rest. In this day, alike of our peril and our opportunity, lift us up to be a force for freedom, for righteousness, and for peace. Above all, grant us a spirit of service which will abolish pride of place and inequity of opportunity.

Through Jesus Christ. Amen.

Chancellor HEARD. Ladies and gentlemen, Vanderbilt University welcomes you to this celebration of the 90th anniversary of its founding. We welcome especially the students and faculties of the schools, and colleges, and universities of Nashville and Tennessee. Vanderbilt is glad to be situated in a congenial city of many educational institutions. We have invited the chief executive of each of this community's 13 other institutions of higher learning to sit with our guest, on the platform, as a symbol of our welcome to them and of their welcome to him.

Vanderbilt is a private university in the public service. We are pleased that our guest chose to visit this State on the 30th anniversary of the signing of the congressional act creating the Tennessee Valley Authority. This act has made the name of Tennessee known in every spot on the globe where nations struggle for orderly and comprehensive development of their human and natural resources, under conditions of political liberty and economic opportunity, for the benefit of all the people. The three directors of the Tennessee Valley Authority are here with us on the platform. [Applause.]

It is our pleasure to share this occasion with the U.S. Army Corps of Engineers. In a few minutes, when the Commander in Chief of the Armed Forces speaks to you, he will begin excavation for the Cordell Hull Dam near Carthage, Tenn., by pressing a key that will explode the first charge of dynamite at the construction site. Nearer by, work on the Percy Priest Dam will also begin in the immedate future. These 2 projects are the seventh and eighth units in a system of 14 dams and reservoirs in the Corps of Engineers' program for the development of our Cumberland River Basin. I will ask four persons on the platform to stand, and I ask you to withhold your recognition until all of them have done so.

Mrs. J. Percy Priest, whose husband for many years represented this district in the Congress of the United States.

Lt. Gen. Walter K. Wilson, chief of the U.S. Army Corps of Engineers.

Brig. Gen. Walter P. Leber, division engineer for the Ohio River.

Col. James B. Newman III, division engineer for the Nashville District. [Applause.]

You will see in your program the names of persons who have been asked to add distinction to this occasion by their presence on the platform. They represent many phases of our political system through which the people of the United States govern themselves. I wish to ask certain of these to stand, after which you may give them a cheer.

The leader of the most significant current innovation in local government in America, the mayor of Metropolitan Nashville, the Honorable Beverly Briley.

Members of the U.S. House of Representatives from Tennessee: The Honorable Ross BASS, the Honorable ROBERT A. EVERETT, the Honorable JOE L. EVINS, the Honorable RICHARD FULTON. [Applause.]

I also ask to stand the following Senators of the United States: The Honorable ESTES KEFAUVER, of Tennessee; the Honorable ALBERT GORE, of Tennessee; the Honorable LISTER HILL, of Alabama; the Honorable JOHN SPARKMAN, of Alabama. And finally, the Governor of Tennessee, the Honorable Frank G. Clement. [Applause.]

Ninety years ago Vanderbilt University was born. It was born of a need, deeply felt; of a vision, clearly held; and of the essential means, wisely provided. The educational poverty of a section was a liability of the Nation. To help meet the need, a farsighted bishop projected a university, as he said, "of the highest order." To build and endow such a university, Commodore Cornelius Vanderbilt made a well-informed donation. Our country, rent by a civil war, needed desperately to be united. Commodore Vanderbilt, a northerner, suggested his purpose when he said:

"If Vanderbilt University shall through its influence contribute to strengthening the ties which should exist between all sections of our common country, I shall feel that it has accomplished one of the objects that led me to take an interest in it."

In the 90 years since, this institution has become a university with complex educational missions. It views the Nation as its campus and the world as its proper concern. Its students come here from all States in the Union and from many nations around the globe. It occupies a significant place in the community of American universities—these universities that have become the most effective agents of our highest national purpose: a just, enlightened, and productive life. Its achievement and its hopes spring from the labor and the devotion of many. They spring from the talent and dedication of its facilities and staffs, of its trustees, of its alumni, of its friends everywhere, and from the loyal support of this community where it lives. The university's hopes, and their fulfillment, have been the special concern of descendants of Commodore Vanderbilt. For individual achievement and philanthropy over multiple generations this famous family has few parallels in our history. Many Vanderbilts, over many decades, have given of themselves and their substance to this university in a glowing expression of social responsibility.

First among these is the present leader of the university's board of trust, Mr. Harold Stirling Vanderbilt, great-grandson of the founder. He has, to the regret of us all, been forced by illness to cancel his plans to attend these ceremonies and to present our guest, who is his friend of over 20 years. To represent all of the Vanderbilt family, we are honored to have on the platform two of its members, the Honorable William H. Vanderbilt, president of the Citizens' Research Foundation and former Governor of Rhode Island, and his son, William H. Vanderbilt, Jr. We will be grateful if these two gentlemen will stand so that you may see them to acknowledge their presence. [Applause.]

Now, ladies and gentlemen, Vanderbilt University welcomes to its campus and presents to you the President of the United States. [Applause.]

President JOHN F. KENNEDY. Thank you very much.

Mr. Chancellor, Mr. Vanderbilt, Senator Kefauver, Senator Gore, Congressman Fulton, Congressman Evins, Congressman Bass, Congressman Everett, distinguished guests, members of the judiciary, the Army Corps of Engineers of the Tennessee Valley, I first of all want to express my warm appreciation to the Governor and the mayor of this State and city and to the people for a very generous welcome. And particularly to all those young men and women who lined the streets and played their music for us as we drove in to the stadium. We are glad they are here with us and we feel the musical future of this city and State is assured. [Applause.]

Many things bring us together today. We are saluting the 90th anniversary of Vanderbilt University, which has grown from a small Tennessee university and institution to one of our Nation's greatest, with seven different colleges, and with more than half of its 4,200 students from outside of the State of Tennessee.

And we are saluting the 30th anniversary of the Tennessee Valley Authority, which transformed a parched, depressed, and flood-ravaged region into a fertile, productive center of industry, science, and agriculture.

We are saluting—by initiating construction of a dam in his name—a great Tennessee statesman, Cordell Hull [applause], the father of reciprocal trade, the grandfather of the United Nations, the Secretary of State who presided over the transformation of this Nation from a life of isolation and almost indifference to a state of responsible world leadership.

And, finally, we are saluting—by the recognition of a forthcoming dam in his name—J. Percy Priest [applause], a former colleague of mine in the House of Representatives who represented this district, this State, and this Nation in the Congress for 16 turbulent years, years which witnessed the crumbling of empires, the splitting of the atom, the conquest of one threat to freedom and the emergence of still another.

If there is one unchanging theme that runs throughout these separate stories, it is that everything changes but change itself. We live in an age of movement and change, both evolutionary and revolutionary, both good and evil—and in such an age a university has a special obligation to hold fast to the best of the past and move fast to the best of the future.

Nearly a hundred years ago Prince Bismarck said that one-third of the students of German universities broke down from overwork, another third broke down from dissipation, and the other third ruled Germany. I do not know which third of the student body of Vanderbilt is here today, but I am confident we are talking to the future rulers of Tennessee and America in the spirit of this university. [Applause.]

The essence of Vanderbilt is still learning—the essence of its outlook is still liberty—and liberty and learning will be and must be the touchstones of Vanderbilt University and of any free university in this country or the world.

I say two touchstones—yet they are almost inseparable, inseparable if not indistinguishable. For liberty without learning is always in peril, and learning without liberty is always in vain. This State, this city, this campus have stood long for both human rights and human enlightenment—and let that forever be true.

This Nation is now engaged in a continuing debate about the rights of a portion of its citizens. That will go on, and those rights will expand, until the standard first forged by the Nation's founders has been reached—and all Americans enjoy equal opportunity and liberty under law. [Applause.]

But this Nation was not founded solely on the principle of citizen rights. Equally important—though too often not discussed—is the citizen's responsibility. [Applause.] For our privileges can be no greater than our obligations. But the question of our rights can endure no longer than the performance of our responsibilities. Each can be neglected only at the peril of the other.

I speak to you today, therefore, not of your rights as Americans but of your responsibilities. They are many in number and different in nature. They do not rest with equal weight upon the shoulders of all. Equality of opportunity does not mean equality of responsibility. All Americans must be responsible citizens, but some must be more responsible than others, by virtue of their public or their private positions, their role in the family or community, their prospects for the future or their legacy from the past. Increased responsibility goes with increased ability—for "those to whom much is given, much is required."

Commodore Vanderbilt recognized this responsibility—and his recognition made possible the establishment of a great institution of learning for which he will be long remembered after his steamboats and railroads have been forgotten.

I speak in particular, therefore, of the responsibility of the educated citizen—including the students, the faculty, and the alumni of this great institution. The creation and maintenance of Vanderbilt University, like that of all great universities, has required considerable effort and expenditure. And I cannot believe that all of this was undertaken merely to give this school's graduates an economic advantage in the life struggle. [Applause.]

"Every man sent out from a university," said Professor Woodrow Wilson, "should be a man of his nation, as well as a man of his time."

You have responsibility, in short, to use your talent for the benefit of the society which helped develop those talents. You must decide, as Goethe put it, whether you will be an anvil or a hammer, whether you will give to the world in which you are reared and educated the broadest possible benefits of that education.

Of the many special obligations incumbent upon an educated citizen, I would cite three as outstanding: your obligation to the pursuit of learning; your obligation to serve the public; your obligation to uphold the law.

If the pursuit of learning is not defended by the educated citizen, it will not be defended at all. For there will always be those who scoff at intellectuals, who cry out against research, who seek to limit our educational system. Modern cynics and skeptics see no more reason for landing a man on the moon—which we shall do [applause]—than the cynics and skeptics of half a millennium ago saw for the discovery of this country. They see no harm in paying those to whom they entrust the minds of their children a smaller wage than they pay to those to whom they entrust the care of their plumbing.

But the educated citizen knows how much more there is to know. He knows that knowledge is power, more so today than ever before.

He knows that only an educated and informed people will be a free people—that the ignorance of one voter in a democracy imperils the security of all—and that if we can, as Jefferson put it, "enlighten the people generally * * * tyranny and the oppressions of mind and body will vanish, like evil spirits at the dawn of day." And, therefore, the educated citizen has a special obligation to encourage the pursuit of learning, to promote exploration of the unknown, to preserve the freedom of inquiry, to support the advancement of research, and to assist at every level of government the improvement of education for all Americans, from grade school to graduate school.

Secondly, the educated citizen has an obligation to serve the public. He may be a precinct worker or President. He may give his talents at the courthouse, the statehouse, the White House. He may be a civil servant or a Senator, a candidate or a campaign worker, a winner or a loser. But he must be a participant and not a spectator. [Applause.]

"At the Olympic games," Aristotle wrote, "it is not the finest and strongest men who are crowned, but they who enter the lists—for out of these the prize men are selected. So, too, in life, of the honorable and the good, it is they who act who rightly win the prizes." I urge all of you today, especially those who are students, to act, to enter the lists of public service and rightly win—or lose—the prize.

For we can have only one form of aristocracy in this country, as Jefferson wrote long ago when rejecting John Adams' suggestion of an artificial aristocracy of wealth and birth. It is, he wrote, the natural aristocracy of character and talent, and the best form of government, he added, was that which selected these men for positions of responsibility.

I would hope that all educated citizens would fulfill this obligation—in politics, in government, here in Nashville, here in this State, in the Peace Corps, in the Foreign Service, in the Government service, in the Tennessee Valley, in the world. You will find the pressures greater than the pay. You may endure more public attack than support. But you will have the unequalled satisfaction of knowing that your character and talent are contributing to the direction and success of this free society.

Third, and finally, the educated citizen has an obligation to uphold the law. This is the obligation of every citizen in a free and peaceful society—but the educated citizen has a special responsibility by the virtue of his greater understanding. For whether he has ever studied history or current events, ethics or civics, the rules of a profession or the tools of a trade, he knows that only a respect for the law makes it possible for freemen to dwell together in peace and progress.

He knows that law is the adhesive force in the cement of society, creating order out of chaos and coherence in place of anarchy. He knows that for one man to defy a law or court order he does not like is to invite others to defy those which they do not like, leading to a breakdown of all justice and all order. He knows, too, that every fellow man is entitled to be regarded with decency and treated with dignity. Any educated citizen who seeks to subvert the law, to suppress freedom, or to subject other human beings to acts that are less than human, degrades his inheritance, ignores his learning, and betrays his obligation.

Certain other societies may respect the rule of force—we respect the rule of law. [Applause.]

The Nation—indeed, the whole world—has watched recent events in the United States with alarm and dismay. No one can deny the complexity of the problem involved in assuring to all of our citizens their full rights as Americans. But no one can gainsay the fact that the determination to secure these rights is in the highest tradition of American freedom.

In these moments of tragic disorder, a special burden rests on the educated men and women of our country to reject the temptations of prejudice and violence and to reaffirm the values of freedom and law on which our free society depend.

When, 90 years ago, Bishop McTyeire proposed to Commodore Vanderbilt, the establishment of a university, he said, "Commodore, our country has been torn to pieces by a civil war * * *. We want to repair this damage." And Commodore Vanderbilt retorted, "I want to unite this country, and all sections of it, so that all our people will be one."

His response—his recognition of his obligation and opportunity—gave Vanderbilt University not only an endowment but also a mission. Now, 90 years later, in a time of tension, it is more important than ever to unite this country and strengthen these ties so that all of our people will be one.

Ninety years from now, I have no doubt that Vanderbilt University will still be fulfilling this mission. [Applause.] It will still uphold learning, encourage public service, and teach respect for the law. It will neither turn its back on truth and wisdom nor turn its face from newborn challenge. It will still pass on to the youth of our land the full meaning of their rights and their responsibilities. And it will still be teaching the truth—the truth that makes us free, and will keep us free.

Thank you. [Applause.]

Chancellor HEARD. The President will now press the key that will explode the charge that will begin excavation of the

Cordell Hull Dam. [Loud sound of explosion transmitted from damsite over public address system.]

President KENNEDY. Really, it shows how easy it is to be President.

Chancellor HEARD. These exercises now stand adjourned.

PROPOSAL TO MAKE KNOXVILLE, TENN., AN OPEN CITY

Mr. KEFAUVER. Mr. President, on May 15, the Knoxville News-Sentinel published an editorial entitled, "Let's Make Knoxville an Open City." The editorial called for a solution to discrimination in Knoxville "by common consent and not by force."

I commend the News-Sentinel for proposing this thoughtful, conscientious approach to a problem that has plagued many areas of our country, in both the South and the North. By this editorial, which has received much acclaim in letters to the editor since it was published, the News-Sentinel is rallying the same kind of courageous community leadership that such newspapers as the Memphis Press-Scimitar and the Nashville Tennessean, among others, have inspired for coping with similar problems in their areas of Tennessee.

Mr. President, I ask unanimous consent that the editorial from the News-Sentinel be printed at this point in the RECORD.

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

LET'S MAKE KNOXVILLE AN OPEN CITY

Let's open up.

The time has come when Knoxville, an all-American city, opened up to all Americans. We are convinced of this and urge it upon this community.

This means admit everybody to every place that caters to the general public—to the movies, the stores, the hotels, motels, and to the private hospitals.

And let's do it by common consent and not by force. This calls for leadership from Knoxvillians of all races and faiths—from the mayor and other public officials, civic clubs, the churches, the educators, and above all the business and professional people. There will be difficulties, yes, but what are difficulties to a city whose people in recent years have given Knoxville its nationally famous facelift with an auditorium-coliseum, mall, promenade, and the many other physical and esthetic achievements? It can be done and we believe the time is now.

We are weary and ashamed of the violence which occurred in Little Rock, New Orleans, Albany, Greenwood, Birmingham, and Nashville. A new industry will think long and hard before opening in any of them. Knoxville can avoid this by taking down no admittance signs and becoming an all-American city.

Our local schools are on the way to desegregation. All of our public, tax-supported facilities are open to everyone. But many of our eating places still bar Negroes. So do our movies, even though Nashville and Atlanta theaters admit them.

This newspaper contends that private concerns are entitled under law to admit whom they please and bar whom they please. But most who bar Negroes do so because they fear the loss of their white customers. We would like to see a concerted community movement to persuade all business establishments to open their doors to everyone, and a like movement pledging all customers to patronize these establishments. We urge men and women of good faith to take up this challenge and give it a try.

Meanwhile, pickets, disband. Even if your resistance is passive, it will get out of hand. Look at Birmingham. Look at Nashville.

Discrimination in use of facilities open to the public cannot be harbored by anyone who really believes in either the Christian religion or the Constitution of the United States—or in democracy. Knoxville has a chance to prove that she is not only an all-American city, but a southern one. The true southerner was a gentleman.

"GENERAL PATTON, OLD 'BLOOD AND GUTS', HAD ANOTHER SIDE"—ADDRESS BY SENATOR BOGGS

Mr. STENNIS. Mr. President, at a recent meeting of the Senate breakfast group, our esteemed colleague, the distinguished junior Senator from Delaware [Mr. BOGGS], delivered an excellent address regarding the late Gen. George Patton, dealing with some of the personal facets of his life. As always, the remarks of the Senator from Delaware were extremely worthwhile. In this instance, he presented, in a most clear and attractive way, valuable thoughts about this fine soldier.

I ask unanimous consent that the remarks of the distinguished Senator from Delaware be printed at this point in the RECORD, so that they may thus be shared with all Senators and the public.

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

GENERAL PATTON—OLD "BLOOD AND GUTS"—HAD ANOTHER SIDE

(Remarks by Senator J. CALEB BOGGS at Senate breakfast group, May 22, 1963)

Major Cooper's achievement, his appearance yesterday before the joint session, and his humble and modest manner—with his deep reliance upon God—I am sure have been an inspiration to all.

We could dwell this morning on Major Cooper's faith and courage, but I planned my talk around another military man in recognition of our Armed Forces and observance of Armed Forces Day. We are all living in dangerous times of conflict and revolution and of exciting new adventure, each of us fighting a battle every day in one way or another. Steadfast faith in God is essential, and I thought we might find some encouragement in the spiritual experience of an unusual man best known as a hot war battle leader.

The man is Gen. George Patton, who did his utmost to live up to his "Blood and Guts" nickname. He was so colorful, in fact, that the spiritual side of his nature has been almost completely obscured in the popular impression of him.

A little story will help illustrate the point.

At one time in Europe a dozen clergymen visited his 3d Army Headquarters. They were surprised, because of General Patton's rough and tough reputation, to be treated with dignity and courtesy. As the interview neared its end, Patton apparently sensed the clergymen felt something was lacking.

At this point one of them noticed a Bible on Patton's desk.

"General, do you read the Bible?" he asked.

To which the General quickly shot back: "Dammit, I read it every day."

Apparently the clergymen left with the feeling that the general had at least in part lived up to his crusty character.

I felt something of the same reaction as these clergymen when I was privileged to be a part of General Patton's command in the European Theater. At the time I was a division staff officer, and remember that when I first had the occasion to be at a dinner with General Patton, he displayed a kind and gracious manner. It was difficult to fit this in with the stories which were always circulating about his tendency to "chew out" a subordinate and even be critical of higher ups.

As time went on, I came to appreciate the fact that there were actually two General Pattons.

On public view was the spit-and-polish general with the colorful uniform and ever-present pistols, leading his men with dash and a bold disdain for his own safety. This was the tough-bitten, two-fisted man who knew one battle plan—"attack" and one goal—"victory."

But to his friends and family General Patton was another man—kind, compassionate, and deeply religious. He had a faith sufficient to move the mountains of obstacles between his army and victory.

Another story helps illuminate this faith.

Rain had mired down his 3d Army at a critical point in France. General Patton knew he needed help, and he summoned a chaplain to his tent. One version of the exchange between the two goes this way:

"Father," said the general bluntly, "I never bother the Lord for help unless it's something pretty important. Well, this is one time I need help. This rain is beating hell out of us worse than the Nazis. I want it to stop."

The chaplain raised his eyebrows in disbelief. "General, you certainly don't expect me to stop it."

"By God, I'll say I do," the general retorted. "You're my liaison man with 'Supreme Headquarters' up there." He pointed to the heavens. "Now you get to work and rustle up a powerful prayer that we can pass out to the men."

"But General Patton," the badly shaken chaplain protested, "it—it just can't be done. It isn't right."

In rather forceful language, Patton insisted it was right, and what's more he would be getting another chaplain if it wasn't done right.

At this the chaplain went back to his tent. A few hours later the prayer was delivered to the general's headquarters.

Patton read it carefully:

"Almighty and most merciful Father, we beseech Thee humbly, of Thy great goodness, to restrain these immoderate rains with which we have to contend. Grant us fair weather for battle. Graciously harken to us as soldiers who call upon Thee that, armed with Thy power, we may advance from victory to victory and crush the oppression and wickedness of our enemies, and establish Thy justice among men and nations. Amen."

When he had finished the general looked up, satisfied.

"Have copies of this run off and passed out to the men," he said. "And tomorrow morning, I want to see every man at services down on his knees praying."

Late the next afternoon, the rain stopped and the sun came out. General Patton's faith was vindicated, and the chaplain learned something in the bargain, I imagine.

It was not at all unusual for General Patton to mention God in his messages to his troops.

Before landing in North Africa, for instance, his message included the paragraph:

"A pint of sweat will save a gallon of blood. The eyes of the world are watching us. The heart of America beats for us. God is with us. On our victory depends the

freedom or slavery of the human race. We shall surely win."

And he recorded the following sentiment in his diary during the Sicilian campaign:

"Went to church with General Gay. We had a new preacher, at my insistence, who was good. He preached on the willingness to accept responsibility, even to your own hurt. I pray daily to do my duty, retain my self-confidence, and accomplish my destiny. No one can live under the awful responsibility I have without Divine help. Frequently I feel that I don't rate it."

Later, in Europe, he made this typical reference to the weather and the Lord:

"On November 7, 1942, there was a storm but it stopped at 1600. All day the 9th of July, 1943, there was a storm, but it cleared at dark. I know the Lord will help us again. Either He will give us good weather or the bad weather will hurt the Germans more than it does us. His will be done."

It may be difficult for some to understand just how a man could be completely devoted to the art of destroying the enemy and yet remain so close to his Maker. But that was the unusual character of General Patton. He was proud and yet humble, stern yet likable, coarse yet with a poetic nature, and religious yet profane.

His character was formed along military lines even in his California boyhood. Though his family wanted him to enter the ministry, he had his mind made up to be a military commander, and his resolve never wavered.

He showed his courage and skill in the Mexican border dispute, then saw active service in World War I. Between the world wars, he was an outstanding swordsman, polo player, and rider after the hounds. But when war broke out he was ready and eager for battle and his skill and daring probably shortened the war and certainly saved American lives.

And while his exploits made the front pages, and war correspondents loved to write about his language and clothes and swashbuckling ways, few apparently penetrated the inner man. I'm sure that is the way General Patton wanted it. His flamboyant displays probably helped mold a better fighting force, and this was in line with his constant concentration on victory.

I recall another time when I had occasion to see General Patton at close quarters. Again I was impressed with his dignity and devotion to duty—combined with a deep-seated feeling for the lives of the individual men he was leading. He stopped at an old chateau east of Nancy, France, across the Moselle River. It was just before another big attack, and he was emphasizing the necessity to push forward regardless of obstacles.

Instead of a strutting, loud-talking leader of troops in the field, however, he was quiet and reserved and altogether a gentleman.

Incidentally, I remember, too, that in the shelter of that old chateau, we saw the movie "Going My Way" with Bing Crosby and Barry Fitzgerald. It was most impressive.

There are many passages from the Bible which may have been favorites of General Patton in his daily reading, and I have to guess what may have particularly appealed to him.

Psalm 27, in which David speaks of his faith in God, is one which he may have liked. Though you all are perhaps familiar with it, I'll read it in part:

"The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom shall I be afraid?

"When the wicked, even mine enemies and my foes, came upon me to eat up my flesh, they stumbled and fell.

"Though an host would encamp against me, my heart shall not fear; though war should rise against me, in this will I be confident."

Yes, General Patton must have noted the message in that psalm.

Besides praying, this versatile man also composed prayer, and the one entitled "A Soldier's Prayer" is the best known. I quote:

"God of our Father, Who by land and sea has ever led us on to victory, please continue Your inspiring guidance in this the greatest of our conflicts.

"Strengthen my soul so that the weakening instinct of self-preservation, which besets all of us in battle, shall not blind me to my duty to my own manhood, to the glory of my calling, and to my responsibility to my fellow soldiers.

"Grant to our armed forces that disciplined valor and mutual confidence which insures success in war.

"Let me not mourn for the men who have died fighting, but rather let me be glad that such heroes have lived.

"If it be my lot to die, let me do so with courage and honor in a manner which will bring the greatest harm to the enemy, and please, oh Lord, protect and guide those I shall leave behind.

"Give us the victory, Lord."

General Patton was speaking of conditions of war, of course, but the thoughts in his "Soldier's Prayer" are well for us to ponder in our daily struggle to fulfill our responsibilities in a world too prone to disaster. Our souls need strengthening. We need Divine guidance. We seek the victory of universal freedom in the world. And the battle is a long and costly one.

After the war, General Patton returned to the United States a conquering hero, and he reflected to the hilt the popular picture of the colorful and dashing war general which had been painted in accounts of his campaigns.

But after a tumultuous parade in Boston, he went to San Gabriel, Calif., to the little Episcopal Church of Our Saviour, where he had been baptized and confirmed. Earlier he had made a vow to return. "God has been very good to me," he had written, "and I'd like to go there and give thanks to Him."

This he did, kneeling alone in the small church.

He then spoke to a wide-eyed group of boys and girls in their Sunday best to the effect that he had found much comfort in religion during battle. He urged them to cultivate their religious life.

And he stood before them, erect, a proud old soldier, and led the Sunday School in singing his favorite hymn, "Onward, Christian Soldiers."

There was a sad sequel to this appearance at the San Gabriel Church. A few months later, General Patton was killed in an automobile accident in Europe, and the church was the scene of a memorial service for him.

The Right Reverend W. Bertrand Stevens, bishop of the Los Angeles diocese, talked of the youth who had gone forth from this community to fight his way across war-torn Europe and into world history. He talked of the old warrior's love of rumbling tanks. He mentioned General Patton's characteristic poem, "God of Battles."

Just before a bugler sounded "taps," Bishop Stevens read these lines from "God of Battles":

"From pride and foolish confidence,
From every weakening creed,
From the dread fear of fearing
Protect us, Lord, and lead."

WILL THE KREMLIN'S INTERVENTION CAUSE THE UNITED STATES TO PAY MORE TO DICTATOR FRANCO?

Mr. GRUENING. Mr. President, on February 6, 1963, the question of negotiations with Spain for the possible extension of our military bases there came up in the Senate. On this occasion, the chairman of the Committee on Armed Services, the distinguished senior Senator from Georgia [Mr. RUSSELL], said:

It is very difficult for me to understand why there should be any difficulty whatever in extending the lease on the bases in Spain. I do not recall the exact amount of money we expended to construct these installations, but I am confident it will run to more than a billion dollars. They are utilized by the Spanish forces, as they are by ours, and they are the finest military establishments of their kind in the world. They are jointly occupied. For example, the great naval base at Rota has both Spanish and American naval units and headquarters.

We have fallen into the habit lately, Mr. President, of doubling and tripling the payments which we are making to countries in which such bases are located, without the slightest justification therefor. For example, we increased payments to Libya by more than 100 percent to be permitted to retain the Wheelis Air Base in that country. The fact that the base is there is one of the chief props of the Libyan economy because of the money spent there by American personnel, yet we have found it expedient to more than double the payments which were previously made.

I sometimes think, Mr. President, that when the Congress does not allow all the appropriations requested for the so-called foreign aid program, the executive branch of the Government finds ways to supplement the funds available by payments of this kind, which are completely unjustified and uncalled for and when so spent defeat and circumvent the intent of Congress.

I know of no reason why there should be an increase of any kind in any payments for these bases. We have been very generous to Spain. We have remodeled their navy. We have furnished planes for their air force. We have supplied them a great deal in the way of agricultural products under Public Law 480. I would certainly be disturbed to believe that Spain was about to demand a great increase. I hope that those who are conducting the negotiations on the part of the U.S. Government will have some little consideration for the American taxpayers as they go about their negotiations; that they will make a real effort at bargaining; and that they will point out the fact that any increase in the payments for these bases is completely unjustified. I say this as a friend of Spain and the Spanish people—who voted to earmark the first funds for Spain that brought that country into the mutual assistance program.

The Senator from Georgia was supported by the ranking Republican member of the Committee on Armed Services, the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], who expressed wholehearted accord with his views.

Now that negotiations are again being resumed, there is an interesting new angle in that the Kremlin has injected itself into this issue. Although Madrid and Moscow maintain no diplomatic relations, the Soviet Union took it upon itself to warn Spain that U.S. submarines should not be allowed to carry Polaris missiles while operating from bases in Spain.

According to Paul Hofmann, writing for the New York Times from Madrid, the interesting aspect of this strange intrusion is that these Soviet threats were viewed in Madrid as providing the Spanish government with a fresh argument in its effort to exact better financial terms

for the extension of the accords on our bases there. Spain, he relates, is pressing for more U.S. aid.

This is exactly what has been forecast by other Members of the Senate and by myself. The acid test of U.S. commonsense, determination, and backbone is whether we are going to continue to be blackmailed by foreign governments which are allegedly anti-Communist and presumably, in the conflict between the Western World and the Communists, on our side. Of course, there is no reason to believe that Dictator Franco is a great friend of freedom, as we understand and practice it; as it is practiced in other West European countries, in Canada, and in Mexico. Quite the contrary. His policies during his long dictatorship have demonstrated suppression of the basic liberties—freedom of press, assembly, and worship. But U.S. recent policy has been consistently that no matter what a dictator's attitude toward freedom, what his internal policies may be, whether he be honest or crooked, provided he alleged himself to be a foe of communism he would have our support. I think that has been most unwise policy.

It will be interesting to see whether this intervention of the U.S.S.R. in United States-Spanish relations will assist Dictator Franco in seeking to exact from the United States additional aid in exchange for the military bases we have or desire there. The fact is that we have already given him far too much. Elsewhere we have seen the United States yielding feebly to governments to which we have given not only bases and extensive economic aid, but also military aid, and have allowed them even to "raise the ante" for the privilege of helping defend their freedoms, as well as our own.

The time has come to demonstrate clearly and unmistakably that while these arrangements have been, in the past at least, mutually beneficial, we do not intend to be bled or blackmailed henceforth.

I ask unanimous consent that Paul Hofman's article, entitled "Soviet Says Spain Is Periled by United States," with the subtitle "Madrid Sees Note on Bases as a Diplomatic Weapon," be printed at this point in the RECORD, in connection with my remarks.

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

SOVIET SAYS SPAIN IS IMPERILED BY UNITED STATES—MADRID SEES NOTE ON BASES AS DIPLOMATIC WEAPON

(By Paul Hofmann)

MADRID, May 25.—The Soviet Union warned Spain early this week not to allow U.S. submarines that carry Polaris missiles to operate from bases in Spain.

The Spanish regime appeared to be pleased with the warning because it seemed to sense that it could make diplomatic capital of the Soviet threats in its dealings with the United States.

The Soviet threats were seen here as providing Madrid with a fresh argument in its efforts to obtain better terms for the extension of the accords on U.S. military bases in Spain. The accords expire in September. Spain is pressing for more U.S. aid and such political concessions as membership in the North Atlantic Treaty Organization.

All newspapers reported a Foreign Ministry statement on the Soviet communication on their front pages. The press was permitted to publish the news after Generalissimo Francisco Franco and Foreign Minister Fernando Maria Castiella y Máiz conferred for 3 hours yesterday afternoon.

The Spanish Ambassador in Washington, Antonio Garrigues y Diaz-Canadate, who is here for consultations, attended the meeting.

WANTS ACCORDS RENEGOTIATED

Spain wants to renegotiate the accords that provide for the use by U.S. forces of a network of U.S.-built installations across this country. The military facilities include the naval air station of Rota in the Bay of Cadiz on Spain's Atlantic coast, which has been mentioned as a possible base for nuclear-powered submarines carrying Polaris missiles.

The Soviet warning was sent to Spain and other Mediterranean nations last Tuesday. It said that the stationing of Polaris submarines in their regions would expose their peoples to the danger of nuclear reprisals in case of an attack.

Madrid and Moscow maintain no diplomatic relations. The Soviet Ambassador in Paris handed his Government's note to the Spanish Ambassador Tuesday. Today's press announcement said the Spanish Government was "studying" the Soviet communication.

No explanation was offered why the Spanish public was allowed only today to learn of the Soviet warning.

Similarly, last month state censorship delayed the publication of an exchange of messages between Premier Khrushchev of the Soviet Union and General Franco for a whole week.

Mr. Khrushchev had asked General Franco to show clemency for Julian Grimau Garcia, a Spanish Communist leader who was sentenced to death by a court-martial here. Mr. Grimau was executed April 20 and General Franco said in a reply to Premier Khrushchev that the atrocities Mr. Grimau had committed during the Spanish civil war precluded mercy.

ADM. BEN MOREELL ADDRESSES NATIONAL DISTINGUISHED SERVICE AWARD PRESENTATION CEREMONIES AT ACA WASHINGTON RECEPTION

Mr. MUNDT. Mr. President, many Members of Congress and several hundred citizens from the Washington area and from around the country gathered in the Presidential Room of the Statler-Hilton Hotel in Washington last Thursday for the second biennial presentation ceremonies at which the distinguished service awards made by Americans for Constitutional Action are given to Members of Congress whose voting records in the indices published by Americans for Constitutional Action meet the performance criteria for sound and progressive government and meet their standards of propriety. Adm. Ben Moreell, distinguished former wartime head of the Seabees and widely recognized American patriotic leader, made the presentations on behalf of Americans for Constitutional Action which he serves as national chairman.

In his presentation address, Chairman Ben Moreell took the occasion to put on the public record the purposes and programs of Americans for Constitutional Action. Distinguished service plaques were presented to a total of 154 Senators and Congressmen. In addition, a number of plaques were presented to former Members of Congress including, I am pleased to note, former Senator Joseph Bottum, Jr., from South Dakota. Awards were made to both Democrats and Republicans without regard to partisanship since Americans for Constitutional Action is a completely nonpartisan organization which supports candidates and causes without regard to political consideration so long as they conform with the standards and criteria for sound government as reflected in the constitution and bylaws of Americans for Constitutional Action.

For the information of the Congress and the country, therefore, I ask unanimous consent that there appear at this point in my remarks the full text of the awards presentation address made by Ben Moreell together with the list by States of the sitting Members of Congress who were recipients of the 1963 distinguished service awards.

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

The complete list of Senators and Representatives who are recipients of the Americans for Constitutional Action Second Biennial Distinguished Service Award are as follows:

Arizona (2): Senator BARRY M. GOLDWATER; Representative JOHN J. RHODES.

Arkansas (1): Senator JOHN L. MCCLELLAN.

California (10): Representative WILLIAM S. MAILLIARD, Representative CHARLES S. GUBSER, Representative J. ARTHUR YOUNGER, Representative CHARLES M. TEAGUE, Representative H. ALLEN SMITH, Representative GLENARD P. LIPSCOMB, Representative ALPHONZO BELL, Representative CRAIG HOSMER, Representative JAMES B. UTT, Representative BOB WILSON.

Colorado (3): Senator GORDON ALLOTT, Senator PETER H. DOMINICK, Representative J. EDGAR CHENOWETH.

Delaware (1): Senator JOHN J. WILLIAMS.

Florida (4): Senator SPESSARD L. HOLLAND, Representative A. SYDNEY HERLONG, JR., Representative JAMES A. HALEY, Representative WILLIAM C. CRAMER.

Georgia (1): Senator RICHARD B. RUSSELL.

Illinois (9): Senator EVERETT MCKINLEY DIRKSEN, Representative EDWARD J. DERWINSKI, Representative HAROLD R. COLLIER, Representative ELMER J. HOFFMAN, Representative JOHN B. ANDERSON, Representative LESLIE C. ARENDS, Representative ROBERT H. MICHEL, Representative PAUL FINDLEY, Representative WILLIAM L. SPRINGER.

Indiana (7): Representative CHARLES A. HALLECK, Representative E. ROSS ADAIR, Representative RICHARD L. ROUDEBUSH, Representative WILLIAM G. BRAY, Representative EARL WILSON, Representative RALPH HARVEY, Representative DONALD C. BRUCE.

Iowa (6): Senator BOURKE B. HICKENLOOPER, Senator JACK MILLER, Representative JAMES E. BROMWELL, Representative H. R. GROSS, Representative CHARLES B. HOEVEN, Representative BEN F. JENSEN.

Kansas (4): Representative BOB DOLE, Representative WILLIAM H. AVERY, Representative ROBERT F. ELLSWORTH, Representative GARNER E. SHRIVER.

Kentucky (2): Senator THRUSTON B. MORTON, Representative EUGENE SILER.

Louisiana (1): Representative JOE D. WAGGONNER, JR.

Maine (1): Representative CLIFFORD G. MCINTIRE.

Massachusetts (4): Senator LEVERETT SALTONSTALL, Representative WILLIAM H. BATES, Representative JOSEPH W. MARTIN, JR., Representative HASTINGS KEITH.

Michigan (8): Representative GEORGE MEADER, Representative AUGUST E. JOHANSEN, Representative GERALD R. FORD, Representative CHARLES E. CHAMBERLAIN, Representative

JAMES HARVEY, Representative ELFORD A. CEDERBERG, Representative VICTOR A. KNOX, Representative WILLIAM S. BROOMFIELD.

Minnesota (4): Representative ALBERT H. QUIE, Representative ANCHER NELSEN, Representative CLARK MACGREGOR, Representative ODIN LANGEN.

Mississippi (4): Senator JAMES O. EASTLAND, Representative JOHN BELL WILLIAMS, Representative ARTHUR WINSTEAD, Representative WILLIAM M. COLMER.

Missouri (2): Representative THOMAS B. CURTIS, Representative DURWARD G. HALL.

Montana (1): Representative JAMES F. BATTIN.

Nebraska (5): Senator ROMAN L. HRUSKA, Senator CARL T. CURTIS, Representative RALPH F. BEERMANN, Representative GLENN CUNNINGHAM, Representative DAVID T. MARTIN.

New Hampshire (1): Senator NORRIS COTTON.

New Jersey (5): Representative MILTON W. GLENN, Representative JAMES C. AUCHINCLOSS, Representative PETER FRELINGHUYSEN, JR., Representative WILLIAM B. WIDNALL, Representative FRANK C. OSMERS, JR.

New York (14): Representative STEVEN B. DEROUNIAN, Representative FRANK J. BECKER, Representative ROBERT R. BARRY, Representative KATHERINE ST. GEORGE, Representative J. ERNEST WHARTON, Representative CARLETON J. KING, Representative CLARENCE E. KILBURN, Representative ALEXANDER PIRNIE, Representative HOWARD W. ROBISON, Representative R. WALTER RIEHLMAN, Representative HAROLD C. OSTERTAG, Representative CHARLES E. GOODELL, Representative JOHN R. PILLION, Representative WILLIAM E. MILLER.

North Carolina (1): Representative CHARLES R. JONAS.

North Dakota (2): Representative HJALMAR C. NYGAARD, Representative DON L. SHORT.

Ohio (13): Representative DONALD D. CLANCY, Representative PAUL F. SCHENK, Representative WILLIAM M. MCCULLOCH, Representative DELBERT L. LATTA, Representative WILLIAM H. HARSHA, JR., Representative CLARENCE J. BROWN, Representative JACKSON E. BETTS, Representative SAMUEL L. DEVINE, Representative WILLIAM H. AYRES, Representative FRANK T. BOW, Representative JOHN M. ASHBROOK, Representative FRANCES P. BOLTON, Representative WILLIAM E. MINSHALL.

Oklahoma (1): Representative PAGE BELCHER.

Oregon (1): Representative WALTER NORBLAD.

Pennsylvania (5): Representative WILLIAM H. MILLIKEN, Representative PAUL B. DAGUE, Representative JOHN C. KUNKEL, Representative HERMAN T. SCHNEEBELI, Representative GEORGE A. GOODLING.

South Carolina (3): Senator STROM THURMOND, Representative W. J. BRYAN DORN, Representative ROBERT T. ASHMORE.

South Dakota (3): Senator KARL E. MUNDT, Representative BEN REIFEL, Representative E. Y. BERRY.

Tennessee (1): Representative TOM MURRAY.

Texas (6): Senator JOHN G. TOWER, Representative BRUCE ALGER, Representative JOHN DOWDY, Representative OMAR BURLESON, Representative O. C. FISHER, Representative BOB CASEY.

Utah (1): Senator WALLACE F. BENNETT.

Virginia (8): Senator HARRY F. BYRD, Senator A. WILLIS ROBERTSON, Representative J. VAUGHAN GARY, Representative WATKINS M. ABBITT, Representative WILLIAM M. TUCK, Representative RICHARD H. POFF, Representative HOWARD W. SMITH, Representative JOEL T. BROYHILL.

Washington (3): Representative THOMAS M. PELLY, Representative JACK WESTLAND, Representative CATHERINE MAY.

Wisconsin (5): Representative HENRY C. SCHADEBERG, Representative VERNON W. THOMSON, Representative WILLIAM K. VAN PELT, Representative MELVIN R. LAIRD, Representative JOHN W. BYRNES.

Wyoming (1): Representative WILLIAM H. HARRISON.

REMARKS OF ADM. BEN MOREELL, CEC, U.S. NAVY, RETIRED, CHAIRMAN OF THE BOARD OF TRUSTEES, AMERICANS FOR CONSTITUTIONAL ACTION, AT THE RECEPTION FOR RECIPIENTS OF THE ACA DISTINGUISHED SERVICE AWARD, MAY 23, 1963, WASHINGTON, D.C.

Distinguished Members of the Senate and of the House of Representatives of the United States, honored guests, ladies and gentlemen, on behalf of the board of trustees of Americans for Constitutional Action, I welcome you to this reception. Our purpose is to honor those Senators and Representatives who are the recipients of the ACA second biennial distinguished service award.

A great philosopher once said, "If all men were angels we would need no laws." But few men, if any, are angels. So we must have laws which can be invoked to prohibit some from encroaching on the natural rights of others.

There is a hazard which inheres in lawmaking. History reveals the tendency of all governments to enact, not only laws which are designed to prevent violation of individual rights, but others which can and do act to restrict the creative energies of men, and thus to destroy individual freedom and to impede material progress.

Therefore, it is of vital importance that we have laws which are workable, equitable, and morally sound. This, in turn, requires that we must have lawmakers who are dedicated to the principles which undergird such laws.

We of ACA are devoting our energies to the achievement of this objective. We believe that the principles of the Declaration of Independence and the Constitution of the United States, as conceived by our Founding Fathers, constitute the solid foundation on which our people have erected the most beneficent social structure in the history of mankind. We want to conserve that structure by means of a government, not of men, but of laws which have been enacted by high-minded lawmakers.

ACA has prepared a declaration of eight basic principles of governmental, social, and economic policy which, we believe, stem from the Declaration and the Constitution. We call this our "credo." Also, we have formulated seven criteria or indexes which have been derived from those basic principles. These constitute the ACA code of practice which is used to calculate the voting records of legislators.

The credo is as follows:

ACA believes that the principles of constitutional conservatism, enunciated in the Declaration of Independence, and made operative by the Constitution, are as follows:

1. Man derives, directly from the Creator, his rights to life, to liberty, and to the means of acquiring and possessing property. These rights are inherent and inalienable. They are not mere privileges granted by government, subject to withdrawal at the whim of government, as may be decreed by political overlords.

2. To deprive a man of his God-given rights is to violate a natural law. This will call forth its own penalties, as does the violation of any natural law, moral or physical, as for example, the law of gravity.

3. No man has a right to deprive his posterity of their God-given rights. Just as he may not sell them into slavery, so may he not vote away their economic or political freedoms. Jefferson held that the act of deferring payment on the public debt, and thus imposing this burden on future generations, is tantamount to enslaving them.

4. The powers of government are obtained either from God, or by forcible seizure, or from voluntary delegation by the individual citizens. Long ago we rejected the doctrine of the "divine right of kings" as well as the "divine right of majorities." Nor do we concede the right of government to seize powers which belong to individuals. There remains only one morally sanctioned source of governmental power; i.e., delegation by individuals. But one cannot delegate that which he does not possess. It follows that governments can exercise, with moral propriety, only those powers which individuals first possessed and then delegated to government.

5. Because the essence of government is power, which is wielded by fallible human beings, safeguards must be erected against the expansion of government authority to make sure that the instrument forged to protect the rights of the people will not be used to destroy those rights.

6. To secure the blessings of economic freedom, from which all other freedoms flow, we must preserve a free market, with government intruding only to protect individual rights and to prevent predatory action. It is only under this system that the individual can exercise his freedom of choice effectively, using his dollars as ballots with which he can vote for those enterprises which serve him best.

7. Onerous or punitive taxation, including the cruelest tax of all, inflation, destroys economic freedom. It is unfortunate that we have carelessly surrendered freedom in the economic sphere, forgetting the old adage "whoso controls our subsistence controls us." Slavery is commonly thought of as ownership of one man by another. But no slaveholder would care about owning the man if he can own the products of the man's labor. A slave is a person to whom economic freedom is denied. From this premise the denial of all other freedoms follows.

8. For every right there is a collateral responsibility. The rights with which an individual is endowed by the Creator impose on him a duty to use those rights in conformity with the moral law as derived from such statements as the Ten Commandments and the Sermon on the Mount. From this source flows that inner restraint or self-discipline which is essential for a free social order. Edmund Burke said: "Society cannot exist unless a controlling power upon the will and appetite is placed somewhere; and the less of it there is within the more there must be of it without." Unless there is a generally prevailing individual self-discipline, which stems from devotion to the moral law, it is impossible to achieve that balance between public order and personal freedom which is essential for spiritual and material well being.

The criteria of ACA's code of practice are as follows:

1. For safeguarding the God-given dignity of the individual and promoting sound economic growth by strengthening constitutional government; against "group morality" and a socialized economy through centralization of government power.

2. For sound money and fiscal integrity; against inflation.

3. For a private, competitive market and individual freedom of choice, against Government interference by price fixing and controls.

4. For local self-government and the citizens' right to be let alone; against Central Government intervention in local government and private affairs.

5. For private ownership and control of the means of production and distribution; against government ownership and competition with private competitive enterprise.

6. For individual liberty, rights and responsibilities; against coercion of individuals through government regulation.

7. For strengthening national sovereignty.

The credo and code have been printed in small folders which are available for you here

tonight or to those who request them by mail addressed to Americans for Constitutional Action, 20 E Street NW., Washington, D.C.

In light of the many heated charges which have been launched against ACA recently by some who may be well-meaning, but assuredly have little understanding, a brief résumé of what ACA is, and what it is not, may be in order.

ACA is a nonpartisan, nonprofit, political action organization whose sharply limited and clearly defined objective is to help elect to the Congress of the United States men and women who are dedicated to the preservation of the basic principles of our free Republic. We call these persons constitutional conservatives, because they work to conserve the spirit and principles of the Constitution as originally conceived.

ACA carefully refrains from impugning the integrity, the patriotism, or the motives of any legislator. Our rating system is devised to indicate the probable impact of his votes on the original structure of the Constitution, as ACA sees it. Rating systems devised by others would probably show results which differ from ours. We have no quarrel with such systems. We do not claim infallibility for ACA, just as we do not concede infallibility to others.

ACA never indulges in character assassination, name calling, or other forms of vilification, direct or by implication. We are interested in principles, policies, and practices; not in personalities. We carefully avoid the practice, now so popular in certain circles, of convicting others of guilt by association, just as we wish to be absolved of such guilt.

ACA has no affiliation with any other organization, either of the right, the center, or the left. We are independent and self-sustaining. We act strictly within the limitations of our credo of principles and our code of practice. No one can impose the policies or practices of any other organization on ACA, nor has anyone ever tried to do so.

ACA is not critical of any legislator because of his voting record. We merely tabulate his votes and rate them by our indices, letting the chips fall where they may. We never make recommendations to any legislator nor do we inform him as to what action ACA thinks he should take. Our distinguished service award carries no implication that the legislator is in complete accord with our views. It is a token of honor and of our great esteem in recognition of his past voting performance as a constitutional conservative.

Now, I have the honor to present the awards. It would give me great pleasure to present each award individually, but because of the large number involved this would take too much of your time. I will, therefore, read the names of the States in alphabetical order, together with the names of those Senators and Representatives from that State who have earned and accepted the award. The plaques are all here and the recipients may take them with them or have them delivered by ACA, as they prefer.

The plaque reads as follows:

"AMERICANS FOR CONSTITUTIONAL ACTION

"The board of trustees has conferred upon John Doe the distinguished service award for a notable voting record in the Congress of the United States (during the period from 19____ to 19____), in support of those legislative measures which would serve to sustain, strengthen, and defend the spirit and principles of the Constitution of the United States as these were defined by the Founding Fathers of our Republic.

"Second biennial awards given at Washington, District of Columbia, on the 23d day of May in the year 1963.

"BEN MOREELL,
"Chairman, Board of Trustees.
"BONNER FELLERS,
"Recording Secretary."

There seems to be a growing disposition amongst certain of our better publicized theoreticians of political and social conduct to downgrade the noble traditions and the glorious history of our great free Republic and to promote the surrender of our national sovereignty to international bodies. It appears that they look forward eagerly to becoming citizens of the world, in exchange for their privilege of being citizens of the United States of America.

We must resist them at all costs. As a token of our resistance, I propose that this ceremony be concluded by joining together in singing one verse of our national anthem, under the leadership of Miss Marilyn Savage, after which, I trust you will remain to enjoy this heart-warming occasion.

Mr. MUNDT. Mr. President, in view of the fact that last Monday in the House of Representatives a small group of embittered or frightened speakers calling themselves liberals—but advocating the type of steadily expanding governmental controls and spending which actually qualify them as the Tories of yesterday who promoted big government and feared the results when the people themselves exercised their own initiatives—launched an attack on Americans for Constitutional Action and completely misrepresented both its purposes, its programs, and its position on the American political scene, I think it appropriate that there also appear in the CONGRESSIONAL RECORD at this point an earlier statement made by Ben Moreell, speaking as national chairman of Americans for Constitutional Action, on just what Americans for Constitutional Action does and does not do and just who does and who does not comprise its rank and file members and its governing body. Chairman Moreell made this statement on May 21, 1963:

It is the fixed policy of ACA to refrain from impugning the motives, integrity, or loyalty of a Senator or Representative. We do sometimes raise questions as to their judgment in their voting on specific issues.

ACA never resorts to "name calling" or other forms of vilification. We are interested in principles, policies, and practices, not in personalities.

ACA has tried to interpret the spirit and principles of the Declaration of Independence and the Constitution of the United States, as these were conceived by the Founding Fathers. We recognize that others may have different interpretations. We concede their right to have them. We do not claim infallibility.

ACA has no affiliation with any other organization of any kind, neither the John Birch Society, COPE, the ADA, the National Farmers Union, the Committee for an Effective Congress, the National Council of American Soviet Friendship, or any other. It has been stated that the ACA is dominated by the John Birch Society. This is not true. The affairs of the ACA are conducted by its board of trustees. I have no knowledge that any member of our board is a member of the John Birch Society. I have not inquired of the trustees on this point as this is a matter which does not concern me. I am concerned as to whether our trustees subscribe to and support the principles of ACA. The Honorable Charles Edison is listed as a member of the editorial advisory committee of "American Opinion," a magazine published by Robert Welch, Inc. Robert Welch is the head of the John Birch Society. I have heard rumors that one other trustee at one time endorsed the John Birch Society. Whether he did or did not is not relevant. I can assure you that the affairs of ACA are conducted strictly in accordance with our published principles, policies, and practices as these are defined in enclosure A. (Quotations which appear elsewhere in these remarks.) ACA has no way of knowing whether our supporters are or are not members of the John Birch Society or of any other organization.

The fact that ACA honors a legislator with its distinguished service award does not indicate that he is in complete agreement with the principles of ACA nor does it commit him to conform to ACA's principles in the future. There are no obligations attached to the award. It is merely a recognition of past voting performance as a constitutional conservative.

The foregoing clear-cut, straight-from-the-shoulder statement by Ben Moreell, an outstanding American whose reputation is so widely recognized and applauded that not one of Monday's critics of Americans for Constitutional Action had either the courage or the convictions to attack it, should for all time set at rest and refute the snide insinuations of guilt by association in which these critics engaged. Strangely but consistently, it appears the spokesmen for the embattled left in this country attack the concept of guilt by association whenever it injures one of their own but steadily and strongly employ this indefensible formula of character assassination whenever they feel it might discredit a respectable and responsible conservative organization or any individual American who shuns the socialistic programs advanced by Americans for Democratic Action and its excited associates.

Americans for Constitutional Action, Mr. President, is only 5 years old. I deem it a great tribute to this new and effective voice in American politics that the easy spenders and the seekers after extreme political power in our midst have started to "target in" on Americans for Constitutional Action. Could it be because Americans for Constitutional Action in the last congressional election supported or assisted in one way or another in primary or fall elections 184 candidates for public office and that, in all, 135 of them—both Republicans and Democrats—were elected? This is a rating of 74 percent effectiveness. Or could it be because Americans for Constitutional Action publishes at about quarterly intervals and finally in one complete annual report the exact voting records of all Members of Congress on votes dealing with national security, sound Government, preservation of our private profit and reward-of-merit economic system, maintenance of our constitutional freedoms and concepts and like criteria and that until Americans for Constitutional Action was organized no group in America made such a revealing analysis and report? Or could it be because Americans for Constitutional Action is one national, bipartisan, responsible, and effective political action organization that disdains the use of tax-exempt contributions but which does raise political dollars to fight for freedom and against some of the collectivistic programs of Americans for Democratic Action—ADA—and the Committee on Political Education—Walter

Reuther's COPE—and which in contest after contest where the issues were clear between candidates demonstrated voting citizens have supported the Americans for Constitutional Action position? Could it indeed be that because Americans for Democratic Action and the Committee on Political Education for so long had the field to themselves and thus became a highly effective third force in American politics that they now resent the fact that an equally effective opposition is developing as a fourth force in American politics in the form of Americans for Constitutional Action—ACA—and that these critics thus seek to destroy their opposition?

Mr. President, whatever the reason for these intemperate attacks, it can be said on the record without fear of contradiction that Americans for Constitutional Action under the chairmanship of Ben Moreell is a thoroughly respectable, dependable, patriotic, democratic, and effective political-action organization which dares to fight openly for what it believes to be right and which believes our American system is so consistently right that it is worth fighting for. I am informed that annual membership dues start with a minimum of $5 per year but that those who have interest or affluence enough to put more of their dollars into the fight for freedom are encouraged to make annual contributions or to pay membership fees sufficiently larger in order to help support the effort to stop the leftward drift and the socialistic slide which currently threatens America at home just as outright communism remains our most deadly foreign peril.

Americans for Constitutional Action national headquarters is located at 20 E Street NW., Washington, D.C., and membership checks and/or contributions may be sent there payable to Americans for Constitutional Action—Washington, D.C. Receipts and the regular mailings of the Americans for Constitutional Action voting indices and other informative material will be sent to all members, according to Charles McManus, the executive director of Americans for Constitutional Action. The trustees and officers of Americans for Constitutional Action as listed on its letterhead are as follows:

Americans for Constitutional Action, ACA, 20 E Street NW., Washington, D.C., RE. 7-3316.

Trustees—Ben Moreell, chairman, Washington, D.C.; Charles Edison, treasurer, West Orange, N.J.; Bonner Fellers, vice chairman, Washington, D.C., secretary; Howard Buffett, Omaha, Nebr.; Edgar N. Eisenhower, Tacoma, Wash.; Herbert Hoover, New York, N.Y.; Robert W. Johnson, New Brunswick, N.J.; Allan B. Kline, Western Springs, Ill.; Walter B. Martin, Norfolk, Va.; Philip M. McKenna, Latrobe, Pa.; Mrs. R. Templeton Smith, Pittsburgh, Pa.; Loyd Wright, Los Angeles, Calif.

Executive director: Charles A. McManus.

Finally, Mr. President, speaking as one who recognizes the right of such groups as Americans for Democratic Action—ADA—and of the Committee on Political Education—the political action group founded by the CIO and Walter Reuther known as COPE—and of the International Teamsters political action organization known as DRIVE to operate in our American political scene and to associate themselves with other groups—both political and nonpartisan in nature—to advance their concepts and their programs. I think and believe that those Americans who hold different concepts and have the desire, the money, and the energy to support them should have an equal right to work through such a national group as Americans for Constitutional Action.

I am sure the frightened cries of Congressmen whom they might oppose for reelection will not deter Americans for Constitutional Action. With a fourth force now available to counteract and challenge the successes of the Americans for Democratic Action, the Committee on Political Education third force, things seem to be shaping up for a fair fight. The ultimate victor will depend upon how many associates and members each force can attract and activate added to the correctness and the eternal values involved in the programs they espouse. To me, this is the American way in action. The challenge is clear—let Americans respond in conformity with their own convictions.

PROPOSALS FOR FEDERAL AID TO EDUCATION

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement made by Roger A. Freeman, senior staff member, the Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, Calif., before the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, on May 27, 1963.

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

STATEMENT OF ROGER A. FREEMAN, SENIOR STAFF MEMBER, THE HOOVER INSTITUTION ON WAR, REVOLUTION, AND PEACE, STANFORD UNIVERSITY, STANFORD, CALIF., BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, MAY 27, 1963

My name is Roger A. Freeman; I am a senior staff member of the Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, Calif. For the information of your committee I would like to mention that I directed the research for the education committee of the U.S. Commission on Intergovernmental Relations in 1954–55, was a consultant on school finance to the White House Conference on Education in 1955, and subsequently served on the White House staff. Previously I had been assistant to the Governor of the State of Washington. Opinions I may express are my own and do not necessarily reflect the views of any of the organizations with which I am or was connected.

I appreciate the invitation of your committee to testify on pending proposals for Federal aid to education and have prepared a statement which focuses primarily on aid to construction of academic facilities in institutions of higher learning (to which I shall refer from this point on as IHL); it is herewith submitted. Some of the considerations also apply to other parts of the education program.

The President in his message on education of January 29, 1963, emphasized the paramount importance of education to the well-being and security of the Nation and described the precarious situation which many of our schools, colleges, and universities face in adequately financing their activities. Since the end of World War II educational enrollment has jumped from 28 to 50 million, an increase of 76 percent. This was accompanied by a growth in funds from $4 billion to $29 billion which, when adjusted for the simultaneous loss in the value of the dollar, amounts to an increase of 334 percent. The share of the national income devoted to education meanwhile tripled—from 2.3 percent to 6.8 percent.[1]

But even this tremendous increase in financial support has not been enough, the President pointed out, to meet and correct some of the educational deficiencies which continue to plague us. Prompt action is called for.

Few will question that there is a strong national interest in education. Under a division of labor, such as was established by our Federal system of Government, each member—that is, each level of Government—has a vital interest in the activities and satisfactory performance at the other levels. The word "Federal" itself implies an obligation of mutual aid when needed. There is little doubt but that the National Government by imposing an exorbitant tax burden has made the financing of education more difficult. If States, communities, and institutions are unable to meet their educational responsibilities and the National Government has the necessary means at its disposal, then it appears proper that it render assistance. The crucial question to be decided concerns the most appropriate and effective method in which such aid can be given.

To deal with specific shortcomings in our educational system, the President formulated 24 programs which are incorporated in S. 580. His major plan of aiding IHL appears in "Title II, Part A: Higher Education Facilities."

FEDERAL LOANS FOR ACADEMIC FACILITIES

The President proposed Federal loans to IHL for the building of academic facilities, totaling $1 billion in the years 1964, 1965, and 1966. A similar plan, the college housing program, has been quite successful for the past dozen years in promoting and assisting in the building of dormitory and dining halls and other auxiliary structures. But doubt was expressed at these hearings in 1961, as well as 2 weeks ago, that a loan program would be particularly helpful in building academic facilities and, in fact, that it would be of any help to most IHL, public or private.

Long-term borrowing is employed for the financing of many types of construction but is not widely used to build academic facilities. In recent years less than 2 percent of the funds for instructional buildings came from the proceeds of institutional bonds. Residence and dining halls are commonly debt-financed because they produce sufficient income to service the securities which therefore constitute no drain on general revenues and may be regarded as self-financing. But the only income which academic buildings may be held to produce are the fees of the additional students whom the new structures accommodate.

IHL have shied away from debt-financed academic construction programs because debt retirement and interest would restrict the funds available for salaries and operations in future years. If institutions wished to engage in debt-financing, they could sell very substantial amounts of bonds in the market at reasonable interest rates. But IHL have, on the whole, been suppliers

[1] School Life (Office of Education), January 1963, p. 23.

rather than borrowers of funds in the money market: Their endowment and other funds total well in excess of $5 billion, growing at the rate of more than $300 million a year. What IHL need is not a market for their bonds but additional revenues. Those the Federal loan plan would not provide.

To finance expansion, private IHL prefer to rely on available funds and on donations which often are much easier to obtain for the construction of permanent (and name-bearing) buildings than for general operations. It is questionable whether even the somewhat lower Federal interest rate which Federal loans offer would cause many IHL to commit future income, although the 50-year terms might tempt some. At least 90 percent of the loan funds set aside for private schools under title III of the National Defense Education Act lapse each year for lack of applicants. Some institutions with an astute management could conceivably take advantage of Federal 50-year 3.5-percent loans for building, instead of using their own funds which they then would invest at higher rates of interest.

The proposed rate of interest is the same as under the college housing program: one-quarter percentage point above the average annual rate on all interest-bearing obligations of the United States. This equals presently 3.5 percent because most of the Federal debt is of short-term type. Federal long-term bonds now yield about 4 percent.

State constitutional and statutory restrictions prohibit most public IHL from incurring general debt without the approval of the legislature or the voters. State institutions usually finance their expansion from current State appropriations or through State bond issues which often bear a lower interest rate than Federal loans because they enjoy tax exemption. Few public IHL ever issue general obligation bonds for academic facilities.

All of this suggests that a loan program for academic facilities might not be widely used by IHL and would be of questionable value to institutions with inadequate revenues.

FEDERAL GRANTS FOR ACADEMIC FACILITIES

It has been suggested that the gap between needs and available resources for academic facilities ought to be filled by Federal grants to IHL, both public and private. Several of the major national organizations in higher education reached agreement on such a program in 1961 and have been advocating it ever since. Some, however, have objected. The American Association of University Professors, overruling its own council, resolved in 1962 to oppose a grant program that includes private IHL.

Several other organizations and individuals have taken a similar stand. Still others oppose Federal grants-in-aid to public and private IHL, because they deem them unnecessary and in the long run detrimental. But the main bone of contention for the past 2 years has been the inclusion of private IHL, because many of them are church related. To supply public funds to denominational institutions, it is held, would violate the constitutional principle of separation of church and state. Some suggested that the decision on the constitutionality could be left, or even referred, to the U.S. Supreme Court. But this satisfied neither side to the conflict.

Some of those who oppose the inclusion of private IHL in Federal grants are convinced that such a program would constitute a serious breach in the wall that separates church and state and must be prevented at all costs, regardless of what the Supreme Court might say in a particular case. They are unwilling to take the risk of letting the matter be decided by litigation.

The other side holds that to exclude private IHL from the benefits of the law, or to increase by some of the special clauses which have been suggested the likelihood of judicial proceedings which could lead to the same result, would be discriminatory, would gravely disturb the balance in and freedom of education and would jeopardize the future of private higher education. Its spokesmen point out that Federal programs in higher education have traditionally not distinguished between public, private secular, and church-connected institutions and have been available to all on equal terms, that private colleges labor under more severe financial handicaps than public colleges, that enrollment has long been shifting from private to public institutions, and that a new Federal program aiding public but not private IHL would lead to increasing difficulties and the demise of many private institutions. They insist that Federal benefits of any type must be available to all or to none.

Several organizations in higher education support Federal construction grants to public and private IHL. But some organizations representing the administrators and employers of the public elementary and secondary schools have lodged strong protests against the inclusion of private IHL in a Federal grant program. They are afraid that it would set a precedent for parallel action at the lower levels of education—as, in my opinion, it would indeed. Some hold that to find a distinction in the constitutionality of grants by levels of education in a constitution which does not even mention education is legal legerdemain.

A review of enrollment trends may go a long way in explaining the concern of the public school forces. Since 1940 enrollment in public schools has grown 55 percent, in nonpublic schools, 152 percent. This shift took place although class sizes in most nonpublic schools are more than 40 percent—and often 50 to 100 percent—larger than in public schools, that public schools offer more elaborate facilities and between 50 and 100 percent more space per pupil, and that the parents of children in private schools bear a heavy burden of tuitions, fees and expected donations. If parents show such a strong preference for private schools that they are willing to accept these discomforts and burdens, what would their response be if the economic penalties on sending children to nonpublic schools were reduced? While a continued and accelerated shift from public to private schools might provide relief for the taxpayers, it would diminish the relative position of the public schools. This would particularly be true during a period such as we are now facing, when the pressure of expanding enrollment at the elementary and secondary levels, will sharply decline. So, in consequence, the mentioned groups would rather have no Federal aid for themselves than a program which also aids nonpublic schools.

One reason for the greater willingness of public IHL to let private IHL participate in Federal benefits—besides awareness that they are unlikely to secure legislative approval of plans excluding private IHL—is that they need not be afraid of numerical competition. Enrollment at public IHL has increased 226 percent, at private IHL only 131 percent since 1940. Sending their children to private colleges has simply become too expensive for many parents. Tuition and fee charges for undergraduates in 1961–62 averaged at public IHL, $185, at private IHL, $731.[2] Room and board charges also tended to be higher at private IHL. In spite of their higher tuitions, most private colleges find it increasingly difficult to maintain a competitive position in regard to faculty salaries, as the following comparison shows:

Average salaries at liberal arts undergraduate colleges, 1961–62

	Public	Private
All faculty ranks (9 to 10 months)	$7,800	$6,550
Professor	10,590	8,160
Associate professor	8,560	7,000
Do	7,160	6,100
Instructor	5,580	5,250
Junior colleges: All faculty ranks	7,450	5,270

Source: "Higher Education Salaries, 1961–62," Office of Education, circular 683, 1962.

Deep personal convictions on the nature and need of public or private education, of religious or secular training, and disagreement on principles, such as the nonestablishment of religion and equal treatment under the law, are involved in the argument over the participation of private IHL in a program of Federal grants for academic facilities. There is no sign that those conflicts have been or are likely soon to be resolved. Nor have some of the other objections to a Federal grant program in higher education, which I shall discuss later, been overcome. Since loans, as I pointed out earlier, offer only very limited help, and grants appear effectively blocked, it seems desirable to search for other methods by which the National Government could aid in the construction of academic facilities. Most widely discussed are various types of Federal tax concessions for educational expenditures.

FEDERAL TAX CREDITS

More than 100 bills proposing Federal income tax deductions, exemptions, or credits for educational expenses were introduced in the 87th Congress. Over 120 such bills are pending in the 88th Congress. Very few types of proposals of any kind have ever been advanced in so many simultaneous bills. This suggests at least that there is widespread sentiment for such plans and that the time may be ripe for action.

Such tax concessions need not aim as much at providing relief for the students and their families as at enabling the institutions to augment their tuition income without proportionately increasing the burden on those who pay the fees. At a time when the average family income in the United States exceeds $8,000 per annum and continues to rise rapidly, when scholarship and student loan funds reach new record levels each year, and when the Federal Government is about to grant general income tax relief, there appears to be greater justification and urgency for adding to the resources of our IHL than for reducing the cost of tuition.

By using an indirect method of aiding higher education, instead of direct grants, the Federal Government can eliminate the conflict over the participation of private IHL. All transactions would take place between the individual taxpayer and the Internal Revenue Service, and the plan involves no dealings between the institutions and the Government. No church-state issue could arise and the Federal control argument which has always been present in the Federal aid controversy would evaporate because existing relationships in higher education would be left undisturbed. So the two major objections which have so far prevented Federal aid for academic construction from being enacted would be laid to rest.

IHL could use—or earmark and pledge—income from increased tuitions and fees for the service of bond issues adequate to their facility needs, with any surplus accruing to general purposes, including additional scholarships for the small group of students whose families are in such a low income

[2] "Higher Education, Basic Student Charges 1961–62," Office of Education, circular No. 685, 1962.

bracket that they pay no Federal income tax. Institutional borrowing for capital outlays would not cut into general income, and the securities would be in the nature of revenue bonds which ought to ease some of the legal problems.

Most of the pending proposals can be divided into three types:

(a) Deductions: The cost of tuitions, fees, and also possibly books, supplies, travel and added living expenses would be deductible from adjusted gross income up to a specified upper limit.

(b) Exemptions: A student or his family would be entitled to one or several additional personal exemptions of $600.

(c) Credits: The cost of tuitions, fees, and also possibly other expenses attributable to attendance at an IHL can be offset against the tax liability (rather than against income, as under (a)), at a specified percentage or in full and up to a maximum amount.

Tax deduction or an additional exemption would administratively be the simplest method and have ample precedent. As long as other outlays which are expected to produce income are deductible, and as long as tangible goods may be amortized, there appears to be little justification for denying similar concessions for educational costs.

Both methods, however, have been criticized for giving the greatest benefit—up to 91 percent—to persons in the high brackets and only 20 percent to those of moderate income.

A tuition boost would cost a student or his family of low income 80 percent net, while the net cost to those in high brackets would be only 50 percent, 31 percent, or as little as 9 percent. This, of course, may be explained as the result of our steeply graduated income tax schedule. But it would largely defeat the purpose of granting tax concessions in higher education. Thus, attention seems to be shifting to plans which would permit the student or his family to offset part of the educational expenses against the tax itself rather than against the income base.

If such tax credits were permitted at a low percentage, say 20 or 30 percent of the educational expenses, up to a relatively high maximum (e.g. $1,500 or $2,000), they would tend to be of greater aid to private institutions, particularly those with high fees, and to persons in the upper brackets. If credit were allowed for a major part or for 100 percent of expenses up to a low maximum, it would more effectively benefit public institutions and low-income families.

It seems to me that a combination of both plans would be fair to all and yield the best results. It might permit 100-percent offset up to a low maximum and percentage offset by a graduated schedule up to a higher maximum.

The taxation section of the American Bar Association developed a flat percentage plan in 1954 which was submitted to the House Ways and Means Committee by the American Council on Education in 1958.[3] It would allow the student or his family to deduct from the income tax liability 30 percent of the tuition and fees actually paid up to $1,500. The maximum net tax credit thus would be $450. Such a plan, however, would still let the student foot at least 70 percent of every additional tuition dollar. This could be corrected by a 100 percent offset up to, for example, $100. A schedule might be as follows: Tuition and fees up to $100, credit 100 percent; $100 to $500, credit 30 percent; $500 to $1,500, credit 20 percent; maximum net tax credit, $420.

A small credit might also be given for other educational expenses, such as books, travel, and added cost of living away from home.

[3] "General Revenue Revision," Hearings before the Committee on Ways and Means, House of Representatives, 85th Cong. 2d sess., 1958, pt. I, p. 1064.

Under such a schedule an institution could raise its fees by $100 without added cost to the student or family, by $400 at a net cost of $210. This would open up substantial revenue possibilities for IHL.

It has been argued that such a plan would give no benefits to families which pay no income tax and would let them bear the full cost of a fee boost. That argument, on closer analysis, seems to have little validity.

Few families, and particularly families of college students, nowadays pay no Federal income tax.[4] Six out of seven fathers of children reaching college age are in their peak earning years, between 38 and 58; most enjoy incomes substantially above the average. In a survey at the University of Massachusetts (class of 1965), 90 percent of all fathers reported their 1960 income above $4,000.[5] No study is available which shows which percentage of the students and their families pays no Federal income tax, but we may safely assume that it is no more than 10 percent, and possibly as few as 5 percent. Those students come from very low income families and most of them probably are already on scholarships. In those cases the institutions could forego the fee increase.

Moreover, the granting of income tax credits would free additional scholarship funds, as Vice President John F. Meck, of Dartmouth College, representing the American Council on Education, stated, when he proposed the council's tax credit plan: "Many parents in the $8,000-, $10,000-, and even the $12,000-a-year brackets, who now require partial scholarships in order to keep their children in college would be able to forgo these scholarship funds, thus making them available for children coming from homes of less financial ability." [6]

The suggested tax credit schedule would result in an average tax saving (or revenue loss to the Treasury) during the 1960's of about $700 million a year, of which possibly as much as $500 million could be recouped by the institutions through higher fees. This would amply take care of the service needs of bond issues to finance the needed facilities.

Suppose the IHL were to issue $5 billion 25-year bonds. About two-thirds of the bonds would be issued by State institutions and be tax exempt, at an average interest rate of (presently) 3.2 percent. Private institutions may have to pay 5 percent (unless the Federal Government were to grant them the same tax exemption that public institutions enjoy). The annual service cost would be:

	Million
Retirement of principal	$200
Interest in the first year would be $190 million if all bonds were immediately issued. If the issue is staggered over 5 years, it would never reach the total because part of the principal is being paid off. The interest cost over the life of the bond issues may average $100 million per annum; during the 1960's about	160
Average annual principal and interest in 1960's	360

A tax credit program could achieve the same purpose as a grant program: The Federal Government—that is, the taxpayers of the whole Nation—would make a major financial contribution for the construction of facilities (or toward the operations) of the IHL.

[4] In 1960 out of a total U.S. population of 182 million (Dec. 31), 168 million persons (—92%) were claimed as exemptions on income tax returns. Some of those returns however, were not taxable.

[5] CONGRESSIONAL RECORD, vol. 108, pt. 2, p. 1690.

[6] General Revenue Revision, op. cit., pp. 1063–1064.

The National Government could also materially aid the IHL by permitting tax credits—rather than mere deductibility—of private donations, as the American Association for the Advancement of Science proposed some years ago. The present high marginal tax rates make such donations inexpensive to wealthy individuals, while persons in low income brackets must bear 80 percent of the cost of their contribution. So many of them do not now contribute. By permitting tax credits—such as I suggested in the schedule for tuitions and fees—persons in low and medium income brackets could be encouraged to donate more liberally to higher education.

Gifts to higher education amounted to more than $1 billion in 1961, according to the Council for Financial Aid to Education, an increase of 28 percent over the total 2 years earlier. By materially widening the range of potential contributors, the granting of tax credits could very substantially augment this important source of support for IHL.

ENROLLMENT OUTLOOK

In trying to design an effective program of Federal aid to IHL, it is, of course, important to know how great the needs are, or are likely to be several years hence. I, therefore, reviewed some of the recent estimates of facility requirements of IHL. Those estimates usually are based on the outlook for enrollments which, as we all know, are growing at a rapid rate.

The Under Secretary of Health, Education, and Welfare, Mr. Ivan A. Nestingen, said in a speech on April 3, 1963: "Two years from now the first large wave of college applicants will hit our institutions across the country. This is the bumper crop of babies born in 1946, just after World War II. They will be succeeded by other large waves of students seeking college entrance."

The President was specific in his message on education of January 29, 1963:

"Our educational system faces a major problem of quantity—of coping with the needs of our expanding population and of the rising educational expectations for our children which all of us share as parents. Nearly 50 million people were enrolled in our schools and colleges in 1962—an increase of more than 50 percent since 1950. By 1970 college enrollment will nearly double, and secondary schools will increase enrollment by 50 percent—categories in which the cost of education, including facilities, is several times higher than in elementary schools."

