

By Mr. HORTON:

H.R. 9774. A bill to terminate the Columbia Plaza urban renewal project area and plan, to restore certain property in the District of Columbia to the former owners thereof, and for other purposes; to the Committee on the District of Columbia.

By Mr. HUTCHINSON:

H.R. 9775. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 9776. A bill to authorize a 3-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9777. A bill authorizing the Chief of Engineers, Department of the Army, to expend certain appropriated funds to maintain harbors and waterways at depths required for defense purposes; to the Committee on Public Works.

H.R. 9778. A bill authorizing construction of the Lakeport Dam and Reservoir and channel improvements on Scotts Creek, Cache Creek Basin, Calif., in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. FARBSTEIN:

H.R. 9779. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

By Mr. PURCELL:

H.R. 9780. A bill to provide a voluntary marketing certificate program for the 1964 and 1965 crops of wheat; to the Committee on Agriculture.

By Mr. SKUBITZ:

H.R. 9781. A bill to provide for the issuance of a special postage stamp honoring Maj. Gen. Frederick Funston; to the Committee on Post Office and Civil Service.

By Mr. CURTIN:

H.R. 9782. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance and tax credits, and for other purposes; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 9783. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. BENNETT of Michigan:

H.R. 9784. A bill to authorize the Secretary of the Interior to make payments to reestablish the purchasing power of American fishermen suffering temporary economic dislocation; to the Committee on Merchant Marine and Fisheries.

By Mr. McDADE:

H.R. 9785. A bill to authorize a new form of low-rent housing utilizing private accommodations, to provide more adequate compensation for persons whose property is taken under certain federally assisted programs, to provide improvements in the urban renewal program with emphasis on rehabilitation, and for other purposes; to the Committee on Banking and Currency.

By Mr. SAYLOR:

H.R. 9786. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. CAHILL:

H.R. 9787. A bill to amend the Tariff Act of 1930 to provide that imported electron microscopes shall be subject to the regular customs duty regardless of the nature of the institution or organization importing them; to the Committee on Ways and Means.

By Mr. ABBITT:

H.J. Res. 904. Joint resolution to authorize and direct the Secretary of Agriculture to conduct research into the quality and health

factors of cigarette tobacco; to the Committee on Agriculture.

By Mr. SILER:

H.J. Res. 905. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. SNYDER:

H.J. Res. 906. Joint resolution requiring the Secretary of Agriculture to expand current research into the quality and health factors of tobacco; to the Committee on Agriculture.

By Mr. UTT:

H.J. Res. 907. Joint resolution requiring military personnel of the United States to comply with the Constitution of the United States before accepting United Nations medals and service ribbons; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. TUPPER: Joint resolution of the Maine State Senate and House of Representatives ratifying the proposed amendment to the Constitution of the United States relating to the qualification of electors; to the Committee on the Judiciary.

Also, joint resolution of the Maine State Senate and House of Representatives, memorializing Maine congressional delegation to oppose new stringent requirements in public assistance cases; to the Committee on Ways and Means.

Also, joint resolution of the Maine State Senate and House of Representatives, memorializing the Honorable Stewart L. Udall, Secretary of the Interior, to remove or to liberalize the restrictions on residual fuel oil imports; to the Committee on Ways and Means.

By Mr. RYAN of New York: Memorial of the Legislature of the State of New York, memorializing the Secretary of State of the United States to lodge a protest with the Government of Soviet Russia, in relation to such Government's campaign of anti-Semitic and antireligious terror; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States relative to ratification of a proposed amendment to the Constitution of the United States of America relating to the qualification of electors; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM:

H.R. 9788. A bill for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 9789. A bill for the relief of Muhammad Sarwar; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 9790. A bill for the relief of Bainbridge Brothers, Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

667. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to the 24th

amendment to the Constitution of the United States, relating to the poll tax; to the Committee on the Judiciary.

668. Also, petition of Henry Stoner, Avon Park, Fla., requesting a requirement in the Rules of the House of Representatives pertaining to the election of chairmen of the standing committees of the House of Representatives; to the Committee on Rules.

SENATE

TUESDAY, JANUARY 28, 1964

The Senate met at 12 o'clock meridian, and was called to order by Hon. JACOB K. JAVITS, a Senator from the State of New York.

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

O Thou Seeking Shepherd of our souls, who leadest us beside still waters and in green pastures: Unto the hills of Thy strength and glory, we lift the expectant eyes of our faith, for from Thee cometh our help.

Even as with bending backs we toil in the valley, we are grateful that the light of heaven falls upon our daily tasks and that in the beauty of common things we may partake of the holy sacrament of Thy presence.

Give us a sobering realization that our individual attitudes go to make the national and international climate of these dangerous days in which we live. By the warmth of our own spirit may we contribute to the final dispelling of the atmosphere of skepticism and suspicion in which grow only the rank weeds of hatred, so often rooted in ignorance.

Make us willing partners in the garden of good will, cultivating the flowers of appreciation and understanding which will at last climb over all dividing walls and make the fields of all nations blossom as the rose.

We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 28, 1964.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JACOB K. JAVITS, a Senator from the State of New York, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 27, 1964, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on

Rules and Administration and the Committee on Agriculture and Forestry were authorized to meet during the session of the Senate today.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,
The following favorable reports of nominations were submitted:

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

Andrew V. Corry, of Montana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Sierra Leone; and

Maj. Gen. Fred M. Dean, U.S. Air Force, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider two nominations which have been reported from the Committee on Foreign Relations; and I ask unanimous consent for their immediate consideration.

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

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to consider the nominations, which will be stated.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Andrew V. Corry, of Montana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

Mr. MANSFIELD. Mr. President, on behalf of my distinguished colleague the junior Senator from Montana [Mr. METCALF] and myself, I express our personal appreciation of the President's nomination of Andrew Vincent Corry, of Montana, to be U.S. Ambassador to Sierra Leone. I am also grateful to the Foreign Relations Committee for unanimously ordering the nomination reported to the Senate today, and am pleased that the nomination is now before the Senate for its consideration.

Mrs. Mansfield and I have known Andrew Corry for more years than can be readily or easily recalled; he has great integrity and great patriotism, and undoubtedly will be an asset to our country when he serves as U.S. Ambassador to Sierra Leone, if the Senate confirms his nomination.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The Chief Clerk read the nomination of Maj. Gen. Fred M. Dean, U.S. Air Force, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

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

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

LEGISLATIVE SESSION

On motion of Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

TRANSACTION OF ROUTINE BUSINESS—REQUESTED TIME LIMITATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the morning hour, statements be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection—

Mr. DIRKSEN. Mr. President, I am constrained to object to the request for a 3-minute limitation on speeches in the morning hour.

Mr. MANSFIELD. Then, Mr. President, we are back where we were before the request was made.

APPLICATION OF THE GERMANENESS RULE

Mr. MANSFIELD. Mr. President, under the rule of germaneness of debate, adopted by the Senate last Thursday, we feel that, in order to avoid conflicts and inconsistencies in the interpretation of the rule, the term "pending business" should be interpreted to mean any business which the Senate has proceeded to consider, either by motion or by unanimous consent, exclusive of morning hour business under rule VII.

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

The ACTING PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DIRKSEN. Let me ask, through the Acting President pro tempore or through the Parliamentarian, whether this is an interpretation which was made on the basis of experience under the rules?

The ACTING PRESIDENT pro tempore. The Chair is advised that this is the interpretation of the rule which the Parliamentarian considers to be the proper one, and is the interpretation which is desired; but, of course, the will of the Senate will determine all questions.

Mr. DIRKSEN. Yes; and the decision of the Chair is always subject to appeal, of course.

The ACTING PRESIDENT pro tempore. Certainly.

Mr. DIRKSEN. It will always be subject to appeal if at any time there is any other ruling with respect to an interpretation of the rule.

The ACTING PRESIDENT pro tempore. Upon the advice of the Parliamentarian, the Chair will so rule—subject always, of course, to appeal by any

Member of the Senate, if a Senator so desires.

Mr. DIRKSEN. Of course.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

MEDICAL CARE FOR THE AGING

Mr. JAVITS. I wish to call the attention of the Senate to the lead editorial published this morning in the Washington Post. The editorial is entitled "Security in Old Age," and in it attention is called, in a very proper and helpful way, to the program of medical care for the aging which was introduced by me, with the cosponsorship of a number of other Senators. Testimony was taken on this bill (S. 2431) before the Ways and Means Committee of the other body. To some extent, the program is characterized in the editorial by this comment: "This strikes us as a most constructive idea."

Mr. President, indeed it is; and I hope very much that all Senators will read the editorial and will very carefully consider the bill, so that this program may again become a bipartisan one with the same impact and support that the Senator from New Mexico [Mr. ANDERSON] and I were able to muster for our bill in 1962. I think it is time for action on the bill. It is a safe prediction that if we obtain such a bipartisan coalition for this program, the bill will be passed by the Senate. What will happen in the other body, no one can foretell; but I predict that the bill will be passed by the Senate if we obtain bipartisan backing.

Mr. President, in order to help Senators in their study of the bill, I ask unanimous consent to have both the editorial and a brief summary of the bill, as introduced, printed in the RECORD.

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

SECURITY IN OLD AGE

In his message to Congress on the state of the Union, President Johnson renewed the demand for a program of hospital insurance, financed by joint employer-employee social security payments, to protect every American in old age in a dignified manner, without cost to the Treasury, against the devastating hardship of prolonged or repeated illness. The President's words, together with a revival of interest in the subject on Capitol Hill, have created new hope that Congress may, at last—if action can be completed on the tax bill and on civil rights—get to work on health care for the elderly.

The administration's health program is now commonly called medicare. The term is a complete misnomer. The King-Anderson bill supported by the administration provides for hospital care and nursing-home care, together with some medical care for the elderly patient while in those institutions.

But generally speaking, medical care is just what it fails to provide. And this failure, as we have observed before, is its great defect. Physicians' bills and surgeons' bills are all too likely to present crushing burdens in old age.

To cure this defect, a half dozen progressive Republicans came forward in the Senate last week with a proposal to link a private insurance program for defraying medical expenses with the social security program for financing hospital costs. The program is the recommendation of a distinguished National Committee on Health Care of the Aged headed by former HEW Secretary Arthur S. Flemming. Senators JAVITS, CASE, COOPER, KEATING, KUCHEL, and SMITH are sponsoring the new bill. Mr. Flemming, in testimony the other day before the House Ways and Means Committee, described the dual public-private program in these words:

"The plan for the public sector should be limited to covering the cost of hospitalization and skilled nursing-home care under an insurance plan self-financed by a separately designated payroll tax. In the private sector the Federal Government should take action which would permit insurance organizations to join together in concerted efforts to provide low-cost protection on a mass-enrollment basis against the cost, for example, of the services of physicians and drugs."

This strikes us as a most constructive idea. It avoids the drastic increase in payroll taxes which would be necessary to finance both kinds of coverage under social security. And it should allay the anxieties of the American Medical Association by making it unnecessary, as Mr. Flemming remarked, "for the Government to deal with any questions involving professional fees and * * * would place the plan at a desirable distance from the patient-physician relationship and from the dangers of, and resistance to, intrusions into areas of delicate personal affairs."

What a pity it is that this proposal appears to have encountered only obdurate fridity among the Republicans on the Ways and Means Committee. "This is social security plus," said Representative JOHN W. BYRNES, senior Republican on the committee. "I don't think it will change a vote on our side." Unhappily, there is no real hope for health care for the aged without some Republican support in the House.

The health-care problem is so complex and so costly that it can be met, we believe, only by a multifaceted program. The existing Kerr-Mills law is needed to give the States the means of making provision for the health care of medically indigent persons who are not eligible for public assistance. The administration's King-Anderson program is needed to provide institutional care. The new Republican program is needed to provide indispensably complementary medical care. And, in addition to these, programs are needed to increase the numbers of doctors and nurses available.

Care for those who have earned retirement and have come to live in the twilight of life is a measure of a society's civilization. Insurance paid for by deductions from earnings during the productive years of life is the best and most equitable means to guarantee good health care with dignity and independence in old age.

RE SUMMARY OF S. 2431, HEALTH CARE INSURANCE ACT OF 1964

This is a comprehensive public-private program of health care for the elderly providing insurance for medical and surgical care as well as institutional care which is based on the total health care needs of older citizens. Cosponsors of the bill are Senators CASE, COOPER, KEATING, KUCHEL, and MARGARET CHASE SMITH.

I. The bill provides institutional care in the same way the King-Anderson bill does

except that its benefits are 45 days of hospital care and up to 180 days of skilled nursing facility care or 240 days of home care—without option or deductible. It also provides greater flexibility in choice of administration than S. 880, but is financed in the same way by a ¼ percent increase each for employer-employee in the social security tax. Each person 65 years of age or over is eligible, including those not covered by social security.

II. The key aspect of the bill is the complementary private insurance program for physicians health care, surgical care and other noninstitutional care provided in a national standard policy to be developed on a nonprofit, tax-free basis on the 65 plus model now in effect in New York, Connecticut, Massachusetts, and Texas. Under the bill, this policy would be offered for sale by a nationwide federally-chartered association made up of private insurers and group service agencies given exemption from antitrust laws in order to provide for concerted mass enrollment and pooling of risks. All over 65 would be eligible to buy this "standard" policy, and it is estimated that a very substantial benefit package can be made available of about \$2 a week. "Alternative policies" of equal value would also be available for regional variations in benefits. This premium cost is within the means of 80 percent of the aged group.

This bill embodies the recommendations of the 12-member National Committee on Health Care for the Aged, and is the most advanced and comprehensive program to be placed before the Congress.

FRENCH RECOGNITION OF COMMUNIST CHINA

Mr. JAVITS. Mr. President, at this time I wish to speak briefly in regard to the recognition of Communist China by President de Gaulle, of France.

For myself, I should like to support the attitude of our State Department. I consider it most unwise and unfortunate that France has recognized the Communist regime in Peiping, thereby encouraging, in my view, its defiance of the rule of law and order in the world and hindering, rather than promoting, efforts to maintain peace and friendship among peoples. I believe our whole country will deprecate this action by France, which is out of step with the convictions and the point of view of most free men.

The Communist China regime has offended the whole world by its aggression in Korea, its continuing disturbance of the peace in all of south Asia and southeast Asia, its aggression against India, and its swallowing of Tibet. These are sufficiently serious; but I believe that the action of Communist China which antagonized the people of the free world more than any other—serious as are the other actions of Communist China to which I have just now referred—are the following:

First, the venomous Chinese-Communist reaction to the assassination of President Kennedy. Communist China was practically the only nation in the world, Communist or non-Communist, that had the temerity, as an organized regime, to derive some devilish satisfaction from that terrible disaster to mankind.

Second, the calculated inculcation of hatred of the United States by both the

government and the people of Communist China.

Mr. President, this is unforgivable in the present state of human affairs, when the means by which one people can vent its hatred upon another becomes more and more dangerous to the survival of mankind as the decades pass by.

Under the circumstances, to preach the doctrine of hatred—inculcated with every means of propaganda—to six or seven hundred million Chinese against another people is one of the most dastardly acts which any organized government can perform.

Therefore, it can be understood why we deprecate what has been done. I do not believe it will be to the profit of France. Great Britain tried the same role of peacemaker in 1950 when the Communist Chinese were not ready for it—and they certainly clearly indicate they are not ready for it now—and Great Britain got nothing but a "kick in the pants" for her pains.

It seems to me that all General de Gaulle has done is further to complicate our task in the United Nations, regarding south and southeast Asia. He has given encouragement to the Communist Chinese regime. He has encouraged other nations which might be flirting with the idea of recognition, and he has encouraged those who believe that this time Communist China might get into the United Nations on the concept of the two-China policy. In my opinion, it will not work that way. I believe that all freemen will know what to do, and will vote to keep Communist China out of the United Nations. So our task has been greatly complicated.

I rise to speak today only because I wish to endorse very strongly the official position, or what seems to be the official position, of our Government, taken by Roger Hillsman, Assistant Secretary of State, in a speech in San Francisco on this subject. Whatever may be the juridical implications of recognition of Communist China, whatever may be the universality of the concept in theory of those who seek admission of Communist China to the United Nations, the fact is that, by its defiance of both law and morality among mankind, the Communist Chinese regime has adopted a posture throughout the world of such defiance of its established morality that to admit it under these circumstances would only be to aid and condone this very defiance, to assure its continuance, and to make for even more mischief and trouble in the world than Communist China has already made.

We are a living people, as are the Chinese people, and there may be opportunities in the future for us to confer even without recognition. No door is shut to good faith or honesty of performance on the part of Communist China which will indicate that she has some desire to become a member of the human race, instead of being completely against it.

So I can only hope, as some possible comfort, that future developments may succeed in bringing to the people of China some sense of the irresponsibility and danger inherent in the present course of the Peiping regime.

I do not believe there will be any change in U.S. policy because of the French action, which is so much out of accord with the free world's judgment, nor do I believe it will open the door of the United Nations to Communist China; but I hope it will be an object lesson to the world to maintain eternal vigilance and determination and be prepared for the sacrifice which will be necessary if we are to keep our freedom.

I trust that our Government will make it unequivocally clear that we intend, with every resource at our disposal, to maintain freedom in south and southeast Asia, and that this is not a signal that the free world is caving in with respect to Communist China. I believe we shall have enough allies in that endeavor to nullify the adverse effect upon the free world of this French action.

I look at it more in sorrow than in anger, but it is our duty to point out its grave dangers; and the United States must guard itself against those dangers by enunciating again and unequivocally our strong policy: That the embargo on Communist China commercially continues; that we thoroughly disapprove and are against her defiance of the United Nations in respect to the Korean truce; that we disapprove of the inculcation of hatred for the American people by the Chinese people; that we are determined to serve the cause of freedom with every resource at our command—in India, in Thailand, in South Vietnam, and in other areas to which we are committed in south and southeast Asia; that we are determined to maintain the Southeast Asia Treaty Organization and our alliances there; and that we intend to encourage and give help and strength to Japan, and to other countries, so that the policies of the free world may be maintained.

The door is not shut irretrievably and irrevocably against Communist China. She can earn her way back into proper association with the human race. We hope for the day when she will.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in today's New York Herald Tribune entitled, "De Gaulle in the China Shop."

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

DE GAULLE IN THE CHINA SHOP

President de Gaulle has a number of familiar arguments for recognizing Red China. Economics plays a part; De Gaulle's French critics have charged that it plays too great a part—that he is sacrificing ideals, and the loyalty owed to allies, to a commercial treaty with Peiping. But there can be little doubt that the French President's great preoccupation was France; his concept of France as a power playing a great role in world affairs.

In Europe, the role of France under De Gaulle has been largely negative, concerned with checking the influence of Britain and the United States. De Gaulle has positive ideas for Europe, but he has met with much skepticism in putting them into effect.

In Africa, again, De Gaulle's principal task has been to disengage France from her colonial headaches. He has done much to keep the former French colonies in working order, but the intrinsic weakness and confusion of many of these new states, like others in Africa, has prevented any distinc-

tively French pattern from affecting events on the troubled continent.

That leaves Asia, particularly southeast Asia, where France once had an influential voice. De Gaulle hopes to regain that voice—not by turning the clock back, but by turning it, as he sees it, ahead. That is, De Gaulle hopes for a neutralized southeast Asia in which France will hold the balance between the two great contestants, the United States and Communist China.

It is in this context that French recognition of Peiping must be viewed. Unfortunately, the idea of a third force, operating for peace in southeast Asia, is one that has been tried before, with poor results. The British sought, through a very early recognition of Red China, to achieve something of the kind. The illusion vanished on the bare hills of Korea, in the jungles of Malaya and among the shouting mobs of Jakarta. India also tried to vouch for Red China's admissibility into polite society, and was heartily kicked for its pains.

There is no reason to believe that France, hampered by an unhappy history in Asia, will succeed where others failed. But a French mission in Peiping will accomplish a number of things which no one in the West can view with any degree of comfort.

In the first place, France has already succeeded in putting the "two China" theory into practice. That is, Peiping has accepted the French plan of doing business with both Mao and Chiang as representing lawful governments. To many nations—and to some Americans—this is a way out of a painful dilemma. It accepts the reality of Red China without wholly abandoning the regime on Taiwan. A number of states are likely to follow France in this course (if it works) and it may prove to be the basis for a new move to seat Red China in the U.N.

But France's "two China" solution may have some more immediate, practical and tragic effects. The lure of neutralism in southeast Asia, driven as it is by Chinese-sponsored civil war, may weaken the opposition to communism.

Nor is it only in Asia that the French have given a lift to the wrong side. In Africa, in South America, wherever a potential or actual revolutionary situation exists, the most violent draw inspiration and help from Red China. France's countenance to this source of rebellion may yet plague France itself.

President de Gaulle has been described as a realist. In much he has proved to be just that. But his Asian policy is a kind of "Realpolitik" that can have painful consequences for France's true friends and for France.

Mr. MANSFIELD. Mr. President, I listened with interest to the comments of the distinguished Senator from New York [Mr. JAVITS] on the action taken by President Charles de Gaulle of France in extending recognition to Communist China.

Like the Senator from New York, I am extremely disappointed at this action because I believe it bodes no good, at least in the immediate future, so far as our position in the Far East is concerned.

I invite the attention of the Senate to the fact that over 10 years ago Great Britain extended recognition to Peiping, and to this moment Peiping has refused to receive an ambassador from that country.

I also invite attention to the fact—which the Senator from New York has enunciated—that this recognition means, in effect, recognition of two Chinas. To the best of my knowledge, the French intend to maintain an embassy in Taipei and they hope to dispatch an ambassador to Peiping.

What the results will be in Peiping, of course, no one can foretell at this time, because Peiping has made it plain that it would never recognize a two-China situation. It is a situation which I believe has grave difficulties in store for this Nation.

I have not found fault with General de Gaulle, nor do I intend to find fault with him now, because I believe he is doing what he believes is best in the interests of France. I believe, in effect, he is trying to bring about a revival of the glory and the glamour which was once possessed by his country, but that was achieved in a different world than now exists. In my opinion, French recognition of Communist China is bound to weaken the position of the United States in Asia, most especially in southeast Asia. It will make carrying out the local war against the Vietcong in South Vietnam that much more difficult.

I believe it will weaken the positions of the countries in southeast Asia. I am fully in accord with the position taken by our Government, which has expressed its disapproval of the action of President de Gaulle because of the difficult, delicate, and dangerous situation which has been created. I take this opportunity to join the distinguished Senator from New York and to express my personal feelings on the subject—a subject over which, of course, we have no control, a subject which lies fully within the purview of President de Gaulle's responsibility, a responsibility which he has exercised, but a responsibility which I believe bodes no good for the welfare of the West in the Far East.

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

Mr. MANSFIELD. I yield.

Mr. JAVITS. First, I am deeply gratified by the Senator's rising at this particular point to speak. He could have chosen any time he pleased. I appreciate very much being associated with him on this subject.

It is most important that we on our side and the Senator from Montana, who is such a distinguished leader on his own side—the majority leader of the Senate—should give some sense of feeling to the world that, first, we support our Government and that we are more determined than ever to uphold the morality and justice of the policy that we are pursuing.

Second, I believe it must be made manifest to the world that we are not unreasonable, blind, or digging our heads into the sand. We understand that there is no such word as "forever" in any lexicon. But, as the Senator has properly said, at the present time we believe that President de Gaulle's policy is most inimical to free men everywhere. The expression of that feeling in so august a body as the Senate, gives heart and strength to those who would carry on with the more difficult policy by far which we have been pursuing and which so many nations in the free world have been following with respect to Communist China.

Mr. MANSFIELD. Mr. President, the Senator has expressed the point extremely well. I believe it is important

that we express our feelings, because we do have an interest. It may be indirect, but I believe it is both indirect and direct. It creates a situation which may well come back to cause difficulty for us in the future, if not in the immediate future. Of course, it raises the question of what will happen when the next assembly of the United Nations meets, based upon the attitude not only of France but also the states which were formerly associated with the French Republic. That is a question which we shall have to face at that time.

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

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

ORDER OF BUSINESS

The PRESIDING OFFICER. Petitions and memorials are in order. If there are no petitions or memorials, reports of standing and select committees are in order.

The introduction of bills and joint resolutions is in order.

The introduction of concurrent and other resolutions is in order.

Morning business is closed.

Mr. BARTLETT and Mr. CLARK addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

FISH IN FOOD FOR PEACE

Mr. BARTLETT. Mr. President, in today's Wall Street Journal there is an excellent and comprehensive report by Joe Western on the critical problems facing American fishermen and the fishing industry. The story focuses on the recent amendment to the foreign aid bill which adds fish products to our food for peace program. However, the report is much broader based and points out not only how the recent amendment can be of benefit to the American fishermen and the American fishing industry but also describes the problems presented by the rapidly increasing fishery imports and our grossly inadequate fishing fleet. I know this article will be closely read by all Senators who recognize the importance and critical dangers facing our American fisheries. I ask unanimous consent that the article be printed at this point in my remarks.

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

NOW, A FISH SURPLUS—New Aid Bill Gives UNITED STATES POWER TO BUY EXTRA TUNA, SALMON, SARDINES—PURCHASES OF CANNED STOCKS COULD LEFT ANGLERS' PRICES, HELP FEED HUNGRY NATIONS—CHEAP IMPORTS SWELL SUPPLIES

(By Joe Western)

WASHINGTON.—Government price supporters, longtime friends to the Nation's farm-

ers, may be about to extend a hand to commercial fishermen as well.

For it seems that, in a fashion familiar on the farm, a surplus of fish has been piling up, overhanging markets and depressing prices. So, also in the agricultural tradition, Government men are considering lifting off at least some of this load and dispatching it to hungry foreigners.

This operation in seafood, it is true, would not go nearly as far as some Government dealings in farm goods. There would be no automatic, open-end commitment to take over surpluses and stockpile them to multimillion-dollar heights.

But the fishermen would be let in on some of the benefits of a major law that has aided agriculture for a decade: The surplus disposal, or food for peace, statute called Public Law 480. A little-noticed amendment to the recently enacted foreign aid bill permits the change; it is supposed to help dollar-short, meat-short nations abroad, as well as American fishermen. By a bit of irony, the fish surplus that may thus be shipped abroad is the indirect result of foreign fishing, for imported seafood has lately been flooding into the United States at a rising rate.

If, as seems likely, the White House decides to use the new legal power, the Government would buy up the excess sea harvest in canned form. Then it would be resold to needy foreigners under long-term, low-interest dollar credits; the buyers would pay in installments over as long as 20 years. (As a more distant possibility, economically shaky lands could pay instead in their own "soft" currencies, for which the United States has little use; the amended aid law provides for that easy payment, too.)

REQUEST FROM INDIA, ETHIOPIA

Already India and Ethiopia have asked for some seafood on these terms. What is needed next is a formal proclamation by Interior Secretary Udall, whose domain includes the Bureau of Commercial Fisheries, that various species of fish are surplus to current domestic needs, reasonable food reserves and expected commercial exports for cash dollars.

Mr. Udall is telling associates he is ready and eager to issue such a decree; his advisers have reported that \$50 million worth of surplus pink salmon, sardines, tuna and mackerel are currently piled up in private inventories, weighing down prices. Assuming necessary funds can be squeezed out of newly tightened budgets, actual purchasing could then begin.

"It would be a real shot in the arm for our commercial fishing industry," declares F. P. Longeway, general manager of the National Fisheries Institute, whose members include fishing vessel owners, fish canners and processors. And that's just the way things were planned. The Institute lobbied hard for the amendment, and it was piloted through Congress by Alaska's champion of the fishermen, Democratic Senator BARTLETT.

Though the purchase money would be pumped mostly into middlemen's hands, it's figured the cash transfusion would certainly have the effect of lifting prices received by fishermen, and perhaps retail prices as well. Fishermen got an average of 7.28 cents a pound for all fish in 1962, latest year tallied, up from 6.98 cents in the previous year but well below the record 8.23 cents of 1950.

VOLUME DOWN, COSTS UP

A purchase as big as \$50 million would mean a lot to the industry; the entire 1963 catch was worth about \$380 million to the U.S. fishing fleet, down a bit from 1962's record of \$386 million and little better than the \$370 million of a decade ago. Moreover, average operating costs have climbed 16 percent during the past 10 years.

There's little question that this country's fish surpluses are actually an indirect product of foreign angling. While total U.S. fish catches have lately been smashing no records, imports have been pouring in from more than 50 countries; the Nation's seafood supply apparently has swelled faster than American consumers' appetites for fish.

Last year the influx, especially large from Japan, Canada, and Mexico, made up around 55 percent of this country's total 1963 fish supply of about 10.2 billion pounds, up from 47 percent of the 9.9-billion-pound supply in the previous year and from only 37 percent of 1953's total of 7 billion pounds. The foreigners generally can sell cheap because of government ownership or heavy subsidizing of commercial fishing, along with operating costs generally lower than those of U.S. fishermen.

An added prospect for combining aid to domestic fishermen and needy foreigners remains in limbo for the time being. The recent amendment to the foreign aid law specifies that, if the Food and Drug Administration okays it, a high-protein, low-cost flour made from fish may be included in both long-term dollar sales and deals for soft currencies. So far, however, FDA is refusing to clear the concentrate for human consumption because it contains ground-up fish heads, bones, entrails, and fins as well as flesh.

Yet defenders of fish flour, including Senator BARTLETT and Democratic Senator MAGNUSON of Washington, contend the stuff is good for you. They envision a whole new industry for supplying it in Government-financed programs for meat-short people at home and abroad. By use of the flour, it's claimed, protein deficient diets of 1 billion people can be supplemented at a cost of less than a half-cent a day each.

"Every year," says an Interior Department expert, "about 7 billion pounds of otherwise valueless fish, usable in the concentrate, go to waste." That amount is far more than the catch actually marketed. In 1963, U.S. commercial fishermen caught only about 4.7 billion pounds of salable fish; the record was nearly 5.3 billion pounds in 1956.

Despite the hard push to add fish to the food-for-peace effort, scraping up the purchase money in the current economy atmosphere may be a problem.