This suggests that the rate of enrollment growth is increasing and will pose a greater problem to our educational system in the next 8 years than it did in the past 12. However, enrollment projections by the Bureau of the Census and the Office of Education, the two offices which regularly engage in such studies, indicate a slowdown.

So, according to the Census Bureau, all educational enrollment grew 66 percent between 1950 and 1962 and may, in the next 8 years, expand between 14 and 21 percent for an average of 17 percent. Data in a census report of January 10, 1963, captioned "Decline in Rate of Increase in School Enrollment," suggest that the lower estimates are more likely to materialize. Taking the Census Bureau averages, high school enrollment will rise not 50 percent but about 24 percent, college enrollment will not nearly double but increase 51 percent. Reports by the Office of Education show virtually the same picture. They project an enrollment increase between now and 1970 of 14 percent in elementary schools, of 24 percent in high schools, and in both combined of 17 percent (average of four projections).[7] At the college level, Office of Education studies

[7] Office of Education, "Enrollment in Public and Nonpublic Elementary and Secondary Schools, 1950–80," Circular No. 692, 1962.

Enrollment increases, 1950–62, and 1962–70 (projected)

	Fall enrollment		Increase, 1950–62	Projected enrollment increase, 1962–70	
	1950	1962		Average of 4 projections	Range of 4 projections
	Thousands	*Thousands*	*Percent*	*Percent*	*Percent*
All education	29,274	48,704	+66	+17	+14–21
Kindergarten and elementary	20,501	32,980	+61	+11	+8–14
High school (grades 9 to 12)	6,643	11,516	+73	+24	+22–26
College and professional school	2,130	4,208	+98	+51	+38–64

Source: Bureau of the Census, Current Population Reports, Series P–20, Nos. 52 and 120; Series P–25, No. 232.

suggest an increase in college enrollment between fall 1962 and 1970 of 55 percent as the average of three projections which range from 25 percent to 67 percent.[8]

It is true that colleges will grow faster than other schools. But even according to the highest projections, colleges will account for no more than 12 percent of all enrollment by 1970, and their influence on the total cost of education will be correspondingly small.

A comparison of past and future rates of growth should preferably be based on periods of equal length. When we compare enrollment expansion in 1954–62 with projections for 1962–70, we find that the rate of growth is expected to decline at every level of education. Here are the data computed from reports of the Bureau of the Census:

	Actual enrollment increase 1954 to 1962	Projected enrollment increase 1962 to 1970 (average of 4 projections)
	Percent	*Percent*
All levels of education	35	17
Kindergarten and elementary	27	11
High school (9 grades, 9 to 12)	49	24
Kindergarten to 12th grade	32	14
College and professional schools	74	51

Source: Bureau of the Census, Current Population Reports, Series P–20, Nos. 89 and 120; Series P–25, No. 232.

Projections by the Office of Education, in the publications which I cited above, closely parallel those by the Census Bureau. They suggest that educational enrollment will, over the next 8 years, grow at about half its rate over the past 8 years, and that, even in the colleges and universities—contrary to what is widely believed—the rate of growth will decline.

Enrollment trends at the elementary-secondary level have an important bearing on higher education. Fall 1963 may see the last of the big attendance jumps in the common schools. As the postwar babies graduate, annual increases will shrink to half the size they maintained in the past dozen years. For some time the States have had to concentrate their funds on the rapidly expanding common schools. In the future they will be able to channel a larger share of their resources into higher education.

During the 1950's enrollment grew at a faster rate than GNP or national income. Between 1962 and 1970 GNP is generally expected to advance between 27 percent and 37 percent (minus 3 percent to 4 percent per annum), for an average of 32 percent. This is almost twice the expected rate of increase in educational enrollment. Thus, the problem of financing education should gradually become easier to solve, its weight less burdensome to bear.

COLLEGE AND UNIVERSITY FACILITY NEEDS

The President stated in his education message that in the 1960's "23 billion of new facilities will be needed" in colleges and universities and an attached fact sheet explained: "To provide for additional students, replace obsolete structures, and modernize usable buildings, institutions of higher education should invest an average of $2.3 billion annually. Expenditures currently fall short of this by $1 billion."

Several projections of facility needs in IHL were prepared in recent years. One study by the American Council on Education estimated 1958–1970 requirements for academic, auxiliary and residential facilities "from a high of $15 billion to a low of $12 billion."[9] That averages between $1 and $1.2 billion per year which, at the time, seemed a steep increase because capital outlays had been running about half that volume up to the mid-1950's.

The Office of Education published a study in 1960 which placed the cost of new facilities and replacement, rehabilitation and depreciation between 1958 and 1970 at $1.2 billion annually.[10] As the volume of higher educational construction expanded and outlays reached, and then exceeded, $1 billion annually, need estimates also climbed and kept well ahead of simultaneous expenditures.

In 1961 the Office of Education placed needs during the 1960's at an average of $1.9 billion per year.[11] The authors computed requirements over the 10-year period 1961–70 at $18.9 billion, of which $16.4 billion (87 percent) appeared likely to come from current sources (if apparent trends continued); this left a deficiency of $2.5 billion.

How did the President arrive at an estimate of $23 billion with a deficiency of about $10 billion (43 percent)? The author of the earlier Office of Education study prepared a more elaborate report in which he showed three projections of cumulative facility needs 1961–70: high, medium and low, at $22.9, $18.8, and $16.3 billion, respectively.[12] The medium projection was unchanged from his earlier report, but the newly added "high" projection equaled the amount used by the President.

It may be helpful at this point to recall our experience with the classroom shortage in the public schools. The Office of Education placed the deficiency in 1950 at 250,000 classrooms. In October 1954 the Commissioner of Education testified that it had risen to 370,000, and the chairman of the Senate Committee on Labor and Public Welfare stated on January 27, 1955, that "each day the shortage of classrooms grows more severe" and predicted that "within 3 years our shortage of classrooms throughout the Nation will have climbed to 600,000."[13]

Two months later the Secretary of Health, Education, and Welfare testified that the estimates had been reviewed and that "we find that the estimated classroom deficit by the year 1959–60 would be 176,000 classrooms rather than 407,000."[14] When the school year 1959–60 came around, the Office of Education reported the shortage at 135,264 and has since lowered its estimate to 121,235 in the fall of 1962. It also proved that the fears in 1955 that the school construction would be unable to keep up with the enrollment increase had been groundless: the number of pupils per classroom dropped from 29.4 in the fall of 1955 to 27.0 in the fall of 1962.[15]

Of the 600,000 new classrooms which the President indicated in his education messages of February 20, 1961, and February 6, 1962, to be needed during the 1960's, at least 210,000 were completed in the first 3 years, which corresponds to a decennial construction rate of 700,000.

Similar wide variations exist in the need estimates of facilities in IHL. The deficiency in higher educational facilities—that is, the gap between estimated needs and prospective revenues from presently available sources—will, by 1970, equal $2.5 billion according to a study by the Office of Education, which Secretary of Health, Education, and Welfare, Abraham Ribicoff presented to your committee on August 17, 1961—or to nearly four times that amount, as suggested by a fact sheet of the Department of Health, Education, and Welfare in January 1963.

Part of the trouble is that there are no uniform and unchangeable standards of facility needs in either school or higher education, nor is there agreement on the degree of effective space utilization that can be expected. We may profitably review some of the studies that have been made on space utilization in IHL and on proposals to use available facilities more fully.

SPACE UTILIZATION IN HIGHER EDUCATION

Recent reports on the utilization of available facilities in IHL suggest that there is much room for improvement.

The Fund for the Advancement of Education wrote:[16]

"Particularly in the use of space—classrooms, laboratories, and libraries—most colleges and universities persist in traditional and inefficient practices that waste their resources and result in unneeded construction. Studies showing excessive waste of existing space were reported in the first manual on space utilization prepared with fund support by the American Association of Collegiate Registrars and Admissions Officers in 1955 and, again, in a brochure published in

[8] Office of Education, "Economics of Higher Education," ed. Selma T. Mushkin, 1962, p. 18; and "Opening (fall) Enrollment in Higher Education," 1962, Circular No. 697, 1962.

[9] John D. Long and J. B. Black, Jr., "Needed Expansion of Facilities for Higher Education—1958–70," American Council on Education, 1958.

[10] College and University Facilities Survey, pt. 2, by Robert W. Bokelman; pt. 3, by Louis A. D'Amico and E. Eugene Higgins, Office of Education, 1960.

[11] "Physical Facility Needs of American Higher Education, 1961–70," in Aid for Higher Education, hearings before the Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, 87th Cong., 1st sess., 1961, pp. 42 ff.

[12] "Economics of Higher Education," op. cit., p. 193.

[13] "Emergency Federal Aid for School Construction," Hearings before the Committee on Labor and Public Welfare, U.S. Senate, 84th Cong., 1st sess., 1955, p. 1.

[14] "Federal Aid to States for School Construction," Hearings before the Committee on Education and Labor, House of Representatives, 84th Cong., 1st sess., p. 282.

[15] "Enrollment, Teachers and School Housing, Fall 1960," Office of Education, 1960. Office of Education, release, Jan. 9, 1963.

[16] The Fund for the Advancement of Education, A Report for 1961–62, p. 29.

1962 by the Educational Facilities Laboratories. Some institutions are now demonstrating that it is possible to have well-filled classrooms and laboratories throughout the day and in late afternoons, evenings, and Saturdays, and to use classrooms and laboratories during the summer without loss in quality of the educational program."

The space utilization manual referred to, reported that IHL used their classrooms and laboratories an average of 44 percent of the possible periods in a 44-period week, and that student stations were used only 25 percent of the available time. The manual's senior author, John Dale Russel, of New York University, the country's leading authority in such studies, told the Committee on Higher Education in New York State in 1960, that "if classrooms were used to the greatest extent possible during the day and evening and all through the year, present classrooms could handle four times the present number of students." [17]

The mentioned study for the Educational Facilities Laboratories, by the College of Education, at Michigan State University, found:

"Considered from almost any point of view, utilization of classroom and laboratory space in the colleges covered by this study is low. Classrooms are used about 18 times a week, or 40 percent of the time they could be used; laboratories about 11 times a week, or 25 percent of the time. As for student stations, in general classrooms they are used about nine times a week, and in labs about seven times. This is 22 and 15 percent of possible utilization on the basis of a 44-hour week. No matter which way it is juggled, this leaves a lot of empty classrooms and vacant seats. Worse to say, there is little reason to suspect that other colleges of this type or any other type do much better." [18]

A report under the auspices of the American Council on Education stated:

"Without stopping to enumerate the studies made from Florida to California and throughout the United States regarding the utilization of existing space in our colleges and universities, it is generally agreed that we use no more than 50 percent of our rooms and 25 percent of our student stations on a 45-hour week. This may be a luxury we can no longer afford and one which we can hardly justify." [19]

Several IHL, including, for example, Brigham Young University, have demonstrated that it is possible to use academic facilities far more fully than is now the general practice. Space Utilization Analysis, a group of management consultants who have done work for several universities, government, and industry, placed the 1957–70 facility requirements in IHL at $12.7 billion under current utilization practices but estimated that with better space programing in new buildings the amount could be cut to $7.2 billion, with such practices in all (new and old) buildings to $4.3 billion.[20]

These reports—and more could be cited—raise serious doubt whether some of the need estimates at $19 billion or at $23 billion should be accepted at face value.

YEAR-ROUND USE OF ACADEMIC FACILITIES

Year-round operations of IHL would sharply reduce the need for additional educational facilities. Pres. Grayson Kirk of Columbia University said at the dedication of the new NEA Building in Washington:

"Some of our institutions with physical plants involving an investment in each case of scores of millions of dollars remain largely idle for several months each year. We should ask ourselves if it would not be better to operate these great institutions on a plan which would divide the academic year into three parts, one which would, in effect, replace the present 6-week summer school with a full-fledged summer semester. * * *

"Since the institution would be able to serve the needs of one-third more students in a given period of years than it now can, an approach of this kind to the problem of student numbers might enable us to meet our expanding student needs without such a huge expenditure for additional plant construction." [21]

Chancellor Edward H. Litchfield of the University of Pittsburgh, which has been operating a trisemester plan since 1959, wrote:

"Educators and legislators have greeted it as a means of getting more efficient use of existing educational plants, which cost the same to maintain whether they are operated 8, 9, or 11 months of the year. The plan, if adopted nationwide, could reduce the $10 billion needed in the next decade for new facilities to about $6 billion." [22]

Dean Elmer Easton, of Rutgers University Engineering College pointed out in a booklet, "Year-Around Operation of Colleges," that a trisemester schedule would provide up to 56 percent more degrees per year, make up to 30 percent more use of instructional facilities, increase faculty salaries approximately 30 percent (p. 36).

Former U.S. Commissioner of Education Earl J. McGrath (now executive officer of the Institute of Higher Education as Columbia Teachers College) has for several years been crusading for year-round college operation. He wrote in a recent article: [23]

"If the three-term plan advocated here were put into effect, present institutions could take one-third more students than they can now.

"Consider this arithmetic: In the fall of 1962, our colleges accepted 1,037,000 entrants. In the academic year 1965–66, according to present estimates, they will be asked to accept 1,507,000. Where will they find room for the extra half million? The best answer would be a 3-year course to increase our college capacity by one-third.

"(4) College and university plants now commonly stand idle for from a few weeks to more than 3 months in each 12. Yet while classrooms, dormitories, libraries, laboratories, and other facilities are unused for these long periods, presidents clamor for billions of dollars for new buildings. Robert Bokelman of the U.S. Office of Education estimates that between 1961 and 1975 the average annual requirement for capital expenditures will be between $1.5 and $2.2 billion. Each additional full-time student will impose a building burden of about $6,150.

"To the degree that institutions can make fuller use of existing facilities by keeping them in steady use, these figures can be correspondingly reduced. The three-term plan will save taxpayers and donors millions of dollars that would otherwise be needed for new facilities under the conventional academic year."

Mr. McGrath sees many other advantages in an all-year plan. He wrote:

"A properly designed three-term academic year can provide a 20- to 30-percent increase in faculty incomes and still leave adequate time for scholarly activities and recreation. * * *

The average student could complete the requirements for the degree in something less than 3 calendar years rather than 4. * * * The economic advantages to the student would be great since he would pay less for his education while in progress and enter gainful employment a year earlier."

A recent booklet by the Fund for the Advancement of Education listed "40 institutions which have established formal plans for operating their campuses on a year-round basis. All permit the student who desires to do so to earn his B.A. degree in 3 rather than the usual 4 calendar years * * * without requiring him to carry more than a normal full-time course load." [24] It suggested the plan as an alternative to constructing facilities which were listed as "required" in some of the recent facility need surveys. All of those estimates were based on the traditional 4-year undergraduate study on a two-semester or three-quarter basis.

How can IHL be persuaded to adopt a trisemester or four-quarter plan? Mr. McGrath in his mentioned article wrote "that it is as hard to change an educational practice as to move a graveyard." It appears that only by force of necessity can academic institutions (and most others) be brought about to change long established practices and habits. If Federal funds were made available to them, most would keep building without major improvement in space utilization practices or going over to all-year operation.

OPERATING INEFFICIENCIES

The effectiveness with which available resources are being used, whether for facilities or for current operations, has, of course, a major bearing on the magnitude of the need for additional funds. In its reports "Better Utilization of College Teaching Resources," the Fund for the Advancement of Education suggested four "handles" to increase efficiency; place greater responsibility on students for their education, rearrange course structures, discover new resources both in teaching and in performance of duties ordinarily expected of the teacher, and increase the institutional reach of IHL. It listed several innovations by individual institutions which ought to be more widely applied.

The faculty-student ratio has been falling in recent decades and is far lower than in European universities.[25] Hundreds of studies and experiments have failed to show an advantage of small classes over large or of low faculty work loads. "All that is accomplished [by low ratios] is to enable the teacher to communicate his mediocrity in an intimate surrounding" commented the late President Charles Johnson, of Fisk University. An American Council on Education report, "Faculty Work Load," summarized: "To the best knowledge of the author [John Hicks, of Purdue University], no objective study has ever been made of the relationship between quality of faculty performance and faculty work load" (p. 4). A course by an outstanding teacher once put on film, such as the famous White physics course, can be taught to thousands at a fraction of the cost of live instruction.

Many IHL feel obligated to keep spoonfeeding their students because high schools neither trained them adequately in the essential skills nor taught them study habits. This could be corrected by insisting on higher

[17] "The Year-Round Campus Catches On," by Sidney Tickton, the Fund for the Advancement of Education, 1963, p. 6.

[18] "To Build or Not To Build," Educational Facilities Laboratories, New York, 1962, p. 35.

[19] Ronald B. Thompson, "Educational Alternatives," in Vital Issues in Education, American Council on Education, p. 117.

[20] "Space Programing and Physical Plant Investment in American Colleges and Universities 1957–70," Space Utilization Analysis, Inc., New York, 1958.

[21] Grayson Kirk, "Looking Ahead in Education," Vital Speeches, Mar. 1, 1959.

[22] Edward H. Litchfield, "The Trimester System," in a symposium, "Colleges Can Operate All Year," in Saturday Review, Dec. 15, 1962.

[23] Earl J. McGrath, "Plea for the Year-Round College," the New York Times magazine, Apr. 28, 1963.

[24] Tickton, op. cit., p. 6.

[25] One recent computation: Between 1919–20 and 1955–56 the student body multiplied 3.4 times, the faculty 5.4 times. Seymour Harris, "Higher Education: Resources and Finance," McGraw-Hill, 1962, p. 544.

standards of admission and continued academic standing. An Office of Education booklet, "Quest for Quality," reported: "The data from the present experimentation in independent study seem clear on this point: Students are able to learn as well with much less class time than we have been accustomed to require of them" (p. 9).

Beardsley Ruml and Donald Morrison (both since deceased) proposed in their book, "Memo to a College Trustee," prepared for the Fund for the Advancement of Education, to trim the curriculum of excess content and to double the number of students per faculty member to about 20. This would enable the IHL to double salaries without additional funds. The authors concluded that "new money is not needed in anything like the amounts presently estimated. Many of the necessary funds are already at the disposal of the college or can be made so, but they are being dissipated through wastes in curriculum, wastes in method of instruction, wastes in administration, and in the property and plant" (pp. 9–10).

Quality in education does not depend on the student-faculty ratio but on the establishment and maintenance of scholarly standards in higher education and sufficient differentiation in secondary curricula to prepare all children for the life that awaits them and for which nature endowed them. Many IHL have in recent years raised their admission requirements but too many still are open to all who can flash a high school diploma—which is commonly awarded for 12 years of faithful residence.

Most American secondary schools, a wonderment and a mystery to the rest of the world, have not yet found a way toward an education which challenges the academically talented, educates the great majority in the middle for their civic and occupational tasks, and trains those of low intelligence in the type of work which they have the capacity to perform. S. 580 offers no solution to this problem.

We have stretched the process of formal schooling to more years than any other country in the world, with unsatisfactory results on both ends of the ability scale. It may well be that greater differentiation at the secondary level, between academic and vocational high schools, and a general tightening up of the process are better answers than a further stretching out.

In a recent book, "The Production and Distribution of Knowledge in the United States (1962)," Fritz Machlup, professor of economics at Princeton University (who is now serving as president of the American Association of University Professors), proposed to shorten education from first grade through college from the present 16 to 12 or 13 years. "A system of accelerated schooling is at the same time more effective and less costly. This is one of the rare instances where we really can get more for less. The proposed acceleration of the school program can permit an acceleration of the economic growth of the Nation that could not be attained in any other way. For we would not only save several million man-years annually now wasted in semi-idleness at school, but also several million man-years wasted in the unemployment of those unemployables because of inadequate schooling."

Without necessarily taking a stand of any of the mentioned methods of stretching the educational dollar, I feel that some of the estimates of huge financial needs of IHL should be considered in the light of possible improvements in efficiency. But such changes will take place only under considerable pressure and are likely to be rejected if sufficient funds are made available to carry on in the traditional way.

THE OUTLOOK FOR IHL CONSTRUCTION AND FINANCES

In the early and mid-1950's when the public schools faced a 40 percent to 50 percent enrollment jump, it was suggested that school funds ought to be raised by 100 percent which, it was held, was far beyond the capacity of State and local governments to accomplish. The White House Conference on Education in 1955 concluded "that within the next decade, the dollars spent on education in this Nation should be approximately doubled." As it turned out, school funds from State and local sources doubled within the succeeding 7 years and have been rising at a decennial rate of over 150 percent.

I pointed out earlier that according to presently available projections, educational enrollment, in total as well as at every level, will grow at a slower rate during the balance of the 1960's than it has since the mid-1950's. This suggests that school and college support will still need to be boosted but not at as rapid a rate as it actually advanced over the past 10 years. So, the outlook for adequate financing of education is bright unless the national economy takes a nosedive or turns sluggish.

Well-informed observers have expressed the opinion that planned expansion of higher educational facilities will meet requirements. Gene R. Hawes, author of "The New American Guide to College," after conducting a survey of all IHL, so asserted in an article, "The College Shortage Is a Myth":[26] "I can now report that, if present expansion plans are realized, there will be room in college—room for all of our children who seriously want to go—through the 1960's."

State funds for higher education tripled between 1950 and 1960. No later financial statistics are available from the Office of Education, but according to the Bureau of the Census, State expenditures for higher education increased 27 percent between 1960 and 1962.[27] If that rate continued, State support would triple during the 1960's. Since enrollment and needs—if not necessarily the demands—of the elementary and secondary schools will rise only half as fast in the 1960's as they did in the 1950's, the States will be able to allocate a larger share of their revenues to higher education. Several recent analytical studies have concluded that State support of IHL will keep climbing steeply and meet requirements throughout the 1960's.[28]

Tuition income tripled during the 1950's. Fees in State institutions are still indefensibly low—the national average in 1961–62 was $185—and could be very substantially boosted, with part of the added funds set aside for scholarship purposes. Most students in public IHL spend more on cigarettes and alcohol, let alone cars, than on tuition. The Los Angeles Times reported on September 19, 1961, that on the opening day of Los Angeles State College—which charges $76 in fees and enrolls 14,000 students—7,000 cars tried to park there. If half the students can afford to drive a car, can they not afford to pay more than $76 for their education? (Unless they feel that a car is more important and worth more than the education they are to receive.)

The low tuition policy not only restricts the revenues of public institutions, it also cuts into the potential and jeopardizes the very existence of private colleges. Former University of Chicago Chancellor Lawrence A. Kimpton was quoted as saying, "To put it in the crassest terms possible, it is hard to market a product when down the street somebody is giving it away." Private IHL would find it much easier to maintain an adequate fee schedule if public IHL raised their own to more reasonable levels. This could be done without inflicting hardship, by establishing a system of income tax credits such as I suggested earlier. Also, the availability of student loans on reasonable terms is expanding, and guarantee programs under the auspices of State governments and of the united student aid funds, which are rapidly growing and now cover most States, help to make students eligible for long-term loans who might otherwise have difficulty borrowing for lack of a credit rating or a collateral.

Private donations also tripled between 1950 and 1960 and can be expected to keep rising, particularly if some recognition, such as tax credits, were extended.

Several competent studies have placed the budgetary needs of IHL in 1970 at $10 billion.[29] An analysis and appraisal of past and present trends suggest that revenues are likely to exceed that amount even without the addition of new Federal grant-in-aid programs.

FEDERAL AID TO EDUCATION AND THE CLASS STRUGGLE

It has recently been asserted, as was mentioned at this hearing 2 weeks ago, that the Federal aid-to-education controversy is really "a struggle between people with wealth and people with kids." It was claimed that Federal taxes are largely paid by the rich, State and local taxes by the poor, and that objection to Federal grants is an attempt by rich people to shift their responsibilities to the poor.

This line of argument exaggerates out of proportion the difference in location of the burden between Federal and State-local taxation, is based on a misunderstanding of tax incidence, and seems to be derived from Marxist dialectic materialism. It apparently assumes that the corporate income tax is wholly borne by the stockholders. If it were, stockholders would, after Federal corporate and individual income taxes, have left between a maximum of 38.4 percent and a minimum of 4.3 percent of the profits—less a few percentage points for State and local corporate and personal income taxes. If that were the case, the American economy would long since have broken down. But there is ample evidence that much or most of the corporate tax is in the long run shifted to consumers in the form of prices. After-tax earnings on net worth were maintained over a period during which the corporate tax rate quadrupled.

That most of the personal income tax rests on the rich was true until a generation ago. But it no longer is since it turned from a class tax into a mass tax. The bulk of all income in the United States goes to families "in the middle" who cannot escape paying a proportionate share. Taxpayers with an adjusted gross income between $5,000 and $15,000 accounted in 1960 for 58 percent of all income and paid 55 percent of the Federal individual income tax. The steeply graduated rate schedule makes for a sharp progression between the upper and lower end of the scale, but yields only small revenue. A flat 20-percent rate on the reported income in 1960 would have brought in 87 percent of the actual yield. It has been estimated that tax rates over 50 percent yield less than $1 billion, out of a total yield between $40 and $45 billion annually, and rates over 65 percent slightly over one-quarter billion.

Labor compensation and welfare payments account for a steadily growing share of all

[26] This Week magazine, Nov. 4, 1962.

[27] Bureau of the Census, "Compendium of State Government Finances in 1962," 1963.

[28] B. F. Sliger and Thomas R. Beard, "State Support of Higher Education," Proceedings of the 55th Annual Conference on Taxation, National Tax Association, 1963 (in print); M. M. Chambers, "Where Will the Money Come From?" Journal of Higher Education, May 1960.

[29] "Financing Higher Education 1960–70," ed. Dexter M. Keezer, McGraw-Hill, New York, 1959; Seymour Harris, at pp. 73–75, Robert D. Calkins, at pp. 195 ff. Also: Seymour Harris, "Higher Education: Resources and Finance," McGraw-Hill, New York, 1962, p. 21.

personal income—presently 78 percent—while the share of dividends and business income has been shrinking. Less than 10 percent of all personal income in the country accrues to individuals and families in the $25,000 a year-and-up category. A government that claims 25 percent of its citizens' income, as the Federal Government now does, cannot get a major share of its revenue from an upper class that receives less than 10 percent of all personal income. Only a small share of the Federal taxes is paid by the rich, simply because there are not enough of them, and very little of the State and local taxes is paid by the poor. Most of the taxes in the United States are eventually paid by the great mass in the middle of the income scale.

That Federal personal and corporate income tax rates are too high, repress economic growth, and cause unemployment is now generally recognized, and the President has proposed to reduce their rates. Because the Federal Government has been using income taxes up to—and more likely beyond—their bearing capacity, State and local governments rely more heavily on sales and property taxes. The claim that those taxes are sharply regressive has been disproven by several studies which showed that both types of taxes are about proportional through much of the income range and regressive only at the two extreme ends; in top and bottom brackets they slighly alleviate the heavy progressivity of the Federal personal income tax.

The property tax, which plays such a major role in the school finance picture, has been more often and more bitterly assailed than any other tax: by the taxpayers because it is too big and rises too fast and by the school forces because it is too little and rises too slowly; by some because it is restricted and by others because the restrictions are not tight enough; by some because assessments are too low and by others because they are too high. The real curse of the property tax which primarily accounts for its unpopularity is that, in contrast to almost all other taxes, it is not hidden but out in the open, clearly labeled by purpose. What is more, it identifies the official who is doing the taxing. Such relationships are veiled or obscured for sales and income taxes, particularly at the Federal level. The trouble with the property tax is that the taxpayer knows that he is paying it, what he is paying for, and who is taxing him.

That property tax revenues do not respond to economic expansion and grow too slowly is disproven by the record: Since World War II collections of property taxes have increased 291 percent, of all other taxes combined only 121 percent. A similar relationship prevailed in prior periods except during war and depression. One reason for the rapid increase in property tax collections during the postwar period: contrary to what is widely believed, national wealth has been growing more rapidly than national income.

Homeowners, who in the national average pay approximately one-third of all property taxes, have understandably been complaining about ever bigger tax bills. It is not widely realized that the homeowner offsets a substantial part of his real estate tax against the Federal income tax because (a) local taxes and mortgage interest are deductible items; (b) imputed income on his equity is not taxable. The homeowner's net burden is far less than the amount he actually pays. A $4,000-a-year man who is married, has two children, owns a $10,000 home with a $9,000 mortgage, and pays $140 in real estate taxes, saves $103 on his Federal income tax. If his mortgage totals only $4,000, he saves $89. In other words, he recoups 64 percent to 74 percent of his real estate tax by a reduction in his Federal income tax. Savings in other brackets are comparable. In an appendix to my book, "Taxes for the Schools," [30] which contains a comprehensive chapter on property taxes, I showed several examples of income tax offsets by homeowners in various income brackets. I am attaching a copy to this statement.

If your committee feels that the homeowner should get greater relief, then it might consider the proposal in S. 181 to grant an income tax credit up to $100 for school property taxes. This would either lighten the load of homeowners or enable school districts to boost their taxes without adding a direct burden on their local taxpayers.

If so, it would seem appropriate also to grant tax credits—similar to those I proposed in higher education—to the patrons of nonpublic schools. Such credits could result in very substantial savings for taxpayers. The average cost for 1 pupil through 12 grades of public school now amounts to about $4,800, in addition to the large capital outlay for elementary and high school facilities. Modest relief through tax credits may cause many more parents to send their children to nonpublic schools and reduce the need for public school funds by several times the amount of the tax credit.

BROADER ASPECTS OF FEDERAL GRANTS-IN-AID

I mentioned earlier that the church-and-state question has in recent years been in the center of the debate over Federal grants to education, but that there were also other objections which had prevented legislative action. Some of them relate specifically to education, others to the principle of Federal grants-in-aid as such.

Soon after President Truman's Commission on Higher Education (1946–48) advocated a comprehensive program of Federal aid, the Association of American Universities sponsored a Commission on Financing Higher Education to restudy the subject. The commission's members included: Detlev W. Bronk, president of Johns Hopkins University; Paul H. Buck, provost of Harvard University; Carter Davidson, president of Union College; Lee A. Du Bridge, president of the California Institute of Technology; J. E. Wallace Sterling, president of Stanford University; Henry M. Wriston, president of Brown University, and others. Its executive director was John D. Millet, now president of Miami University. The commission concluded:

"This commission has reached the unanimous conclusion that we as a nation should call a halt at this time to the introduction of new programs of direct Federal aid to colleges and universities. We also believe it undesirable for the Government to expand the scope of its scholarship aid to individual students. Our position is based on what we regard as conclusive considerations." [31]

One member of the commission, President Carter Davidson, explained soon after:

"One broad highway to financial security the members of the commission viewed unanimously as the 'primrose path that leads to the everlasting bonfire.' This road was named Federal Government support. Some of us at first felt that we should even advocate that the Federal Government should withdraw its support from those areas which it is now already subsidizing, but we finally agreed that this step was impracticable and that we would be satisfied if the Federal Government would stop where it now is and give to private initiative the chance to show that it really believes sufficiently in higher education to give it ample support."

"There was a feeling that increased Government support from Federal sources was not only a blind alley, but also blinded those who traveled down it." [32]

The commission feared that expansion of Federal grants-in-aid to higher education would jeopardize the institutions' freedom, diversity and independence:

"Such independence will be threatened if higher education is subjected to further influence from the Federal Government. That influence flowing from present support is already a cause for concern. Its withdrawal or its unwise administration would produce grave results for our institutions. But in our view, as things are now, such exigencies as these can be weathered. We are convinced that they would be fatal were Federal support to be substantially extended." [33]

Ten days ago Prof. David McCord Wright presented a parallel presentation to your committee.

"That Federal grants would lead to Federal control is being strongly denied by their advocates. But some weighty questions arise. If the basic deficiency is merely lack of resources, why should the Federal Government not render purely fiscal aid and let the presently constituted authorities decide to what programs they should be applied? Why is it necessary to devise two dozen programs instead of finding means to increase the revenues of States and institutions and letting State legislatures and boards of trustees decide how to allocate the funds?"

Why should the Federal Government tell a university that it must spend more on its library, that additional moneys must go toward acquisition of books and construction but not for staff—although staff accounts for at least two-thirds of academic library costs? Why should it tell a university whether and how to run a student work program—that it must be "of substantial educational character," that it must be available only to a student who needs it and is capable of maintaining his academic standing, that it cannot exceed 15 hours for any student in 1 week, etc.? Why should 35,000 boards of education be told to boost maximums and minimums in teacher salary schedules but not necessarily the brackets in between? Why should State and local educational authorities be compelled to use not less than 10 percent—but not more than 20 percent—of the funds for certain specified projects?

The record of Federal grants-in-aid in such fields as public welfare, highways, urban renewal, etc., shows that Federal administrative agencies gradually tighten their controls—and that this often comes about when certain abuses occur or policy disagreements arise between Federal and State officials, as inevitably they must. Such parallels are too close to be overlooked.

Some have questioned the need for Federal grants-in-aid generally and expressed doubt about the asserted inadequate fiscal capacity of State and local governments to meet their educational and other responsibilities. On the other hand, it has been claimed that State and local tax sources are inflexible and do not expand as rapidly as those of the National Government. ("The whole is greater than the sum of its parts.") But State and local revenues have been growing at a much faster rate than Federal receipts in the period since the end of World War II—as they had always done in prior periods except during shooting wars. Now it is being asserted that State and local governments have exerted such an effort by quadrupling their income while Federal revenues only doubled that they have exhausted their fiscal capacity and will henceforth have to rely more heavily on the National Treasury. We may assume that if State and local revenues had not climbed so steeply, this would have

[30] The Institute for Social Science Research, Washington, 1960.

[31] "Nature and Needs of Higher Education," the Report of the Commission on Financing Higher Education, Columbia University Press, 1952, pp. 157–158.

[32] Carter Davidson, "Blind Alleys in College Finance," the Educational Record, April 1953.

[33] Op. cit., pp. 158–159.

been advanced as proof that the States lacked the power to do it. It appears that no set of facts can convince those who prefer Federal grants-in-aid to States' self-financing.

Federal grants to the States have long been climbing steeply:

Federal aid to State and local governments, 1902–64

	Millions
1902	$7
1922	118
1932	232
1942	887
1952	2,604
1962	8,167
1964 (estimated)	10,395

Source: Bureau of the Census, "Historical Summary of Governmental Finances," 1957. "The Budget of the U.S. Government for the Fiscal Year 1964" Special Analysis H.

There are now about 100 such programs in operation and many more are being asked for and considered. The President's education message alone proposes 13 new programs. With amounts tripling every decade, it can easily be seen that within not so many years the National Government would control all activities of State and local governments, if this trend continued. That would destroy the balance of power which the Founding Fathers tried to assure by diffusing power among several levels of government. It would concentrate all authority in the Central Government, which is what the authors of the Constitution tried to prevent from happening.

It is hard to deny that the rapid expansion of the National Government in the field of domestic public services is changing the aspect of our system of government and converting it from a Federal to a unitary, centralized type.

President Kennedy and Budget Director Kermit Gordon have stated that Federal nondefense spending has been rising at a slower rate than population and prices or gross national product. However, a comparison of the 1964 budget with Federal operations 10 years earlier shows that Federal expenditures for domestic functions grew much more rapidly than other factors. On a per capita basis and in 1962 dollars, Federal spending for domestic purposes grew 141 percent, while personal consumption grew only 13 percent.

Federal expenditures in 1954 and 1964 (proposed) and related data (consolidated cash statement)

	Fiscal year ending in—		Increase
	1954	1964	
			Percent
Total	$71,900,000,000	$122,500,000,000	+70
War-connected purposes [1]	58,600,000,000	76,700,000,000	+31
Domestic functions	13,300,000,000	45,800,000,000	+245
Gross national product (calendar year 1953 and latest official estimate, calendar year 1963)	$365,400,000,000	$583,000,000,000	+60
Personal consumption (for same periods as GNP)	$232,600,000,000	$375,000,000,000	+61
Population	161,700,000	191,000,000	+18
Prices (GNP, estimate, 1962 equals 100)	84.0	101.5	+21
Per capita in 1962:			
Federal expenditures for domestic functions	$98	$236	+141
Personal consumption	$1,712	$1,934	+13

[1] National defense, international relations, veterans services and benefits, interest on the national debt.

Source: U.S. Budget, 1964; Economic Report of the President, 1963; Economic Indicators.

It required 160 years—from 1789 to 1948—for Federal spending for civilian purposes to reach $7 billion. It took only another 16 years, from 1948 to 1964, to boost it another $46 billion. If this rate of progression continues for another 20 years, almost all resources will be flowing through the National Government by 1984.

I would like to conclude with one other consideration. Congress and the President are gravely overburdened by their present workload and often lack the time to study in sufficient detail such intricate but fateful subjects as weapons systems, space exploration, or developments in some 114 foreign nations. There are not enough hours in the day for the adequate study and consideration of matters of national defense, international relations, plus hundreds of domestic subjects. Senator HUBERT H. HUMPHREY demonstrated in a recent article the need for lightening the workload of Congress.[34] It seems to me that the effective way in which this could be done is for Congress to refrain from devoting a substantial part of its time to matters which can be dealt with by State legislators, local bodies, and private institutions and organizations. To the extent to which financial aid may be deemed necessary, it could be provided by purely fiscal methods, such as tax credits, tax reallocation, or monetary, nonearmarked grants, rather than by a multitude of programs which will eventually lead to a monolithic system of government.

[34] HUBERT H. HUMPHREY, "To Move Congress Out of Its Ruts," the New York Times magazine, Apr. 7, 1963.

APPENDIX

[From Roger A. Freeman, "Taxes for the Schools," the Institute for Social Science Research, Washington, D.C., 1960]

APPENDIX D: INCOME TAX RELIEF FOR THE HOMEOWNER

The homeowner, according to a frequently voiced opinion, bears an unduly heavy burden of real estate taxes. But some observers of the tax scene believe that the homeowner receives benefits from the Federal income tax which are denied to the renter, and that in the end the homeowner is, taxwise, better off than the renter.

Here is the bill of particulars: The Internal Revenue Code pronounces a general principle for allowable deductions from adjusted gross income: "Except as otherwise expressly provided in this chapter, no deduction shall be allowed for personal, living, or family expenses" (sec. 262). But then the Code proceeds to permit the homeowner to subtract from his income a substantial part of his housing expenses—mortgage interest and property taxes (secs. 163 and 164). The renter receives no comparable benefits. He cannot deduct the part of his rental which represents property taxes and mortgage interest paid by his landlord. Nor can he omit from his tax return the income he receives from whatever capital he owns and has invested. The homeowner, on the other hand, does not have to report the income on his invested capital, his equity, which he receives "in kind," in the form of rent-free living. These three loopholes are believed to cost the U.S. Treasury several billion dollars a year, and to relieve homeowners of a burden which tenants, an economically weaker group, are called upon to bear.[1]

Two articles which appeared in June 1958 denounced this as gross discrimination against tenants. Stephen G. Thompson in "The High Cost of Renting" stated that "tax laws force renters to pay as much as 66 percent more than homeowners for equal accommodations," and that "Federal tax and housing laws conspire against healthy urban growth and maintenance." [2] Bruce Lee Balch in "Individual Income Taxes and Housing" traced the legislative background of the benefit provisions and found:

"It is clear that the deduction for local real estate taxes places an undue burden on tenants. * * * The present system of individual income taxes places a heavier burden of tax on a renter than on a homeowner in a similar situation. The result is that a renter does not receive as much housing value for a given amount of economic sacrifice as does a homeowner." [3]

The case seems clear cut and convincing. Table D–I presents illustrative examples of the Federal income tax liability of homeowners and tenants with an income of $4,000, $8,000, and $12,000, respectively, both with small and with large equities. The $4,000-a-year homeowner, in the examples shown, pays $89 to $103 less income tax than a renter in the same income bracket. The $12,000-a-year homeowner is $272 to $285 ahead of the renter. In the six examples in this table, the tenant pays between 16 and 73 percent higher income taxes than the homeowner. The latter's income tax savings equal 64 to 93 percent of his real estate tax. Most of the benefits accrue only to homeowners who itemize deductions on their income tax returns. Deductibility of taxes and interest is not available to those who use the standard deduction or the optional tax table.

The practice of itemizing has grown rapidly in recent years, because of widened deductibility, and in keeping with progress in income and in tax sophistication. The following percentages of all taxable returns showed itemized deductions: [4]

	Percent
1944	18
1950	23
1953	29
1956	37
1957	40
1958	42

Between 1944 and 1958 adjusted gross income grew 139 percent, the amount of itemized deductions 468 percent.

[1] See: Randolph Paul, "Erosion of the Tax Base and Rate Structure," Tax Law Review, 1956. Joseph A. Pechman, "Erosion of the Individual Income Tax," National Tax Journal, March 1957. Melvin I. White, "Deductions for Nonbusiness Expenses and an Economic Concept of Net Income," Federal Tax Policy for Economic Growth and Stability, papers submitted by panelists appearing before the Subcommittee on Tax Policy, Joint Committee on the Economic Report, 84th Cong., 1st sess., 1955, p. 353. William Vickrey, "Agenda for Progressive Taxation," the Ronald Press, New York, 1947, p. 18.

[2] Architectural Forum, June 1958.

[3] National Tax Journal, June 1958.

[4] These and the subsequent data on itemized deductions were taken from: U.S. Treasury Department, Internal Revenue Service, "Statistics of Income," pt. I, Individual Income Tax Returns, 1953; 1956; 1957; Preliminary, 1958.

The higher a taxpayer's income, the more likely is he to itemize. The percentage of taxable returns itemizing deductions in 1958 were:

	Percent
Adjusted gross income under $2,500	16
$2,500 to $5,000	35
$5,000 to $10,000	54
$10,000 to $20,000	62
$20,000 and over	87

The types of itemized deductions in 1958 were:

[By number of returns in percent of all taxable returns]

	Percent
Taxes	41
Interest paid	33
Contributions	40
Medical and dental expense	24
All	42

Taxpayers with below-average income who pay neither real estate taxes nor mortgage interest seldom have allowable deductions which exceed the 10 percent standard deduction. They rarely itemize unless they have incurred unusually heavy medical expenses, casualty losses, or capital losses. On the other hand, homeowners—unless their property is of very low value—are much more likely to itemize, particularly if they carry a substantial mortgage. Homeownership reached a new record of 61 percent (of all nonfarm dwelling units) in 1958. In the same year 41 percent of all taxable returns listed taxes as an itemized deduction, 33 percent listed interest payments. This does not necessarily mean that 67 percent of all homeowners listed property taxes and 54 percent mortgage interest as deductions. Some of the income tax returns with itemized deductions came from business partnerships, some from taxpayers in high brackets who are tenants, others from farmers, etc. But it appears likely that close to one-half of all homeowners now itemize and that most of those do who own homes valued at or above average or carry a substantial mortgage.

Taxpayers who do not itemize are likely to fall into one or several of these categories:

(a) Tenants, except those in higher income brackets;

(b) Owners of low-value homes;

(c) Owners of mortgage-free homes;

(d) Taxpayers with few or no deductions besides real estate taxes and mortgage interest (who can claim only minor deductions for other taxes, contributions, medical expenses, casualty losses, etc.);

(e) Taxpayers who are ignorant of the provisions of the tax law;

(f) Taxpayers who find the listing of deductions too cumbersome and prefer the convenience of the standard deduction to the effort of listing itemized deductions.

TABLE D–I.—*Illustrative examples of the Federal income tax liability of homeowners and renters*

[General assumptions: Married couple; 2 children; joint return; mortgage interest, 5 percent; interest earned on capital, 4 percent]

	(a) Earned income, $4,000			
	Equity, $1,000		Equity, $6,000	
	Homeowner	Renter	Homeowner	Renter
Assumptions:				
Value of home	$10,000		$10,000	
Mortgage	9,000		4,000	
Real estate taxes	140		140	
Earnings	4,000	$4,000	4,000	$4,000
Interest income		40		240
Adjusted gross income	4,000	4,040	4,000	4,240
Less 4 exemptions	2,400		2,400	
Total	1,600		1,600	
Less deductions:				
Property taxes	140		140	
Mortgage interest	450		200	
Other	300		300	
Taxable income	710		960	
Tax	142	[1] 245	192	[1] 281
Homeowner's saving	103		89	
In percent of real estate tax	74		64	

[1] Using the optional tax table. Use of the standard deduction results in a tax liability of $247.20 or $283.20, respectively.

	(b) Earned income, $8,000			
	Equity, $4,000		Equity, $10,000	
	Homeowner	Renter	Homeowner	Renter
Assumptions:				
Value of home	$16,000.00		$16,000.00	
Mortgage	12,000.00		6,000.00	
Real estate taxes	225.00		225.00	
Earnings	8,000.00	$8,000.00	8,000.00	$8,000.00
Interest income		160.00		400.00
Adjusted gross income	8,000.00	8,160.00	8,000.00	8,400.00
Less 4 exemptions	2,400.00	2,400.00	2,400.00	2,400.00
Total	5,600.00	5,760.00	5,600.00	6,000.00
Less deductions:				
Property taxes	225.00		225.00	
Mortgage interest	600.00		300.00	
Other	600.00		600.00	
Standard		816.00		840.00
Taxable income	4,175.00	4,944.00	4,475.00	5,160.00
Tax	838.50	1,007.68	904.50	1,055.20
Homeowner's savings	169.18		150.70	
In percent of real estate tax	75		67	

TABLE D–I.—*Illustrative examples of the Federal income tax liability of homeowners and renters*—Continued

	(c) Earned income, $12,000			
	Equity, $7.000		Equity, $16,000	
	Homeowner	Renter	Homeowner	Renter
Assumptions:				
Value of home	$22,000.00		$22,000.00	
Mortgage	15,000.00		6,000.00	
Real estate taxes	308.00		308.00	
Earnings	12,000.00	$12,000.00	12,000.00	$12,000.00
Interest income		280.00		640.00
Adjusted gross income	12,000.00	12,280.00	12,000.00	12,640.00
Less 4 exemptions	2,400.00	2,400.00	2,400.00	2,400.00
Total	9,600.00	9,880.00	9,600.00	10,240.00
Less deductions:				
Property taxes	308.00		308.00	
Mortgage interest	750.00		300.00	
Other	800.00		800.00	
Standard		1,000.00		1,000.00
Taxable income	7,742.00	8,880.00	8,192.00	9,240.00
Tax	1,623.24	1,908.80	1,729.92	2,002.40
Homeowner's savings	285.56		272.48	
In percent of real estate tax	93		88	

TABLE D–II.—*Comparison of deductions in illustrative examples in table D–I with deductions actually taken in 1958*

	Adjusted gross income bracket		
	$3,000 to $5,000	$7,000 to $9,000	$10,000 to $15,000
Average deductions actually taken by taxpayers who claimed these deductions in 1958:			
All deductions	$853	$1,450	$2,001
Taxes	217	407	605
Interest	238	456	588
Contributions	160	270	413
Medical and dental	283	329	485

	Income					
	$4,000		$8,000		$12,000	
	Low equity	High equity	Low equity	High equity	Low equity	High equity
Average deductions of homeowners in illustrative examples in table D–I:						
Property taxes	$140	$140	$225	$225	$308	$308
Mortgage interest	450	200	600	300	750	300
Other deductions	300	300	600	600	800	800
Total	890	640	1,425	1,125	1,858	1,408

The benefit of nontaxibility of the imputed income of their houses accrues to all homeowners who are subject to income taxes, whether or not they itemize deductions. Imputed income from owner-occupied dwellings is taxable in Great Britain, France, Germany, Austria, and, in fact, in most industrial countries with the notable exceptions of the United States and Canada.[6]

The first permanent individual income tax in the United States, enacted by Wisconsin in 1911, taxed imputed income from 1911 to 1917. All other Federal and State income taxes in the United States omit it. Whether taxation of imputed income is constitutional under the 16th amendment has been doubtful since a 1934 decision of the U.S. Supreme Court.[7] But the equity of taxing imputed income is apparent. Home ownerships combines two distinct economic activities:

(a) The ownership of usable and occupied living quarters which earn a rental income;

(b) The occupancy of living quarters which requires a personal consumption expenditure.

The Office of Business Economics in the U.S. Department of Commerce, in preparing its national economic accounts, correctly includes in the income account an estimate of the (net) rental value of owner-occupied dwellings, and among the consumption expenditures an amount for the (gross) space rental value of owner-occupied dwellings.

Let us take an example of two families, both of which have a capital of $10,000. Family A puts it into a savings and loan association and receives $400 annual interest. If its top rate bracket is 26 percent, it pays an income tax of $104 on the interest. Family B uses its capital for an equity in a home. If it rented the home to another family and lived elsewhere, it would receive taxable income from one house and incur an expenditure on another. It could not offset its rental expense against its rental income. But if the family lives in the house it owns, and, in effect, pays the rental to itself (it earns income and consumes it in the form of occupancy), it pays no tax on the rent. It saves $104 compared with the tenant family mentioned above. This places a premium on living in one's own house rather than somebody else's. Basically, it violates the principle of the tax law that personal consumption expenses are not deductible from income. Donald Marsh suggested:

"The amount of imputed rent is considered equal to the amount obtainable if the property were rented to others."[8] The space rental value of owner-occupied nonfarm dwellings in 1956 totaled $19.8 billion.[9] If we assume that three-fourths of this was absorbed by expenses and that one-fourth constitutes net rent, the owners' income amounted to $5 billion. The revenue loss to the U.S. Treasury of the tax exemption of imputed income on owner-occupied dwellings may be estimated in excess of $1 billion.[10]

The homeowners' saving from the deductibility of real estate taxes and mortgage interest may be computed as follows:

	Billion
Real estate taxes on owner-occupied dwellings in 1957	$3.3
Mortgages on 1-family owner-occupied dwellings in 1956 totaled $84.8 billion (national housing inventory) at a rate of 5 percent, interest amounted to	4.2
Total	7.5

If we assume that at least half of the taxes and mortgage interest was itemized on Federal tax returns, and that most of this—if it were taxable—would be subject to rates between 20 and 30 percent, the Treasury's net loss from these deductions may be estimated at $1 billion a year.[11]

It appears then that the combined Federal income tax advantage of homeowners approximated $2 billion in 1956–57. Their total benefits may be slightly higher because State income tax laws parallel the relevant provisions of the Internal Revenue Code. Homeowners' real property taxes totaled $3.3 billion in 1957; about two-thirds of this may be offset by income taxe benefits.[12]

Some observers justify and welcome income tax benefits as an expression of a governmental policy which tries, through a variety of activities, to promote and aid the widest possible distribution of homeownership. Homeownership is regarded as desirable in itself and as an avenue toward a better and more stable citizenry. Governmental encouragement and subvention undoubtedly help accelerate the mass migration from the cities to the suburbs. This policy leaves in its wake rapidly decaying central cities, multiplies the public service needs of mushrooming new developments, and creates a virtually insoluble problem of commuter traffic between home and working place.

Some view benefits to homeowners as an indirect means of strengthening the autonomy of local governments, particularly school districts: Federal tax offset enables local authorities to impose heavier property taxes than their constituents would willingly bear if property taxes rested wholly upon owners. Others believe that there are better ways of promoting homeownership or providing local funds than the present system of income tax relief.

By and large, the charge of income tax discrimination against the tenant appears highly persuasive. But it could well be not as airtight or as strong as it seems. Spokesmen for the renters state correctly that landlords shift the burden of property taxes and mortgage interest to the tenant. Stephen G. Thompson in his earlier-cited article wrote: "In effect, the landlord is really only an agent or conduit for real estate taxes and interest payments."[13] Bruce Lee Balch said: "The landlord can be thought of as a collecting agency for the local government. * * * Again it should be noted that a tenant must pay [mortgage interest] in the form of increased rent to his landlord, although the tenant gets no deduction."[14] The tenant, of course, gets no deduction for the real estate taxes and mortgage interest paid by his landlord. But the landlord does. We found earlier that the homeowner's net cost of real estate taxes is less than the amount he pays to the tax collector. Is this not equally true of the landlord? The question is: Does the landlord pass on to the tenant his gross outlays or his net cost? If, as Thompson expressed it, the landlord is a "conduit" for real estate taxes, could he not also be a conduit for income taxes? The pricing goal of real estate as well as of industrial enterprises is gross receipts which, after deducting costs and taxes, yield the investor an adequate net return on his capital. If property taxes and mortgage interest were not deductible from the landlord's Federal income tax base, rents would have to be higher to yield a comparable net return. Thus, it seems possible that the benefit of the deduction and the resulting lower Federal taxes accrue, at least partly, to the tenant. Further research would be required to explore whether or to what extent income taxes and savings thereon are passed on to the tenant.

The renter is likely to receive greater benefits from the standard deduction than the homeowner. The 10 percent standard deduction was intended to equal the allowable deduction of the average taxpayer, including property taxes and interest payments. A renter in the low-income brackets seldom has enough allowable deductions to equal 10 percent of his adjusted gross income. The standard deduction may permit him to deduct from his income twice or three times the amount he could itemize. The owner of a mortgaged home needs few if any other deductions to equal the 10 percent standard deduction. If the deductibility of property taxes and interest payments were eliminated—as has been suggested by those who want to equalize the position of homeowners and renters—the standard deduction would have to be adjusted downward from the present 10 percent. This could well increase taxes for renters proportionately as much as for homeowners.

In summary, then, it appears certain that a substantial part of the residential property taxes is offset by benefits under Federal and State income taxes. It is not certain whether only homeowners enjoy the benefits or whether renters also share in them. The net savings to homeowners approximate, in the national average, two-thirds of their real estate taxes, which makes those taxes easier to bear. Of course, somebody pays for the difference as long as government maintains its level of revenue. Since homeowning families, as a group, constitute the majority of the American people, and receive about three-fourths of all income in the United States, they probably bear in the end, in some form or other, the cost of the benefits they receive through the deductibility of property taxes, mortgage interest, and nontaxability of imputed income.

[6] Henry C. Simons, "Personal Income Taxation," University of Chicago Press, 1938, pp. 112 ff.

[7] *Helvering* v. *Independent Life Insurance Co.*, 292 U.S. 371 (1934).

[8] Donald B. Marsh, "The Taxation of Imputed Income," Political Science Quarterly, December 1943. See also: Melvin I. White, "Consistent Treatment of Items Excluded and Omitted From the Individual Income Tax Base," in Tax Revision Compendium, Committee on Ways and Means, House, 86th Cong., 1st sess., 1959, p. 317.

[9] Survey of Current Business, July 1959, p. 17. The corresponding figure for 1958 is $24 billion.

[10] It was estimated at $1 billion or more by Louis Shere in "Federal Tax Revision To Promote Economic Growth and Stability," January 1957 Economic Report of the President, hearings before the Joint Economic Committee, 85th Cong., 1st sess., 1957, p. 428; likewise by Joseph A. Pechman, in National Tax Journal, March 1957, p. 24.

[11] Joseph A. Pechman (ibid.) estimated the 1956 tax loss from all personal tax and interest deductions at $2.1 billion. It seems reasonable to assume that about half of this is accounted for by owner-occupied homes.

[12] Louis Winnick (as quoted by Stephen G. Thompson in Architectural Forum, June 1958) estimated that comparable benefits for renters would amount up to $1 billion. Since the space rental value of owners is about twice that of renters, Winnick's estimate agrees with ours of $2 billion benefits for homeowners.

[13] Op. cit.

[14] Op. cit.

PROJECT HOPE

Mr. MOSS. Mr. President, when the Project HOPE ship sailed from Peru recently on completion of her 10-month mission, 30,000 Peruvians came and stood for hours in the rain to say goodby to the ship that had brought them so much help. They had covered her decks with flowers, a very great gift in a parched area. This final moving tribute, only one of the many the ship has received, is dramatic proof of the happiness and gratitude HOPE creates in carrying out her aim of a better health opportunity for people everywhere.

Project HOPE has been made possible through the generosity and dedication of a great many individuals and industries. The funds for her operation are from private contributions. Most of her medical supplies have been donated. Her staff works for much less than they would receive in the United States and most of the doctors aboard are volunteers working on a 2-month basis. I am very proud to say that two members of SS *Hope*'s dedicated and hard-working staff on this recent trip to Peru were from Utah. They were Dr. Robert Loehning, assistant professor of anesthesiology at the University of Utah College of Medicine, and Mary Joe Ann Crary, a medical technician.

The ship is now in New York being overhauled, and as soon as she is ready, she will set forth on another mission of mercy—probably to Latin America again.

Project HOPE's mission is twofold. She brings medical care to thousands who might never receive it otherwise. On this last trip alone about 80,000 persons received some attention, either on board or ashore. Uncounted lives have been saved and many of the cures have seemed miraculous. Quite literally the blind have been made to see. However, SS *Hope*'s contribution to health extends far beyond the patients her doctors treat directly. Her primary purpose is to serve the function of a university teaching hospital which, by training local people, will help them to improve their own medical facilities.

SS *Hope* went to Peru at the invitation of the medical profession of Peru and the faculty of the University of Trujillo Medical School. These men carry an extremely heavy workload. They are interested in improving their knowledge and techniques but they cannot afford the time to come to the United States to study. They do not even have time to give their students adequate practical training. While the SS *Hope* was at Trujillo, doctors and students were able to participate in formal classes, seminars, and ward-rounds, both on board and ashore. They were able to see modern American medicine as it is practiced. Each month at least 20 medical students were in residence on the *Hope*.

Every member of the staff from the surgeons to the laundryman had a Peruvian counterpart training with him. As a result of this, the new university hospital will have personnel trained for all its various functions, which would not have been possible without Project Hope—and the program of training will continue for a minimum of 3 years at the hospital with Project HOPE personnel and funds.

In working to improve health in the countries the SS *Hope* visits, the project also achieves greater world understanding through personal relationships. As a byproduct, the *Hope* has won friendship for the United States from people of all social and economic levels. Few gifts are as much appreciated as that of health—and life. During the political unrest in Peru last summer all factions were unanimous in their desire to have the white hospital ship stay. The Peruvian people have further demonstrated their enthusiasm by contributing funds to the Peruvian Hope Committee to assure that care of their poor would be continued after the departure of SS *Hope*.

Project HOPE has received invitations from all over the world. Wherever she goes the ship's presence will fill a need, but her departure will not create a vacuum.

THE WHEAT REFERENDUM

Mr. McGOVERN. Mr. President, on May 21 the farmers of the Nation made a choice between two alternative possibilities. They rejected a plan which would have required a further cutback in wheat production and higher price supports. They chose instead the possibility of unlimited wheat production with little or no protection in the form of price supports.

Many of us feel that this was an unwise decision, but we, of course, recognize the right of farmers to express their views in a free referendum.

Both before the referendum, and since it has passed into history, opinions have been expressed by commentators and editorialists across the country. Two editorials by Mr. John Sittner, of the Lake Preston Times, written before the referendum, and an editorial by the editor of the Mitchell Daily Republic, which appeared immediately following the referendum, seem to me to be worthy of the attention of the Congress. I ask unanimous consent that the editorials be printed at this point in the RECORD.

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

[From the Lake Preston (S. Dak.) Times, Apr. 25, 1963]

WHOLE SYSTEM AT STAKE

In less than a month the Nation's wheat producers will vote in another referendum, casting ballots in an election most vital to all agriculture and the small town social-economy that depends upon agriculture.

We in the eastern half of Kingsbury County cannot afford to regard this coming referendum as a vote that affects only those gaining their living primarily from wheat production. We cannot look upon it as vital only to farmers in Kansas and Nebraska, central South Dakota, or even western Kingsbury County.

If the referendum comes up with a "No" result—and remember, it takes two-thirds "Yes" votes to carry, only 34 percent "No" votes can prevail—here is what we can expect to happen:

Price supports will drop to $1.25 a bushel for those few farmers who will still plant within acreage allotments; but by far the larger number of wheat producers will plant all they can, fertilize as heavy as they can to produce all possible in an effort to maintain income through sheer mass of production. This mass of wheat, which close observers predict might well be a billion bushels over normal, will hit an open market and a dollar a bushel is about all anyone can expect to get for it.

"So what, how does that affect us in the corn-hog-cattle country?" you say.

Here's what, and it is the reason meat, corn, oat, and barley producers have had a big stake in every wheat referendum for the past decade, even though we may have paid little attention to it:

When this billion bushels of overproduction wheat hits the market at $1 a bushel or less it's the feed grain market it will hit, knocking the bottom out of feed grain prices, and inevitably putting hog and cattle prices on the skids, too. Those feed grain farmers in the Government program will have some protection for 1 year, but at a cost to the Government that will jeopardize any future feed grain program.

In the past, even though outcome of wheat referendums have been most important to meat and feed grain producers, the latter could do little to affect the result, voting being largely limited to the larger producers.

This year, however, voting eligibility rules have been changed and any wheat producer can qualify to vote. And that includes a majority of the farms in the central and eastern areas of Kingsbury County.

Any farmer with an allotment of under 15 acres, or with a so-called small farm wheat base, can qualify to vote. Any such producer wishing to vote in the referendum may do so by filling in the form on back of his allotment notice, signifying his intention to participate in the 1964 program, and then return the form to the county ASCS office by May 13.

Thus this area—directly dependent upon feed and meat production for income but indirectly dependent upon an effective wheat program to protect our meat and feed markets—can have a say in the decision on May 21.

It's hoped we won't muff the opportunity that is ours to vote in behalf of the area's welfare. For not only wheat, but the price structure of our entire feed and meat production system is at stake.

[From the Lake Preston (S. Dak.) Times, Mar. 28, 1963]

IT'LL BE MANAGED EVENTUALLY—QUESTION IS, BY WHOM?

The furor over supply management, already quite loud as competing forces clash over the upcoming wheat referendum, will become even more heated during the coming weeks as the spring vote nears.

As we see it, not supply management but whether or not we will have farm programs in the future is the thing that is at stake—and we think those who are presently campaigning for a "No" vote 2 months hence are fully aware of that fact.

Because eventually we're going to have supply management in agriculture—just as we now have it in practically every other industry and line of endeavor in these United States. And that means the big question to be decided in the wheat referendum this spring is actually, "Just who will manage agricultural production in this country?"

The answer to that question should be a subject of intent speculation for all of us in the farm country since our economic future, indeed our entire way of life, depends upon the answer.

Since the best way to assess the future is from effect of happenings, events and forces from the past, here's the way we size up future developments on the farm front. We don't expect you to agree wholeheartedly, perhaps not agree at all, but we do hope these speculations will provoke some serious thought.

Should wheat growers approve the new program in this spring's referendum, we will see supply management by farmers themselves in a program coordinated by their Federal Government's Department of Agriculture. We will see each wheat producer allotted his share of domestic and foreign market production and receive a good price for it—and for all production over that he will receive less. We will see the mountainous wheat surplus continue to diminish and with it we will see farm program costs go down, thus retaining urban legislators' willingness to go along with continued farm programs. We will see the wheat farmer—and

the small towns that depend upon him for their well-being—continue relatively prosperous. And most important, we will see that this illustration of benefits to be derived from supply management will be "catching" in other branches of agriculture, in the corn-hog-cattle belt in which we live; and we can reasonably expect to see upgraded feed grain programs in the years to come. In short, we will see our agricultural social-economy continue about as present, with a few refinements and improvements as we make our pricing programs more effective.

But what can we expect if the wheat referendum fails this spring, if foes of farm programs succeed in confusing the issue and persuade over one-third of wheat producers to vote "No?"

First thing we will see will be this Congress refusing to write another program and then there will be no effective price support for wheat. And next spring we will see Congress take the same attitude toward other crops—at long last fulfilling the ambition of those who want to force agricultural production on an open market.

Then "dollar wheat" will be inevitable—and it is significant that this prediction is not disputed by the false Messiahs preaching opposition to supply management.

Dollar wheat will drag corn down to 50 cents, 50-cent corn will halve the price of hogs and cattle and will leave half our farmers—and all of our small town Main Streets—with our backs to the wall.

Then every last one of us, farmer, businessman, professional man, regardless of political persuasion or prejudice, will realize the absolute necessity for supply management, for control of the excess production that an open market converts into an economic quicksand.

Then it will be late in the game to institute a system of supply management. Such a system could be instituted in time to save our rural social-economy from total destruction only if the following conditions prevail: If farmers overwhelmingly agree on necessity for action; if there's some organization to serve as a nucleus for bargaining action; if all farmers will stick together against intense efforts to divide them; if we can forget the political prejudices that set farm group against farm group; if agriculture and those who depend upon agriculture can voluntarily set up, impose and abide by effective production controls.

If all these conditions prevail, then perhaps order could be brought out of an open market price chaos in time to save the majority of our farms and farm dependent businesses from bankruptcy.

If price protection isn't soon achieved, then individual farmers would go under financially. A few big operators, highly capitalized, will survive and form a nucleus for a vertically integrated agriculture and a system of corporate farms—all of them buying wholesale and bypassing the services offered by small towns.

After all the small farms are eliminated and production is in the hands of a few, those few will waste little time in cutting back production to market needs. We may be sure that production will be held until the few producers get what they want for it—just like the steel producers, the car makers, the implement manufacturers hold production to what the market will absorb at the price the producers need to make a profit.

All this is a gloomy picture of what could come to pass. We hope it won't materialize but the elements for it certainly do exist.

However, we really don't need to let it happen—if we'll just wake up, approve farm programs applying the principle of supply management by ourselves now, rather than waiting and having opposing interests impose it later.

[From the Mitchell Daily Republic, May 24, 1963]

THE FARMERS' CHOICE

Rejection of the Kennedy administration's 1964 wheat program in last Tuesday's national referendum bodes no good for Wheat Belt States. There is, at this moment, little prospect for passage of new wheat legislation at this session of Congress; and, unless, some plan is put forward toward maintaining profitable wheat prices, major wheat producers will suffer. Repressed wheat prices also would reflect upon feed grain prices and extend into the livestock industry.

ALLEN J. ELLENDER, chairman of the Senate Agriculture Committee, and HAROLD D. COOLEY, chairman of the House Agriculture Committee, seem agreed that no new legislation will be forthcoming. Said ELLENDER, "The farmers have voted themselves out of the wheat program and I wish them well." Said COOLEY: "Growers now are free to plant the whole face of the earth in wheat at prices one-third to one-half below the prices provided by the program they rejected. I intend to respect their decision and I do not believe Congress will now consider any legislation to interfere with that choice."

It is to be expected that farm State Congressmen will unleash a strong campaign for some replacement wheat measures. However, the odds they face in obtaining passage are perhaps more against them than ever before. The once-powerful farm bloc in Congress no longer exists. The makeup of the House and Senate today is largely oriented to an urban America, and even those representing metropolitan districts who in the past have supported farm legislation, in the face of constituent criticism, have thrown in the towel.

The National Wheat Growers Association, the Grange, the National Farmers Union, the National Farm Organization, and many other smaller groups worked long and hard for approval of the wheat certificate plan. They were opposed mainly by the National Farm Bureau, this country's largest single farm organization. The Farm Bureau won and now it is up to this group to lead the way toward a solution to the problem of wheat surpluses. They have led agriculture down a blind path in the "survival of the fittest" jungle. Whether they can clear the way to a safe destination remains to be seen.

Those who supported the wheat certificate plan, including the Daily Republic, will continue to fight to save family type agriculture and to oppose vertical integration which poses a threat to farm-supported cities and towns. Enough farmers have indicated disenchantment with the Federal program to throw it out. This is their inalienable right in a democracy. We hope the decision will not bring about severe economic setbacks. The vote result is to be respected. They have attained the freedom to farm which the Farm Bureau plugged for. Now efforts must be directed toward seeking new uses and new markets to handle the abundance.

SCHOOL MANAGEMENT: HOW TO TEACH DATA PROCESSING IN YOUR SCHOOL

Mr. MORSE. Mr. President, during the course of our hearings before the Education Subcommittee on S. 580 and related bills, I anticipate that much testimony will be presented concerning title V of that measure which deals with vocational education.

In the May 1963, issue of School Management there appeared a most interesting article entitled "How To Teach Data Processing in Your School," which sets forth a program of instruction in this new field of technology undertaken by the capital city of the great State of Washington, Olympia. It would appear from the article that the vocational training program under the leadership of Superintendent Rolland Upton could be most helpful to many other communities engaged in revitalizing this important aspect of the secondary school curriculum.

In view of that, Mr. President, I ask unanimous consent that the article to which I have alluded together with the charts pertaining thereto be printed at this point in my remarks.

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

HOW TO TEACH DATA PROCESSING IN YOUR SCHOOL

Your vocational training program is obsolete unless you are preparing at least some of your students for careers in data processing.

Within the next 10 years, according to an industry spokesman, data processing will make more than 500,000 jobs available to qualified persons trained in the skills of programing and operating machines, maintenance and repair, even filing and bookkeeping in support of the machinery.[1]

If this figure seems high, look at your own situation. You, yourself, are an employer. Pressures are mounting daily for school districts to use various forms of data processing. But how many people do you have available who can actually operate, maintain, or program the equipment you may have to use? The lack of such personnel has been a major stumbling block in getting data processing into schools.

The average high school graduate is still ill prepared to earn a satisfactory wage. He has almost no marketable skills, can find few really rewarding jobs, is hardly better off than the dropout. While a few communities have established plans and seriously considered revamping their vocational curriculums, only a handful have done anything.

One district which has taken a step in the right direction in Olympia, Wash., where a 2-year technical training institute, operated under board of education auspices, trains vocationally oriented personnel in data processing, electronics, and related skills. The institute has been operating for almost a year in an old abandoned department store (renovated at minimal expense for laboratories, classrooms, and offices), with a faculty recruited primarily from local industry (the instructors are paid a competitive wage), and a curriculum that is in a constant state of change because the students are forcing practical and necessary modifications.

While the Olympia vocational school is not set up specifically for the training of nonacademic students, many of those enrolled are considered to be in this category; they are, in fact, gaining a technical education that (1) has never been available before, and (2) will qualify them for employment upon graduation. The institute is operated as a separate educational unit by the board, and is set up as a post high school institution. As a result, it has enrolled dozens of persons who have been away from formal education for years, but who feel no shame at returning to gain knowledge in higher education.

In effect, the school is a compromise with local factions who originally wanted to establish a community college, but who have settled for this kind of training school to service local employment needs. The fact that it is

[1] See, "Is Your Vocational Training Obsolete," School Management, April 1962.

achieving its goal can be seen by the make-up of its first class in data processing. There are 21 students 3 of whom were previously unemployed, plus several housewives, high school graduates and older persons who are looking for work. They all have one thing in common—a high mathematical aptitude—and they are all being trained in the art of programing a data processing installation.

Of course, high mathematical aptitude is not necessary for all data processing jobs. As the institute gains momentum and support in the years to come, it is likely to expand and train machine operators, technicians, repairmen and maintenance personnel as well.

For the moment, however, the institute is confining its data processing training to the programing function. (During the course of their instruction, of course, the potential programers operate the equipment; in their laboratory sessions, they also produce useful data processing records for the school district.)

WHY TEACH DATA PROCESSING?

The decision to train students in data processing was not taken lightly. "Olympia is the State capital," says Superintendent Rolland H. Upton, "and 13 of the larger departments in our State government use data processing in their recordkeeping. We held some conferences with knowledgeable people in the various departments asking them to advise us as to the kinds of trained personnel which were in demand in the field, and which, in their opinion, would continue to be in demand. The discussions convinced us that our community (and most others) needed a training course in data processing, programing and management, and that properly selected trainees who took this course would be in demand at good salaries.

"It also became apparent," continues Upton, "that a full 2-year course should be offered for persons who would specialize in this field, and that there should be variations in the program to permit special training in specific cases. For example, there should be an accommodation for on-the-job upgrading for people already involved in data processing—people who want to get ahead."

Upton's discussions with State officials also convinced him that it would be in the best interests of the community to offer electronics and secretarial training at the vocational school, because both skills are so much in demand in Olympia. Being the capital, Olympia has more than its share of secretarial jobs to fill, and the State of Washington has a booming aviation-electronics industry.

"The message for schoolmen is clear," says Upton. "We didn't just move into this vocational training area blindly. No district should. As we did, every community's schools should investigate and determine what its local employment needs are, then train vocational students to fill those career jobs. In most instances, data processing will be one course to offer."

Knowing what the district wanted to teach in its vocational institute was only a start, however. Converting the plan to a program took administrative activity in five general areas: housing, faculty, enrollment, curriculum, and financing. Here's how Superintendent Upton and his staff approached each of these problems.

HOUSING

"We had no available classroom space in the district," Upton reports, "and since we lacked capital funds, there were only two possibilities. We could acquire temporary, portable classrooms, but discounted the idea because we knew this would be a permanent institution and wanted permanent quarters. We then considered, and acquired, a former department store which was still under lease by the owner, Montgomery Ward Co. It was a structurally sound building of 20,000 square feet consisting of four floors (including a mezzanine and basement). The amount of space was about twice as much as we felt we needed, but we were able to justify the leasing costs by moving in our district administrative offices from another building, and applying that rent to the new quarters. The extra space also gave us room to expand our program when necessary, as it probably will be within a few years.

"One thing that appealed to us about the old department store was the fact that it was not cut up by partitions. It was genuine 'loft' space, and we were free to develop the interior without limitations. By partitioning, treating the ceilings acoustically and bringing in heavy electric cables, we were able to create an excellent teaching space.

"We set the basement aside for storage space and half the first floor was given over to the district office. The remainder of the first floor, plus the entire mezzanine and top floor, were for the use of the vocational school.

"The area where data processing is taught is all on one floor, and occupies a rectangle about 30 by 60 feet. Included in this area are a classroom, two laboratories, with machines, and a combination counseling space and office. Since our operation is not large, and there are times when only one instructor is on duty, we have many glass partitions so as to achieve visual supervision of the entire area. We attacked the problem of planning the facilities within the area by making scale models of the various spaces and facilities, and taking into account the various relationships, traffic patterns, etc. We moved the models about until we had a plan that we felt would work best—and that final plan has served us well. Of course, we employed an architect to assist us in planning and supervising the changes within the building."

With regard to facilities, the school's computer lab has IBM 1620 and 1622 equipment. The unit record (punch card equipment) lab has such equipment as an interpreter, verifier reproducer, collator, card punch, tabulator, sorter, and accessory equipment such as file cabinets and card racks.

The classroom is not equipped with desks. Says one instructor, "Desks aren't feasible in a school of this type. We find that two-man tables are better. We have 13 of them plus an instructor's desk, and they are just what we need."

THE FACULTY

"In general," remarks Superintendent Upton, "a district must choose between two types of vocational instructors: those who know quite a bit about teaching, but are not completely expert in their subject fields and those who know the subject matter, but who don't know a great deal about teaching. In view of the technical nature of our curriculum, we felt it best to hire technicians and train them to teach. It is easier to teach methodology and instructional techniques to data processing experts, than vice versa."

As a director or principal of the technical institute, the district hired a former Navy officer with a career background in electronics. He was a member of the training faculty of the Boeing Aircraft Co., when Upton lured him away with a competitive salary. "In arriving at his salary," Upton says, "we recognized that we would have to pay a competitive rate and so we made no attempt to relate his compensation to our district salary schedule for administrators."

The remainder of the school's faculty consists of four full-time instructors, supplemented with several part-time teachers who are still regularly employed in the field in which they teach. The full-time instructors are all specialists and experts. The chief instructor of the data processing department, for example, had been a programer in one of the State government agencies.