Resistance in the Agriculture Department, which finances and exercises considerable control over most food-for-peace shipments, looms as a particular obstacle. Its budget for the fiscal year starting in July was slashed to around \$5.8 billion from \$7 billion in the current year. Especially disturbing to farm planners is the prospect of finding Secretary Udall's hand in their pockets. Financing one department's program with money allotted to another "could lead to chaos," complains one farm budget officer.

Nevertheless, President Johnson may feel compelled to give the green light sooner or later for inclusion of surplus fish in food-for-peace shipments. It is a presidential election year, and Capitol Hill support for the idea is considerable. Commercial fishing bulks large in nearly a score of States, including California, Louisiana, Massachusetts, Alaska, Washington, and the Chief Executive's own Texas.

Too, disposing of surplus fish under Public Law 480 might win new friends for this law, key sections of which expire this year. The administration is expected to ask for a 5-year extension and is braced for trouble in getting it; there's fear of ill will generated by Congress' 1963 storm over foreign aid.

Hard times apparently do afflict the U.S. fishing industry. Employment, including both fishermen and workers in allied occupations such as canneries, boatbuilding and equipmentmaking, slipped to 532,000 at last count in 1962 from 537,000 in 1960 and from 564,000 10 years before that.

Construction of new fishing vessels has been dwindling. Only 105 ships of five tons and over were built in 1961, down from 171 the year before and from 452 built in 1953. The record is 680 in 1946, after World War II controls came off. In all, some 12,000 aging ships are operating in the U.S. fleet; the number nearly doubled to about its present size in the 5 years immediately following World War II when war-devastated lands had to import great tonnages of American food.

And though the United States for decades ranked second only to Japan in total annual catch, this country now has slipped to fifth place, being surpassed by Peru, China, and Russia.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Is the Senate proceeding this morning in strict accordance with rule VII?

The PRESIDING OFFICER. Yes. The Senate has gone through the requirements of rule VII beginning with the presentation of petitions and memorials.

Mr. CLARK. As I understand, a moment or two ago the Chair called for concurrent and other resolutions, and received no response from the floor of the Senate. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. What is the appropriate order of business under rules VII, VIII, and IX between now and the hour of 2 o'clock? To state the problem somewhat differently, will the Chair advise at what time morning business is over? Will the Chair also advise what is the difference between morning business and the morning hour? I ask those questions because I believe there has been a great deal of confusion in the past few days on those subjects. I am confused.

The PRESIDING OFFICER. The morning hour is a period of 2 hours after the convening of the Senate following an adjournment.

There is no fixed limit of time for morning business. The time depends upon the volume of routine matters presented by Senators. It, however, cannot extend beyond the expiration of the morning hour.

Mr. CLARK. I know that, quite inadvertently, the Chair was interrupted by receiving sound advice from the Parliamentarian, so I am not sure that I entirely understood him.

I ask the following question as a parliamentary inquiry: It is my understanding that when the Senate convenes after adjournment, regardless of what time it assembles, it proceeds with the prayer, the reading of the Journal, and then, under rule VII, proceeds to morning business in the order stated in rule VII.

Once concurrent and other resolutions have been called for under rule VII, what comes next?

The PRESIDING OFFICER. At that time the usual procedure would be for the Chair to announce that morning business is closed.

Mr. CLARK. As I understand, under rule VIII and rule IX further business during the morning hour would be in order. My confusion is as to what is the appropriate procedure after the morning business is closed and before the end of the morning hour, which the rule states is 2 o'clock, has arrived. A moment ago the Chair stated that the morning hour would continue for 2 hours after the Senate convenes, but if the Senate were to convene at 10 o'clock, the rules refer to the hour of 2 o'clock as being the end of the morning hour.

The PRESIDING OFFICER. In the case stated, the end of the morning hour would be 12 o'clock. The Chair will read from rule VIII:

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock.

Instead of 2 o'clock, however, as stated above, the morning hour would terminate at 12 o'clock, under the following order of the Senate agreed to on August 10, 1888:

Resolved, That after today, unless otherwise ordered, the morning hour shall terminate at the expiration of two hours after the meeting of the Senate. (S. Jour. 1266, 50-1, Aug. 10, 1888.)

Before that date, the morning hour lasted for 1 hour.

Mr. CLARK. So my understanding of what the Chair has said, then, based upon the advice of our learned Parliamentarian, is that after morning business is closed, the morning hour continues until 2 hours after the Senate has met. Is that correct?

The PRESIDING OFFICER. That is correct. The morning hour is a fixed period that lasts 2 hours after the Senate meets following an adjournment.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Is it not in order, however, to conclude morning business and the morning hour, which I believe are synonymous in meaning, by laying down the pending business?

Mr. CLARK. It is my understanding that "morning business" and "morning hour" are not synonymous at all. The Parliamentarian has advised the Chair that they are very different.

The PRESIDING OFFICER. Morning business has been closed.

A motion is now in order to proceed to the consideration of any matter on the calendar, and such a motion would be determined without debate.

Mr. CLARK. What, then, is the significance of the words "2 o'clock" in rule VIII?

The PRESIDING OFFICER. At 2 o'clock the unfinished business is taken up, if it is not laid before the Senate before that time, either by motion or unanimous consent.

Mr. CLARK. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Am I now permitted to speak on any subject I wish until the hour of 2 o'clock, without losing my right to the floor?

The PRESIDING OFFICER. Under precedents of the Senate, debate is not in order at this time.

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

Mr. CLARK. I shall be happy to yield for a question, with the understanding that I do not lose my right to the floor.

Mr. MANSFIELD. I believe the point raised by the Senator from Pennsylvania is correct. I believe he has a right to speak on any subject and for any length of time, at least until 2 o'clock, the Senate having convened at 12 o'clock. He has that right based on the fact that when the majority leader made a unanimous-consent request that there be a limitation of 3 minutes on statements, the request was objected to.

Mr. CLARK. My parliamentary inquiry now is whether the Chair agrees with the statement of the majority leader, with which I find myself in accord.

The PRESIDING OFFICER. According to the Parliamentarian, the statement of the majority leader is not correct.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Why, then, on yesterday, when this question was raised, did the Chair recognize Senators indiscriminately and allow them to speak on any subject, for as long as they wanted to speak? No time limitation was involved. At the time the Senator from Wyoming was recognized, I was trying to have a limitation of 3 minutes agreed to. The limitation was not allowed. Then the Senator could have spoken until 2 o'clock, or beyond, because there was no pending business.

The PRESIDING OFFICER. It is one thing if the Senate follows precedent; it is another thing if the Senate agrees to proceed in the absence of or in contradiction of precedent.

Mr. MANSFIELD. But precedent is usually followed. The precedent has been that there is a morning hour under which statements have been limited to 3 minutes. That request has almost invariably been granted, except for yesterday and today. The Senator who gets the floor now can keep it as long as he wishes, or until 2 o'clock, or later, if there is no pending business.

The PRESIDING OFFICER. According to the Parliamentarian, the Senate can proceed in breach of its precedents under those conditions. If there is no objection, the Senator from Pennsylvania can proceed at this time for as long as he desires.

Mr. MANSFIELD. Mr. President, on what basis could objection be raised?

Mr. CLARK. And how could an objection be raised unless I agreed that it might be raised?

The PRESIDING OFFICER. In accordance with precedent, unless there

was a debatable question before the Senate, no debate would be permitted until a bill was before the Senate.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. I have the floor now, do I not?

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. CLARK. Will the Chair explain how I can lose the floor without my yielding the floor, and not speak until midnight tonight, if I wanted to hold the floor that long, or at any time until germane business is before the Senate? How am I to be taken off the floor?

The PRESIDING OFFICER. If the Senator violates a rule of the Senate, by majority vote he can be taken from the floor.

Mr. CLARK. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Otherwise can I retain the floor until I yield it?

The PRESIDING OFFICER. At 2 o'clock the Senator would have to allow the unfinished business to be laid before the Senate.

Mr. CLARK. Would I lose the floor?

The PRESIDING OFFICER. Then the Senator could continue with his remarks after 2 o'clock.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Would the Senator at that time have to speak on a germane basis, or could he cover the universe?

The PRESIDING OFFICER. At that time he would have to confine his remarks to the pending business which had been laid before the Senate at 2 o'clock.

Mr. MANSFIELD. A further inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. That would encompass a 3-hour period during which the debate would be confined to the pending business. Is that correct?

The PRESIDING OFFICER. The 3-hour period of germane debate would begin at 2 o'clock; that is correct.

Mr. CLARK. During which period, I presume, I would still hold the floor, and as long as my discussion was addressed to the pending business, I could not be taken from the floor. Is that correct?

The PRESIDING OFFICER. The Senator is correct—unless he violated a rule of the Senate.

Mr. CLARK. Mr. President, I have no intention of holding the floor for any length of time. I started the colloquy for the purpose of resolving the confusion under which a number of Senators have been laboring by reason of the fact that the rules of the Senate, particularly rules VII, VIII, and IX, bear little, if any, resemblance to the procedure the Senate customarily follows. I proposed several years ago—and the effort was conspicuous for its lack of success—a rewriting of the rules of the Senate so as

to bring them in accord with the practices and precedents of the Senate.

I hope Senators will read the colloquy which has occurred between the Presiding Officer, the majority leader, and myself today, and will take note of the high degree of necessity for rewriting the Senate rules, and particularly those rules which deal with the day-to-day conduct of the Senate's business, so that we can bring them more into some reasonable relationship to what the Senate does.

I say that because in my opinion the custom which has been followed since I came to the Senate, of having the Senate convene, having unanimous consent given to dispense with the reading of the Journal, having unanimous consent given to the making of speeches not in excess of 3 minutes, until all Senators have an opportunity to make insertions in the RECORD, is a wise and sensible way of doing business. It makes it easier to reach the period of germane debate and to stick to the subject once the pending business is laid before the Senate. But we live in a dream world of precedents and obtuse rulings and phrases that do not mean what they say. We have a "morning hour" and "morning business." One can hardly find a Senator who knows the difference between them.

There is a rule for the introduction of bills and resolutions, and the submission of petitions and memorials, that is never followed unless a Senator refuses to give unanimous consent. How silly can we be?

Is it not time to put our house in order, at least in this period of 1 or 2 hours? Let us put into the rules the procedure which the present majority leader has followed, and which his predecessor followed. Let us not require the Journal to be read because one Senator objects to dispensing with its reading. Let us make it impossible for one Senator to stop the granting of a request to limit speeches to 3 minutes. Let us eliminate this archaic nonsense. Let us have the rules written so that Senators can understand them, so that we do not have to go back to a precedent established in 1888 that deals with an obscure point of parliamentary procedure.

Above all, let us write the rules so that no Senator may be in the position where he can stultify the requirements of the Senate and the desires of the other 99 Members of the Senate, by talking from now until doomsday without being taken from the floor.

This is one of my daily pleas for some kind of congressional reorganization, which might well start with the rules of the Senate.

I am sure that my colleagues in the Senate will be glad to learn that I now yield the floor.

FORTUNE MAGAZINE FINDS TAX CUT INFLATIONARY

Mr. PROXMIER. Mr. President, in the February issue of Fortune magazine on the newsstands today the Business Roundup section has one of the finest analyses of the economic consequences of the tax cut that I have seen to date. I ask unanimous consent that this article be inserted in the RECORD at the conclu-

sion of my remarks and hope that every Member of the Senate will have an opportunity to read this article.

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

(See exhibit 1.)

Mr. PROXMIER. Mr. President, Fortune magazine has a top-flight staff of professional economists and I believe that this article represents one of their best economic studies.

The major point made in this Fortune article is that the proposed tax cut "could have explosive possibilities in 1964, and create hazards for 1965."

The article then points out that economists generally have consistently tended to underestimate the growth potential in our economy during the postwar period. The Fortune economists contended with substantial documentation that economists generally are probably underestimating the growth that is possible in calendar 1964 without tax reduction.

The Fortune article makes use, as it should, of the national income budget. The deficit in this budget would, according to Fortune, "widen suddenly this year when the economy needs little stimulus, then close and go into temporary surplus next year. These are extreme gyrations, indeed, and they could greatly compound the problems of the present and of the future."

According to Fortune the tax bill involves a substantially greater revenue loss than has yet been generally discussed:

Given the expansion of income that has taken place and will take place, the bill as it now stands would yield a cut worth \$13 billion of annual revenues in 1965.

They then indicate what the effect of such a tax cut would be. As Fortune puts it:

If a fevered advance in demand develops, so will pressure on prices. Credit might then be tightened but the effect on demand would be belated; if car, housing, and inventory demands became inflated by 1965, they would fall of their own weight. Such powerful recessionary tendencies, once set in motion, could soon swamp the expanding force of capital investment. Thus the United States might conquer its Everest of full employment this side of election day, only to plunge into trouble on the other side of it.

The conclusion of the Fortune economic editors is that this reasoning "underlines the importance of moderation in tax and fiscal policy if the economy is to maintain its strong and steady growth." Mr. President, this article is important because it indicates many of the weaknesses of this tax bill. The tax bill could provide an undue stimulus. That stimulus could be reflected largely in inflationary pressures, rather than in increased employment. The stimulus could be excessive and could lead to a precipitous turnaround into a recession. These are all dangers which should be fully considered before the tax cut is accepted by the Senate.

Mr. President, a few minutes ago the Secretary of the Treasury, Hon. Douglas Dillon, finished testifying before the Joint Economic Committee. In his testimony he conceded that the proposed tax cut, through no fault of the administra-

tion, had been sharply compressed from what had originally been designed by the administration. Originally it was intended to go into effect in July 1963 and to taper off to 1964 and 1965. This kind of long-term tax cut would have had a far more extensive and extended effect on the economy. It would have had the psychological advantage of putting businessmen and consumers in the position of anticipating a further tax cut. However, the present tax cut will be concentrated entirely on March 1, so far as private incomes are concerned, and there will be somewhat of a cut on corporate incomes also. That will be it. The Secretary of the Treasury agreed that the administration had no plans for the future.

There has been a stimulation of the economy in part because there have been two tax cuts since 1960. There was, first, the incentive credit, and then the accelerated tax credit. Now we are to have an overall tax cut, but nothing is planned for the future.

Furthermore, I believe recognition must be given to the fact that we cannot continue to decrease our revenue and expect to balance our budget. There is nothing to the notion that we can have a balanced budget in 1967 and 1968, based on our experience with the 1954 tax cut. Almost exactly 10 years ago, there was almost the same impact on the economy. There was a stimulation in 1955 and 1956, followed, in 1957, by an economic turndown, and a drastic turndown in 1958.

If we have learned anything from that experience, we can anticipate the same impact from this cut. While it may be helpful in this year, the result could well be inflation and the strong possibility of a recession in 1965 and 1966. The oasis of a balanced budget under expanding business conditions would seem to be more remote than ever before.

EXHIBIT 1

MADE IN WASHINGTON: THE JOHNSON BUDGET

The economy has entered the new year with private demands exceptionally strong and new budget proposals in Washington that, if enacted, could have explosive possibilities in 1964, and create hazards for 1965.

Profits at yearend reached a handsome \$55 billion pretax rate, 14 percent above a year ago. Retail sales rose sharply in December, and the FRB index hit a record of 127.2 with further gains certain. Accordingly, GNP, which rose by over \$20 billion in 6 months to a rate of \$600 billion last quarter, is approaching \$610 billion this quarter.