In setting salaries for the faculty Upton "generally stuck to the district salary scale for teachers—but to make our salaries competitive, we set up a scale of 'equivalents.' We matched years spent in the actual practice of the instructors' specialties against the years spent in academic preparation and experience of our classroom teachers."

THE STUDENTS

"We actually had to recruit our first students," reports Upton, "because we got started late in the school year. Graduating seniors were not particularly attracted to our program at first, probably because they had already made plans along other lines. But we were able to recruit with success by 'word-of-mouth' advertising and by utilizing local communications media. We simply set forth the information that courses were being offered in data processing (and electronics and clerical and secretarial work) to any who were interested, regardless of age or present occupation.

"In all, about 50 persons appeared for interviews and applied for enrollment in the data processing program. They asked all kinds of questions, all the way from 'What is data processing?' to technical questions which indicated a deep knowledge and interest in the subject. Of the 50 who showed initial interest, 41 returned at a later date for a math oriented aptitude test (programers' aptitude test, available from IBM) and additional interviews with the program instructor to discuss test scores and aptitudes. Remember, at the start, at least, our data processing instruction is designed to turn out programers—the highest data processing skill. At some future date we'll probably offer training in the less demanding skills.

"An initial class of 21 students was selected from this group. The test was not, in itself, the determining factor for admission to the school. Other factors were grades which the student had earned in high school, and the personal interviews—in which efforts were made to discover the interests of the applicants, their maturity and probable staying power. We felt that of the 21, 15 had an excellent opportunity to succeed as data processing programers. Six were in the marginal category. The latter had registered test scores that were below the optimum for predicted success, but they possessed personal characteristics and other traits which impressed us. Our experience with the class, however, has further impressed us with the validity of aptitude testing as a predictor of success."

The initial 50 applicants for data processing instruction ranged in age from 17 to 47. Twelve were unemployed at the time of their application, nine were students, eight were engaged in clerical work, seven were factory workers, five were already in data processing, four were housewives, and five had miscellaneous backgrounds. More than half of these persons indicated that they were trying to find themselves in an employment field, and 17 stated flatly that they were looking for better jobs. Upton regards this as an indication of how important school programs can be to a community.

THE CURRICULUM

The State board of vocational education provided Olympia with its basic curriculum for data processing. The district was already teaching some data processing (such as basic machine operation in an adult evening school), and parts of this material were incorporated into the technical institute's lesson plans. Additionally, the district acquired curricular material made available by the U.S. Office of Education. (This material in turn, is based on a curriculum being taught at Orange Coast College in Costa Mesa, Calif.)

Finally, the district asked people who had been advising on data processing (especially State officials who would be employing the school's graduates), to comment on the content and adequacy of the course of study. Many of their suggestions were adopted.

As finally developed, the curriculum is heavily oriented toward mathematics, with particular emphasis on the math used by the data processing industry—binary and octal numbering systems, probability and statistics, statistical analysis, etc. In addition, a great deal of time is devoted to such subjects as basic bookkeeping, knowledge of the data processing vocabulary, principles and structure of accounting, accounting data, etc. Emphasis is also placed on programing analysis—analyzing data and structing it (translating it into machine language) for processing.

As it was originally planned, the curriculum left much to be desired. In the first place, it did not provide enough time to explore deeply into technical areas which attracted the interests of the students. Also, instructors frequently found that they barely had time to cover a unit in class, with no time remaining for the practical application or demonstration in the laboratories. For these reasons, the curriculum is in a constant state of change, a situation that bothers no one, so long as the changes are designed to improve the course.

Now, toward the end of its first year of trial, it appears as if the basic curriculum will not change, but the time allotments will. Major curriculum changes will wait until the school expands.

WHAT IT COSTS

"Financing the school was our chief concern," says Upton. There were no local funds earmarked for the founding and maintaining of the school.

"We investigated very carefully and determined that we would be able to finance the school only if the board of education would permit us to do a little 'pump priming' by drawing from surplus funds of the district for the expensive initial effort—heavy expenditures for furniture and equipment. The first year's budget, we figured, for the entire school, would run about $120,000 (see end of article), and we would have to juggle funds to make ends meet. After the costly first year, however, we felt that we could finance the school completely from student fees, State funds (which are provided under law for the encouragement of vocational and technical education), and Federal aid."

The district, already paying $6,000 a year for 3,000 square feet of office space in another building, leased the department store (20,000 square feet) for $10,000. The district offices were moved into the store, and for an additional $4,000 there was a net gain of 17,000 square feet.

After the first year, however, the rent for the store is to be reduced from $10,000 to $8,000. So, in effect, the district acquired housing for its new vocational institute for only $2,000 a year above previous costs. Additionally, the new lease agreement contains a provision that the rental payments could, on the option of the district, apply to the building's purchase.

The basic funds for operating the technical school came from several sources. State aid based on attendance amounted to about $46,000, and the district received another $17,000 from the State because it was actively involved in a planned program of vocational-technical education. NDEA funds to the tune of $44,000 were received for partial compensation of personnel and equipment. "All told," says Upton, "the school is actually costing us only about $14,000 the first year in out-of-pocket expenditures. We feel that it can be justified. Incidentally, our actual experience with the budget has shown that our estimates of financing were fairly accurate. We have not had to revise our figures.

"In conclusion," says Upton, "let me say that I often refer to this technical school as 'an adventure in the teaching of data processing.' Adventure or not, it is certainly a consideration for every school district that believes in the philosophy of 'meeting the needs of individual students.'"

WHAT IT COSTS

Here's a glance at the Olympia district's first-year budget for the technical institute. As the close of the first year approaches, Superintendent Rolland Upton reports that no significant changes have had to be made:

1. Revenue and balances:	
Per diem attendance support	$46,200
Educational unit support	17,115
NDEA personnel support	12,000
NDEA equipment and supplies	32,000
Cash reserve to balance	8,185
Abatements	5,000
Totals	120,500
2. Expenditures:	
Part-time supervisor [1]	4,675
5.5 teachers	32,325
Supplies	6,000
Equipment	42,500
Equipment rental	15,000
Building rental	10,000
Textbooks	5,000
Heat and utilities	5,000
Totals	120,500

[1] This is a full-time man, but half his salary is charged to supervision and half to teaching.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

MENTAL RETARDATION FACILITIES CONSTRUCTION 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.

The PRESIDING OFFICER. Without objection, it is so ordered; and the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes.

Mr. McGOVERN. Mr. President, no bill before the present session of Congress appeals more to our humanitarian sympathies or to our approval of intelligent social action than this measure designed to improve the mental health of Americans. Across the Nation millions of our citizens are afflicted with mental illness or mental retardation. These afflictions, by their very nature, are more difficult to diagnose, expensive to treat, and cause more suffering in the families concerned than any other category of illness. Over three-quarters of a million Americans are confined to institutions for mental illness or mental retardation. As the President said in his magnificent message of February 5:

> This situation has been tolerated far too long. It has troubled our national conscience, but only as a problem unpleasant to mention, easy to postpone, and despairing of solution. The Federal Government, despite the nationwide impact of the problem, has largely left the solutions up to the States. The States have depended on custodial hospitals and homes. Many such hospitals and homes have been shamefully understaffed, overcrowded, unpleasant institutions from which death too often provided the only firm hope of release.

This bill calls for a new approach to our national responsibility in the field of mental health. It seeks to stimulate State, local, and private action to use the breakthroughs already achieved in the diagnosis and treatment of mental disabilities, as well as to train the skilled personnel needed in research and treatment. It calls for Federal grants for the construction of community health centers for the prevention, diagnosis, and treatment of the mentally ill, and for research centers and facilities for the mentally retarded. This approach relies heavily on new knowledge and new drugs discovered in recent years.

The bill calls for the creation of many new comprehensive community mental health centers financed by Federal and State authority. These would be located in the patient's own community, where continuous treatment and a familiar atmosphere would prevail. The Federal grants would be based on a program of stimulating local and State efforts, and consequently the Federal contribution would be phased out in a few years. Other parts of the bill would provide help in improving care in State mental institutions, stimulate research in mental disease, and train professional and auxiliary personnel. Another section of the bill deals with mental retardation which, as the President says, "hits more often and harder at the underprivileged and the poor; and most often all, and most severely, in city tenements and rural slums where there are heavy concentrations of families with poor education and low income."

Some critics have argued that we cannot afford this program or that it is indicative of a "spending" philosophy that is alien to America. I challenge this argument. If it is un-American to take intelligent national action on a problem as critical and widespread as mental affliction, or if we cannot afford, for example, to help provide teachers for the three of every four retarded children who lack them, then I understand neither our heritage or the productiveness of our economy. President Kennedy refuted these critics when he said:

> In an effort to hold domestic expenditures down in a period of tax reduction, I have postponed new programs and reduced added expenditures in all areas when that could not be done. But we cannot afford to postpone any longer a reversal in our approach to mental affliction. For too long the shabby treatment of the many millions of the mentally disabled in custodial institutions and many millions more now in communities needing help has been justified on grounds of inadequate funds, further studies, and future promises. We can procrastinate no

more. The national mental health program and the national program to combat mental retardation warrant prompt congressional attention.

I agree with the President. I have been much impressed with the interest in this legislation in my State of South Dakota. In a recent letter, Mr. Louis A. Kimball, executive director of the South Dakota Mental Health Association, reported a strong undercurrent of feeling in favor of this legislation.

The bill would provide—

Mr. Kimball wrote me—

the type of help that we definitely are in need of in order to afford appropriate action in this almost overwhelming battle against mental illness.

Another constituent, Mrs. Bob Claseman, of Rapid City, has raised a question I find difficult to answer: "Why must politics interfere with a program which would help such a needed cause?"

In the past few days I have received many telegrams from South Dakotans who support this legislation. Among others I have heard from Mr. Gene Nieses, president of the Yankton County chapter of the South Dakota Mental Health Association; Mrs. Jerome Mayer, president of the Minnehaha County chapter, Hand County Mental Health Association; Mr. James Fitzgerald, of Yankton; Mr. J. S. Kibben of Rapid City; Mr. Glenn Gering, of the Freeman Courier; Mr. William Green, of Huron; and Mr. Charles Snow, of Mitchell, my fellow townsman who has been in the forefront of the South Dakota effort for better programs for the mentally retarded.

I would like to point out that my State was a pioneer in the development of the regional mental health centers which would be encouraged by this bill. As a Member of the other body, I introduced legislation similar to that now before us to provide Federal assistance for them.

Early mental health efforts in South Dakota occurred at Rapid City, where a 1-a-day-a-week outpatient mental health clinic commenced operations in 1949. Three years later, the first full-time outpatient mental health center opened its doors in Sioux Falls. Further centers have been initiated at Aberdeen, Huron, and Watertown. If more funds were available, this valuable program could be expanded still further.

I feel that every dollar that we as Americans invest in the treatment of the mentally ill and the rehabilitation of the mentally retarded will return rich dividends in the form of more useful and secure human beings. I can think of no more fitting way in which to conclude these remarks than to cite the eloquent words of the President when he recommended this legislation:

We as a nation have long neglected the mentally ill and the mentally retarded. This neglect must end, if our Nation is to live up to its own standards of compassion and dignity and achieve the maximum use of its manpower.

This tradition of neglect must be replaced by forceful and far-reaching programs carried out at all levels of government, by private individuals, and by State and local agencies in every part of the Union.

We must act to bestow the full benefits of our society on those who suffer from mental disabilities; to prevent the occurrence of mental illness and mental retardation wherever and whenever possible; to provide for early diagnosis and comprehensive care, in the community, of those suffering from these disorders; to stimulate improvements in the level of care given the mentally disabled in our State and private institutions, and to reorient those programs to a community-centered approach; to reduce, over a number of years, and by hundreds of thousands, the persons confined to these institutions; to retain in and return to the community the mentally ill and mentally retarded, and there to restore and revitalize their lives through better health programs and strengthened educational and rehabilitation services; and to reinforce the will and capacity of our communities to meet these problems, in order that the communities, in turn, can reinforce the will and capacity of individuals and individual families.

We must promote to the best of our ability and by all possible and appropriate means—the mental and physical health of all our citizens.

Mr. President, on May 4, 1963, I addressed the Minnehaha Mental Association in Sioux Falls, S. Dak. I ask unanimous consent that my address be printed at this point in the RECORD.

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

UNITED ACTIONS TO COMBAT MENTAL ILLNESS

Ladies and gentlemen, I appreciate very much the invitation to speak here tonight in observance of National Mental Health Week.

As some of you may know, I have had for many years a special interest in mental illness and retardation. During the two terms I served in the U.S. House of Representatives I sponsored legislation providing for grants to institutions of higher learning for conducting research and training teachers in the field of mental retardation. I also introduced legislation to provide construction grants for mental health clinics. One of these bills designed to improve the teaching of mentally retarded children was enacted in 1958.

I'm proud to see that the things I was working for in 1957 and 1958 and 1959 are now the major provisions of the President's program for mental illness and retardation. The President's leadership and public information programs by groups such as this one will help to create a favorable climate for the enactment of this much-needed legislation during 1963.

In his mental health message to the Congress in February, the first such major address on mental health by any American President, the President outlined broad new programs for an intensive 5-year effort to combat mental illness and retardation. Although I consider these disabilities equally important, since time is short and since our purpose tonight is to study the problem of mental illness, I will discuss only that part of the proposed legislation.

First, the President advocates the construction of community mental health centers which would provide diagnostic and inpatient and outpatient services, day care, and rehabilitation programs. Wherever possible these centers would be connected with existing general hospitals, and the Federal Government would provide from 45 to 75 percent of the cost. Secretary of Health, Education, and Welfare, Anthony J. Celebrezze, recently testified before the House of Representatives Committee on Interstate and Foreign Commerce that the administration hopes that 420 of these centers will be constructed in the next 5 years.

Within the past few years there has been a definite trend away from large custodial institutions for the mentally ill. But even so, the majority of the 530,000 patients in our State mental institutions are crowded into hospitals housing more than 3,000 patients each. Under such circumstances it is virtually impossible to provide the patients with the individual treatment and counseling they need if they are to recover. Yet many patients could recover with proper care. Although 45 percent of our mental patients have been hospitalized continuously for 10 years or more, the President's Joint Commission on Mental Illness and Health believes we could reduce the number requiring custodial care by half with the necessary drugs, facilities, and personnel. For example, studies demonstrate that two out of three schizophrenics—our largest category of mentally ill—could be released after less than 6 months of treatment although the average stay is now 11 years.

There is no question about the need for expanded facilities for the mentally ill. At the present time 94 percent of our mental hospitals do not merit the full approval of the American Psychiatric Association, and many are actually unsafe. The association states that new space is needed for some 352,000 beds to relieve overcrowding and to replace unacceptable accommodations. As far as outpatient facilities are concerned, this group estimates that we have only about 20 percent of the full-time clinics we need.

I have said there is no question about the need for mental health facilities, and I think there is also no question that community-centered mental health clinics must replace our large State institutions. When we send a mentally ill person many miles away from home, we cut him off from his family and friends, from his church, from his job, from everything that has been important to him. Recent pilot projects show that many mental patients make excellent progress under an outpatient system without ever having been confined to a hospital. Even those who must spend some time in a hospital make more rapid recoveries in small clinics close to their homes than they do in large State institutions. The transition back to everyday activities is much smoother if the patient has had the benefit of rehabilitation programs and has had help in getting a job again in his own community. Moreover, readmission rates at State hospitals are sharply reduced when discharged patients have access to supportive treatment in community clinics.

In commenting on the importance of the trend toward community mental health centers, Dr. Robert H. Felix, Director of the National Institute of Mental Health and former president of the American Psychiatric Association, had this to say: "I have no doubt that * * * mental hospitals as we know them today will have ceased to exist within 25 years. In the history of mental illness, this will be recorded as an accomplishment matching that of Pinel when he broke the chains in a Paris asylum."

As Dr. Felix pointed out, however, in order for this to happen the communities must assume their essential responsibility in building strong mental health programs. You will recall that the President is recommending a Federal matching program for the construction of mental health facilities—not a Federal giveaway program. That means the States will have to meet, on the average, 40 percent of the cost of construction. Moreover, although the President has suggested that the Federal Government help meet the operating expenses of the clinics by paying up to 75 percent of the salaries of new professional personnel during the first year, the Federal share will then be decreased during each of the 3 following years and finally withdrawn altogether. This too, then, is

only temporary assistance. Ultimately the community must assume the responsibility of supporting those mental health center activities which cannot be covered by fees.

I believe these are sound provisions. For too many years the States alone have borne the burden of caring for the mentally ill. The Joint Commission on Mental Illness and Health calls this state of affairs a historic mistake and recommends, along with the American Medical Association and other professional groups, that Federal, State, and local governments work together to combat mental illness. A troika such as Khrushchev suggested for the United Nations would never work for the three horses would be pulling in different directions. But State, local and National Government pulling together in coordination could be a mighty force for mental health.

Another of the President's proposals was for increased appropriations for the training of professional personnel under the fellowship grants program of the National Institute of Mental Health. This, it seems to me, is an essential requirement of any program to combat mental illness. As one pioneer in the field of mental health, Dr. George Preston, said, "No building ever cured a patient. Patients can be cured only by trained people. They can be cured at home or in tents, or on farms, or crowded wards, if there are enough trained people to spend enough time with each patient."

In the field of general education, I have always said good teachers are more important than fancy buildings. I would rather have my children sitting on a log with a first-rate teacher than sitting in a plush classroom under the deadening impact of a dull teacher. This principle applys equally to the field of mental health.

We face such a severe shortage of professional manpower in the field of mental health that only a massive national effort can hope to fill that need. According to the New York Academy of Sciences we now have only 45 percent of the physicians needed, only 65 percent of the psychologists required, and a mere 19 percent of graduate nurses necessary for adequate care for the mentally ill. The President's program is urgently needed to help fill these serious shortages.

The third major provision of the President's proposed legislation on mental illness is for planning grants to the States under the National Institute of Mental Health for evaluation of existing programs and facilities and the development of new or extended services. This provision should be of great help to the States in adapting old methods to conform to modern principles regarding the care of the mentally ill. It could also lead to new and even better methods than are known today as the States experiment with as yet untried ideas.

The proposals the President has submitted to Congress represent the most comprehensive program that has ever been proposed in this area. Although the problem of mental illness is a large and complex one, a great deal can be done, and I believe the plan under consideration would be a decisive factor in conquering this serious health problem.

I have spoken in general terms of mental illness as a national problem. For a few minutes I would like to deal more specifically with mental illness in our own State. Those of you who are familiar with our mental health facilities know that South Dakota has moved with the national trend toward community clinics. We can be proud of our three clinics in Aberdeen, Rapid City, and here in Sioux Falls. These clinics employ four full-time psychiatrists, two full-time psychologists, and five full-time and one part-time psychiatric social worker. These clinics provide a real service to our State, and through the efforts of their dedicated staffs many patients each year are saved from severe mental breakdowns which would result in long and costly hospitalization and the waste of precious human resources.

The picture in our State mental hospital is not so bright. In 1960 the average daily resident population was 1,787. To care for these people we spent only $3.50 per patient-day, well below the national average of $4.40. Contrast either of these figures with the $27.65 which it costs to maintain a patient for 1 day in a general hospital and you will see how little we and most of the other States are doing to help the mentally ill. Three dollars and fifty cents per day barely provides custodial care; drugs, treatment, and professional counseling are out of the question.

I have said South Dakota is below average in expenditures for care of the mentally ill. We are about average in the ratio of three patients per each member of the staff at the State hospital, but I don't think we want to be merely average. An adequate and well-trained staff is the most valuable asset of any mental institution. We should consider it a vital necessity to appropriate annually the funds required to acquire and keep top-rate personnel.

I realize that the present staff at Yankton is overburdened and that limited funds can only be stretched so far. It is unfortunate, however, that we haven't been able to do more in the way of extramural care. At any given time only 25 or 30 patients are at home under extramural care programs. Surely there are many more who could function satisfactorily outside the hospital if outpatient treatment were available. This would not only be much better for the patient, but would be a savings for the taxpayers as well.

Another problem we have not yet coped with satisfactorily is that of mentally ill children. We really have no suitable place for the care of mentally ill children as distinguished from the mentally retarded who are cared for at the Redfield State School. Throughout the country the development of inpatient treatment facilities for children has lagged far behind child guidance clinics. Therefore, seriously ill children who require hospitalization must often be placed in wards with adults, obviously not the most desirable solution.

Informed opinion holds that the number of mentally ill children is greater than is generally realized and that this figure seems to be growing. There is no doubt that early treatment for these children is of utmost importance yet the shortage of trained personnel in this area is more severe than in mental illness as a whole. According to Dr. Nina Ridenour in her book "Mental Health in the United States: A 50-Year History," fewer than 50 child psychologists are developed each year and there are not a hundred qualified child psychiatrists in the entire United States.

Some of you may have read the story or seen the television documentary or schizophrenic children called "The Rebirth of Jonny." The plight of children like Jonny who are gripped by nameless terrors they can't communicate and isolated in weird, unreal worlds must surely arouse our pity. And we have children like Jonny in our own State. What are we doing to help them? The answer again is "far from enough."

If we are not doing enough to combat mental illness, what should we do now? First, let your friends and neighbors know about the President's proposals in the field of mental illness. Congress is responsive to the wishes of the people so if you can win the support of the citizens of South Dakota, I'm confident they can in turn win the votes of your Senators and Representatives for this important legislation. This is not a partisan issue. It is a human issue. It has doubtless been especially close to the President's heart because he has a sister who suffers from mental retardation.

Another step which mental health associations and other civic groups in this State could take would be public education programs to inform the people of South Dakota of the urgent need for increased appropriations for our State hospital. Many times a society which is accused of indifference is only uninformed. Once the facts are publicized, many will respond vigorously to help combat this tragic situation.

Finally, through consultation with authorities of our State board of health, the State board of charities and corrections, and the staffs of our community mental health centers, I am sure interested citizen's groups will find countless ways in which they can be of service to the patients in the State hospital and at the community centers and to help ease their adjustment after discharge.

It is true that our State has a long way to go in developing better services for the mentally ill. We have neglected our mentally ill too long. As the President has said of the Nation as a whole, this neglect must end if we are to live up to our own standards of compassion and dignity. However, I know we can provide excellent care for the mentally ill, and we can live up to our long-established standards of compassion and dignity. With all three working together—Federal, State, and local governments—an era of splendid progress lies ahead of us.

Mr. BAYH. Mr. President, the problems of mental health are too compelling to justify anything short of the cooperative, nationwide program contained in this mental health aid bill.

We know that most mental illnesses are curable just as pneumonia, whooping cough, pleurisy, and other physical ailments are. But mental illnesses require special kinds of facilities, and treatment by specially trained personnel to be effective.

This bill will take a giant step toward making up for the years of neglect in this field.

I draw special attention to the tactics as well as the goals, embodied in the bill. It is designed to maximize the efforts of our States and local communities, our schools and private, nonprofit institutions. This is no gigantic federally operated program, but an aid to State and locally controlled efforts to care for our mentally distressed friends and neighbors.

I endorse this bill enthusiastically—with confidence that its passage will be a major step toward easing the burden of the mentally handicapped and, indeed, the conscience of the entire Nation.

ORDER OF BUSINESS

Mr. DODD obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield, if it is understood that in doing so he will not lose his right to the floor, so that I may suggest the absence of a quorum?

Mr. DODD. I yield.

Mr. MANSFIELD. Then, Mr. President, I suggest the absense of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, if the Senator from Connecticut will yield further, if it is understood that in doing so he will not lose his right to the floor, at this time I should like to call up some measures on the calendar to which there is no objection.

Mr. DODD. With that understanding, Mr. President, I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the measures on the calendar, beginning with Calendar No. 163, be called in sequence.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

CONVEYANCE OF CERTAIN LANDS IN HARRIS COUNTY, TEX.

The Senate proceeded to consider (S. 261) to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris.

Mr. YARBOROUGH. Mr. President, this De Zavala Park bill, S. 261, which I am pleased to author, making land available for the creation of a Lorenzo de Zavala Park in Harris County, Tex., is supported by the people of Texas. I thank the distinguished Senator from Arkansas [Mr. MCCLELLAN] for the expeditious handling of this proposal by the Government Operations Committee and for its approval by that committee. This action will greatly hearten those in Texas who have been seeking for years to acquire this site as a fitting memorial to Lorenzo de Zavala, first vice president of the Republic of Texas and other heroes of the Texas revolution. This bill would clear the way for acquisition by the State of Texas of the portion of the former San Jacinto Ordinance Depot, now surplus to the needs of the Government, on which De Zavala had his homesite and private cemetery. This 142-acre tract is directly across Buffalo Bayou from the San Jacinto Battlefield, and the site of the anchorage of the battleship *Texas*. It is historically sacred ground, in a historically sacred location.

De Zavala was born in 1789 in southeast Mexico, was Governor of the State of Mexico in the 1800's, served in the Cortes of Spain, served in the Mexican Senate and Chamber of Deputies, was Mexican Minister Plenipotentiary to France, then returned to Texas in 1835 to build his home near the present San Jacinto State Park. He became active for the Independence of Texas in the Texas revolution. His home was used as a hospital for wounded Texans and Mexicans, following the battle of San Jacinto.

De Zavala was the first vice president of the Republic of Texas, serving with President David G. Burnet during the Texas revolution. His home was then on the east side of Buffalo Bayou, in sight of the battle of San Jacinto.

I have received many, many communications from the people of Texas recommending the conservation of this historic site as a public park. As the Interior Department stated in recommending enactment of the bill:

> The area is well suited for development as a public park. It has a pleasing contour and an abundance of trees, grasses and other natural vegetation.

Many newspapers, public officials, and conservation societies have spoken out for the creation of this park. I shall refer now only to the most recent, and ask unanimous consent to insert in the RECORD at this point an editorial endorsement of the De Zavala Park from the Dallas Morning News of May 23, 1963.

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

[From the Dallas (Tex.) Morning News, May 23, 1963]

DE ZAVALA PARK

Congress has been given the green light by a Government operations committee to help Texas pay honor to Lorenzo de Zavala, Mexican statesman, who threw in his lot with Texas revolutionists rather than bow to the dictatorship of Santa Anna. Under the committee-approved bill by Senator RALPH YARBOROUGH, 142 acres of the San Jacinto Ordnance Depot would be conveyed for a park in his honor.

The location is particularly appropriate because it includes the site of De Zavala's Texas home immediately across Buffalo Bayou from the San Jacinto battleground. It served as the field hospital for the wounded in Sam Houston's defeat of Santa Anna. There De Zavala, ad interim vice president of Texas, died shortly afterward and was buried. The park should be created and maintained as a memorial to this revolutionary hero.

Mr. YARBOROUGH. Mr. President, I recommend that the bill pass.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 109 of the Act of August 20, 1958 (72 Stat. 641), as amended, the Administrator of General Services is authorized to convey to the State of Texas or the county of Harris, Texas, for historic monument use, or for park and recreational use, or both, in accordance with the provisions of section 13(h) of the Surplus Property Act of 1944, as amended, so many of such parcels of certain lands adjacent to the San Jacinto Battleground Park located in Harris County, Texas, as may be approved under said section 13(h) for such use or uses, the parcels (containing approximately one hundred and forty-two acres) being more specifically described as parcels A–23, A–25, A–26, A–27, and A–28, as shown on General Services Administration's resubdivision map, dated January 1962, of the San Jacinto Ordnance Depot property, Harris County, Texas.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 182), explaining the purposes of the bill.

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

PURPOSE

The purpose of this bill is to authorize the Administrator of General Services to convey certain lands in Harris County, Tex., to the State of Texas or the county for historic-monument use or for park and recreational use, or both. The lands are adjacent to the San Jacinto Battleground Park in Harris County and consist of 142 acres. The bill further authorizes the Administrator to convey as many of these acres as may be approved in the manner prescribed by section 13(h) of the Surplus Property Act of 1944, as amended. That act provides for the conveyance of Federal surplus property to States or their political subdivisions for historic-monument purposes without monetary consideration, or for public park purposes at 50 percent of fair market value.

BACKGROUND

The land covered by this bill is part of the former San Jacinto Ordnance Depot which originally comprised approximately 4,902 acres of land located outside of the city of Houston, Tex. The depot was established in 1941–42 in Harris County, Tex., with an investment of $14,855,974 for the land, buildings, and appurtenances thereto. The depot was used for ammunition storage and outloading of ships during World War II and during the Korean war. The property was declared excess to the needs of the U.S. Army on March 17, 1960, and on March 22 the General Services Administration proceeded to sell it without screening for possible use by other Government agencies as required by the Federal Property and Administrative Services Act of 1949, as amended. This action was taken by the General Services Administration pursuant to section 109(a) of the Military Construction Act of 1958, Public Law 85–685, approved August 20, 1958, which provided as follows:

"(a) The Secretary of the Army is authorized and directed, unless the Secretary of Defense finds after due investigation that such action would be inimical to the national security, to make available to the Administrator of the General Services Administration, or his designee, the San Jacinto Ordnance Depot, Tex. Upon such property being made available, the Administrator or his designee is authorized and directed to enter into a contract or contracts for the sale of such property in lots or in its entirety under public bid procedures and at not less than the fair market value and to convey by quitclaim deed, all right, title, and interest of the United States, except as retained in this act, in and to such property to any legal person or group except Government agencies or departments upon such terms and conditions as the Administrator or his designee determines to be in the public interest.

"(b) Any conveyance made pursuant to the provisions of subsection (a) hereof shall include the following conditions:

"(1) All mineral rights, including gas and oil in the lands to be conveyed shall be reserved to the United States; (2) the San Jacinto property shall be offered for sale within 24 months from the date of enactment of this act; (3) title in and to such property shall remain in the United States until full payment of the agreed purchase price is made."

The committee is informed that the General Services Administration has sold several parcels of land, improvements, railroad sidings and rights-of-way of the original depot and recovered in excess of $3 million.

An identical bill (S. 3041) was reported by the committee and passed the Senate during the 87th Congress.

S. 261 authorizes the conveyance of 142 acres of land, which surrounds the De Zavala Cemetery and burial plot of Lorenzo de

Zavala, who was active in Mexican politics during the early 1800's as Governor of the State of Mexico, member of the Mexican Senate and Chamber of Deputies, and Mexican Minister Plenipotentiary to France. This area has sufficient historical importance to be preserved and the State and local historical societies have strongly recommended that this property be preserved for these purposes.

The committee has also received several communications from the Honorable Price Daniel, Governor of the State of Texas, and from the county commissioners of Harris County and other local civic organizations urging enactment of this measure.

TO AMEND FEDERAL PROPERTY AND ADMINISTRATION SERVICES ACT

The Senate proceeded to consider the bill (S. 572) to amend section 201(a)(3) of the Federal Property and Administration Services Act (40 U.S.C. 481(a)(3)), and for other purposes, which had been reported from the Committee on Government Operations with an amendment in line 8, after the word "such", to strike out "utilities" and insert "utility services"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201(a)(3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(a)(3)), is amended by changing the proviso at the end thereof to read as follows: "*Provided,* That contracts for public utility services, and for the purchase of natural gas, coal, or oil for the production of such utility services directly or indirectly by any executive agency, may be made for periods not exceeding ten years; and".

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 183), explaining the purposes of the bill.

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

PURPOSE

S. 572 is designed to provide uniformity and equality in Government contracting for public utility services and in the purchase of natural gas, coal, or oil for the production of such utilities, by providing that all such contracts may be made for periods not exceeding 10 years.

BACKGROUND

The provision to be amended by S. 572, section 201 of the Federal Property and Administrative Services Act, sets forth the authority of the Administrator of General Services with regard to procurement, warehousing, and related activities on behalf of the Government.

The pertinent language of that section currently provides:

"SEC. 201. (a) The Administrator shall, in respect of executive agencies, and to the extent that he determines that so doing is advantageous to the Government in terms of economy, efficiency, or service, and with due regard to the program activities of the agencies concerned—

"(1) Prescribe policies and methods of procurement and supply of personal property and nonpersonal services, including related functions such as contracting, inspection, storage, issue, property identification and classification, transportation and traffic management, management of public utility services, and repairing and converting; and

"(2) Operate, and, after consultation with the executive agencies affected, consolidate, take over, or arrange for the operation by any executive agency of warehouses, supply centers, repair shops, fuel yards, and other similar facilities; and

"(3) Procure and supply personal property and nonpersonal services for the use of executive agencies in the proper discharge of their responsibilities, and perform functions related to procurement and supply such as those mentioned above in subparagraph (1): *Provided,* That contracts for public utility services may be made for periods not exceeding ten years; and."

S. 572 would amend the language by changing it to read:

"*Provided,* That contracts for public utility services, and for the purchase of natural gas, coal, or oil for the production of such utility services directly or indirectly by any executive agency, may be made for periods not exceeding ten years; and."

Senator GRUENING explained the need for this legislation in the following extracts of a statement made on the floor when introducing S. 572 (CONGRESSIONAL RECORD, p. 1275, Jan. 29, 1963):

"The need for this amendment arises because of the interpretation of a provision in the Federal Property and Administrative Services Act which permits natural gas suppliers to enter into ten-year contracts to supply Government agencies with natural gas for the production of utilities but denies the same privilege to coal and oil producers.

"The present provision states clearly: '*Provided,* That contracts for public utility services may be made for periods not exceeding 10 years'.

"The intent of the law has been spelled out and all three fuels should be treated alike and should be permitted to compete equally.

"However, the provision of the Federal act to which I have referred, places coal and oil under a competitive handicap in bidding for Government contracts and gives to natural gas a competitive advantage.

"That should not be. An oil producer, a natural gas producer, a coal producer faces long-term expenditures and investments if he is to operate properly. Producers of one fuel should not have an advantage denied to their competitors.

"To achieve and insure quality, the enactment of my amendment is necessary."

With regard to the intent of the present law, an analysis of the present provision prepared by the General Services Administration in 1958, stated that—

"The Administrator is authorized to negotiate contracts for public utility services, for agencies and departments where it is deemed advantageous to the Government for periods not exceeding ten years.

"The purpose of this provision is to permit the Government to take advantage of discounts which may be obtained only under authorized contracts for periods of longer than 1 year, particularly under contracts for electric power requirements."

TO AMEND ADMINISTRATIVE EXPENSES ACT OF 1946

The bill (S. 814) to amend section 7 of the Administrative Expenses Act of 1946, as amended, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended; 5 U.S.C. 73b–3(b)) is amended by deleting the word "promoted" wherever it appears and substituting the word "assigned", and by deleting the word "promotion" wherever it appears and substituting the word "assignment".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the report (No. 184), explaining the purposes of the bill.

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

PURPOSE

S. 814 amends the Administrative Expenses Act of 1946 to authorize payment of travel and transportation expenses to student trainees when assigned, with or without promotion, upon completion of college work to positions for which there is determined by the Civil Service Commission to be a manpower shortage.

Upon recommendation of this committee, the 86th Congress approved S. 3485, which became Public Law 86–587, providing authority to pay travel expenses of persons selected for appointment to duty stations of Federal appointees in occupations where a manpower shortage exists. The bill also gave such authority with respect to student trainees when promoted upon completion of their college work. The legislation was needed as the Federal Government had been placed at a disadvantage in its recruitment of personnel in certain specialized fields because private industry customarily paid the travel expenses of newly hired employees to their duty stations.

It now appears that a few student trainees failed to receive these benefits because they had received promotions while in school or before. To cover this group, the Civil Service Commission requested that the law be broadened to include those "assigned" to the specified positions.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 18, 1963.

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Bureau of the Budget respecting S. 814, a bill to amend section 7 of the Administrative Expenses Act of 1946, as amended.

The proposal submitted by the Civil Service Commission is a perfecting amendment to existing law which now permits payment of travel and transportation expenses to student trainees on promotion to shortage category positions following completion of college training. In certain cases, however, students may receive promotion prior to graduation.

As now worded, the law precludes payment of travel expenses to such students. Substitution of the word "assigned," as proposed by S. 814, will permit payment of these expenses to all student trainees upon graduation, irrespective of the timing of promotion.

There would be no objection from the standpoint of the administration's program to enactment of the bill.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

CONVEYANCE OF CERTAIN LANDS IN PRINCE GEORGES COUNTY, MD., TO THE AMERICAN NATIONAL RED CROSS

The Senate proceeded to consider the bill (S. 876) to authorize the Administrator of General Services to convey

certain land in Prince Georges County, Md., to the American National Red Cross, which had been reported from the Committee on Government Operations with amendments on page 2, line 8, after the word "conveyance," to strike out "and" and to insert "or," and in line 14, after the word "interest," to insert "and less any damage to the land as determined by the Administrator"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Administrator of General Services is authorized to convey, within a period of two years following the date of enactment of this Act, not to exceed two and one-half acres of land located at the northeast corner of the intersection of Rhode Island Avenue and Sunnyside Road in Prince George County, Maryland, to the American National Red Cross upon the payment to the United States of the fair market value of the property as determined by the Administrator: *Provided,* That the instrument of conveyance authorized by this Act shall provide that upon determination by the Administrator of General Services that the American National Red Cross has failed to begin construction of a chapter house on said property within two years after the conveyance *or* to complete construction thereof within a reasonable time after such construction has begun, all right, title, and interest to the property shall revert to the United States in the then existing condition of that property, and the Secretary of the Treasury is authorized upon such reverter to pay from the general funds of the Treasury to the American National Red Cross the amount, without interest and less any damage to the land as determined by the Administrator, paid by the American National Red Cross to the United States for such property.

SEC. 2. The cost of any survey required in connection with the conveyance of this property shall be at the expense of the American National Red Cross.

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 185), explaining the purposes of the bill.

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

PURPOSE

The bill would authorize the Administrator of General Services to convey to the American National Red Cross, within a period of 2 years following enactment of the bill, 2½ acres of land located at the northeast corner of the intersection of Rhode Island Avenue and Sunnyside Road in Prince Georges County, Md. The American National Red Cross would be required to pay the fair market value of the property as determined by the Administrator, and the cost of any survey required in connection with the conveyance of the property.

The bill authorizes conveyance of the land only if it is designated as surplus property pursuant to the Federal Property and Administrative Services Act of 1949. The Department of Agriculture, in June 1962, declared the property excess to the Department's needs. Since no other Federal agency has indicated a desire to utilize the land, the General Services Administration has declared the property surplus.

The American National Red Cross is a nonprofit corporation created by Congress for the purpose of rendering public service. However, the corporation does not qualify for priority in the disposal of surplus property under section 203(k) of the Federal Property and Administrative Services Act. Since there is apparently no other existing law under which this land could be conveyed upon a negotiated basis to the American National Red Cross, congressional authorization is required to permit such conveyance.

The American National Red Cross now maintains a chapter house in Takoma Park, Prince Georges County, Md. Since that chapter house in inadequate for the performance of its public services functions in that area, the American National Red Cross desires to construct a new headquarters for its Prince Georges County chapter. In view of the worthy purposes to be served by the construction of such a chapter house, the committee believes that it would be in the public interest to convey this 2½-acre trace to the American National Red Cross for that purpose. The American National Red Cross would be required to pay the current fair market value for the land which, according to the General Services Administration, is estimated at approximately $50,000, but the exact price will be determined by an appraisal before the sale is effected.

This bill is identical to H.R. 10134 of the 87th Congress which was amended and approved by the House of Representatives on August 20, 1962.

BILL PASSED OVER

The bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

AUTHORIZATION FOR PRINTING OF ADDITIONAL COPIES OF ITS 1963 HEARINGS FOR USE OF JOINT COMMITTEE ON ATOMIC ENERGY OF "DEVELOPMENT, GROWTH, AND STATE OF THE ATOMIC ENERGY INDUSTRY"

The concurrent resolution (S. Con. Res. 43) authorizing the printing of additional copies of part 1 and part 2 of the 1963 hearings of the Joint Committee on Atomic Energy on the "Development, Growth, and State of the Atomic Energy Industry" was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Committee on Atomic Energy one thousand additional copies each of part 1 and part 2 of its 1963 hearings on the "Development, Growth, and State of the Atomic Energy Industry".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 187), explaining the purposes of the concurrent resolution.

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

The Committee on Rules and Administration, to whom was referred Senate Concurrent Resolution 43, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution be agreed to by the Senate.

Senate Concurrent Resolution 43 would authorize the printing for the use of the Joint Committee on Atomic Energy of 1,000 additional copies each of parts 1 and 2 of its 1963 hearings on the "Development, Growth, and State of the Atomic Energy Industry."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Pt. 1, back to press, 1,000 copies	$1,842.45
Pt. 2, 1,000 additional copies	520.00
Total estimated cost, S. Con. Res. 43	2,362.45

MABEL V. LOLLIS

The resolution (S. Res. 146) to pay a gratuity to Mabel V. Lollis was considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mabel V. Lollis, widow of Oscar F. Lollis, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CONTINUANCE OF SENATE YOUTH PROGRAM

The resolution (S. Res. 147) authorizing the continuance of the Senate youth program was considered and agreed to, as follows:

Resolved, That the Senate youth program, established pursuant to the provisions of S. Res. 324 of the Eighty-seventh Congress, agreed to May 17, 1962, is hereby continued through the Eighty-eighth Congress.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 188), explaining the purposes of the resolution.

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

The Committee on Rules and Administration, having had under consideration an original resolution authorizing the continuance of the Senate youth program, having considered the same, report favorably thereon and recommend that the resolution be agreed to by the Senate.

Senate Resolution 147 would continue through the 88th Congress the Senate youth program established pursuant to Senate Resolution 324 of the 87th Congress, agreed to May 17, 1962. By its adoption of that resolution the Senate expressed its willingness to cooperate in a nationwide competitive high school program, supported by private funds, which would give representative high school students from each State a short indoctrination into the operation of the U.S. Senate and the Federal Government generally. It also authorized the Senate Committee on Rules and Administration, if it should find such a program possible and desirable, to make the necessary arrangements therefor.

In consideration of the support pledged to the proposal by all Senators and the generous grant of funds made by the William Randolph Hearst Foundation, the Committee on Rules and Administration approved the necessary arrangements to establish the

project. An advisory committee was formed under the cochairmanship of Senator JOHN SHERMAN COOPER and Senator CLAIBORNE PELL. The other members of the advisory committee were Senator Carl T. Curtis, Senator B. Everett Jordan, Dr. Evron M. Kirkpatrick, executive director of the American Political Science Association, and Mr. Randolph A. Hearst. Senator HUBERT H. HUMPHREY and Senator THOMAS H. KUCHEL served as ex officio members.

Pursuant to such arrangements, and with the cooperation of and participation by the offices of every Member of the Senate and the Vice President, 102 student leaders representing all States of the Union and the District of Columbia were privileged to spend the period from January 28, 1963, through February 2, 1963, in the Nation's Capitol, thereby broadening their knowledge and understanding of Congress and the legislative process and stimulating their appreciation of the importance of a freely elected legislature in the perpetuation of our democratic system of government.

The detailed day-by-day schedule followed by the high school representatives during their sojourn in the Capital City is set forth in the CONGRESSIONAL RECORD for January 31, 1963, at pages 1459–1461. This account also contains the names of each participating student, the State and school represented by him, and other pertinent information.

This year the Senate leadership has requested the Committee on Rules and Administration to approve the U.S. Senate youth program for a second time. This request has received the support of all those who were most concerned with the implementation of the project last January. At the regular meeting of the committee held on May 22, 1963, it was unanimously agreed that an appropriate resolution be favorably reported to continue the Senate youth program through the 88th Congress.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, if the Senator from Connecticut will yield further, if it is understood that in doing so he will not lose his right to the floor, I should like to suggest the absence of a quorum.

Mr. DODD. Certainly, Mr. President; I yield.

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

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

PROPOSED BAN ON ALL NUCLEAR TESTS THAT CONTAMINATE THE ATMOSPHERE OR THE OCEANS

Mr. DODD. Mr. President, I submit, for appropriate reference, a resolution declaring the Senate's support of a ban on all nuclear tests that contaminate the atmosphere or the oceans. I ask unanimous consent that the text of the resolution be printed at this point in the RECORD, as background for my further remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 148) was referred to the Committee on Foreign Relations, as follows:

Whereas a ban on all tests that contaminate the atmosphere or the oceans can be effectively monitored and requires no onsite inspection apparatus, would completely eliminate the danger of cumulative atmospheric fallout, and would constitute a beginning in curtailing the arms race;

Whereas 5 years of negotiations at Geneva have failed to produce a comprehensive treaty banning tests in all environments, despite the numerous concessions offered by the United States;

Whereas the difficulties in negotiating an agreement revolve around the unresolved technical aspects of monitoring underground tests and of onsite inspections; and

Whereas Soviet intransigeance on the question of inspection, as President Kennedy has pointed out, raises serious questions about Soviet good faith and about the prospects of achieving a comprehensive test ban in all environments: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should again offer the Soviet Union an immediate agreement banning all tests that contaminate the atmosphere or the oceans, bearing in mind that such tests can already be monitored by the United States without onsite inspections on Soviet territory;

That if the Soviet Union rejects this offer, as it has in the past, on the grounds that it wants a ban on all tests or nothing at all, we should not bow to this rejection but should, on the contrary, reiterate our offer and pursue it with vigor, seeking the widest possible international support for our position;

That if the Soviet Union refuses to accede to such a first-step agreement, we commit ourselves before the world to conduct no nuclear tests in the atmosphere or under water so long as the Soviet Union abstains from them;

That, in committing ourselves to such a moratorium, either unilaterally or by agreement, we keep the Soviet record of deceit and bad faith in mind, and maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or under water.

Mr. DODD. In sponsoring this resolution, I am honored to be joined by a distinguished group of Senators of both parties—Senators HUMPHREY, BARTLETT, BURDICK, CASE, CHURCH, DOUGLAS, CLARK, ENGLE, GRUENING, HART, INOUYE, KEATING, MCGEE, MCGOVERN, METCALF, MORSE, MOSS, MUSKIE, NEUBERGER, PROUTY, RANDOLPH, RIBICOFF, SCOTT, SPARKMAN, YARBOROUGH, DOMINICK, JAVITS, MCCARTHY, KEFAUVER, PELL, LAUSCHE, BREWSTER, and HARTKE. This makes 34 Senators, all told.

The text of this resolution speaks for itself. I believe that it may be considered a collective statement by the 30 Members of the Senate who have joined in sponsoring it. I also believe that it is a resolution on which all Members of the Senate can unite, regardless of party and regardless of their attitude toward the comprehensive test ban treaty that is currently being discussed in Geneva. This, in fact, is the special value and significance of the resolution which I have submitted.

The support which has already been manifested for this resolution demonstrates the overwhelming commitment of Congress and of the American people to the cause of peace. When we speak of peace, needless to say, we do not mean peace at any price; we do not mean a peace of passivity before Communist aggression, or the kind of peace that would prevail if mankind submitted to a Communist subjection. When we speak of peace, we mean peace with honor, peace with justice, a peace that does not contract the frontiers of freedom.

Within the framework of this definition, commonsense and humanity both dictate that we do everything in our power to avoid the horror of thermonuclear war and to strive for some kind of limit on the arms race.

No one in his right mind could believe in unilateral disarmament, or in disarmament without a structure of safeguards that would protect the free world against the possibility of Soviet cheating. But, although we share the same values and the same objectives, it is inevitable that there should be differences of opinion between us on the nature and degree of the safeguards that should be written into any disarmament treaty. The question of what would constitute adequate safeguards for a comprehensive test ban treaty is particularly complex. It has already been the subject of much study by various committees of the Senate, and this intensive study is still being continued.

The negotiations at Geneva envision a comprehensive test ban treaty banning tests in all environments, not merely in the atmosphere and in the oceans. As my colleagues are aware, I have on several occasions taken the floor to express grave reservations about some of the concessions we have made in an effort to achieve agreement on a comprehensive ban. These doubts I know, are shared by many other Senators who have carefully studied the problem.

I am aware that there are distinguished Senators on the other side who hold that the test ban treaty now under discussion does provide adequate safeguards and would, if accepted by both sides, add to our national security and the security of the free world.

I respect the opinion of these Senators and I am particularly pleased that several of them have seen fit to join with me in sponsoring the resolution which I submit today. Above all, I am pleased that the distinguished Senator from Minnesota [Mr. HUMPHREY] is serving as the principal cosponsor, despite the fact that he and I differ in our evaluations of the comprehensive test ban proposals now under discussion in Geneva.

The Senator from Minnesota enjoys a world reputation as a champion of peace and disarmament. He more than merits his reputation. He has devoted much time to the study of the many problems involved in the establishment of disarmament measures. He has proposed many initiatives. His efforts in this field, I firmly believe, are of an order which make him the logical candidate for the next award of the Nobel Peace Prize.

In offering this resolution, there are several observations I would like to make in my own name.

First of all, I want to say that I consider it great tragedy that we failed to

make a ban on all tests that contaminate the atmosphere and the oceans our prime objective at Geneva.

If any kind of agreement could have been achieved with the Soviets it seems to me that an agreement such as is proposed in my resolution would have been the easiest.

Since such agreement would require no monitoring network in the Soviet Union and no onsite inspection, I can think of no logical reason which the Soviets could have advanced in rejecting the proposal. Indeed, I would go further and say that, because of its very simplicity, this proposal could and should have been made a test of Soviet good faith in the test ban negotiations.

True, proposals that bore some resemblance to this were submitted to the Soviets once by the Eisenhower administration and a second time by the Kennedy administration. But I believe it is accurate to state that in neither case did we make a serious fight for our position. The proposal on both occasions was submitted to the Soviets in a half-hearted and perfunctory manner; and when the Soviets said no, the proposals were immediately dropped.

There are some, I know, who will say that a ban on tests that contaminate the atmosphere and the oceans is inadequate; that it would leave both the Soviets and the United States free to test underground and conceivably in outer space; that it would not effectively terminate the race in nuclear technology.

I agree that a comprehensive test ban is preferable to a partial test ban. But a ban on tests in the atmosphere and oceans would be a tremendously significant beginning. It would substantially reduce the amount of testing conducted by both sides. It would eliminate the testing of multimegaton weapons. It would take account of the legitimate, if somewhat exaggerated concern of world public opinion over the danger of cumulative atmospheric fallout. Moreover, once such an agreement was reached, it could be extended, in stages, to other areas as improved methods of monitoring and detection became available, thus justifying an extension in the scope of the agreement.

It has repeatedly been said that we must be prepared to take some risk in negotiating a nuclear test ban. I agree with this, although I believe there is a limit to the size of the risk.

The proposal outlined in my resolution does incorporate a degree of risk; I want to be very frank about this. I am aware, for example, that we have developed improved types of nuclear weapons that can only be proof tested in the atmosphere—and this would clearly be impossible under the terms of my resolution unless the Russians were first to engage in atmospheric testing. I am also aware of the great difficulties in keeping facilities in a state of readiness when a testing program has been inactivated. Finally, as I have pointed out previously, there is at least a serious possibility that certain types of atmospheric tests could not be effectively monitored from positions outside the Soviet Union.

I offer my proposal despite these risks, and despite the misgivings I have about them, because I honestly believe that such a first-step agreement is feasible and that it should be made a test of Soviet good faith.

I want to emphasize that this agreement does not call upon either side to inactivate its program of underground testing. I take it for granted that, if the Soviets accept our proposal, they will pursue their underground testing program with all possible vigor; the Soviets after all, never do anything halfway. Recognizing this fact, I also take it for granted that, if we commit ourselves to a ban or a moratorium on atmospheric and ocean tests, either unilaterally or by agreement, we will also push our underground test program with all the energy and resources at our command.

I believe that this is essential to our national security. But beyond this, I also believe that an energetic and effective underground test program will exercise pressure on the Russians to accept a system of reasonable safeguards as the essential price of including underground tests in a test ban treaty.

The distinguished Senator from Wisconsin [Mr. PROXMIRE], in his recent statement on the nuclear test ban, made the point that the test ban treaty now being discussed at Geneva, if it were signed, would almost certainly not be ratified by the Senate. He may be right in this estimate. Although I have not made any head count, I know that many of the most respected Members of the Senate share the reservations which I have expressed about certain aspects of the comprehensive treaty and of the concessions we have made in successive drafts.

I want to make it emphatically clear that I am not opposed in principle to a comprehensive test ban treaty. I am for such a treaty. Indeed, I believe that all of us would be ready to support a comprehensive test ban treaty which incorporates adequate safeguards against cheating and which does not jeopardize our national security. As I have pointed out, there are differences of opinion as to what constitutes adequate safeguards. It is proper that there should be such differences and that we should endeavor to hammer out our national policy by frankly discussing these differences.

I come back to the point that a ban on all tests that contaminate the atmosphere or the oceans is not merely a logical first step but an imperative first step in the direction of a comprehensive test ban treaty.

It is my earnest hope that the Senate will unanimously approve this first step proposal, while we pursue our study of the terms under which such a treaty might safely be extended to other areas.

It is my hope that the administration will offer such an agreement, and that the Soviets will accept it.

It is my hope that this logical and easy first step will lead to further steps and that ultimately the Soviet Union, in the interest of peace, will agree to abandon its secrecy and open up its society—because without openness there can be no mutual confidence—and without mutual confidence there can be no secure peace.

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

Mr. DODD. I am happy to yield.

Mr. GRUENING. I congratulate my able friend the Senator from Connecticut for submitting the resolution, of which I am happy to be a cosponsor, and for his excellent presentation of the cause which is so vital to the survival of the human race.

The Senator is quite correct in saying that a partial test ban—a test ban to stop the pollution of the atmosphere and of the oceans—is absolutely essential. Not unrelated is the fact that we are now pursuing before a committee of the Congress, the Committee on Government Operations of which I am a member, hearings on the question of pollution of the air, water, and animal and vegetable life by pesticides. What kind of nest befoulers are we becoming? We are ruining the priceless inheritance God gave us. Every effort to stop this tragic poisoning of our natural environment seems to be met with well reasoned objections, and they are understandable. But unless we stop this poisoning of the air we breathe and the waters of the earth we will leave a legacy of ill-health, degeneration, and death to our progeny and to future generations.

I also share my colleague's commendation of the distinguished senior Senator from Minnesota [Mr. HUMPHREY]. I highly approve of his thought that the Senator from Minnesota is worthy of the Nobel Prize. If Senator DODD's resolution is adopted and then leads to a favorable result, which it deserves, and an international agreement to ban nuclear testing in the air and in the oceans consideration should be given to a sharing of honors.

There have been numerous examples of the Nobel Prize being shared by recipients working in the same field. It seem to me that in this case the sponsor of the resolution, the able senior Senator from Connecticut [Mr. DODD], might well be a copartner in receiving the honor with the distinguished senior Senator from Minnesota. Both Senators are fully deserving of the honor.

Mr. DODD. Mr. President, I am deeply grateful for the kind remarks made by the Senator from Alaska and for his support. I assure the Senator that I do not consider myself a candidate. My primary purpose was to call attention to the work of the Senator from Minnesota, who so richly deserves this honor.

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

Mr. DODD. I yield to my colleague from Connecticut.

Mr. RIBICOFF. Mr. President, I commend the senior Senator from Connecticut for bringing forth and drafting this resolution, and for his brilliant speech explaining it. I also think it is most significant that the distinguished senior Senator from Minnesota [Mr. HUMPHREY] is a cosponsor of the resolution. There is no question about the fact that both the Senator from Connecticut and the Senator from Minnesota have

given much time and careful thought to the problem of nuclear testing. There is no question that at times it might have been thought that there was great variance of thinking as between the senior Senator from Connecticut and the senior Senator from Minnesota; yet the resolution, drafted by the distinguished Senator from Connecticut and cosponsored by the distinguished Senator from Minnesota, indicates that basically both are dedicated to ending nuclear testing and eliminating radiation hazards, as mentioned by the distinguished Senator from Alaska.

I believe that, considering the initiative and drive which can be supplied to the resolution by both the Senator from Connecticut and the Senator from Minnesota, we may be on our way to solving this very important problem.

Mr. President, I am more than glad to join with my distinguished colleague [Mr. DODD] in sponsoring the resolution to oppose nuclear testing in the atmosphere and in the oceans.

It has long been my view that reaching an effective nuclear test-ban treaty should continue to be a high priority goal of U.S. policy. President Kennedy deserves the support of every American in his steadfast efforts to secure such a treaty at Geneva.

But Soviet opposition to an all-inclusive test-ban treaty should not stop the efforts of this country to do everything it can to end to the greatest extent possible the further contamination of the atmosphere and the oceans.

It is clear that tests in the atmosphere and under the seas can be detected without getting involved in the complicated issue of onsite inspection, which has been a major problem in the effort to ban underground tests.

We should therefore try to seek agreement on a ban at least of those tests that both sides can readily agree to ban. And even if the Soviets refuse, we should announce our determination to refrain from tests in the atmosphere and in the oceans with the clear warning to the Soviets that we will refrain from such tests only so long as they do the same.

The resolution of the senior Senator from Connecticut is a constructive step forward toward the vitally important goal of ending nuclear testing. If we can accomplish this much, we will have made great progress, and the goal of an effective treaty banning all nuclear tests will be brought that much closer.

I close by saying to the distinguished senior Senator from Connecticut that his suggestion concerning the Nobel Peace Prize for the senior Senator from Minnesota [Mr. HUMPHREY] deserves deep thought and consideration by those responsible. I say this not only because of the efforts of the senior Senator from Minnesota in regard to solving the problems of disarmament and nuclear testing, but also because for many years no other person in this country or in the world has been more cognizant of the great efforts needed to bring about international cooperation.

I recall that during my service as Secretary of the Department of Health, Education, and Welfare the senior Senator from Minnesota expressed deep concern about the problems in health and education on an international and worldwide scale. The distinguished Senator from Minnesota has been aware that much must be done if we are ever to solve the problems which bedevil mankind.

The Senator from Minnesota is well aware that the pitiful cry of a sick child is heard above the harangues of conference tables. The Senator has been consistent in his advocacy that the nations of the world—not merely the United States—which are blessed with many resources, share in the fields of education and health to move mankind forward.

Not only because of his efforts in the field mentioned by the distinguished Senator today, but also because of his many efforts for the betterment of mankind throughout the world, the suggestion made by the senior Senator from Connecticut is a brilliant concept and most deserving of serious consideration.

The senior Senator from Connecticut could not have made his suggestion at a better time, because today happens to be the anniversary of the birth of the senior Senator from Minnesota [Mr. HUMPHREY]. I join with all his colleagues in wishing him many happy returns of the day. I am sure he will have many more healthful and vigorous years for serving the people of his State, as well as the people of his Nation and freedom-loving mankind all over the world.

I know of no better present the senior Senator from Connecticut could have given to the senior Senator from Minnesota than to have made his brilliant suggestion concerning the Nobel Prize on the floor of the Senate today.

Mr. DODD. Mr. President, I am deeply grateful to my colleague from Connecticut for his support and for his generous remarks. I am particularly grateful to him for notifying me that today is the anniversary of the birth of the senior Senator from Minnesota. I had not known that when I prepared my remarks; I am sorry I did not know it.

I join with all my colleagues in extending my very best wishes to the senior Senator from Minnesota. My colleague from Connecticut has stated the case correctly when he says that the distinction which the Senator from Minnesota enjoys does not rest exclusively on his great interest in the question of a nuclear test ban treaty, but on a wide, strong and firm base—a lifetime of dedication to the causes of peace and justice in the world.

I am very grateful to the Senator for his suggestions and remarks.

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

Mr. DODD. I am glad to yield to the Senator from Idaho.

Mr. CHURCH. First of all, I join in commending the distinguished senior Senator from Connecticut for the outstanding speech he has just made. I share his high opinion of the distinguished senior Senator from Minnesota [Mr. HUMPHREY] as a man who has earned the right to special recognition in what might be referred to as the quest for peace.

I have served under his chairmanship as a member of the Senate Subcommittee on Disarmament. I know of his very important work in that field. I have followed with interest and respect the leadership of the Senator from Minnesota in the field of atomic testing.

I think the suggestion the Senator from Connecticut has so generously made that the Senator from Minnesota [Mr. HUMPHREY] be considered for the Nobel Peace Prize is highly commendable. I join in it.

In offering his resolution, the senior Senator from Connecticut has dispelled any feeling that may have arisen to the effect that he is opposed to any ban on nuclear testing, and is an advocate of continued testing of nuclear weapons regardless of any arrangement which might be arrived at between the United States and the Soviet Union.

The Senator from Connecticut has made it perfectly clear today that, quite to the contrary, he shares fully the feeling that we ought to strive to end such testing if we can do it safely and in ways consistent with our national security. He has come forward with a constructive proposal in this regard.

I recall that, in 1958, the distinguished Senator from Tennessee [Mr. GORE] proposed that nuclear testing in the atmosphere be ended on a unilateral basis, which is quite similar to one provision in the resolution the Senator from Connecticut has submitted today. In that year I, myself, proposed a treaty ban on atmospheric testing. As the Senator has pointed out in his excellent statement, that position was adopted by both the Eisenhower and the Kennedy administrations, but never pressed with persistence, as I think it should have been.

So in putting all these aspects together, as the Senator from Connecticut has done, he makes a great contribution, which I hope the administration will seriously consider, as a position of strength from which we can negotiate at Geneva, and through which we can demonstrate to all the world, in unmistakable terms where we stand and where the Soviet Union stands.

The Senator from Connecticut renders a fine service to the country, and I commend him for it.

Mr. DODD. I am deeply grateful to my friend the Senator from Idaho. What he has said means a great deal to me.

I am glad the Senator from Idaho pointed out that some time ago the Senator from Tennessee [Mr. GORE] urged something very similar to what I have suggested today. I recall the suggestion of the Senator from Idaho. At one time the Senator from Minnesota made a somewhat similar suggestion to that. If I am not mistaken, other Senators did likewise.

I am not offering this proposal as a new idea. What I have tried to do is put it together, as the Senator from Idaho has said, with the hope that perhaps we could get it "off the ground" with another try.

I am grateful to the Senator from Idaho.

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

Mr. DODD. I am glad to yield to the distinguished Senator from New York.

Mr. JAVITS. After very considerable thought, I joined in the resolution which was submitted by the Senator from Connecticut. As I have not had an opportunity to talk to the Senator personally, it may be just as well to spread what I have to say on the record. This is a step. It may well be a first step. We very much hope that a broader step will be taken.

I join in the tribute to the deputy leader on the Democratic side for his perserverance and profound understanding of this subject and his constant leadership in that field. If I have any ambition, it is to be, on the other side of the aisle, what he has been on his side of the aisle in terms of arms control and disarmament. I have tried to approach the problem in the way the Senator from Minnesota has approached it.

While I support this limited step, I believe in a broader step. I was concerned by the argument that the limited, or inhibited step, might hinder the broader step. I joined in it to vindicate the position of the Senate, because it is my belief the American people can give great latitude to the administration in negotiation so long as they feel the final decision will be made in the Senate, and that it will be deliberated upon in the deepest conscience. The country must see and understand that we have a desire to succeed in this effort.

I think it is a good thing for this movement to come from the Senator, because of the way the Senator has been publicized as being against every proposal in this field. It indicates that the Senator is not going to indulge in a blocking operation in connection efforts to agree with the Soviet Union. It shows that the Senator is eager to move in the right direction, and will close ranks behind any proposal which may have any promise, regardless of the source—and the Senator knows I do not mean that in an invidious way—and will not refrain from entering into it because the Member who has put it forward may have been identified with the avant garde in the field.

That is the reason why I reached the conclusion that it was my duty to join in this proposal. I think the Senator has picked the right time and the right person to show that the Senate is ready to do business in this field if given half a chance.

Mr. DODD. I thank the Senator for his support and his kind words. I believe that if we all put our shoulders to the wheel, we can get some action that will greatly advance our objectives.

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

Mr. DODD. I yield to the distinguished Senator from Minnesota.

Mr. HUMPHREY. First, I wish to express my sincere personal thanks to the Senator from Connecticut and other Senators for their comments today relating to my own work in the field of nuclear testing and the quest for peace. This subject has been the constant concern of many Senators and many private citizens.

I am pleased to join the distinguished senior Senator from Connecticut in sponsoring this important resolution on nuclear testing. This is one of the most significant proposals in the field to come before the Senate, at least in the past 2 years. With its impressive list of sponsors—I believe 33—from both parties it should gain the approval of the Committee on Foreign Relations and subsequently should be adopted as the considered judgment of the Senate. The proposed resolution, Mr. President, could serve as an important step toward ending all further contamination of the human environment through radioactive fallout. It deserves—and I trust will receive—the support of the great majority of Senators.

It is especially gratifying to note that my friend from Connecticut and I are on the same side of the barricades on this most vital issue. We may have differed in the past over the U.S. proposals for a comprehensive test ban, particularly with regard to safeguards against underground cheating, but there is absolutely no disagreement between us concerning the need to prevent that form of testing which constitutes a real and present danger to the human race.

Indeed, Mr. President, one of the outstanding aspects of this resolution is the fact that it is offered by the Senator from Connecticut, who has distinguished himself as a genuine internationalist as well as an exponent of enlightened progress in the field of urban and community relations.

The senior Senator from Connecticut is a valued colleague on the Foreign Relations Committee. He has represented the Senate in meetings of the Interparliamentary Union. He makes exhaustive studies of every international and domestic problem that engages his attention. Whether or not one agrees with him on any given issue, it is impossible not to respect his knowledge and the skill with which he evaluates and presents his evidence. He has made a significant contribution to our thinking on political and economic problems of African countries, particularly economic. I hardly need point out that the Senator is a stanch champion of the captive nations and an uncompromising foe of international communism. One of my proudest possessions is a plaque from the Organization of Captive Nations in recognition of the efforts the Senator from Minnesota has been able to exert in behalf of the people who are victims today of Communist oppression and tyranny. I need hardly point out, also, that the Senator from Connecticut has stimulated useful debate on the question of a nuclear test ban. He has done, as a constructive critic, what I feel has been necessary for us to do, to express our point of view and to stand up and argue these questions as Members of the Senate should do, without rancor or animosity and on the basis of intellectual understanding and competition of ideas. I find the Senator from Connecticut, as well as other Senators who have spoken today, to be the highest type of adversaries in debate and the best kind of cooperators when we join together. As the Senator himself stated in a recent letter to George C. Holt, executive director of the United World Federalist:

> I support a test ban treaty and have been proposing a detailed treaty for several years. My position is just as "strongly internationalist" as it was at the time of the Nuremburg trial. I have, for years, supported the unilateral suspension of atmospheric tests because these are the tests that result in fallout, and this kind of testing can be accurately detected by scientific means, without a treaty.

The Senator from Connecticut has come forward with a proposal embodying the spirit of these remarks. I repeat that it is one of the most constructive that I have yet encountered. I am honored to be associated with the Senator in support of it.

I hope that the resolution will be studied carefully and meticulously, not only by Members of Congress, but also by members of the press, by commentators on political questions, and by those who bring to us an interpretation of the news, through radio, television, and the press. It should be studied by all students and scholars in the field of foreign policy. It deserves the same favorable consideration as was accorded Senate Resolution 96 of the 86th Congress, which provided overwhelming Senate support for President Eisenhower's efforts to negotiate an effective test ban agreement.

Mr. President, let us consider the merits of the proposed resolution.

It is a well-known fact that atmospheric and underwater tests have the advantage of being easily detectable. There can be no doubt that the United States and all prospective parties to a test ban agreement can detect and identify any nuclear explosion which takes place in the atmosphere, under water, and at least on the fringes of outer space. For this reason it is perfectly feasible to follow the initiative of the Senator from Connecticut and the cosponsors of the resolution. The nuclear powers can ban all tests which contaminate the air we breathe and the food we eat. They can do so without in any way jeopardizing their military security or, in particular, the military security of the United States.

Such tests can be stopped either unilaterally or by agreement among the nuclear powers. A limited test ban agreement would unquestionably improve our total security posture. But even if the Russians will not accept such an agreement—and there are no indications that they will accept one—it will do us absolutely no harm to refrain from atmospheric testing so long as the Russians show similar restraint. The only qualification, as the resolution states, is that we must "maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or underwater."

This is an eminently sound position. In my speech to the Senate on March 7, I, too, emphasized that we must do all that is necessary to keep our complex testing apparatus in a state of ready alert. This means maintaining a psychological state of readiness as well as the necessary men and equipment. If

the resolution has its intended effect, there will be no need for the United States to resume aboveground or underwater nuclear tests. I personally hope that we have seen the last of them. But these tests can be ended only on the basis of mutual restraint, if not on the basis of mutual agreement. This, I would suggest, is the real burden of the resolution offered by the Senator from Connecticut; it would commit us "before the world to conduct no nuclear tests in the atmosphere or underwater so long as the Soviet Union abstains from them."

The resolution, however, clearly compels the United States to take full cognizance of the "Soviet record of bad faith and deceit"—a record which has left a very bad taste in our mouths and which automatically makes the word "moratorium" unpalatable to some people. The resolution not only would make the moratorium conditional upon Soviet restraint, but it would, in addition, oblige us to be prepared for instant response should the Soviet Union undertake a sudden program of nuclear testing, as it did in the fall of 1961. Finally, the resolution imposes no restrictions whatsoever on underground testing or on testing in the farther reaches of outer space. Testing in these environments would not contaminate the atmosphere and thus would not come under the provisions of the present resolution. Testing underground or far out in space is relatively difficult to detect and to identify. The problem of secret underground testing has in fact been the major stumbling block to a comprehensive nuclear test ban. The failure to resolve this impasse has been discouraging. President Kennedy, in his news conference of May 8, said the negotiations gave him no "sense of movement." He stated that he was "not hopeful at all" about the prospects for agreement, and he foresaw the "disaster" of another round of nuclear testing. He closed with the ominous and much-quoted phrase—

If we don't get it (a test ban) now, I would think perhaps the genie is out of the bottle and we'll never get it back in again.

Mr. President, having attended the Geneva test ban talks as recently as February of this year, I can well understand President Kennedy's frustration. The Kennedy administration has gone the extra mile in meeting the often irrational stipulations of the U.S.S.R. We have significantly scaled down our requirements for an annual quota of on-site inspections—although never at the cost of jeopardizing national security and never without the soundest scientific support. Late last year the Kennedy-Khrushchev correspondence gave us some hope that our perseverance might pay off. By February, however, the Soviet position had so hardened that it was impossible to conduct meaningful negotiations.

My colleagues in the Senate may remember that I said then, on returning from those negotiations, that if we could not get a test ban by April, I saw little or no prospect of obtaining one at all along the lines we were pressing.

The Soviet concession of two to three on-site inspections a year meant just that and nothing more. Since the Russians have not budged from this figure, and since it is manifestly unacceptable to the United States, the President had every reason to warn of the genie being let out of the bottle. I recall that I expressed similar thoughts after my own experience with Soviet instransigence at Geneva. I said, in effect, that we had to have a test ban now or never. There were some suggestions at that time that I was overstating the situation. Now the President of the United States has spoken even more pessimistically than I did in February—and with good reason.

But let no one misinterpret pessimism as indicating that the Western Powers have given up in their quest for a comprehensive test ban treaty. On the contrary, President Kennedy, in his news conference of May 22, promised that the United States would push for a test ban in May, June, and July "in every forum." The administration is clearly intensifying its efforts to reach some sort of understanding with the Russians before late summer and early fall—the most favorable time of year for testing nuclear devices on Soviet territory. Regardless of the chances for getting a comprehensive agreement on our terms, the diplomatic effort must be made—for a ban on tests in all environments is demonstrably preferable to any other kind of agreement, written or tacit. All who stand in favor of a test ban will be gratified by the President's attitude.

The proposed resolution is not in conflict with this statement or with the current emphasis of the Kennedy administration. Its primary purpose, I would say, is to smooth the way to a comprehensive test ban treaty. It is a major attempt to stuff the genie of radioactive contamination and proliferation of nuclear weapons capabilities back into the bottle where it belongs.

I repeat that this resolution is talking only about that kind of testing which can be reliably detected by apparatus under direct U.S. national control. Information about such testing, if it takes place, will be relayed instantly to the President for such action as he deems appropriate. There would be no cumbersome machinery of international control posts or inspection teams. There would be no areas of uncertainty to arouse fears that we were depending upon Soviet good faith. In the words of the resolution itself, nuclear tests in the atmosphere or under water "can already be monitored by the United States without on-site inspections on Soviet territory." This is a flat, truthful statement which needs no elaboration.

It should be pointed out, however, that the resolution implies no criticism of our current efforts aimed at obtaining a comprehensive test ban—including a ban on tests underground and in outer space. The resolution simply notes the fact that 5 years of negotiating under both U.N. and three-power auspices have failed to produce the optimum treaty, namely, an agreement to outlaw tests in all environments. It does not imply that we should abandon either the 17-nation or the tripartite talks. Indeed, widespread acceptance of the principles underlying the resolution should provide an impetus to the conclusion of a treaty covering the disputed areas. But since the President of the United States himself is "not hopeful at all" concerning a comprehensive test ban, we should renew our efforts to get off with at least three quarters of the loaf. Such would be the effect of the action proposed by the Senator from Connecticut and endorsed by at least 30 of our Members.

In their joint statement of August 27, 1962, President Kennedy and Prime Minister MacMillan set forth the alternatives clearly and forcefully. They left no doubt concerning their preference for a ban on nuclear testings in all environments. At the same time they were prepared to negotiate, as an interim measure, a treaty banning all tests in the atmosphere, under water, and in outer space. They made it clear that their offer of a partial test ban was in no sense a retreat from their emphasis on the need for a comprehensive treaty. Rather, it was an effort to achieve some results rather than nothing at all. Let me quote from the historic words of these two heads of state:

The United States and the United Kingdom have instructed their representatives at Geneva to present today to the 18-Nation Disarmament Committee a draft treaty containing proposals for an end to all nuclear testing in all environments as well as an alternative draft treaty providing for an end to nuclear testing in the atmosphere, underwater, and in outer space. We both believe the arrangements we have outlined in these documents for insuring compliance with the terms of the agreement—whether comprehensive or limited—are sound and reasonable providing, as they do, the necessary guarantees for our own security and the security of all nations which might become parties to either agreement. We wish to make clear the strong preference of the United States and the United Kingdom for prompt action on the first of them, namely, the comprehensive treaty. However, we are also prepared to conclude an early agreement on the basis of the second document, that covering a more limited field, if this represents the widest area of agreement possible at this time.

The draft treaty for a partial test ban was duly submitted. It remains an official proposal of the two Western powers. Despite its abrupt rejection by the Soviet Union, we have never allowed the Soviet representatives to forget that a partial, self-monitoring test ban would meet with instant approval on the part of the United States. What the current resolution would have us do, however, is to reaffirm this treaty proposal and then, if necessary, to go one step further. Assuming that the Soviet Union still wants all or nothing at all, we should unilaterally commit ourselves to refrain from all tests that would contaminate the atmosphere or the oceans—provided only that the Russians also refrain from such testing and that our own testing facilities are maintained in a state of constant readiness.

I have never left anyone in doubt, Mr. President, as to my distress over the effects of radioactive fallout. On July 25, 1962, I remarked in the Senate that a partial test ban was one of three "imperative yet feasible goals which should

be pursued with the utmost energy and diligence" at Geneva. As I told the Senate on August 7, 1962:

An end to radioactive fallout would be desirable, whatever one thinks of the dangers to mankind represented by fallout. Clearly, as we move on into the nuclear age, the amount of contamination from the peaceful uses of atomic energy will increase; and it would be desirable, as a general principle, to keep to a minimum the unnecessary contributions to the reservoir of background radiation in the human environment.

In my letter of August 21 to Director William Foster of the Arms Control and Disarmament Agency, I urged our Government to seek an immediate cessation of nuclear weapons tests in the atmosphere, under water, and in outer space.