Economists, who have all along been underestimating this advance, recently projected a \$623 billion GNP by the end of 1964 according to the semiannual survey of their views conducted by J. A. Livingston of the Philadelphia Bulletin, and executives reporting to Fortune visualize a similar increase. While this projected gain exceeds the \$15 billion that economists and executives foresaw a year ago for 1963, it is actually less than the \$35 billion advance the economy registered last year. Most forecasters have still not caught up with the real strength of the American economy, as Roundup remarked 12 months ago. Even less have they yet caught up with the probable effects of the President's budgets for fiscal 1964 and 1965. (See chart.) [Not printed in Record.]

The turn in fiscal policy which has been developing for a year toward tax and ex-

penditure reductions becomes in the new budgets a radical turn and not a gradual one. It heightens the risks of what Roundup has called "too much stimulation and too much restraint"—the stimulus soon and the restraint late. The violence of the turn is not really revealed by the administrative budget, which simply estimates that the Federal deficit will run to \$10 billion this fiscal year and narrow to about \$5 billion in fiscal 1965. In part, this has been done by moving back into 1964 some payments that normally would have been made in 1965, as well as using private rather than public credit to finance some expenditures. This "dressing up" helps create a picture of fiscal prudence, which should help the new tax bill through Congress.

The chart [not printed in Record] projects Federal expenditures and receipts (figured quarterly, on a national income account basis) that would result if the recommendations and estimates made by the President in his new budget message were carried out. Expenditures, which have been sharply rising, would abruptly stabilize in fiscal 1965. Revenues would abruptly decline this spring as the result of changes in the withholding tax, then rise sharply. The Federal deficit would widen suddenly this year when the economy needs little stimulus, then close and go into temporary surplus next year. (Quarterly allocations by Roundup.)

But the President proposes an important change in the tax bill that would have far-reaching effects on the rate and fluctuations of revenues and hence on the rate of the deficit over the next 2 years. The bill now in Congress calls for a two-stage cut in individual tax liabilities, two-thirds occurring in 1964 and one-third in 1965; and further provides that the rate of tax withholding from payrolls would drop from 18 to 15 percent this year and to 14 percent next January 1. The President, without altering the provisions for liabilities, would amend the bill by cutting withholding to a 14 percent rate effective February 1, 1964. This would temporarily reduce current revenues by an extra \$2.4 billion annually, but then extra money from withholding would have to be returned to the Treasury in the first half of next year. Some taxpayers would pay too little in withholding in 1964 and would have to catch up more than they usually do by April 15, 1965. Other taxpayers, whose withholding usually exceeds their liabilities and who usually get refunds from the Treasury, would discover none forthcoming in 1965.

All this would mean that the rate of the Federal deficit, at present about \$1.5 billion on the national-income accounting of the budget, would abruptly widen this spring to \$10 billion or so. It would then narrow and turn into a balance or even surplus in the spring of 1965. (Hereafter a small deficit would again appear.) These are extreme gyrations, indeed, and they could greatly compound the problems of the present and of the future.

Congress, of course, may reject the President's proposals and stick to its own schedule of withholding rates. This would smooth out considerably the curves of revenues and of prospective deficits. Even so, it is worth noting that the total proposed tax cut has been growing as it has been passing through congressional revisions. The publicized estimate of the tax bill as it stood at the start of the year was for a cut of \$11.1 billion, based on underestimates of 1963 incomes. Given the expansion of income that has taken place and will take place, the bill as it now stands would yield a cut worth \$13 billion of annual revenues in 1965.

THE SPENDING RESTRAINT

Such a cut far exceeds savings now contemplated in expenditures. The new projection is that expenditures will continue rising during the current half year, as before, at an annual pace of \$6 billion, just when revenues

will be falling, and then will flatten out during fiscal 1965. (This is figured on the national income accounts, which eliminate the "dressing up" previously referred to.) In fact, outlays may somewhat exceed the new estimates. Agricultural costs could run a billion more than estimated if crops match last year's and if Congress votes a wheat bill but no cotton bill. The budget, moreover, now projects a 3 percent decline during fiscal 1965 in the rate of defense outlays—a reversal of recent trends that may be hard to effect. But on balance total 1965 outlays will be up less than the \$3 billion per year rise that Roundup projected a month ago.

If defense outlays, which are half the Federal total, are really going to level off or diminish, as defense officials say, Washington should be framing long-range plans now for tax reductions in the years ahead, since outlays would rise only a half or a third as much as the normal advance of some \$7 billion per annum in revenues. The difference of, say, \$5 billion per annum should be returned to taxpayers, and somewhat in advance, to give them time to readjust spending habits. The trouble with the bill now before Congress is that the reductions come a bit too soon; with the President's proposals they come precipitously.

The economic consequence of all this is stimulus now, at the possible expense of unstabilizing the future. No one can be sure how soon consumers will spend extra income or on what, but the more they get at once, the more they may be tempted into "big-ticket" items like cars, homes, and major durables. New-car sales last yearend were already running at a rate of 8 million (including imports), which is Fortune's estimate (hitherto considered exaggerated) of the market for 1965. With a big tax cut, sales could reach a 9 million rate by this yearend; housing starts could advance comparably; inventory accumulation, recently at a \$5-billion rate, the "norm" for a growth economy, might under the proposed tax stimulus rise to \$10 billion. But all these could be only temporary gains.

If a fevered advance in demand develops, so will pressure on prices. Credit might then be tightened but the effect on demand would be belated; if car, housing, and inventory demands became inflated by 1965 they would fall of their own weight; and tax paybacks budgeted for next spring would temporarily crimp consumer pocketbooks. Such powerful recessionary tendencies, once set in motion, could soon swamp the expanding force of capital investment. And the budget, already in deficit then, would offer no major solace, on the side of either spending or taxes. Thus the United States might conquer its Everest of full employment this side of election day, only to plunge into trouble on the other side of it.

This prospect, crudely drawn or perhaps overdrawn, is of course by no means a certain consequence of the Johnson budgets, which as noted may be amended. But it is just as probable as the bland Washington assumption that the economy would, despite large fiscal tinkering, continue on a smooth expansion in 1965. It is worth noting that all the recessions of the past decade have in good part been made in Washington—the defense cutbacks of 1953-54 (which were well handled), the indecisions about defense and taxes in 1957-58 (badly handled), and the fiscal curbs of 1959-60, the effects of which were compounded by the long (hard-to-handle) steel strike. Even the 1962 pause traced to a crisis in confidence touched off by the imbroglio over steel prices.

From these experiences, Washington seemingly should be "disposed to moderation" in fiscal and credit management, and Congress may well come down on that side. The smaller the tax cut put into effect now, or the later it is made, the more moderate will be the coming fiscal turn. Congress should

be encouraged in this direction by strong employment in nonfarm establishments which rose by 1,600,000 during 1963, the best gain in 4 years—a half million more than shown in the household surveys of the labor force. The rise in jobs tends to confirm Roundup's estimate that the United States is already within \$20 billion of its output potential (assuming an unemployment rate of 4 percent) and not \$30 billion short as estimated by the Council of Economic Advisers. This underlines the importance of moderation in tax and fiscal policy if the economy is to maintain its strong and steady growth.

GREAT ACCUMULATIONS?

Businessmen stepped up their inventory buying to a rate of more than \$5 billion last quarter, the highest in 18 months; and there is every sign the rate of accumulation will be rising this year. Executives are simply responding to the speedup in final sales, which rose 5 percent or less during 1961 and 1962 and about 6 percent during 1963. Roundup last month forecast this growth would approach 7 percent in 1964, assuming passage of the tax bill as it stood then and gradual spending of the tax savings across the board. Inventories should rise comparably, or by at least \$7.5 billion. If more tax relief is given this year than originally planned, or if consumers spend more liberally than anticipated, 1964 sales will rise even faster and business might build protective stocks. So sometime this year accumulation conceivably could reach a rate of \$10 billion or more, which could not last.

There are already some hints that business this year may want to lift its inventories faster than sales, hints visible now in cars, steel, and even general merchandise. A leader in the latter field attributes success in outpacing the competition in 1963 to having on hand ample or even "heavy" stocks, and now is lengthening forward commitments (in part in fear of price rises). Stocks of all nondurables rose by \$2 billion, or 4 percent, last year, a bit more than sales, which were temporarily depressed by unseasonable autumn weather. Toward yearend, executives in these lines were on the whole still cautious about their stocks, according to Fortune's latest inventory survey. Indeed, they reported a small surplus on balance and were planning a 1964 rise of less than 1 percent, despite expectations that sales would rise by 3 to 4 percent. But winter sales of soft goods have been rebounding sharply, and this will tend to change calculations.

THE TRENDS IN PRICES

Industrial prices have firmed a bit in the past half year, but they have been nearly stable over the longer pull. Meanwhile unit labor costs have actually been drifting off a bit, with the persistent improvement of productivity and the relatively moderate rise in wages. Consequently unit profit margins of manufacturers have been getting better. Prices to consumers continue to advance partly because of the constant rise in service prices. If the index of the general price level that applies to the whole GNP had been charted, it would have lain fractionally above the line charted for consumer prices. (Data from BLS and Commerce.)

SEQUENCES IN STEEL

Steel buyers certainly seem to be acting more forehandedly. After the steel buildup of last spring when the union contract was reopened, they trimmed stocks for the balance of the year and then started to rebuild them last month as consumption kept rising. They reported to Fortune's latest survey the same number of days' supply of steel on hand as a year ago, and stocks probably stand about 3 million tons higher. Now signs point to further accumulation, which may come to 5 million tons in 1964, and the rate may be rising at yearend in anticipation of new union contract negotiations in 1965.

Total steel use, which topped 110 million tons last year, may reach or exceed 120 million tons this year—both new records. Steel production may be nearly as great, also a record, and will be supplemented by imports about equal to stockpiling.

Detroit is also paying more attention to inventories than in the recent past. It expanded dealer stocks by a rate of more than \$500 million during the fourth quarter, to a year-end total of 952,000 units. But with sales up to a new record, the days' supply was barely above a year ago and dealers reported to Fortune they still wanted over 10 percent more—i.e., as many more as they wanted before the start of the new model year and the recent stock buildup. So after assembling nearly 2,300,000 cars last quarter, Detroit is scheduling another record for this quarter of some 2,100,000, up almost 9 percent from a year ago. If sales held steady this would increase stocks to a new high of 1,200,000 at the start of spring. This figure would give dealers a 46-day supply of cars, somewhat above the level in the spring of 1962 and 1963. Over the last two summers dealers ran short of cars, and now with taxes going down and competition intensifying, Detroit is hedging against the chance of labor contract troubles this summer.

The buying mood is spreading to other durables lines, too. Steel mills are again building their raw materials in line with sales. Aerospace companies plan a reversal of their recent stock trimming. Machinery companies say they will slow their buildup from the recent 5 percent a year, but will surely do better as sales surpass projections of another 7-percent rise. In home goods and construction, stockpiles have remained close to levels of a year ago, but with business up 12 percent a stepup is overdue.

Over the past year businessmen in only a few lines have reduced their inventory sales ratios sharply. But hopes for future reduction are widespread, and that is one reason why buying plans continue to be unrealistically cautious. Manufacturers in Fortune's survey, for example, say they expect on balance a 2-percent reduction in their desired ratios of stocks to sales in the next year, ranging from 4 percent in machinery to no change at all in paper. Yet, according to the survey, it took 2 to 4 years to reduce these ratios by 1.5 percent. The desired ratio for the economy as a whole held steady through 1961 and then dipped by 1 percent a year or so in 1962 and 1963, which roughly accords with businessmen's own estimates. But the 1963 statistics are preliminary, and the dip in the desired ratio (which is taken as a percentage of the actual ratio) may be washed out on later revision.

More relevant than the figures are the general forces at work. The application of computers and inventory controls tends to diminish needs for stock, but this factor has been largely offset by the proliferation of types of cars, foods, etc., to be stocked. In some lines, avid demand last year allowed sellers to quicken turnover. But an opposite effect may be expected now from the general rise in the pressure of industrial demand upon supply, which on Fortune's index will soon surpass even the 1955 highs. In the past when pressure has mounted, notably on capacity, business has had to raise its inventory-sales ratios in order to protect its supplies from possible tieups of any kind (labor, freight, weather, etc.). If this occurs again, stockpiling will run a billion or two or more ahead of Roundup's projections, and so change from its recent fairly stable influence into an unstabilizing one.

THE PACE OF PRICES

Much in the air suggests a more rapid rise of prices: the mounting pressure of demand on supply, the usual tendency of productivity improvement to slow down as a business advance lengthens, labor's pressure for more wages and a shorter workweek.

But there are offsetting factors, some of them unique to 1964. On the whole, Roundup believes that the general price level applying to the whole GNP could rise 2 percent in 1964 versus 1.5 percent in 1963.

Consumer prices, which cover two-thirds of the GNP, will, as in the past, be pushed up by the rise in prices of services. This has sped up again to a rate of 2 percent. Productivity in these lines generally fails to advance as fast as wages, and this is also true of the costs of retail distribution: for example, such costs tend to add half a percent a year to consumer food prices. Though standing at least a percent above a year ago, foods have remained essentially stable (seasonally adjusted) over the past 9 months. While meat prices are down owing to enlarged supplies, the prices of fruits and vegetables are up sharply: freezing weather damaged crops last year, and sugar has soared. Meat supplies and prices are not apt to change much this year, so unless key crops run into another spell of hard luck, food prices should stay put or, at most, creep up.

Prices of consumer goods apart from food are about a percent higher than a year ago at retail, almost all in nondurables. Apparel is up and local levies on cigarettes as well as on whisky and gasoline keep mounting.

The services furnished by Government constitute about 10 percent of the GNP, and their price is reported as going up 4 percent a year, a figure derived from the rise in wage and salary rates paid to Government workers. This procedure, however, makes no allowance for increases in productivity, which have surely been going on—through the use of computers and other machines. Allowing for this, it seems probable that the cost of Government services should really be boosting the general price level by perhaps 0.2 percent annually rather than 0.4 percent, as now happens. A similar but smaller qualification also applies to construction costs.

The price of capital equipment for business has on the whole remained steady, as have industrial prices in general (wholesale prices apart from farm and food products). The latter dipped in early 1963, but have since advanced about half a percent and are back at the early 1961 levels. There have been increases in the past year in steel, nonferrous metals, textiles, tires, lumber, paper, machinery, and furniture. But there were dips in chemicals, in building materials, and appliances, and a 5-percent decline in petroleum products during 1963. Were it not for the latter, industrial prices would now stand 0.3 percent higher than they do.

AGENDA FOR RISES

Manufacturers say they expect industrial prices to go up a little faster, from 0.3 percent in the past 12 months to 0.8 percent in the next. This roughly accords with Roundup's expectation that they might go up 1 percent by the end of 1964. The calculation is based on Roundup's present forecast of the economy and the past relationship of profit margins to Fortune's index of industrial pressure, plus the assumption that unit labor costs will remain steady. With a speedup in business if there is a bigger tax cut or if more of it is spent than allowed for in Roundup's model, industrial prices could go up a half percent more even with stable labor costs.

That unit labor costs can really remain steady is far from certain. True, industrial productivity has been improving rapidly (4 percent in 1963), and this could continue for a while if output hums: efficiency typically improves while an upswing is going strong. But wages might increase faster and raise costs. A number of factors will add force to union demands in 1964 labor negotiations, and so average hourly earnings might begin to go up more than the 3 percent of 1963.

Major union contracts expiring this year cover 1,900,000 workers versus 1,200,000 in 1963, among them the key auto contracts, those in women's apparel, and the one just signed in trucking. The last provides almost a 5-percent increase this year, two-thirds in wages and the rest in fringes. Since much of the auto workers' gains in recent years have been in fringe benefits, the UAW may similarly lean toward direct wage payouts.

SLICING THE HOURS

The UAW could in effect also spearhead labor's campaign for a shorter workweek, as Walter Reuther has intimated. The union signed a contract in Canada in 1950 breaking this kind of ground. This contract reduced the workweek in auto plants from 44 to 40 hours. A graduated system was employed: It attached penalty pay rates to an additional hour every year until the goal of 40 hours was reached. Partial adjustments were also made in basic wages in order to take account of shorter hours. In the United States, President Johnson, while rejecting an overall 35-hour week, has proposed legislation under which special committees could recommend higher penalty rates than time and a half for weekly hours in excess of 40, where circumstances warrant.

But there are other influences that may work toward a rather moderate increase in wages in 1964. While unemployment will diminish, this may have only a marginal effect on upward wage pressure for some time. Moreover, for many, wage increases will go into effect in 1964 under contracts signed in previous years, and these will average only 7.1 cents per hour, the least since 1958, when the Bureau of National Affairs began compiling data. And because taxes are scheduled to be cut, take-home pay will increase this year even without a pay rise.

So while there are grounds for expecting wages and prices to go up a little faster than they have, the general price level is hardly likely to go up by the 3 percent a year or more of 1956-57. That is a possibility, though not yet a likelihood, for 1965.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1309. An act to amend the Small Business Act, and for other purposes; and

H.R. 5377. An act to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act to the Architect of the Capitol and the employees of the Architect of the Capitol, and for other purposes.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATIVE TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is Senate Resolution 111.

The Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

Mr. COOPER. Mr. President, I wish to express my strong support for Senate Resolution 111, which is the pending business this afternoon. The resolution, introduced by the distinguished senior Senator from Idaho [Mr. CHURCH], would provide a much needed change in the Senate rules and would help Members of the Senate give more time to their committee work and to the study of legislation before their committees.

Since 1962, when I joined the distinguished Senator from Pennsylvania [Mr. CLARK], in sponsoring a concurrent resolution to establish a joint committee to study methods of conducting congressional business more efficiently, and on a number of occasions since that time, I have discussed in the Senate the need for making arrangements for committees to devote more time to their work and to the testimony presented on proposed legislation.

This resolution before the Senate today is a step in the right direction. I hope also that the leadership on both sides of the aisle will give consideration to devoting certain days of the week wholly to committee work, since such agreement could give members of committees the chance to study legislative questions more closely, especially in the early months of a session.

As one who first served in the Senate some 17 years ago, and as one who has seen the volume of the business of the Senate increase markedly, I think we must seek ways to have the work of the Senate made as effective as possible. Last week, we adopted a rule on germaneness which I was glad to have been able to urge since 1962, and this week I hope we can adopt this proposed change in the rules. The germaneness rule will help our debate on the floor, and the resolution before us today would help our committee work so that we can fulfill our legislative responsibilities more effectively.

Mr. MANSFIELD. Mr. President, how much time remains on the resolution?

The PRESIDING OFFICER. Three hours.

TRANSACTION OF ROUTINE BUSINESS

Subsequently, by unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON TITLE I AGREEMENTS UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the month of December 1963 (with an accompanying report); to the Committee on Agriculture and Forestry.

LAWS ENACTED BY LEGISLATURE OF GUAM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Legislature of Guam, during the year 1963 (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON LOWER TETON DIVISION, TETON BASIN PROJECT, IDAHO

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Lower Teton division, Teton Basin project, Idaho (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, with an amendment:

S. Res. 283. Resolution to authorize the Committee on Commerce to make certain studies; referred to the Committee on Rules and Administration.

By Mr. LONG of Missouri, from the Committee on Banking and Currency, without amendment:

H.R. 9076. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis (Rept. No. 831).

REDUCTION OF INDIVIDUAL AND CORPORATE INCOME TAXES—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 830)

Mr. LONG of Louisiana. Mr. President, from the Committee on Finance I report favorably, with amendments, the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, and submit a report thereon. I ask unanimous consent that the report be printed together with minority views of the Senator from Tennessee [Mr. GORE], and the individual views of the Senator from Illinois [Mr. DOUGLAS], that the bill as reported be printed with a table of contents at the end of the bill, and that a technical explanation of the bill as reported be permitted to be filed as part II of the report at a later date.

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 Louisiana.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of November 1963. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

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

The report and statement are as follows:

FEDERAL STOCKPILE INVENTORIES, NOVEMBER 1963

INTRODUCTION

This is the 48th in a series of monthly reports on Federal stockpile inventories. It is for the month of November 1963.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Depart-

ments of Agriculture, Defense, Health, Education, and Welfare, and Interior, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of November 1, 1963, totaled \$14,417,885,378, and as of November 30, 1963, they totaled \$14,273,987,427, a net decrease of \$143,897,951 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

| Major category | Beginning of month Nov. 1, 1963 | End of month Nov. 30, 1963 | Net change during month |
|--|------------------------------------|-------------------------------|-------------------------|
| Strategic and critical materials: | | | |
| National stockpile ¹ | \$5,779,344,300 | \$5,763,170,100 | -\$16,174,200 |
| Defense Production Act..... | 1,489,638,200 | 1,488,322,400 | -1,315,800 |
| Supplemental—barter..... | 1,350,137,038 | 1,352,246,150 | +2,109,112 |
| Total, strategic and critical materials ¹ | 8,619,119,538 | 8,603,738,650 | -15,380,888 |
| Agricultural commodities: | | | |
| Price support inventory..... | 5,361,257,559 | 5,232,158,605 | -129,098,954 |
| Inventory transferred from national stockpile ¹ | 125,763,492 | 122,882,203 | -2,881,289 |
| Total, agricultural commodities ¹ | 5,487,021,051 | 5,355,040,808 | -131,980,243 |
| Civil defense supplies and equipment: | | | |
| Civil defense stockpile, Department of Defense..... | 11,899,807 | 11,876,594 | -23,213 |
| Civil defense medical stockpile, Department of Health, Education, and Welfare..... | 192,421,458 | 193,203,090 | +781,632 |
| Total, civil defense supplies and equipment..... | 204,321,265 | 205,079,684 | +758,419 |
| Machine tools: | | | |
| Defense Production Act..... | 2,208,600 | 2,208,600 | ----- |
| National Industrial Reserve Act..... | 89,745,000 | 90,017,100 | +272,100 |
| Total, machine tools..... | 91,953,600 | 92,225,700 | +272,100 |
| Helium..... | 15,469,924 | 17,902,585 | +2,432,661 |
| Total, all inventories..... | 14,417,885,378 | 14,273,987,427 | -143,897,951 |

¹ Cotton inventory valued at \$128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the

month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

Appendix A to this report includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, November 1963 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity).

New stockpile objectives

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for 12 materials.

Appendix B contains excerpts from the Office of Emergency Planning statement setting forth the new policy with respect to objectives for strategic and critical materials.

TABLE 1.—Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)

| Commodity | Cost value | | | Unit of measure | Quantity | | | | |
|--|-------------------------------------|--------------------------------|-------------------------|--------------------|-------------------------------------|--------------------------------|-------------------------|--------------------------------|-------------------------------|
| | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month | | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month | Maximum objective ¹ | Excess over maximum objective |
| Aluminum, metal: | | | | | | | | | |
| National stockpile..... | \$487,680,600 | \$487,680,600 | ----- | Short ton..... | 1,128,989 | 1,128,989 | ----- | ----- | ----- |
| Defense Production Act..... | 432,395,600 | 431,610,600 | -\$785,000 | do..... | 857,323 | 855,733 | -1,590 | ----- | ----- |
| Total..... | 920,076,200 | 919,291,200 | -\$785,000 | do..... | 1,986,312 | 1,984,722 | -1,590 | 2 450,000 | 1,534,722 |
| Aluminum oxide, abrasive grain: | | | | | | | | | |
| Supplemental—barter..... | 15,145,323 | 15,292,604 | +147,281 | Short dry ton..... | 48,974 | 49,476 | +502 | (³) | 49,476 |
| Aluminum oxide, used, crude: | | | | | | | | | |
| National stockpile..... | 21,735,100 | 21,735,100 | ----- | do..... | 200,093 | 200,093 | ----- | ----- | ----- |
| Supplemental—barter..... | 22,747,400 | 22,747,400 | ----- | do..... | 178,266 | 178,266 | ----- | ----- | ----- |
| Total..... | 44,482,500 | 44,482,500 | ----- | do..... | 378,359 | 378,359 | ----- | 200,000 | 178,359 |
| Antimony: | | | | | | | | | |
| National stockpile..... | 20,488,000 | 20,488,000 | ----- | Short ton..... | 30,301 | 30,301 | ----- | ----- | ----- |
| Supplemental—barter..... | 12,739,199 | 12,804,548 | +65,349 | do..... | 21,772 | 21,876 | +104 | ----- | ----- |
| Total..... | 33,227,199 | 33,292,548 | +65,349 | do..... | 52,073 | 52,177 | +104 | 70,000 | (⁴) |
| Asbestos, amosite: | | | | | | | | | |
| National stockpile..... | 2,637,600 | 2,637,600 | ----- | do..... | 11,705 | 11,705 | ----- | ----- | ----- |
| Supplemental—barter..... | 6,877,475 | 7,093,768 | +216,293 | do..... | 27,630 | 28,600 | +970 | ----- | ----- |
| Total..... | 9,515,075 | 9,731,368 | +216,293 | do..... | 39,335 | 40,305 | +970 | 45,000 | (⁵) |
| Asbestos, chrysotile: | | | | | | | | | |
| National stockpile..... | 3,356,200 | 3,356,200 | ----- | Short dry ton..... | 6,224 | 6,224 | ----- | ----- | ----- |
| Defense Production Act..... | 2,102,600 | 2,102,600 | ----- | do..... | 2,348 | 2,348 | ----- | ----- | ----- |
| Supplemental—barter..... | 3,934,500 | 4,129,931 | +195,431 | do..... | 5,532 | 6,045 | +513 | ----- | ----- |
| Total..... | 9,393,300 | 9,588,731 | +195,431 | do..... | 14,104 | 14,617 | +513 | 11,000 | 3,617 |

See footnotes at end of table.

TABLE 1.—Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excess over maximum objectives in terms of quantity as of the end of the month)—Continued

| Commodity | Cost value | | | Unit of measure | Quantity | | | | |
|-------------------------------------|----------------------------------|-----------------------------|-------------------------|------------------------|----------------------------------|-----------------------------|-------------------------|--------------------------------|-------------------------------|
| | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | Maximum objective ¹ | Excess over maximum objective |
| Asbestos, crocidolite: | | | | | | | | | |
| National stockpile..... | \$702,100 | \$702,100 | ----- | Short ton..... | 1,567 | 1,567 | ----- | | |
| Supplemental—barter..... | 7,253,690 | 7,253,695 | +5 | do..... | 27,437 | 27,438 | +1 | | |
| Total..... | 7,955,790 | 7,955,795 | +5 | do..... | 29,004 | 29,005 | +1 | (?) | 29,005 |
| Bauxite, metal grade, Jamaica type: | | | | | | | | | |
| National stockpile..... | 13,925,000 | 13,925,000 | ----- | Long dry ton..... | 879,740 | 879,740 | ----- | | |
| Defense Production Act..... | 18,168,000 | 18,168,000 | ----- | do..... | 1,370,077 | 1,370,077 | ----- | | |
| Supplemental—barter..... | 89,403,358 | 89,403,300 | -58 | do..... | 5,780,590 | 5,780,590 | ----- | | |
| Total..... | 121,496,358 | 121,496,300 | -58 | do..... | 8,030,407 | 8,030,407 | ----- | 2,600,000 | 5,430,407 |
| Bauxite, metal grade, Surinam type: | | | | | | | | | |
| National stockpile..... | 78,552,500 | 78,552,500 | ----- | do..... | 4,962,706 | 4,962,706 | ----- | | |
| Supplemental—barter..... | 45,280,400 | 45,280,400 | ----- | do..... | 2,927,260 | 2,927,260 | ----- | | |
| Total..... | 123,832,900 | 123,832,900 | ----- | do..... | 7,889,966 | 7,889,966 | ----- | 6,400,000 | 1,489,966 |
| Bauxite, refractory grade: | | | | | | | | | |
| National stockpile..... | 11,347,800 | 11,347,800 | ----- | Long calcined ton..... | 299,279 | 299,279 | ----- | 137,000 | 162,279 |
| Beryl: | | | | | | | | | |
| National stockpile..... | 9,768,400 | 9,768,400 | ----- | Short ton..... | 23,230 | 23,230 | ----- | | |
| Defense Production Act..... | 1,425,800 | 1,425,800 | ----- | do..... | 2,543 | 2,543 | ----- | | |
| Supplemental—barter..... | 22,739,500 | 22,739,500 | ----- | do..... | 11,321 | 11,321 | ----- | | |
| Total..... | 33,933,700 | 33,933,700 | ----- | do..... | 37,094 | 37,094 | ----- | 23,100 | 13,994 |
| Beryllium metal: | | | | | | | | | |
| Supplemental—barter..... | 16,167,037 | 17,167,862 | +1,000,825 | do..... | 136 | 145 | +9 | (?) | 145 |
| Bismuth: | | | | | | | | | |
| National stockpile..... | 2,674,300 | 2,674,300 | ----- | Pound..... | 1,342,402 | 1,342,402 | ----- | | |
| Defense Production Act..... | 52,400 | 52,400 | ----- | do..... | 22,901 | 22,901 | ----- | | |
| Supplemental—barter..... | 5,540,200 | 5,540,200 | ----- | do..... | 2,506,493 | 2,506,493 | ----- | | |
| Total..... | 8,266,900 | 8,266,900 | ----- | do..... | 3,871,796 | 3,871,796 | ----- | 3,000,000 | 871,796 |
| Cadmium: | | | | | | | | | |
| National stockpile..... | 18,037,400 | 16,520,300 | -1,517,100 | do..... | 9,188,064 | 8,415,266 | -772,798 | | |
| Supplemental—barter..... | 12,327,600 | 12,327,600 | ----- | do..... | 7,448,989 | 7,448,989 | ----- | | |
| Total..... | 30,365,000 | 28,847,900 | -1,517,100 | do..... | 16,637,053 | 15,864,255 | -772,798 | 6,500,000 | 9,364,255 |
| Castor Oil: | | | | | | | | | |
| National stockpile..... | 50,181,400 | 50,100,100 | -81,300 | do..... | 189,932,037 | 196,490,152 | +6,558,115 | 22,000,000 | 174,490,152 |
| Celestite: | | | | | | | | | |
| National stockpile..... | 1,412,300 | 1,412,300 | ----- | Short dry ton..... | 28,816 | 28,816 | ----- | | |
| Supplemental—barter..... | 225,646 | 246,218 | +20,572 | do..... | 5,416 | 5,964 | +548 | | |
| Total..... | 1,637,946 | 1,658,518 | +20,572 | do..... | 34,232 | 34,780 | +548 | 22,000 | 12,780 |
| Chromite, chemical grade: | | | | | | | | | |
| National stockpile..... | 12,288,000 | 12,288,000 | ----- | do..... | 559,452 | 559,452 | ----- | | |
| Supplemental—barter..... | 21,880,449 | 21,880,400 | -49 | do..... | 699,647 | 699,647 | ----- | | |
| Total..... | 34,168,449 | 34,168,400 | -49 | do..... | 1,259,099 | 1,259,099 | ----- | 475,000 | 784,099 |
| Chromite, metallurgical grade: | | | | | | | | | |
| National stockpile..... | 264,565,500 | 264,565,500 | ----- | do..... | 3,795,292 | 3,795,292 | ----- | | |
| Defense Production Act..... | 35,879,900 | 35,879,900 | ----- | do..... | 985,646 | 985,646 | ----- | | |
| Supplemental—barter..... | 224,198,100 | 224,198,100 | ----- | do..... | 1,543,110 | 1,543,110 | ----- | | |
| Total..... | 524,643,500 | 524,643,500 | ----- | do..... | 6,324,048 | 6,324,048 | ----- | 2,970,000 | 3,354,048 |
| Chromite, refractory grade: | | | | | | | | | |
| National stockpile..... | 25,149,300 | 25,149,300 | ----- | Short dry ton..... | 1,047,159 | 1,047,159 | ----- | | |
| Supplemental—barter..... | 5,039,000 | 5,039,000 | ----- | do..... | 179,775 | 179,775 | ----- | | |
| Total..... | 30,188,300 | 30,188,300 | ----- | do..... | 1,226,934 | 1,226,934 | ----- | 1,300,000 | (*) |
| Cobalt: | | | | | | | | | |
| National stockpile..... | 169,205,200 | 169,205,200 | ----- | Pound..... | 76,664,297 | 76,664,297 | ----- | | |
| Defense Production Act..... | 52,075,300 | 52,075,300 | ----- | do..... | 25,194,122 | 25,194,122 | ----- | | |
| Supplemental—barter..... | 2,169,000 | 2,169,000 | ----- | do..... | 1,077,018 | 1,077,018 | ----- | | |
| Total..... | 223,449,500 | 223,449,500 | ----- | do..... | 102,935,437 | 102,935,437 | ----- | 19,000,000 | 83,935,437 |
| Coconut oil: | | | | | | | | | |
| National stockpile..... | 9,019,400 | 7,863,600 | -1,155,800 | do..... | 59,511,851 | 51,882,918 | -7,628,933 | (?) | 51,882,918 |
| Colemanite: | | | | | | | | | |
| Supplemental—barter..... | 2,636,400 | 2,636,400 | ----- | Long dry ton..... | 67,636 | 67,636 | ----- | (?) | 67,636 |
| Columbium: | | | | | | | | | |
| National stockpile..... | 23,919,200 | 23,919,200 | ----- | Pound..... | 7,507,959 | 7,507,959 | ----- | | |
| Defense Production Act..... | 50,238,900 | 50,238,900 | ----- | do..... | 8,222,684 | 8,222,684 | ----- | | |
| Supplemental—barter..... | 799,100 | 799,100 | ----- | do..... | 388,877 | 388,877 | ----- | | |
| Total..... | 74,957,200 | 74,957,200 | ----- | do..... | 16,119,520 | 16,119,520 | ----- | 1,900,000 | 14,219,520 |
| Copper: | | | | | | | | | |
| National stockpile..... | 522,969,400 | 523,016,900 | +47,500 | Short ton..... | 1,008,266 | 1,008,266 | ----- | | |
| Defense Production Act..... | 58,093,900 | 57,552,000 | -541,900 | do..... | 103,708 | 102,834 | -874 | | |
| Supplemental—barter..... | 8,255,300 | 8,255,300 | ----- | do..... | 12,382 | 12,382 | ----- | | |
| Total..... | 589,318,600 | 588,824,200 | -494,400 | do..... | 1,124,356 | 1,123,482 | -874 | 2,775,000 | 348,482 |