Soviet indifference to human health—

I wrote:

gives the West no excuse to neglect a single opportunity, however slim, to halt the upward spiral of nuclear weapons development and testing. * * * We should not be deterred from stating publicly that we will work for a mutual cessation of atmospheric nuclear tests under a system of purely national controls. This would be a seven-league first step toward a ban on all testing. * * * Even a partial test ban agreement, provided it does not threaten anyone's national security, corresponds with the vital interests of mankind.

Having written and spoken these words, I was understandably gratified by the joint United States-United Kingdom test ban proposals of August 27 last year. My gratification was exceeded only by disappointment over the U.S.S.R.'s flat rejection of the Western initiative. We have no more reason today to expect that the Russians will sign the sort of agreement which they have consistently rejected in the past. I do not believe, however, that anyone can sit back complacently and accept the unchecked forward march of the arms race.

This is why the Senator from Connecticut has offered his resolution. This is why such a large number of Senators, including myself, have added our names to it. As my distinguished friend from Connecticut has pointed out already, one of the salient features of this resolution is that it mobilizes a broad front of senatorial opinion in favor of a first step toward curtailing the arms race. The resolution is an effort to undo the failure of the test ban talks to date. Action in the spirit of this proposed resolution could bring about a definite downward turn in the arms race—an international phenomenon that offers no lasting security to any nation engaged in it. It could check the proliferation of nuclear weapons which has already spread to Western Europe and which threatens to infect both the Far and Middle East. Finally, a prohibition on testing in the atmosphere and the oceans would end the radioactive pollution of these media. To halt the contamination of our surroundings is a goal which should be welcome to every inhabitant of the globe. I, therefore, urge the Senate, and above all, the administration, to endorse the resolution proposing a ban on all nuclear tests that contaminate the atmosphere or the oceans.

Again, I compliment the distinguished Senator from Connecticut and all other Senators who have joined in sponsoring the resolution. This may be one of the most significant resolutions which has been submitted for many a year in the Senate. I say this because I believe that at long last Senators are coming to a consensus as to what we can do and what we should do to improve the world situation, particularly as it concerns nuclear testing, without at the same time jeopardizing the security of our country.

I say to the Senator from Connecticut that I am highly honored to be associated with him in this effort. I hope other Senators will see fit to join as cosponsors of the resolution, and speak in behalf of it, so that the world may know that in the Senate there is a continuing concern over the well-being of humanity, the protection of property and liberty and freedom, and that we are dedicated to the proposition that we will leave no stone unturned in trying to find means of securing a just and enduring peace.

But we do so with full knowledge of the position of the opposition and of the competition which we face. The Senator from Connecticut is again helping his country, as he has done during many years of his life. I believe he has made a real contribution to the upgrading of the thinking and discussion in the Senate.

Mr. DODD. Mr. President, I find it difficult to express my reaction to the generous, uplifting, and encouraging remarks of the Senator from Minnesota. He knows how I feel about him. I think the Senator also knows how much his support, commendation, and approval mean to me.

Mr. SCOTT. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. SCOTT. I congratulate the distinguished senior Senator from Connecticut on having taken the initiative in a matter of such interest. After all, there can be no greater interest on the part of all the people of the world than the preservation of peace.

The resolution begins as a unilateral proposal. It can be distinguished from other forms of unilateralism. For example, unilateral disengagement has little appeal to me, because it implies that we, acting alone, would limit, reduce, or cancel our weaponry, or that we would withdraw from our present posture of security and the preparation of adequate capacity.

Unilateral disarmament has a further disadvantage, in that it would rest entirely upon the good will of another nation and the good faith of another nation, which would be asking too much of human credibility and would involve taking human risks which are insupportable.

But a unilateral approach to a possible solution, such as the Senator from Connecticut proposes, is, it seems to me, of the highest value, because we do not seek to weaken ourselves in our posture, either militarily or philosophically, as a nation devoted to peace. We do not undertake to lower our armaments, nor do we undertake in any sense to surrender, appease, or withdraw. But we do undertake to conciliate in the highest sense of the word.

In proposing a unilateral response to the world's great need for peace, we will have said to the world, should the resolution be adopted and receive the approbation of the Executive, that we have gone as far as a nation can go; that the United States has agreed not to continue testing in these areas and under these conditions so long as no other nation engages in further testing. Therefore, the Soviet Union must bear the onus of world disapproval if it undertakes to continue testing in the face of the expressed desire of the United States for a peaceful solution. We continue to keep the door open, after 5 years of frustrating, unsatisfied attempts to find a solution. Therefore, it seems to me that we have nothing to lose and everything to gain.

I am glad that the Senator from Connecticut, by the resolution, has recognized the need for Congress to initiate action on its own, because were we to leave all matters of this kind to development solely by the executive department, they would naturally have to undergo a period of a lack of information as to what proceeds. Perhaps it is entirely necessary that secrecy be maintained in these circumstances. But there would be no opportunity for the progressive formulation of public opinion, were the Executive to wait until the Executive was ready to announce a change in foreign policy.

On the other hand, because of the initiative of the Senator from Connecticut, we can have full and free discussion, in the hope that the proposal will leave an impression upon others, including the Soviet Union. We may hope, further, that the President of the United States will accept the merit of the Senator's proposal, cosponsored as it is by almost a third of the membership of the Senate.

I again congratulate the Senator from Connecticut on his very sagacious, well thought out approach.

Mr. DODD. I am deeply grateful to the Senator from Pennsylvania for his support and approval.

Mr. KEATING. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I am happy to yield to the distinguished Senator from New York.

Mr. KEATING. Mr. President, first, I commend the distinguished Senator from Connecticut for submitting the resolution, which obviously has been the subject of deep study and is designed to ban nuclear tests in the atmosphere and under water.

There is no doubt that testing in the atmosphere offers the greatest dangers of nuclear contamination for our own generation and for generations still unborn. If agreement could be reached to ban atmospheric testing, it would virtually eliminate the pestilence of radioactive fallout and at the same time might be the first move toward a more comprehensive agreement. Although I believe very strongly in the need for

adequate inspection with regard to underground or outer space tests, there seems to be complete scientific agreement that nuclear tests in the atmosphere can be monitored without on-site inspection.

Under those circumstances, it is unnecessary to delay, and we would be well advised to take the first step. We can publicly stress, not only at Geneva, but also here in Washington and throughout the world, that we are ready not only to talk, but also to act with regard to a test ban agreement involving atmospheric tests.

Since there is no need for inspection to detect whether any nation is violating such an agreement, this proposal should be acceptable to the Soviet Union—if the Soviets are really concerned to put an end to the peril of fallout. It should make clear once and for all that the United States stands ready to stop atmospheric tests. Even more, we are ready to commit ourselves to conduct no further atmospheric tests unless the Soviets do. Naturally we must remain fully prepared and equipped should the Soviets break such a moratorium—as we all know they have done in the past.

But a treaty along the lines proposed in this resolution would be hard for the Soviets to refuse without denying all their own propaganda of the last decade and a half. If they are prepared to go along, it would be a tremendous breakthrough for the whole human race. If they refuse, at least it should be clear to the world where the blame lies.

Mr. President, I believe the support of a significant number of Senators for the resolution should be a clear signal of U.S. willingness to move ahead toward a test ban in areas where detection is adequate and cheating impossible. We cannot trust the Soviets, but such a treaty would not require trust, only adequate monitoring equipment and a state of continued readiness. Since we do have such equipment and can remain on the alert, we should offer the Soviets an agreement along these lines, both for the sake of our own security and for the sake of protecting mankind from the dangers, known and unknown, of radioactive fallout.

It seems to me that the resolution as phrased is carefully worded to protect the interests of the United States and still serve as a notice to the world that we are ready to make appropriate agreements, provided they contain the safeguards which are necessary for the security of our own people and of the people of the entire world.

Mr. DODD. I thank the Senator from New York.

Mr. HART. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I am glad to yield to the Senator from Michigan.

Mr. HART. I think that virtually all has been said on this subject that needs to be said. I, too, congratulate the distinguished Senator from Connecticut upon his initiative in designing a suggested expression of Senate attitude. He moves in a field, and we who have joined with him move in a field, where foolish and sometimes frightening conversation is expressed across the country and across the world.

I think he is injecting a sensible note and is proposing a course which wisdom supports; and I hope we shall have the courage wisely to communicate to the rest of the world what motivates us. Everyone agrees that this subject relates to the overriding question of our generation; but I think what sometimes is missed is the difficulty not only of understanding the motives of the Soviets, but also the difficulty of understanding our own motives. We have extraordinary difficulty in expressing, in a fashion which others in the world can understand, what we think our motives are. There are times when I think we overestimate our ability to understand our own motives, not only with respect to this question, but also on other subjects. If this is true with respect to our own evaluation, it is also true that we must be tentative in expressing our judgment about the motives of our enemy.

I believe that a proposal such as this one offers hope of obtaining a reasonable "feedback" from our potential enemy. This proposal will give us a much stronger basis on which to test and to judge his motives; and I hope our own motives in proposing it are clearly understood around the world.

I commend the Senator from Connecticut for submitting the resolution.

Mr. DODD. I thank the Senator from Michigan. He is one of the most thoughtful and effective men I know, and his support means a great deal to me.

Mr. HUMPHREY subsequently said: Mr. President, on behalf of the Senator from Connecticut [Mr. DODD], I ask that the resolution which he submitted today, on behalf of himself and a number of other Senators, be held at the desk for 1 week, so as to provide other Senators an opportunity to join in sponsoring the resolution.

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

During the delivery of Mr. HILL'S speech on S. 1576,

Mr. HILL. Mr. President, I ask unanimous consent that I may yield to the distinguished junior Senator from South Carolina [Mr. THURMOND] and that his remarks may appear elsewhere in the RECORD.

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

Mr. THURMOND. Mr. President, I thank the distinguished Senator from Alabama for yielding. I ask unanimous consent that the remarks I am about to make be placed in the RECORD following the remarks made by the distinguished Senator from Connecticut [Mr. DODD] and other Senators on the nuclear test ban proposal.

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

Mr. THURMOND. Mr. President, I congratulate the Senator from Connecticut on the continuing diligent efforts he devotes to critical security issues and particularly to the subject of a test ban.

While I cannot agree in full with the Senator's resolution that the United States propose a moratorium on atmospheric and ocean nuclear testing, I am sure that on many of the issues relating to test ban and test-ban negotiations our conclusions are in very substantial accord.

In my opinion, were the resolution of the Senator from Connecticut for a moratorium of testing in the atmosphere and the ocean to be effectuated, either by agreements with the Soviets or by a unilateral declaration by the United States, as he proposes, the practical effect would be no more, so far as the rate of U.S. testing is concerned, than is already the case. The United States has quite obviously suspended nuclear testing in the atmosphere and in the oceans, and, from my observations of the administration's current policies, I am very much concerned that the administration cannot be persuaded to resume testing in these elements until after the Soviets launch a new test series. In effect, we already have a unilaterally imposed moratorium on testing in the atmosphere and in the oceans—and apparently also in space—and it is also obvious that our underground testing is being held to a dangerous minimum, if indeed the United States has not also decided to suspend underground testing. The news media have reported the cancellation of some underground tests previously scheduled for the latter part of this month.

I also concur with the Senator from Connecticut that the current proposals of the United States to the Soviets at Geneva involve risks to the United States security which are completely unacceptable. I am convinced that under this proposal the Soviets could cheat with impunity to the very substantial detriment of the United States defense posture.

Judging from previous Soviet negotiations, there seems little likelihood that the Soviets would agree to a moratorium on testing in the atmosphere and the oceans, for to date they have stanchly maintained a position based on a comprehensive test ban in all elements, or nothing. There appears little probability, therefore, that the resolution introduced by the Senator from Connecticut could lead to any agreement with the Soviets which could be used as an opening wedge, or, as some have called it, a confidence-building measure between the Soviet Union and the free nations of the West.

I must disagree with the Senator from Connecticut on the degree of risk involved in our failure to proceed with testing now in all elements, including the atmosphere and the oceans. We can only estimate the progress which the Soviets made in their 1961 and 1962 nuclear test series. It is quite possible that the Soviets learned enough in these tests that in the absence of further testing by either side in the atmosphere and the oceans, the Soviets with knowledge gained from tests already made, could achieve a superiority in nuclear strike power which would put the United States in a hopelessly binding situation.

We need to test in the atmosphere to determine the effect of nuclear detonations on our second-strike nuclear forces. We must test in the atmosphere in order

to complete development and permit deployment of our defense system against ballistic missiles. It also is imperative that we test in the ocean to determine the radius of effect of large nuclear detonations on surface and underwater craft such as our Polaris submarines.

In conclusion, it is my opinion that we should conduct sufficient tests in all elements to insure that our knowledge of nuclear weapons and nuclear weapons effects have reached a level at which our military forces could be maintained in a posture of assured superiority and not be subjected to the very substantial risk that our deterrent power would disappear during the early years of a test ban, even if the Soviets actually suspended testing according to an agreement.

So long as the Soviets do not believe themselves to have achieved a sufficient margin of knowledge through nuclear testing by which to attain a strategic superiority, they will either continue refusing to enter a test ban agreement or they will enter a test ban agreement under which they can test clandestinely with relative impunity and with the full intention of cheating.

Mr. President, I thank the distinguished Senator from Alabama for his usual courtesy in connection with a matter of this kind.

Mr. HILL. Mr. President, I may say to the able Senator from South Carolina that I was very happy to yield to him, so that he could make the contribution he has made on this subject, which is so important to all the American people.

Mr. THURMOND. I thank the Senator from Alabama very much.

Mr. PROUTY subsequently said:

Mr. President, I am happy to have joined with the senior Senator from Connecticut [Mr. DODD] and other Senators in the cosponsorship of Senate Resolution 148.

This has been called a first step in the area of nuclear disarmament. I certainly have no doubt that it is wise, prudent, and necessary to pursue such a thing as nuclear disarmament by degrees.

We all recognize the serious problems which the testing of nuclear weapons raises. And I think the public has been exposed to the question of nuclear testing and nuclear test bans perhaps more thoroughly than to most national issues.

The language of this resolution recognizes what I consider to be one of the gravest problems arising in the whole area of nuclear testing. Contamination of the oceans and the atmosphere can occur just as readily from testing weapons as well as from actual combat in a nuclear war.

It is this kind of thing that I hope this resolution will help us prevent.

Mr. McGOVERN subsequently said: Mr. President, I am pleased to join with Senator DODD, of Connecticut, and numerous other Members of the Senate in sponsoring a resolution banning nuclear tests that contaminate the atmosphere and the oceans.

It has been my hope for some time that an agreement could be worked out to stop the testing of all nuclear weapons. I regard these continued tests as a threat both to the health and the survival of mankind. There is, of course, some risk involved in a test ban agreement, but in my view there is a much greater risk involved in the uncontrolled explosion of nuclear devices by the great powers. This threat will grow as the number of countries testing weapons increases.

Senator DODD's resolution proposes a substantial step in the right direction in banning the tests which now threaten to contaminate both the atmosphere and the oceans.

While there are conflicting reports on the damage to human health from radioactive fallout, there seems to be ample evidence that continued testing represents a genuine danger to the human race.

I strongly hope that this resolution will win prompt support in the Congress and throughout our Government. It is my earnest hope that the Soviet Union and the other nuclear powers will follow a similar course of action.

UNITED NATIONS FACES POLITICAL, NOT MERELY FINANCIAL, CRISIS

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on International Organizations of the Foreign Relations Committee, I have been following with a good deal of concern the evolution of the very complex financial crisis of the United Nations.

Though it was little noted at the time, that crisis really began taking shape some 7 years ago when the requisite two-thirds majority of the members passed a resolution in the General Assembly assessing the members to pay for the cost of the U.N. Emergency Force in the Middle East in addition to the regular assessment for the normal operating expenses of the Organization.

I say that the U.N.'s financial crisis began to take shape at that time because from that time forward the Communist members and the Arab States declined to pay their fair share—or, indeed, any share at all—to maintain the peacekeeping force along the Gaza Strip and at the mouth of the Gulf of Aqaba. Obviously, this was a political decision on their part, having nothing whatever to do with their ability to pay or with anything else—except that they did not like the operation, and decided that they would not help to pay for it. This was the beginning; and this remains the essential characteristic of the so-called financial crisis at the United Nations—a political refusal by certain members to accept collective financial responsibility for duly authorized U.N. peacekeeping decisions.

The arrearages accumulated by those who refused to pay for the Middle East peace force were not very great; and the problem did not become serious, financially speaking, until 1960, when the Assembly again assessed the membership—on the regular scale of assessments, of course—to pay for the much larger and much more expensive United Nations operation in the Congo. Again, the Soviet Union and the Communist bloc—plus France and Belgium, for their own political reasons—simply did not pay their assessments on the Congo account. As this operation continued, as the costs increased, and as assessments followed assessments, the arrearages accumulated at an alarming rate. Nations delinquent because of political decisions not to contribute were joined by many smaller nations which felt that they simply could not afford to pay their share of the heavy peacekeeping costs.

From the beginning, the Soviet Union and some of the other members maintained that the assessments for the Middle East and Congo peace forces were not legally mandatory, and that therefore it was up to each member to decide whether it wished or did not wish to pay. In short, they said they were not delinquent on those accounts, in a legal sense. By last year, as we all know, the U.N. was more than $100 million in the red, and the financial crisis began to look like a case of bankruptcy.

Between midsummer last year and the present, however, a number of things have happened to clarify the situation, to identify the real issue, and to establish an approximate deadline for a decision which will affect the future of the United Nations—perhaps critically.

We all know that, as an emergency interim measure, the United Nations was authorized last year to issue 25-year bonds, up to an amount of $200 million, to be retired in annual installments out of the assessed regular budget. Some $137.3 million worth of bonds have been subscribed so far, plus pledges of $2.4 million worth. This device has served to buy time for a sufficient clarification of the issues to set the stage for a resolution of the crisis. As I already have indicated—and intend to stress—the essential nature of that crisis is political and constitutional—not financial.

In this process of clarification, the first critical step was recourse to the International Court of Justice for an advisory opinion as to whether assessments for the peacekeeping forces in the Middle East and the Congo are legally binding on the membership. The point at issue was whether the cost of maintaining these forces were "expenses of the organization" within the meaning of the charter. If the answer was "yes," then the assessments were mandatory. If the answer was "no," then the only way to finance the Middle East and Congo operations would be by voluntary contributions. Last July, the International Court handed down its advisory opinion; and the majority view of the Court was that these expenses had been construed properly as expenses of the organization within the meaning of the charter.

That opinion was formally and emphatically accepted by the General Assembly, in December, by a vote of 76 to 17, with 8 abstentions.

This settled once and for all the legal question. The impact of the International Court of Justice decision and its firm acceptance by the General Assembly was soon discernible in a clear, if unspectacular way. Over the past 4 months, some 40 members have paid up $16 million on arrearages. This, of course, did not make a serious dent in

the U.N.'s total deficit, since a very large part of the arrearages is owed by a handful of members. But it does reflect an acceptance by many members of their financial obligation, once that obligation was confirmed by judicial process and ratified by formal action of the membership.

With the legal question out of the way, the stage was set for the next step toward an eventual resolution of the so-called financial crisis. As you know, Mr. President, article 17 of the U.N. Charter states in straightforward language:

> The expenses of the organization shall be borne by the members as apportioned by the General Assembly.

And article 19 states in equally straightforward language:

> A member of the United Nations which is in arrears in the payment of its financial contributions to the organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years.

And in line with the International Court of Justice's opinion and the subsequent action of the Assembly in accepting it, assessments to finance the peacekeeping operations in the Middle East and the Congo must be included in the calculation of arrearages to which article 19 applies.

Again, Mr. President, the impact on the U.N. membership of this unfolding picture is quite discernible today. Two months before the opening of the Special Assembly, 10 members had accumulated arrearages in excess of assessments of the preceding 2 years and therefore faced the application of article 19 and the loss of their votes in the Special General Assembly that is now in session.

Now there has been a great deal of cynicism and skepticism regarding the force of article 19. Many people have said, in effect: "Oh, come on now, let's be realistic. Can you really imagine the United Nations depriving a member of its vote just because it hasn't paid its dues?"

The question betrays not only a lack of confidence in the determination of the membership, but a failure to understand that the application of article 19 is mandatory and automatic under the Charter. The language is crystal clear: it says that a member which is delinquent in its terms "shall have no vote in the General Assembly." It does not say that the members will decide whether the member in question shall or shall not be deprived of its vote. Article 19 is an integral part of the Charter, which has been accepted and ratified by the members which has the force of international law. And it stipulates—in language which can be read no other way—that a member in arrears to the tune of 2 years' assessments shall have no vote in the General Assembly unless the Assembly determines that the arrearage has been incurred for reasons beyond the control of that member. No one has claimed—or is likely to claim—that delinquents like the Soviet Union have failed to pay for reasons beyond their control.

The experience of recent weeks with respect to the force of article 19 has been most instructive. One after another, 9 of the 10 members which were 2 years or more in arrears made payments adequate to escape the application of article 19. The force of law and logic was clear enough to these nine nations—including Cuba and Hungary—to convince them that article 19 says what it means and means what it says. And it is, or should be, clear enough to all of us that the prospect of losing the voting privilege was an unacceptable price to pay for financial delinquency. The 10th delinquent nation was Haiti—and its failure to make a payment before the opening of the Special Assembly last week has resulted in further clarification of the so-called financial crisis—which is really, I repeat, a political and constitutional crisis—of the United Nations.

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

Mr. CHURCH. I yield.

Mr. MORSE. I wish once again to compliment and congratulate the Senator from Idaho on a major and very important foreign policy speech. Although I have read the speech, I shall sit here and listen to it for further enlightment. Later today I shall make a short speech of my own in support of the thesis of the Senator from Idaho. But at this point, in order to emphasize the major thesis of the speech, I should like to ask the following question: Is it not true that the two major delinquents—and I believe that is the proper term to use, without any quotation marks around it—in the United Nations in regard to this subject of living up to what I think is the clear meaning of the appropriate language of the charter, and unquestionably the only meaning of the advisory opinion of the World Court in regard to the payment of dues, including special assessments, are Russia and France?

Mr. CHURCH. The Senator is correct. Those are the major delinquents.

Mr. MORSE. I shall have something further to say about the delinquencies later this afternoon.

Mr. CHURCH. I thank the Senator very much. In a letter dated May 14—the opening day of the special session—Secretary General U Thant notified the President of the General Assembly that Haiti was in arrears within the terms of article 19 and that a payment exceeding $22,400 "would be necesary in order to reduce the arrears below the limit specified in article 19."

The current President of the General Assembly is the distinguished international lawyer and former judge of the International Court of Justice, Sir Zafrullah Khan of Pakistan. In a letter dated the following day, he informed the Secretary General as follows:

> I would have made an announcement drawing the attention of the Assembly to the loss of voting rights in the Assembly of the member State just mentioned [Haiti], under the first sentence of article 19, had a formal count of vote taken place in the presence of a representative of that State.

He added that he was transmitting a copy of the correspondence to the Chairman of the Fifth Committee, which is considering the financial problem "so that he may be informed of the situation which will give rise to the loss of voting rights in the Fifth Committee of the member concerned if the situation is not previously rectified."

This formal correspondence makes it unmistakably clear that the Secretary General and the President of the Assembly have no question whatever about the fact that the application of article 19 is obligatory and automatic.

In a less formal fashion, the President of the Assembly spelled out the situation when he appeared on "Meet the Press" on the following Sunday, May 19. I should like to quote several questions and answers from the transcript of that program:

> Question. Do you believe this sanction [article 19] should be applied now to countries * * * such as Haiti * * *?
>
> Answer. The matter has nothing to do with my opinion or belief. The article is perfectly clear. Article 19 of the charter says that when that situation arises which you have mentioned, that a member is in default up to a certain point, it has no vote in the Assembly. It is not for me to decide whether it has or it hasn't. The English version says it shall have no vote and the French version says it cannot vote. It applies automatically * * *.
>
> Question. If Haiti had shown up on the first day of the session and been in arrears as it was, you would not have allowed Haiti to vote?
>
> Answer. If a vote had been taken and Haiti had been present, I would have had to announce that Haiti would not be able to participate in the vote.
>
> Question. And if the Soviet Union * * * next year, for instance—in sufficiently in arrears to lose its vote—would you deprive it from exercising its vote?
>
> Answer. It has nothing to do with any particular member. All members stand on the same footing.
>
> Question. Is there a general feeling in the General Assembly that any country that falls in arrears must be automatically deprived of its vote?
>
> Answer. I do not know whether that is the feeling in the Assembly or not, but that is what the charter says.
>
> Question. So it would go into effect automatically and maybe some 50 members of the Assembly could lose their votes in the near future?
>
> Answer. If 50 were in default.

So there we have it in stark and unequivocal terms: the sanction is there; it is mandatory; and it is automatic. The result is that 9 of the 10 delinquent members paid up to retain their right to vote, and the 19th, Haiti, having stayed away from the meetings of the current session last week to avoid the penalty, paid up over the weekend.

In other words, Mr. President, the evidence is that article 19 is, in fact, taken seriously; the evidence is that the sanction in article 19 already is working; the evidence is that there are teeth in the Charter of the United Nations to enforce the principle of collective financial responsibility, and most of the members know it.

One big question remains, Will the few nations which have not yet accepted the

fact of article 19 or the validity of the opinion of the International Court, or both, force a constitutional crisis in the United Nations next year by directly challenging article 19?

I would not risk a prediction about Soviet policy on this point. But I would point out that on Wednesday morning the Soviet delegate in the Fifth Committee made a long and vehement speech in which he denied the legality of any peacekeeping operation not initiated by the Security Council, not operated directly by the Security Council or its appointed agent, and not financed on a pattern of contributions determined by the Security Council. He stated flatly that the Soviet Union would refuse to pay a kopek toward the Middle East or Congo operation, would refuse to pay assessments for retirement of the bond issue, would refuse to help pay for the U.N. Commission in Korea, the U.N. Truce Supervision Organization for Palestine, the U.N. Field Service, or even the technical assistance program operated by U.N. Headquarters, the latter on the grounds that the Secretary General is operating that program under the guidance of the western clique.

Mr. President, I would agree with the Soviet delegate on one point. "The situation now confronting the United Nations," he said on Wednesday, "is not a financial crisis, but an illusion of a political situation."

The political situation is that the Soviet Union does not want a United Nations with a capacity to act in either the peacekeeping or the economic and social fields. This is not new. This has been the Soviet aim from the beginning. This was behind the Soviet effort to hamstring the Secretariat with the notorious Troika proposal to inject a Soviet veto power into the whole administrative apparatus of the U.N. And it is behind the present Soviet drive to withhold operating funds until the U.N. is forced into bankruptcy or is forced to dismantle its peacekeeping missions.

So what we have seen, Mr. President, in the last 9 months or so, is not a resolution of the financial crisis of the United Nations in financial terms, but a clarification of the constitutional issue that underlies the money problem. We have seen the establishment of the necessary precedents for a resolution of that constitutional issue—either by an acceptance by all members of collective responsibility, or by a loss of voting privileges in the Assembly which, in turn, might raise the question of continued membership by important nations. If the constitutional issue does come to a head—and I anticipate it must at the next General Assembly—the outcome will either strengthen materially, or weaken materially, the United Nations.

I might point out, however, that as this situation has unraveled in recent months, the United Nations has continued to play its vital peacekeeping roles in the Middle East and the Congo—and I am heartened by this fact—which serve the interests of this country and all nations which seek peace and order around the world. The operational capacity of the U.N. has not been crippled despite anguished predictions of bankruptcy on the morrow. The responsible members—and I am proud to recall that the United States stands in the forefront of that category—have refused to be either bullied or bored into quitting the cause of peace and order.

Meanwhile, the problem remains of financing the continuing operation in the Middle East and the greatly reduced operation in the Congo.

This, as we all know, is the subject of current debate and negotiations at the Special Assembly now meeting for that purpose. I therefore shall not speculate on the outcome of these deliberations, except to make one point.

The position of the United States in these discussions is that the Special Assembly should confine itself to agreement on a formula for financing the two peacekeeping operations for the second half of the calendar year 1963, for which no provision has yet been made. The fact that the United States does not wish to go beyond this question at this time has been interpreted by some as an abandonment of the search for a permanent formula to finance all peacekeeping operations that might arise in the future.

If that is what it is, then I suggest to the members that the United States has done well to abandon any such search at this time. With the crystal ball as cloudy as it is at the moment—with no way of foretelling what peacekeeping missions the United Nations will be called upon to undertake in the future—it is, in my mind, the better part of wisdom to reserve our position and to maintain the maximum degree of flexibility in facing the unforeseeable. A long-term solution has a fine, positive ring to it, but in practical politics there is a great deal to be said for an ad hoc approach to specific problems—one by one, as they arise in their own sets of circumstances.

Mr. President, we shall all watch with a great deal of interest, I am sure, the further unfolding of this complex crisis which confronts the United Nations. The main reason for my speaking about it today is to call to the attention of the Members of the Senate the basic point that the underlying issue is not a simple question of finding the $30 or $40 million needed to maintain two peacekeeping forces in the field for another 6 months. If the nations of the world were agreed that this money should be raised, it is obvious that there would be no very great difficulty in raising it.

The real question is much more fundamental than that: it is a question of collective responsibility for collective action. And that is a constitutional question; it is a question of what kind of a United Nations the members want to have—a mere forum for debate, or an organization capable of executive action to preserve the peace, to restore order when the peace has been breached, and to help manage peaceful change. If we understand the present situation in this way, we will take our eyes off the account books and see this crisis for the important political issue that it really is.

Mr. MORSE subsequently said:

Mr. President, earlier this afternoon I said I would make a statement supplementary to the very able address delivered earlier today by the Senator from Idaho [Mr. CHURCH] on the crisis in the United Nations.

Mr. President, it is becoming increasingly evident that the effort to expand the use of international organizations and the rule of law into major peacekeeping operations in the world is encountering one of its most serious threats from the failure of two of the great powers of the United Nations to fulfill their obligations to it.

As I had occasion to stress last Friday before the section on international law of the American Bar Association, this failure is a trial for the new nations of the world, as well as for the old.

The outcome will not only tell us how much interest in the rule of law exists among the new nations of the world. It will also tell us the future of the United Nations itself. The issue goes to the heart of the organization, not only because it is literally a constitutional issue, but also because the subject matter is the lifeblood of most organizations—money.

Certainly the hopes that were raised last year by the advisory opinion of the World Court, holding that the loss of voting rights in the Assembly is applicable to failure to pay special assessments, have been dashed by the flouting of that decision by two so-called great powers.

Great in their national selfishness, great in their obstructionism, and great in their stupidity, France and the Soviet Union have notified the organization that they will ignore the Court's opinion. Worse yet, they have gone much further in their undermining of the organization, by declaring their refusal to pay the part of their regular assessment that will go to retire the bond issue necessitated by their failure to pay the special assessments.

It is one of the great ironies of history that the Congo operation was opposed by France because the U.N. tried to salvage a new nation from the wreckage of colonialism, and by the Soviet Union because it considered the operation "a colonial aggression." Between the two of them, these two nations, that are more interested in nationalist objectives than in world peace, may yet succeed in destroying the U.N.

Having the veto in the Security Council has not been enough for them; they are now trying to veto the General Assembly, as well. If they are allowed to do that, it will not be long before the United Nations will peter out in just about the same fashion as did the League of Nations. One can only wonder how much destruction France and Russia must undergo before they learn the lessons of history.

But neither of the two great "delinquents" has made any suggestion to the effect that it is incapable of paying. I use advisedly the term "delinquents," for

France and Russia stand before the world today, in respect of the clear moral and legal obligations they owe the United Nations, as delinquents, and they should be so branded.

Because the organization undertook actions and programs with which they disagreed, France and Russia are refusing to contribute their share of the financing of those actions. As we know, the Russians have drawn up a list of deductions which they will make from their regular contribution, including their share of the cost of the Congo operation, and of the Middle East emergency force, the remnants of the Korea operation, and the United Nations field service, which means the United Nations trouble-shooting missions overseas. In addition, the U.S.S.R. has announced that its contribution to the technical assistance budget will henceforth be made in rubles, for expenditure only in the Soviet Union.

So at long last we have "smoked out" Russia on that issue. Let no one forget that our United Nations payments, for its expenditures and its programs, are evaluated in terms of the value of the dollar. But because Russia can change her rate of exchange by fiat and—interestingly enough—can follow a policy of a rate of exchange not on a uniform basis, but on a program basis, payment in rubles can very often be worthless payments.

I encountered the strategy of the Russians as a congressional delegate to the 15th General Assembly of the United Nations. One of my tasks was to represent the United States in negotiating for our Government for contributions from the respective members to carry on the so-called nonregular activities of the United Nations in the field of humanitarian causes—the whole list of United Nations activities which fall under the direction, so far as our representative is concerned, of the great Paul Hoffman. That was the first year when so many new African nations were seated in the United Nations. The delegate for the Russian Government made its offer before the delegate from the United States was called upon for the U.S. offer for negotiation purposes. The Russian staged a propaganda "10 strike," for in a paper which he read—which is always done by the Russian delegates, because they are not free to leave their written instructions—he announced that the Soviet Union was going to double its contribution of the preceding year.

The conference exploded with an ovation, for that was a great propaganda strike for the Russians. I was satisfied that it did not mean what it seemed to mean, but at the moment of its announcement I was not too sure what it did mean. There was little time available to reflect on the announcement as the Russian went on and read the statement of his government.

But Senators should have seen the favorable reaction immediately of the delegates of the new African nations. Of course, the Russian delegate forgot to point out that they had paid only 24 percent of their last contribution and they were in arrears 76 percent. At least I felt a question ought to be asked. So on behalf of the U.S. Government, I said that if the Soviet Union had doubled its contribution to this great humanitarian program of the United Nations, I desired to be the first, on behalf of my Government, to extend my congratulations to the Soviet Union. But then I pointed out that all contributions are evaluated on the basis of the value of the dollar, and I asked the Russian delegate if the Russian contribution was to be made on the basis of four or eight rubles to the dollar.

Within a few seconds the import of my question sank into the assembled group and into the head of the Russian. His angry reply followed quickly. It was soon recognized by the other delegates that, of course, an offer to double a contribution meant nothing unless the country making the offer were willing to state what their rate of exchange would be in evaluating the contribution.

Do not forget that Russian delegates are never free to leave their written instructions. So in his reply, the only thing the Russian said apart from his written instruction was that it was clear that the U.S. delegate did not either understand or did not want to understand the announcement of his government; so he would read it again for our benefit. All he did was to reread his written instructions. That action immediately made clear to the other delegates how accurate was the implication of my question.

So now at least we have the Russians out in the open. They are now saying that their contribution to the technical assistance budget will henceforth be made in rubles and not dollars, which in my judgment means that their contribution will be worth exactly what they wish to make it worth by fiat.

ACTION OF OTHER MEMBERS IN APPLYING CHARTER WILL BE EQUALLY IMPORTANT

The next question is what the General Assembly will do about France and Russia.

I wish to say from the floor of the Senate today, for the benefit of the head of the American delegation, Adlai Stevenson, "It is up to you, as the head of the American delegation, in your conversation with this administration, to decide what the American course of action will be in the United Nations. So far as the senior Senator from Oregon is concerned, the American delegation cannot justify," I say to Mr. Stevenson, "ducking, evading or ignoring this basic issue."

The issue is whether or not the U.S. delegation at the United Nations will take the lead in insisting that the rule of law be followed in the United Nations. I desire to say to Mr. Adlai Stevenson that I am not interested in the kind of argument heard for so many years from our State Department and from our representatives in the United Nations to justify a soft-pedal policy on the part of the United States, for letting something slip past instead of awakening it when it is a basic issue that ought to be awakened. The American delegate and the Ambassador representing the United States in the United Nations must insist that we find out what nations in the United Nations are willing to stand for a rule of law. If the rule of law is not going to be carried out in the United Nations, the United Nations will wither and die.

The best way to keep the United Nations vital is to follow the charter and insist upon the law set out in the charter being followed by France, Russia, and every other nation.

I wish to say to our Ambassador in the United Nations that it will be but a face-saving tactic on the part of the United States to fail to raise this issue. Let us have it out in the United Nations, for we have two delinquents—France and Russia—and I want to know how many members of the United Nations are willing to ignore their delinquency or to contribute to their delinquency, or to condone it.

The advisory opinion of the World Court was issued last year. I ask Senators not to forget that the United States was a leader in calling upon the World Court for that advisory opinion. I assume it was not our intention to receive the advisory opinion and file it. I assume that we desired an advisory opinion in order to activate it. The time has come for activation. So the next question is, What will the General Assembly do about it?

Under article XIX of the charter the following language appears:

> A member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amounts of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

I sat in the United Nations General Assembly as a delegate of this Government. It was one of the greatest privileges and honors ever bestowed upon me. I know something about the procedures of the United Nations as a result of that experience.

I desire to say to the U.S. Ambassador, Mr. Stevenson, that in my judgment there is but one course of action for the Government of the United States to follow in the United Nations, and that is for the American Ambassador to raise a point of order and challenge Haiti, France, Russia, and any other nation if any nation 2 years in arrears attempts to vote, and if there is an indication on the part of the presiding officer of the United Nations to allow them to vote.

I should like to read again the language of the charter:

> A member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amounts of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

If France and Russia fall under the restrictions of that rule, then I wish to say that Mr. Stevenson, as our representative to the United Nations, has the clear obligation to insist that the rule be carried out.

The governing language, I point out, does not make the penalty permissive,

but says "shall have no vote," as was brought out so ably earlier this afternoon by the distinguished Senator from Idaho [Mr. CHURCH]. The only exception is contained in the next sentence which allows the Assembly to permit the member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member, an exception which does not apply either to France or Russia.

There is no question about the ability to pay. They stand before the world as confessed delinquents. They have no intention of paying.

Of course, there are several ways in which one can get the issue before the General Assembly. One is by the point of order I have suggested. Another, of course, is by introduction of a resolution calling upon the members of the General Assembly to stand up and be counted in respect to the issue of delinquency raised by France and Russia.

If the General Assembly declines to apply the advisory opinion of this Court that failure to pay special assessments falls under article 19, and if the Assembly declines to apply article 19 to failure to pay assessments, then the Assembly will have acquiesced in its own death warrant.

I think it is safe to say that the United States and every other member will be guided by what the Assembly does. If the Assembly chooses to rewrite the charter by failing to enforce one of its major provisions, then the United States will have little choice but to adopt the same de facto system of limiting our U.N. payments to those activities with which we are in sympathy, and ignoring our assessments for the others.

Let me make it very clear to Mr. Stevenson that this policy should never be adopted by the United States unless and until the United Nations General Assembly by formal action modifies article 19 as far as its procedures are concerned and goes on record as aiding and contributing to the delinquency of France and Russia, and anyone else who becomes 2 years in arrears saying, in effect, "Anyone else who wants to follow a pattern of delinquency is free to do so."

If that is what the United Nations decides to do, then we cannot justify to the American taxpayers our continuing to pour millions of dollars into the United Nations, paying for the bills that delinquent members should share in paying.

If the United Nations takes this sad course of action there will be a murdering of the United Nations, a killing of the United Nations, for the United Nations could not long exist after such formal action on the part of the General Assembly.

We have already been through a discussion in the Senate of the U.N. technical assistance program for Cuba, and the publication of some questionable documents by UNESCO. I think the matter was fairly well resolved on the basis of the universality of the organization. Failure to apply article 19 will alter that basis considerably.

It is one thing to make voluntary the participation in a police action voted by the General Assembly; but it is quite another for a member to ignore the decision of the Assembly to assess all members for its expense. It is optional to participate in a peace keeping function recommended by the Assembly; but it is not optional to decline to pay what the Assembly has assessed its members unless such a nation accepts the penalty of loss of voting rights.

If they want to persist in their refusal to pay, then France and the Soviet Union would be wise to accept the application of article 19. Above all, the Assembly must insist on its enforcement if it wishes to have any real impact on the great events of today's world.

Thus, the fate of the United Nations lies with the small powers as well as with the large powers. We are seeing once again that neither the large nor the small is alone in the world. It is to the shame of France and Russia that they have refused to live up to their international responsibilities; but the world organization can survive their action if the other nations do live up to their responsibilities. If not, if the payment of United Nations dues becomes a purely voluntary matter, if the cost of peacekeeping functions is borne only by those countries which voted for the function, then the road ahead for the U.N. will be all downhill.

In conclusion, I shall ask that there be printed as part of my remarks certain tables showing United Nations financial problems. They make clear that many nations are in arrears on their U.N. payments, some owing very large amounts.

But only France and Russia are deliberately flouting the will of the Assembly and the decision of the World Court. Those in arrears outside of France and the Communist bloc have continued to express a hope and intention of paying.

I ask unanimous consent to have inserted at this point a part of the semiannual report on the financial condition of the United Nations from the Department of State.

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

Summary as of Dec. 31, 1962, collections and arrearages for 1962 and prior years of United Nations accounts for the regular budget, emergency force, and the Congo [1]

	Gross assessments	Credits and reductions	Net assessments	Amount received	Percent received	Balance due
United Nations regular budget: [2]						
Calendar year—						
1959	$61,500,000	$5,274,335	$56,225,665	$56,223,609	99.9	$2,056
1960	58,347,514	5,241,314	53,106,200	53,060,740	99.9	45,460
1961	[3] 69,399,839	5,321,143	64,078,696	59,602,980	93.0	4,475,716
1962	74,124,117	7,450,960	66,673,157	53,448,526	80.2	13,224,631
Total balance due						17,747,863
United Nations Emergency Force:						
Calendar year—						
1957	15,028,988		15,028,988	11,040,057	73.5	3,988,931
1958	25,000,000		25,000,000	17,740,741	71.0	7,259,259
1959	15,205,000	41,226	15,163,774	10,808,891	71.3	4,354,883
1960	20,000,000	3,553,223	16,446,777	11,716,401	71.2	4,730,376
1961	[3] 19,000,000	1,754,991	17,245,009	12,351,264	71.6	4,893,745
January–June 1962	9,750,000	1,467,296	8,282,704	5,863,259	70.8	2,419,445
Total balance due						27,646,639
United Nations Congo account:						
July–December 1960	[4] 48,500,000	3,900,000	44,600,000	27,285,891	61.2	17,314,109
January–October 1961	100,000,000	15,305,596	84,694,404	54,523,967	64.4	30,170,437
November 1961–June 1962	80,000,000	11,457,858	68,542,142	39,817,076	58.1	28,725,066
Total balance due						76,209,612
Total amount due, regular budget, United Nations Emergency Force, and United Nations Operation in the Congo						121,604,114

[1] Source: United Nations statement on the collection of contributions as at Dec. 31, 1962.
[2] Contributions to the regular budget prior to 1959 are fully collected.
[3] Includes new members' assessments.
[4] Total costs, including airlift, amounted to $60,000,000.

Balance due, 1962 and prior years, Dec. 31, 1962

Country	Regular budget	United Nations Emergency Force	United Nations Operation in the Congo	Balance due, 1962 and prior years
Afghanistan		$39,323	$34,365	$73,688
Albania	$15,648	34,108	3,664	83,420
Argentina	1,254,177	856,376	649,372	2,759,925
Australia				
Austria			843,847	843,847
Belgium	798,899	158,778	2,876,284	3,833,961
Bolivia	48,684	38,059	33,664	120,407
Brazil	672,421	18,934	410,943	1,102,298
Bulgaria	87,088	129,306	141,055	357,449
Burma				
Byelorussian S.S.R	240,413	443,761	1,108,811	1,792,985
Cambodia	24,746		27,298	52,044
Cameroun				
Canada				
Central African Republic				
Ceylon				
Chad		777	13,036	13,813
Chile	160,340	91,802	160,247	412,389
China	5,923,775	4,189,837	5,751,743	15,865,355
Colombia	157,687	4,720	41,339	203,746
Congo (Brazzaville)	26,369	8,745	16,452	51,566
Congo (Léopoldville)	17,670	1,362	11,196	30,228
Costa Rica	9,231	7,628	23,978	40,837
Cuba	199,464	191,001	205,598	596,063
Cyprus				
Czechoslovakia	549,255	822,112	2,218,437	3,589,804
Dahomey	19,936	1,159	6,246	27,341
Denmark				
Dominican Republic		10,275	42,079	52,354
Ecuador	21,133		34,535	55,668
El Salvador		5,377	16,263	21,640
Ethiopia		65,085	34,365	99,450
Federation of Malaya				
Finland				
France			14,186,015	14,186,015
Gabon				
Ghana	63,574	1,676	14,341	79,591
Greece	29,273	160,116	137,869	327,258
Guatemala	61,074	18,053	29,971	109,098
Guinea	25,682	8,219	33,664	67,565
Haiti	69,634	14,470	23,978	108,082
Honduras	71,014	8,408	23,978	103,400
Hungary	625,660	402,928	734,270	1,762,858
Iceland				
India	140,000			140,000
Indonesia				
Iran	124,392	3,663	99,281	227,336
Iraq		76,598	75,744	152,342
Ireland				
Israel	95,548			95,548
Italy	187,580			187,580
Ivory Coast				
Japan				
Jordan		$34,108	$33,664	$67,772
Laos	$24,746	3,722	17,612	46,080
Lebanon		19,845	12,108	31,953
Liberia				
Libya		34,108		34,108
Luxembourg			7,949	7,949
Madagascar			17,330	17,330
Mali		15	14,321	14,336
Mexico		527,028	602,331	1,129,359
Morocco		29,451	117,823	147,274
Nepal	29,702	26,346	23,977	80,025
Netherlands				
New Zealand				
Nicaragua	41,717	3,697	23,978	69,392
Niger	40,100	4,983	15,386	60,469
Nigeria				
Norway				
Pakistan	140,000			140,000
Panama	24,734	28,241	23,977	76,952
Paraguay	55,058	30,346	23,978	109,382
Peru		94,408	64,337	158,745
Philippines		47,329		47,329
Poland	384,920	1,269,004	1,852,915	3,506,839
Portugal			161,919	161,919
Rumania	8,926	375,230	757,181	1,141,337
Saudi Arabia	45,715	55,309	52,095	153,119
Senegal	32,717	971	7,994	41,682
Somalia			7,507	7,507
South Africa			1,249,477	1,249,477
Spain		867,164	771,483	1,638,647
Sudan	2,392	71,118		73,510
Sweden				
Thailand		2,940	25,465	28,405
Togo		4,983	15,387	20,370
Tunisia				
Turkey				
Ukrainian S.S.R	983,706	1,700,104	4,237,317	6,921,127
U.S.S.R	3,692,107	14,218,288	32,052,762	49,963,157
United Arab Republic	342,672	317,409	266,110	926,191
United Kingdom			2,936,578	2,936,578
United States				
Upper Volta	25,744	8,745	16,452	50,941
Uruguay	125,655	24,983	70,332	220,970
Venezuela			302,917	302,917
Yemen	26,885	34,108	33,664	94,657
Yugoslavia			299,358	299,358
Total	17,747,863	27,646,639	76,209,612	121,604,114

Summary of 1962 and prior years' arrearages owed the United Nations as of Dec. 31, 1962

	Regular budget	UNEF	UNOC	Total
Communist bloc:				
Albania	$15,648	$34,108	$33,664	$83,420
Bulgaria	87,088	129,306	141,055	357,449
Byelorussian S.S.R	240,413	443,761	1,108,811	1,792,985
Czechoslakia	549,255	822,112	2,218,437	3,589,804
Hungary	625,660	402,928	734,270	1,762,858
Poland	384,920	1,269,004	1,852,915	3,506,839
Rumania	8,926	375,230	757,181	1,141,337
Ukrainian S.S.R	983,706	1,700,104	4,237,317	6,921,127
U.S.S.R	3,692,107	14,218,288	32,052,762	49,963,157
Subtotal	6,587,723	19,394,841	43,136,412	69,118,976
Cuba	$199,464	$191,001	$205,598	$596,063
Belgium	798,899	158,778	2,876,284	3,833,961
France			14,186,015	14,186,015
Arab States	417,664	672,054	591,208	1,680,926
China	5,923,775	4,189,837	5,751,743	15,865,355
All others	3,820,338	3,040,128	9,462,352	16,322,818
Total arrearages	17,747,863	27,646,639	76,209,612	121,604,114

FRANCE, UNITED STATES, AND NATO

Mr. MORSE. In a few days I shall discuss at some length on the floor of the Senate another field of international affairs in which France is delinquent. I have already discussed it on three separate occasions, but the knowledge and memory of my party's administration in Washington in the field of foreign policy in respect to Europe and NATO needs to be constantly refreshed.

Let me say now that I have not been impressed at all—not at all—by the statements made by the French emissary in Washington over the weekend in his negotiations with the President and with the Secretary of State. They evidenced the age-old deception of diplomacy whose purpose it is to promote an objective while convincing one's host that an entirely different objective is sought. In some parts of this country, we would call it the old shell game. In my opinion, the statements of this French emissary do not mean what they purport to mean when one stops to analyze them, and I shall go into that at some length before the week is over.

There is nothing in any statement made by the French emissary which gives any hope to the American taxpayers that France is going to change her course of action vis-a-vis the United states. I say to the American farmers that there is not a syllable in any statement made by the French emissary in Washington over the weekend which gives any hope to the American farmers that there is to be an end to the discrimination being practiced by France against America in the field of foreign trade involving agricultural products.

I say to the Secretary of State that I am not interested in the diplomatic gobbledygook of the State Department in its public statements, which, in my judgment, add up to doing a "snow job" for France on the American people. That goes also for the pronouncements coming out of Ottawa by the Secretary of State, for in my judgment nothing was accomplished at Ottawa which in any way changes the position of France in regard to her plans for a nationalistic nuclear program. Nothing came out of Ottawa, I say to the Secretary of State and to the President of the United States, which

will get my vote for NATO, as NATO problems come before the Foreign Relations Committee and the Senate, because in my judgment the time has come to have it out over the future of NATO.

I shall point out in some detail my reasons for taking the position that we cannot justify treating NATO except in terms of the fact that it is both a military and an economic pact; and in both respects France is delinquent in connection with her NATO obligations, as she is delinquent in respect to her other military obligations.

What I have said about the Secretary of State in regard to Ottawa, I apply also to Mr. Herter in regard to Geneva. In my judgment, the press releases that have come from the American diplomats on what is supposed to have transpired in Geneva represent another "snow job," covering up not only the transgressions of France, but the transgressions of some other NATO allies in connection with GATT and in connection with the trade obligations flowing out of an alleged Reciprocal Trade Agreements Act which long ago lost the word "reciprocal" from it.

So we move into this historic debate on foreign policy between now and next Christmas. I would not be surprised if we took a recess only for Christmas dinner, and we probably will have our Thanksgiving dinner in the Senate restaurant. I yield to no one in this body in my desire to support the President of the United States. Nor do I yield to any other Senator in my determination to keep faith with the trust of my oath to take me where the facts lead. The facts are not going in the same direction as the administration is going with respect to NATO, if we are to judge from the nothingness that came out of Ottawa and the nothingness that came out of the statements of the French emissary, and the nothingness that came out of Geneva on trade negotiations.

I do not intend to vote with the administration in the field of foreign policy unless this administration is willing to follow a course of action, which it presently is not following, that will do a more effective job of protecting the best defense weapon we have, namely, the economy of this country.

THE SPACE PROGRAM

Mr. ANDERSON. Mr. President, this Nation has had cause for great pride and thankfulness in the flight of Maj. Gordon Cooper. His 22 orbits and his safe return have brought increased confidence to the space program. But had his mission not ended in success, I would still discuss today this Nation's policy of landing Americans on the moon and bringing them back safely within this decade.

Over the recent months, there has been an intensification of the debate on this objective and I feel it may be time to bring additional perspective to the exchange. I believe that much of the criticism is well intentioned and comes from men for whose scientific credentials I have the highest respect. It may be that they are so deeply involved in their own important activities that they have had neither the time nor the opportunity to keep current with the broad space program. Some criticism comes from the misguided and misinformed, and I would not want the criticism from that source especially to go unanswered. I would like to discuss the objections raised by both of these sources.

I want to make it clear that many of the statements I will make are well-known and appreciated by my distinguished colleague, Senator MARGARET CHASE SMITH, ranking minority Member, and members of the committee from both sides of the aisle. However, even at the risk of repeating what is known to members of the Senate Committee on Aeronautical and Space Sciences and by other Members of the Senate, for the sake of clarity and understanding I will say them again.

On May 10, the staff of the Senate Republican Policy Committee, at the direction of the senior Senator from Iowa, published a document entitled "A Matter of Priority: An Examination of the Budget and Benefits of the Moon Shot in Relation to Other National Problems." The report at least serves to compile some of the misconceptions about the Project Apollo, the manned lunar landing program. But let us take a look at the impression which the pamphlet leaves.

MILITARY

The document states that "those in favor of a crash program and an all-out effort to place a man on the moon during this decade" contend that missiles based on the moon could dominate the globe, and that the moon would be a vantage point for observing all happenings on earth.

Mr. President, that statement lacks a footnote to indicate who advocates the moon landing for those reasons. The report totally ignores the real military reasons which were advanced by President Eisenhower when he recommended establishment of a civilian space program to Congress on April 2, 1958. He endorsed the report of his Science Advisory Committee, which said:

> There is the defense objective for the development of space technology. We wish to be sure that space is not used to endanger our security. If space is to be used for military purposes, we must be prepared to use space to defend ourselves.

Our defense objectives in space were clearly stated last month in Dallas by Gen. Thomas S. Power, commander in chief of the Strategic Air Command, who said:

> We must continue our intensive nonmilitary effort along the entire spectrum of space and space-related sciences. The primary responsibility for this effort rests with the National Aeronautics and Space Administration. Its close cooperation with the Department of Defense will not only further its own objectives of the peaceful conquest of space but also help create the building blocks for the future military systems which may be required, to repeat President Kennedy's words, "to make sure that space is maintained for peaceful purposes."

In essence, President Eisenhower and General Power were saying that this Nation cannot afford to be caught unaware in space by the Soviet Union.

The military requirement demands the development of the basic science and technology which will enable us to operate in space as we have learned to operate on land, on and under the sea, and in the air, so that we can apply that ability for whatever purpose the national interest may require.

In addition to the technology, the space program is making these added contributions to our military strength and national security.

We have established a worldwide tracking and data acquisition system and an excellent communications network.

We are improving our organization and management capabilities of far-reaching programs.

We are developing high thrust boosters with payload capabilities exceeding any others now known to exist in the world.

We are gaining experience and knowledge in orbital and translunar flight, including the development of superior guidance and control, the perfection of rendezvous and docking techniques, and the ability to maneuver accurately in the space environment.

We have established a structure of facilities to assemble, test, and launch space vehicles which will serve the Nation's needs for many years to come, plus a strong industrial base which will be available to undertake development and manufacture of any space systems required in the future.

We have developed great scientific competence in the Nation's universities and research laboratories on a broad basis throughout the Nation.

We have trained increasing numbers of scientists and engineers through the NASA policy of placing research work with the universities, and a reservoir of technicians in industry, of astronauts, and of miltiary personnel in services such as the Corps of Engineers, which is responsible for about 75 percent of NASA construction.

The mastery of space techniques learned in the Mercury project, the follow-on Gemini techniques of earth orbital rendezvous and docking, and later the Apollo program involving more complex manned maneuvers in space are all adding increments of essential knowledge to military know-how in space. Armed services personnel in the civilian space program are gaining militarily useful experience and knowledge. Most of the astronauts have been outstanding individuals from the military services. Over 200 military officers from the services are on duty in NASA headquarters and field installations.

All of these factors indicate that insofar as our national security is concerned, the development of this basic structure for space power, and the scientific knowledge and technical skill required to enable men safely to explore the moon is probably of greater consequence than the lunar landing itself.

MORE MILITARY

In discussing military requirements, the report states:

Another significant and perhaps imperative consideration is the effect upon our national defense program caused by the diversion of electrical and missile experts to the far outer space probes.

This statement clearly implies that the space program is doing damage to the national defense effort. I would welcome specific examples of diversion of electrical and missile experts from defense projects. I am sure the Senate Aeronautical and Space Sciences Committee would go into this matter. The statement completely misses the point that the guidance systems of the missiles which we have been using for our manned and instrument shots are modified to give us far greater precision and are more reliable than the guidance systems of the military version. These NASA launched missiles have what amounts to pinpoint accuracy which the military missiles—because of tactical and strategic requirements—need not possess. Additionally, the accuracy essential to the NASA probes will be of direct value to the military space program where rendezvous for inspection of other spacecraft demands the highest order of guidance. The statement is made in the report:

Many maintain it is essential that the United States produce and stockpile the most efficient and reliable system of intercontinental ballistic missiles to guarantee the security of the United States and the free world from any conceivable aggressive move.

Mr. President, on January 16, 1963, the senior Senator from Oregon [Mr. MORSE] provided the Senate, in a speech on the floor, with a study by the Institute of Strategic Studies in London which identified the strategic nuclear weapons systems of the United States and the Soviet Union and listed the numbers and nuclear yield. This material subsequently was put into tabular form by the Saturday Review, and I ask unanimous consent that it be inserted at this point in the RECORD.

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

Strategic nuclear weapon systems operational in 1963

U.S. weapon system	Total yield (megatons)	Yield per vehicle (megatons)	Number of delivery vehicles
B-47 bombers	6,000	10	600
B-52 bombers	12,000	20	600
B-58 bombers	2,000	20	100
Atlas missiles	120	[1] 1	120
Titan 1 missiles	50	[1] 1	50
Titan 2 missiles	30	[1] 1	30
Minuteman missiles	500	[1] 1	500
Skyhawk A-4D Navy aircraft	1,000	[1] 1	1,000
Skywarrior A-3D Navy aircraft	150	[1] 1	150
Polaris submarines (15 with 16 missiles each)	120	.5	240
Total	21,970		3,390

[1] Estimated.

NOTE.—Table does not include smaller planes, intermediate and short-range missiles, torpedoes, mines, cannon, tactical rocket launchers (Davy Crockett).

Source: Congressional Record, Jan. 16, 1963, pp. 421–444, report of study by Institute of Strategic Studies, London.

Strategic nuclear weapon systems operational in 1963—Continued

Soviet Union (estimated) weapon system	Total yield (megatons)	Yield per vehicle (megatons)	Number of delivery vehicles
Intercontinental missiles	1,875	25	75
Long-range bombers	4,000	20	200
Submarines (10 to 12 estimated, carrying 10 missiles each)	100–200	1	100–200
Medium-range missiles	3,500	5	700
Medium-range bombers	14,000	10	1,400
Superintercontinental missiles	500	50	
Total	23,975–24,075		2,395–2,495

NOTE.—This adds up to approximately 2,500 delivery vehicles carrying 24.0 billion tons of TNT equivalent, and breaks down to:

Long-range: 435 delivery vehicles carrying 6.5 billion tons TNT equivalent.

Medium-range: 2,100 delivery vehicles carrying 17.5 billion tons TNT equivalent.

Medium-range missiles and bombers are included in estimate of Soviet strategic weapons (though not in the U.S. estimate) because the shorter range Soviet weapons could be directed to European cities and other areas adjacent to U.S.S.R.

Source: CONGRESSIONAL RECORD, Jan. 16, 1963, pp. 438–441. New York Times, Jan. 19, 1961.

Mr. ANDERSON. Mr. President, our major military delivery vehicles can deliver warheads with the explosive impact equivalent to more than 20 billion tons of TNT. We have a variety of weapons to assure capacity to retaliate against a first attack.

The launch vehicle program of the space agency has been designed to provide the greatest flexibility of booster capability for the lowest investment. The family of Saturns, starting with Saturn I, Saturn IB, and Saturn V are all presently under various stages of development. Their payload capacity starts with the Saturn I's ability to place up to 22,000 pounds in a 100-mile earth orbit, the Saturn IB capability of putting 32,000 pounds in a 100-mile orbit, and the Saturn V, with a capability of putting a payload of 240,000 pounds in near earth orbit and carrying 90,000 pounds to the moon. The current plan calls for a 10-vehicle development program, its first flight scheduled for 1966. In visualizing the flexibility which these boosters will give the country, it must be realized that a selective booster can place a high payload into low orbit and a low weight payload into near earth orbits. It has a wide range of selectivity of scientific capability. The Saturn, in possible combinations with other vehicles, can further increase this flexibility. Typical of this kind of flexibility is the proposed present Atlas-Centaur arrangement and the Titan-Centaur arrangement under active study at this time. Future developments in the launch vehicle program may occur at both ends of the system. By this I mean the first stage and last stage of multistage launch vehicles. The nuclear rocket comes into its own when used as the third or fourth stage of a Saturn combination. Its greatest utilization is in the higher reaches of space. Then its economics in terms of cost per pound of payload in orbit is very cheap compared to the same payloads boosted by chemical systems. At the other end of the launch vehicle system, the concept of recoverable boosters begins to have extreme interests. The various alternative ways of designing recoverable first stage boosters, with its inherent tremendous savings of its reusable features, are receiving some attention on the part of NASA, the Defense Department, and others.

CRASH PROGRAM

The decision to try to land a man on the moon by 1970 does not constitute a crash program. The decisionmaking process does not allow for vacuums; failure to decide on a schedule for attempting to reach the moon is equivalent to setting no deadline at all. Work is done best—even by the technical community—which is not exempt from the laws of human nature—when a specific goal is set. An objective of landing on the moon in the 1960's was chosen as the one that would permit us to work for a lunar landing in a rapid, yet efficient manner. This permits us to work at a challenging pace; yet, does not absorb a greater percentage of the Nation's resources than our country can afford. This is only 1 percent of the gross national product at current rate.

Once having been made—in 1961—the decision is subject to review and modification every year at budget time and can be modified within limits. Each year at budget time there is the choice of, first, moving up the schedule if the technology permits; second, continuing with our basic timetable; third, slowing down the timetable with budget cuts; or, fourth, abandoning a manned space program beyond Project Mercury altogether.

Project Apollo does not fit the description of a crash program. The wartime Manhattan project was a crash program. We used all the resources we could to develop the atomic bomb in the shortest period of time, regardless of cost. We maintained duplicating operations over a 3-year period in the hope that one would work—and one did, in time to help win a war. Apollo is no such project. If it were, we would not have had the controversy over whether earth-orbiting rendezvous, lunar-orbiting rendezvous, or a direct landing was the best way to get a man to the moon. A crash project would have gone into operational stages of all three alternatives to a moon landing.

Incidentally, large research and development programs are not foreign to us. Since it first began in fiscal year 1956, the Polaris missile program—through fiscal 1963—has cost $8.859 billion, and the budget request for the coming fiscal year is an additional $1.783 billion.

We should not be led to believe that because large sums of money are involved, there is a correspondingly large measure of waste.

The shortage of scientific manpower has not been aggravated in a measurable way by Apollo. Those critics who fear that it has, have not established their case. For example, in 1970, it is predicted that U.S. scientists and engineers will total 1,995,000, of which only 114,700 or less than 6 percent, will work for NASA and its contractors. It should be noted that a substantial portion of those are merely moving over from research and development work on aeronautics

and missiles. NASA Administrator Webb says that the space program is inspiring students to enter the sciences who might otherwise not have done so. Mr. President, NASA is enlarging its efforts to increase the national supply of scientific and engineering personnel. Last fiscal year, the agency provided graduate science and engineering fellowships to 100 students at 10 universities. In its budget proposal for fiscal 1964, NASA requests authorization for 1,250 fellowships covering 110 universities.

Additionally, the agency has provided funds for 150,000 square feet of research space at five universities; it is asking for funds to provide 400,000 square feet of laboratory space at 11 universities.

Members of the Aeronautical and Space Sciences Committee, particularly the senior Senator from Missouri [Mr. SYMINGTON], are very interested in this expanding education program. The staff is in the process of taking a detailed look at it for the members.

What we see here is a valuable way to help add to the reservoir of skills we will need not just for the space program, but to meet other scientific and engineering requirements.

PEACEFUL COMPETITION

Mr. President, we could get involved in a discussion of semantics—whether we are in a race in space with the Russians or whether we should call it a competition or perhaps whether it is best to avoid either word. There is no doubt, however, in the minds of any of us that we are challenged by the Communist world on many fronts. This challenge will be ours to live with and it may be that it will face generations to come.

When confronted militarily, we do not hesitate to offer up every resource at our command—to enlist our young men, to mobilize every tool that we have or can create to assure victory. We now are faced with a competition that is psychological, political, economic, and scientific. I do not mean to say that if there were no threat from the Communist world that it would be unnecessary for us to aid the underdeveloped nations or explore space. As men of good will and unlimited curiosity about our world we would do both these things. But the competition is still grave and requires great national effort and perhaps sacrifice.

When we were engaged in combat with the Communists in Korea, 5.8 percent of the 1950 class of West Point were killed. This was a sacrifice of one kind. Now we are told that something on the order of 6 percent of the scientists and engineers in this country will have to be involved in the space program. That can be interpreted as a sacrifice of another order—one that also involved a decision to use manpower in answer to a challenge.

While we compete with the Soviet Union, it is not inconsistent to believe that perhaps in some areas in space we can also cooperate. It appears that the agreement with the Russians on weather satellites may be delayed for 2 or 3 months. Dr. Hugh Dryden, Deputy Administrator of NASA, has been in Geneva discussing with Russian representatives the possibility of cooperation in geomagnetic mapping of the globe by instrumented satellite. It may not be too dim a prospect—despite political differences and a rather dismal record in the disarmament and test ban negotiations—that the extreme expenses of space exploration may produce a firm footing for East-West cooperation.

In the current issue of the Bulletin of the Atomic Scientists, Editor Eugene Rabinowitch writes:

> If space exploration could help bring together the two alienated parts of humanity and reduce, even slightly, the danger of all-destroying nuclear war, that alone would make worth while investing in it many billions of dollars.

But, Mr. President, the only reason why we have reached even this modest degree of cooperation is that the United States has achieved major breakthroughs in weather satellite technology. Had we not, there would be no basis for cooperation between two sovereign powers.

COST

The size of the proposed Federal budget being what it is, Mr. President, we are all conscious of the need to practice self-discipline in funding programs. I have no quarrel with that attitude. Nor do I have any quarrel with those who counsel careful oversight of the NASA budget. NASA is not immune from congressional appropriations review.

But I do think when we discuss the space budget, we should be accurate.

The most useful answer, perhaps, would be to note that Administrator Webb has announced that NASA, in this decade, will accomplish all the programs now planned, including lunar landing, for under $35 billion. This is less than two-thirds of the budget requested by the Department of Defense for fiscal year 1964 alone—a small price for the experience, technology, industrial base, and facilities which may be required for national security.

Although space investment is substantial and will increase, only about 1 percent of the gross national product is now going into space programs. Gross national product and national income are rising and will more than absorb the cost of the effort.

Manned lunar landing programs consist of about $7 billion for the Apollo project; about $5 billion for the Saturn V launch vehicle to put Apollo on the moon; approximately $2.75 billion for 15 unmanned scientific payload projects; $1.5 billion for launch vehicle activities in support of the unmanned program; and another $1 billion for launch vehicles—for example, the Saturns I and IB—that are planned for use in the unmanned scientific program as well as the early earth orbit phases of Apollo.

The notion that manned lunar landing programs are being conducted at the expense of unmanned scientific projects is simply not correct. A large number of unmanned scientific projects are included in our manned lunar landing programs. Examples are Ranger and Surveyor. These programs involve more than $3 billion in payloads and directly related launch vehicle developments and operations.

Exclusive of the Apollo Saturn V, almost $3 billion of the manned lunar landing program is devoted to launch vehicle developments which form the present and projected basis for the unmanned payload program. In other words, with one modest exception—Scout—all of the launch vehicles and/or stages from Centaur on up which are currently employed or planned for the unmanned programs are being developed as a part of the manned lunar landing program.

Preliminary cost data indicates that unmanned payload programs are usually as, and often more, expensive on a comparable dollar-per-pound cost basis when compared to manned payloads. In addition, they are not necessarily smaller. Witness the current or planned use of all manned lunar landing program boosters up through and including Saturns I and IB, for unmanned missions.

Approximately 20 percent of all funds expended on manned lunar landing programs are for facilities, almost all of which are required for, and being used by, a broad-based scientific exploration program.

Mr. President, there may be political overtones in certain aspects of the current debate over the space program. Perhaps then we should attempt to establish the record of the last several years on obligational authority and expenditures by the previous administration and the present one. An examination of these figures starting with fiscal year 1955 shows that spending on all space programs—the National Advisory Committee on Aeronautics—forerunner of NASA—Defense Department, Atomic Energy Commission, Weather Bureau, and National Science Foundation—doubled between 1955 and 1957, nearly doubled between 1957 and 1958, more than doubled between 1959 and 1960, the last fiscal year controlled by the Eisenhower administration.

Thus we see that the previous administration was experiencing what the present administration is aware of, and that is that major scientific and technical undertakings are costly and require larger financial support as they progress in order to build on increasingly larger measures of technical progress.

The difference—and it is an important one—is that the incumbent administration made a positive decision to accelerate the space program and set as a national goal the landing of Americans on the moon in this decade and their safe return. The previous administration was committed no further beyond orbiting men around the earth. But I understand that there was some thought given to a manned landing on the moon by 1975. That is only a half decade beyond the announced objective of the present administration.

I ask unanimous consent to insert in the RECORD at this point a table showing how costs have risen from 1955 through fiscal 1964.

There being no objection, the table was ordered to be printed in the RECORD.

Space activities of the U.S. Government—Historical summary and 1964 budget recommendations, Jan. 17, 1963

[In millions of dollars]

	NASA		Department of Defense	AEC	Weather Bureau	NSF	Total space
	Total	Space only [1]					
New obligational authority:							
Historical:							
1955	56.9	56.9	3.0				59.9
1956	72.7	72.7	30.3	7.0		7.3	117.3
1957	78.2	78.2	71.0	21.3		8.4	178.9
1958	117.3	117.3	205.6	21.3		3.3	347.5
1959	338.9	338.9	489.5	34.3			862.7
1960	523.6	523.6	560.9	43.3		.1	1,127.9
1961	966.7	926.2	793.8	67.7		.6	1,788.3
1962	1,824.9	1,796.0	1,284.3	147.8	$50.7	1.3	3,280.1
1964 budget:							
1963	3,673.3	3,622.6	1,617.6	228.9	43.2	1.5	5,513.8
1964	5,712.0	5,663.6	1,667.6	254.3	26.2	2.3	7,614.0
Expenditures:							
Historical:							
1955	73.8	73.8	1.5				75.3
1956	71.1	71.1	16.5	6.3		6.2	100.1
1957	76.1	76.1	47.5	19.2		7.3	150.1
1958	89.2	89.2	135.5	20.2		4.0	248.9
1959	145.5	145.5	341.0	32.6		1.5	520.6
1960	401.0	401.0	518.1	41.1			960.2
1961	744.3	694.0	710.0	64.3			1,468.3
1962	1,257.0	1,229.0	1,028.8	130.(	1.0	.9	2,389.7
1964 budget:							
1963	2,400.0	2,358.0	1,421.0	190.6	19.3	1.1	3,990.0
1964	4,200.0	4,154.0	1,622.0	247.1	44.7	1.5	6,069.3

[1] Excludes amounts for aircraft technology in 1961 and succeeding years. Amounts for NASA-NACA aircraft and space activities not separately identifiable prior to 1961.

NOTE.—Historical amounts are estimates based on best data available.

Source: Bureau of the Budget.

MORE COST

Mr. ANDERSON. Mr. President, there is ample room in the current debate on the space program for divergent views and criticism and for constructive suggestions. But are we to believe that if we cancel the Project Apollo, the savings will be so translated into new hospitals, modern classrooms, and better diets for the ill nourished?

I am aware, and this administration which proposed the lunar landing as a national objective is aware, that we have many unfulfilled needs on this planet, that we need more and better schools, that our hospitals need expansion and modernization, that our cities are in need of transportation systems to match expanding population and that many of our people lack the diets sufficient to good health. But can we be sure that some of those in public life who would slash billions from the space program would not then vote against social welfare legislation?

We have been increasing our spending on education and medical research—as well as on the space effort. In fiscal year 1958, the period in which Sputnik I rudely awakened the United States to the technological capacity of the Soviet Union, the National Institutes of Health had a budget of $133 million, and the budget request today is for $612 million. The Office of Education, in fiscal year 1958, proposed a budget of nearly $249 million, and today it is requesting $700 million. So, we are doing more in these areas, and more remains to be done. We are not faced with an "either-or" proposition. We can afford to have an effective, logical, and successful space program and we can afford these other efforts to improve well-being here on earth. Mr. President, we cannot afford not to go to the moon.

The only reason we had a National Defense Education Act in 1958 is because the Russians had a Sputnik I in 1957.

Mr. President, the report states that over $4 billion has been spent on the Apollo, "much of it devoted to building a rocket, the Saturn series, which at best is not as good as a 6-year-old Russian rocket which first put a sputnik in orbit." I do not understand this statement. I know of no competent authority who has stated that the Russian booster capability is on the order of 1½ million pounds of thrust, which is the capability of our first generation of Saturn vehicles. This statement is a gross error which the writer could have easily avoided had he checked with the staff of the Space Committee or NASA.

The first four Saturn tests have been successful. To the best of our knowledge, the Russian rockets have a thrust in the range of 800,000 pounds, but not more than a million pounds. We are already developing the advanced F–1 engine to be used in the Saturn V. Each F–1 is capable of producing 1½ million pounds of thrust and they will be arranged in a series so that the advanced Saturn will have a thrust ranging to 7½ million pounds.

There have been reports that the Russians may, by using their 800,000 pound basic booster in series, put together in space a so-called freight train with enough power to go to the moon. This may take place. Among our own space people, this approach was given serious thought, but a determination was finally made to develop the larger booster capability because we simply did not have the technology for rendezvous which the freight train technique requires.

The report continues:

By the end of fiscal year 1964, NASA will have spent $8.6 billion on Apollo and we will still be a long way from the moon.

By the end of fiscal year 1964, we will be a long way from the moon. But, we will be closer than we were in fiscal year 1963, and certainly much closer than in 1955 when we begin our first halting steps into space.

SCIENCE

Mr. President, I have heard and read accounts of the controversy whether or not a scientist should be included in the first expedition to go to the moon. Briefly, some contend it is ridiculous to spend $20 billion for a manned lunar landing without including a scientist; to do so would make an expensive stunt of the moon landing, and greater attention generally must be paid to the scientific aspects of the moon program.

NASA counters that scientists will be included on later missions in the program. The first lunar astronauts will have to concentrate their efforts on the tremendous mechanical complexities of just getting to the moon and back, NASA says. Furthermore, astronauts can collect data—take pictures, collect rock samples, and so forth—for scientists to study after returning to earth.

The weakness of both these positions, it seems to me, is the assumption that you have to find a scientist to go to the moon. What kind of scientist? A geologist? An astronomer? A physicist? Any one discipline that might be chosen would necessarily slight the others. What is really needed is an expert scientific observer who can be trained to make critical observations in a number of areas. Furthermore, there is plenty of time between now and the lunar landing to add a substantial amount of such training to the schedule of all of NASA's lunar astronauts.

This particular ability as an expert scientific observer for a lunar mission, however, does not now exist. There is no such person now in the scientific community or anywhere else. Therefore, to develop such an expert, and at the same time heal the growing rift between NASA and the scientific community, let me suggest one of the ways this could be accomplished.

First. NASA could negotiate a five-point contract with the National Academy of Sciences. This contract could be performed by an ad hoc panel of the Space Science Board.

Second. This panel could consist of a number of educators and leading scientists in the space-related disciplines.

Third. The first task of the panel would be to identify what scientific data would be desirable to have and might be possible to obtain in the lunar mission.

Fourth. The second task would be to devise a special curriculum to cover the areas that had been identified.

Fifth. The third phase would involve the actual training of all of the astronauts. The time, place, costs, and other details would, of course, have to be carefully coordinated with NASA. There is no reason why a full year or more might not be reserved for this training, although it would not necessarily have to be all at one time. A grading system would be devised to evaluate the candidates.

Sixth. The fourth phase would be the selection of the ones who would make the trip. This could work as follows: NASA would select a group—say, six—any of whom would be acceptable. The panel would then make the final selection of the three that they felt would be the best scientific observers.

Their lunar observations could be the source of data to help guide a decision as to just what scientific specialty should make future trips. In addition their scientific contribution could well start the ball rolling on just what kind of science training interplanetary travel will require. Changes in our university science training and curriculum course content is a definite possibility.

Even if this exact procedure were not followed, at least the panel could have a significant voice in the selection of members of the moon expedition so that the relative scientific standing of the candidate would be one of the factors taken into consideration in the final selection.

Seventh. Finally, the panel could conduct followup studies of the quality of the actual observations in an effort to revise and improve an on-going training program for future astronauts.

The key feature of the proposal is, of course, that the scientists themselves would be given a definite responsibility in the selection of the lunar explorers without in any way diminishing NASA's responsibilities and authority to select astronauts on the basis of other important criteria.

Within the scientific community, there also is debate over manned versus unmanned probes, with some members suggesting that instruments are a cheaper and more reliable information system than man.

Other scientists have pointed out that the presence of man is essential for the detection of unexpected phenomena, and that the existence of anything that can be measured automatically is essentially already known before the instrument can be designed.

In fact, President Kennedy's recommendation that the United States undertake manned lunar exploration as a national goal within this decade was based in part on a 1961 report of the Space Science Board of the National Academy of Sciences which said:

> U.S. scientific exploration on the moon and the planets should be clearly stated as the ultimate objective of the U.S. space program. From a scientific standpoint, there seems little room for dissent that man's participation in the exploration of the moon and the planets will be essential.
>
> Man can contribute critical elements of scientific judgment and discrimination in conducting the scientific exploration of those bodies which can never be fully supplied by his instruments however complex and sophisticated they may become.

What appears to be happening in the scientific community is an understandable expression of parochial interest by some members. A researcher in one area of science may feel that his discipline is being neglected while another area is receiving too large a share of support. Any scientist who is worth his salt should be an advocate for his own discipline. This is a never ending conflict, but I believe it is resolved when a group can establish in the mind of the Government that the basic scientific content of the cause it espouses is sound and has met the test of peers and not only requires, but deserves, greater support. This has been the case in medical research, in atomic energy, and other fields, and I think I can say safely that it will one day be so in such areas as weather modification and oceanography. We should not operate on the possibility that the squeaky wheel will get the grease—we do not want to put science on the same kind of dole merely to meet the protests. We should support specific scientific programs when convinced of their contribution to society.

I believe the scientists who have views on the space program should be provided with a national forum. Since the Congress is charged with the responsibility of authorizing the space program and appropriating funds to sustain it, the Congress seems to me to be an appropriate setting for airing these views. Accordingly, Mr. President, the Senate Aeronautical and Space Sciences Committee plans to invite eminent scientists from various disciplines and leaders of the academic community to appear for a 2-day hearing at the time the committee takes up the 1964 NASA authorization bill. Our intention is to have these scientists fully briefed by the NASA officials responsible for the programs in which the scientists have a special interest. In that way, the scientists will be brought current with NASA activities and they will then be in a position to speak with both the knowledge of their own disciplines as well as the NASA programs where their special interests lie.

PROPAGANDA

The document strongly implies that the moon program is little more than a headline-grabbing exercise. It quotes anonymous advocates of the program as justifying the massive effort as a preventative to the West's suffering "permanent and traumatic" shock if the Russians arrive first. Of course, Mr. President, there would be disappointment, dismay, and perhaps disillusionment in that event. Such is the human psychology.

But the report continues that those who champion the propaganda argument say that "the same thing would be true of the Communist bloc should the United States be first."

That conclusion does not necessarily follow. The Soviets are the avowed challenger for world superiority. I strongly suspect that the onus of being second best in the moon competition would fall far more heavily on American shoulders than on those of the Communists because they are recognizably starting from a more modest industrial and technological base.

Any slowdown in our Nation's space programs would certainly afford great comfort to our enemies and spread dismay among our friends overseas. To slacken the space effort after having accepted publicly on a national basis the Soviet challenge would open us to accusations of lack of firmness and resolution regarding national goals. We would have looked fine in the dash, but not in the long-distance run. The United States could be branded as another example of a great nation which had passed its prime and was too effete to endure even nominal belt tightening in order to remain the lead nation in the free world. A general impression of this kind overseas would be disastrous to prestige.

Mr. President, I do not believe in a government policy of bread and circuses. It is true that the attention of the world has been captured by the activities of men in space. This is not surprising. The courage of men and the mustering of vast armies of scientists and technicians is inherently dramatic. When men do what Astronaut Cooper and Cosmonaut Gagarin have done the eyes and ears of the world are tuned to their feats. We all remember Lindbergh and the tumultuous reception he received on both sides of the Atlantic. More importantly, however, we should recognize that the headlines have come only because we have accomplished something. If this is called propaganda, our information policies only are accepted if those who are on the receiving end believe that they represent the truth and a factual account of events.

American standing abroad based on the gains made by the space program is remarkably high. Some evidence of this is afforded in the United Nations where not only United States allies, but the neutrals as well, have consistently backed our policies on space in opposition to the Soviet Union. Indeed, the Soviet Union has become isolated in the United Nations in its insistence on secrecy of its space activities. In contrast, the U.S. space policy has emphasized the open and cooperative exploitation of space for peaceful purposes. In implementing its cooperative space program the United States is holding joint experiments with and training people from over 60 foreign countries. The U.S. space effort is providing this country with a foreign policy asset of major significance.

In 1958, President Eisenhower declared:

> There is the factor of national prestige. To be strong and bold in space technology will enhance the prestige of the United States among the peoples of the world and create added confidence in our scientific, technological, industrial, and military strength.

If prestige has no importance then why is the U.S. Information Agency asking for $146,550,000 for the coming fiscal year?

TECHNOLOGICAL FALLOUT

NASA is making an active and continuing effort to identify benefits to the economy resulting from the U.S. space program. As new industrial products, processes and techniques are discovered, NASA is trying to disseminate information about them to bureaus and industry as rapidly as it can.

The active effort to seek out such benefits is bound to produce results in view of the magnitude, range and duration of the U.S. space program. The requirements for space exploration run through

the gamut of scientific and technological interests. They also impinge on and tend to stretch the state of the art in many fields. This combination of circumstances is bound to result in new manufacturers, new systems of organization, new products and services.

Let us look at just an example. By extending man's vision into new dimensions through satellites, weather forecasting will make major advances as a science, until reliable predictions can be made a season ahead. This goal, which is not being impaired because of Apollo, will have far-reaching economic benefits for all. The Tiros satellites have been giving us very good weather data for over a year. These are some estimates of cost savings based on accurate prediction of weather only 5 days in advance: $2½ billion a year in agriculture, $45 million in the lumber industry, $100 million in surface transportation, $75 million in retail marketing, $4 billion in water resources management.

These estimates are for the United States alone. Worldwide savings would be many times greater.

In touching on the strides in communications technology resulting from the space program, the report declares:

> The facts which we learn in this research will ultimately benefit the homeowner who wants to telephone the grocery store.

That may be so. We are developing new systems and I cannot say that the statement is in error.

But, I can say that it represents an exceedingly myopic view of the unlimited possibilities on the frontiers of communications.

We will possess extraordinary instruments for communicating not so much with the corner grocery but the far corners of the world. A means will be in our hands to provide basic education—and in stages, more advanced knowledge—to millions of people in the back waters of development. It is not difficult to imagine this taking place. The progress being made in educational television in the United States in only the last few years offers a measure of comparison.

The report says that most of the scientific data acquired from the Mariner II shot to Venus has not been disseminated.

Only NASA scientists had access to this information to date.

Mr. President, mountains of data were telemetered back from the Mariner II shot last December, and these data are being carefully examined. Since this was a NASA experiment, the NASA scientists are obligated to provide interested people outside the Agency with accurate information and so they must ascertain that the information is accurate. This is not an attempt at secrecy; rather it illustrates a most critical problem throughout science. And that is, how to most rapidly disseminate accurate data resulting from an experiment before the information becomes obsolete and valueless. This problem grows with intensity and NASA is one of the Government agencies attempting to work out at least partial remedies.

Mr. President, I have taken a good deal of time to discuss the space program and the criticism directed at its various aspects in the hope that a little more light could be shed on the problem. The Senate Aeronautical and Space Sciences Committee certainly is aware of this criticism. The committee is concerned about manpower and it is taking a serious look into NASA's various programs in support of higher education. The question of whether there should or should not be another orbital flight in the Mercury program is under discussion within the administration and will be subject to discussion by the committee as well. Reports of duplication of facilities have come to the attention of the committee and we have called on the most qualified persons we could to assist in the examination of this matter.

But, I do not believe that we should lose sight of the forest for the trees. Space is a place. It is through this Nation's scientific exploration we now know of such phenomena as solar winds and radiation belts. We have an idea of the cloud cover and the temperature of Venus. Those of us who only stand on the fringe of scientific knowledge still appreciate that this place called space is a new sea whose shores are not completely chartered, whose depth remains largely unmeasured, and whose significance will best be understood by generations yet to come.

As surely as the ancient mariners ventured across unmapped seas, as certainly as explorers opened our own West, and men established bases at the barren and inhospitable poles, we are going to continue this bold journey through space with all of its direct and side benefits to this generation and those which come after.

WORLD REACTION TO BIRMINGHAM RIOTS

Mr. JAVITS. Mr. President, two current surveys of world opinion have demonstrated the widespread reaction to the Birmingham riots. As might be expected, they show that the Communist-bloc countries, led by the Soviet Union, had a field day with the Birmingham situation and continued their attacks on the United States long after the situation had come under control. There can be no question that, even in friendly countries, the prestige of the United States suffered as a result of the conflict.

What is clearly evident is that we are on trial before the world. If we do something about the situation effectively, we shall not be materially damaged; but if we do not take action, we shall be irremediably hurt in our struggle for freedom.

I ask unanimous consent to have printed at this point in the RECORD the review of world opinion collected by the USIA on May 13 and 15, 1963, and the survey conducted by newspaper correspondents which was published in the Washington Post of May 27, 1963.

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

SUMMARY

Light to moderate coverage of Birmingham developments continues, with some slackening of the already scanty editorial comment. There has been no reportage on foreign press coverage of the bombings and resulting riots, but coverage will undoubtedly be paced by sensationalized headlines and pictorial treatment, staples in critical reaction to events so far. The possibility of Federal intervention to prevent further violence is likely to be met with approval.

Available reaction from south Asia, the Middle East and the Far East dropped sharply over the weekend, though it may pick up following the riots. These areas have shown a relatively balanced portrayal of the current racial tension, with many reports noting progress in race relations made over the years.

African media, however, have devoted a large volume of comment and reportage to Birmingham, with Ghanaian comment being especially critical and caustic. But potential critical comment in other countries of Africa has not materialized to any degree, with only some sensational headlines and photos marring what otherwise is surprisingly moderate and balanced reporting. Cumulatively, though, there is no doubt that pictures of police brutality, particularly the use of police dogs, has militated strongly against the U.S. image.

Wide coverage has been given events by the Latin American media, but only the leftist and Communist press have given sensational treatment to the news.

West European press treatment has also been surprisingly mild and understanding. There has been relatively little evidence of a desire to mock at the U.S. predicament. The West European press and a few leading papers elsewhere in the world have been among the first to note the new meanings in racial events in the United States—the stepped-up Negro expectations, the choice between violence and nonviolence, the swing of majority U.S. opinion behind integration.

Most comment throughout the world has shown a reluctance to understand or realize why the Federal Government has stayed out of Birmingham events, and has been critical of President Kennedy personally. A few papers have reported the behind-the-scenes activities for a peaceful settlement spearheaded by the administration, but there has been more frequent reference to alleged political reasons behind the President's failure to intervene. The President's good faith is certain to be applauded in reaction to weekend events, however.

Propaganda exploitation from Moscow, slow to develop, began to hit high C over the weekend, particularly in output to Africa. In addition to citing the Birmingham events as a blot on the U.S. image, Moscow propaganda depicted the administration's reluctance to protect Negro rights at home as evidence of colonial-mindedness.

SOVIET UNION

The moderate attention devoted to the Birmingham situation during the past week has turned into voluminous propaganda over the weekend. Soviet media heavily exploited Birmingham incidents, depicting them as a blot on the U.S. image. In prominent news coverage and commentary to world audiences, with emphasis on Africa, Soviet output made extensive use of the theme that the Birmingham racial "atrocities" belie U.S. democracy. It also used stereotyped propaganda depictions of the unequal, poor lot of American Negroes. Another propaganda tack consisted of attacks on alleged Federal inaction, as Moscow ignored the behind-the-scenes activity efforts at conciliation. The administration's "reluctance" to protect Negro rights at home, in Moscow's view, was evidence that U.S. foreign policy favors colonialism and domination over other peoples, and some commentators stated that the administration was concerned over the next election, and hence did not wish to spoil its chances for

the southern vote. Related output also noted unfavorable world reaction to the events, including condemnations by Soviet citizens and U.S. popular indignation and concern. Commentaries, especially those designed for consumption in the underdeveloped areas, linked racism in the United States with the alleged U.S. policy of colonialism.

Early Soviet reaction to the weekend bombings referred to the President's concern, but noted that he still "did not condemn at all the resolute racist terror." One available comment seemed to be enamored of the possibility of further clashes, stating that "the American Negro population is determined to take the struggle for their rights to its victorious conclusion."

REACTION TO RACIAL TENSION IN BIRMINGHAM, ALA.

Scattered reports from most regions indicate increased coverage of the bombings and the alerting of troops but comment, while light, generally supports the administration while attacking extremists of both sides for blocking a peaceful solution. Soviet and local Communist media continue their heavy exploitation of the issue.

In Western Europe, the issue is again front-page news and extensive comment (the United Kingdom, France, Germany) blames extremists on both sides while applauding administration efforts to achieve a peaceful solution.

The Far East reports increased coverage but light comment in support of the dispatch of troops. Meanwhile Peiping and local Communist media continue to sensationalize developments.

In the Near East and South Asia, moderate to light news coverage is being maintained but there is little available comment. Three Indian English-language papers, while tending to support the President's military alert, suggest that political considerations have prevented the decisive action which was taken in the Meredith case.

In Africa, there is declining coverage and only light comment as interest turns to the African summit meeting.

Latin America reports moderate coverage and light comment which contrast with sustained local Communist exploitation.

The U.S.S.R. continues heavy exploitation. One quarter of Moscow Radio's output on May 14 was devoted to U.S. racial discrimination.

[From the Washington (D.C.) Post, May 27, 1963]

GLOBAL NEWS RESTRAINT ON BIRMINGHAM SHOWN

Worldwide reaction to the Birmingham riots shows a new level of understanding abroad toward America's racial troubles and wide sympathy with President Kennedy's efforts to deal with them.

This trend, especially in race-sensitive Africa and India, became evident in a survey conducted by correspondents for the Washington Post and Newsweek magazine.

The racial violence in Birmingham was page-1 news around the world and although the tone of criticism was generally moderate, the Alabama situation obviously hurt U.S. prestige. If U.S. image makers had hoped that the Nation's latest space feat would eclipse the specter of bigotry in Birmingham, they were rudely disappointed.

Pictures of police dogs lunging at Negroes vied with photos of Astronaut Gordon Cooper's space capsule on front pages throughout the world.

AFRICAN PRAISE

Nevertheless, in Addis Ababa, for example, leaders of 30 African states adopted a declaration Sunday condemning racism but praising the Kennedy administration for its efforts to "put an end to these intolerable malpractices" in the United States.

This mirrors the increasing tendency in Europe, India, and the Middle East to look at America's racial problems in their full complexity rather than in strictly monolithic terms.

Here is an area-by-area breakdown of reaction to the Birmingham crisis and the Cooper flight:

Egypt and the Middle East: Egyptian press reaction to Birmingham was surprisingly moderate, in sharp contrast to the day-in-day-out denunciations of the United States in recent times. Because Egypt's press is nationalized, the newspapers are presumed to reflect Government opinion.

The sharpest criticisms in the area were registered in the anti-American Al Baath, organ of the Baath Socialist Party which governs Syria and Iraq. It said Birmingham is reminiscent of policies followed by "some of the Fascist states against the Negroes in Africa."

One explanation for the restraint in Egyptian press commentary is the improvement of relations with the United States, of which Egyptian officials themselves speak. This is attributed to American economic aid, a more sympathetic attitude toward Arab unity and the personal diplomacy of Ambassador John Badeau.

Western diplomats believe the reaction to Alabama reflects a deliberate effort by President Gamal Abdel Nasser to minimize criticism of the United States at this time.

India: Indian reaction was symbolized by a front-page cartoon in the Hindustan Times which depicted the Statue of Liberty with a Ku Klux Klansman perched on her shoulder. The klansman was trying to snuff out the torch but it was kept ablaze, safely beyond his reach.

Public opinion in India has identified itself with President Kennedy as the embattled friend of the Negro. One Indian correspondent spoke with praise of the role of moderates in the racial crisis.

As a whole, Birmingham was given restrained news play, in sharp contrast to the angry criticism aroused by American race troubles a decade ago. Privately, however, Indian political leaders expressed a wish for a more militant policy by the White House in confronting the Birmingham crisis.

In both India and Pakistan there has been a remarkable lack of interest and controversy over Birmingham. The Pakistani newspaper, Dawn, reported President Kennedy's dispatching of troops to Alabama on page 8. In headline and tone, the treatment had been deadpan.

Africa: The declaration of praise at the Addis Ababa summit conference for President Kennedy's policies in Birmingham was the most recent official reaction to the U.S. racial crisis.

At a news conference in Addis Ababa yesterday, Sekou Toure, Premier of Guinea, told a news conference:

"We cannot say that the American people are racists—racism exists everywhere, even in Guinea.

"We know that in the United States a fight is being organized by the Government of President Kennedy. We approve without reserve of this policy of President Kennedy."

Toure's remarks take on added significance since Guinea was once described as the first Soviet satellite in Africa.

In sharp contrast was the gleeful account of Alabama's racial troubles in the press of white-ruled South Africa. Man-in-the-street interviews echoed the theme: "Why is the United States sticking her nose in South African apartheid (segregation) policy when she can't control her own Negroes?"

Jeeringly, South African newspapers referred to the United States as "the land of the free—except for the Negroes."

Europe: In the British press, the Birmingham disorders received fair to heavy play, with the southern city characterized as "the city of hate" and "riot city." Britons, who have their own growing agenda of racial problems, viewed the riots as a local rather than national failing. Editorialized the Daily Telegraph: "We (in England) have not yet reached a consistent national attitude to the color bar."

In Italy, the news from Birmingham was subordinate to domestic politics and the unsolved murder of a Bavarian playgirl in Rome's "dolce vita" area. The bulk of press opinion condemned "white extremists" in Alabama but endorsed the efforts of the Kennedy administration, as one newspaper put it, to promote the fulfillment of the justified aspirations of the Negro population." Only the Communist Daily Unita criticized President Kennedy for his "fainthearted" conduct in Alabama.

In Bonn, the Birmingham story received subdued news treatment, taking the backseat to the Cooper space flight. Editorially, the German newspaper reserved their criticisms for Birmingham's segregationist leaders and praised both moderates and the administration for their role in the crisis. But a 19-year-old secretary had this reaction: "Look who's talking about the way we treated the Jews. The way Americans suppress the Negroes, why we were no worse than they are now."

France, too, took a restrained view of the Birmingham racial conflict—far more so than in the case of Little Rock which precipitated a flood of protest letters to the American Embassy in Paris. This time France reacted with cool impartiality—no mass protests, anti-American newspaper crusades or heated attacks on radio. Pictures of police dogs mauling Negroes were widely published in France and evoked the strongest reaction to Birmingham's troubles. Generally, however, the French expressed the feeling that the Kennedy administration was doing its best to cope with a difficult situation.

NUCLEAR TESTING AND FALLOUT

Mr. MORSE. Mr. President, earlier this afternoon the distinguished senior Senator from Connecticut [Mr. DODD] submitted a resolution cosponsored by 30 Members of the Senate, of whom I am privileged to be one.

The resolution states:

It is the sense of the Senate that the United States should again offer the Soviet Union an immediate agreement banning all tests that contaminate the atmosphere or the oceans, bearing in mind that such tests can already be monitored by the United States without onsite inspections on Soviet territory.

That if the Soviet Union refuses to accede to such a first-step agreement, we commit ourselves before the world to conduct no nuclear tests in the atmosphere or underwater so long as the Soviet Union abstains from them.

That, in committing ourselves to such a moratorium, either unilaterally or by agreement, we keep the Soviet record of deceit and bad faith in mind, and maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or underwater.

In making his presentation, the Senator from Connecticut said:

I consider it a great tragedy that we failed to make a ban on all tests that contaminate the atmosphere and the oceans our prime objective at Geneva. * * * Because of its very simplicity this proposal could and should have been made a test of Soviet good faith in the test-ban negotiations.

I compliment and congratulate the Senator from Connecticut for submitting the resolution to ban atmospheric tests. I thank him for giving me the privilege and opportunity of joining with him as a cosponsor of the resolution.

Many people in our country today are alarmed about the use and are talking about the control of insecticide sprays. It is well that they should be interested in them, for such sprays also constitute an important public policy problem.

But when all is said and done, that problem is de minimis compared with the proportions of the problem which confronts the people of the United States and the world in connection with the continuation of atmospheric nuclear testing.

A remarkable propaganda job has been done in this country in the last year with respect to atmospheric testing. A very interesting program of misinformation, concealment of facts, propaganda, and deception has been foisted upon American public opinion. A few warmongers among our scientists have sought to give the American people the impression that we now almost have nuclear testing without fallout dangerous to mankind. So before I made these brief remarks today, I did a little checking with scientists; and I wish to say that that statement simply is not true; and, in my judgment, scientists who are making such representations to the American people are not giving them the facts. I do not care whether a man is a scientist or what position he holds; when he does not give the American people correct information, his hand should be called. What is going on, in endangering mankind and endangering generations yet unborn, is a shocking betrayal of the obligations of our generation to future generations.

The Senator from Connecticut has submitted a resolution, which, in my judgment, should be followed immediately by hearings, so we can answer the propagandists who are endeavoring to lull the American people into a sense of false security in regard to the effects of atmospheric testing on health, for atmospheric testing is doing great damage to the human organism, and that damage will be perpetuated in the reproductive processes of mankind for generations to come. In the name of humaneness and commonsense, it must be stopped.

I make these few remarks today in order to call upon the leadership of the Senate and the members of the committee to which the resolution will be referred for immediate hearings, and, as soon as the hearings are completed, for immediate consideration of the resolution at this session of Congress.

MENTAL RETARDATION FACILITIES CONSTRUCTION ACT OF 1963

The Senate resumed the consideration of the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes.

Mr. HUMPHREY obtained the floor.

Mr. HUMPHREY. Mr. President, I yield to the Senator from Alabama [Mr. HILL].

Mr. HILL. Mr. President, with the understanding that I do not lose my right to the floor, I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, may I ask what the pending business is?

The PRESIDING OFFICER. The bill—S. 1576—to provide assistance in combating mental retardation, is open to amendment.

Mr. HUMPHREY. Mr. President, in line with the suggestion of the Senator from Alabama, that he does not lose his right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

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

The Senator from Alabama is recognized.

Mr. HILL. Mr. President, the Committee on Labor and Public Welfare has approved S. 1576, the proposed Mental Retardation Facilities and Community Mental Health Centers Act of 1963.

S. 1576 would permit great strides forward in the fight against two of our major health problems—mental retardation and mental illness. The provisions of this bill would carry out the President's program for the construction of research centers and facilities for the mentally retarded, for the construction and initial staffing of community mental health centers, and for the training of teachers of mentally retarded children and other handicapped children.

TITLE I. CONSTRUCTION OF RESEARCH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED

Our present body of knowledge in the field of mental retardation is so limited that we can ascribe precise causes for the condition in only 15 to 25 percent of the 5 million mentally retarded in the United States. For the majority of the retarded individuals—from 75 to 85 percent of the cases—it is not yet possible to identify a specific cause for the retardation. We do know, however, that there are a great many diseases and conditions which affect the brain and result in retardation, including infections or poisons in the mother's system during pregnancy, infection of the central nervous system during infancy, injuries to the brain at birth, head injuries in childhood, metabolic disorders determined by heredity, and abnormal brain growths.

The scope and the diversity of the causes of mental retardation present an area of scientific inquiry that is so comprehensive and complex that universities and existing research institutions have neither the facilities, the funds, nor the personnel to do the job.

The urgency of dispelling the scientific ignorance in the field of mental retardation is such that this committee has recommended that Congress approve the authorization of $30 million over the 5-year period beginning July 1, 1963, to pay up to 75 percent of the costs of constructing research centers that would develop new knowledge to combat mental retardation and train research personnel.

Approximately 5 percent of the mentally retarded require residential care, but our present facilities are obsolete and crowded. Based on 1960 data, about 160,000 of mentally retarded are in 108 residential institutions specifically designated for their care. Another 10,000 are in private institutions and the remaining 43,000 of the mentally retarded are cared for in public hospitals for the mentally ill. The population of State residential facilities range from a few hundred to in excess of 6,000; on the average, each institution is caring for 350 patients over stated capacity and has a waiting list of more than 300.

There is a growing public concern for action against mental retardation. The concern of the public stems from the lack of adequate facilities and the absence of coordinated programs of services for the mentally retarded. These deficiencies maximize the impact of mental retardation on the individual, his family, and our country. If day care facilities and related community services were available it would be possible to eliminate the need for placing many of the mentally retarded in residential institutions.

To assist in providing adequate facilities for the mentally retarded, the committee has authorized the appropriation of $42.5 million over a 5-year period beginning July 1, 1963, to pay up to 75 percent of the costs of constructing college or university associated public or other nonprofit facilities with a full range of services for the mentally retarded. These facilities would also serve as demonstration centers and would train the personnel that are needed in the care and rehabilitation of the mentally retarded.

In addition, the committee has approved the authorization of $67.5 million in appropriations over the fiscal years beginning July 1, 1964, to be allocated among the States to pay from 45 to 75 percent of the costs of constructing public and other nonprofit facilities for the diagnosis, treatment, education, training, or care of the mentally retarded.

In testifying in support of this legislation, the American Medical Association cited the following from their statement of principles on mental health:

> The mentally retarded: There are more than 5 million Americans who are mentally retarded and their existence constitutes a medical, educational, and social problem of vast dimensions. Care facilities for these individuals must be integrated into every community's mental health program.

That is exactly what the proposed legislation seeks to do. The statement continues:

> The extent to which this problem can be ameliorated in future years depends largely upon continued research. Some breakthroughs have been effected, as, for example,

the prevention of some types of mental retardation as a result of our increased knowledge about body metabolism. However, there is still a lack in research planning, personnel, and financing which must be overcome.

In October 1961, the President appointed a panel of very distinguished scientists, doctors, and lay people to study and report on the matter of mental retardation. A year afterwards the panel made its report, and the report of that distinguished panel is exactly in line with the statement that I have read from the American Medical Association.

TITLE II. CONSTRUCTION AND INITIAL STAFFING OF MENTAL HEALTH CENTERS

In 1955 Congress approved the Mental Health Study Act—Public Law 182 of the 84th Congress—that authorized an intensive, long-range study of our Nation's mental health problem. The study was carried out by the Joint Commission on Mental Illness and Health.

The Commission spent approximately 5 years studying the subject of the mental health problems of our people.

The final report of the Commission, "Action for Mental Health," will take its place in the annals of medical history along with the famous Flexner report as a document of far-reaching influence in the evolution of medicine. In the same way that the Flexner report recommended a revolutionary new approach to the teaching of medicine, the report of the Joint Commission provides the realistic concepts and plans for carrying out badly needed reforms in the treatment of mental illness.

Our present programs for the treatment of the mentally ill have changed very little since the first public mental hospital was opened at Williamsburg, Va., in 1773. In the overwhelming majority of cases, the mentally ill individual finds that his only treatment resource is a large public mental hospital located most often far from his home where continuing contact with his community is difficult if not impossible to maintain.

Approximately four-fifths of the hospitalized mentally ill patients are institutionalized in the 286 State and county mental hospitals. Two-thirds of these institutions were opened prior to 1900. That means that they are more than 63 years old. Less than one-third of them have been approved by the Joint Commission on Accreditation of Hospitals. Nearly half of the patients in the State mental hospitals are in institutions with over 3,000 patients, where individual care and consideration are almost impossible. Forty-five percent of the patients have been hospitalized continuously for 10 years or more and the average length of hospitalization for all the patients is 8 years. The patients in these institutions are largely our forgotten men and women.

A 1960 survey revealed that 41 percent of the patients had not had a visitor within the whole of the last year; 16 percent had not had a visitor since they had been hospitalized; and there were some patients who had not been visited for 25 years.

Prior to 1955, there was an increasing trend in the number of patients resident in the public mental hospitals. Since that year, however, there has been a decline in the census that has averaged about 1 percent per year despite a continuing increase in the number of patients admitted. This decline in resident population is attributed to the use of newly developed drugs and to an increase in the amount of time and attention being devoted to the patients by hospital staff.

Many thousands of them are still in big old antiquated and, in some instances, archaic mental hospitals. We have made progress, which lights the way for the proposed legislation, and shows what can be done in the programs provided for in the proposed legislation now before the Senate.

The progress made in reducing the resident population at public mental hospitals is gratifying but there is ample evidence that much more can be done and must be done to reduce the toll taken by mental illness.

In Georgia, for example, four psychiatric units in general hospitals were opened in 1960 in its major cities. In about 2 years of operation, 1,800 patients from 151 counties have been treated in these units that are serving as community mental health centers. Only 7 percent of the patients treated in the general hospitals required long-term care at a State mental hospital.

In other words, out of approximately 1,800 patients, only 126 had to be sent on to one of these State mental hospitals. They were treated and provided for in the local hospitals.

California reports the same experience in San Diego where a day treatment center has intercepted patients awaiting admission to a State hospital in Patton, Calif. Only 10 percent of the intercepted patients had to go to the State hospital. Other States report the same success with community mental health centers.

These pilot programs indicate that we can substantially reduce the toll of human suffering caused by mental illness through the establishment of community mental health centers. Such centers would ideally provide services for the prevention, diagnosis, treatment and rehabilitation of the mentally ill patient in his own community. In many cases, an existing general hospital or mental health clinic would serve as the nucleus of the new facility.

Many of the general hospitals constructed under the Hill-Burton program could serve as the nucleus for a community mental health center. But additional construction would be required in almost all cases to provide the comprehensive mental health services that are needed. The need for additional general hospital beds is such that additional legislation is required to provide for community mental health centers.

If we are to adopt new concepts which have been demonstrated as being successful in treating the mentally ill, it is essential that we embark on a construction program to bring comprehensive mental health services to the community level. In the absence of such construction we can only continue to rely on the isolated public mental hospitals as the principal resource for the treatment of mental illness.

Federal assistance in the establishment of comprehensive community mental health centers is essential if we are to move ahead at this time in combating mental illness. S. 1576 would authorize the appropriation of $230 million over the 4 years beginning July 1, 1964, to be allocated among the States to pay for 45 to 75 percent of the costs of constructing public and other nonprofit community mental health centers.

The long-term care at public mental hospitals where the average length of patient stay amounts to 8 years has made the cost of treatment prohibitive to the majority of patients even though the daily cost of care is relatively low. The concept of comprehensive community mental health services with emphasis on short-term hospitalization and a program of outpatient services should make it possible for a substantial number of patients to finance their own treatment. In addition, the growth of provisions covering mental illness in health insurance is encouraging. Of the 83 Blue Cross plans, 57 provide benefits for mental illness under basic certificates and 64 under comprehensive certificates. There is no doubt that the trend toward the inclusion of mental illness as a part of health insurance plans will continue.

The committee has recognized, however, that during the initial period of operations, a short-term program of Federal assistance in meeting part of the staffing costs of comprehensive mental health centers would greatly contribute to bringing mental health services to the community level.

To assist in establishing community mental health centers, the committee has approved authorizing the appropriation of $427 million over the 8-year period beginning July 1, 1965, for grants to pay part of the initial staffing costs of some centers constructed under this legislation.

These initial staffing grants would only be available to centers providing, as a minimum, several basic types of comprehensive services. In addition, Federal funds could be provided only to pay the costs of new or additional staff; the grants could not be used for the salaries of personnel already on the payroll. Finally, the Federal aid would be limited to the first 54 months of a center's operations with a progressively decreasing Federal proportion. The bill authorizes Federal funds for the payment of a maximum of 75 percent of the initial staffing costs during the first 18 months, a maximum of 60 percent during the next 12 months, a maximum of 45 percent for the next 12 months, and a maximum of 30 percent for the next 12 months.

A few moments ago I quoted from the American Medical Association's statement on the matter of mental retardation centers.

I shall quote from a declaration by the American Medical Association on the subject of mental illness centers. This statement was presented at the time the witnesses for the American Medical

Association testified before our committee. It emphasizes that a problem exists which can be met through the proposed legislation.

Few communities have the resources necessary to meet their mental health needs. The AMA therefore supports multiple source financing for community mental health services and accepts the need to expand this financing. It also supports increased expenditures for State and Federal mental hospitals.

Shared financing tends not only to preserve local responsibility but also to develop more effective and stable programs. For example, if a clinic depends entirely on voluntary contributions, it may be forced to curtail its services in lean years; if it depends entirely on local tax funds then it must refuse to accept patients from adjacent areas. Community mental health funds must come from both public and private sources, including philanthropy and patients' fees.

In terms of tax dollars, responsibility for the support and development of community health programs must be shared by local, State, and Federal agencies. In such programs, the apportionment of funds will vary, depending on the wealth and industrial tax base of the communities and States involved.

That is the declaration of the American Medical Association that the bill follows the principles enunciated and the programs proclaimed in their statement.

Mr. CARLSON. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I expect to discuss this subject later at length, but I wish to ask a question on the point of the distribution of contracts. For example, some States have made greater progress than others in the field of mental health and in establishing programs to take care of the mentally retarded, particularly handicapped children. Can the Senator compare the distribution or division of funds as between States that have made good progress and those that have made very little progress?

Mr. HILL. When money is distributed to a State, it is distributed according to the formula, which has been in various public health laws for some time, for the distribution of funds for the control of tuberculosis and venereal disease, vaccines for typhoid fever and polio, and similar projects.

Also, there is a provision under which universities, colleges, and research institutions may receive funds in accordance with a formula. The distribution is based largely on the ability to conduct research, personnel, and perform other essential types of work contemplated by the legislation.

Therefore, I should say that the States which have good institutions and which have been working on these problems would stand in a very favorable position so far as the receipt of project funds is concerned.

Mr. CARLSON. I appreciate the answer given by the Senator from Alabama. I shall discuss the subject in full later. I shall express my commendation and appreciation to him for his fine work when I obtain the floor.

Mr. HILL. No Senator has been more interested in waging the battle against mental illness and mental retardation than has the distinguished senior Senator from Kansas. He is an inspiring leader, one who has put his State in the forefront of the battle. I do not know of any State among the 50 States of the Union that has pioneered and moved forward with so many fine programs and achieved such beneficial results for the mentally ill and mentally retarded as has the State of Kansas, which is so ably represented, in part, by the Senator from Kansas.

Mr. CARLSON. I appreciate the Senator's yielding to me at this point. In 1948, 70 percent of those who entered mental institutions in Kansas remained in them for life. In 1960, 85 percent went home; and of that number, about 34 left within the first 3 months. I believe that is a very fine record for our State, and I expect to discuss it later.

Mr. HILL. It is a wonderful record. I hope the Senator from Kansas will discuss it, because it is an example of what can be done through the passage of the proposed legislation. As I have said, Kansas has pioneered in blazing the trail and has done wonderful work in this field.

TITLE III. TRAINING OF TEACHERS OF MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

Title III of Senate bill 1576 would amend and extend the act of September 6, 1958, for training teachers of the mentally retarded, to strengthen and expand the program and to include the training of children with other handicaps, such as the deaf, the visually handicapped, the speech impaired, and the emotionally disturbed.

There are an estimated 5 million handicapped children, and they require some 200,000 teachers with specialized training. At present, however, we have approximately one-fourth of the required faculty.

To assist in narrowing the gap between the existing supply of teachers and the need for such specially trained individuals, the committee has recommended the authorization of $45.5 million, beginning July 1, 1963, for training teachers of handicapped children, and the appropriation of $6 million, over the same 3 years, for project grants for research and demonstration projects relating to the education of the handicapped.

The Subcommittee on Health of the Committee on Labor and Public Welfare conducted hearings on Senate bill 755, the proposed Community Mental Health Centers Act of 1963, and on Senate bill 756, the proposed Mental Retardation Facilities Construction Act of 1963, on March 5, 6, and 7, 1963. The provisions of these administration bills have been incorporated in Senate bill 1576, the proposed Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963. Testimony in support of the legislation was submitted by Governors of these States: Alaska, Arkansas, California, Connecticut, Delaware, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Missouri, Nebraska, New Jersey, New Mexico, North Carolina, Pennsylvania, South Carolina, Tennessee, Washington, West Virginia, and Wisconsin; and from the State Mental Health Program Director of these additional States: Alabama, Arizona, Colorado, Kansas, Louisiana, Maine, Maryland, Minnesota, New Hampshire, New York, North Dakota, Oregon, Rhode Island, Utah, Vermont, and Wyoming.

And from the following organizations: National Association of Counties, National Association of State Mental Health Program Directors, Southern Regional Education Board, Academy of Dentistry for the Handicapped, American Academy of Pediatrics, American Association on Mental Deficiency, American Academy of Pediatrics, American pital Association, American Medical Association, American Nurses Association, American Parents Committee, Inc., American Osteopathic Association, American Psychiatric Association, American Psychological Association, Joint Committee on Pediatric Research, Education and Practice, National Association of Retarded Children, National Association of State Mental Health Program Directors, and the National Committee Against Mental Illness.

Following the conclusion of the hearings, the director of legislation of the American Legion wrote me to express support for the provisions of Senate bills 755 and 756. The letter is as follows:

THE AMERICAN LEGION,
Washington, D.C., May 22, 1963.

Hon. LISTER HILL,
Chairman, Senate Committee on Labor and Public Welfare, Senate Office Building, Washington, D.C.

DEAR CHAIRMAN HILL: I regret that circumstances prevented an expression by the American Legion in support of bills S. 755 and S. 756 before the conclusion of your hearings which resulted in the reporting of S. 1576.

I now wish to advise that the national executive committee of the American Legion unanimously approved Resolution No. 49 supporting Federal legislation designed to attack the problem of mental retardation on a broad scale, to include research, improvement of clinical and social services, and adequate provisions for residential care of mental patients where needed. The resolution goes further to encourage provisions for education and training of the retarded.

The American Legion resolution, referred to above, is attached to this communication and we suggest that you may make such use of it as you deem necessary in the furtherance of the legislation in question.

For your information, a similar communication is being sent to Senators MANSFIELD and DIRKSEN.

With kind wishes and regard, I am,
Sincerely yours,

CLARENCE H. OLSON,
Director.

Whereas mental retardation in children is a continuing social problem and there is reason to believe a substantial percentage of mental deficiency can be prevented in children; and

Whereas the American Legion has always concerned itself with the welfare of children and youth of our country; and

Whereas there are approximately 5,400,000 mentally retarded people in the United States, and at the present rate 126,000 more will be born annually; and

Whereas mental retardation ranks fifth among major health problems; and

Whereas there is an increased interest on the part of local posts and communities in the mental retardation problem: Now, therefore, be it

Resolved, by the national executive committee of the American Legion in meeting assembled in Indianapolis, Ind., May 1–2, 1963, That we support legislation at both Federal and State levels of government which is designed to attack the problem on a broad scale and which will include research in methods of prevention, the improvement of clinical and social services, adequate provisions for residential care where needed and provision for education and training of the retarded; and, be it further

Resolved, That the American Legion encourage and support in any way possible the training of personnel to work in this broad field of mental deficiency.

That is a most impressive array of witnesses. They came before our committee and testified in support of the proposed legislation.

The committee received telegrams from many State Governors, and received testimony from the heads of the mental health departments of the various States, as well as the testimony of the heads of many of the great voluntary organizations, and testimony from many other witnesses. All the witnesses favored the passage of this measure; not one opposed it. No witnesses could have spoken with greater authority or in a more commanding way than did those who appeared and testified before the committee.

Mr. President, in concluding, let me quote from the message relating to mental illness and mental retardation that was submitted by the President on February 5, 1963. In this message, the first message on mental illness and mental retardation ever transmitted to the Congress by a President, the President stated:

> We as a nation have long neglected the mentally ill and the mentally retarded. This neglect must end, if our Nation is to live up to its own standards of compassion and dignity and achieve the maximum use of its manpower.
>
> This tradition of neglect must be replaced by forceful and far-reaching programs carried out at all levels of government, by private individuals and by State and local agencies in every part of the Union.

Mr. RIBICOFF. First, Mr. President, I commend the distinguished senior Senator from Alabama [Mr. HILL] for again bringing to the Congress and to the people of the United States another landmark measure. When the history of our country is read, no man will be found to have contributed more greatly to the alleviation of human suffering or to have done more to chart new courses and new measures for future generations than the distinguished senior Senator from Alabama [Mr. HILL].

When I served as Secretary of Health, Education, and Welfare, a part of my duties which will always be bright in my memory was to work closely with the distinguished chairman of this committee, the senior Senator from Alabama. One always found him with an open mind, a deep understanding of the problems besetting our people, and a willingness to chart new fields. Many important acts of Congress bear his name.

This is another Hill bill. Many thousands of people today and thousands yet unborn will bless the distinguished senior Senator from Alabama for his many contributions. Among the contributions he has made, this one, in my opinion, will be among the greatest contributions ever made in the history of the legislative process in our Nation.

Mr. HILL. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the Senator from Alabama.

Mr. HILL. Mr. President, in all humility and with a sense of deep appreciation, I thank the Senator from Connecticut for his most generous words.

He has spoken of our association in working together. I have never worked with anyone with greater satisfaction or with better results than those stemming from my work with the distinguished Senator from Connecticut. A team is required to pass such bills, just as a team is required to win a game on the gridiron. No one has been more effective, more dedicated, or more inspiring as a member of this team than has the distinguished Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I recall that while I was still Secretary of Health, Education, and Welfare, the President charged me with starting the research and making the recommendations for the program which now finds its way to the floor of the Senate. Those of us who have been in government and who understand the legislative process realize that it is a continuous process, and that one step builds upon another. Yet I realize that in the final analysis, leadership by Members of Congress is required in order to translate ideas and programs into legislation and steer them through successfully on the floor of the Senate and on the floor of the House of Representatives. No one is more skilled in that field than is the genial and able Senator from Alabama [Mr. HILL], whose brilliant leadership has given the Nation so many advances in the interest of the welfare of all its people.

Mr. President, about 800,000 patients now fill our Nation's mental institutions—600,000 for mental illness, and over 200,000 for mental retardation. Every year nearly 1½ million people are treated in these institutions.

All told, mental ills cost the taxpayers over $2.4 billion a year—about $1.8 billion for mental illness, and $600 million for mental retardation.

Some State mental hospitals give pathetic and inadequate care. There are 18 with 5,000 or more patients; in one there are 13,000 patients. But the Joint Committee on Mental Illness and Health tells us that no mental hospital should have more than 1,000 beds.

Three-fourths of these State mental institutions were opened before World War I. Many are fire and health hazards. Almost all are understaffed. The average expenditure per patient in State institutions is only $4 a day, and in some States the average is less than $2 a day.

The cost in dollars only introduces the story. In terms of loss of precious human talent, in terms of family misery, in terms of personal tragedy, the cost cannot be measured.

For many years I have worked for the principles embodied in President Kennedy's mental health program, and now in Senate bill 1576. As a Governor, and as Secretary of Health, Education, and Welfare, I have sought to lighten the burden carried by every mentally ill and mentally retarded man, woman, or child in our land and by the members of their families.

So it is a dream come true to see this forward-looking legislation come before the U.S. Congress, and to have a vote, as well as a voice, in translating it into reality. By helping establish mental health centers right in the communities of our land, this legislation will mark the new era in the treatment of disease.

Mentally ill and mentally retarded men, women, and children will be treated in our towns and cities—near or in our general hospitals or university-affiliated clinics. These Americans will not be shunted away to remote institutions, which often are fire and health hazards, and almost always are understaffed. And since the mental health centers will serve teachers, courts, and all parts of the community, mental health problems and mental illness of all sorts may be prevented—or at least alleviated.

These community mental health centers would offer to the mentally ill or to those in danger of becoming mentally ill a wide range of services, including inpatient and outpatient care, followup care, and rehabilitative services. They would provide consultative services to schools, courts, public and private welfare agencies, and also to agencies or individuals concerned with the problems of mental retardation.

The purpose of the community centers would be twofold: First, to prevent mental disorders; and second, to bring to bear concerted services and techniques for the comprehensive diagnosis, treatment, and rehabilitation of mentally ill people within their own communities.

Since each community in which these centers would be located is unique, each center would be unique. And it is expected that they would function under a variety of auspices: State vountary, municipal, private, within-a-group practice arrangement, or any combination of these.

These centers could be set up in a number of different ways. For example, in one city, the center might be based at a general hospital. Since most of the large general hospitals—those with more than 500 beds—already have psychiatric facilities, facilities for day care, night care and outpatients could be added all at once, or in several stages to fill out the comprehensive program.

In another community, the development of the community mental health center might start with an outpatient facility. Facilities for day care, night care and inpatient services could be built—with enough office space for staff to operate consultative and educational programs.

While these centers would be designed first of all to serve the mental health needs of the community, they would also provide important services for mentally retarded people. For example, they could offer diagnostic services, counseling services for parents, the services of special therapists and they could provide a

staff of consultants for public school systems, health departments, and public and private agencies.

This is a most significant piece of legislation. I hope Congress will support it with its heart and its purse, to give mentally ill and mentally retarded Americans—and their families—a better break.

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

Mr. RIBICOFF. I am glad to yield to the able Senator from Alabama.

Mr. SPARKMAN. I invite the attention of my colleague to the question I am about to propound. I have read the bill, and I have noticed repeated reference to "mental illness" and "mental retardation." I have briefly discussed the subject with the Senator from Alabama, but I should like to have an opinion on it.

The question came to my attention recently when a lady talked with me regarding her child. I referred to the child at one time as being mentally retarded. She corrected me. She said, "He is not mentally retarded. He is what is called an emotionally upset child—all confused." It seems to me that the condition is a form of mental disorder, but since she raised that particular objection to my reference to the condition as mental retardation, I desire to ask the question whether or not that kind of person would be included under the term "mental retardation" or "mental illness" or any other term contained in the provisions of the bill.

Mr. RIBICOFF. I defer to the chairman of the committee, who is the principal sponsor of the bill. From my experience, both as Governor and Secretary of Health, Education, and Welfare, having dealt with the problem, I think the bill should cover the entire gamut of children and adults involved. A person involved might be mentally retarded to such an extent that he would be what is known as a basket case. We could visit State institutions in which people live out 50, 60, and 70 years of their lives, never being able to get out of a bed or a basket, so-called.

Yet I have seen many hundreds of young boys and girls who have started out with some mental defect—slowness in thinking, or slowness of body movement—and through patient care and treatment, I have seen those children trained and enabled to go out into a community and obtain jobs.

I have seen young boys and girls, trained in proper training schools, enabled to get jobs in industry, on farms, and in stores. In other words, they can be trained to lead useful lives.

The great tragedy of America has always been that we have taken people who might have been mentally disturbed or mentally ill and cast them aside into the shadows. We have locked them behind bars. Some of the most disgraceful episodes in the entire history of our country have occurred in the way the mentally ill and the mentally retarded have been treated. But modern psychiatry and modern treatment have so advanced that, with proper care, guidance and treatment, we can cure many people. We can get them back into their communities. If many people who are presently locked up in State institutions were given proper treatment along the lines contemplated by the bill offered by the distinguished Senator from Alabama, we would find that they would need only short stays in the hospital. They would be able to become a part of the community. They would not be a burden to their families or public charity, but would be able to make their own living. I am sure the record shows that with proper care and treatment thousands of people in our country have returned to their families, to their loved ones, and to gainful employment. That is why the bill which is before the Senate today is a landmark measure.

The distinguished Senator from Alabama deserves great commendation for bringing forth such a measure as the one proposed.

Mr. SPARKMAN. Mr. President, I join with the Senator in commendation of my colleague, who deserves it in connection not only with the measure now before the Senate but also dozens of other measures which he has sponsored in the past.

Do I correctly construe the remarks of the Senator to be that the intent of the bill, as he sees it, is to cover the whole gamut of what might be called mental illness, regardless of the degree?

Mr. RIBICOFF. That is my intent. In a State like my own State of Connecticut, there are various types of institutions. There are institutions for emotionally disturbed young children. There are community facilities. There are State institutions, large and small. It is my understanding that the bill would allow each community and each State to deal with its own program. The program that is being put forward by the senior Senator from Alabama is not a program to be applied in the same way in every community throughout the Nation; but each community would deal with its own problems and try to devise a program that would help solve the local problems, whether they are private or public, large or small.

Mr. SPARKMAN. I am glad that the Senator used the term "emotionally disturbed." I erroneously used the term "emotionally upset." I believe the Senator is correct.

Mr. HILL. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. HILL. I thoroughly agree with the Senator from Connecticut. I am familiar with the case that my colleague from Alabama has in mind. There is no doubt that case would be eligible for services, care, and treatment in one of the mental health centers.

I call to the attention of the Senator the following specific language in the report:

> The term "community mental health center" would be defined as a facility providing services for the prevention or diagnosis of all types of mental disorders.

That would cover the whole gamut, as the distinguished Senator from Connecticut has said.

Mr. SPARKMAN. I thank the Senator from Connecticut and also my colleague.

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

Mr. SIMPSON. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I think the Senator from West Virginia asked first that I yield; I yield first to him, and then I shall be glad to yield to the Senator from Wyoming.

Mr. RANDOLPH. I am grateful for the cooperation of my colleague from Connecticut.

Mr. President, as the Senate considers S. 1576, the bill providing for local-Federal cooperation to combat mental illness and retardation, it is significant to note that this administration proposal as carefully studied and amended in our Committee on Labor and Public Welfare, has the support of 24 Governors, while in 16 other States and territories the authorities of mental health programs have voiced their support.

During hearings on this measure and a similar bill in the House, the committee received cogent and compelling testimony from Gov. Elbert N. Carvel of Delaware and from Drs. Daniel Blain of California and V. Terrell Davis of New Jersey, both of whom are members of the executive committee of the National Association of State Mental Health Program Directors. We likewise received the testimony of Dr. Charles Bush of Delaware. Meanwhile, the House committee heard favorable testimony by Gov. Frank G. Clement of Tennessee, from Dr. Harold L. McPheeters of Kentucky, also a member of the executive committee of the National Association of State Mental Health Program Directors, and from Dr. Daniel Lieberman of California.

There have been charges and intimations to the effect that the States allegedly are seeking to shift too much of the burden for mental health programs to the Federal Government. The fact is that the 50 States have spent $11.9 billion on their programs in this vital field of activity over the past 10 years—more than $1 billion a year. In West Virginia, State government funds aggregating $58,485,641 have been expended during that period to combat mental illness and retardation.

Mr. President, I have 54 messages received from Governors, including Hon. W. W. Barron, of West Virginia, and other State authorities in support of S. 1576. I ask unanimous consent that they be printed in the RECORD in further evidence of the broad and deep interest in its enactment.

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

STATEMENTS OF SUPPORT BY THE STATES FOR A PROGRAM OF LOCAL-NATIONAL COOPERATION IN DEVELOPMENT OF COMMUNITY MENTAL HEALTH AND RETARDATION CENTERS

ALABAMA

Superintendent, Alabama State hospitals, J. S. Tarwater, M.D.: "As superintendent of the Alabama State hospitals and the Partlow State School, I am listed as the mental hospital authority in Alabama. As such, I am very much interested in the President's program to combat retardation and mental illness, and the need for more community psychiatry is extremely necessary if we in Alabama are able to give better service to

communities and prevent commitments to our State institutions.

"I know Dr. Dan Blain who for a number of years was the executive secretary of the American Psychiatric Association, is presently the director of the department of mental hygiene in the State of California and in his capacity as president of the National Association of State Mental Health Program Directors appeared before the Senate Committee on Labor and Public Welfare March 6, 1963. I have carefully read his address and wholeheartedly agree with his recommendations. I also agree with the recommendations of V. Terrell Davis, M.D., director of the Division of Mental Health and Hospitals of the State of New Jersey, given to the Senate Committee on Labor and Public Welfare on March 6, 1963."

ALASKA

Gov. William Egan: "I would urge your support of these measures. Both of these bills, S. 755 for community mental health centers and S. 756 for mental retardation facilities construction, would be of great assistance to Alaska in implementing the programs under consideration by the State."

Acting Commissioner, Department of Health and Welfare, Henry A. Harmon: "We urge support of H.R. 3688 and H.R. 3689. These bills reflect the growing emphasis on community-based treatment of mental illness and the great need for intensified research in mental retardation."

ARIZONA

Director, Arizona State Hospital, Samuel A. Wick, M.D.: "I am in agreement with the principles expressed in Senate bill 755 and House bill 3688 to assist States for improvement in mental health programs related to community services and for staffing of community mental health centers. It is necessary for each State to expand these psychiatric services to treat psychiatric illness in the community and prevent increased admissions to State hospitals."

ARKANSAS

Gov. Orval E. Faubus: "Please be advised that I approve of H.R. 3688 and H.R. 3689, and state that Arkansas will make arrangements to participate in the construction program provided in these measures, should same be approved by the Congress."

CALIFORNIA

Gov. Edmund G. Brown: "Services to the mentally ill and retarded have the highest priority in California. The President's message and these bills (S. 755, S. 756) reflect the same reasoning that our own studies have brought out.

"Planning of our department for both mentally ill and retarded has emphasized the medical reasons why these people should be treated early and continuously and close to their homes where social restoration is most available. Local treatment is also more economic and administratively more efficient.

"S. 755 and S. 756 emphasize community centers, which are directly in line with California's planning. The department of mental hygiene last year called for 12,250 bed units serviced by day treatment rehabilitation and consultants' service to be locally operated and financed. Local governments are slow to accept the financial responsibility. The 1962 legislature rejected the demand for additional large hospital for the retarded and appropriated money for building one and planning two other units for retarded almost identical to those authorized in S. 756.

"In 1957 California inaugurated a State-local mental hygiene program—17 counties have participated but the other 41 wait for greater sharing of expenses before moving ahead. Private mental facilities and general hospitals are already strong partners in handling the growing demand for admissions, but they can only move ahead if financial support is found.

"S. 755 and S. 756 appear to provide the one-shot help in constructive and the temporary help in staffing that could give the needed impetus for a great expansion in local services. Out hospitals have done a magnificent job in admitting and releasing ever increasing number of patients, but this system of large distant State hospitals must give way to the advantage of treatment near home in the hands of many groups of responsible people. I urge the passage of S. 755 and S. 756 as a great step forward in the help for mentally ill and retarded patients and their families. I am convinced it will help the economy in the long run.

"I specifically call attention to the provisions of S. 756 relating to research. Though the great problem of the retarded will be helped by better treatment, training, and assistance to families, only research to uncover the causes of retardation can do the whole job. My earnest request is for a unanimous committee approval."

COLORADO

Director, department of institutions, David A. Hamil: "We in Colorado believe in community based hospitals for the mentally ill as well as community centers for the retarded.

"We are at present engaged in statewide programs to assist in the development and maintenance of such facilities. We, therefore, support in principle House bills 3688 and 3689, and trust that the individual States, through community efforts, may be able to assume more of the obligation of financial support as outlined by these bills. By putting the emphasis at the community level, and maintaining it there, we should be able, in a reasonable time, to fulfill the needs in the field of the mentally ill and retarded."

CONNECTICUT

Gov. John Dempsey: "S. 755 and S. 756 will, if adopted, make possible great new achievement in the diagnosis and treatment of mental illness and retardation. Connecticut's experience in these fields clearly demonstrates the soundness of the approach recommended in both these bills. May I respectfully urge upon your distinguished committee favorable consideration of S. 755 and S. 756?"

Commissioner, department of mental health, Wilfred Bloomberg, M.D.: "H.R. 3688 and H.R. 3689 will, if adopted, greatly hasten the implementation of effective new concepts in the diagnosis, care, and treatment of mental illness and mental retardation which Connecticut, among other States, is eager to adopt. The soundness of the approach embodied in these bills is widely supported in Connecticut. May I respectfully urge your committee to give these measures favorable consideration?"

DELAWARE

Gov. Elbert N. Carvel: "As Governor of Delaware I wish to express on behalf of the people of our State my firm support of H.R. 3688 and H.R. 3689 which would implement the President's programs on mental health and mental retardation.

"The Governors of the United States have made many studies in the field of mental health and have solidly backed programs which should insure a breakthrough in this area and a reduction of those in mental institutions of 50 percent during the next 10 years.

"In order to accomplish this tremendous progress it will be necessary to triple our expenditures in the areas of patient treatment, providing small-size institutions at the community level, and stepping up the training of psychiatrists, psychologists, and psychiatrist helpers.

"Presently there is an acute shortage of this personnel, and this is one of the main reasons why we are not making greater progress today. In view of the fact that there are millions unemployed, one of the encouraging aspects of the President's program is to provide funds for increasing the number of people who are being trained to do this work.

"I know that the Congress, when they realize that as many as 30 percent of our population may have some mental affliction, will appreciate the tremendous importance of this great problem. I know that when they realize that with sufficient funds we can cut the populations of our mental institutions in half in the next 10 years, they will take steps to see that President Kennedy's program will be a major contribution in this effort. For these reasons I strongly urge the prompt enactment of this important legislation."

GEORGIA

Director, department of public health, John H. Venable, M.D.: "As the mental health authority of the State of Georgia, urge favorable consideration of S. 755 and S. 756 relating to Federal assistance in construction and operation of mental health centers and construction of research centers and facilities for the mentally retarded. We strongly support in principle this legislation."

GUAM

Gov. Manuel Flores Leon Guerrero: "Guam supports Senate bills 755 and 756 which provide Federal support for mental illness and mental retardation programs. Guam has need for strong material support of these programs particularly now as we rebuild and replan our typhoon-devastated organizations."

HAWAII

Gov. John A. Burns: "We have been apprised of the introduction of H.R. 3688, a bill to provide assistance in the construction and initial operation of community mental health centers, and would appreciate your support of this bill."

ILLINOIS

Gov. Otto Kerner: "I would like to express myself as being in favor of Senate bills 755 and 756 (House bills 3688 and 3689) which are designed to help carry out the President's recent recommendations in the area of mental health.

"Here in Illinois, we have already begun a similar program of community mental health centers. Such a program is designed to serve our citizens with the most advanced facilities and therapy in the country. We in Illinois feel that this program on a national basis will be a gigantic step forward in the care of our mentally incapacitated.

"As we all know, one of the major problems is to secure adequate personnel. The provisions of title II would provide assistance toward staffing these mental health centers.

"Lack of scientific knowledge in the area of mental retardation is one which only recently has been brought to the fore. If we are going to make the necessary progress in this area, we must first have a broad research program to point to directions where progress can be made. Senate bill 756 (House bill 3689) would provide great help to the States in undertaking this research.

"Crowding in the institutions for mentally retarded is a most shameful and degrading treatment. Title II of 756 (3689) would aid the States in constructing facilities for the most overlooked group of needy citizens.

"For these reasons, we in Illinois strongly urge support and passage of these vital measures."

INDIANA

Gov. Matthew E. Welsh: "The day of the ever-expanding central State institution for the care of the retarded or the mentally

ill is behind us. We have increasingly come to recognize that both for the patients and for the taxpayers, smaller centers close to the homes of patients are more effective and, in the long run, less costly. Our experience in Indiana with 11 State institutions now caring for approximately 25,000 patients a year, has convinced us that the President's proposal for community centers for the mentally ill and the retarded is both the most economical and the best medical method for meeting our responsibilities to those among us who suffer these disabilities. I give my wholehearted support to the President's courageous and far-seeing proposals as contained in H.R. 3688 and H.R. 3689."

IOWA

Governor Harold E. Hughes: "I wish to express my full support of President Kennedy's legislative proposal on facilities for the mentally ill and retarded as expressed in S. 755 and S. 756."

Chairman, board of control of State institutions, W. I. Conway and director, mental health division, J. O. Cromwell, M.D.: "We believe that strengthening of community mental health facilities personnel and program are vital to future mental health of Iowa. We further believe advances will more likely be made in mental health and retardation with Federal participation."

KANSAS

Director of institutions, R. A. Haines, M.D.: "The Kansas Mental Health Authority, the State Board of Social Welfare, and the State Director of Institutions, The State Mental Health Program Director, urge favorable consideration of Senate bills 755 and 756 to permit establishment and/or expansion of comprehensive community mental health centers, and to permit construction of research centers and facilities for the mentally retarded. We believe mental health services should be available closer to the people needing them and that expansion of services must be planned and then carried out accordingly. We will look forward to improving community mental health services in Kansas in the future."

KENTUCKY

Governor Bert Combs: "Kentucky is most interested in both Senate bills 755 and 756 providing for construction of community mental health centers and facilities for mentally retarded. Community mental health centers will enable better mental health care near home rather than in State hospitals. Kentucky is presently short 1,000 beds for the retarded. I join my commissioner of mental health in urging favorable consideration of this legislation."

LOUISIANA

Director, department of hospitals, Winborn E. Davis, ACSW: "Louisiana State Mental Health Authority endorses H.R. 3688 and H.R. 3689 matching State funds are available to carry out these programs and will greatly assist Louisiana's mental health and retardation programs."

MAINE

Director, bureau of mental health, William E. Schumacher, M.D.: "Future plans for mental health services in Maine include all-purpose community mental health centers in southern and northern Maine, functioning as services associated with contiguous general hospitals.

"Presently we are active in promoting a regional boarding school and day-care center for trainable retarded children in northern Maine.

"Both of these services would be given substantial impetus by the passage of Senate bills 755 and 756. Our department has contacted our congressional delegates to seek their support of these bills.

"Our efforts in the future in mental health programing will be toward community services of the broadest type. Since the Hill-Burton construction program has demonstrated the effectiveness of Federal aid in general hospital construction, the program which would result from these two bills would obviously provide the same impetus for improved facilities for the mentally ill and mentally retarded."

MARYLAND

Commissioner, department of mental hygiene, Isadore Tuerk, M.D.; "Maryland Department of Mental Hygiene strongly endorses Senate bills 755 and 756 to promote mental health and alleviate mental retardation that will enable the Federal Government to participate in matching funds with States to create a satisfactory system of programs and facilities long needed by the State of Maryland which these particular bills will make possible."

MINNESOTA

Medical director, department of public welfare, David J. Vail, M.D.: "Improvements in mental health facilities and programs are urgently needed in the national interest. As director of the State mental health program in Minnesota I strongly support S. 755 and S. 756."

MISSOURI

Gov. John M. Dalton: "Senate bills 755 and 756 have my strong support. They are in line with our plans to improve Missouri's program for the mentally ill and the mentally retarded. Missouri has found small cents for the rapid treatment of the mentally ill to be humane and economically sound. I have endorsed the program now before our State senate to create three mental health centers in the next biennium."

Director, division of public health and welfare, George A. Ulett, M.D.: "Senate bill 755 and 756 certainly have the complete endorsement of those of us responsible for the direction of the program of Missouri's Division of Mental Diseases. We have just established a section on mental retardation within our division and are developing a master State plan in that area. A bill is now pending before the Missouri State Legislature to establish three mental health centers at general medical centers across our State to offer early, rapid, intensive treatment for Missouri's mentally ill."

NEBRASKA

Gov Frank B. Morrison: "We strongly urge consideration of S. 755 and S. 756 which we understand are to be heard by your Committee on Labor and Public Welfare. It is our opinion that the passage of these bills will be of great help to the States and particularly to Nebraska in stimulating our programs for the mentally ill and mentally retarded."

Director, department of public institutions, George L. Morris: "I understand that Senate bills 755 and 756 are to be heard by your Committee on Labor and Public Welfare. I hope your committee gives favorable consideration to these bills which are designed to promote programs for the mentally ill and mentally retarded. In Nebraska we are embarking on a long-range program in both of these areas, and we feel that if these bills are passed into law it would be of great aid to us in stimulating our long-range planning and assisting us in reaching our ultimate objectives."

Director of mental health, Cecil L. Wittson, M.D.: "I respectfully offer my strongest support for bills S. 755 and S. 756. Community based centers for the mentally ill are effective and economical means of reducing the needs for long and expensive institutionalization. Additional research and other facilities for the mentally retarded are urgently needed in Nebraska and throughout the Nation. With the aid of such facilities much human suffering and waste of our most valuable resource—the individual—can be prevented."

Chairman, inter-agency committee on mental retardation, Mrs. L. A. Enersen: "We beg your committee to report favorably on S. 755 and S. 756. Passage of these bills is of vital importance to millions of persons who can be helped through concerted efforts in these two fields and millions more who are their families."

NEW HAMPSHIRE

Director, division of mental health, John L. Smalidon, M.D.: "New Hampshire firmly supports President's mental health and retardation program (H.R. 3688 and H.R. 3689)."

NEW JERSEY

Gov. Richard J. Hughes: "As Governor of New Jersey I strongly support passage of H.R. 3688 and H.R. 3689 which would implement significant parts of President Kennedy's program on mental health and mental retardation.

"The New Jersey Legislature is currently considering proposals for amendment and recodification of statutes pertaining to the mentally ill and mentally retarded which are oriented in the direction of the President's proposals. Passage of these bills would give impetus to new programs and planning already well underway in New Jersey as a result of the combined leadership of physicians and other mental health professionals, organized citizen groups, and legislative and executive officials in our State, county, and local governments."

NEW MEXICO

Gov. Jack M. Campbell: "Hope your committee will take favorable action in regard to President's proposal for matching funds to States for construction of mental health centers. Believe it would greatly aid New Mexico's mental health program."

Assistant superintendent, state hospital, Albert E. Ball, ACSW: "Heartily approve President Kennedy's mental health program. Please convey to Senate Labor and Welfare Committee endorsement of S. 755 and S. 756 by New Mexico. State Hospital and many other State citizens interested in progressive care and treatment of mentally ill and mentally retarded."

NEW YORK

Gov. Nelson Rockefeller approved a statement by Dr. Paul Hoch, director of mental hygiene for the State of New York, on February 20. Excerpts from this release indicate the position of the State of New York on this type of program:

"These objectives (the President's message) represent the fundamental requirements in the field of mental health today and are entirely consistent with goals delineated in New York State's Master Plan for Mental Disability promulgated by Governor Rockefeller last year and soon to enter its second phase of implementation. This master plan and those of other forward looking States have contributed to the recognition by the Federal Government of the size and gravity of this problem and the important issues involved * * *. There is no doubt that financial contributions of the Federal Government will be welcomed. But it is of utmost importance that leadership and direction remain in the hands of each State * * *. There must be full provision for flexibility and adaptability for the specific requirements of individual States. Maximum effectiveness can be achieved only if Federal, State and local authorities are all involved in developing and maintaining services with full provision for correlations and integration."

NORTH CAROLINA

Gov. Terry Sanford: "I urge the passage of the Community Mental Health Centers Act of 1963 and the Mental Retardation Facilities and Construction Act of 1963 which are before Congress. These bills

represent needed Federal efforts to encourage, initiate, and expand local efforts directed toward finding remedies for mental retardation and other mental illnesses. I am happy to support both of these measures."

Commissioner of Mental Health, Eugene A. Hargrove, M.D.:

"In support of S. 755 and S. 756 I submit that science and commonsense have presented practicable methods for the treatment of rehabilitation of mental handicap and a rising hope for their prevention. The needed impetus is toward putting ideas into action and furthering needed research by encouraging the construction and initial operation of community-oriented mental health facilities (S. 755) and the construction of facilities for research in human development (S. 756). As a citizen, psychiatrist, and North Carolina's Commissioner of Mental Health, I urge your committee's serious consideration of these bills."

NORTH DAKOTA

Director, North Dakota Mental Health Authority, Albert F. Samuelson, M.D.: "I have studied carefully the President's recent message on mental illness and mental retardation, the principles of which are embodied in H.R. 3688 and H.R. 3689. In general, I feel these proposals are very progressive and will undoubtely have many lasting beneficial effects upon treatment programs for the mentally ill and mentally retarded of our country. These proposals appear to be a composite of the joint commission report on mental illness and health, recommendations of the recent American Medical Association Congress on Mental Health, and reflect the thinking of other major authorities in psychiatry and related health fields.

"In North Dakota, because of limited tax revenues, Federal funds are needed to supplement our programs for treatment and rehabilitation of these unfortunate victims. These Federal programs, if initiated, will be of immense value to our State and help achieve treatment goals which heretofore have been beyond our reach."

OREGON

Administrator, division of mental health, J. H. Treleaven, M.D.: "We in Oregon feel very strongly the need of the measures outlined in H.R. 3688 and H.R. 3689 and that they have our complete support."

PENNSYLVANIA

Gov. William Scranton: "The proposal for development of community mental health centers has our hearty endorsement. The Office of Mental Health of the Commonwealth of Pennsylvania has been programming for the past several years toward the development of resources within the community for a continuum of care necessary in the treatment of mental illness. We would like to encourage the development of more community resources for the mentally retarded as well as greater efforts in the field of prevention, but we see little hope of moving as rapidly as necessary through this transitional period from a State hospital-centered program to a community-centered program without financial help. The knowledge and skills are at hand; citizen interest and support are at their highest, and all that is needed is the means to mobilize these skills and this support to productive activity. There is a real danger of much of the existing momentum being lost by failure to act boldly and decisively. Your effort toward favorable action in support of the development of community mental health centers is strongly urged so that fight against mental illness can move forward with new vigor."

RHODE ISLAND

Director, department of social welfare, Augustine W. Riccio: "As the Mental Health Authority for the State of Rhode Island, we endorse in principle the above-referenced legislation (S. 755–756). It is my understanding that these bills will be considered by the Senate Subcommittee on Public Health and Welfare in executive session. As a member of this Committee, we felt that you should know our position on these bills."

SOUTH CAROLINA

Gov. Donald S. Russell: "Would like to recommend favorable action in Senate bills 755–756, House bills 3688–3689."

Director, mental health commission, W. P. Beckman, M.D.: "South Carolina has submitted to the U.S. Public Health Service, a plan for planning a master mental health program for South Carolina. We anticipate approval of this plan and activation of it within the near future. We further anticipate that out of this 2 year study will come recommendations for immediate, short range and long range plans for comprehensive mental health services.

"It appears very necessary that the Federal Government join hands with the States and communities in financing these programs and we wish to urge favorable action on H.R. 3688 and H.R. 3689. Our Governor, the Hon. Donald S. Russell, is very interested in this matter and has agreed to cooperate with us in our plan for planning a master mental health plan for our State."

TENNESSEE

Gov. Frank G. Clement: "The passage of your proposals, Senate bills 755 and 756, would greatly enhance the mental health and mental retardation programs in Tennessee. These measures have been discussed with Dr. Joseph Baker, commissioner of the Tennessee Department of Mental Health, and we feel that their passage would be of great value in these fields."

Commissioner, department of mental health, Joseph J. Baker, M.D.: "These bills (S. 755 and 756) would tremendously assist our effort to improve quality of care for the mentally ill and the mentally retarded."

UTAH

Associate superintendent, State hospital, H. Edward Beaghler, M.D.: "As acting superintendent of the only hospital for the mentally ill in the State of Utah, as past president of the Utah Psychiatric Society and as president of the Intermountain Psychiatric Association, I urge your favorable consideration of H.R. 3688 and 3689, which embody the principles of a constructive mental health program and carries the endorsement of a significant majority of the mental health personnel in the State of Utah."

VERMONT

Superintendent, Vermont State Hospital, R. A. Chittick, M.D.: "May I urge your favorable consideration of S. 755 and S. 756 which I understand are soon to be heard by the Senate Labor and Public Welfare Committee. As you are aware, Vermont has made admirable progress in the field of mental health but the problem is tremendous, and requires all of the resources, encouragement, and assistance it can receive if we are to conquer. One of the large factors is that this attack has been too long delayed. I hope that now the Federal Government will be able to apply the needed impetus.

"Any help you can give in this matter will be greatly appreciated by many, many people."

WASHINGTON

Gov. Albert D. Rosellini: "Would like to add my personal appeal for your support House bills 3688 and 3689 regarding Federal aid to further State mental health programs and research in field of retarded. Critical need exists to increase funds in these areas toward improved research, training, and treatment programs. Legislature, State of Washington unable to appropriate additional moneys to take care of all requests of our State mental hospitals and institutions for retarded. Believe Federal aid to State mental hospitals and institutions for retarded necessary and urgent at this time. Urge your personal support and consideration."

Director of Institutions, State of Washington, Garrett Heyns: "Appreciate your support House bills 3688 and 3689 re Federal aid to further State mental health programs and those developing research and training in field of retarded. Heretofore Federal aid not available for State mental hospitals and State institutions for retarded. Critical need now exists to increase funds in these areas to insure improvement in research, training, and treatment through increased development. Legislature, State of Washington, past few years has given considerable attention to these areas but unable to increase funds to any great extent at this time due to other State programs in need of financial assistance. Federal aid would be step forward and I urge your personal support and consideration."

Supervisor, division of mental health, William R. Conte, M.D.: "Urge your careful consideration and support of House bills 3688 and 3689. They provide desperately needed help in the area where it can be used most effectively."

WEST VIRGINIA

Gov. William Wallace Barron: "The State of West Virginia has the problem of providing adequate treatment and prevention of mental illness, as do all other States and territories of this Nation.

"This staggering problem, which costs so much in human suffering, lost production, and money, demands a nationwide program of action.

"No one State can work alone to solve the problem, with a concerted effort there is real hope. I have consulted Dr. Mildred Mitchell-Bateman, director of department of mental health, who assures me that we are ready and able to join forces with the Federal Government. This State will find a way to do its part.

"May I urge your most careful consideration of Senate bills S. 755 and S. 756?"

Director, department of mental health, Mildred Mitchell-Bateman, M.D.: "As director of Department of Mental Health of West Virginia, I urgently request favorable action on Senate bills S. 755 and S. 756. There is no question but that the problems of mental illness affect our well being as a Nation to as great an extent as any other problems with which we are faced.

"The State of West Virginia does not have the resources in either money or qualified personnel to effectively work alone on this problem. It is more economical to have a totally correlated program for the entire Nation so that duplication is avoided and resources shared.