See footnotes at end of table.

TABLE 1.—Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)—Continued

| Commodity | Cost value | | | Unit of measure | Quantity | | | | |
|---|----------------------------------|-----------------------------|-------------------------|--------------------|----------------------------------|-----------------------------|-------------------------|--------------------------------|-------------------------------|
| | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | Maximum objective ¹ | Excess over maximum objective |
| Cordage fibers, abaca: National stockpile..... | \$37,739,800 | \$37,035,300 | \$-704,500 | Pound..... | 149,732,545 | 146,935,286 | -2,797,259 | 150,000,000 | (4) |
| Cordage fibers, sisal: National stockpile..... | 42,809,700 | 41,870,900 | -938,800 | do..... | 136,366,880 | 309,424,359 | -6,942,521 | 320,000,000 | (4) |
| Corundum: National stockpile..... | 393,100 | 393,100 | | Short ton..... | 2,008 | 2,008 | | 2,000 | 8 |
| Cryolite: Defense Production Act..... | 6,890,200 | 6,890,200 | | do..... | 24,952 | 24,952 | | (9) | 24,952 |
| Diamond dies: National stockpile..... | 497,400 | 497,400 | | Piece..... | 16,696 | 16,696 | | 25,000 | (4) |
| Diamond, industrial, crushing bort: National stockpile..... | 61,609,500 | 61,609,500 | | Carat..... | 31,113,411 | 31,113,411 | | | |
| Supplemental—barter..... | 15,800,500 | 15,800,500 | | do..... | 5,550,579 | 5,550,579 | | | |
| Total..... | 77,410,000 | 77,410,000 | | do..... | 36,663,990 | 36,663,990 | | 30,000,000 | 6,663,990 |
| Diamond, industrial, stones: National stockpile..... | 100,501,500 | 100,501,500 | | do..... | 9,315,183 | 9,315,183 | | | |
| Supplemental—barter..... | 186,324,500 | 186,324,500 | | do..... | 15,425,827 | 15,425,827 | | | |
| Total..... | 286,826,000 | 286,826,000 | | do..... | 24,741,010 | 24,741,010 | | 18,000,000 | 6,741,010 |
| Diamond tools: National stockpile..... | 1,015,400 | 1,015,400 | | Piece..... | 64,178 | 64,178 | | (9) | 64,178 |
| Feathers and down: National stockpile..... | 36,853,100 | 36,701,500 | -151,600 | Pound..... | 8,881,351 | 8,859,352 | -21,999 | 2 3,000,000 | 5,859,352 |
| Fluorspar, acid grade: National stockpile..... | 26,167,500 | 26,167,500 | | Short dry ton..... | 463,049 | 463,049 | | | |
| Defense Production Act..... | 1,394,400 | 1,394,400 | | do..... | 19,700 | 19,700 | | | |
| Supplemental—barter..... | 33,530,700 | 33,530,700 | | do..... | 673,232 | 673,232 | | | |
| Total..... | 61,092,600 | 61,092,600 | | do..... | 1,155,981 | 1,155,981 | | 280,000 | 875,981 |
| Fluorspar, metallurgical grade: National stockpile..... | 17,332,400 | 17,332,400 | | do..... | 369,443 | 369,443 | | | |
| Supplemental—barter..... | 1,508,100 | 1,508,100 | | do..... | 42,800 | 42,800 | | | |
| Total..... | 18,840,500 | 18,840,500 | | do..... | 412,243 | 412,243 | | 375,000 | 37,243 |
| Graphite, natural, Ceylon, amorphous lump: National stockpile..... | 937,900 | 937,900 | | do..... | 4,455 | 4,455 | | | |
| Supplemental—barter..... | 341,200 | 341,200 | | do..... | 1,428 | 1,428 | | | |
| Total..... | 1,279,100 | 1,279,100 | | do..... | 5,883 | 5,883 | | 3,600 | 2,283 |
| Graphite, natural, Madagascar, crystalline: National stockpile..... | 7,052,100 | 7,039,900 | -12,200 | do..... | 34,213 | 34,154 | -59 | | |
| Supplemental—barter..... | 237,043 | 236,600 | -443 | do..... | 1,908 | 1,907 | -1 | | |
| Total..... | 7,289,143 | 7,276,500 | -12,643 | do..... | 36,121 | 36,061 | -60 | 17,200 | -18,861 |
| Graphite, natural, other, crystalline: National stockpile..... | 1,896,300 | 1,896,300 | | do..... | 5,487 | 5,487 | | 2,100 | 3,387 |
| Hyoscine: National stockpile..... | 30,600 | 30,600 | | Ounce..... | 2,100 | 2,100 | | 2,100 | (4) |
| Iodine: National stockpile..... | 4,082,000 | 4,082,000 | | Pound..... | 2,977,648 | 2,977,648 | | | |
| Supplemental—barter..... | 1,066,000 | 1,066,000 | | do..... | 994,920 | 994,920 | | | |
| Total..... | 5,148,000 | 5,148,000 | | do..... | 3,972,568 | 3,972,568 | | 4,300,000 | (4) |
| Iridium: National stockpile..... | 2,525,800 | 2,525,800 | | Troy ounce..... | 13,937 | 13,937 | | 4,000 | 9,937 |
| Jewel bearings: National stockpile..... | 4,129,600 | 4,129,600 | | Piece..... | 51,626,565 | 51,626,565 | | 57,500,000 | (4) |
| Kyanite-mullite: National stockpile..... | 786,000 | 781,700 | -4,300 | Short ton dry..... | 9,091 | 9,042 | -49 | 4,800 | 4,242 |
| Lead: National stockpile..... | 319,298,100 | 319,298,100 | | Short ton..... | 1,050,370 | 1,050,370 | | | |
| Defense Production Act..... | 1,221,600 | 1,233,900 | +12,300 | do..... | 3,225 | 3,225 | | | |
| Supplemental—barter..... | 78,398,600 | 78,398,600 | | do..... | 327,998 | 327,998 | | | |
| Total..... | 398,918,300 | 398,930,600 | +12,300 | do..... | 1,381,593 | 1,381,593 | | 0 | 1,381,593 |
| Magnesium: National stockpile..... | 129,351,800 | 128,925,700 | -426,100 | do..... | 178,178 | 177,591 | -587 | 107,000 | 70,591 |
| Manganese, battery grade, natural ore: National stockpile..... | 21,025,500 | 21,025,500 | | do..... | 144,485 | 144,485 | | | |
| Supplemental—barter..... | 13,621,900 | 13,621,900 | | do..... | 137,700 | 137,700 | | | |
| Total..... | 34,647,400 | 34,647,400 | | do..... | 282,185 | 282,185 | | 50,000 | 232,185 |
| Manganese, battery grade, synthetic dioxide: National stockpile..... | 3,095,500 | 3,095,500 | | Short dry ton..... | 21,272 | 21,272 | | | |
| Defense Production Act..... | 2,524,700 | 2,524,700 | | do..... | 3,779 | 3,779 | | | |
| Total..... | 5,620,200 | 5,620,200 | | do..... | 25,051 | 25,051 | | 20,000 | 5,051 |

See footnotes at end of table.

TABLE 1.—Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)—Continued

| Commodity | Cost value | | | Unit of measure | Quantity | | | | |
|------------------------------------|----------------------------------|-----------------------------|-------------------------|-----------------|----------------------------------|-----------------------------|-------------------------|--------------------------------|-------------------------------|
| | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | Maximum objective ¹ | Excess over maximum objective |
| Manganese, chemical grade, type A: | | | | | | | | | |
| National stockpile | \$2,133,300 | \$2,133,300 | | do | 29,307 | 29,307 | | | |
| Supplemental—barter | 7,922,100 | 7,922,100 | | do | 117,607 | 117,607 | | | |
| Total | 10,055,400 | 10,055,400 | | do | 146,914 | 146,914 | | 30,000 | 116,914 |
| Manganese, chemical grade, type B: | | | | | | | | | |
| National stockpile | 132,600 | 132,600 | | do | 1,822 | 1,822 | | | |
| Supplemental—barter | 6,669,800 | 6,669,800 | | do | 99,016 | 99,016 | | | |
| Total | 6,802,400 | 6,802,400 | | do | 100,838 | 100,838 | | 53,000 | 47,838 |
| Manganese, metallurgical grade: | | | | | | | | | |
| National stockpile | 248,240,300 | 248,240,300 | | do | 5,851,264 | 5,851,264 | | | |
| Defense Production Act | 176,474,400 | 176,474,800 | +\$400 | do | 3,056,691 | 3,056,691 | | | |
| Supplemental barter | 241,202,862 | 241,487,614 | +284,752 | do | 3,654,959 | 3,660,213 | +14,254 | | |
| Total | 665,917,562 | 666,202,714 | +285,152 | do | 12,562,914 | 12,577,168 | +14,254 | 6,800,000 | 5,777,168 |
| Mercury: | | | | | | | | | |
| National stockpile | 20,039,500 | 20,039,500 | | Flask | 129,525 | 129,525 | | | |
| Supplemental—barter | 3,446,200 | 3,446,200 | | do | 16,000 | 16,000 | | | |
| Total | 23,485,700 | 23,485,700 | | do | 145,525 | 145,525 | | 200,000 | (9) |
| Mica, muscovite block: | | | | | | | | | |
| National stockpile | 27,602,200 | 27,602,200 | | Pound | 11,617,756 | 11,617,756 | | | |
| Defense Production Act | 40,746,400 | 40,746,400 | | do | 6,446,722 | 6,446,722 | | | |
| Supplemental—barter | 5,395,162 | 5,444,103 | +48,941 | do | 1,617,772 | 1,631,821 | +14,049 | | |
| Total | 73,743,762 | 73,792,703 | +48,941 | do | 19,682,250 | 19,696,299 | +14,049 | 8,300,000 | 11,396,299 |
| Mica, muscovite film: | | | | | | | | | |
| National stockpile | 9,058,100 | 9,058,100 | | do | 1,724,327 | 1,724,327 | | | |
| Defense Production Act | 633,300 | 633,300 | | do | 102,681 | 102,681 | | | |
| Supplemental—barter | 1,064,500 | 1,074,408 | +9,908 | do | 108,765 | 109,789 | +1,024 | | |
| Total | 10,755,900 | 10,765,808 | +9,908 | do | 1,935,773 | 1,936,797 | | 1,300,000 | 636,797 |
| Mica, muscovite splittings: | | | | | | | | | |
| National stockpile | 40,598,300 | 40,598,300 | | do | 40,159,938 | 40,159,938 | | | |
| Supplemental—barter | 6,225,800 | 6,225,800 | | do | 4,826,257 | 4,826,257 | | | |
| Total | 46,824,100 | 46,824,100 | | do | 44,986,195 | 44,986,195 | | 21,200,000 | 23,786,195 |
| Mica, phlogopite block: | | | | | | | | | |
| National stockpile | 303,600 | 303,600 | | do | 223,239 | 223,239 | | 17,000 | 206,239 |
| Mica, phlogopite splittings: | | | | | | | | | |
| National stockpile | 2,580,500 | 2,580,500 | | do | 3,079,063 | 3,079,063 | | | |
| Supplemental—barter | 2,400,115 | 2,400,100 | -15 | do | 1,986,907 | 1,986,906 | -1 | | |
| Total | 4,980,615 | 4,980,600 | -15 | do | 5,065,970 | 5,065,969 | -1 | 1,700,000 | 3,365,969 |
| Molybdenum: | | | | | | | | | |
| National stockpile | 83,679,000 | 83,679,000 | | do | 79,043,336 | 79,043,336 | | 59,000,000 | 20,043,336 |
| Nickel: | | | | | | | | | |
| National stockpile | 181,960,400 | 181,960,400 | | Short ton | 167,109 | 167,109 | | | |
| Defense Production Act | 101,072,100 | 101,070,500 | -1,600 | do | 52,767 | 52,767 | | | |
| Total | 283,032,500 | 283,030,900 | -1,600 | do | 219,876 | 219,876 | | 250,000 | 169,876 |
| Optium: | | | | | | | | | |
| National stockpile | 13,661,700 | 13,661,700 | | Pound | 195,757 | 195,757 | | 214,280 | 54,477 |
| Palladium: | | | | | | | | | |
| National stockpile | 2,079,000 | 2,079,000 | | Troy ounce | 89,811 | 89,811 | | | |
| Defense Production Act | 177,300 | 177,300 | | do | 7,884 | 7,884 | | | |
| Supplemental—barter | 12,170,200 | 12,170,200 | | do | 648,124 | 648,124 | | | |
| Total | 14,426,500 | 14,426,500 | | do | 745,819 | 745,819 | | 340,000 | 405,819 |
| Palm oil: | | | | | | | | | |
| National stockpile | 3,841,200 | 3,714,000 | -127,200 | Pound | 21,340,692 | 20,631,337 | -709,355 | (9) | 20,631,337 |
| Platinum: | | | | | | | | | |
| National stockpile | 56,879,000 | 56,879,000 | | Troy ounce | 716,343 | 716,343 | | | |
| Supplemental—barter | 4,024,500 | 4,024,500 | | do | 49,999 | 49,999 | | | |
| Total | 60,904,400 | 60,904,400 | | do | 766,342 | 766,342 | | 165,000 | 601,342 |
| Pyrethrum: | | | | | | | | | |
| National stockpile | 415,100 | 415,100 | | Pound | 67,065 | 67,065 | | 66,000 | 1,065 |
| Quartz crystals: | | | | | | | | | |
| National stockpile | 68,560,900 | 68,560,900 | | do | 5,558,138 | 5,558,138 | | | |
| Supplemental—barter | 3,519,200 | 3,519,200 | | do | 232,352 | 232,352 | | | |
| Total | 72,080,100 | 72,080,100 | | do | 5,790,490 | 5,790,490 | | 650,000 | 5,140,490 |
| Quinidine: | | | | | | | | | |
| National stockpile | 1,901,400 | 1,889,900 | -11,500 | Ounce | 1,648,428 | 1,638,428 | -10,000 | 1,600,000 | 38,428 |
| Quinine: | | | | | | | | | |
| National stockpile | 3,622,600 | 3,622,600 | | do | 5,727,732 | 5,727,732 | | (9) | 5,727,732 |
| Rare earths: | | | | | | | | | |
| National stockpile | 7,134,900 | 7,134,900 | | Short dry ton | 10,042 | 10,042 | | | |
| Supplemental—barter | 5,803,211 | 5,813,809 | +10,598 | do | 6,091 | 6,163 | +72 | | |
| Total | 12,938,111 | 12,948,709 | +10,598 | do | 16,133 | 16,205 | +72 | 5,700 | 10,505 |