"There is no reason to believe that with adequate attention the problem of mental illness cannot be solved by a Nation which has made such progress in solving other health problems.

"Hopes are high in this State that the President's message will incite legislative action which will bring us nearer the goal of increasing the mental health of our citizens through research and prevention and treatment of mental illness and retardation."

WISCONSIN

Governor John W. Reynolds: "As a forward-looking State in the field of mental health and as a State that is following with detailed interest the implementation of the President's historic mental health message, Wisconsin registers its support and urges passage of bills S. 755 and S. 756.

"Wisconsin's mental health programs, recognized as among the most progressive in the

Nation, have been and will continue to be in the direction of increased assumption of responsibility by communities—their professional and lay leaders.

"It is my conviction, supported by the many interested organizations and individuals in Wisconsin, that bills S. 755 and S. 756 are important stepping stones in the implementation of a progressive national mental health program and that they are in keeping with our philosophy of community oriented programs."

WYOMING

Superintendent, State hospital, William N. Karn, Jr., M.D.: "Senate bills 755 and 756 have my endorsement inasmuch as I, superintendent of Wyoming's only State hospital, recognize the need of such programs throughout the States. Some 4 years ago I launched a program for intensive treatment, inservice training and research here at the hospital, and, although our results have been most gratifying, we do not have adequate community based psychiatric facilities. Community services for mental illness are of great value to the citizens of Wyoming as has already been demonstrated by a few mental health clinics that have been functioning during this past year. Establishment of these community centers has encouraged local handling of psychiatric problems, and has prevented hospitalization in this remote part of our State. However, in order to more effectively establish a training and research program, more moneys are needed for the recruitment and training of additional personnel so that a greater number of people might have a better knowledge and understanding of mental illness and mental retardation."

Mr. RANDOLPH. Mr. President, it was my privilege to make the motion in the Senate Committee on Labor and Public Welfare, which brought this bill to the Senate for debate and determination. I wish to express special commendation to Chairman LISTER HILL, whose leadership in health legislation has been so constructive over the years, and also to members of our committee who cooperated to submit this measure for action.

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

Mr. RANDOLPH. I yield.

Mr. HILL. I thank the distinguished Senator from West Virginia for his very generous words. No member of the Committee on Labor and Public Welfare contributed more or did more to bring the bill to the Senate than did the distinguished Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. I appreciate the Senator's remarks.

Mr. SIMPSON. Mr. President, I do not wish to trespass upon the time of the Senate or to enter unduly into the colloquy or argument which may ensue today.

As the distinguished Senator from Connecticut [Mr. RIBICOFF] knows, I was vice president of the National Association for Mental Health, in charge of the 15 Western States area, when he so capably held the position of Secretary of the Department of Health, Education, and Welfare.

I, too, commend the distinguished Senator from Alabama for being such a great champion of this work. We know how well he has done over the years. Had it not been for his championship of the things we seek to do, I am sure we would now be further behind than we are.

There is one question I should like to ask the distinguished Senator from Connecticut, though it may have been answered previously in the discussions.

As one who has worked with mental associations and mental health problems in the 15 States over which I presided, I should say, due to inadequate analysis of causes of commitment, that the custodial institutions were so overburdened with people that the care given was a shameful thing. Has that problem been discussed today?

Mr. RIBICOFF. There is a provision in the bill for research facilities for training personnel in the research field. This is an important part of the measure.

The distinguished Senator from Wyoming was an outstanding Governor of a great State and is vitally interested in the problems of mental illness and mental retardation in his own State. I recall that, at the request of the distinguished Senator when he was Governor, at the time when I was Secretary of the Department of Health, Education, and Welfare, I went to Portland, Oreg., to address the Western Conference on Mental Health, under the chairmanship of the present distinguished Senator from Wyoming.

All of us who have worked in this field owe a deep debt of gratitude to the distinguished Senator from Wyoming for his work in the entire field of mental health and mental retardation.

Mr. SIMPSON. I thank the Senator from Connecticut.

Mr. HILL. I thank the Senator from Wyoming for his kind words. For many years I have known of the deep interest of the Senator from Wyoming in the battle against mental illness, and of what he has done to provide leadership and inspiration to carry forward the battle in the great western part of our country. Certainly the Senator deserves the thanks of all of us.

In connection with the question raised by the distinguished Senator from Wyoming, the testimony shows that in the large State hospitals the patients do pretty well if they get 1 hour a week of medical attention. There are not enough doctors or psychiatrists. The average expenditure per patient throughout the United States is only $4 a day. In some institutions it is as little as $2 a day.

With respect to 286 institutions—including some county hospitals as well as State hospitals—less than one-third have been approved by the Joint Commission on Accreditation of Hospitals, which, as the Senator knows, is made up of representatives of the such great organizations as the American Medical Association, the American Hospital Association, and the American College of Physicians. Less than one-third of those hospitals today qualify to be certified by the commission. Most of them were built before the turn of the century, before 1900. They are old. As I said earlier, they are archaic.

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

Mr. HILL. I yield.

Mr. SIMPSON. What has been the experience, as stated before the committee, with respect to the adequacy of many of the custodial institutions, and the lack of a number of the more sensitized institutions needed for psychiatric treatment?

Mr. HILL. I am glad the Senator asked that question.

When Governor Carvel, of Delaware, was before the committee—he came representing the Governor's Association, and was accompanied by our distinguished colleague the Senator from Delaware [Mr. BOGGS], for they had worked closely together in the whole field of mental health—he called our attention to this fact:

And although there is a great deal of unemployment in the United States, in the field of psychiatry and mental health there is a great dearth of personnel and the President's message gives us tremendous hope that we can institute a national program of training which will eliminate this tremendous void in personnel field of mental health.

Governor Carvel also said:

I talked to the Governor of Colorado a couple of months ago and he told me that psychiatrists were not available for any amount of money, that it didn't make any difference how much money he had, he just couldn't get sufficient psychiatrists to staff the mental hospitals in the State of Colorado.

According to the testimony, one of the great advantages of the program now proposed for the mental health centers in the general hospitals or local communities is that not only could they make use of psychiatrists who may be in the communities but also they could make use of general practitioners. For a number of years the National Institutes of Health, through the Institute on Mental Health, have been carrying on a training program for the training of what we might call general practitioners. They have had more applications for training than funds with which to provide training.

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

Mr. HILL. I yield.

Mr. SIMPSON. Does the Senator recollect some regional conferences of Governors of various States—undertaken because of a lack of facilities and a lack of money to implement the work we are trying to accomplish—the purpose of which was to set up regional institutions supported by the money of States in the region?

Mr. HILL. The Senator is correct.

Mr. SIMPSON. That has been totally inadequate, has it not?

Mr. HILL. It is inadequate. They do not have sufficient doctors. They do not have a sufficient number of psychiatrists, as the statement from the State of Colorado shows. They simply do not have the personnel needed.

Mr. SIMPSON. Is it not true that the situation in many parts of the United States is so lacking as to help and aid to these people as to require a remedy; and is it not the fact that there are people

who have joined in trying to hurt these people who cannot help themselves; and that help is needed from this great body and from the people of the United States to bring about a proper solution to this awful problem facing America?

Mr. HILL. All the testimony before the committee sustains and supports the very timely statement the Senator has just made.

Mr. SIMPSON. I thank the Senator.

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

Mr. HILL. I yield.

Mr. DOMINICK. I did not want the RECORD to appear as if Colorado is one of the bad States in doing something about the mental health program. I was one of the trustees in the first community center within the metropolitan area of Denver, and was active in this field during my time in the State legislature, and I know of the intensive efforts many of us have made in trying to have something done to solve the problems that have been so ably spelled out by the Senator from Alabama.

We have a problem in connection with trying to get enough psychologists and psychiatrists to treat these people. This is true, I think, in almost all the States. But I still have a reservation about the section of the bill which provides for payment by the Federal Government of the cost of staffing the hospitals. If it is not money which is involved—and this is what has been indicated by the letter—but the fact that there are not enough psychologists and psychiatrists, it seems to me we are getting the Federal Government into the personnel problems of these centers by paying at least a portion of the cost of the staffs.

I wonder if the Senator will give me the benefit of his thought on that question.

Mr. HILL. What I said, in commenting on what the Governor of Delaware said about the inability of Colorado to obtain psychiatrists, is no criticism of the Senator's State. I know Colorado has made a great effort to do the best she can under the circumstances, under the old system, for the care and treatment of the mentally ill. It is a problem that confronts California and all the other States.

On the matter of staffing, that involves a limited program of only 54 months. For the first 18 months after the construction of a community mental health facility not more than 75 percent of the cost of new or additional staffing can be obtained. The amount is reduced thereafter to the point where the maximum is 30 percent for the new and additional staff during the last 12 months of the 54-month period which I have just mentioned.

Mr. DOMINICK. Would the Senator say it is the opinion of the committee that, as of the present moment, those funds for staffing would be cut off at the end of that time?

Mr. HILL. I should say they will be. The partnership arrangement, so to speak, between the Federal Government and the States in the field of health is not new. For several years, as the Senator from Colorado well recalls, the Federal Government has put up money for the care, treatment, and possible prevention of tuberculosis, gonorrhea, typhoid, malaria, many other terrible diseases of the old days, about which we do not hear so much today because, largely through the action of the States, with some help from the Federal Government, they have been wiped out and made a thing of the past. So there is nothing new about the Federal Government coming in, as proposed here, for the limited period of 54 months, to help with some of the new, additional staffing.

Mr. CARLSON. Mr. President, I did not want to let this opportunity pass without expressing appreciation for the excellent work of the chairman of the committee. For many years it was my privilege to serve with him in the House. It has been my privilege to serve with him in the Senate. This program will be another monument to his credit in the field of dealing with the health of our people. In my opinion, he has already had many monuments constructed for him in the way of programs he has instituted and proposed and which Congress has approved. An example is the Hill-Burton Act, which has meant so much to our State and to our country. As we enter into this new program, which I am sure will be approved by Congress, it will be another mark to his credit. I shall discuss briefly the mental health program because for many years I have had a personal interest in it.

I regard mental health as one of our most serious problems. The progress that is being made is good, but we have much more to do. Only in recent years have we actually come to grips with the problem. We are now treating patients for mental illness, instead of incarcerating them in hospitals, which, in reality, became prisons for them.

The Kansas revolution in mental health began in 1948 when, as Governor, I appointed a commission of outstanding doctors and private citizens to recommend changes in the State's mental health program.

Since that time our State has advanced from 45th place in the Nation in per capita expenditures for the care of patients in public mental institutions, to 10th in 1948 to 1951, 6th in 1952, 3d in 1955, and, since 1958, to 2d place, and now to 1st place.

While we were spending $1.06 per patient day in 1948, in 1960 we were spending $7.34 per patient day.

In 1948, 70 percent of those who entered mental institutions in Kansas remained for life.

In 1960, 85 percent went home; and of these about three-fourths left within the first 3 months.

Since 1948, Kansas has had more than a 30-percent reduction in mental hospital populations, despite having five times the number of admissions. This has been possible because dynamic programs of psychiatric care and treatment have replaced mere custodial care.

These programs have made possible the recovery of great numbers of individuals who have come to be regarded as patients capable of cure rather than hopeless inadequates, relegated to the "back room" and consequently forgotten.

The high caliber of our mental health personnel in Kansas was acknowledged by the American Psychiatric Association and National Association for Mental Health when, in 1958, it rated the Kansas mental health program among the best staffed in the Nation—despite the fact that it cost less than the mental health programs in 16 other States.

The Council of State Governments has named Kansas one of the best examples of good investment in personnel in terms of human values and financial returns.

Kansas began to earn its reputation as "Psychiatric Training Center of the World" shortly after a special committee studied the State hospital program in 1948.

The philosophy "brains before bricks," reflected the belief that, taking first things first, it would be necessary to train highly qualified psychiatrists and other mental health personnel. We believed that good treatment in old buildings was preferable to bad treatment in new buildings.

One of the earliest training programs was at the Topeka State Hospital, where the Menninger Foundation had a program to study problems of educating psychiatric aids.

This program was inspired by an earlier experience at the Winter Veterans' Administration Hospital, where young doctors had come to respect the average man's ability to learn basic nursing procedures on the basis of their experience in training farmers and mechanics to be effective medical corpsmen during World War II.

During this period, the Menninger School of Psychiatry was a potent force in training personnel who soon proved to the world that mental illness can respond to treatment just as physical illness can. Today the school trains more psychiatrists than any other institution in the world.

In addition to its excellent training programs for mental health personnel, Kansas also has trained law enforcement officials, clergymen, voluntary workers, teachers, and others who deal with emotional problems in their jobs.

Today Kansas is in step with one of the latest educational trends—that of teaching the principles of psychiatry to general practitioners. Family doctors, who have day-to-day contact with patients, can recognize many early symptoms of mental illness and help eliminate them before they reach serious proportions. The American Academy of General Practice has a program whereby general practitioners receive educational credit for attending diagnostic and appraisal conferences at Topeka State Hospital.

Thus, through the excellence of its training programs, Kansas has risen to first place in the Nation for the number of physicans per 100 resident patients in public mental hospitals. It also leads the Nation in the number of professional patient care personnel per 100 resident patients. It is first in the number of full-time employees per 100 patients in

public mental hospitals, and it is seventh in the number of psychiatrists per 100,000 population.

I mention this because Kansas has pioneered in this field; and it proves to me that once an agency of the Government, a State, or the Federal Government, takes an active interest in these programs, we are able to advance very rapidly in this field.

One of the most potent forces for making the supply of community facilities meet the demand is the National Institutes of Mental Health. Under the leadership of Dr. Robert H. Felix, it has encouraged and assisted State and local governments to provide for facilities for the mentally ill.

Dr. Felix, incidentally, is one of three Kansans—the others being Dr. William Menninger and Dr. Karl Bowman—who have served as president of the American Psychiatric Association. They have also been very active in the field of institutional mental health.

In discussing these problems, I do not believe that a State should become overly dependent on Federal assistance for its research programs. Federal aid is intended solely to stimulate the States into initiating and conducting their own programs. The Federal Government must, as always, stand ready to assist when asked and needed. But the leadership, initiative, and responsibility must rest with the States.

Just as Kansans built strong fences by using stone instead of wood many years ago—so they have provided a strong basis for their mental health programs by making them the best staffed in the Nation.

Now the next must be taken—these personnel resources must be mobilized and expanded to provide community mental health services so that every citizen can receive psychiatric help when and where he needs it.

Given prompt and adequate treatment, as many as 85 percent of our mentally ill can achieve partial or total recovery within a few months. Denied this care, these individuals will be forced out of the mainstream of life—causing suffering for themselves and their families—a heavy financial burden to society—and a needless, tragic waste of human life.

I feel confident that we who have come so far will not stop now. We hold the key to progress in the strength of our mental health programs—and we cannot afford to throw it away.

I am delighted that the proposed legislation which the Senate is considering today also deals with another important phase of the mental problem, and that is the mentally retarded. In Wichita, Kans., there is an institution which is nationally and internationally known. It is the Institute of Logopedics. It was established as a part of the Wichita University on June 1, 1934. It was established as "a nonprofit corporation dedicated to the alleviation and prevention of communicative handicaps."

The ever-increasing growth of this institution is the result of the dedication of Dr. Palmer and his determination to be of assistance to those who are afflicted with difficulties of speech. The record speaks for itself.

By 1962, 27,000 individuals had received help from the institution. They came to the institute from all 50 States and from 15 foreign countries. At the present time, approximately 15,000 individuals, with all types of communicative problems, are enrolled. Five hundred of these are at the Wichita Clinic, with the rest receiving training at the 21 field service centers throughout the State of Kansas.

The Institute of Logopedics is more than a treatment center. It is also an institution where professional training is given. Since 1934, more than 700 students have taken courses in the Department of Logopedics. Over 30 masters degrees have been earned since 1944, and presently, there are 186 students majoring in the field of logopedics.

Graduates from the Department of Logopedics are bringing communication to persons in 27 States and 4 foreign countries.

It seems to me that such impressive statistics prove that the Institute of Logopedics is the heart center of efforts in the field of communicative rehabilitation and research.

I should like to state the reasons for designating the Institute of Logopedics at Wichita, Kans., as one of the three clinical centers for a study of mental retardation. Let us think now of how the institute fits, almost as though created for it, into present administrative planning:

The President has proposed the establishment of three clinical research centers in mental retardation at a probable cost of $2 million each per year, with others to be established later.

There are a number of reasons for choosing the institute among the first three centers:

It is centrally located and of easy access.

In its 29 years it has built strong popular support.

In 1962 there were more than 70,000 individual contributors, as well as many nationwide organizations and subsidies from the State of Kansas, the city of Wichita, and so forth.

With most centers the program will have to be built from near zero. The Institute of Logopedics is already the largest center of its kind in clinical work, professional preparation, research, and residential care. It is, in short, a program already geared to accept the challenge. However, it cannot expand these areas without long-range, sufficient, and adequate program support.

The Institute of Logopedics has a full academic affiliation with the University of Wichita as well as an approved affiliation with Michigan State University. Formal affiliation is waiting for funding support.

The Institute of Logopedics has the wholehearted cooperation of the pertinent specialists in medicine, social welfare, psychology, and education.

The large clinical program is already established giving adequate material for research (about 1,800 at present) and complete clinical records of more than 28,000.

The President called for the establishment of community centers. The Institute of Logopedics has operated such centers for other communities since 1936. At present 23 such community centers, locally supported, are administered by the institute. The wealth of practical information acquired can be made available as the President's program develops.

The results of 29 years of clinical research almost guarantee that the Institute of Logopedics can assure positive gains from such a Federal investment.

The Institute of Logopedics already attracts high level investigators. With funds assured, the team could be expanded extremely rapidly.

The Institute of Logopedics is known around the world. Regular scientific communications go on steadily with investigators from Japan, Korea, the Philippines, Malaya, India, Syria, Iran, Turkey, Spain, France, Italy, Russia, Poland, England, Australia, Canada, Yugoslavia, Germany, Austria, Switzerland, Argentina, Brazil, Norway, Sweden, Denmark, the Netherlands, Belgium, and so forth.

Again I wish to state that I heartily support the proposed legislation. I shall look forward to the results, because I know the results can be achieved, based on the experience in our own State.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an article written by Mrs. Roosevelt, after she visited the Institute of Logopedics at Wichita, Kans.

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

A WONDER OF WICHITA

(By Eleanor Roosevelt)

NEW YORK.—A few days ago the wife of the head of the University of Wichita, Mrs. H. F. Corbin, took me to the Institute of Logopedics in Wichita, Kans. Mr. and Mrs. Martin F. Palmer are the heads of this project, which was started in 1934 in the University of Wichita under President W. M. Jardine.

This is a most remarkable institute, designed to help children and adults handicapped by speech and hearing. In fact, anyone who for any reason cannot communicate through language is welcome. It is the largest residential institution of its kind in the world.

There are 160 individual apartments where children can live under the care of expertly trained house mothers and no house mother has more than three children to care for. Also, parents may come with their handicapped children and live in one of these cottages.

A vital part of the layout is a central administration and clinic building, where may be found the latest equipment. Cooperation with the municipal University of Wichita is at its best.

There are 40 acres of ground, so the children can play as if they were at home and still get expert training. In 1955 there were 1,566 cases undergoing rehabilitation, 611 were dismissed improved and 1,771 were examined. Thirty-two States and seven foreign countries are represented by those who are there for treatment. Wichita was chosen for this project because it is geographically in the center of our country, but the institute provides field services in Maryland, in Bedford, N.Y., and many other cities in Kansas.

This corrective center is organized as a nonprofit corporation and chartered under the laws of the State of Kansas. Only 1 out of every 10 cases treated by the institute in 1955 paid the full cost of service. The

organization depends on support from charitable gifts by individuals, organizations, chests, and other special sources.

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

Mr. CARLSON. I am happy to yield to the Senator from New York.

Mr. JAVITS. First, I apologize to the Senator from Kansas for rising a short time ago. I had no intention of preempting the floor. I did not realize that he was seeking the floor.

Second, I share with the Senator his approval of the measure, which I believe introduces for the first time in the national establishment the concept of enlightened treatment as well as the home care and community center care treatment of people who are mentally retarded or are mental cases.

The Senator has spoken from his experience in Kansas. We in New York have made extraordinary progress through the excellent work of Dr. Paul Hoch, our commissioner of mental hygiene, which has resulted in a complete revolution in the administration of our mental hospitals, in a complete revision downward of the needs and in the escalated use of mental hospitals, such as, for example, in the field of narcotic addiction. I am most pleased that the bill as reported reflects the enlightened view that narcotics addiction is a medical, as well as penal problem and may be dealt with as part of a mental health program.

Dr. Hoch has conferred with the consultants of the committee, and he is satisfied that the proposed legislation recognizes new concepts in the subject of mental illness in a most admirable way, and that it will help States which are advanced in their programs, such as is the case in the State of New York.

This is only a part of the program. There are problems of research and there are problems of hospital construction. Also, there are still many patients who must be confined, notwithstanding the admirable thrust of the proposed legislation. However, this is an excellent program. I join with the Senator in expressing my gratification for it.

As I shall be differing with the chairman, Senator HILL, in one apsect of this bill, I should like to say at this time, rather than later, that in his leadership in the health field, of which this is another example of so many milestones and sources of tremendous gratification for those who serve with him, he gives understanding and added support and inspired leadership. I join with many of my colleagues in the Senate who have lauded him today for his leadership in bringing the bill to its present status on the floor. I pay my tribute to him and give recognition to the bill as reflecting a concept of the subject of mental illness that will be helpful, in the light of the pioneering experience in my own State, of our legislature, Governor Rockefeller, and Dr. Hoch, with this concept.

Mr. CARLSON. I very much appreciate the remarks of the distinguished Senator from New York, who has been greatly interested in this field for many years, and for his report on the progress that is being made in New York. I have been familiar with it for some time. I share with him the view that the proposed legislation, as it is approved, will be in conjunction with the splendid State programs, and not a program on top of another program, which I understand is one of the problems of the policy that is involved.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question, so that I may address a question to him or to the chairman of the committee?

Mr. CARLSON. I suggest that the Senator address the question to the chairman. I yield the floor.

Mr. SALTONSTALL. Mr. President, I should like to ask the chairman of the committee a question. I should like to preface it by saying that, like the Senator from New York, I am very much interested in this problem. As Governor of my State, I knew what work was done in our mental hospitals, how we wanted to increase our facilities, and how important it is to help retarded children and young people to have proper training, and to have the teachers that will help the younger people, so that they will not become hospital cases.

At the time I was Governor of Massachusetts, I believe there was a greater amount of activity in the field of mental health than was true of any other State of the Union, with respect to the proportion of people in our hospitals who were receiving mental care.

Mr. HILL. The Senator will recall that in 1955 Congress passed an act establishing the National Mental Health Commission. Dr. Jack Ewalt, Massachusetts Commissioner of Health, was selected to be the director of that study. He was the man more responsible than anyone else for the study that was made.

The purpose of the bill is to carry out in large measure the recommendations of the Commission of which Dr. Ewalt was the leading spirit.

Mr. SALTONSTALL. Fundamentally, the purpose of the bill is to train teachers to stimulate activity among retarded children, and also to assist in hospital construction. My question of the Senator from Alabama is: Does the bill require the Federal Government, with respect to anything it does in this field in a State, to go through the proper State authorities and receive their approval?

Mr. HILL. Certainly. The States would make their plans, and the funds would go to the States. An exception is made in the field of research, in which funds can be granted to universities or schools, such as the Harvard Medical School, to conduct research. But the funds for the construction of community mental health centers would be administered by the States. The funds would go to the States and be administered by the States.

Mr. SALTONSTALL. If a town in Massachusetts—my own town would be too small, so I will take as an example a larger town, such as Brookline or Wellesley—desired to form a center, would the town first have to receive the approval of the State?

Mr. HILL. Yes; it would have to proceed through the State authorities.

Mr. SALTONSTALL. If the State authorities decided that the community was not fitted for the program, in one way or another, the Federal Government could not go over the head of the State government?

Mr. HILL. That is correct; the Federal Government could not go over the head of the State.

Mr. SALTONSTALL. So primarily the bill would provide assistance to the States, to be administered through the States, for mental health activities, in accordance with the methods which are provided in the bill?

Mr. HILL. The Senator is correct.

Mr. SALTONSTALL. I thank the Senator from Alabama for his explanation. We in Massachusetts have been intensely interested in the subject. We have some very able medical people who are taking a great interest in the subject. I am glad that the Senator from Alabama feels that they have been helpful.

Mr. HILL. They have been helpful, just as Dr. Ewalt was most helpful in the great work of establishment of the Mental Health Commission.

Mr. LAUSCHE. Mr. President, will the Senator from Alabama yield for a question?

Mr. HILL. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. In the transcript of the hearings, is there any discussion showing the extent to which receiving hospitals have been established in the various States? By "receiving hospitals" I mean quarters in which staff is provided to enable persons having retarded mentality to receive treatment, without being institutionalized in State or public residential facilities.

Mr. HILL. One of the main purposes of the bill is to provide centers for the mentally retarded and mentally ill, so that such persons may be treated in the centers, so far as possible, and thus be patients under normal living conditions. If possible, they might live in their own homes, with their families, in normal surroundings, and might be treated by psychiatrists in the community, perhaps even by general practitioners who have taken the same course and are familiar with the practice and methods of treatment.

Mr. LAUSCHE. Do the hearings contain any testimony showing the extent to which mental health centers have been established?

Mr. HILL. Yes. Earlier in my remarks I cited what had been done in the State of Georgia, where four such centers have been established. Of some 1,800 patients who went to the centers, only 7 percent, or 126, had subsequently to be transferred to the State mental hospital. In other words, of 1,800 mental patients, 93 percent received their treatment in a center or hospital and did not have to be transferred, as would have been done in the old days, to the State mental hospital.

Mr. LAUSCHE. While I was Governor, nine receiving hospitals were established in Ohio. They were staffed with experts. The patient could go to the hospital each day or could remain for a brief period to be treated, without being institutionalized.

Is there in the hearings—I have not had a chance to study them fully—a tabulation of what has been done by the individual States?

Mr. HILL. There is no overall tabulation showing what has been done by each of the 50 States. However, in the testimony are a number of citations that this practice has been followed by the State of Georgia, or that something else has been done by another State, or another practice followed by another State. But the hearings do not contain an overall tabulation, showing State by State what may have been done in each particular State.

Mr. LAUSCHE. I am not making this statement as a boast, but I know that at the end of 1956, Ohio had nine such centers. The same kind of success that has been achieved in Georgia has also been achieved by the heads of hospitals in Ohio.

Mr. HILL. The Senator has stated that the nine centers in Ohio were established while he was the Governor. I congratulate him on the establishment of those centers. He can be very proud that they were established when he was the head of his State.

Mr. LAUSCHE. I thank the Senator; but that is not the point I am trying to make. The point I wish to make is that there is at present an ability in many States to do this work through their own financing, without having a new, expensive program established by the Federal Government. What is the testimony on the subject of the ability of the States to do this work?

Mr. HILL. There is a considerable amount of testimony to that effect, and it includes a statement by the American Medical Association.

Mr. LAUSCHE. I saw that statement.

Mr. HILL. The testimony is to the effect that there is a need for Federal, State, and local financing—all three—to solve the problem. A considerable amount of such testimony appears throughout the hearings, not only from the American Medical Association, but also from many other organizations and associations, and also a number of individual witnesses who appeared before the committee.

Mr. LAUSCHE. Quite an array of agencies testified in support of the proposal. At the moment, I am looking at page 16 of the report. In the course of 10 years, the program now envisioned would cost a grand total of $848.5 million.

Mr. HILL. That would include funds for the rehabilitation of the mentally retarded and for mental health centers; also grants for the training of teachers of the handicapped, and research and administration for handicapped children.

Today we have a program for the training of these teachers; but this bill extends, and in some respects, expands that program.

Mr. LAUSCHE. For 1964, the first year, the total cost will be $24,500,000, will it?

Mr. HILL. That is correct.

Mr. LAUSCHE. So the beginning will be rather mild. In 1965 the total cost will increase to $77 million; in 1966, $110 million; in 1967, $130 million; and in 1968, $186 million?

Mr. HILL. Yes; and then, as the Senator from Ohio will observe, it will taper down, until, in the 10th year, it will be only $18 million.

Mr. LAUSCHE. How will that happen? I cannot visualize a sudden drop—by half—in the cost, in 1969.

Mr. HILL. But after the centers are built, they will last much longer than 5 or 10 years. In short, once they are built, they will not have to be built again. The last year the Senator from Ohio has mentioned will be the end of that construction period.

Mr. LAUSCHE. So it is anticipated that thereafter the need will drop?

Mr. HILL. That is correct. That is the end of the construction authorized by the bill.

Mr. LAUSCHE. I hope that is the case, but I have grave doubts of it. That would be quite contrary to any experience I have had. According to my experience, once the Federal Government begins to spend, there is never a diminution.

Mr. HILL. I hope my distinguished friend and I will both be here, serving together, to see that drop occur.

Mr. LAUSCHE. I thank the Senator from Alabama.

Mr. HILL. I thank the Senator from Ohio.

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

The PRESIDING OFFICER (Mr. BAYH in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. 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. JAVITS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment of the Senator from New York will be stated.

The LEGISLATIVE CLERK. On page 47, at the end of the bill, it is proposed to add the following new section:

SEC. 408. No part of the funds authorized under this Act shall be paid to any State in which the participants in, or beneficiaries of, the State programs are segregated, or otherwise discriminated against, on account of race, creed, or color.

Mr. JAVITS. Mr. President, I submit the amendment on behalf of myself, Senator KEATING, Senator BEALL, Senator SCOTT, and Senator CASE.

Mr. President, there is a unique reason for offering this so-called antisegregation amendment to this bill; and before I argue the merits of the measure, I wish to make a brief explanation.

Mr. President, in connection with these matters, I believe one is always faced with a heartbreaking decision, as to whether to offer such an amendment, and especially in this case, inasmuch as we favor this bill so strongly. Heretofore my tendency has been to avoid offering such an amendment if I could avoid doing so; and I have offered very few amendments of this type to other bills, notwithstanding my well-known views on this issue.

I have tried, rather, to obtain assurances from the Government departments that their administration of these laws will be in accordance with the dictates of the Constitution; and when this measure was being reported, I announced to the committee—of which I am a member, and I have sought to do so since then, that I would attempt to obtain such assurances from the Secretary of Health, Education, and Welfare. However, up to this very moment I have not received them, although I have been waiting for them all day. I am not finding fault with him or with anyone else; I am merely stating the fact that no such assurances have been forthcoming. That situation gives me no alternative but to offer this amendment.

The question may be asked, Why is the amendment offered to this bill, although it was not offered to other bills—for example, to the feed grains bill. Well, Mr. President, the amendment happens to be uniquely germane to this bill, because if this program is handled under present practices, in a number of the Southern States there will actually be segregation in connection with the program, since in a number of the Southern States segregation in hospitals is the accepted practice, even though it should not be. Two cases are now in the process of litigation. Both of them are in North Carolina, I believe. In those cases the Attorney General has sought to intervene, or has already intervened, in questioning the practice of segregation in two hospitals—in the Cone Hospital and in the Wesley-Long Hospital, in Greensboro, N.C.

Mr. President, in the law which applies in this situation, there is a peculiar anachronism. The Hill-Burton Act, which provides Federal Government aid for the construction of hospitals, and under which a great many hospitals have been built, actually permits, in so many words, the practice of segregation on the basis of the separate-but-equal-facilities theory—in other words, to the extent of having separate Negro hospitals and separate white hospitals. In that connection, the attempts to end segregation have been frustrated, and they always will be.

Indeed, Mr. President, in his civil rights message to Congress, President Kennedy called attention to the separate-but-equal provisions of the Morrill Land Grant College Acts; but he said nothing whatever about the separate-but-equal provisions, which are so inhumane, in connection with the Hill-Burton Act. However, Mr. President, not only is segregation on the basis of color practiced in hospitals, but sick persons have been denied treatment because they have gone to the wrong hospital—in other words, because a white person has gone to a Negro hospital, or because a Negro has gone to a white hospital; and there is a famous play, to which I referred some time ago,—it is entitled "The Case of Bessie Smith"—which is based on a case in which a Negro woman died because she was shunted from a white hospital to a Negro hospital.

Mr. President, that provision is in the law. It is not a matter of my imagination. The provision is not only in the law but is also in the regulations. I invite the attention of Senators to the fact that the regulations of the Public Health Service allow separate but equal facilities in respect to hospitals. That is the terms of the law under which the Service functions. That is section 53.112 of the PHS regulations.

It seems to me that under such circumstances, when a new program is starting, we should examine that feature. The mental health program is new. It is not something that has been in progress, funds for the continuation of which are being appropriated. It is a brandnew program—intelligent, enlightened on the part of the United States—but completely blind in terms of color.

When Justice Harlan said in his dissent in Plessy against Ferguson in 1896 that the Constitution is colorblind, he could have been referring exactly and specifically to these cases of hospitals. How derelict I—and all of us here—would be in our duty if, at a time when civil rights and race relations are so incendiary, we did not act to correct the evil. Many of us deeply believe that race relations are so incendiary, and violence, frustration, and despair exist because we do not give tongue to every man's grievances. That is what Negroes want. They desire an opportunity to find some forum in which they can have their grievances redressed. I feel that that forum should be the courts. For many years, I have fought for a part III provision.

It now appears to me that many others, including the President, may very well be coming around to the same view. Be that as it may, how could we, with equanimity, pass a bill establishing a new health program, with full knowledge in advance that it would be administered in a segregated way? The pattern of segregation extends not only to the patients in hospitals, but to Negro doctors and nurses as well.

Some time ago I had printed in the RECORD figures which showed that, with relation to the proportion of the white population who are physicians, the Negro population comes up to that number to the extent of one-fifth. In other words, there are one-fifth as many Negro doctors in proportion to the Negro population, as white doctors. Why? Because so many doors are closed to them. I adduced the testimony of medical school deans and others on that score.

The bill deals not only with community health centers but also with staff. We have the right to feel that staffing will not be segregated, and that staffing will not result in discrimination. How can we, circa 1963, knowing full well the absolutely steely-faced attitude with respect to segregation that exists in a number of our Southern States, voluntarily make available to them a new program with new Federal money which we know, when we make the program available, will be segregated?

Mr. President, I cannot see how we could do it. I have no desire to interfere with the proposed legislation. I favor it with the greatest enthusiasm. But in the absence of any acknowledgment as to how it will be administered by those charged with its administration, I do not see how the path of duty leads in any other way but to try to take some precaution in the legislation itself that the Constitution will be observed.

Since I consider the subject of such great interest, I have been browsing through the briefs of the Department of Justice in seeking to intervene in the North Carolina cases with respect to the desegregation of hospitals. It is very interesting to observe what the Department of Justice, this great arm of our Government, says in its own brief. I should like to read it, speaking of the separate-but-equal provision of the Hill-Burton Act:

> First, section 291e(f) of title 42 is, on its face, violative of the Constitution. That our Constitution prohibits the utilization of race as a yardstick in any type of governmental activity is now too well established to be questioned. Racial classifications are "obviously irrelevant and invidious." This principle was succinctly stated by Mr. Justice Harlan, dissenting in *Plessy* v. *Ferguson*, 163 U.S. 537, 559 (1896):
>
> "Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. * * * The law regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved."
>
> Second, the Hill-Burton Act expressly sanctions racial discrimination by State-connected institutions. It is now beyond question that racial discrimination by a State runs afoul of the Constitution since, "for a State to place its authority behind discriminatory treatment based solely on color is indubitably a denial by a State of the equal protection of the laws, in violation of the 14th amendment." Nevertheless, despite this clear principle, under the act, the States are expressly authorized to devise hospital construction programs that provide separate facilities for the races. The State program must be approved by the Surgeon General and he must determine whether the State properly has applied the separate-but-equal formula. In effect, therefore, the Federal Government takes a very direct part in cooperating with the States in the effectuation of a separate-but-equal hospital program. This is State sponsored racial discrimination with a Federal imprimatur.

I am the first to state the reluctance which people like myself feel. We are ardent advocates of the more enlightened approaches to health and problems in other fields. But at one and the same time we are also deeply convinced that segregation in our country is immoral as well as against the Constitution. The program contains within it the seeds of grave danger of a national conflagration. We have already begun to see evidence of it. The situation which will eventuate is freely predicted—and I have predicted it myself on the floor of the Senate for many years.

We will have such despair and frustration that it will lead to outbreaks of violence, not only in the South, but in other places as well.

I ask Senators to think of the material that is available, the tinderbox which is present in the cities of the North—New York, Chicago, Detroit, San Francisco, Philadelphia, and Boston. The least we can do is not to divert our gaze from what is staring us in the face.

It is almost sardonic that we are so ready to debate at the greatest length the debt ceiling or some other issue which is admittedly important, while we sedulously try to put out of our minds and avoid on the Senate floor the fact that the country is burning because 10 percent of its population cannot have changed the status to which it has been sentenced for so many years by the majority in so many sections of the country.

So notwithstanding every effort to have the law amended, it continues to perpetuate the situation. We are asked to establish a brand new program, namely, the mental health program. Yet when it is launched from here, it will be operated on a segregated basis. Before the committee we have shown good faith; before the governmental department involved we have asked some assurance that segregation would not be followed in extending new programs to States that would use them in a manner violative of the Constitution. I do not see how plain decency and common dignity could dictate any other course but to propose the amendment which I have offered, that being the only way, apparently, in which a matter of that character can be reached.

I am well aware of the fact that the majority leader or someone else on the majority side—perhaps someone on the minority side, for all I know—will move to table the amendment. I am well aware of the fact that there is great danger that it may be tabled. But this is not a battle. This is a war. If we do not wage it on the moral and legal side, as people like myself are trying to wage it on the floor of the Senate, including the majority leader, who feels just as I do about it, there comes a time when we must draw a balance of convenience: Will I support the bill at the risk of subversing my conscience, or will I, at long last, call a halt and say, "This is the end. I cannot be bought in this way any more. Let us have a showndown on the issue."

I deeply feel that whatever may happen on the motion to table—I hope that it is defeated, and there is a good prospect that it may be—it is nevertheless one of the steps which must be taken.

The point of view in this case is right because of the provision of the law and because we know what will happen. The bill proposes a new program with new money, which the States do not have now. I think the amendment is not only completely justifiable but demanded.

Senators are faced time and again with this issue: Will Senators continue to vote to table motions of this kind when there is no satisfaction from the Government departments concerned, notwithstanding the protestations of the President that he will not use Federal money and Federal power in order to sustain segregation, which is against the Constitution?

The President has made that point crystal clear. I think he is very sincere about it in his heart. But a policy is not practiced until Government departments actually do so. In the absence of

assurance, the Government departments will do it. It leaves us no alternative in a proper case. I have given the particular reasons why in this particular case there is a proper case to move in the manner in which I have moved.

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

Mr. JAVITS. I yield.

Mr. KEATING. I commend my colleague for the action which he tried to take in the committee and the action he has taken here.

With the passage of this bill we will inaugurate a progressive new program designed to meet the country's needs in the treatment of the mentally ill and the mentally retarded. Community centered facilities will make these professional services available to thousands of our citizens who have until now, been unable to receive the care and treatment they need.

Mental illness and mental retardation, like all sickness know no racial barriers, and make no economic distinctions. Because we want these facilities to be available to all Americans without regard to ability to pay, we have made provision in this bill to insure that indigent patients in need of care and treatment will benefit by its provisions. Because I believe strongly that the color of a man's skin should not be a barrier to his receiving the best possible treatment, and because I am convinced that we are constitutionally prohibited from allocating Federal funds to support segregated facilities of any kind, I am happy to join with the senior Senator from New York in supporting this amendment.

If ever there were a program with respect to which there should be allowed no Federal money for segregated facilities, it is in the field of mental illness and mental health. Mental illness and mental retardation know no racial barriers. To allow Federal funds—taken out of the pockets and pay envelopes of everyone without regard to his race, creed, or color—to be expended for facilities to be operated for the benefit of white citizens only, seems to me to be intolerable.

It is regrettable that assurance could not be obtained from those who will administer this program that it would be administered in a nondiscriminatory manner, but in the absence of any such assurance it is simple, plain justice under the Constitution to pass the amendment. I hope sincerely that a motion to table it will be defeated, but no matter what we do here today, the obligation of those charged with executing the laws to abide by the Constitution will persist and not 1 cent of money spent on this important program should be allowed to be tarnished by any racist or discriminatory standards.

Mr. JAVITS. Mr. President, I am very grateful to my colleague [Mr. KEATING] for his remarks along this line. He has been a stanch advocate, as well as a stanch supporter.

The interesting thing in the civil rights field is how often one is today the leader and tomorrow the follower. My colleague [Mr. KEATING] has his own bills on voting rights and other matters. I have mine. Other Senators who have cosponsored this amendment have theirs. There is so much to be done in this field that there can be no such thing as a leader. We all have the responsibility, and we are all shouldering that responsibility.

I wish to sum up and conclude. I shall ask for the yeas and nays on the motion to table. I have discussed that subject with the majority leader, who has graciously assured me that there will be no problem on that score.

I should like to make it very clear that in presenting this amendment I do not undertake any obligation to present such an amendment with respect to every bill. I have no such idea in mind. I feel that when there is a specific situation as clear as this, which spells out the demand for an approach of this character, it must be made, and the weight of responsibility tips in favor of making it, even in the face of the argument that it would result in jeopardizing the bill.

Especially is that true when the anachronism to which I have referred exists in the law. Apparently there is no way in which it can be taken out of the law because of the blockade in this Chamber—so far, at least—in this session of Congress on civil rights legislation.

Also, I am very well aware that there are problems with respect to rule XXII and with respect to cloture. I am very well aware of the fact that we failed in trying to do anything about changing rule XXII. Whatever may be argued about tactics, the fundamental point was that a majority of the membership of this body could be and was frustrated in respect to an effort to change rule XXII. That action has been made to stick, so far. I emphasize those words "so far."

As there was a revulsion in the country—as there is now, among people who never heard about civil rights and were not concerned about Negroes, but are deeply concerned about public order and public tranquility—I predict that the same thing will happen in Congress if this issue is pressed hard enough. This is one step in the process. All of us will come to a realization of the damaging effect upon our Nation and upon its fabric.

I have not discussed today—it is so well known it almost does not need discussion—how the situation in Birmingham has been utilized to the full, with every note played upon it to damage us in the eyes of the people of the world—in the eyes of the 2 billion people of the countries of Asia and Africa, and of all free countries. It hits hard and it is felt, as an effective punch is felt when it is landed in a boxing match. We had better understand that it will. We are paying a tremendous price economically, morally, constitutionally, and internationally for segregation and its toleration in our country.

I think the struggle must be pressed. I think this is the time to press it. I deeply believe that this body will be aroused. There has been a majority for cloture before. I predict that the next time the question really comes up in a major way—even, perhaps, on the amendment, if the motion to table is defeated—the Senate will vote for cloture on a civil rights measure. Once that is done, the tremendous dam which has held back our country for so long will have been broken.

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

Mr. JAVITS. I yield to my colleague.

Mr. LAUSCHE. I join the Senator from New York in support of the amendment. If local and State governments are to ask the Federal Government for money by way of gift, those governmental units should be prepared to accept the condition that there must be equality of treatment and consideration for all citizens in the management of the facilities which are to be built with Federal money. If people come to the Federal Government asking for aid of the type contemplated under the bill, on the basis that there shall be accorded to all citizens in the United States, whether they come from the wealthy or the poor areas, equality of treatment in the procurement of ministrations to physical deficiencies or to mental deficiencies—if that is the theory under which the moneys are allocated—then it becomes inescapable that from every standpoint equality of treatment should be accorded to every citizen within the country.

I will not subscribe to the proposition that the principle shall be applied in one instance and not in others. If there is to be equality of treatment in every State in the Union on the basis of the right to have Federal moneys expended in treating mental illness, it follows, as the day follows the night, that the same equality of treatment should be accorded, regardless of race, color, or creed.

I commend the Senator from New York for the sponsorship of the amendment, and I will support him on it.

Mr. JAVITS. I thank my colleague.

Mr. MANSFIELD. Mr. President, before I make a motion to table the amendment offered by the distinguished Senator from New York, I wish to say that personally I am in full accord with what he seeks to do, but I also wish to see a bill passed, and I know that if the amendment is not tabled no bill will be passed. I make this not in the form of an explanation, but I state it as a fact.

I move that the amendment of the Senator from New York be tabled; and on that motion I ask unanimous consent that the yeas and nays be ordered.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana? The Chair hears none; and, without objection, the yeas and nays are ordered.

Mr. MANSFIELD. Mr. President, I wish to notify Senators that I shall ask for the yeas and nays on the question of passage of the bill. In the meantime, if I may, 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. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] to lay on the table the amendment of the Senator from New York [Mr. JAVITS]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. EDMONDSON (when his name was called). On this vote I have a pair with the Junior Senator from Louisiana [Mr. LONG]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. SYMINGTON (when his name was called). On this vote I have a pair with the senior Senator from North Carolina [Mr. ERVIN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. YOUNG of Ohio (when his name was called). On this vote I have a pair pair with the Senator from Mississippi [Mr. EASTLAND]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The roll call was concluded.

Mr. NELSON (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Minnesota [Mr. MCCARTHY]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Indiana [Mr. HARTKE], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Illinois would vote "nay."

On this vote, the Senator from Oregon [Mrs. NEUBERGER] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Georgia [Mr. TALMADGE] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Georgia would vote "yea," and the Senator from Indiana would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Missouri [Mr. LONG]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Missouri would vote "nay."

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], the Senator from Iowa [Mr. MILLER], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Iowa [Mr. MILLER], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 43, nays 27, as follows:

[No. 97 Leg.]

YEAS—43

Anderson	Humphrey	Moss
Bartlett	Jackson	Muskie
Bayh	Johnston	Pell
Bible	Jordan, N.C.	Ribicoff
Brewster	Kefauver	Robertson
Burdick	Kennedy	Russell
Byrd, W. Va.	Magnuson	Smathers
Cannon	Mansfield	Sparkman
Church	McClellan	Stennis
Fulbright	McGovern	Thurmond
Gore	McIntyre	Williams, Del.
Gruening	McNamara	Yarborough
Hayden	Metcalf	Young, N. Dak.
Hill	Monroney	
Holland	Morse	

NAYS—27

Aiken	Goldwater	Pearson
Bennett	Hart	Prouty
Boggs	Hickenlooper	Proxmire
Carlson	Hruska	Randolph
Case	Javits	Saltonstall
Cotton	Jordan, Idaho	Scott
Curtis	Keating	Simpson
Dirksen	Lausche	Smith
Dominick	Mundt	Williams, N.J.

NOT VOTING—30

Allott	Engle	Mechem
Beall	Ervin	Miller
Byrd, Va.	Fong	Morton
Clark	Hartke	Nelson
Cooper	Inouye	Neuberger
Dodd	Kuchel	Pastore
Douglas	Long, Mo.	Symington
Eastland	Long, La.	Talmadge
Edmondson	McCarthy	Tower
Ellender	McGee	Young, Ohio

So Mr. MANSFIELD's motion to lay on the table the amendment of Mr. JAVITS was agreed to.

The PRESIDING OFFICER. The bill is open to amendment. If no amendment is to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. HUMPHREY. Mr. President, the Senate has before it in S. 1576 a bill that can fairly be described as "a bold new approach" to mental illness. These words of President Kennedy accurately reflect the spirit in which it is proposed to use Federal funds for the construction and staffing of new community mental health centers. The bill, so bright with promise, is aimed at one of the most persistent and most tragic evils in our Nation.

Mental illness is an affliction far more widespread than is commonly realized. It has been estimated that one American in 10 will spend some portion of his life in a mental institution. At present 600,000 people are in institutions for the mentally ill, and the proportion requiring some form of treatment is much higher. Approximately half of the hospital beds in the United States are occupied by mental patients. Many have not left the walls of an institution for 10 years and more; many face the prospect of confinement for life for causes beyond their control. Service and maintenance of the mental ill—often at an abysmally low level—require a direct public outlay of $1.8 billion a year. No one has calculated the costs in welfare and in wasted human resources of mental illness. No one can calculate the personal suffering involved.

These are the available figures. As anyone who has visited a mental institution can testify, they do not—and cannot—convey the tragic impact of actually witnessing human beings who have been robbed of the most distinctive and precious traits of humanity. Yet it is the lack of visibility of mental illness—the fear and superstition, the secrecy and suppression that still surrounds it—that is at the root of our failure as a Nation to launch the same attack on this problem that we have conducted for years on the infirmities of the body.

Why so outmoded a distinction has been so persistently maintained is too complex a matter to take up here. The saddening and sobering fact is that in many instances we have scarcely progressed beyond the Victorian practice of shutting mentally disturbed members of the family up in the garret. Secretary Celebrezze has pointed out that for lack of funds our State mental hospitals have by and large been "institutions for quarantining the mentally ill, not for treating them." And while much progress has been made in recent years, the appalling conditions of quarantine in many institutions is such—as was made clear in testimony before the Labor and Public Welfare Committee—as to make appropriate on their doors the same inscription as appeared above the gate to Dante's Inferno: "Abandon hope, all ye who enter here."

This situation should be intolerable in so wealthy and powerful a nation. It should be regarded as particularly intolerable because a relatively small expenditure in this field can bring such large returns. Two out of three schizophrenics—the largest category of the mentally ill—can be treated and released within 6 months; yet under conditions that prevail today the average stay for schizophrenia is 11 years. Use of modern techniques has made possible in 11 States the discharge of 7 out of 10 schizophrenia patients within 9 months of admittance; yet 45 percent of the inmates of institutions throughout the country have been hospitalized continuously for 10 years or more.

When we reflect that the incidence of mental illness is particularly severe in the early years of life, and that a significant proportion of the remaining victims

are among our most gifted and sensitive citizens, we should readily be able to reach agreement to delay no longer in the search for measures to speed the treatment of the mentally ill.

Such measures are contained in the bill before us. The principal section authorizes grants for the construction of comprehensive but flexible treatment centers where physicians, psychiatrists, and other medical specialists can use their varied talents to combat mental illness. Short-term project grants would also be available to cover the costs of building up an initial professional staff to participate in the care and treatment of mental patients. Such community centers, far from being mere quarantine devices to screen the mentally ill from the general public, would offer real hope of mobilizing existing knowledge to combat the illness and discharge the patient. Other sections of the bill provide for meeting the imperative need for improved quality of care in existing State mental institutions and for overcoming the desperate shortage of trained manpower in the field of mental health.

Mr. President, mental illness has no respect for income or social class. It can strike in rural regions as readily as in the city, in the poorest States as well as in the richest. Not one person appeared before the Labor and Public Welfare Committee to deny the necessity for Federal support of a new mental health program. I hope that my colleagues will join me in accepting this clear responsibility. I respectfully urge prompt passage of this measure.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question now is, Shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Indiana [Mr. HARTKE], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Indiana [Mr. HARTKE], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Georgia [Mr. TALMADGE] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], the Senator from Iowa [Mr. MILLER], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senator from Kentucky [Mr. COOPER], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], the Senator from Iowa [Mr. MILLER], and the Senator from Kentucky [Mr. MORTON] would each vote "yea."

The result was announced—yeas 72, nay 1, as follows:

[No. 98 Leg.]

YEAS—72

Aiken	Hickenlooper	Mundt
Anderson	Hill	Muskie
Bartlett	Holland	Nelson
Bayh	Hruska	Pearson
Bennett	Humphrey	Pell
Bible	Jackson	Prouty
Boggs	Javits	Proxmire
Brewster	Johnston	Randolph
Burdick	Jordan, N.C.	Ribicoff
Byrd, W. Va.	Jordan, Idaho	Russell
Cannon	Keating	Saltonstall
Carlson	Kefauver	Scott
Case	Kennedy	Simpson
Church	Lausche	Smathers
Cotton	Magnuson	Smith
Dirksen	Mansfield	Sparkman
Dominick	McClellan	Stennis
Edmondson	McGovern	Symington
Fulbright	McIntyre	Thurmond
Goldwater	McNamara	Williams, N.J.
Gore	Metcalf	Williams, Del.
Gruening	Monroney	Yarborough
Hart	Morse	Young, N. Dak.
Hayden	Moss	Young, Ohio

NAY—1

Curtis

NOT VOTING—27

Allott	Engle	McGee
Beall	Ervin	Mechem
Byrd, Va.	Fong	Miller
Clark	Hartke	Morton
Cooper	Inouye	Neuberger
Dodd	Kuchel	Pastore
Douglas	Long, Mo.	Robertson
Eastland	Long, La.	Talmadge
Ellender	McCarthy	Tower

So the bill (S. 1576) was passed.

Mr. HILL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HILL. Mr. President, I ask that the Senate bill, as passed, be printed.

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

Mr. HUMPHREY. Mr. President, the action taken today by the Senate in passing the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers is, in my opinion, one of the most important actions taken by any Congress in the history of our country.

This action and the bill itself are based upon the Mental Health Study Act of 1955, which directed the Joint Commission on Mental Illness and Health, under grants administered by the National Institute of Mental Health, to analyze and evaluate the needs and resources of the mentally ill people of America and to make recommendations for the national mental health program.

The report is available, and is based on the recommendations made to the administration under the authorship and sponsorship of the distinguished Senator from Alabama [Mr. HILL].

I ask unanimous consent that immediately prior to the vote on Senate bill 1576 there be printed in the RECORD a digest of the final report of the Joint Commission on Mental Illness and Health, established under the Mental Health Study Act of 1955.

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

ACTION FOR MENTAL HEALTH—DIGEST OF FINAL REPORT OF JOINT COMMISSION ON MENTAL ILLNESS AND HEALTH

The Mental Health Study Act of 1955 directed the Joint Commission on Mental Illness and Health, under grants administered by the National Institute of Mental Health, to analyze and evaluate the needs and resources of the mentally ill people of America and make recommendations for the national mental health program.

The purpose of this final report is to arrive at a program that would approach adequacy in meeting the needs of the mentally ill—to develop a plan of action, in other words, that would satisfy us that we are doing the best we can toward their recovery.

The latter is not at present the case. We have not been able to do our best for the mentally ill to date, nor have we been able to make it wholly clear what keeps us from doing so. Attempts to provide more humane care for the mentally ill and transform insane asylums into hospitals and clinics true to the healing purpose of medicine have occurred periodically during the last two centuries. While each reform appears to have gained sufficient ground to give its supporters some sense of progress, each has been rather quickly followed by backsliding, loss of professional momentum, and public indifference.

Even if we can find the road to a substantial reduction in the human and economic problems of mental illness, we are obliged to remain in full view of certain intervening observations that provide little cause for hope except as we can dispose of them. We must note, for instance, the curious blindness of the public as a whole and of psychiatry itself to what in reality would be required to fulfill the well publicized demand that millions of mentally ill shall have sufficient help in overcoming the disturbances that destroy their self-respect and social usefulness.

Further, we must rise above our self-preservative functions as members of different professions, social classes, and economic philosophies and illuminate the means of working together out of mutual respect for our fellow man. We each have a responsibility that is common to all—our responsibility as citizens of a democratic nation founded out of faith in the uniqueness, integrity and dignity of human life.

WHY HAS CARE OF THE MENTALLY ILL LAGGED?

The U.S. Congress, in the last 10 years, has given the American public a working demonstration of a new willingness to accept leadership and responsibility in active efforts to help citizens who are threatened by mental illness. The Federal Government's chief exemplifications of this demonstration may be found in the program of the National Institute of Mental Health and the Veterans' Administration. The good example has been followed in the efforts of State legislatures, Governors, and their public health, mental health, and public welfare agencies in many States.

It is tempting to congratulate ourselves on the gains scored—in increased amounts of money spent for mental health research, in the increases in mental health personnel, in the beneficial effects of the new drugs. But the demand for public mental health services is still largely unmet, despite the gains.

One of the most revealing findings of our mental health study is that comparatively few of 277 State hospitals—probably no more than 20 percent—have participated in innovations designed to make them therapeutic, as contrasted to custodial, institutions. Our information leads us to believe that more than half of the patients in most State hospitals receive no active treatment of any kind designed to improve their mental condition. This is the core problem and unfinished business of mental health. Eight of every ten mental hospital patients are in State institutions. These hospitals carry a daily load of more than 540,000 patients, and look after nearly a million in a year's time.

Commonly, a clearly defined, well established public demand and need for a particular health program is sufficient to stimulate aggressive public action toward its support and progressive steps to organize whatever high-quality facilities may be needed. Quick responsiveness in meeting the demand is not characteristic in the mental illness field, however.

Mental illness, commonly regarded as America's No. 1 health problem, ranked fourth in the categorical interests of the National Institutes of Health in 1950, as measured by dollars spent; by 1960, it had risen to second, behind cancer (see table 1). The gains of the voluntary campaign have not been commensurate, however. Voluntary mental health funds ranked eighth at the beginning and seventh at the end of the period, and were eighth in grand total, as shown in table 2.

Over a 10-year period, poliomyelitis had the greatest public appeal, followed by tuberculosis, cancer, heart disease, crippled children, cerebral palsy, muscular dystrophy, and mental health, in that order.

Despite the repeated snakepit exposés and the great amount of attention given to mental illness by the press, surveys have shown that mental illness has had a lower reader impact than has heart disease, cancer, or polio.

Despite the big push in recent years to do something about major mental illness, the average proportion of general State expenditures and of State health expenditures going for the care of mental hospital patients actually declined.

TABLE 1.—*Total appropriations of Congress for major activities of the National Institutes of Health, 1950–61*

[In millions of dollars]

Fiscal year	Cancer	Mental health	Heart	General	Arthritis [1]	Allergy [1]	Neurology [1]	Fiscal year	Cancer	Mental health	Heart	General	Arthritis [1]	Allergy [1]	Neurology [1]
1950	18.9	8.7	10.7	12.0				1957	48.4	35.1	33.4	12.1	15.9	13.2	18.7
1951	20.0	9.5	14.2	14.3				1958	56.4	39.2	35.9	14.0	20.3	17.4	21.3
1952	19.6	10.5	10.0	15.7				1959	75.3	52.4	45.6	29.0	31.2	24.0	29.4
1953	17.9	10.9	12.0	16.6				1960	91.2	68.1	62.2	46.0	46.9	34.0	41.4
1954	20.2	12.1	15.2	4.7	7.0	5.7	4.5	1961	111.0	100.9	86.9	83.9	61.2	44.0	56.6
1955	21.7	14.1	16.7	4.7	8.2	6.1	7.6								
1956	25.0	18.0	18.9	5.9	10.8	7.8	9.9	Total	555.6	379.5	361.7	258.9	201.5	152.2	189.4

[1] Arthritis, allergy and infectious diseases, neurology and blindness became separate categories in 1954.

Source: DHEW–PHS–NIH operating appropriations by activity, 1950 through 1961. From Office of the Director, NIMH.

TABLE 2.—*Total funds raised nationally in 10 leading voluntary health campaigns, 1950–59* [1]

[In millions of dollars

	Polio	Tuberculosis	Cancer	Heart	Crippled children	Cerebral palsy	Muscular dystrophy	Mental health [2]	Arthritis	Multiple sclerosis
1950	30.8	21.0	13.9	4.1	5.8	1.0	[3]	[4]	0.7	0.18
1951	33.5	21.7	14.6	5.5	6.1	2.1	[3]	0.7	1.0	.19
1952	41.4	23.2	16.4	6.7	6.7	4.0	0.26	.6	1.0	.25
1953	51.4	23.8	19.8	8.5	7.7	6.4	.6	[5] .7	1.4	.45
1954	65.0	24.0	21.7	11.3	8.1	8.2	4.0	[5] 1.7	1.5	.8
1955	52.5	24.6	24.4	13.6	8.5	7.5	3.9	2.4	1.8	1.3
1956	51.9	25.8	27.2	17.5	9.8	8.1	3.0	2.6	2.2	2.0
1957	44.0	26.3	29.6	20.5	10.3	8.4	3.7	3.8	2.4	2.3
1958	35.4	26.0	29.7	22.3	10.4	9.2	4.9	4.5	3.0	2.5
1959	[6] 31.3	26.0	[6] 31.0	24.0	10.3	9.5	4.6	[6] 5.5	3.6	[7]
Total	437.2	242.4	228.3	134.0	83.7	64.4	24.96	22.5	18.6	9.97

[1] "Rough" figures supplied by National Information Bureau for (1) National Foundation, (2) National Tuberculosis Association, (3) American Cancer Society, (4) American Heart Association, (5) National Association for Crippled Children and Adults, (6) United Cerebral Palsy Association, (7) Muscular Dystrophy Association of America, (8) National Association for Mental Health, (9) Arthritis and Rheumatism Foundation, (10) National Multiple Sclerosis Society.

[2] Figures for 1951 and 1952 from National Information Bureau, for 1953–1959 from National Association for Mental Health.

[3] No campaign.
[4] Not available, due to merger.
[5] Approximate.
[6] Estimate.
[7] Not available.

TABLE 3.—*Movement of patient population in public mental hospitals, United States, 1956–59*

Item	1956	1957	1958	1959	Percent change		
					1956–57	1957–58	1958–59
All admissions	185,597	194,497	209,503	223,225	4.8	7.7	6.5
First admissions	125,539	129,278	137,061	142,881	3.0	6.0	4.2
Readmissions	60,058	65,219	72,442	80,344	8.6	11.1	10.9
Discharges	133,208	145,116	161,972	175,727	8.9	11.6	8.4
Deaths in hospitals	48,236	46,848	51,294	49,640	−2.9	9.5	−3.2
Resident patients at end of year	551,390	548,626	544,863	542,721	−.5	−.7	−.4
Personnel employed full time at end of year	153,715	162,753	169,438	174,218	5.9	4.1	2.8
Maintenance expenditures:							
Total	$663,280,934	$731,875,462	$805,861,786	$854,354,503	10.3	10.1	6.0
Per patient	$1,194.88	$1,332.31	$1,475.26	$1,577.54	11.5	10.7	6.9

The quality of care given these patients may be judged from the fact that State hospitals spend an average of $4.44 per patient per day compared to $31.16 for community general hospitals and $12 or more per patient day both for tuberculosis and Veterans' Administration psychiatric hospitals. Likewise, State hospitals have the lowest ratio of hospital personnel to patients, 0.32 per patient as compared to 2.1 in community general hospitals.

For the last 4 years, there has been a net decrease in the number of patients living in State hospitals (see table 3). This trend primarily reflected the benefits of tranquilizing drugs, the drugs making it possible to increase the number of patients who can be released from the hospital. However, since the number of patients admitted to these hospitals has continued to climb, the net decrease in the hospitals' population cannot be said to represent a reduction in the mental illness problem. What has occurred is an increase in the turnover and a shift in the whereabouts of mental patients. More are being maintained at home or treated elsewhere.

There are two ways to measure progress: from the standpoint of how far we have come, or from the standpoint of how far we yet have to go. By the first measure, we have made progress. By the second measure, we have little cause for self-congratulation and no cause for relaxation of efforts.

The first and pivotal question in appraising where we now stand and next should go is this: Why have our efforts to provide effective treatment for the mentally ill lagged behind our objectives, behind public demand, and behind attacks on other major health problems?

WITH PROPER TREATMENT, THE SCHIZOPHRENIC PATIENT HAS THREE-IN-FIVE CHANCE OF LEADING A USEFUL LIFE IN THE COMMUNITY

We began with the statement that we have not done as well as we know how for the major mentally ill, in terms of humane and healing care. This is to say that if all or most had the benefit of modern treatment, more patients would recover or show improvement. Palpably, if this assumption is untrue then we have no immediate incentive for greater efforts to reduce lag and accelerate progress.

Actually, the typical patient with schizophrenia or other functional psychosis (so called because no organic cause is known) has a much better outlook than do patients with some of the better known chronic degenerative diseases, such as cancer of the lung or stomach.

Treatment of mental illness stands on two rational pedestals, one social and one medical: humanitarianism and science.

Modern methods of treatment of major mental illness seek to systematize and capitalize on a historic trend away from punishment and toward moral treatment, based on humane consideration for the patient as an individual and member of society. No longer does progressive psychiatry hold with the early dictum that "terror acts powerfully on the body through the medium of the mind, and should be employed in the cure of madness." We do still see residual manifestations of this latter approach in shock treatments.

To moral treatment has been added both psychotherapeutic and sociological insight into how patients may be treated either individually or in groups to bring about solutions of their problems of living with themselves and with others. To psychotherapy and social therapy (the therapeutic community) have been added the tranquilizing drugs, which may be described as "moral treatment in pill form." These drugs quiet the patient and make him more agreeable and easier to work with. In summary of what we know about the treatment of the major mental illnesses which fill our public mental hospitals, we may say:

1. The persistent attitude that schizophrenia is a hopeless, incurable disease requiring the patient to be removed from human society for the rest of his life is baseless.

2. The idea that the patient is totally insane is likewise without foundation. Medical psychology has consistently observed and generally accepts the fact that functional psychosis involves only certain of the components of the personality. The patient is sick in some ways and healthy in others. Rational treatment directs itself toward salvaging the healthy and reducing the sick parts of the mind.

3. Human beings regard loss of liberty, forcible detention, removal from the community, and imprisonment as punishment for wrongdoing; the mentally ill are no exception. It is generally agreed that the typical locked-ward State hospital, centering its interest on the physical rather than the mental welfare of the patient, increases the patient's disability by reinforcing rather than counteracting public pressure to reject the patient from the community. As the pioneer reformer, Clifford Beers, said, "Madmen are too often manmade." The open hospital, with unlocked wards, is one antidote to this disabling process. Another is treatment in mental health clinics of patients not actually requiring hospitalization. Many of the patients in State hospitals do not need to be there.

4. The insistent professional preoccupation with cures presents a blind alley. The present state of our scientific knowledge does not permit psychiatry as yet to formulate exact tests of cure. The outlook for the schizophrenic, the main source of the long-term accumulation of patients in State hospitals, is not poor but good under optimum treatment conditions. He has a one-in-five chance of spontaneous recovery without systematic treatment. Through proper treatment, he has at least a three-in-five and perhaps as much as four-in-five chance of improving sufficiently to lead a useful life in his community.

MANY PEOPLE—INCLUDING PHYSICIANS—FIND IT HARD TO RECOGNIZE PSYCHOLOGICAL ILLNESS AS ILLNESS

The way society handles its mentally ill has been the subject of scandalized attack many times. But, as already implied, repeated exposure of the shameful, dehumanized condition of the mentally sick people who populate the back wards of State hospitals does not arouse the public to seek sweeping humanitarian reforms, let alone stimulate widespread application of modern methods of treatment. Presumably, if we can answer why there has not been a strong public response (as there has been, for example, in the campaigns against tuberculosis, cancer, and heart disease) we then can determine why effective treatment for the mentally ill has lagged.

The answer, according to our analysis in the following pages, is that the mentally ill are singularly lacking in appeal. They tend to disturb or offend other people and, when they do, people generally treat them as disturbers and offenders and, of course, as if they were responsible for their behavior. In contrast, it has been the special view of the mental health professions that people should understand and accept the mentally ill and do something about their plight.

The public has not been greatly moved by this protest. People do feel sorry for the mentally ill, but, in the balance, they do not feel as sorry as they do relieved to have out of the way, persons whose behavior disturbs and offends them. Patients with major mental illness come to be viewed as "impossible people" and mental institutions as places where they are sent when their families and communities "no longer can stand them."

The fact that society tends to reject the mentally ill is, of course, well known; little significance seems to have been attached to it, however. The full reach of the rejection mechanism is little recognized and even denied by some who have learned to overcome it in their own professional relations with persons suffering mental disturbances or disorders.

We can name a number of processes, all of which add up to, or reinforce, the fact that the mentally ill repel more than they appeal. One characteristic of a psychotic is that he becomes a stranger among his own people. Since antiquity mankind has been prone to feel hostility toward the stranger, and this applies equally to any person who behaves strangely. A social system depends on order, and order depends on predictability in the behavior of one's fellows.

Normal persons for the most part want to do what they have to do to get along. The typical psychotic does not. In consequence, society conventionally closes ranks against him. Identified major mental illness carries a stigma that cuts the bonds of human fellowship.

Many other diseases—tuberculosis, syphilis, cancer, for example—have at times stigmatized their victims. But the stigma of a disease recognized to be physical and lethal tends to disappear, or be offset, as it becomes better understood and publicly attacked. The reason, as we analyze it, is not that science has found causes and cures—the causes and cures of cancer and the leading forms of heart disease are still the subject of an intensive search.

Rather, the physically sick person fits society's deep-seated conception of a sick person. Feeling helpless, he turns to others for help and, receiving help, is responsive to it. He evokes sympathy. Commonly, the acutely ill psychotic does not appear to want help or accept help but, quite the reverse, thinks he is not sick and may interpret help as harm. He repels sympathy. He is mad.

This lack of appeal has many dimensions. The rise of State hospitals and their persistence, despite all efforts to reform them, is the most outstanding example. Mental health authorities are in general agreement that society uses these huge institutions as dumping grounds for social rejects, rather than as true hospitals.

A rejection effect may also be detected in the rise of the mental hygiene movement. Its founder, Clifford Beers, as his book "A Mind That Found Itself" clearly reveals, intended the movement to be primarily one of stopping brutal treatment of the mentally ill and converting mental hospitals into humane, healing institutions. It did not become so. Attention became focused on mentally healthy living rather than help for the sick.

The mentally ill's lack of appeal as a public cause has been reflected in a lack of strong leadership and strong organization in the voluntary mental health movement, some State organizations excepted. An organization can hardly develop and mature, as a matter of fact, if followers or members cannot be persuaded in sufficient numbers to identify with the cause at hand. It has been observed that the mentally ill are inherently handicapped in any effort to form a strong public pressure group. Lacking in a reasonable capacity to get along with other people, they find organization behind a leader to be difficult, if not impossible. The friends or relatives are equally immobilized through an aversion to identifying themselves with the mentally ill.

Several studies of public attitudes have shown a major lack of recognition of mental

illness as illness, and a predominant tendency toward rejection of both the mental patient and those who treat him. There is a general agreement on these points in contrast to the lack of confirmation often characterizing parallel studies in the mental health field. (It is encouraging to note, however, that these negative attitudes are less among younger and better educated persons than the older and less educated groups.)

The circle of negligence and indifference becomes complete when we recognize that many members of learned professions are likewise prone to turn their back on the core problem of major mental illness.

General practitioners as well as other members of the medical profession have been found in a majority of instances to be both uninformed and unsympathetic when they are confronted with mental illness. The same observation applies, oddly enough, to many psychiatrists in private practice when we narrow discussion to the core problem of severe mental illness. The main concern of the popular psychoanalyst is with neurosis rather than psychosis; this is also true of other types of psychiatrists in private practice. Their major focus is on minor and more easily treatable forms of mental illness. Even mental hospital superintendents themselves, it has been noted, may share the public's stigmatizing attitudes toward mental patients.

In summary, we need to become conscious, at the action level, of two points if we are to overcome the lag in the care of the mentally ill: (1) People find it difficult to think about and recognize psychological illness as illness, or to see sickness as having psychological forms. (2) The major mentally ill as a class lack in appeal, which is to say that they are overburdened with liabilities as persons and as patients.

To explain the first point: Man is prima facie an outward-looking, tool-operating, thing-oriented creature, the man of science not excepted. We use our unique human intelligence principally to think about picturable, tangible, concrete, measurable, recordable things. Recent anthropological and neurological evidence indicates that tools were used by prehistoric apes in the absence of a human brain, and that continued use of tools may have conditioned the way in which the human brain evolved. Also, the interpretation is borne out by the more rapid advancement of the physical and mathematical than of the behavioral and social sciences, and by the fact that the most crucial questions facing mankind today involve psychological and social conduct. In any event, education of the average man appears to favor greater understanding of matter than of mind. Most of us are in this way psychologically handicapped persons, mentally blind to our physical bias.

To elaborate the second point: It is not so much his symptoms themselves that bring the psychotic patient into a mental hospital—many people in the general population have equally strange symptoms—but that his behavior reaches a point where people no longer can stand it. Violence is more the exception than the rule, popular misconceptions to the contrary. It is basically that normal people are disturbed by the patient's refusing to comply with expectations of time and place. Challenged by the problem, the psychiatrist in the hospital nonetheless may find the patient uncooperative—too wearing, too trying, too tiring. Thus the most conscientious and devoted doctor may be forced to turn his back on the patient, completing the circle of rejection.

It should now be clear that one way around the impasse of public and professional attitudes that we appear to have erected would be to emphasize that persons with major mental illness are in certain ways different from the ordinary sick. With such an understanding and agreement, it might then be possible to proceed in the light of fuller reason to adopt more helpful attitudes.

THE MENTALLY ILL USUALLY BEHAVE IRRESPONSIBLY; SOCIETY USUALLY BEHAVES TOWARD THEM THE SAME WAY

It is commonly stated that 1 in 10 is mentally ill or psychologically disturbed. When this estimate is limited to those with severe disorders that are socially disruptive or individually incapacitating, the ratio is perhaps 1 in 100. Society has organized itself and its handling of the 1 in 100 out of primary concern for the 99 who do not disturb their fellow men sufficiently to acquire the mental patient label. This does not mean, however, that we would long hesitate in modifying the system of exiling and thereafter dehumanizing patients whose illness makes them socially unacceptable if we could be shown that a more desirable alternative is available.

The current trend, among more progressive mental health professionals and interested laymen, is to recognize and to pursue alternatives—to demonstrate that negative public attitudes are not insurmountable roadblocks; to show that it is possible to develop and practice friendly and accepting attitudes toward the mentally ill; to show that it is possible to work with them, to treat them as human beings, and get good results. For example, during the last 6 years more than 1,000 volunteer students from Harvard and Radcliffe colleges and Brandeis University have worked regularly with chronic psychotics at Metropolitan State Hospital in Waltham, Mass. They have been active in ward improvement projects and as case aids—without harm to themselves or the patients. On the contrary, there has been a mutual benefit, in the notable improvement of patients and higher motivation of students, some of whom have chosen mental health as their career work. Many other examples of lay volunteers who work with mental patients could be cited.

It is a characteristic of the mentally ill that they behave in an irresponsible manner; it is a characteristic of society that we behave toward them in the same manner. The findings of the various projects undertaken as part of the joint commission's mental health study bear out our belief that this circle of rejection can be broken. Indeed, there are many signs that the process is well under way.

In all categories of service—hospitals, clinics, community agencies, schools, for example—we found a tremendous demand for authoritative information about mental illnesses and for access to available services. Waiting lists are the rule. It is a demand that we have not begun to meet. Only in the meeting of it will we have the opportunity for large-scale demonstration that public attitudes can be improved and mentally troubled persons can be helped.

In our nationwide survey of the American people's views of their own mental health, one in four adults disclosed he at some time had had a psychological problem in which professional help would have been useful. One out of seven actually sought help—mainly for problems involving marriage, personal adjustment, or children. Forty-two percent of those who sought help turned to their clergymen, 29 percent to physicians in general, 18 percent to psychiatrists and psychologists, and 10 perecnt to social agencies and marriage clinics.

More than half of these troubled persons were sure that they had been helped—more in problems they saw as physical or external to them than as psychological or within themselves. But more were helped in making personal adjustments than in solving marital troubles.

The foregoing study together with our studies of community services, churches, and schools indicated the following: While the younger generation and better educated persons have greater recognition of the psychological nature of many of their problems and therefore see the need to deal with them psychologically, the demand for such services is not being met. Indeed, mental health facilities and skills are inadequate wherever one looks, whether to mental or general hospitals, clinics, counseling services, clergymen, family doctors, special rehabilitation services, or elsewhere.