¹ See footnotes at end of table.

TABLE 1.—Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)—Continued

| Commodity | Cost value | | | Unit of measure | Quantity | | | | |
|---|----------------------------------|-----------------------------|-------------------------|--------------------|----------------------------------|-----------------------------|-------------------------|--------------------------------|-------------------------------|
| | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | Maximum objective ¹ | Excess over maximum objective |
| Rare earths residue: Defense Production Act..... | \$657,800 | \$657,800 | | Pound..... | 6,085,311 | 6,085,311 | | (²) | 6,085,311 |
| Rhodium: National stockpile..... | 78,200 | 78,200 | | Troy ounce..... | 618 | 618 | | (²) | 618 |
| Rubber: National stockpile..... | 749,148,000 | 743,870,200 | -\$5,277,800 | Long ton..... | 968,649 | 962,343 | -6,306 | 750,000 | 212,343 |
| Ruthenium: Supplemental—barter..... | 559,500 | 559,500 | | Troy ounce..... | 15,001 | 15,001 | | (²) | 15,001 |
| Rutile: National stockpile..... | 2,070,100 | 2,070,100 | | Short dry ton..... | 18,599 | 18,599 | | | |
| Defense Production Act..... | 2,725,100 | 2,725,100 | | do..... | 17,410 | 17,410 | | | |
| Supplemental—barter..... | 1,061,300 | 1,061,300 | | do..... | 11,632 | 11,632 | | | |
| Total..... | 5,856,500 | 5,856,500 | | do..... | 47,641 | 47,641 | | 65,000 | (²) |
| Rutile chlorinator charge: Defense Production Act..... | | | | do..... | 1,859 | 1,859 | | (²) | 1,859 |
| Sapphire and ruby: National stockpile..... | 190,000 | 190,000 | | Carat..... | 16,187,500 | 16,187,500 | | 18,000,000 | (²) |
| Selenium: National stockpile..... | 757,100 | 757,100 | | Pound..... | 97,100 | 97,100 | | | |
| Supplemental—barter..... | 1,070,500 | 1,070,500 | | do..... | 156,518 | 156,518 | | | |
| Total..... | 1,827,600 | 1,827,600 | | do..... | 253,618 | 253,618 | | 400,000 | (²) |
| Shellac: National stockpile..... | 8,519,300 | 8,503,600 | -15,700 | do..... | 16,993,123 | 16,961,735 | -31,388 | 7,400,000 | 9,561,735 |
| Silicon carbide, crude: National stockpile..... | 11,394,500 | 11,394,500 | | Short ton..... | 64,697 | 64,697 | | | |
| Supplemental—barter..... | 26,802,700 | 26,803,600 | +900 | do..... | 131,805 | 131,805 | | | |
| Total..... | 38,197,200 | 38,198,100 | +900 | do..... | 196,502 | 196,502 | | 100,000 | 96,502 |
| Silk noils and waste: National stockpile..... | 1,877,800 | 1,875,800 | -2,000 | Pound..... | 1,072,583 | 1,071,302 | -1,281 | 970,000 | 101,302 |
| Silk, raw: National stockpile..... | 486,600 | 486,600 | | do..... | 113,515 | 113,515 | | 120,000 | (²) |
| Sperm oil: National stockpile..... | 4,775,400 | 4,775,400 | | do..... | 23,442,158 | 23,442,158 | | ² 23,400,000 | 42,158 |
| Talc, steatite block and lump: National stockpile..... | 496,800 | 496,800 | | Short ton..... | 1,274 | 1,274 | | 300 | 974 |
| Talc, steatite ground: National stockpile..... | 231,200 | 231,200 | | do..... | 3,901 | 3,901 | | (²) | 3,901 |
| Tantalum: National stockpile..... | 10,992,700 | 10,992,700 | | Pound..... | 3,445,169 | 3,445,169 | | | |
| Defense Production Act..... | 9,734,400 | 9,734,400 | | do..... | 1,531,366 | 1,531,067 | -299 | | |
| Supplemental—barter..... | 21,100 | 21,100 | | do..... | 8,036 | 8,036 | | | |
| Total..... | 20,748,200 | 20,748,200 | | do..... | 4,984,571 | 4,984,272 | -299 | 2,420,000 | 2,564,272 |
| Thorium: Defense Production Act..... | 42,000 | 42,000 | | Pound..... | 848,354 | 848,354 | | | |
| Supplemental—barter..... | 17,849,568 | 17,958,390 | +108,822 | do..... | 8,561,950 | 8,620,525 | +58,575 | | |
| Total..... | 17,891,568 | 18,000,390 | +108,822 | do..... | 9,410,304 | 9,468,879 | +58,575 | (²) | 9,468,879 |
| Tin: National stockpile..... | 808,830,500 | 803,077,000 | -5,753,500 | Long ton..... | 332,585 | 330,275 | -2,310 | | |
| Supplemental—barter..... | 16,404,000 | 16,404,000 | | do..... | 7,505 | 7,505 | | | |
| Total..... | 825,234,500 | 819,481,000 | -5,753,500 | do..... | 340,090 | 337,780 | -2,310 | ² 200,000 | 137,780 |
| Titanium: Defense Production Act..... | 176,098,200 | 176,098,200 | | Short ton..... | 22,371 | 22,371 | | | |
| Supplemental—barter..... | 32,097,700 | 32,097,700 | | do..... | 9,021 | 9,021 | | | |
| Total..... | 208,195,900 | 208,195,900 | | do..... | 31,392 | 31,392 | | (²) | 31,392 |
| Tungsten: National stockpile..... | 369,127,300 | 369,127,300 | | Pound..... | 120,071,339 | 120,071,339 | | | |
| Defense Production Act..... | 318,813,900 | 318,813,900 | | do..... | 78,186,563 | 78,186,563 | | | |
| Supplemental—barter..... | 18,651,400 | 18,651,400 | | do..... | 5,774,827 | 5,774,827 | | | |
| Total..... | 706,592,600 | 706,592,600 | | do..... | 204,032,729 | 204,032,729 | | 50,000,000 | 154,032,729 |
| Vanadium: National stockpile..... | 31,567,900 | 31,567,900 | | do..... | 15,730,893 | 15,730,893 | | 2,000,000 | 13,730,893 |
| Vegetable tannin extract, chestnut: National stockpile..... | 11,932,800 | 11,932,800 | | Long ton..... | 42,770 | 42,770 | | 30,000 | 12,770 |
| Vegetable tannin extract, quebracho: National stockpile..... | 49,169,700 | 49,144,900 | -24,800 | do..... | 198,728 | 198,628 | -100 | 180,000 | 18,628 |
| Vegetable tannin extract, wattle: National stockpile..... | 9,826,900 | 9,826,900 | | do..... | 38,962 | 38,962 | | 39,000 | (²) |

See footnotes at end of table.

TABLE 1.—Strategic and critical materials inventories (all grades), November 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month—Continued

| Commodity | Cost value | | | Unit of measure | Quantity | | | | |
|--|----------------------------------|-----------------------------|-------------------------|--------------------|----------------------------------|-----------------------------|-------------------------|--------------------------------|-------------------------------|
| | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | | Beginning of month, Aug. 1, 1963 | End of month, Aug. 31, 1963 | Net change during month | Maximum objective ¹ | Excess over maximum objective |
| Zinc: | | | | | | | | | |
| National stockpile..... | \$364,345,400 | \$364,345,400 | | Short ton..... | 1,256,845 | 1,256,845 | | | |
| Supplemental—barter..... | 79,588,400 | 79,588,400 | | do..... | 323,896 | 323,896 | | | |
| Total..... | 443,933,800 | 443,933,800 | | do..... | 1,580,741 | 1,580,741 | | 20 | 1,580,741 |
| Zirconium ore, baddeleyite: | | | | | | | | | |
| National stockpile..... | 710,600 | 710,600 | | Short dry ton..... | 16,533 | 16,533 | | (?) | 16,533 |
| Zirconium ore, zircon: | | | | | | | | | |
| National stockpile..... | 145,700 | 128,200 | -\$17,500 | do..... | 2,375 | 2,172 | -203 | (?) | 2,172 |
| Total: | | | | | | | | | |
| National stockpile..... | 5,779,344,300 | 5,763,170,100 | -16,174,200 | | | | | | |
| Defense Production Act..... | 1,489,638,200 | 1,488,322,400 | -1,315,800 | | | | | | |
| Supplemental—barter..... | 1,350,137,038 | 1,352,246,150 | +2,109,112 | | | | | | |
| Total, strategic and critical materials..... | 8,619,119,538 | 8,603,738,650 | -15,380,888 | | | | | | |

¹ Maximum objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). The Office of Emergency Planning is currently in the process of revising stockpile objectives. (See app. B, p. 21.)
² New objective. (See app. B, p. 21.)
³ No present objective.
⁴ Not in excess of maximum objective.
⁵ Sebacia acid which is made from castor oil is included in the inventory and objective

for castor oil. Previous reports stated the quantity of sebacia acid in pounds after conversion from castor oil. The net increase in this report, reflects an upward adjustment to credit the objective and inventory of castor oil with sebacia acid stated in pounds before conversion, on the basis of two and one half pounds of castor oil for each pound of sebacia acid. It does not represent an acquisition or increase in the inventory.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—Agricultural commodities inventories, November 1963 (showing by commodity net changes during the month in terms of cost value and quantity)