Much information has been disseminated. Many meetings have been held. But the shortage of trained mental health personnel works totally against the purposes of mental health education. Increased mental health education only serves to tax already inadequate mental health services.

The Joint Commission made an intensive study of the demand for and supply of mental health professional manpower—particularly psychiatrists, psychologists, psychiatric nurses, and psychiatric social workers. This study made forcibly clear that the great shortages of manpower in these categories is inextricably related to the shortage of professional manpower in general—teachers, lawyers, physicians, scientists, technologists. And the professional manpower shortage is related to defects in our system of public school and college education. Most importantly, a large part of the Nation's potential brainpower is being lost between high school and college. In fact, only about one-tenth of American youth become college graduates; only one-third of those of outstanding intelligence in high school go on to finish college.

It is of special interest to a national mental health study, we may say in passing, that our culture does not manifest a great respect for the mind. Our minds, the findings indicate, seem to be of small moment to us, whether normal or sick. The critical problem is one of intellectual motivation. What examples do we set? What new challenges do we offer? What spiritual rewards do we offer? What degree of economic security do we provide?

Our manpower study concluded, with frank pessimism, that sufficient professional personnel to eliminate the glaring deficiencies in our care of mental patients will never become available if the present population trend continues without a commensurate increase in the recruitment and training of mental health manpower. The only possibilities for changing this negative outlook for hundreds of thousands of mental hospital patients would require a great change in our social attitudes, and a consequent massive national effort in all areas of education, including large increases in the number of persons engaged in mental health work, or a sharp breakthrough in mental health research.

A SOUND RESEARCH ATTACK ON MENTAL ILLNESS MUST BE MOUNTED ON A LONG-TERM BASE

The demand for professional services for the custody and continuous care of patients with schizophrenia or cerebral arteriosclerosis could be greatly reduced by a major breakthrough in the prevention or treatment of either of these conditions with a biochemical or other technic that could be administered to large numbers by a single therapist. Together, these patients fill the great majority of mental hospital beds.

But even with maximum research support, we cannot count on increased purchasing power in the science market to produce the desired result within a given time. A characteristic of scientific research is that it ultimately produces results of potential benefit to us all, but we cannot predict when the result will come or even that it will be the one we are looking for. There was a lag of 40 years between the time Karl Landsteiner discovered the cause of poliomyelitis and when John Enders' group accomplished the tissue-culture breakthrough that made production of a polio vaccine possible. Sir Alexander Fleming was not looking for a penicillin

when he observed its effects, and yet the antibiotics have made more difference in the control of infectious diseases than any other drug in medical history. It was research in anesthesia and motion sickness rather than mental health that brought us the tranquilizing drugs.

Our purpose here is not to be defeatist; only realistic. The enormous task of taking care of mental patients is matched by the enormous research lag in the study of human behavior. Only by making the research possible can we hope to overcome the lag. What we mean is that our total national investment in mental health research—in time, money, men and research and training facilities—simply does not measure up to the need for useful and reliable knowledge that could form the foundation of future progress.

The mental health sciences address themselves to the alleviation of a complex of biological, psychological, and sociological problems that have plagued man through his history; mental health scientists face this task with an incredibly small fund of knowledge about causes and cures. It is a field where much-qualified guesses abound and general agreement is difficult to obtain.

A sound research attack on problems of mental illness and mental health can be mounted on no other base than a long-term one. The prospect of a crash program and a quick breakthrough is not realistic in the absence of a vast increase in basic knowledge. We have the examples in other fields, such as cancer and heart disease, where intensified research has been going on for some years in response to an earlier public focus of effort to solve these health problems. Hopes have been high and have remained so. Yet even in these areas the quick fulfillment of grand objectives is not yet at hand.

We can again illustrate our point via the major advance represented by introduction of the tranquilizing drugs, now used in the treatment of probably one-third of all mental hospital patients. Although these drugs quiet the patients, inspire hopefulness, and make mental hospital employment more interesting and attractive, they do not relieve but rather increase the need for professional experience and skills. The effects of the drugs must be closely watched and evaluated, for they are not without harm. At the same time, they make many more patients accessible to psychotherapy, rehabilitation, and discharge from the hospital. Such drugs actually increase the need for trained therapists and helping personnel.

In making a statement of the aims and strategy for a more eff ctive research effort in the mental health field, certain characteristics of the research enterprise must be taken into account.

One characteristic is the great diversity of persons, sciences, methods and goals involved in mental health research.

Another characteristic is the sharp cleavage in attitudes about basic and applied research: Basic research is defined as any scientific inquiry for the purpose of discovering and generalizing truths about the essence of nature, including man; applied research here refers to studies directed primarily toward the practical problems of preventing mental illness or treating mental patients. This cleavage leads to a neglect of basic research as impractical or unpromising, and to the false assumption that basic research should be done in universities; applied research, in hospitals.

Efforts should be made to increase communication between researchers and practitioners. Their differing interests and training at present lead them in opposing directions. One result is poorly designed or "sloppy" clinical research. Actually, research is a service to practitioners as well as to the patients served.

Our study shows that the mental health research output is concentrated in a relatively small number of major universities and their medical centers. Smaller colleges and State mental hospitals account for an extremely small portion of the total research effort. There should be support for flexible and experimental programs of stimulating research in many different areas and settings.

The mental health sciences are preponderantly dependent on the Federal Government for their financial support, and becoming more so. The greatest single source is the National Institute of Mental Health. The Federal percentage of total support for mental health research in 1958 was 57 percent; the State percentage was 20 percent. The pharmaceutical foundations supplied 17 percent; private foundations and other sources, less than 6 percent. In 1959 and again in 1960, Congress sharply increased its NIMH appropriations.

The above figures adequately demonstrate that Federal Government policies determine the shape, size, direction and soundness of the overall effort in mental health research. Current policy, emphasizing annual grants for specific projects by individual investigators, favors short-term research and applied research, as opposed to the long-term, more fundamental approach needed.

The present effectiveness of our mental health service is seriously limited by large gaps in our scientific knowledge about the fundamentals of mental illness and mental health. Our research recommendations therefore will concern themselves with the particular kinds of support needed to fill the gaps as fast as possible.

SCIENCE AND EDUCATION ARE RESOURCES THAT MUST HAVE ADEQUATE SUPPORT FROM HUMAN SOCIETY, WHETHER PUBLIC OR PRIVATE

The philosophy the Federal Government needs to develop and crystallize is that science and education are resources—like natural resources. They can meet an ends test but not a means test or a time schedule. Science and education operate not for profit but profit everybody; hence, they must have adequate support from human society, whether public or private. The following recommendations are designed to help achieve this:

Recommendations

1. A much larger proportion of total funds for mental health research should be invested in basic research as contrasted with applied research. Only through a large investment in basic research can we hope ultimately to specify the causes and characteristics sufficiently so that we can predict and therefore prevent or cure various forms of mental illness or disordered behavior.

2. Congress and the State legislatures should increasingly favor long-term research in mental health and mental illness as contrasted with short-term projects.

3. Increased emphasis should be placed on, and greater allocations of money be made for, venture, or risk, capital both in the support of persons and of ideas in the mental health research area.

4. The National Institute of Mental Health should make new efforts to invest in, provide for, and hold the young scientist in his career choice. This recommendation would require that more full-time positions be supported for 10-year periods as well as some on the basis of lifetime appointments.

5. Support of program research in established scientific and educational institutions, as initiated by the National Institutes of Health, should be continued and considerably expanded in the field of mental health.

6. The Federal Government should support the establishment of mental health research centers, or research institutes operated in collaboration with educational institutions and training centers, or independently.

7. Some reasonable portion of total mental health research support should be designated as capital investment in building up facilities for research in States or regions where scientific institutions are lacking or less well developed.

8. Diversification should be recognized as the guiding principle in the distribution of Federal research project, program, or institute grants from the standpoint of categories of interest, subject matter of research, and branches of science involved.

THE LAG IN TREATING THE MENTALLY ILL IS REFLECTED IN THE CONTINUED EXISTENCE OF CUSTODIAL CARE HOSPITALS

The patient care portion of our study centers on new patterns in the treatment of the mentally ill in the community and in institutions. These patterns, which together comprise the current trend in care of the mentally ill, involve—

Providing immediate help for the emotionally disturbed.

Extending the care of mental patients into the community via clinics and other agencies.

A broader conception of what constitutes treatment.

Individualizing of patient care in mental hospitals.

The breaking down of barriers between the hospital and the community—in effect, the open hospital movement.

The development of a therapeutic milieu in mental hospitals—social treatment.

Development of aftercare programs concerned with adequately supporting the patient so he can remain in the community or return there.

The practitioners who are developing new treatment programs believe in them and hope that they will result in better care and more effective treatment. The one constant in each new method appears to be the enthusiasm of its proponents, and most probably such enthusiasm transmits itself to patients in beneficial ways.

The salient characteristic of the best available treatment of psychotics, as we now understand it, is that some kind of relationship—psychological or social—takes place between the patient and the helping person. This relationship can be formed by informed laymen working individually or in groups under the guidance of psychiatrists, clinical psychologists, or psychiatric social workers, as well as by these and other classes of mental health workers—for example, nurses, attendants and occupational and recreational therapists.

But programs reflecting newer concepts of treatment are relatively rare and unevenly distributed, with the large majority of State hospitals remaining custodial and punitive in their approach. The thesis of "action for mental health," that the lag in the treatment of the mentally ill reflects a fundamental pattern of social rejection, is nowhere better evidenced than by the continued existence of these "hospitals" that seem to have no defenders but endure despite all attacks.

To achieve better care of patients, the mental hospital needs to be integrated into the community. This means keeping the hospital and its staff in closer touch with all the community's public and private service agencies. It means an end to the hospital's isolation from the community; in isolation, the backward, custodial system may thrive, whereas in the mainstream of community activity, a hospital's shortcomings may come to attention.

The State hospital must cease to be treated as a target for political exploitation. Patronage must end. These hospitals and their logical community extensions—clinics and after-care programs—must be manned in all cases by properly motivated career workers and not by hacks, professional or lay. These workers need to be well trained and well paid; they need the opportunity to do a good

job and hence to demonstrate to the public what they can do.

The newer programs do nothing to solve the manpower problem, although they indicate the direction in which a solution may lie. This brings us to recommendations for improved care of the mentally ill.

A NATIONAL MENTAL HEALTH PROGRAM SHOULD AVOID THE RISK OF FALSE PROMISE IN PUBLIC EDUCATION

Recommendations

1. Policy

In the absence of more specific and definitive scientific evidence of the causes of mental illnesses, psychiatry and the allied mental health professions should adopt and practice a broad, liberal philosophy of what constitutes and who can do treatment within the framework of their hospitals, clinics, and other professional service agencies, particularly in relation to persons with psychoses or severe personality or character disorders that incapacitate them for work, family life, and everyday activity. All mental health professions should recognize:

A. That certain kinds of medical, psychiatric, and neurological examinations and treatments must be carried out by or under the immediate direction of psychiatrists, neurologists or other physicians specially trained for these procedures.

B. That psychoanalysis and allied forms of deeply searching and probing "depth psychotherapy" must be practiced only by those with special training, experience, and competence in handling these technics without harm to the patient (namely, by physician trained in psychoanalysis or intensive psychotherapy plus those psychologists or other professional persons who lack a medical education but have an aptitude for, adequate training in, and demonstrable competence in such technics of psychotherapy).

C. That nonmedical mental health workers with aptitude, sound training, practical experience, and demonstrable competence should be permitted to do general, short-term psychotherapy—namely, the treating of persons by objective, permissive, nondirective technics of listening to their troubles and helping them resolve these troubles in an individually insightful and socially useful way. Such therapy, combining some elements of psychiatric treatment, of client counseling, of "someone to tell one's troubles to," and of love for one's fellow man, obviously can be carried out in a variety of settings by institutions, groups and by individuals, but in all cases should be pursued under the auspices of recognized mental health agencies.

2. Recruitment and Training

The mental health professions need to launch a national manpower recruitment and training program, expanding on and extending present efforts and seeking to stimulate the interest of American youth in mental health work as a career. This program should include all categories of mental health personnel. This program should emphasize not only professional training but also short courses and on-the-job training in the subprofessions and upgrading for partially trained persons.

3. Services to Mentally Troubled People

Persons who are emotionally disturbed—that is to say, under psychological stress that they cannot tolerate—should have skilled attention and helpful counseling available to them in their community if the development of more serious mental breakdowns is to be prevented. This is known as secondary prevention, and is concerned with the detection of beginning signs and symptoms of mental illness and their relief; in other words, the earliest possible treatment. In the absence of fully trained psychiatrists, clinical psychologists, psychiatric social workers, and psychiatric nurses, such counseling should be done by persons with some psychological orientation and mental health training and access to expert consultation as needed.

4. Immediate Care of Acutely Disturbed Mental Patients

Immediate professional attention should be provided in the community for persons at the onset of acutely disturbed, socially disruptive, and sometimes personally catastrophic behavior—that is, for persons suffering a major breakdown. The few pilot programs for immediate, or emergency, psychiatric care now in existence should be expanded and extended as rapidly as personnel becomes available.

5. Intensive Treatment of Acutely Ill Mental Patients

A national mental health program should recognize that major mental illness is the core problem and unfinished business of the mental health movement, and that among those with severe mental illnesses the intensive treatment of those with critical and prolonged breakdowns should have first call on fully trained members of the mental health professions. There is a need for expanding treatment of the acutely ill mental patient in all directions, via community mental health clinics, general hospitals, and mental hospitals, as rapidly as psychiatrists, clinical psychologists, psychiatric nurses, psychiatric social workers, and occupational, physical, and other nonmedical therapists become available in the community.

A. Community mental health clinics

Community mental health clinics serving both children and adults, operated as outpatient departments of general or mental hospitals, as part of State or regional systems for mental patient care, or as independent agencies, are a main line of defense in reducing the need of many persons with major mental illness for prolonged or repeated hospitalization. Therefore, a national mental health program should set as an objective one fully staffed full-time mental health clinic available to each 50,000 of population. Greater efforts should be made to induce more psychiatrists in private practice to devote a substantial part of their working hours to community clinic services, both as consultants and as therapists.

B. General hospital psychiatric units

No community general hospital should be regarded as rendering a complete service unless it accepts mental patients for short-term hospitalization and therefore provides a psychiatric unit or psychiatric beds. Every community general hospital of 100 or more beds should make this provision. A hospital with such facilities should be regarded as an integral part of a total system of mental patient services in its region.

It is the consensus of the mental health study that definitive care for patients with major mental illness should be given if possible, or for as long as possible, in a psychiatric unit of a general hospital and then, on a longer term basis, in a specialized mental hospital organized as an intensive psychiatric treatment center.

C. Intensive psychiatric treatment centers

Smaller State hospitals, of 1,000 beds or less and suitably located for regional service, should be converted as rapidly as possible into intensive treatment centers for patients with major mental illness in the acute stages or with a good prospect for improvement or recovery if the illness is more prolonged. All new State hospital construction should be devoted to these smaller intensive treatment centers.

6. Care of Chronic Mental Patients

No further State hospitals of more than 1,000 beds should be built, and not 1 patient should be added to any existing mental hospital already housing 1,000 or more patients. It is recommended that all existing State hospitals of more than 1,000 beds be gradually and progressively converted into centers for the long-term combined care of persons with chronic diseases, including mental illness. This conversion should be completed in the next 10 years.

Special technics are available for the care of the chronically ill and these technics of socialization, relearning, group living, and gradual rehabilitation or social improvement should be expanded and extended to more people, including the aged who are sick and in need of care, through conversion of State mental hospitals into combined chronic disease centers.

It would be necessary to provide the intensive treatment services for the acutely ill, outlined in the preceding section, before large State hospitals could be converted to chronic diseases. It also would be necessary to make certain changes in Federal and State laws.

7. Aftercare, Intermediate Care, and Rehabilitation Services

The objective of modern treatment of persons with major mental illness is to enable the patient to maintain himself in the community in a normal manner. To do so, it is necessary (1) to save the patient from the debilitating effects of institutionalization as much as possible, (2) if the patient requires hospitalization, to return him to home and community life as soon as possible, and (3) thereafter maintain him in the community as long as possible. Therefore, aftercare and rehabilitation are essential parts of all service to mental patients, and the various methods of achieving rehabilitation should be integrated in all forms of services, among them: day hospitals, night hospitals, aftercare clinics, public health nursing services, foster family care, convalescent nursing homes, rehabilitation centers, work services, and ex-patient groups. We recommend that demonstration programs for day and night hospitals and the more flexible use of mental hospital facilities, both in the treatment of the acute and the chronic patient, be encouraged and augmented through institutional, program, and project grants.

Public information on mental illness

A national mental health program should avoid the risk of false promise in public education for better mental health and focus on the more modest goal of disseminating such information about mental illness as the public needs and wants in order to recognize psychological forms of sickness and to arrive at an informed opinion in its responsibility toward the mentally ill.

It is possible to make certain general recommendations about dissemination of information concerning mental illness aimed at (1) greater public understanding of the mentally ill person and those who care for him, (2) the avoiding of misundertanding in the relations of one professional group with another, and (3) the importance of making sure, in the relations of the mental health professions with the lay public, that others understand what we are driving at.

An important point has been missed in overinsistence that the public recognize that mentally ill persons are sick, the same as if they were physically sick, and should be treated no differently from other sick persons. Mental illness is different from physical illness in the one fundamental aspect that it tends to disturb and repel others rather than evoke their sympathy and desire to help.

A sharper focus in a national program against mental illness might be achieved if the information publicly disseminated capitalized on the aspect in which mental dif-

fers from physical illness. Such information should have at least four general objectives:

1. To overcome the general difficulty in thinking and recognizing mental illness as such—that is, a disorder with psychological as well as physiological, emotional as well as organic, social as well as individual causes and effects.

2. To overcome society's many-sided pattern of rejecting the mentally ill, by making it clear that the major mentally ill are singularly lacking in appeal, why this is so, and the need consciously to solve the rejection problem.

3. To make clear what mental illness is like as it occurs in its various forms and is seen in daily life and what the average person's reactions to it are like, as well as to elucidate means of coping with it in casual or in close contact. As an example, the popular stereotype of the "raving maniac" or "beserk madman" as the only kind of person who goes to mental hospitals needs to be dispelled. We have not made it clear to date that such persons (who are wild and out of control) exist, but in a somewhat similar proportion as airplanes that crash in relation to airplanes that land safely.

4. To overcome the pervasive defeatism that stands in the way of effective treatment. While no attempt should be made to gloss over gaps in knowledge of diagnosis and treatment, the fallacies of "total insanity," "hopelessness" and "incurability" should be attacked, and the prospects of recovery or improvement through modern concepts of treatment and rehabilitation emphasized. One aspect of the problem is that hospitalization taking the form of ostracization, incarceration, or punishment increases rather than decreases disability.

Attention is also needed to the manner in which professional persons and groups approach the public, since winning friends and support for care of the mentally ill depends first and foremost on not giving cause for offense. We recommend that the American Psychiatric Association make special efforts to explore, understand and transmit to its members an accurate perception of the public's image of the psychiatrist. Such efforts could pay a great dividend in "education of the public" if the profession were to be educated, perhaps as a part of its formal training, against overvaluing, over-reaching, and overselling itself.

The primary responsibility for preparation of mental health information for dissemination to laymen should rest with laymen who are experts in public education and mass communications and who will work in consultation with mental health experts. But the mental health expert and the educator or mass communications expert have the primary problem of fully communicating with one another before communicating with the public. Too often the basis for discussions among mental health professionals and laymen is the easy assumption on both sides that the other fellow doesn't understand the problem or know what he is talking about.

As a matter of policy, the mental health professions can now assume that the public knows the magnitude if not the nature of the mental illness problem and psychiatry's primary responsibility for care of mental patients. Henceforth the psychiatrist and his teammates should seek ways of sharing this responsibility with others and correcting deficiencies and inadequacies without feeling the need to be overbearing, defensive, seclusive, or evasive. A first principle of honest public relations bears repeating: To win public confidence, first confide in the public.

HOW CAN WE MAKE STATE HOSPITALS IN FACT WHAT THEY NOW ARE IN NAME ONLY—HOSPITALS FOR MENTAL PATIENTS?

Federal, State and local expenditures for public mental patient services should be doubled in the next 5 years—and tripled in the next 10.

Only by this magnitude of expenditure can typical State hospitals be made in fact what they are now in name only—hospitals for mental patients. Only by this magnitude of expenditure can outpatient and former-patient programs be sufficiently extended outside the mental hospital, into the community. It is self-evident that the States for the most part have defaulted on adequate treatment for the mentally ill, and have consistently done so for a century. It is likewise evident that the States cannot afford the kind of money needed to catch up with modern standards of care without revolutionary changes in their tax structure.

Therefore, we recommend that the States and the Federal Government work toward a time when a share of the cost of State and local mental patient services will be borne by the Federal Government, over and above the present and future program of Federal grants-in-aid for research and training. The simple and sufficient reason for this recommendation is that under present tax structure only the Federal Government has the financial resources needed to overcome the lag and to achieve a minimum standard of adequacy. The Federal Government should be prepared to assume a major part of the responsibility for the mentally ill insofar as the States are agreeable to surrendering it.

For convenience, the Veterans' Administration mental hospitals can be taken as financial models of what can be done in the operation of public mental hospitals. Congress and the National Institute of Mental Health, with the assistance of the intervening administrative branches of Government, should develop a Federal subsidy program that will encourage States and local governments to emulate the example set by VA mental hospitals.

Certain principles should be followed in a Federal program of matching grants to States for the care of the mentally ill:

The first principle is that the Federal Government on the one side and State and local governments on the other should share in the costs of services to the mentally ill.

The second principle is that the total Federal share should be arrived at in a series of graduated steps over a period of years, the share being determined each year on the basis of State funds spent in a previous year.

The third principle is that the grants should be awarded according to criteria of merit and incentive to be formulated by an expert advisory committee appointed by the National Institute of Mental Health.

In arriving at a formula, such an expert committee would establish conditions affecting various portions of the available grant, including the following:

1. Bring about any necessary changes in the laws of the State to make professionally acceptable treatment as well as custody a requirement in mental hospitalization, to differentiate between need of treatment and need of institutionalization, and to provide treatment without hospitalizaion.

2. Bring about any necessary changes in laws of the State to make voluntary admission the preferred method and court commitment the exceptional method of placing patients in a mental hospital or other treatment facilities.

3. Accept any and all persons requiring treatment and/or hospitalization on the same basis as persons holding legal residence within the State.

4. Revise laws of the State governing medical responsibility for the patient to distinguish between administrative responsibility for his welfare and safekeeping and responsibility for professional care of the patient.

5. Institute suitable differentiation between administrative structure and professional personnel requirements for (1) State mental institutions intended primarily as intensive treatment centers (i.e., true hospitals), and (2) facilities for humane and progressive care of various classes of chronically ill or disabled, among them the aged.

6. Establish State mental health agencies with well-defined powers and sufficient authority to assume overall responsibility for the State's services to the mentally ill, and to coordinate State and local community health services.

7. Make reasonable efforts to operate open mental hospitals as mental health centers; i.e., as a part of an integrated community service with emphasis on outpatient and aftercare facilities as well as inpatient services.

8. Establish in selected State mental hospitals and community mental health programs, training for mental health workers, ranging in scope, as appropriate, from professional training in psychiatry through all professional and subprofessional levels, including the on-the-job training of attendants and volunteers. Since each mental health center cannot undertake all forms of teaching activity, consideration here must be given to a variety of programs and total effort. States should be required ultimately to spend 2½ percent of State mental patient service funds for training.

9. Establish in selected State mental hospitals and community mental health programs scientific research programs appropriate to the facility, the opportunities for well designed research, and the research talent and experience of staff members. States should be required ultimately to spend 2½ percent of State mental patient service funds for research.

10. Encourage county, town and municipal tax participation in the public mental health services of the State as a means of obtaining Federal funds matched against local mental health appropriations.

11. Agree that no money will be spent to build mental hospitals of more than 1,000 beds, or to add a single patient to mental hospitals presently having 1,000 or more patients.

Our proposal would encourage local responsibility of a degree that has not existed since the State hospital system was founded, while at the same time recognizing that the combined State-local responsibility cannot be fulfilled by the means at hand.

Table 4 provides a hypothetical example of how a Federal-state-local matching program incorporating the suggested merit and incentive features might work. We have assumed for ease of illustration that the States will soon reach an expenditure of $1 billion a year for mental patient care (in 1959 the figure was $854 million). We also have assumed that such a program can induce local tax participation to the extent of $60 million after a 5-year period and $250 million after a 10-year period.

Our proposal is the first one in American history that attempts to encompass the total problem of public support of mental health services and to make minimum standards of adequate care financially possible.

The outstanding characteristics of mental illness as a public health problem are its staggering size, the present limitations in our methods of treatment, and the peculiar nature of mental illness that differentiates its victims from those with other diseases or disabilities. It would follow that any national program against mental illness adopted by Congress and the States must be scaled to the size of the problem, imaginative in the course it pursues, and energetic in overcoming both psychological and economic resistance to progress in this direction. We have sought to acquit our assignment in full recognition of these facts and judgments.

TABLE 4.—*Hypothetical costs to Federal, State, and local governments of doubling expenditures for public mental patient care in 5 years and tripling costs in 10 years under proposed matching plan*

[In billions of dollars]

Year	State expenditure	Federal grants without local participation	Total	Loca participation to extent of—	Federal grants for local participation	Grand total
1	1.0	0.1	1.1			1.1
2	1.0	.2	1.2	0.03	0.17	1.4
3	1.0	.3	1.3	.04	.26	1.6
4	1.0	.4	1.4	.05	.35	1.8
5	1.0	.5	1.5	.06	.44	2.0
6	1.0	.6	1.6	.08	.52	2.2
7	1.0	.7	1.7	.10	.60	2.4
8	1.0	.8	1.8	.15	.65	2.6
9	1.0	.9	1.9	.20	.70	2.8
10	1.0	1.0	2.0	.25	.75	3.0

Notes on implementation

The function of the joint commission has been that of a study group. We have made a study and from it drawn recommendations for a national mental health program. This completes our job.

It is easy, however, to visualize the next two steps, and even a third. The first is the formation of public opinion for or against the program we propose. The second is the formation of legislative opinion pro or con. The third, and one which we urge the Congress to take immediately, is the formation of a committee of consultants who would concern themselves with standards and requirements for implementation of our program and with the kinds of enabling legislation that will be needed. Eventually, we can see that a comparable expert committee, forming an effective channel of communication between the legislature and the mental health professions, will be needed in every State.

In the matter of establishing priorities as they relate to the broad areas of patient care, recruitment, professional education, and research in mental health, we would sound a note of caution. Solution of the mental health problem can and already does pursue two courses. One course is to make better use of the knowledge and experience in the treatment of mental illness that we already have massed, the knowledge on which the broader concepts of treatment in this report are based. Another course is to intensify the search for new knowledge in the hope of mastering the terrain of unknowns to be traversed, and of finding bypasses or more direct routes resulting in preventive measures or treatment methods that are faster working and better adapted to mass application.

The question is not which course to pursue more intensively. In medicine, professional services, education and research move together insofar as they center on or relate to patients. Indeed, it is impossible to separate the patients who must be cared for from the persons who must be trained to care for them, and it is impossible to separate either patients or professional personnel from the search for new knowledge that is of vital concern to both.

Indeed, we can see only one matter that takes priority over all others in the program we propose and that is to obtain vastly increased sums of money for its support. Without adequate financial resources, we cannot take care of patients, we cannot educate professional personnel for public service, and we cannot pursue the basic knowledge needed for the prevention and cure of mental illness.

Mr. YARBOROUGH. Mr. President, the field of mental health has been one of the fields of medicine in which the slowest progress has been made; but now the Congress has an opportunity to make real progress in it. Senate bill 1576, as reported by the distinguished chairman of the committee, the senior Senator from Alabama [Mr. HILL], is the most forward-looking mental health legislation ever to come before the Senate of the United States for passage.

Its three separate sections, title I, for the construction of research centers for mentally retarded, and title II, for the construction and staffing of mental health centers, and section III, for the training of teachers of mentally retarded and handicapped children, strike three blows at the antiquity and indifference of many of the attitudes of the past toward the mentally ill.

The provisions in title II for the construction and staffing of local mental health centers and the outpatient care provisions will result in the proper treatment and recovery of countless tens of thousands of Americans whose mental illness will be cured in its incipience. Many thousands will be cured before their mental illness ever reaches a grave stage.

Mr. President, the fine message on this question by President Kennedy was the spark that ignited thorough but speedy hearings by the committee and early consideration by the Senate. I congratulate the President of the United States on his fine and effective leadership in this field. This is a landmark bill in the health of our people. I ask unanimous consent that the President's message to the Congress be printed in full at this point in the RECORD.

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

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES RELATIVE TO MENTAL ILLNESS AND MENTAL RETARDATION

To the Congress of the United States:

It is my intention to send shortly to the Congress a message pertaining to this Nation's most urgent needs in the area of health improvement. But two health problems—because they are of such critical size and tragic impact, and because their susceptibility to public action is so much greater than the attention they have received—are deserving of a wholly new national approach and a separate message to the Congress. These twin problems are mental illness and mental retardation.

From the earliest days of the Public Health Service to the latest research of the National Institutes of Health, the Federal Government has recognized its responsibilities to assist, stimulate, and channel public energies in attacking health problems. Infectious epidemics are now largely under control. Most of the major diseases of the body are beginning to give ground in man's increasing struggle to find their cause and cure. But the public understanding, treatment, and prevention of mental disabilities have not made comparable progress since the earliest days of modern history.

Yet mental illness and mental retardation are among our most critical health problems. They occur more frequently, affect more people, require more prolonged treatment, cause more suffering by the families of the afflicted, waste more of our human resources, and constitute more financial drain upon both the Public Treasury and the personal finances of the individual families than any other single condition.

There are now about 800,000 such patients in this Nation's institutions—600,000 for mental illness and over 200,000 for mental retardation. Every year nearly 1,500,000 people receive treatment in institutions for the mentally ill and mentally retarded. Most of them are confined and compressed within an antiquated, vastly overcrowded, chain of custodial State institutions. The average amount expended on their care is only $4 a day—too little to do much good for the individual, but too much if measured in terms of efficient use of our mental health dollars. In some States the average is less than $2 a day.

The total cost to the taxpayers is over $2.4 billion a year in direct public outlays for services—about $1.8 billion for mental illness and $600 million for mental retardation. Indirect public outlays, in welfare costs and in the waste of human resources, are even higher. But the anguish suffered both by those afflicted and by their families transcends financial statistics—particularly in view of the fact that both mental illness and mental retardation strike so often in childhood, leading in most cases to a lifetime of disablement for the patient and a lifetime of hardship for his family.

This situation has been tolerated far too long. It has troubled our national conscience—but only as a problem unpleasant to mention, easy to postpone, and despairing of solution. The Federal Government, despite the nationwide impact of the problem, has largely left the solutions up to the States. The States have depended on custodial hospitals and homes. Many such hospitals and homes have been shamefully understaffed, overcrowded, unpleasant institutions from which death too often provided the only firm hope of release.

The time has come for a bold new approach. New medical, scientific, and social tools and insights are now available. A series of comprehensive studies initiated by the Congress, the executive branch, and interested private groups have been completed and all point in the same direction.

Governments at every level—Federal, State, and local—private foundations and individual citizens must all face up to their responsibilities in this area. Our attack must be focused on three major objectives:

First, we must seek out the causes of mental illness and of mental retardation and eradicate them. Here, more than in any other area, "an ounce of prevention is worth more than a pound of cure." For prevention is far more desirable for all concerned. It is far more economical and it is far more likely to be successful. Prevention will require both selected specific programs directed especially at known causes, and the general strengthening of our fundamental community, social welfare, and educational programs which can do much to eliminate or correct the harsh environmental conditions which often are associated with mental retardation and mental illness. The proposals contained in my earlier message to the Congress on education and those which will

be contained in a later message I will send on the Nation's health will also help achieve this objective.

Second, we must strengthen the underlying resources of knowledge and, above all, of skilled manpower which are necessary to mount and sustain our attack on mental disability for many years to come. Personnel from many of the same professions serve both the mentally ill and the mentally retarded. We must increase our existing training programs and launch new ones, for our efforts cannot succeed unless we increase by severalfold in the next decade the number of professional and subprofessional personnel who work in these fields. My proposals on the health professions and aid for higher education are essential to this goal, and both the proposed youth employment program and a national service corps can be of immense help. We must also expand our research efforts if we are to learn more about how to prevent and treat the crippling or malfunction of the mind.

Third, we must strengthen and improve the programs and facilities serving the mentally ill and the mentally retarded. The emphasis should be upon timely and intensive diagnosis, treatment, training, and rehabilitation so that the mentally afflicted can be cured or their functions restored to the extent possible. Services to both the mentally ill and to the mentally retarded must be community based and provide a range of services to meet community needs.

It is with these objectives in mind that I am proposing a new approach to mental illness and to mental retardation. This approach is designed, in large measure, to use Federal resources to stimulate State, local, and private action. When carried out, reliance on the cold mercy of custodial isolation will be supplanted by the open warmth of community concern and capability. Emphasis on prevention, treatment, and rehabilitation will be substituted for a desultory interest in confining patients in an institution to wither away.

In an effort to hold domestic expenditures down in a period of tax reduction, I have postponed new programs and reduced added expenditures in all areas when that could be done. But we cannot afford to postpone any longer a reversal in our approach to mental afflictions. For too long the shabby treatment of the many millions of the mentally disabled in custodial institutions and many millions more now in communities needing help has been justified on grounds of inadequate funds, further studies, and future promises. We can procrastinate no more. The national mental health program and the national program to combat mental retardation herein proposed warrant prompt congressional attention.

I. A NATIONAL PROGRAM FOR MENTAL HEALTH

I propose a national mental health program to assist in the inauguration of a wholly new emphasis and approach to care for the mentally ill. This approach relies primarily upon the new knowledge and new drugs acquired and developed in recent years which make it possible for most of the mentally ill to be successfully and quickly treated in their own communities and returned to a useful place in society.

These breakthroughs have rendered obsolete the traditional methods of treatment which imposed upon the mentally ill a social quarantine, a prolonged or permanent confinement in huge, unhappy mental hospitals, where they were out of sight and forgotten. I am not unappreciative of the efforts undertaken by many States to improve conditions in these hospitals, or the dedicated work of many hospital staff members. But their task has been staggering and the results too often dismal, as the comprehensive study by the Joint Commission on Mental Illness and Health pointed out in 1961. Some States have at times been forced to crowd 5,000, 10,000, or even 15,000 people into one large understaffed institution. Imposed largely for reasons of economy, such practices were costly in human terms, as well as in a real economic sense. The following statistics are illustrative:

Nearly one-fifth of the 279 State mental institutions are fire and health hazards; three-fourths of them were opened prior to World War I.

Nearly half of the 530,000 patients in our State mental hospitals are in institutions with over 3,000 patients, where individual care and consideration are almost impossible.

Many of these institutions have less than half the professional staff required—with less than 1 psychiatrist for every 360 patients.

Forty-five percent of their inmates have been hospitalized continuously for 10 years or more.

But there are hopeful signs. In recent years the increasing trend toward higher and higher concentrations in these institutions has been reversed—by the use of new drugs, by the increasing public awareness of the nature of mental illness, and by a trend toward the provision of community facilities, including psychiatric beds in general hospitals, day-care centers, and outpatient psychiatric clinics. Community general hospitals in 1961 treated and discharged as cured more than 200,000 psychiatric patients.

I am convinced that, if we apply our medical knowledge and social insights fully, all but a small portion of the mentally ill can eventually achieve a wholesome and constructive social adjustment. It has been demonstrated that two out of three schizophrenics—our largest category of mentally ill—can be treated and released within 6 months, but under the conditions that prevail today the average stay for schizophrenia is 11 years. In 11 States, by the use of modern techniques, 7 out of every 10 schizophrenia patients admitted were discharged within 9 months. In one instance, where a State hospital deliberately sought an alternative to hospitalization in those patients about to be admitted, it was able to treat successfully in the community 50 percent of them. It is clear that a concerted national attack on mental disorders is now both possible and practical.

If we launch a broad new mental health program now, it will be possible within a decade or two to reduce the number of patients now under custodial care by 50 percent or more. Many more mentally ill can be helped to remain in their own homes without hardship to themselves or their families. Those who are hospitalized can be helped to return to their own communities. All but a small proportion can be restored to useful life. We can spare them and their families much of the misery which mental illness now entails. We can save public funds and we can conserve our manpower resources.

1. Comprehensive community mental health centers

Central to a new mental health program is comprehensive community care. Merely pouring Federal funds into a continuation of the outmoded type of institutional care which now prevails would make little difference. We need a new type of health facility, one which will return mental health care to the mainstream of American medicine, and at the same time upgrade mental health services. I recommend, therefore, that the Congress (1) authorize grants to the States for the construction of comprehensive community mental health centers, beginning in fiscal year 1965, with the Federal Government providing 45 to 75 percent of the project cost; (2) authorize short-term project grants for the initial staffing costs of comprehensive community mental health centers, with the Federal Government providing up to 75 percent of the cost in the early months, on a gradually declining basis, terminating such support for a project within slightly over 4 years; and (3) to facilitate the preparation of community plans for these new facilities as a necessary preliminary to any construction or staffing assistance, appropriate $4.2 million for planning grants under the National Institute of Mental Health. These planning funds, which would be in addition to a similar amount appropriated for fiscal year 1963, have been included in my proposed 1964 budget.

While the essential concept of the comprehensive community mental health center is new, the separate elements, which would be combined in it are presently found in many communities: diagnostic and evaluation services, emergency psychiatric units, outpatient services, inpatient services, day and night care, foster home care, rehabilitation, consultative services to other community agencies, and mental health information and education.

These centers will focus community resources and provide better community facilities for all aspects of mental health care. Prevention as well as treatment will be a major activity. Located in the patient's own environment and community, the center would make possible a better understanding of his needs, a more cordial atmosphere for his recovery, and a continuum of treatment. As his needs change, the patient could move without delay or difficulty to different services—from diagnosis, to cure, to rehabilitation—without need to transfer to different institutions located in different communities.

A comprehensive community mental health center in receipt of Federal aid may be sponsored through a variety of local organizational arrangements. Construction can follow the successful Hill-Burton pattern, under which the Federal Government matches public or voluntary nonprofit funds. Ideally, the center could be located at an appropriate community general hospital, many of which already have psychiatric units. In such instances, additional services and facilities could be added—either all at once or in several stages—to fill out the comprehensive program. In some instances, an existing outpatient psychiatric clinic might form the nucleus of such a center, its work expanded and integrated with other services in the community. Centers could also function effectively under a variety of other auspices: as affiliates of State mental hospitals, under State or local governments, or under voluntary nonprofit sponsorship.

Private physicians, including general practitioners, psychiatrists, and other medical specialists, would all be able to participate directly and cooperatively in the work of the center. For the first time, a large proportion of our private practitioners will have the opportunity to treat their patients in a mental health facility served by an auxiliary professional staff that is directly and quickly available for outpatient and inpatient care.

While these centers will be primarily designed to serve the mental health needs of the community, the mentally retarded should not be excluded from these centers if emotional problems exist. They should also offer the services of special therapists and consultation services to parents, school systems, health departments, and other public and private agencies concerned with mental retardation.

The services provided by these centers should be financed in the same way as other medical and hospital costs. At one time, this was not feasible in the case of mental illness, where prognosis almost invariably called for long and often permanent courses of treatment. But tranquilizers and new therapeutic methods now permit mental illness to be treated successfully in a very high proportion of cases within relatively short periods of time—weeks or months, rather than years.

Consequently, individual fees for services, individual and group insurance, other third-party payments, voluntary and private contributions, and State and local aid can now better bear the continuing burden of these costs to the individual patient after these services are established. Long-range Federal subsidies for operating costs are neither necessary nor desirable. Nevertheless, because this is a new and expensive undertaking for most communities, temporary Federal aid to help them meet the initial burden of establishing and placing centers in operation is desirable. Such assistance would be stimulatory in purpose, granted on a declining basis and terminated in a few years.

The success of this pattern of local and private financing will depend in large part upon the development of appropriate arrangements for health insurance, particularly in the private sector of our economy. Recent studies have indicated that mental health care—particularly the cost of diagnosis and short-term therapy, which would be major components of service in the new centers—is insurable at a moderate cost.

I have directed the Secretary of Health, Education, and Welfare, to explore steps for encouraging and stimulating the expansion of private voluntary health insurance to include mental health care. I have also initiated a review of existing Federal programs, such as the health benefits programs for Federal personnel, to determine whether further measures may be necessary and desirable to increase their provisions for mental health care.

These comprehensive community mental health centers should become operational at the earliest feasible date. I recommend that we make a major demonstration effort in the early years of the program to be expanded to all major communities as the necessary manpower and facilities became available.

It is to be hoped that within a few years the combination of increased mental health insurance coverage, added State and local support, and the redirection of State resources from State mental institutions will help achieve our goal of having community-centered mental health services readily accessible to all.

2. *Improved care in State mental institutions*

Until the community mental health center program develops fully, it is imperative that the quality of care in existing State mental institutions be improved. By strengthening their therapeutic services, by becoming open institutions serving their local communities, many such institutions can perform a valuable transitional role. The Federal Government can assist materially by encouraging State mental institutions to undertake intensive demonstration and pilot projects, to improve the quality of care, and to provide inservice training for personnel manning these institutions.

This should be done through special grants for demonstration projects for inpatient care and inservice training. I recommend that $10 million be appropriated for such purposes.

3. Research and manpower

Although we embark on a major national action program for mental health there is still much more we need to know. We must not relax our effort to push back the frontiers of knowledge in basic and applied research into the mental processes, in therapy, and in other phases of research with a bearing upon mental illness. More needs to be done also to translate research findings into improved practices. I recommend an expansion of clinical, laboratory, and field research in mental illness and mental health.

Availability of trained manpower is a major factor in the determination of how fast we can expand our research and expand our new action program in the mental field. At the present manpower shortages exist in virtually all of the key professional and auxiliary personnel categories—psychiatrists, clinical psychologists, social workers and psychiatric nurses. To achieve success, the current supply of professional manpower in these fields must be sharply increased—from about 45,000 in 1960 to approximately 85,000 by 1970. To help move toward this goal I recommend the appropriation of $66 million for training of personnel, an increase of $17 million over the current fiscal year.

I have, in addition, directed that the Manpower Development and Training Act be used to assist in the training of psychiatric aids, and other auxiliary personnel for employment in mental institutions and community centers.

Success of these specialized training programs, however, requires that they be undergirded by basic training programs. It is essential to the success of our new national mental health program that Congress enact legislation authorizing aid to train more physicians and related health personnel. I will discuss this measure at greater lengths in the message on health which I will send to the Congress shortly.

II. A NATIONAL PROGRAM TO COMBAT MENTAL RETARDATION

Mental retardation stems from many causes. It can result from mongolism, birth injury or infection, or any of a host of conditions that cause a faulty or arrested development of intelligence to such an extent that the individual's ability to learn and to adapt to the demands of society is impaired. Once the damage is done, lifetime incapacity is likely. With early detection, suitable care and training, however, a significant improvement in social ability and in personal adjustment and achievement can be achieved.

The care and treatment of mental retardation, and research into its causes and cure, have—as in the case of mental illness—been too long neglected. Mental retardation ranks as a major national health, social and economic problem. It strikes our most precious asset—our children. It disables 10 times as many people as diabetes, 20 times as many as tuberculosis, 25 times as many as muscular dystrophy, and 600 times as many as infantile paralysis. About 400,000 children are so retarded they require constant care or supervision; more than 200,000 of these are in residential institutions. There are between 5 and 6 million mentally retarded children and adults—an estimated 3 percent of the population. Yet, despite these grim statistics, and despite an admirable effort by private voluntary associations, until a decade ago not a single State health department offered any special community services for the mentally retarded or their families.

States and local communities spend $300 million a year for residential treatment of the mentally retarded, and another $250 million for special education, welfare, rehabilitation, and other benefits and services. The Federal Government will this year obligate $37 million for research, training, and special services for the retarded and about three times as much for their income maintenance. But these efforts are fragmented and inadequate.

Mental retardation strikes children without regard for class, creed, or economic level. Each year sees an estimated 126,000 new cases. But it hits more often—and harder—at the underprivileged and the poor; and most often of all—and most severely—in city tenements and rural slums where there are heavy concentrations of families with poor education and low income.

There are very significant variations in the impact of the incidence of mental retardation. Draft rejections for mental deficiency during World War II were 14 times as heavy in States with low incomes as in others. In some slum areas 10 to 30 percent of the school-age children are mentally retarded, while in the very same cities more prosperous neighborhoods have only 1 or 2 percent retarded.

There is every reason to believe that we stand on the threshold of major advances in this field. Medical knowledge can now identify precise causes of retardation in 15 to 20 percent of the cases. This itself is a major advance. Those identified are usually cases in which there are severe organic injuries or gross brain damage from disease. Severe cases of mental retardation of this type are naturally more evenly spread throughout the population than mild retardation; but even here poor families suffer disproportionately. In most of the mild cases, although specific physical and neurological defects are usually not diagnosable with present biomedical techniques, research is rapidly adding to our knowledge of specific causes: German measles during the first 3 months of pregnancy, Rh blood factor incompatibility in newborn infants, lead poisoning of infants, faulty body chemistry in such diseases as phenylketonuria and galactosemia, and many others.

Many of the specific causes of mental retardation are still obscure. Socio-economic and medical evidence gathered by a panel which I appointed in 1961, however, shows a major causative role for adverse social, economic, and cultural factors. Families who are deprived of the basic necessities of life, opportunity, and motivation have a high proportion of the Nation's retarded children. Unfavorable health factors clearly play a major role. Lack of prenatal and postnatal health care, in particular, leads to the birth of brain-damaged children or to an inadequate physical and neurological development. Areas of high infant mortality are often the same areas with a high incidence of mental retardation. Studies have shown that women lacking prenatal care have a much higher likelihood of having mentally retarded children. Deprivation of a child's opportunities for learning slows development in slum and distressed areas. Genetic, hereditary, and other biomedical factors also play a major part in the causes of mental retardation.

The American people, acting through their Government where necessary, have an obligation to prevent mental retardation, whenever possible, and to ameliorate it when it is present. I am, therefore, recommending action on a comprehensive program to attack this affliction. The only feasible program with a hope for success must not only aim at the specific causes and the control of mental retardation but seek solutions to the broader problems of our society with which mental retardation is so intimately related.

The panel which I appointed reported that, with present knowledge, at least half and hopefully more than half, of all mental retardation cases can be prevented through this kind of broad spectrum attack, aimed at both the specific causes which medical science has identified, and at the broader adverse social, economic, and cultural conditions with which incidence of mental retardation is so heavily correlated. At the same time research must go ahead in all these categories, calling upon the best efforts of many types of scientists, from the geneticist to the sociologist.

The fact that mental retardation ordinarily exists from birth or early childhood, the highly specialized medical, psychological, and educational evaluations which are required, and the complex and unique social, educational, and vocational lifetime needs of the retarded individual, all require that there be developed a comprehensive approach to this specific problem.

1. Prevention

Prevention should be given the highest priority in this effort. Our general health, education, welfare, and urban renewal programs will make a major contribution in

overcoming adverse social and economic conditions. More adequate medical care, nutrition, housing, and educational opportunities can reduce mental retardation to the low incidence which has been achieved in some other nations. The recommendations for strengthening American education which I have made to the Congress in my message on education will contribute toward this objective as well the proposals contained in my forthcoming health message.

Now programs for comprehensive maternity and infant care and for the improvement of our educational services are also needed. Particular attention should be directed toward the development of such services for slum and distressed areas. Among expectant mothers who do not receive prenatal care, more than 20 percent of all births are premature—two or three times the rate of prematurity among those who do receive adequate care. Premature infants have two or three times as many physical defects and 50 percent more illnesses than full-term infants. The smallest premature babies are 10 times more likely to be mentally retarded.

All of these statistics point to the direct relationship between lack of prenatal care and mental retardation. Poverty and medical indigency are at the root of most of this problem. An estimated 35 percent of the mothers in cities over 100,000 population are medically indigent. In 138 large cities of the country an estimated 455,000 women each year lack resources to pay for adequate health care during pregnancy and following birth. Between 20 and 60 percent of the mothers receiving care in public hospitals in some large cities receive inadequate or no prenatal care—and mental retardation is more prevalent in these areas.

Our existing State and Federal child health programs, though playing a useful and necessary role, do not provide the needed comprehensive care for this high-risk group. To enable the States and localities to move ahead more rapidly in combating mental retardation and other childhood disabilities through the new therapeutic measures being developed by medical science, I am recommending:

(a) A new 5-year program of project grants to stimulate State and local health departments to plan, initiate, and develop comprehensive maternity and child health care service programs, helping primarily families in this high-risk group who are otherwise unable to pay for needed medical care. These grants would be used to provide medical care, hospital care, and additional nursing services, and to expand the number of prenatal clinics. Prenatal and post partum care would be more accessible to mothers. I recommend that the initial appropriation for this purpose be $5 million, allocated on a project basis, rising to an annual appropriation of $30 million by the third year.

(b) Doubling the existing $25 million annual authorization for Federal grants for maternal and child health, a significant portion of which will be used for the mentally retarded.

(c) Doubling over a period of 7 years the present $25 million annual authorization for Federal grants for crippled children's services.

Cultural and educational deprivation resulting in mental retardation can also be prevented. Studies have demonstrated that large numbers of children in urban and rural slums, including preschool children, lack the stimulus necessary for proper development in their intelligence. Even when there is no organic impairment, prolonged neglect, and a lack of stimulus and opportunity for learning can result in the failure of young minds to develop. Other studies have shown that, if proper opportunities for learning are provided early enough, many of these deprived children can and will learn and achieve as much as children from more favored neighborhoods. This self-perpetuating intellectual blight should not be allowed to continue.

In my recent message on education, I recommended that at least 10 percent of the proposed aid for elementary and secondary education be committed by the States to special project grants designed to stimulate and make possible the improvement of educational opportunities particularly in slum and distressed areas, both urban and rural. I again urge special consideration by the Congress for this proposal. It will not only help improve educational quality and provide equal opportunity in areas which need assistance; it will also serve humanity by helping prevent mental retardation among the children in such culturally deprived areas.

2. Community services

As in the case of mental illnesses, there is also a desperate need for community facilities and services for the mentally retarded. We must move from the outmoded use of distant custodial institutions to the concept of community-centered agencies that will provide a coordinated range of timely diagnostic, health, educational, training, rehabilitation, employment, welfare, and legal protection services. For those retarded children or adult who cannot be maintained at home by their own families, a new pattern of institutional services is needed.

The key to the development of this comprehensive new approach toward services for the mentally retarded is twofold. First, there must be public understanding and community planning to meet all problems. Second, there must be made available a continuum of services covering the entire range of needs. States and communities need to appraise their needs and resources, review current programs, and undertake preliminary actions leading to comprehensive State and community approaches to these objectives. To stimulate public awareness and the development of comprehensive plans, I recommend legislation to establish a program of special project grants to the States for financing State reviews of needs and programs in the field of mental retardation.

A total of $2 million is recommended for this purpose. Grants will be awarded on a selective basis to State agencies presenting acceptable proposals for this broad interdisciplinary planning activity. The purpose of these grants is to provide for every State an opportunity to begin to develop a comprehensive, integrated program to meet all the needs of the retarded. Additional support for planning health-related facilities and services will be available from the expanding planning grant program for the Public Health Service which I will recommend in my forthcoming message on health.

To assist the States and local communities to construct the facilities which these surveys justify and plan, I recommend that the Congress authorize matching grants for the construction of public and other nonprofit facilities, including centers for the comprehensive treatment, training, and care of the mentally retarded. Every community should be encouraged to include provision for meeting the health requirements of retarded individuals in planning its broader health services and facilities.

Because care of the mentally retarded has traditionally been isolated from centers of medical and nursing education, it is particularly important to develop facilities which will increase the role of highly qualified universities in the improvement and provision of services and the training of specialized personnel. Among the various types of facilities for which grants would be authorized, the legislation I am proposing will permit grants of Federal funds for the construction of facilities for (1) inpatient clinical units as an integral part of university-associated hospitals in which specialists on mental retardation would serve; (2) outpatient diagnostic, evaluation, and treatment clinics associated with such hospitals, including facilities for special training; and (3) satellite clinics in outlying cities and counties for provision of services to the retarded through existing State and local community programs, including those financed by the Children's Bureau, in which universities will participate. Grants of $5 million a year will be provided for these purposes within the total authorizations for facilities in 1965 and this will be increased to $10 million in subsequent years.

Such clinical and teaching facilities will provide superior care for the retarded and will also augment teaching and training facilities for specialists in mental retardation, including physicians, nurses, psychologists, social workers, and speech and other therapists. Funds for operation of such facilities would come from State, local, and private sources. Other existing or proposed programs of the Children's Bureau, of the Public Health Service, of the Office of Education, and of the Department of Labor can provide additional resources for demonstration purposes and for training personnel.

A full-scale attack on mental retardation also requires an expansion of special education, training, and rehabilitation services. Largely due to the lack of qualified teachers, college instructors, directors, and supervisors, only about one-fourth of the 1,250,000 retarded children of school age now have access to special education. During the past 4 years, with Federal support, there has been some improvement in the training of leadership personnel. However, teachers of handicapped children, including the mentally retarded, are still woefully insufficient in number and training. As I pointed out in the message on education, legislation is needed to increase the output of college instructors and classroom teachers for handicapped children.

I am asking the Office of Education to place a new emphasis on research in the learning process, expedite the application of research findings to teaching methods for the mentally retarded, support studies on improvement of curriculums, develop teaching aids, and stimulate the training of special teachers.

Vocational training, youth employment, and vocational rehabilitation programs can all help release the untapped potentialities of mentally retarded individuals. This requires expansion and improvement of our vocational education programs, as already recommended; and, in a subsequent message, I will present proposals for needed youth employment programs.

Currently rehabilitation services can only be provided to disabled individuals for whom, at the outset, a vocational potential can be definitely established. This requirement frequently excludes the mentally retarded from the vocational rehabilitation program. I recommend legislation to permit rehabilitation services to be provided to a mentally retarded person for up to 18 months, to determine whether he has sufficient potential to be rehabilitated vocationally. I also recommend legislation establishing a new program to help public and private nonprofit organizations to construct, equip, and staff rehabilitation facilities and workshops, making particular provision for the mentally retarded.

State institutions for the mentally retarded are badly underfinanced, understaffed, and overcrowded. The standard of care is in most instances so grossly deficient as to shock the conscience of all who see them.

I recommend the appropriation under existing law of project grants to State institutions for the mentally retarded, with an initial appropriation of $5 million to be increased in subsequent years to a level of at least $10 million. Such grants would be

awarded, upon presentation of a plan meeting criteria established by the Secretary of Health, Education, and Welfare, to State institutions undertaking to upgrade the quality of residential services through demonstration, research, and pilot projects designed to improve the quality of care in such institutions and to provide impetus to inservice training and the education of professional personnel.

3. Research

Our single greatest challenge in this area is still the discovery of the causes and treatment of mental retardation. To do this we must expand our resources for the pursuit and application of scientific knowledge related to this problem. This will require the training of medical, behavioral, and other professional specialists to staff a growing effort. The new National Institute of Child Health and Human Development which was authorized by the 87th Congress is already embarked on this task.

To provide an additional focus for research into the complex mysteries of mental retardation, I recommend legislation to authorize the establishment of centers for research in human development, including the training of scientific personnel. Funds for 3 such centers are included in the 1964 budget; ultimately 10 centers for clinical, laboratory, behavioral, and social science research should be established. The importance of these problems justifies the talents of our best minds. No single discipline or science holds the answer. These centers must, therefore, be established on an interdisciplinary basis.

Similarly, in order to foster the further development of new techniques for the improvement of child health, I am also recommending new research authority to the Children's Bureau for research in maternal and child health and crippled children's services.

But, once again, the shortage of professional manpower seriously compromises both research and service efforts. The insufficient numbers of medical and nursing training centers now available too often lack a clinical focus on the problems of mental retardation comparable to the psychiatric teaching services relating to care of the mentally ill.

We as a Nation have long neglected the mentally ill and the mentally retarded. This neglect must end, if our Nation is to live up to its own standards of compassion and dignity and achieve the maximum use of its manpower.

This tradition of neglect must be replaced by forceful and far-reaching programs carried out at all levels of government, by private individuals and by State and local agencies in every part of the Union.

We must act—to bestow the full benefits of our society on those who suffer from mental disabilities; to prevent the occurrence of mental illness and mental retardation wherever and whenever possible; to provide for early diagnosis and continuous and comprehensive care, in the community, of those suffering from these disorders; to stimulate improvements in the level of care given the mentally disabled in our State and private institutions, and to reorient those programs to a community-centered approach; to reduce, over a number of years, and by hundreds of thousands, the persons confined to these institutions; to retain in and return to the community the mentally ill and mentally retarded, and there to restore and revitalize their lives through better health programs and strengthened educational and rehabilitation services; and to reinforce the will and capacity of our communities to meet these problems, in order that the communities, in turn, can reinforce the will and capacity of individuals and individual families.

We must promote—to the best of our ability and by all possible and appropriate means—the mental and physical health of all our citizens.

To achieve these important ends, I urge that the Congress favorably act upon the foregoing recommendations.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 5, 1963.*

Mr. YARBOROUGH. Mr. President, having participated as a member of the Committee on Labor and Public Welfare, and also as a member of its Subcommittee on Public Health, in the hearings on this measure, I desire to commend the chairman of the full committee, who also is chairman of the Health Subcommittee, the able and distinguished senior Senator from Alabama [Mr. HILL], for the very comprehensive hearings, which cover hundreds of pages, and for the full and fair opportunity provided to all who desired to appear before the committee and present their views.

For many years the Senator from Alabama has been a leader in the public health field. The esteem in which he is held and his able leadership all contributed to the taking of early action by the Senate on this bill.

I think the Senate is to be commended for passing the bill in 1 day. As one of the coauthors of the bill and as one who has been interested for many years in this field, I think the Senate has done itself proud today.

Mr. President, in my judgment, the one who is regarded as the greatest Governor of the State of Texas was James S. Hogg, popularly known as Jim Hogg. His son inherited a great fortune which his father built up after he left the Governor's office. When the son died, he created the Hogg Foundation. It was set up on the University of Texas campus on the recommendation of many people some decades ago to help lead in the treatment of the mentally ill, because it was a field that at that time was largely vacant. That institution has had a great influence in my State. I worked with them a decade ago, aiding in some public campaigns to help stimulate interest among the people for the necessity for more adequate treatment of this great problem. For those of us who have worked on this problem for some years, it is a matter of great encouragement to be on the floor of the Senate today to be privileged to vote for such a forward looking measure. I again congratulate the leadership on its success in such an important field.

PUBLIC DEBT CEILING

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 167, H.R. 6009, and that it be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H.R. 6009) to provide for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Finance, with an amendment, on page 2, line 1, after the word "on", to strike out "August 31, 1963" and insert "June 30, 1964."

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, if the distinguished majority leader is in a position to tell us, may Senators be informed of the schedule for the remainder of the week?

Mr. MANSFIELD. Mr. President, I hope that what I am about to say in response to the question asked by the distinguished minority leader will be taken in the proper spirit.

As the Senate knows, the pending business is the public debt increase bill. It is anticipated that action on that bill will be finished tomorrow. After that, it is proposed to take up H.R. 5279, a bill making appropriations for the Department of the Interior and related agencies. If those two bills are passed by tomorrow night, it is the intention of the leadership to have the Senate go over until Friday, at which time a pro forma meeting will be held; and then to have the Senate go over from Friday until the following Tuesday.

TRIBUTE TO IRVING SHEMELD

Mr. COTTON. Mr. President, in these days of massive and innumerable Federal Government programs, projects, and handouts, we seldom hear public officials urging their fellow citizens to do anything for themselves.

But occasionally a man blessed with commonsense comes along and suggests that if a community has a problem its own citizens ought to roll up their shirtsleeves and tackle it.

From reading the fine report in the Derry, N.H., News of May 23, 1963, I would assume that Irving Shemeld, chairman of the Derry Board of Selectmen, is just such a man. I believe his excellent address before the Kiwanis Club deserves widespread attention and consideration by community leaders throughout the country and, therefore, ask unanimous consent that the article be printed in the RECORD.

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

SHEMELD OUTLINES CRISIS FACING MAIN STREET, URGES SUPPORT

In a freewheeling, 2-hour address before the Derry Kiwanis Club Monday night, Selectman Irving Shemeld, speaking for the board and himself, cut loose with one of the most incisive analysis of the problems and prospects facing Derry that longtime residents later were freely admitting they had ever heard.

During the marathon talk, which held an audience of local businessmen more than 1 hour past their accustomed deadline, Shemeld addressed himself to a wide range of problems that are he said, seriously worrying the three selectmen of this community. The speaker singled out as problem number one at the present time, the question of what can be done about the cellar holes which mark the burned sites of the Odd Fellows-Godin block which went up in an early morning fire on February 26 of this winter.

"This community could have a beautiful shopping center there right in the middle of our town. With appropriate architectural design and large, roomy parking areas behind, such a modern center could bring new life into the heart of our town and be a source of community pride," said the speaker. "But when our leading businessmen talk about building new businesses on the perimeter of town, it's time for us to get our hackles up and ask some questions. Why do they want to vacate the center of Derry?"

EXPLORE URBAN RENEWAL AID

Selectman Shemeld reported that the board had been exploring the feasibility of securing Federal funds through the urban renewal program, or some other source, to assist in purchasing and developing the property. Reporting on his recent discussions in Washington with three Members of the New Hampshire congressional delegation, he told his Kiwanis audience that he had found the Representatives sympathetic and willing to help. During supplementary talks with the new city planner in Manchester, James Minnock, local officials were told that urban renewal funds would only be available to assist in restoring an area that shows at least 20-percent blight. Edifices destroyed by fire are not regarded as blighted areas.

Minnock did tell the board that enough pieces of property might be put together in the Odd Fellows-Godin area to make up a 20-percent blighted section which then would be eligible for Federal support in rehabilitation. If such a course is explored, Shemeld said that a local group of citizens would have to put up about $1,000 for the preparation of a master plan for the area; he predicted that this might take as long as 2 years and no less than 1½ years before such funds might become available.

"The board of selectmen feel that there are possibly two philosophies which we might choose from in tackling this problem. We might take up the concept of President Lincoln that the Federal Government should only do those things that are impossible for local communities to do for themselves. Or, we might follow the philosophy that leaves to the Federal Government those things that we are unwilling, though quite able, to do for ourselves," said Shemeld.

FREE ENTERPRISE CAN DO IT

"We feel that, if the businessmen here really want to do it on a free enterprise basis, then it can be done" Shemeld suggested to the businessmen in his audience, as well as to the businessmen in the community not present, that they explore the possibility of pooling local resources and examine the possibility of purchasing the property in the whole block. "It probably could be done for $40,000 to $50,000," he said. The speaker offered the services of the town government to assist in any way that might be appropriate and useful.

"I submit. Are there 10 or more businessmen in town who will put up $5,000 each? It has been done by other communities, and for the benefit of their own business as well as for the benefit of the community. We'd like to know what the pulse of this community is on the question," the speaker reported for the board of selectmen. He left little doubt in the minds of his audience that the board is not optimistic about the present prospects for developing the two large cellar holes that mark the center of Derry's shopping center these days. As Shemeld put it, "the combination of the fire holes we now have in the center of town and the erection of stores and shopping centers on the perimeter of town certainly does not offer very satisfactory prospects for this community."

SEEKS BUSINESS LEADERSHIP

The speaker told the Kiwanians that in early April he had invited a group of local businessmen to meet with him in an effort to explore what they might do about the problem. He said that he had been discouraged when several "reacted in horror that I might be suggesting they should meet over plans to profit on the town's disasters." However, Irving Shemeld told his audience that he expects to invite others to meet with him in another exploratory session soon. "If our leaders are opposed to doing this job themselves, then we'll have to bring in the Government to do it for us. But I wonder," concluded the speaker, "how concerned should we expect our representatives in Washington to be with our problem if we living here are not concerned enough to get up and do something about it."

Businessmen in the audience have been giving the Shemeld talk before the Derry Kiwanis Club Monday night, a good deal of thought and discussion this week. As several told the Derry News subsequently, "something definitely has got to be done. Those cellar holes are an ugly sight right here in the center of town and most business in the area is suffering as a result."

MEMORIAL DAY

Mr. COTTON. Mr. President, on Thursday of this week the entire Nation will pause in solemn tribute to those who have laid down their lives that our country might remain free.

Perhaps the most significant observance, of the countless number to be held among our 50 sovereign States and in American hearts throughout the world, will be at the Cathedral of the Pines in Rindge, N.H. On this occasion, ground will be broken for the erection of a memorial bell tower, intended as a national war memorial for American women whose lives were sacrificed in the service of our country during periods of war. The true importance of these ceremonies of dedication is found in the fact that no such memorial exists in our country at the present time. This bell tower will recognize those valiant women who gave up their lives in our armed services; the women of the Red Cross and the Ursaline Sisters, who were killed on the battlefields; the entertainers who died in the effort to boost the morale of our fighting forces; the canteen workers; women war correspondents; the Sallies; the pioneer women who sacrificed their lives defending their homes while their men were answering their country's call; and last, but hardly least, those women who were killed in defense plants while preparing the sinews of war for our combat forces.

It is my understanding that the President of the United States has authorized the laying of a wreath in his name at these solemn ceremonies and all our Governors will be represented by floral offerings, placed on the altar of the Nation for the war dead of their respective States. In addition, tributes will be read from former President Eisenhower and from Gen. Douglas MacArthur. General Gruenther will present a flag on behalf of the American Red Cross and it is my understanding that the Government of France will present a similar tribute. The Cathedral of the Pines is a nonsectarian place of worship, at which all faiths and creeds are welcome, and distinguished members of the clergy will take part in the observance. This will be true of many others as well, of all walks of life.

This Memorial Day will be a historic one indeed. I know that the hearts of all Americans will be in Rindge, N.H., at the Cathedral of the Pines on Thursday, as we pay well-deserved honor to the patriotic women who made the ultimate sacrifice for their country.

THE STATES HAVE CARRIED MOST OF THE BURDEN IN THE FIGHT AGAINST MENTAL ILLNESS AND RETARDATION

Mr. WILLIAMS of New Jersey. Mr. President, the bill before us today (S. 1576) essentially provides for a matching-fund program between the States and the Federal Government in the construction of mental health centers.

This is, in a sense, a Hill-Burton type program for small mental health and retardation hospital units.

The reasons for a program with Federal assistance is the revolution this country is undergoing in the care of the mentally ill. Concepts of treatment and care have changed radically in the past few years, calling for new types of community-based hospital facilities.

In order to quickly get under construction these new community based treatment centers a special financial impetus is needed. It is generally agreed that Federal matching money provides the best impetus in crash program.

This was true with the interstate highway program and it will be true with the revolutionary new treatment centers for the mentally ill.

However, this is not to say that the States themselves have not done a mammoth job in fighting retardation and mental illness.

They have.

Over the years, the States and counties have borne by far the heaviest financial burden in the United States in caring for the mentally ill.

In the last 10 years, the States have spent almost $12 billion fighting mental illness and retardation.

This is well over a billion dollars a year.

And there is no intention on the part of the States to reduce this effort. In fact, the efforts of the States are increasing by heavy percentages each year.

What the States need now is a financial boost to get quickly into existence the new community center treatment concept, where the mentally ill are treated and cared for within a bus-fare of home and family.

So that there will be no mistaking the monumental effort made by the States in the last 10 years fighting mental illness, I would like to have printed in the RECORD two charts which show the amounts spent by the States, covering capital and operating expenses and the expenditures per capita for all types of mental disorders.

Mr. President, I ask unanimous consent that two charts showing the enormous State expenditures fighting mental illness and retardation be entered in the

RECORD at this point. The charts are entitled: "Total State-by-State Expenditures on Mental Illness and Retardation," "What Have the States Themselves Done to Combat Mental Illness and Retardation in the Last Ten Years? (A summary)."

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

Total State-by-State expenditures on mental illness and retardation (last 10 years)

State	10-year expenditure	Per capita for the 10-year-period
Alabama	$82,366,063	$27.74
Alaska	12,151,692	[1] 56.00
Arizona [2]	[3] 32,051,934	27.10
Arkansas	57,822,918	32.11
California	1,125,150,377	78.84
Colorado	153,676,437	91.91
Connecticut	306,421,176	120.22
Delaware [2]	[3] 43,903,342	108.66
Florida	179,631,611	41.99
Georgia	47,052,006	[4] 11.91
Hawaii	15,366,429	[4] 25.31
Idaho [2]	[3] 27,459,572	43.05
Illinois [2]	[3] 732,383,688	77.10
Indiana	260,027,308	58.65
Iowa [2]	[3] 121,130,669	44.78
Kansas	189,114,929	91.36
Kentucky	87,296,174	29.33
Louisiana [2]	[3] 109,248,051	35.72
Maine	67,980,309	62.54
Maryland	209,332,945	74.75
Massachusetts	569,039,464	116.07
Michigan	614,312,574	83.27
Minnesota	279,173,923	85.53
Mississippi	66,784,327	39.03
Missouri	225,164,862	54.63
Montana	36,208,398	55.52
Nebraska	94,188,778	68.04
Nevada	10,222,513	39.62
New Hampshire	55,650,904	95.13
New Jersey	541,347,357	96.09
New Mexico [2]	[3] 22,792,600	26.14
New York	2,056,942,107	125.57
North Carolina	224,629,775	51.59
North Dakota	37,451,183	59.92
Ohio	584,557,544	62.84
Oklahoma	97,580,117	43.22
Oregon	137,305,648	78.95
Pennsylvania	786,964,199	71.83
Rhode Island	72,757,642	84.40
South Carolina	89,636,296	39.43
South Dakota	33,197,851	48.82
Tennessee	101,919,246	29.50
Texas	287,451,843	31.75
Utah [2]	[3] 29,440,430	34.43
Vermont	33,142,509	86.54
Virginia	201,407,142	54.96
Washington	188,731,127	70.50
West Virginia	58,485,641	31.42
Wisconsin	313,320,481	82.34
Wyoming [2]	[3] 22,550,830	69.81

[1] Data on this State cover only 5 years.
[2] Estimated: Data on these 9 States are still being compiled. The figures appearing on this chart were assembled from statistics furnished by the Council of State Governments and the National Institute of Mental Health. The estimates are probably low.
[3] Estimated.
[4] Data on these 2 States cover only 3 years.

NOTE.—All of the above data were furnished by the States to the National Association of State Mental Health Program Directors, 1025 Connecticut Ave. NW., Washington, D.C., with the exception of the figures on States marked with (2).

WHAT HAVE THE STATES THEMSELVES DONE TO COMBAT MENTAL ILLNESS AND RETARDATION IN THE LAST 10 YEARS?

Mr. WILLIAMS of New Jersey. Mr. President, following is an analysis in summary form of expenditures by the States in fighting mental illness and retardation. The data was furnished to the National Association of State Mental Health Program Directors by 41 States, covering a period of the last 10 years.

This summary shows how much the States spent on capital improvements versus operating costs and the proportions spent fighting mental illness and mental retardation. A more detailed chart, prepared by the State Directors Association follows this and shows the breakdown in each category State by State for the 41 States reporting:

Total expenditures (41 States reporting) (all mental disorders)	$10,590,963,823
Mental illness (39 States):	
A. Capital expenditures	1,026,270,962
B. Operating expenditures	6,440,587,061
C. Data from States where no separation was made between capital and operating expenditures (2 States)	210,673,932
Total	7,677,531,961
Retardation (40 States):	
A. Capital expenditures	374,031,504
B. Operating expenditures	1,765,033,316
C. Data from States where no separation was made between capital and operating expenditures (1 State)	44,313,152
Total	2,183,377,972
Data from States where no separation was made between mental illness and retardation expenditures (4 States)	730,053,890

BUREAU OF MINES AND OFFICE OF COAL RESEARCH

Mr. RANDOLPH. Mr. President, our Appropriations Committee has reported, for action by this body, a realistic version of the Interior Department and related agencies appropriation bill, 1964 (H.R. 5279). I believe this is an especially pertinent evaluation with respect to committee recommendations for the Bureau of Mines and the Office of Coal Research. These two units of the Department of the Interior are working in areas of activity which have long been of special interest and importance to those of us who represent West Virginia.

The coal economy is a vital element of our total economic structure. The welfare and the safety of citizens who toil in the coal mines and on the coal-carrying railroads of our State are constantly before us as considerations of paramount concern. Hence, it is natural that the Bureau of Mines and the Office of Coal Research are instrumentalities which we believe should be adequately financed. I urge the acceptance of the amendments recommended by the Appropriations Committee—funds aggregating $29,926,500 for the Bureau of Mines, and $6,575,000 for the Office of Coal Research.

I urge especially the inclusion of amendments offered in committee by my diligent colleague, ROBERT C. BYRD, adding funds for Project Gasoline and Project Bootstrap within the Office of Coal Research.

In these instances, the more adequate funding recommended by the Senate Committee would enhance the furtherance of research in two especially vital and critical areas—coal and oil shale to liquid fuels and gasification of coal.

When a Member of the House of Representatives during the decades of the 1930's and 1940's, I served as a member of the Committee on Mines and Mining, and as chairman of its Subcommittee on Coal. And, during that period, I represented a West Virginia district which embraced not only very substantial coal mining operations but, also, the county in which the West Virginia University is located. These factors and the experiences which stemmed from them afforded an insight into and a knowledge of the need for increased investigative activities in the areas of coal mine safety and mining methods, as well as for expanded research in the areas of developing new products, new uses, and new markets for coal.

In 1944, in association with our late colleague, Senator Joseph P. O'Mahoney, of Wyoming, and with the conditions of World War II bearing heavily on the energy supplies, needs, and future of our country, I engaged in a special study of this problem. The Senator from Wyoming joined me in reviewing the Bureau of Mines reports on the modest amount of research on synthetic liquid fuels conducted during the period 1925–29 on oil from oil shale—and for the periods 1928–30 and 1937–44 on oil from coal. We determined that there was a very real need for a much enlarged program. We coauthored and sponsored the Synthetic Liquid Fuels Act of 1944. It was passed, approved and became Public Law 290 of the 78th Congress on April 5, 1944.

The March 3, 1944, United States News reported the passage of the act in an article entitled "Gasoline of the Future: Synthetic Fuel From Coal and Shale as a Prospective Reserve—Government's $30 Million Program To Aid Industry in Developing Substitutes."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks excerpts from that article.

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

[From the United States News, Mar. 3, 1944]

GASOLINE OF THE FUTURE: SYNTHETIC FUEL FROM COAL AND SHALE AS A PROSPECTIVE RESERVE—GOVERNMENT'S $30 MILLION PROGRAM TO AID INDUSTRY IN DEVELOPING SUBSTITUTES

An intensive search now is planned for new domestic sources of gasoline for use in the event that present reserves of crude oil disappear during the years ahead.

The idea is that the search should be financed by the Federal Government. Legislation authorizing the appropriation of $30 million has been approved by Congress. The House passed a bill sponsored by Representative RANDOLPH, Democrat, of West Virginia. This measure was accepted by the Senate as a substitute for a similar bill introduced by Senator O'MAHONEY, Democrat, of Wyoming.

With this money, the Bureau of Mines will set out to find the best methods of producing synthetic gasoline. The Bureau will explore the possibilities of extracting oil from shale, from coal and from natural gas. It also may investigate the feasibility of obtaining gasoline from oil sands and from farm products. Two or three demonstration plants will be built. One probably will be placed near the coal fields of the East and another near the shale deposits of the Rockies. These plants will be more than laboratories, will operate on a scale large enough to provide industry with economic and scientific knowledge on commercial production.

Maximum capacity of the plants will be 1,000 barrels a day.

An effort will be made to quiet any fear that now exists that the country may be caught short when its domestic reserves of oil are used up. Congress is determined that this country shall not repeat the error it made in rubber by waiting for a crisis before developing a synthetic industry.

Vast resources are present in the United States from which to develop a synthetic fuel industry as large or larger than the $15 billion petroleum industry. Some of the known sources of synthetic oil are these:

Coal: It is estimated that the United States has enough coal to provide both synthetic oil and coal for more than 1,000 years at present rates of consumption. Conversion of coal to oil is more costly than the process of converting from other products, but the process also is more highly developed. Coal can be expected to provide the bulk of the oil of the future, after natural supplies are exhausted, because it is present in such great abundance.

Shale: Oil shale deposits in Colorado, Utah, and Wyoming would yield an estimated 92 billion barrels of oil, a 65-year supply at the present rate of consumption. Shale is less expensive to convert than coal, but to produce satisfactory motor and aviation oil from shale probably will require more experimental work than in the case of coal.

Natural gas: Here is a source of synthetic gasoline that would offer the easiest and cheapest substitute if the supply were inexhaustible. It is cheaper to process and lends itself better to conversion, but the supply is limited. An extensive conversion industry is not likely to develop since natural gas is an important resource in itself and is not as plentiful as coal and shale.

Oil sands: Biggest known deposits of crude oil in the world are the tar sands of northern Canada. These deposits could yield 100 billion to 250 billion barrels of oil. But they are remote and production and transportation costs would be high. Oil sands of Utah and other less explored areas of the United States also might yield an oil supply that would last several years.

Of these sources of synthetic oil, coal and shale offer the best possibilities. Now the question arises as to how much more the consumer might have to pay at some future time for synthetic gasoline than he now pays for gasoline from petroleum.

Automobile users would have to pay considerably more for synthetic gasoline than they now pay for gas from crude oil unless production costs are reduced materially. However, Congress did not intend that the experiments create a cheaper and better gasoline. It merely believed that the country should insure itself against the day when natural oil supplies are exhausted.

That brings up the question of why Congress is disturbed over the oil supply. The reasons are these:

This country is heading into a serious oil shortage unless large new fields are discovered. The present annual rate of crude oil production is about 1,500 million barrels and the known reserve supply of oil is around 20 billion barrels. Production and consumption have been exceeding new discoveries for the last 5 years. The industry and the Government agree that present proved reserves will provide only a 13- or 14-year supply of oil at present rates of consumption.

Rather extensive experiments already have been carried on by the Bureau of Mines in making oil from coal. We have learned much from Germany, where synthetic oil provides more than half the military fuel. We also have learned from Great Britain. Twenty years were required by Germany to develop a synthetic oil industry, but it is believed that we can do the preliminary work for developing such an industry in 4 or 5 years.

The test tube stage is past. The $30-million program authorized by Congress goes into the stage of commercial production. The knowledge learned in the demonstration plants will be available to all in private industry who wish to use it, and will not be used to put the Government in competition with business.

Mr. RANDOLPH. For 11 years, the Bureau of Mines carried on extensive investigations of this program to establish methods for producing synthetic liquid fuels from coal, oil shale, and other substances.

The basic act in 1944 authorized appropriations of $30 million. An amendment on March 15, 1948, extended the work from 5 to 8 years and increased the authorization from $30 to $60 million. On September 22, 1950, a second amendment extended the work from 8 to 11 years and further increased the authorization from $60 million to $87,600,000.

Actually appropriated from the $87.6 million authorized was $85,179,730, and over the 11-year period of the synthetic liquid fuels program actual expenditures amounted to approximately $82 million.

In 1959, the U.S. Department of the Interior published Bureau of Mines Report of Investigations 5506, entitled: "The Bureau of Mines Synthetic Liquid Fuels Program, 1944–55; Part I—Oil From Coal." It is a significant publication of the background for and developments under the synthetic liquid fuels from coal program from its 1944 inception until the act expired in April 1955. Since the latter date, research on synthetic liquid fuels has continued as a part of the regular Bureau of Mines investigations on coal and on oil shale. It points out that the major subjects of coal research studied under the program were gasification, gas purification, coal hydrogenation, and Fisher-Tropsch synthesis, all of which are stages of processes in which coal is virtually completely converted to fluid fuels, such as gasoline and oils. Carbonization of coal was not included in the program under the O'Mahoney-Randolph Act because its major product is coke, and the liquids produced are essentially byproducts.

Gasification of coal and purification of the gas produced have been studied at Morgantown, W. Va., for many years—at first in space made available in West Virginia University buildings. Early in 1946, in the early phases of the program under the Synthetic Liquid Fuels Act of 1944, facilities for coal preparation were installed there. Also, a laboratory-scale gasifier was constructed, and laboratory studies were started on sulfur compounds present in gases made from coal. A new Bureau of Mines Appalachian experiment station, 5 miles north of Morgantown, was erected between 1952 and 1954.

Over the years there have been material advances in non-government research, which, together with the Bureau of Mines activities, have resulted in a considerable body of data being made available to indicate real progress toward economically feasible and possibly competitive liquification and gasification of coal.

The Office of Coal Research in the Department of the Interior has since been added as a vital and important clearing house for, and monitor of, a modern research program. Perhaps there is need for refinement in the relationships between and the missions of the Bureau of Mines and the Office of Coal Research, and I am sure these will evolve as experiences show the way toward clarification. There must be a patient and joint effort by the administrators and the appropriate committees of the Congress to correct errors as they are uncovered. But it is to be hoped that there will not be a punishing retardation of the whole program of important and vital research that seeks to enhance our national growth through broadening knowledge of and uses for such of our fossil fuels as coal, oil shale, and lignite.

We have been authorizing and appropriating more, in recent years, for research and development in the field of atomic power than has been authorized and appropriated in the 20th century for these fossil fuels. I anticipate having more to say on this subject in the near future.

Mr. President, it would be helpful and conducive to a better understanding of the need for carrying on coal and other fossil fuels research in the coal and oil shale to oil and gasoline and the coal to gas areas if we were to have before us some of the important background material available on the subjects. I request unanimous consent, therefore, to have printed in the RECORD what the Interior Department referred to in a letter to me on July 16, 1962, as a summary accounting for the funds appropriated and expending during the life of the Synthetic Liquid Fuels Act, and a review of the Bureau of Mines accomplishments under that authorization, together with a brief discussion of the current research programs in synthetic fuels from coal and oil shale.

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

BUREAU OF MINES SYNTHETIC LIQUID FUELS PROGRAM

FUNDS INVOLVED

Authorized:	
April 5, 1944	$30,000,000
March 15, 1948	30,000,000
September 22, 1950	27,600,000
Total	$87,600,000

The amount appropriated was $85,179,730 and about $82,000,000 was expended during the 11 years of the synthetic liquid fuels program.

Expended:	
Coal research and development	$27,871,067
Coal demonstration plants	32,272,964
Oil-shale research and development	5,143,132
Oil-shale mining and demonstration plants	16,820,017

The coal-to-oil laboratory in Bruceton, Pa., cost $3.5 million and the one in Morgantown, W. Va., cost $3 million. The cost of hydrogenation and Fischer-Tropsch demonstration plants at Louisiana, Mo., were $10 million and $5 million respectively. The oil-shale research laboratory at Laramie, Wyo., was $750,000 and the oil-shale demonstration plant at Rifle, Colo., was $8 million. The balance of the funds, about $52 million, was expended on personnel, materials, and maintenance incidental to the operation of the plants and in pursuance of research work.

Breakdown of funds expended by specific activity

Coal:	
Hydrogenation demonstration plant	$17,632,904
Fischer-Tropsch demonstration plant	14,640,060
Hydrogenation research	10,127,756
Fischer-Tropsch research	8,245,676
Gasification research	8,093,570
Underground gasification	1,404,065
Subtotal	60,144,031
Oil shale:	
Oil-shale mine	2,821,549
Oil-shale demonstration plant	13,998,468
Oil-shale research	5,143,132
Subtotal	21,963,149
Total	82,103,180

COAL HYDROGENATION AND FISCHER-TROPSCH PROGRAMS

Under the Synthetic Liquid Fuels Act

At the Louisiana, Mo., coal demonstration plants, the suitability of American-made equipment and the amenability to hydrogenation of eastern high-volatile bituminous and western noncaking coals were demonstrated for the Bergius-I.G. Farben high-pressure process. A number of processing and engineering developments were made, such as in construction of reactors, coal-paste preheater, pumps, solids separation, process flow piping, values and instrumentation.

In the Fischer-Tropsch synthesis, American equipment was also demonstrated. Bituminous coal was successfully gasified by two processes, and a method for synthesizing gasoline by a Bureau-developed process was tested. Cost data were obtained for both the hydrogenation and synthesis processes from which it was possible to make valid cost estimates. These were made by the Bureau of Mines and verified by industry.

Concurrently, at the Bureau's Bruceton and Morgantown laboratories, research and development work were conducted to facilitate operation of the demonstration plants and to improve processes. It was established that the synthesis of gasoline and chemicals could be conducted more efficiently under pressures of 300 to 400 pounds per square inch, and a method was developed for gasifying caking bituminous coal with oxygen and steam under pressure. Gasification under the required pressure effected considerable savings by eliminating compression of the gas. Cost estimates made by the Bureau and industry showed that these improvements resulted in reduction in cost estimates and operation for both the hydrogenation and Fischer-Tropsch. Greatly improved catalysts for the Fischer-Tropsch synthesis led to the development of the hot gas recycle process, a process which the Germans had been unable to perfect. The hot carbonate process for synthesis gas purification was a development during this time, which since then has gained wide acceptance by industry in this country and abroad. Fused nitrided iron catalyst was shown to yield a high percentage of oxygenated chemical, predominantly alcohols, which when blended with the produced gasoline yielded a high octane gasoline which did not require addition of lead or further processing. In hydrogenation, the production of heavy fuel oils was demonstrated in a pilot plant at pressures as low as 1,500 pounds per square inch using a cheap iron catalyst. The hydrogenation of dry coal, an innovation in processing, was initiated and tested.

At Gorgas, Ala., experiments were conducted on underground coal gasification. It was demonstrated that gasifying coal underground through prepared mine passages was definitely an uneconomic route because of the expense involved in preparing the passages and the low quality gas produced. Electrolinking-carbonization of a gasification path between two electrodes inserted into the coal seam from the ground surface proved more efficient. Initial tests were made using the petroleum industry developed technique of hydraulic fracturing whereby the coal seam was fractured by injection of sand-containing oil into the seam from the surface for preparation of the coal for gasification. This technique showed promise and was investigated until 1958, when it was shown that this process also was too costly.

The value of the total effort on coal is difficult to determine. Aside from obtaining the required engineering and process information for deriving the cost data, considerable improvements were made, although insufficient to make either hydrogenation or synthesis of gasoline and chemicals from coal competitive with the petroleum industry at the time. It is believed that much interest and effort were stimulated in both the coal and the petroleum industries. As a result, this research continues in both industries for processes for upgrading coal and heavy petroleum residues, which are akin to the process work done by the Bureau of Mines. Expenditures of the American people for petroleum fuels are so vast that any savings made possible in the synthesis of liquid fuels from coal will amount to extremely large sums when the time comes that we have to use coal as the source of liquid fuels for this Nation. Knowledge of the processes was accumulated during the time of the program, and a survey of potential areas suitable for synthetic fuels plants of all types was made. In case of an emergency, should the need arise for producing synthetic fuels, this knowledge having been made available to industry should prove of immense benefit.

Present Bureau of Mines work on coal

Since the synthetic liquid fuels program under the O'Mahoney-Randolph Act ended, the Bureau of Mines under its Organic Act has continued research and development on conversion of coal to liquid and gaseous fuels. The emphasis has been placed on production of a substitute pipeline gas, as it is felt that the need for a synthetic gas is more imminent than the need for a liquid fuel.

Research and development on coal gasification has been continued to produce the gas needed for hydrogenation and synthesis of either liquid or gaseous fuels. At the Bureau of Mines Morgantown (W. Va.) Coal Research Center, the application of nuclear heat for gasification of coal is an effort that has been underway for the past 7 years. At the Bureau's Grand Forks laboratory, a Lurgi type gasifier in which the ash is removed as molten slag shows promise of a more efficient method for gasification of noncaking coals and chars obtained from our eastern bituminous coals. At the Bureau of Mines Bruceton and Pittsburgh laboratories, in Pennsylvania, studies are underway to develop methods of pretreating caking coals so that they may be gasified in the Lurgi gasifier without precarbonizing.

The gasification step is approximately 40 to 75 percent of the cost of producing a liquid or gaseous fuel by hydrogenation and synthesis, respectively. Coal is a major portion of the gasification cost, and the Bureau is actively working on the reduction of mining costs by mining coal hydraulically.

Pilot-plant studies continued for production of liquid fuels both by hydrogenation and synthesis. Hydrogenation of coal, at 2,000 pounds per square inch, to light oils suitable for conversion to gasoline or for use as a turbine or jet fuel was demonstrated using both molybdenum and iron catalysts. Jet fuels suitable for supersonic planes were made from low-temperature tar distillate, and work is in progress to determine the quality of such fuels made from the low pressure hydrogenation light oil. Further work was done to develop and demonstrate the suitability of the Bureau-developed lathe-turning catalyst in the hot gas recycle process for the synthesis of gasoline. A process for hydrocracking of hydrogenation oil to pipeline gas and aromatic chemicals is now under investigation. Other processes under investigation and development for production of fuels and chemicals which would lead to increased utilization of our eastern coals are the direct conversion of coals to chemicals, such as hydrogen cyanide, acetylene, carbon black, etc.

Although the work is mainly directed towards the production of high-B.t.u. gas, the processes for gaseous and for liquid fuels are closely related, and should the process developments for production of synthetic gas indicate suitability for production of liquid fuels, they will be investigated for that purpose.

Bureau of Mines Report of Investigations 5506, "The Bureau of Mines Synthetic Liquid Fuels Program, 1944–55, Part I.—Oil From Coal," summarizes the Bureau's accomplishments under the Synthetic Liquid Fuels Act in the coal-to-oil program and presents yearly allocations of appropriations by activity.

OIL-SHALE MINING AND PROCESSING PROGRAM

At the Rifle, Colo., mine a low-cost mining method was developed, which would make possible the production of large volumes of oil shale by a technique that has been described as underground quarrying. The outstanding features of this mining method were high production per man shift, a high degree of mechanization, and a minimal waste of shale in the mining process.

The oil-shale plant developments made significant progress in low-cost methods for crushing, classification, and handling the oil-shale rock in preparation for the retorting processes. In retorting, developments were conducted on several methods, out of which was evolved the high throughput gas-combustion retorting process. This retort would handle the average grade of shale as mined and gave a high recovery of oil without requiring cooling water, which is an extremely important point of consideration in the water-scarce oil-shale areas of the West. Three sizes of plants were built, in order to carry on an orderly evolution of processes development that would reduce the very costly mistakes almost universally encountered when too rapid scaleup is attempted.

The initial shakedown runs on the latest retort had not been completed, nor had the process parameters been well defined at the time operations were halted at Rifle in 1955 and the installation placed in standby.

The developed refining processes made possible the production from shale oil of automotive regular gasoline and high quality diesel fuel, asphalt, and residual fuel. A number of byproduct materials, such as the very useful commodities sulfur, wax, ammonia, coke, and tar acids and bases also could be produced by the shale-oil refinery. A method also was developed for altering the oil moderately to make it possible to pump it in crude oil pipelines without wax deposition, so that shale oil could be moved in the Nation's pipeline network to refining centers.

Functionally, the oil-shale development and demonstration work at Rifle, Colo., was mining the oil shale, retorting the mined and crushed shale to extract the shale oil, and refining this crude oil into finished products. Substantial progress was made in all phases of mining and processing technology. Upon this work were based cost estimates of large-scale projected operations, such as would be required by a commercial oil-shale industrial enterprise. These estimates, which had the concurrence of industry, showed for example, that shale-oil gasoline could be produced at prices, which were

within 2 or 3 cents a gallon of being competitive with similar products of like quality from petroleum.

Since that time, almost 10 years ago, products, processes, and technology have changed so drastically that an updating of the cost estimates to current prices would not be appropriate. To be meaningful, a present day oil-shale estimate would require new data from engineering development work, especially in the plant processes of retorting and refining. This work also would require a continuation of the program of supporting laboratory research, constantly, to supply new scientific data needed for development and information to accompany such engineering applications as they proceed.

Concurrently a comprehensive oil-shale laboratory research program was initiated and carried on at Laramie, Wyo. This laboratory research at Laramie has been a continuing program.

Present Bureau of Mines work on oil shale

As was mentioned previously, in the ensuing years since 1956 when the Rifle, Colo., demonstration plant activities were recessed and placed in standby, there has been a continuing program of oil-shale research in the laboratory at Laramie, Wyo. These laboratory studies have been carried out, particularly to determine the physical and chemical characteristics and properties of the oil shale and shale oil. Involved in this research are the rock itself, its contained kerogen (the organic matter from which oil is obtained), and shale oil and its contained materials, as well as the many products that can be made from it. Such studies constitute an immense scientific field, and only a small portion of it as yet has been covered. In the technology of processing and utilization, several areas of work have received initial studies in the laboratory and bench-scale experimentation has been carried out.

Areas of promise are those concerned with upgrading shale oils by techniques of hydrogenation, reforming, and various catalytic methods. High-temperature entrained solids retorting also has indicated promise for improved products, especially for chemical materials and premium-type fuels. This entrained solids method also is applicable and utilizes oil-shale dusts and fine particles that are troublesome or impossible to handle in most retorts.

Sound engineering technology has been developed in mining, crushing, retorting, and refining. These, together were approaching possible commercial feasibility levels in the early 1950's. Since that time the industrial technology, product quality, and other factors have advanced in the petroleum and process industries, while the work in the oil-shale mine and plant have been idle. The groundwork for an oil-shale industry had advanced to the point of approaching economic levels at the time of cessation of the work at Rifle. With the passage of time, however, the results of this research become more obsolete.

Resource studies have been carried out to provide greater data on the oil-shale resources by a continuing program of assaying many samples of oil shale from many sources, which include cores taken from wells drilled by oil companies in the oil-shale regions for petroleum and gas. The results of this work have added immeasurably to delineating the extent and quality of the Nation's oil-shale resources. Other research studies, such as the use of bacteria as a possible method of treatment for oil shale, application of methods to apply in situ combustion for producing shale oil or for gasification, are undergoing investigations.

The Bureau of Mines appropriation for its laboratory oil-shale research program being conducted at Laramie, Wyo., was $751,000 for fiscal year 1962. Maintenance and standby at Rifle, Colo., have costs on an average of about $100,000 per year.

Numerous publications in the form of reports, technical papers, and bulletins were made during the time of the large-scale oil-shale operations. Annual reports also were made by the Secretary of the Interior to the Congress each year in accordance with the requirements of the O'Mahoney-Randolph Synthetic Liquid Fuels Act. Because of the diversity of the science and technology of the different parts of the work, publications were written concurrently on the separate phases of the work as it progressed rather than as a combined whole.

MAINTENANCE OF PEACE IN THE MIDDLE EAST

Mr. HART. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a thoughtful editorial published in the Washington Post of May 19. The Senate will recall that some days ago, under the leadership of the distinguished majority whip, the senior Senator from Minnesota [Mr. HUMPHREY], there was submitted Senate Resolution 135, which was cosponsored by Senator GRUENING, Senator CLARK, Senator MCCARTHY, Senator MORSE, and myself. It expresses the concern that thoughtful Americans continue to have in regard to the tightening tensions in the Middle East. The excellent editorial published in the Washington Post comments upon the resolution. Because it suggests the desirability of prompt action by the Senate on the resolution, I feel that a reading of the editorial will be helpful to the Members of this body, as well as to the public generally.

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

STRATEGIES FOR PEACE

How can the United States help to maintain the peace in the Middle East? This is a question on which Americans of good will can reasonably differ, and small wonder that so many different proposals are offered. President Kennedy at his last news conference said the very minimum that needs to be said. He stressed again U.S. support for "the security of both Israel and her neighbors." He deplored the arms race and the threat of force, and pledged that in the event "of aggression, or preparation for aggression, whether direct or indirect" we would take "appropriate action" on our own and through the United Nations.

Some Americans would have the country do far more than that. They are urging bilateral guarantees of Israel's present borders in order to make clear that an attack on Israel would trigger our intervention. But the trouble is that this would be taking sides in a way that could prejudice chances for achieving what most Americans want—an honorable settlement of Arab-Israel differences.

It ought to be emphasized that the blame for not reaching a settlement does not lie solely with President Nasser or Arab stubbornness. Last year Dr. Joseph E. Johnson, a special U.S. representative on the Palestine Conciliation Commission, presented a credible plan for settling the Arab refuge problem—the vexing question that underlies so much of the conflict. The proposal was scarcely born before Israeli Foreign Minister Golda Meir condemned it as part of a plot to ruin Israel by fifth column means.

Yet if the Israelis sometimes have been unreasonable, the Arab States, at least in their official policy, have been fanatic. In no other area of the world has a group of nations sworn the extermination of a tiny neighboring country. Though Arab leaders speak more moderately in private, each is afraid of seeming soft on Israel in public. Thus, in a sense they are captives of their own propaganda, and it is this circumstance that could lead to a tragic collision.

The dogmatism of Arab policy, and the poison that emanates from clandestine radio stations, have led some Americans to argue that the United States should hand Mr. Nasser an ultimatum; call off the attacks or forfeit American economic aid. This is the counsel of impatience, and all recent history testifies to the folly of such tactics. No self-respecting leader can bow to threats; the last time an American statesman used a bludgeon, Mr. Nasser seized the Suez Canal. And aside from pragmatic objection, there is dubious morality in playing politics with the empty bellies of those receiving what we call food for peace.

Yet at the other extreme there are American diplomats so afraid of Mr. Nasser's displeasure that they are reluctant to risk influence by using it. It is surely the ultimate of absurdity to contend that a country helping both Arab States and Israel should be condemned to impotence as the region drifts closer to a war nobody really wants.

Our economic aid to Mr. Nasser does not give us the right to dictate. It does give us the right to protest against inflammatory secret broadcasts beamed at Jordan. And it does give us the opportunity to seek an agreement aimed at ending an arms race that our assistance is helping to subsidize. A group of Democratic Senators, led by Mr. HUMPHREY, has introduced a resolution urging the Government to grasp that opportunity.

Mr. HUMPHREY maintains that no new pacts or guarantees are necessary to make American intentions clear. He would have the Government reaffirm the Tripartite Declaration of May 1950, which commits this country, Great Britain and France to take action within and without the U.N. if any state threatens or uses force in violation of the Arab-Israeli armistice agreement. Then he would make the objective of our policy the creation of a denuclearized, missile-free area in the Middle East with the safeguards of international inspection. It would be salubrious if this were the Voice of America as well as that of a handful of Senators.

BIRTHDAY GREETINGS TO SENATOR HUMPHREY

Mr. MANSFIELD. Mr. President, this is a momentous occasion in more ways than one. Not only has the Senate today passed a bill which will be a milestone in the progress of our Nation, but hardly less important is the birthday of the deputy leader on the Democratic side. I take this occasion to extend to him my best wishes, my great respect, and my deep admiration for him as a man and as a Senator, and to assure him that I wish that what is happening today will occur for many decades to come. He has been a real asset to his State, his country, and, incidentally, to the party. We love him. We esteem him. We wish him everything of the best in the years ahead.

Mr. HUMPHREY. I am most grateful to the majority leader.

The PRESIDING OFFICER (Mr. BAYH in the chair). The Chair would like to ask the Senator from Minnesota if he would like to have "happy birthday" recorded in the RECORD.

Mr. HUMPHREY. Not on this occasion.

Mr. YARBOROUGH. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I do not have the floor. The Senator from Minnesota has the floor.

Mr. HUMPHREY. I am happy to yield to the Senator from Texas if he will be careful in what he says.

Mr. YARBOROUGH. I will be very careful, since the distinguished assistant leaders has apparently reached that point, along with Jack Benny, when he is about to reach the age of 39 and remain there permanently. With the admonition from our distinguished, affable, capable, and eloquent assistant leader on this side of the aisle, I will merely say that we all join in extending the good wishes that the majority leader has given to him. As the majority leader mentioned, we hope that the years will rest as lightly upon him as they do on certain other people in the country who admit on the radio they have not yet passed their 39th birthday yet.

Mr. HUMPHREY. I thank the Senator from Texas. These words of encouragement will undoubtedly increase the span of life; if not the span, at least the enthusiasm of life.

THE FACTS OF ANTIDUMPING

Mr. HUMPHREY. Mr. President, last month I introduced on behalf of myself, the Senator from Pennsylvania [Mr. SCOTT], and 25 other Senators a bill—S. 1318—to amend the Antidumping Act of 1921. Over the past several weeks there have appeared several editorials that display an apparent misunderstanding about the purpose and procedures of this law.

I refer specifically to two editorials that appeared in the Washington Post dealing with the Portland cement dumping case and the steel dumping cases. Mr. President, I ask unanimous consent that the editorials of April 23, 1963, and May 13, 1963, be printed in the RECORD at the conclusion of my remarks.

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

[From the Washington Post, Apr. 23, 1963]

THE CEMENT DUMPING CASE

The Dominican Republic has never occupied a prominent place in the world production of Portland cement (it has only one plant), but her position has been incongruously elevated by a majority of the U.S. Tariff Commission in an Antidumping Act decision which could endanger the efforts to reduce free world tariffs at the round of preliminary negotiations scheduled to begin next month.

The Antidumping Act of 1921 provides relief for domestic industries when they are injured by imports that are dumped or sold at discriminatory prices which are at less than fair value. Charges of dumping are first lodged with the Treasury Department, and if the Tariff Commission finds that injury is being inflicted, the importer is compelled to pay a penalty duty equivalent to the difference between the dumping price and fair value.

In this case five of the Tariff Commissioners ruled that the cement producers in the New York metropolitan area are likely to suffer injuries as a result of imports from the Dominican Republic. But Chairman Ben Dorfman, in a trenchant dissent, points out that the Dominican sales at below fair value "were equivalent to less than one-third of a percent of the total shipments of mills that supplied the New York area in 1962." And he notes that prices in the New York area are now below the level at which the Dominican cement was sold because domestic production has been augmented by the addition of a new, automated mill with an annual capacity of 10 million barrels.

The majority decision was handed down despite assurances from the Dominican company, which is principally owned and controlled by the Government, that its capacity in the foreseeable future will be completely utilized by home consumption and the Caribbean markets. But the decision has implications that extend far beyond a gratuitous affront to the Dominicans. The law firm which represented the American cement mills is also representing several of the major producers of steel in an antidumping action against imports of wire rods and wire products from Belgium, Luxembourg, and West Germany. And there is a presumption, however unjustified, that it will again be successful.

If the cement decision is allowed to stand, the participants in the forthcoming round of tariff negotiations may become convinced that this country will ultimately revert to the discredited, protectionist policies which have inhibited international trade in the past. But President Kennedy has the power to reverse it, and he should act without delay.

[From the Washington Post, May 13, 1963]

THE STEEL DUMPING CASES

The outcome of the antidumping cases against the fabricators of wire rod and other steel products in Belgium, Luxembourg, and West Germany will have a profound impact upon trade between the countries of the free world.

Seven large domestic steel producers have charged that steel products from Western Europe are being dumped or sold at less than fair value in the United States. Under the provisions of the Antidumping Act of 1921, the Tariff Commission must determine whether a significant injury to the domestic industry is likely to result, and its decision cannot be reversed by Presidential action.

Although the Tariff Commission is concerned principally with the likelihood of injury to the domestic industry from the importation of products which comprise about 1½ percent of its total output, the question of what constitutes fair value in these cases raises some significant issues.

There can be no doubt that the European mills are exporting at prices which are below those charged in their home markets, but there is much force to the contention that the relevant prices in these cases are those charged by the Japanese mills. And the Treasury has recently rejected the charge that Japanese steel rods are being dumped. If the Japanese mills are permitted free access to the American market, there can be little reasonable justification for excluding the Western Europeans.

Wire rods, which are used in the production of fencing, nails, and other products, are sold on an open price basis. Profit margins are low, and until recently the major domestic producers raised few objections when the independent fabricators took advantage of the low prices offered by foreign mills. Their motives in bringing antidumping charges at this time are somewhat obscure, for if they are successful in excluding Western European rods from the U.S. market, they would still be faced with keen price competition from the independent electric mills which have been opened up along the eastern seaboard.

Whatever the motives of the American producers in lodging the antidumping charges, there can be no doubt that a favorable decision by the Tariff Commission would seriously weaken the bargaining position of the United States in the forthcoming Kennedy round of tariff negotiations. The high authority of the European Coal and Steel Community is concerned over the protectionist implications of the Antidumping Act procedures, and the influential Handelsblatt of Dusseldorf, in a front page editorial, reminds American industry that it, too, is vulnerable to charges of dumping.

"The West German Government, to set the record straight, has the legal power to impose antidumping tariffs. Bonn, however, has not made use of these tools, although particularly low prices for American products have repeatedly disturbed the German market. We have only to remind one of the imported U.S. polyethylene which was offered at prices 40 percent below those asked on the American market. Another example is the well-protected U.S. lead and zinc industry which has sold products in the Federal Republic at prices 30 percent lower than on the American market. In no instance, however, did Bonn make any attempt to make foreign competition more difficult."

Statements such as this should make it perfectly clear that any attempt to eliminate international competition by means of the inflexible Antidumping Act procedures will invite retaliations that can only work to the disadvantage of the free world.

Mr. HUMPHREY. I do not intend to discuss the merits of these pending actions. In both cases the Department of the Treasury determined that dumping of portland cement and certain steel products had taken place; that is, had been sold in this country at prices below those charged to buyers in their domestic markets. In the cement case, the Tariff Commission subsequently determined that New York cement producers were likely to suffer injury from the dumped imports and directed the Treasury Department to assess an appropriate dumping duty to prevent such injury. The steel products case is currently pending before the Tariff Commission for a determination whether domestic steel producers have been injured or are likely to be injured by the dumped steel imports. What I have to say today does not involve the merits of these specific cases.

I am, however, disturbed by the apparent lack of understanding displayed in these editorials toward the objectives of the Antidumping Act itself. In the editorial of May 13, the Post asserts that "any attempt to eliminate international competition by means of the inflexible Antidumping Act procedures will invite retaliations that can only work to the disadvantage of the free world." The April 23 editorial refers to the operation of the Antidumping Act as an example of the "discredited, protectionist policies which have inhibited international trade in the past."

Certainly my vigorous advocacy of expansionist trade policies is a matter of public record. I was a strong and outspoken supporter of President Kennedy's Trade Expansion Act of 1962 and I view a mutual reduction of tariffs among the Western nations as absolutely essential to the longrun economic prosperity and political solidarity of the free world. But I also believe it is essential that every

nation be willing to abide by basic ground rules of international trade. One of these rules is not to sell large quantities of surplus merchandise in a country at prices below those charged in home markets if such sales will injure domestic producers.

Antidumping Acts exist in virtually every major trading country in the free world. They are expressly authorized by the 1947 General Agreement on Tariffs and Trade, the so-called GATT. In fact, Antidumping Acts of many countries are much more stringent than ours and prohibit dumping without regard to the injury it causes.

Mr. President, I ask unanimous consent that a memorandum setting forth the operation of Antidumping Acts in other countries be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HUMPHREY. It will be seen from this memorandum that other countries apply far more stringent controls in regard to dumping than the United States. For example, Switzerland, Austria, Spain, Turkey, Brazil, and Great Britain, among other countries, can impose dumping duties without reaching a prior determination that injury has occurred or is likely to occur to a specific domestic industry. By comparison, our antidumping statute provides that after the Treasury Department has determined that imported goods are being sold at less than fair value, the Tariff Commission must further find that "an industry in the United States is being or is likely to be injured" before dumping duties can be imposed. Bear in mind that the Tariff Commission is under no obligation to find injury; if no injury is found the foreign producer can continue to sell surplus merchandise without payment of dumping duties. To this Senator these regulations do not qualify as the "inflexible" procedures criticized by the Post editorial writers.

It appears to me that the editorials were primarily theoretical rather than being based upon an actual observation of the laws and the facts that relate to those laws.

Moreover, foreign nations—Great Britain and Japan, in particular—have reportedly entered into unofficial "cartel" arrangements with the object of dividing up world steel markets and preventing uncontrolled price competition. Great Britain has reached a "gentleman's agreement" with the European Coal and Steel Community not to undercut each other's prices in each other's markets. It has also been reported that Japan and the ECSC have reached unofficial agreements in regard to the exporting of certain products, that is, small diameter pipe, with particular emphasis on the American market. According to the Engineering News Record of April 18, 1963, this agreement "fixes price floors, limits tonnages and divides the U.S. market geographically. The Europeans will sell in the East, as far west as Chicago and the gulf region, while Japanese will sell in the western half of the United States." Needless to say, such informal "cartel" agreements would never be countenanced by our Department of Justice. But this informal practice among other nations clearly reflects their concern over ruinous dumping of surplus merchandise in each other's home markets.

In short, whether by official statute or decree or by unofficial agreements, other nations of the free world sanction procedures to protect their domestic industries and markets from dumping of surplus products. To the extent that the Post editorials conveyed the impression that the U.S. Antidumping Act represented a unique trade practice unknown to our Western partners, they were grossly misleading. In fact, dumping is an internationally recognized unfair trade practice and action taken against dumping should be and is taken without regard to attempts to encourage and expand fair international trade.

Of course, our Antidumping Act does not prevent foreign manufacturers from selling in this country at prices below those charged by American producers. What the act does prevent is wholesale dumping of surplus merchandise on the American market at prices below those the foreign manufacturer charges in his home market. I have always maintained that American manufacturers were fully capable of meeting legitimate foreign competition, but no domestic producer should be expected to withstand the long-term effects of irresponsible dumping actions by foreign competitors.

The danger of dumping is particularly grave in relation to foreign trade practices of Communist nations. With highly centralized economies under firm political control, the Soviet Union and the East European satellites have sought to disrupt international trade relations by dumping particular products such as aluminum, bicycles, cement, and potash. We must have effective weapons to counter such Communist attempts to destroy selected markets in the free economies of the Western nations.

As I noted on April 11 when I introduced S. 1318, the proposed amendment does not alter the philosophy or purpose of the Antidumping Act in any way. Rather, it seeks to make the act more effective in achieving its original purpose in light of existing conditions and practices of international trade. Mr. President, I ask unanimous consent that a summary of the provisions of S. 1318 be printed in the RECORD at this point.

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

SUMMARY OF S. 1318—AMENDMENT TO ANTIDUMPING ACT OF 1921

First. Treasury's proceedings in cement dumping cases have averaged 17 months, and one took more than 3 years. Uncertainties caused by such delay hurt importers and foreign manufacturers as much as American industry. In 1954 Congress limited the Tariff Commission's investigations to 3 months. The amendment imposes a limitation of 6 months on Treasury's proceedings; however, an escape valve is available permitting additional time when needed.

Second. Congress amended the Antidumping Act in 1958 to require Treasury and the Commission to state reasons for their findings. The proposed amendment further specifies the content of Treasury's opinions in order to carry out the intent of Congress.

Third. American manufacturers, as well as importers, presently have little opportunity to participate in Treasury's proceedings. The amendment would require Treasury to issue proposed findings, prior to its final determinations, for the parties' reaction. This is analogous to the standards contained in the Administrative Procedure Act of 1946.

Fourth. The Administrative Procedure Act also provides that all agencies' actions can be reviewed by courts, but there is confusion as to whether courts can review the Treasury's findings in antidumping cases. The amendment would make clear that judicial review is available.

Fifth. Some importers have attempted to evade the act by creating dummy foreign export corporations. One provision plugs this loophole.

Sixth. Dumping from Communist countries not only injures American industry, but prevents manufacturers in friendly countries from selling in the United States. The present act is ineffective in preventing dumping from Communist countries, which can control their home prices by state fiat. The amendment will help solve this problem.

Seventh. Other provisions deal with the problem of importers, exporters, and foreign manufacturers who refuse to provide the Treasury Department with pricing information, or who file false information. The present act is ineffective in this regard.

Eighth. To enable the Tariff Commission to make more meaningful investigations of injury to American industry, it is proposed that the Treasury Department aggregate complaints regarding the dumping of the same class of merchandise. Treasury now sends cases to the Commission on a country-by-country basis.

Ninth. A final provision provides that when Treasury calculates price differentials it can consider the quantity discounts foreign manufacturers give American importers only if the discounts are justified by the foreign manufacturer's reduced costs, similar to the quantity discount provisions applicable to U.S. manufacturers under the Robinson-Patman Act.

Mr. HUMPHREY. Mr. President, as I have attempted to indicate, the Antidumping Act in itself does not represent a return to "the discredited, protectionist policies which inhibited international trade in the past." These policies have been discredited and rightly so. I realize, however, that certain U.S. companies or industries might attempt to distort the operation of the Antidumping Act in a fashion that would have a protectionist result. Such activities are most reprehensible; the Treasury Department has full authority to dismiss such actions and should exercise this authority. Recent developments at the GATT meeting in Geneva raise the hopes of the free world that the so-called Kennedy round of tariff negotiations will result in significant tariff reductions. Nothing should be permitted to sacrifice this historic opportunity to implement the Trade Expansion Act of 1962.

However, as I indicated earlier, a properly conceived and administered antidumping statute does not stand in the way of freer international trade. Rather, it is fundamentally a recognition that international trade cannot be conducted without certain ground rules to protect those countries and manufacturers from their more predatory and unscrupulous competitors.

Mr. President, I ask unanimous consent that the Tariff Commission's recent ruling in the Portland cement antidumping case be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 2.)

EXHIBIT 1

HOW DO OTHER COUNTRIES APPROACH DUMPING

Virtually every economically developed nation in the free world has established some means to prevent dumping. Most nations have an act similar to our Antidumping Act. Some countries, such as Japan and Israel, regulate dumping along with other imports through licensing, quotas, price barriers, or otherwise prohibiting imports. Communist countries are able to regulate their home market prices by state fiat, and thus present special problems in determining dumping. In short, such countries do not need antidumping acts.

How does our act compare with those of other nations? All antidumping acts vary in detail, but it is fair to say that ours is generally one of the most liberal in the world.

The standard for antidumping acts is article VI of the General Agreement on Tariffs and Trade. It begins:

"The contracting parties recognize that dumping, by which products of one country are introduced into the commerce of another country at less than the normal value of the products, is to be condemned if it causes or threatens material injury to an established industry in the territory of a contracting party or materially retards the establishment of a domestic industry."

In the United Kingdom the board of trade performs a similar function as the Treasury and Tariff Commission here. Its criteria for finding dumping is danger to the "national interest, a somewhat broader standard than that of the United States act, and it may "vary duties of customs in such manner as it thinks necessary" to counteract dumping. Other commonwealth countries also use the "public interest" concept: Australia, India, New Zealand, Nyasaland, Rhodesia, and the Union of South Africa. Canada is unique among the commonwealth nations in not requiring an injury finding. All that is required is that the dumped goods be of a class or kind made or produced in substantial quantity in Canada—which has been interpreted as 10 percent or greater.

Most of the major members of the European Common Market have antidumping acts. They are expressly allowed under article 91(1) of the Treaty of Rome. France has one of the most strict antidumping laws, as it allows no adjustment of price for differing conditions of sale. In Belgium there is no Antidumping Act as such, but the same control is achieved by broad powers by which the King can regulate imports "when the vital interests of the country are in peril."

Other European countries have Antidumping Acts similar to our own. Finland, Czechoslovakia, and West Germany have representative antidumping laws. The German Customs Law of 1961, section 21, provides: "The Federal Government is empowered to levy through ordinance antidumpting duties on items which have been determined to be objects of a dumping action and the amount of the duty shall be in the amount of the dumping margin."

In Sweden a material injury must be shown before dumping can be found, but Norway permits a temporary dumping duty to be imposed until an investigation can be made. In Switzerland the Federal Council is authorized to take whatever protective measures are necessary if the economic interests of the country are adversely affected by imports. "Dumping" is presumed for any product sold for 20 percent less than Swiss prices. Austria, likewise, does not require an injury finding.

Spain enacted legislation in 1963 authorizing the Government to impose antidumping duties on merchandise imported at less than "normal" price, which might subject Spanish industry to "unfair competition." A February 1963 Government decree imposed a "compensatory" duty on a variety of steel products ranging from $6.66 to $41 per ton.

In Turkey the Council of Ministers may "impose higher duties and * * * resort to other practices" to prevent dumping, and the Brazilian act is another which makes no reference to injury.

This discussion does not purport to be a thorough review of all the antidumping acts of the world. These examples are sufficient, however, to demonstrate that virtually all nations recognize the evil of dumping, and have laws and practices to deal with it, and to show that the provisions of our act are certainly no more onerous, and are often more liberal, than those of other countries.

RECENT DEVELOPMENTS

Through official action and through private understandings the European countries are now attempting to attack dumping and other low-priced competition in their home markets, especially in steel products. The following discussion outlines recent developments:

I. Government action

Germany: Section 21 of the German customs law of 1961, which went into effect on January 1, 1962, provides that "The Federal Government is empowered to levy through ordinance antidumping duties on items which have been determined to be objects of a dumping action and the amount of the duty shall be in the amount of the dumping margin."

This authority is, of course, quite general and the German Parliament is now considering more detailed proposed legislation on dumping. The Government, in carrying out its authority, has, in fact, been following the procedures which are set out in the proposed legislation. Three investigations have been conducted by the Ministery of Economics.

One case involved polyethylene from the United States. No decision was ever reached, but duties on polyethylene were raised throughout the EEC in retaliation for the U.S.-increased duties on carpets and glass, which presumably made the antidumping question moot.

Another involved textiles from Spain. This was settled to the satisfaction of the Ministry prior to a decision establishing the amount of dumping duties.

The third case is most interesting. The German Cabinet had been investigating charges of dumping by Japanese producers of ferrochrome and ferromanganese throughout the fall of 1962 and, on February 22, 1963, a decision was reached to impose dumping duties on the importation of these products from Japan amounting to 160 dm. per metric ton on ferromanganese and 180 dm. per metric ton on ferrochrome (London Financial Times, Feb. 22, 1963). These duties amounted to roughly 15 percent of the cost, insurance, and freight value of the imports which, when added to the ordinary 7-percent ad valorem duty and 4-percent turnover tax, put a burden of about 25 percent on Japanese imports. This burden, it was reported, would bring the price of the Japanese imports nearly up to German homemarket prices (London Metal Bulletin, Feb. 26, 1963, p. 20). In the meantime, the Japanese producers had been attempting to satisfy the West German Government of their intention not to disturb the German market and at a meeting in February of 1963 they determined to restrict exports to Germany. Immediately after the decision to impose dumping duties was announced, the Japanese made a three-point proposal to West Germany: (1) To suspend all exports of ferroalloys through June 1963; (2) to restrict exports to 100 tons of each alloy per month after July; and (3) to raise the export prices to the level of German homemarket prices.

This proposal was accepted by the German Government, and 1 week after the decision to impose dumping duties, the collection of these duties was "indefinitely postponed" (London Metal Bulletin, Mar. 5, 1963, p. 18; Japan Economic Journal, Mar. 5, 1963). Apparently the Japanese are determined to keep their side of the bargain. Foreign purchasers of Japanese ferroalloys have been urged by the producers not to shift the destination of shipments to West Germany, a practice which had apparently been common in the past. The producers in fact intend to insert clauses of this tenor in their sales contracts (Japan Metal Bulletin, Mar. 16, 1963).

Finally, the "Preparatory Committee" of the "Ferro-Manganese Alloy Steel Cartel" will require exporters to certify and guarantee the final destinations of their ferroalloy exports. A similar measure has been taken by the "Ferro-Chrome Cartel" (Japan Metal Bulletin, Mar. 26, 1963, p. 3).

Spain: At least one country—Spain—took action in 1963 that gives every appearance of a measure to counteract the dumping of steel products by ECSC producers. By a law (Law No. 1/1960, May 1, 1960, published in the Official Bulletin of May 14, 1960), enacted in 1960 the Spanish Government was authorized to impose "antidumping" duties on merchandise imported at less than its "normal" price, which might subject Spanish industry to "unfair competition." Decree 161/1963 (published in the Official Bulletin of Feb. 1, 1963), invoking this power, imposed "compensatory" duties on a whole range of steel products including ingot, plate, coils, shapes, wire rods, bars, strip and wire. These duties ranged from $6.66 per metric ton on ingots, to $41 on certain types of wire.

While the decree imposed a compensatory duty of $16.60 per metric ton on wire rod, this in fact made no change in the duty assessed on this product. By decree 2301/1962 of September 8, 1962, acting on complaints that had been received, the Government had already imposed an identical additional duty on imports of steel wire rods. While the basis for these complaints is not recited in the decree, it is worth noting that the ECSC export price of wire rod, which was between $132 and $140 in January 1960, before the new Spanish customs tariff went into effect in May of that year, had dropped to $105–$107 in January 1961, to $88–$90 in January 1962, and down to $80–$83 in January 1963 (11th General Report on the Activities of the Community, provisional text, table 50 (1963)). The September 1962 date of the decree imposing the additional duty on wire rods suggests that the Spanish producers were seeking protection against these low-priced (and, as the Treasury findings in steel wire rod cases now before the Tariff Commission suggest, dumped) imports.

Austria: Austria enacted a new antidumping ordinance last summer. According to the Department of Commerce's Bureau of International Commerce, the Austrians have in the past given the threat of dumping as reason for not liberalizing their trade policies. The new antidumping legislation is connected with Austria's new policy of liberalizing trade, which will begin to come into effect sometime in 1963.

The antidumping law of June 7, 1962, established an Advisory Council on Dump-

ing, as part of the Ministry of Trade and Reconstruction. The Council is to prepare a list of goods which may be affected by dumping; the list is expected to be completed in the summer of 1963.

France: France enacted antidumping legislation in early 1959. The legislation provides for the levy of dumping duties on merchandise sold in France at prices below the home market price, which causes injury in France. The upper limit of dumping duties is the amount of the dumping margin. According to the Bureau of International Commerce, the French have apparently been quite active in combating dumping, particularly of chemical and petroleum products.

United Kingdom: The United Kingdom has taken antidumping action against chemical products exported by particular firms in Spain, Canada, and the United States.

ECSC: The ECSC has complained to the Japanese Trade Ministry against steel product dumping, and the Trade Ministry has agreed to investigate (London Financial Times, Jan. 12, 1963). It was alleged that the Japanese were selling steel wire rods at $80 per metric ton, delivered—below their home market price (London Metal Bulletin, Jan. 18, 1963); complaints also were made about low-priced sales of hot coils and ferro alloys. Japanese, Soviet, and British sales of steel products had been reportedly running between 15 and 13 percent below ECSC published prices (Business Week, Mar. 30, 1963).

Dumping charges by European steel makers were reportedly made at a meeting on April 5, 1963; the specific products complained against were rebars, light sections, and wire rods (American Metal Market, Mar. 27, 1963). This meeting may well have been the outgrowth of a high authority letter sent to the Council of Ministers asking the appointment of a special commission to investigate whether low-priced sales of steel are the result of dumping (American Metal Market, Jan. 24, 1963). This commission, it has been reported, is studying dumping legislation throughout the community and in other countries, perhaps with a view to ascertaining the effectiveness of such measures (ECSC Daily Bulletin, Nos. 2874, 2875, 2876, Mar. 26, 27, 28, 1963).

Presumably moved by these complaints, the ECSC has taken action. The Council of Ministers has instructed the high authority to ask the British, Japanese, and Austrian Governments to stop their steel producers from dumping into the Common Market, and to study measures to be taken against Soviet imports (American Metal Market, May 6, 1963).

II. Unofficial "cartel" arrangements

European steel producers have not limited themselves to reliance on such official measures as have been described above. At least two informal "cartel" agreements—with Britain, and with Japan—have been made with the object of dividing up world steel markets and preventing price competition.

Great Britain: Complaints about British dumping of steel products in the ECSC began to be heard in the fall of 1962. Specifically, German producers complained of British sales of cold-rolled coils in the Community at $107 per ton f.o.b., as compared with the price of $130 per ton f.o.b. to British purchasers. These British sales were undercutting even the Japanese price of $117 per ton delivered in Europe (American Metal Market, Oct. 4, 1962, Oct. 16, 1962.) It was estimated that the British were also selling flat steel in Europe at 10 percent below European prices, and these sales were criticized by French producers, who met with the British producers apparently to discuss the question of British "dumping" (American Metal Market, Nov. 14, 1962, Nov. 27, 1962). The charges of dumping were denied by the British producers, who suggested that the low-priced sales were made by merchants whose pricing cannot be controlled by the producers (London Financial Times, Dec. 1, 1962).

The U.S. Embassy in London reported to the Bureau of International Commerce in Washington that at a joint meeting of the British Iron and Steel Federation and the Steel Federations of the ECSC in Paris an unpublished "gentleman's agreement" was reached, both sides agreeing not to undercut each other's prices in each other's home markets. The London Metal Bulletin reported on February 19, 1963, that the existence of such agreements had been confirmed by statements of Dr. Hans-Gunther Sohl, president of the German Iron and Steel Federation, and Sir Julian Pode and Sir Richard Summers, important British steel firm officers. The agreement was motivated by the then apparent imminence of Britain's entry into the Common Market. But, as the London Financial Times reported on March 12, 1963, the collapse of Britain's application has not affected the agreement reached in December.

The agreement will remain in force in spite of strong pressures to increase sales of British steel on the European Continent; British mills are working at below three-fourths capacity, and cut-price selling enabled the British to increase their European sales from 271,000 tons in 1961 to 439,000 tons in 1962. But leaders of British industry, the London Times reported on February 27, 1963, believe the agreement "will now be of inestimable value in achieving the medium-term object of preventing 'dumping' until steel demand once again catches up with supply." Continuation of the agreement has been confirmed by Sir Julian Pode, president of the British Iron and Steel Federation (American Metal Market, Apr. 2, 1963). On April 26, 1963, the Wall Street Journal reported that the agreement covers sheet, tinplate, welded steel pipe and wire rods, "all major items in foreign trade." The same story reported that Continental mills had in fact refused to sell billets, wire rod and sheet in Great Britain at prices below the British prices.

Japan: In a speech he made in Bonn on February 14, Dr. Richard Risser, chairman of Neiderrheinische Hutte, one of the big German rod producers and a subsidiary of Thyssen, described the British-German deal as a "gentleman's agreement" and added that a similar agreement had been reached with the Japanese (London Times, Feb. 27, 1963).

More recent reports confirm the cartel agreement with Japan. According to the April 15, 1963, issue of Purchasing Week, a cartel has already been formed covering exports of small diameter pipe, and wire rod is under discussion. The story quotes the general manager of the Foreign Affairs Division of Yawata, one of the big four Japanese producers, as saying: "There have been discussions going on to bring about some sort of cooperation regarding raw materials and the distribution of finished goods. They concern not only the American market, but other areas of keen competition."

This has been denied by French and British spokesmen, but confirmed by Japanese "industry and diplomatic sources in Tokyo."

The details of the agreement show that it will have a profound effect on the U.S. market. The authoritative ECSC Daily Bulletin reported on April 17, 1963, that "An agreement has been reached (among ECSC and Japanese producers) * * * to have a bearing on the course to follow on the export markets and, in particular, on the policy for exports to the United States * * * (and) will thus have a bearing on the conditions at which goods are offered on the U.S. steel market, on products and probably on marketing areas."

According to the Engineering News Record of April 18, 1963, the agreement "fixes price floors, limits tonnages and divides the U.S. market geographically. The Europeans will sell in the east, as far west as Chicago and the Gulf region, while Japanese will sell in the western half of the United States. This generally stipulates sales areas already established."

While European sources have refused to confirm the report one source conceded that such a cartel "would be an exceedingly logical development, but this isn't the sort of thing we'd be apt to publicize."

A Japanese steel industry mission in fact has just visited Europe to continue negotiations toward an understanding "avoiding market disruptions" (American Metal Market, Apr. 30, 1963).

EXHIBIT 2

U.S. TARIFF COMMISSION,
Washington, D.C., April 19, 1963.

TC publication 87 (AA1921–25).

PORTLAND CEMENT FROM THE DOMINICAN REPUBLIC

Determination of likelihood of injury

On January 21, 1963, the U.S. Tariff Commission was advised by the Acting Assistant Secretary of the Treasury that portland cement, other than white, nonstaining portland cement, from the Dominican Republic is being, or is likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended. In accordance with the requirements of section 201(a) of the Antidumping Act (19 U.S.C. 160(a)), the Tariff Commission instituted an investigation to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation was published in the Federal Register (28 F.R. 882). No public hearing in connection with the investigation was ordered by the Commission, but interested parties were referred to section 208.4 of the Commission's Rules of Practice and Procedure (27 F.R. 12117) which provides that interested parties may, within 15 days after the date of publication of the Commission's notice of investigation in the Federal Register, request that a public hearing be held, stating reasons for the request.

One request for a hearing was filed. However, the Commission noted that a good and sufficient reason for holding a hearing in connection with the investigation had not been advanced as required by section 208.4 of its rules, and, as adequate information was obtained from other sources, no hearing was held.

In arriving at a determination in this case, due consideration was given by the Commission to all written submissions from interested parties and all factual information obtained by the Commission's staff.

On the basis of the investigation, the Commission (Chairman Dorfman dissenting)[1] has determined that an industry in the United States is likely to be injured by reason of the importation of portland cement, other than white, nonstaining portland cement, from the Dominican Republic, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Majority statement of reasons

The imports of portland cement from the Dominican Republic sold at less than fair value were entered largely at the port of New York. The imports entered at that port were marketed almost exclusively in the metropolitan area of New York City. For purposes of this determination this area constitutes a "competitive market area." The domestic plants that have historically

[1] The views of Chairman Dorfman follow the statement of reasons of the majority.

supplied portland cement in this competitive area and in recent years have sold substantial quantities of cement there are considered to constitute "an industry" for the purposes of the Antidumping Act.

The Antidumping Act is designed, not to restrict competition from imports as such, but, by providing appropriate control over sales of imported articles at less than fair value, to bolster the forces supporting a healthy competition within the domestic economy. Competition from abroad, as such, is countenanced under the antidumping legislation. Price competition reflecting improved technology, increased efficiency, and superior types of marketing—each redounding to the benefit of the consuming public and each contributing to the vigor of the national economy—is compatible with the legislation here concerned. None of these virtues, however, are reflected in the price of imports sold at less than fair value. When such imports cause, or are likely to cause, injury to a domestic industry, remedial action is mandatory.

The Dominican producer has the capacity to sell considerably increased quantities of portland cement in the United States and has sufficient motivation to do so. In recent years the Dominican market has provided an outlet sufficient to take only about half of the potential production of that country's cement plant. Even with substantial exports, it has generally operated with considerable excess capacity. Through a form of price discrimination—i.e., through sales at prices below those charged in the home market—but at prices sufficiently high to cover out-of-pocket costs and to make a positive contribution to net return, the Dominican producer can achieve more complete utilization of plant capacity and a lowering of average unit costs. His inducement to attain a level of output approaching full capacity therefore is strong. Consequently, the very substantial market in the New York metropolitan area constitutes a continuing and attractive lure for the Dominican management seeking to expand production and reduce costs. Indeed, the instant case represents the second occasion in which the Treasury Department has advised the Commission that portland cement from the Dominican Republic was being sold in the United States at less than fair value.

Somewhat comparable circumstances cause the domestic producers of cement which customarily supply the New York metropolitan market to be vulnerable to competition from imports sold in the United States at less than fair value. In recent years producers supplying this market have generally operated at about 70 percent of capacity. Not only do sales of imported cement at less than fair value tend to repress prices in that marketing area but it is also difficult for domestic producers to compete therewith inasmuch as the price is based not on lower costs but on discrimination. Domestic manufacturers, moreover, are precluded from making as complete use of their productive facilities as they would be able to do in the absence of such competition. The injury that is likely to be sustained thereby would be reflected in continuing market instability and higher production costs. Because of both legal and economic restraints, however, domestic producers would be unable to increase volume by resort to the same kind of price discrimination.

Little has occurred in recent months to alter the situation that has twice given rise to sales in the United States of Dominican portland cement at less than fair value. The capacity and incentive for making such shipments remain. Domestic producers will be no less vulnerable in the future than they have been to date. In the opinion of the Commission, therefore, the portland cement industry serving the New York metropolitan market is likely to be injured by reason of importation of such cement sold in the United States at less than fair value.

VIEWS OF CHAIRMAN DORFMAN

Like the other Commissioners, I do not find that imports of Dominican cement are causing injury in either of the two major U.S. markets in which such cement has been sold, viz, Metropolitan New York City and Puerto Rico. Also, like them, I do not find that such imports are likely to cause injury to the cement producers in Puerto Rico. However, I do not agree with their conclusion that evidence now before the Commission justifies a finding that imports of Dominican cement "at less than fair value" are likely to cause injury to the domestic producers who sell cement in the Metropolitan New York City area.

It is my view, based on the facts obtained in this investigation, that no industry in the United States is being, or is likely to be injured, or is prevented from being established, by reason of the importation at less than fair value of portland cement from the Dominican Republic. I shall address myself, however, primarily to the issue on which I am in disagreement with the majority.

The sale of imported articles "at less than fair value" is not ipso facto injurious to a domestic industry. Indeed, the Commission only today reported its unanimous finding that such a sale of technical vanillin from Canada neither caused or was likely to cause injury to an industry in the United States. The Antidumping Act was never intended to prevent, or even to deter, imports merely because they are sold at less than fair value. To hold otherwise would be tantamount to contending that the Congress has imposed a useless function on the Commission.

The Commission concluded a previous antidumping investigation concerning portland cement from the Dominican Republic on April 18, 1962. It then unanimously determined that "an industry in the United States is not being, and is not likely to be, injured * * * by reason of the importation of portland cement * * * from the Dominican Republic, sold at less than fair value." The Commission observed further: "The evidence does not indicate any predatory motivation on the part of the importers. Accordingly, there is no sufficient evidence to indicate that a domestic industry is likely to be injured by reason of the importation of portland cement from the Dominican Republic that is sold below its fair value." The Commission noted also that any injury to domestic portland cement plants that have historically supplied the so-called competitive market areas (Metropolitan New York City and Puerto Rico) was "inconsequential."

The sales below fair value of Dominican cement in the New York area that were under review in the aforementioned investigation were equivalent to only a small fraction of 1 percent of the total shipments of domestic mills (to all markets) that supplied the New York area in 1961. They were also equivalent to about 4 percent of the shipments by those mills solely to the New York area; and to about 10 percent of their shipments to the New York area during the period in 1961 when the Dominican cement was imported into that area.

The imports of Dominican cement into the New York area at less than fair value that are the subject of this investigation all entered in 1962. They were equivalent to less than one-third of 1 percent of the total shipments of mills (to all markets) that supplied the New York area in 1962; to less than three-fourths of 1 percent of the shipments of those mills solely to the New York area; and to less than 1½ percent of their shipments to that area during the period in 1962 when the Dominican cement was imported into that area.

In view of the foregoing, it is significant that the Commission unanimously found neither injury, nor the likelihood thereof, arising out of the sales of Dominican cement in the New York area in 1961, whereas the majority now finds "likelihood" of injury in that area.

Following issuance of a Customs Bureau order, effective September 12, 1962, to withhold appraisement of portland cement from the Dominican Republic, there have been no imports of such cement into the New York area. Further, counsel for the New York importer (Triangle Cement Co.) advised the Commission that said "importer has no further interest in importing cement from the Dominican Republic or anywhere else, and the Dominican mill has averred that it has no cement to sell to continental United States and no plans to sell there."

There is no evidence in the Commission's possession to support the position that the most recent imports of Dominican cement into the New York area at less than fair value operated in any appreciable degree either (a) to depress the general price level of domestic cement sold in that area below the level that would have occurred in the absence of such sales or (b) to reduce appreciably the volume of sales of domestic cement in that area. The Triangle Cement Co. marketed the bulk of the cement imported into the Port of New York in 1962; and it sold all of its imported cement, whether from the Dominican Republic (at less than fair value) or from Belgium, West Germany, or Italy (at fair value) at the same price.

The Dominican cement plant which the Commission has had under consideration in the present antidumping investigation is physically the same plant that the Commission had under consideration in its earlier antidumping investigation. That plant, however, is now principally owned and controlled by the new Dominican Government—a government that has given no indication of intent to engage in predatory pricing practices in its sale of cement to the United States.

The Dominican plant is presently being operated below its full capacity, which is estimated at about 1.8 million barrels annually.[2] Counsel who represents the Dominican cement company has submitted a statement from the firm to the effect that it anticipates that increased home consumption plus increased sales to other markets in the Caribbean area will utilize all of the plant's capacity in the foreseeable future. In any event, there is no basis for assuming that the Dominican plant, merely because it has unused capacity, will be under great pressure and temptation to export to the United States cement in such quantities, at prices less than fair value, as to cause injury to U.S. mills. The view that the most likely destination of such exports would be to the New York area is even a less plausible conjecture.

Since the last shipments of Dominican cement entered the port of New York, that port has become one of the least attractive of the major U.S. markets for imported cement. Prices in that area declined sharply early this year, after a new cement plant came into operation in Ravena, N.Y.[3] The

[2] Based on 3 kilns, 2 of which have an annual capacity of 0.45 million barrels each, and one of which has an annual capacity of 0.9 million barrels. This combination of units enables the plant to operate efficiently at several different levels of output; it is not obliged to operate at its peak capacity in order to maintain high efficiency.

[3] It is a modern automated plant that serves not only the New York metropolitan area but also other Atlantic coast ports from Boston to Fort Lauderdale. Its two giant kilns, with a total capacity of 10 million barrels annually, are the largest ever built in North America.

price of domestic cement in the New York area is currently below the price at which Dominican cement was sold there last year when it entered at less than fair value. Dominican cement could not now be marketed there except at a still lower price. The price of domestic cement in bulk is now even lower in the New York area than in several other U.S. ports into which foreign cement has entered.

All of the Dominican cement that was imported into the New York area has been appraised and so may not be subjected to dumping duties. Therefore, the most direct consequence of the majority decision will be the imposition of a heavy dumping duty on the hapless Puerto Rican concern that imported Dominican cement at less than fair value. This assessment will occur notwithstanding that no cement producer in Puerto Rico pressed a claim of injury, or the likelihood thereof, arising out of the imports of the Dominican cement, and notwithstanding that no member of the Commission found in this investigation that such imports resulted in injury or the likelihood thereof to Puerto Rican cement producers. Penalizing the Puerto Rican importer will have no ascertainable effect in deterring future imports of Dominican cement into the New York area.

The foregoing determination and statement of reasons are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission:

DONN N. BENT,
Secretary.

POSTREFERENDUM LEGISLATION

Mr. HRUSKA. Mr. President, the page in the history of farm legislation covering the Freeman wheat plan has been torn out and discarded. The Freeman-Cochrane supply management theory has been rejected by the American farmer. Its mandatory provisions, strict controls and restrictions, and its obvious purpose to serve as a foundation for a similar plan in other agricultural fields have been repudiated. They have proved to be a fertile source of discussion and speculation. But that is behind us.

Congress now has a mandate, which is to consider and devise an acceptable and workable plan.

With the idea of having before the Congress a concrete proposal as a starting point toward the goal of such a plan, I have joined the senior Senator from Iowa [Mr. HICKENLOOPER] in the introduction of a bill which deals not only with wheat but with feed grains as well.

I do not consider my sponsorship of that bill as an approval in its entirety or in all of its aspects and provisions. All of us know, however, that in the process of committee hearings and markup of the final version many changes are necessarily made in a bill of this kind. I will willingly abide by the preliminary judgment of the members of the Senate Agriculture and Forestry Committee in this regard. In turn, they will be aided by similar judgment exercised by the members of the House committee.

When the final draft is brought before us for debate, we can make a final judgment. But I join as a sponsor of the bill so that it may serve as a vehicle and foundation for the perfecting of legislation on the subject.

In common with other bills introduced, it embraces these principles: it is a voluntary plan which can be entered into or disregarded by the farmer; it is based upon a land retirement system with those entering the program becoming entitled to benefits payable in kind or in cash for nonproduction of crops and with suitable restrictions as to undue, harmful concentration of retired acres; and it is based upon a market economy for price supports and similar benefits.

FARMERS' DECISION EMPHATIC

The decision of the wheat farmers of America was emphatic. A two-thirds majority favoring the plan was required, but less than 50 percent of the votes were marked "yes." The tally of the 1,144,000 votes cast showed that the "yes" votes failed by 215,000 votes to achieve the two-thirds majority.

This decision of the farmers was not a vote for the so-called "grim alternatives" forecast by champions of the wheat plan in the event of a "no" vote—90 cents wheat, 80 cents corn, $16 cattle, and $12 hogs.

The farmers' vote on May 21 was against the Freeman wheat plan and against the efforts and methods used to force it upon them.

Assertions had been made that there is no other alternative to Freeman's wheat plan and that the resulting ruined market would mean hardship to all farmers and bankruptcy to many of them. Such assertions were a deplorable effort to promote an election with seemingly free choice, but which actually had only one choice. It was said that in rejecting it the farmer would be faced with ruin, with a farm depression which would be felt across the entire nation.

The fact is that there are other acceptable and workable alternatives. The farmers who voted "no" are aware of this. They would also that there is ample time for Congress to carefully study, formulate, and approve such a plan in order to make it apply to the 1964 crop.

The only thing which will prevent such a result will be a vindictive administration, consisting of the President, the Secretary of Agriculture Freeman, and the large majority by which their party controls the Congress.

ADMINISTRATION HAS THE POWER

That administration has the power to disregard the well-being of the Nation by refusing to consider other wheat plans. This would make good their prereferendum threats that the farmer would be ruined if he did not vote "yes."

Such a breach of good faith based upon sore disappointment at rejection of the Freeman wheat plan would not be in keeping with the role of a President who represents all of the people.

For the President and the majority party in Congress to persist in such a course would mean that all farmers—those who voted for the Freeman plan, as well as those who voted against it and those who had no opportunity to vote on it at all—would be consigned to the "grim alternatives" of a ruined market, a general loss of farm income, a farm depression, and financial disaster on a nationwide basis.

Such a course would denote a lack of compassion and sense of justice, which reasonable men do not expect of our President and his leadership of his party in the Congress.

Such a course would be a clear violation of the spirit and the meaning of a real referendum—the opportunity to accept or reject a proposal, with the further opportunity of another fair and reasonable choice if the first one is not elected.

No second, fair choice has been offered yet.

It is the duty of Congress to give the farmer a chance to express himself on an acceptable and workable plan. If he refuses to accept such a proposal, it can be truly said that he prefers the "grim alternatives" which the House majority report, as will be quoted later in my remarks, recites. But not until such a second fair choice has been offered can the farmer be said to have expressed a preference for such "grim alternatives."

THE "GRIM ALTERNATIVES"

The House report—No.180—on H.R. 4997 which was enacted into law last week, urged "passage of this feeds grain bill which will complete the overall grain program which Congress partially approved in the passage of the long-range wheat program as part of the Agricultural Act of 1962."

At page 5 of the report tells the farmer, as well as everybody else, what the farmer's refusal to go along with the administration plan will mean. Here is the language:

> Failure to act positively upon a sound stabilization program for feed grains, to operate along with a related and effective program for wheat, would present grim alternatives.
>
> Corn prices no doubt would fall to around 80 cents a bushel. Prices of other grains would follow corn prices down.
>
> Livestock markets, with unlimited production of cheap feed at depressed prices, would in the long run be demoralized.
>
> The Nation would run the risk of a terrible farm depression that would send a shock wave through the total economy.

Such a statement is quite terrifying. Its substance was summarized by the chairman of the House Agriculture Committee 2 or 3 days before the referendum in a statement in which he told farmers "that if they vote against the administration proposal in Tuesday's wheat referendum, they will be voting for their own ruin."

Other descriptive language seeking to strike terror into referendum voters was widely distributed and publicized. It found its way into the daily CONGRESSIONAL RECORD at page A2216:

> Furthermore, with an abundance of $1 per bushel wheat, the feed grain prices will be completely demoralized and this will lead directly to lower livestock prices with serious consequences reaching into every area of the livestock-poultry-grain farm segments.

A widely distributed pamphlet, entitled "Wheat Facts" published for State Citizens Wheat Facts Committees has these questions and answers on this same subject:

> Question. Is it true that wheat could go to $1 a bushel or less if the 1964 wheat program were rejected?

Answer. Yes. Overproduction, estimated at 300 million bushels without controls, could push wheat to feed-grain prices.

Question. If there is no wheat program in 1964 and no feed-grain signup in 1964, what would happen to feed-grain and livestock prices?

Answer. Corn would probably fall below 80 cents, wheat around 90 cents, hogs around $12 and cattle about $16.

There were many similar dire threats in recent weeks. Such depressing, fearful and catastrophic voices were heard far, wide, and often.

They told wheat farmers of the penalties awaiting them and their families if they did not vote as they were told to do. These voices of doom were meant to scare, terrify, and intimidate.

The farmers of the Nation proved that they could neither be bought nor scared.

Mr. President, if such dire results come about and such punishment is meted out, it will be a willful, deliberate act on the part of the President of the United States, the Secretary of Agriculture, and the overwhelming majority by which their party controls the Congress.

The Senator from Nebraska, for one, refuses to entertain thoughts that the administration would willfully plunge the Nation into such depths of depression. My respect for the President, and for my colleagues in the Congress as patriotic, well intentioned and sincere, is too high to allow me to believe them capable of such irresponsible and reckless conduct.

It is because of that high respect and good faith which I accord the President and the Congress that I have confidently expressed the view that new legislation will be passed in timely fashion this year. The "monkey" is not on the back of the Senator from Nebraska in that regard, Mr. President, nor on the back of any other Senator who made similar prophecy. It is on the backs of the President, Secretary of Agriculture, and Congress of the administration, because it is they who have the power and the force to either approve such bill into law or to refuse to do so. Should they refuse to do so the farmers of the Nation, those who favored the wheat plan as well as those who voted against it, will be fully and clearly aware as to the presence and place of that proverbial monkey.

CONSTRUCTIVE ALTERNATE

Several bills have already been introduced in both Houses to serve as a basis for constructive and wholesome action.

In deciding on the ultimate legislation to be developed from the several proposals, there should and must be the awareness by the Congress that the mandatory, objectionable, unduly restrictive, and unworkable Freeman-Cochrane approach has been repudiated as national policy.

Hearings and discussions in the House and Senate Agriculture Committees, and debate on the floor, should achieve a result more in keeping with the traditions of the Congress.

A course of earnest and deliberate search for a constructive alternative made in good faith is dictated by decency, fairness, and the national well-being. We should not be satisfied with less.

ARE ALTERNATIVES OFFERED TARDILY?

Frequently during the referendum campaign, the question was raised as to why opponents of the Freeman wheat plan did not have a proposal of their own. It was asked repeatedly, why it was that an alternative plan to Freeman's remedy was not advanced so that it could be scrutinized, studied, and compared with the Freeman wheat plan before the vote was taken.

The plain and simple answer is this: The lack of an alternative proposal by Congress was deliberately designed by the advocates of the Freeman wheat plan. They did not want any alternate plan on the ballot. They wanted the ballot to appear with only one choice: The Freeman wheat plan and nothing else. We were expected to ignore that the choice of a farmer's ruin is also a choice we would face.

Here is the history: In its 1962 session the Senate witnessed repeated, determined efforts to have the ballot at the wheat referendum contain two proposals. The first effort was debated and voted upon on May 24. It was rejected by a vote of 53 to 36. It was opposed vigorously by the Democratic Members. Only six Democrats voted in favor of such an alternate plan being on the ballot.

The second effort was made on August 21. It was rejected by a vote of 50 to 29. On that occasion only three Democratic Members voted in favor of an alternate plan on the ballot. Again, except for those three votes, the Democratic administration opposed putting an alternate before the wheat farmers for their consideration.

With such a history we can readily discard any complaint on this point coming from those who favored the Freeman wheat plan.

TRIBUTE TO THE VOTING FARMER

The outcome of the wheat referendum proved the farmer to be one of the few remaining breeds of independent, individual thinkers. Notwithstanding the heavy pressures used by officialdom, of all of its influence and powers, as well as threats and procedures heretofore never applied in such elections, he asserted himself courageously and emphatically.

After all, the farmer has the opportunity to think matters out for himself. He uses it well. He had much at stake in that election. He is a capitalist with considerable investment. He knew that his future would directly and immediately be affected by his decision. He knew that what he can do for his family now and what he can leave them when he is gone would be affected by his vote.

With that type of incentive he took his duty to render wise decision very seriously.

The result of the wheat referendum vote truly showed that the farmer is not one who can be bought or scared when he exercises the privilege and the right to vote. For this alone, he should be honored. But there are many who feel that those who voted in the wheat referendum should receive the gratitude of all farmers, whatever crops they raise.

Without question, had the referendum vote been favorable, a similar supply management concept, theory, or plan would have been attempted for all other forms of farm activity: feed grains, livestock, poultry, dairy, and others.

Last week's vote sets that issue at rest, and properly so. The American farmer is not ready for such a philosophy; nor is the American public.

One can hardly refrain from expressing the earnest hope that the true spirit of the referendum will be honored and observed; that we will proceed to draw legislation and make proper provision for the farmer will be consistent with the action taken in the vote.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 28, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate May 27, 1963:

NATIONAL GUARD BUREAU

Maj. Gen. Winston Peabody Wilson, [redacted] a Reserve commissioned officer of the U.S. Air Force, member of the Air National Guard of the United States, to be Chief of the National Guard Bureau for a period of 4 years to date from August 31, 1963, under the provisions of title 10, United States Code, section 3015.

The officers named herein for appointment as Reserve commissioned officers in the U.S. Air Force under the provisions of sections 8218, 8351, and 8392, title 10, United States Code.

To be brigadier general

Col. William H. Clarke, [redacted], Montana Air National Guard.

Col. Homer G. Goebel, [redacted], North Dakota Air National Guard.

Col. Kenneth E. Keene, [redacted], Indiana Air National Guard.

Col. Frederick P. Wenger, [redacted] Ohio Air National Guard.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 27, 1963

The House met at 12 o'clock noon.

Rev. Frank Blackwelder, rector, All Souls Episcopal Church, Washington, D.C., offered the following prayer:

Infinite and imminent Father, come near us as we pray to Thee.

May the Speaker and each Member of the House of Representatives be orbited by Thy energy, Thy inspiration, and Thy vision.

Surround them with the spirit of unity, the aura of strength, and the light of guidance.

Grant that their deliberations and decisions may assist in alleviating and resolving the tensions and strains pres-