| Commodity | Cost value | | | Unit of measure | Quantity | | |
|---|----------------------------------|-----------------------------|-------------------------|--------------------|----------------------------------|-----------------------------|-------------------------|
| | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month | | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month |
| Price-support inventory: | | | | | | | |
| Basic commodities: | | | | | | | |
| Corn..... | \$1,062,905,007 | \$1,059,482,017 | -\$3,422,990 | Bushel..... | 864,198,219 | 860,860,009 | -3,338,210 |
| Cotton, extra-long staple..... | 9,812,982 | 9,812,704 | -278 | Bale..... | 37,072 | 37,071 | -1 |
| Cotton, upland..... | 1,114,926,515 | 1,077,832,107 | -37,094,408 | do..... | 6,748,869 | 6,521,117 | -227,752 |
| Peanuts, shelled..... | 9,145,462 | 9,590,914 | +445,452 | Pound..... | 52,999,073 | 56,182,206 | +3,183,133 |
| Rice, milled..... | 213 | 80,975 | +80,762 | Hundredweight..... | 22 | 7,600 | +7,578 |
| Rice, rough..... | 9,208,545 | 8,773,102 | -435,443 | do..... | 1,728,757 | 1,647,523 | -81,234 |
| Wheat..... | 2,046,189,033 | 2,015,704,960 | -30,484,073 | Bushel..... | 1,020,522,857 | 1,005,061,053 | -15,461,804 |
| Wheat, rolled..... | 1,792 | | -1,792 | Pound..... | 27,144 | | -27,144 |
| Bulgur..... | 331,576 | 810,829 | +479,253 | do..... | 6,219,330 | 15,349,909 | +9,130,579 |
| Total, basic commodities..... | 4,252,521,125 | 4,182,087,608 | -70,433,517 | | | | |
| Designated nonbasic commodities: | | | | | | | |
| Barley..... | 40,036,811 | 37,836,002 | -2,200,809 | Bushel..... | 45,704,692 | 42,849,252 | -2,855,440 |
| Grain sorghum..... | 669,262,401 | 660,547,705 | -8,714,696 | do..... | 606,065,089 | 597,103,573 | -8,961,516 |
| Milk and butterfat: | | | | | | | |
| Butter..... | 156,600,699 | 135,419,870 | -21,180,829 | Pound..... | 269,701,959 | 233,325,582 | -36,376,377 |
| Butter oil..... | 84,951,969 | 77,415,239 | -7,536,730 | do..... | 107,966,204 | 98,661,482 | -9,304,722 |
| Cheese..... | 22,244,169 | 19,884,525 | -2,359,644 | do..... | 58,877,267 | 52,495,510 | -6,381,757 |
| Ghee..... | 1,082,494 | 1,075,268 | -7,226 | do..... | 1,342,100 | 1,342,100 | |
| Milk, dried..... | 100,556,427 | 89,892,299 | -10,664,128 | do..... | 683,146,150 | 611,151,414 | -71,994,736 |
| Oats..... | 11,438,911 | 11,337,644 | -101,267 | Bushel..... | 19,057,806 | 18,861,290 | -196,516 |
| Rye..... | 1,223,150 | 1,031,681 | -191,469 | do..... | 1,188,843 | 1,002,290 | -186,553 |
| Total, designated nonbasic commodities..... | 1,087,397,031 | 1,034,440,233 | -52,956,798 | | | | |
| Other nonbasic commodities: | | | | | | | |
| Beans, dry, edible..... | 3,316,130 | 2,434,686 | -881,444 | Hundredweight..... | 430,755 | 318,304 | -112,451 |
| Cottonseed oil, refined..... | 623,665 | 753,092 | +129,427 | Pound..... | 3,631,769 | 4,383,743 | +751,974 |
| Flaxseed..... | 14,664,603 | 10,653,881 | -4,010,722 | Bushel..... | 4,973,828 | 3,615,106 | -1,358,722 |
| Soybeans..... | 1,721,124 | 839,623 | -881,501 | do..... | 747,324 | 375,947 | -371,377 |
| Vegetable oil products..... | 1,013,881 | 949,482 | -64,399 | Pound..... | 6,351,220 | 5,946,833 | -404,387 |
| Total, other nonbasic commodities..... | 21,339,403 | 15,630,764 | -5,708,639 | | | | |
| Total, price-support inventory..... | 5,361,257,559 | 5,232,158,605 | -129,098,954 | | | | |
| Inventory transferred from national stockpile: ¹ | | | | | | | |
| Cotton, Egyptian..... | 102,084,670 | 96,253,678 | -2,830,992 | Bale..... | 120,836 | 117,485 | -3,351 |
| Cotton, American-Egyptian..... | 23,678,822 | 23,628,525 | -50,297 | do..... | 47,078 | 46,978 | -100 |
| Total, inventory transferred from national stockpile..... | 125,763,492 | 122,882,203 | -2,881,289 | do..... | 167,914 | 164,463 | -3,451 |
| Total, agricultural commodities..... | 5,487,021,051 | 5,355,040,808 | -131,980,243 | | | | |

¹ Transferred from General Services Administration pursuant to Public Law 85-96 and Public Law 87-548. (See app. A.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—Civil defense supplies and equipment inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity)

| Item | Cost value | | | Quantity | | | |
|--|----------------------------------|-----------------------------|-------------------------|--------------------|----------------------------------|-----------------------------|-------------------------|
| | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month | Unit of measure | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month |
| Civil defense stockpile, Department of Defense: | | | | | | | |
| Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings)..... | \$10,100,049 | \$10,075,564 | -\$24,485 | 10-mile units..... | 45 | 45 | ----- |
| Chemical and biological equipment..... | 1,799,758 | 1,801,030 | +1,272 | (1)..... | ----- | ----- | ----- |
| Total..... | 11,899,807 | 11,876,594 | -23,213 | ----- | ----- | ----- | ----- |
| Civil defense medical stockpile, Department of Health, Education, and Welfare: | | | | | | | |
| Medical bulk stocks, and associated items at civil defense mobilization warehouses..... | 138,544,462 | 138,681,711 | +137,249 | (1)..... | ----- | ----- | ----- |
| Medical bulk stock at manufacturer locations..... | 5,327,314 | 5,820,053 | +492,739 | (1)..... | ----- | ----- | ----- |
| Civil defense emergency hospitals..... | 37,181,646 | 37,350,438 | +168,792 | Each..... | 1,930 | 1,930 | ----- |
| Replenishment units (functional assemblies other than hospitals)..... | 443,620 | 426,472 | -17,148 | (1)..... | ----- | ----- | ----- |
| Supply additions (for civil defense emergency hospitals)..... | 10,924,416 | 10,924,416 | ----- | (1)..... | ----- | ----- | ----- |
| Total..... | 192,421,458 | 193,203,090 | +781,632 | ----- | ----- | ----- | ----- |
| Total, civil defense supplies and equipment..... | 204,321,265 | 205,079,684 | +758,419 | ----- | ----- | ----- | ----- |

¹ Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—Machine tools inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity)

| Item | Cost value | | | Quantity | | | |
|----------------------------------|----------------------------------|-----------------------------|-------------------------|-----------------|----------------------------------|-----------------------------|-------------------------|
| | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month | Unit of measure | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month |
| Defense Production Act: | | | | | | | |
| In storage..... | \$21,400 | \$21,400 | ----- | Tool..... | 7 | 7 | ----- |
| On lease..... | 2,144,300 | 2,144,300 | ----- | do..... | 103 | 103 | ----- |
| On loan..... | 42,900 | 42,900 | ----- | do..... | 7 | 7 | ----- |
| Total..... | 2,208,600 | 2,208,600 | ----- | do..... | 117 | 117 | ----- |
| National Industrial Reserve Act: | | | | | | | |
| In storage..... | 78,241,300 | 78,124,600 | -\$116,700 | do..... | 6,993 | 6,949 | -44 |
| On lease..... | 27,500 | 27,500 | ----- | do..... | 1 | 1 | ----- |
| On loan to other agencies..... | 2,617,000 | 2,689,500 | +72,500 | do..... | 279 | 301 | +22 |
| On loan to school programs..... | 8,859,200 | 9,175,500 | +316,300 | do..... | 2,099 | 2,170 | +71 |
| Total..... | 89,745,000 | 90,017,100 | +272,100 | do..... | 9,372 | 9,421 | +49 |
| Total, machine tools..... | 91,953,600 | 92,225,700 | +272,100 | do..... | 9,489 | 9,538 | +49 |

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—Helium inventories, November 1963 (showing by item net changes during the month in terms of cost value and quantity)

| Item | Cost value | | | Quantity | | | |
|-------------------------|----------------------------------|-----------------------------|-------------------------|-----------------|----------------------------------|-----------------------------|-------------------------|
| | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month | Unit of measure | Beginning of month, Nov. 1, 1963 | End of month, Nov. 30, 1963 | Net change during month |
| Helium: | | | | | | | |
| Stored aboveground..... | \$247,979 | \$245,963 | -\$2,016 | Cubic foot..... | 21,300,000 | 21,100,000 | -200,000 |
| Stored underground..... | 15,221,945 | 17,656,622 | +2,434,677 | do..... | 1,598,900,000 | 1,819,100,000 | +220,200,000 |
| Total, helium..... | 15,469,924 | 17,902,585 | +2,432,661 | do..... | 1,620,200,000 | 1,840,200,000 | +220,000,000 |

Source: Compiled from reports submitted by the Department of the Interior.

APPENDIX A—PROGRAM DESCRIPTIONS AND STATUTORY CITATIONS

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such

other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V-7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the Gen-

eral Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V-4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic

and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191-2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and, with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgage collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loans, rather than at the time of acquiring commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particu-

larly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1961), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85-96 and Public Law 87-548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201 (h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, of 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451-462).

HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86-777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the

Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium, that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities. This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

APPENDIX B—NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for 12 materials: Aluminum, castor oil, chromite (metallurgical grade), copper, feathers and down, lead, mercury, nickel, opium, sperm oil, tin, and zinc.

The following excerpts from OEP statements dated July 11 and 19, 1963, set forth the new policy with respect to objectives for strategic and critical materials:

"The Office of Emergency Planning is now conducting supply-requirements studies for all stockpile materials which will reflect current military, industrial, and other essential needs in the event of a conventional war emergency. On the basis of recently completed supply-requirements studies for the foregoing materials, the new stockpile objectives were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by the Office of Emergency Planning and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy to establish a single objective for each stockpile material. They have been determined on the basis of criteria heretofore used in establishing maximum objectives, and reflect the approximate calculated emergency deficits for the materials for conventional war and do not have any arbitrary adjustments for possible increased requirements for other types of emergency.

"Heretofore, there was a 'basic objective' and a 'maximum objective' for each material. The basic objectives assumed some continued reliance on foreign sources of supply in an emergency. The former maximum objectives completely discounted foreign sources of supply beyond North America and comparable accessible areas.

"Previously, maximum objectives could not be less than 6 months' normal usage of the material by industry in the United States in periods of active demand. The 6-month rule has been eliminated in establishing the new calculated conventional war objectives.

"The Office of Emergency Planning also announced that the present Defense Mobilization Order V-7, dealing with general policies for strategic and critical materials stockpiling, was now being revised to reflect these new policies. When finally prepared and approved, the new order will be published in the Federal Register.

"New conventional war objectives for the remaining stockpile materials are being developed as rapidly as new supply-requirements data become available. They will be released as they are approved.

"The Office of Emergency Planning is also making studies to determine stockpile needs to meet the requirements of general nuclear war and reconstruction. Stockpile objectives for nuclear war have not previously been developed. Some commodity objectives may be higher and others may be lower than the objectives established for conventional war.

"After the nuclear war supply-requirements studies are completed, stockpile objectives will be based upon calculated deficits for either conventional war or nuclear war, whichever need is larger.

"The Office of Emergency Planning stressed that any long-range disposal programs undertaken prior to the development of objectives based on nuclear war assumptions would provide against disposing of quantities which might be needed to meet essential requirements in the event of nuclear attack. While the disposal of surplus materials can produce many problems which have not heretofore arisen, every effort will be made to see that the interests of producers, processors, and consumers, and the international interests of the United States are carefully considered, both in the development and carrying out of disposal programs. Before decisions are made regarding the adoption of a long-range disposal program for a particular item in the stockpile, there will be appropriate consultations with industry in order to obtain the advice of interested parties."

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of Federal stockpile inventories as of November 30, 1963, totaled \$14,273,987,427. This was a net decrease of \$14,897,951 as compared with the November 1 total of \$14,417,885,378.

Net changes during the month are summarized by major category as follows:

| Major category | Cost value, November 1963 | |
|---|---------------------------|---------------------|
| | Net change during month | Total, end of month |
| Strategic and critical materials..... | -\$15,380,888 | \$8,603,738,650 |
| Agricultural commodities..... | -131,980,243 | 5,355,040,808 |
| Civil defense supplies and equipment..... | +758,419 | 205,079,684 |
| Machine tools..... | +272,100 | 92,225,700 |
| Helium..... | +2,432,661 | 17,902,585 |
| Total..... | -143,897,951 | 14,273,987,427 |

These figures are from the November 1963 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory, and (3) the supplemental-barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Maximum objectives—in terms of volume—are presently fixed for 76 of these 94 materials. Of the 76 materials having maximum objectives, 61 were stockpiled in excess of their objectives as of November 30, 1963.

Increases in cost value were reported in 14 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 23 materials, and 57 materials remained unchanged during November.

National stockpile

The cost value of materials in the national stockpile as of November 30, 1963, totaled \$5,763,170,100. This was a net decrease of \$16,174,200 during the month. The largest decreases were \$5,753,500 in tin, \$5,277,800 in rubber, \$1,517,100 in cadmium, and \$1,155,800 in coconut oil.

Defense Production Act inventory

The cost value of materials in the Defense Production Act inventory as of November 30, 1963, totaled \$1,488,322,400. This was a net decrease of \$1,315,800. The larger decreases were in aluminum and copper.

Supplemental-barter

The cost value of materials in the supplemental-barter stockpile as of November 30, 1963, totaled \$1,352,246,150. This was a net increase of \$2,109,112. The largest increases were in beryllium metal and asbestos.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is \$5.4 billion in agricultural commodities. Major decreases in agricultural commodities during November were reported for cotton, milk and butterfat, and wheat.

Inventories of civil defense supplies and equipment showed increases in medical stocks; the machine tools inventories showed a net increase; and the helium inventories showed a net increase during November.

EXECUTIVE REPORTS OF COMMITTEE ON COMMERCE

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Jan R. Dazey, and sundry other persons, for appointment in the U.S. Coast Guard.

Mr. MAGNUSON. Mr. President, in addition, I report favorably sundry nominations for promotion in the U.S. Coast Guard. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations ordered to lie on the desk are as follows:

Allen E. Rolland, and sundry other persons, for promotion in the U.S. Coast Guard.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND:

S. 2473. A bill for the relief of Seweryn Bialer; to the Committee on the Judiciary.

REDUCTION OF INDIVIDUAL AND CORPORATE INCOME TAXES—AMENDMENTS

PROXMIRE AMENDMENT TO REPEAL "DOUBLE" INVESTMENT CREDIT (AMENDMENT NO. 386)

Mr. PROXMIRE. Mr. President, I submit amendments to the tax bill, H.R. 8363, which has been reported from the Senate Finance Committee today.

My first amendment would strike out all of the words on page 33 of the bill

beginning with the word "repeal" and going through the word "provisions" on line 12.

Mr. President, in the Revenue Act of 1962 provision was made for an investment credit. It was the decision of the Finance Committee and later of the Senate that the amounts involved in this investment credit provision should, in equity, reduce the base for depreciation of machinery and equipment. I believe that was an equitable provision and should be retained in the law. My amendment, by striking out the particular words in the bill, would maintain present law. The provision being deleted by my amendment would permit business firms to depreciate the entire costs of their machinery and equipment and in addition take the full amount of the investment credit.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

PROXMIRE PROCONSUMER AMENDMENT (AMENDMENT NO. 387)

Mr. PROXMIRE. Mr. President, my second amendment also pertains to the investment credit. In the tax bill, as reported from the Finance Committee, there is a shocking provision under which no Federal regulatory agency could insure that tax savings from the investment credit are passed through in the form of lower rates to the customers of public utilities.

My amendment would simply strike this provision from the tax bill. The effect of this would be that Federal regulatory agencies could insure that the benefits from the investment credit are provided to customers of public utilities.

The purpose of the investment credit and the tax bill is to stimulate consumption and investment. I think it is impossible for consumption of utility services to be increased unless rate reductions occur. Similarly, it seems highly unlikely that investment in public utilities will increase unless consumer demand is stimulated. Finally, Mr. President, it seems highly inappropriate that Federal regulatory agencies be prevented from doing their job of protecting American consumers. It also seems highly inappropriate that public utilities be permitted to charge rates on the basis of costs they do not incur.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

AMENDMENT OF RULE XXV, RELATING TO MEETINGS OF COMMITTEES WHILE SENATE IS IN SESSION—AMENDMENTS (AMENDMENTS NOS. 388, 389)

Mr. CLARK proposed an amendment (No. 388) to Senate Resolution 111, amending rule XXV of the standing rules relative to meetings of committees while the Senate is in session, which was ordered to be printed.

Mr. CLARK submitted an amendment (No. 389), intended to be proposed by him to Senate Resolution 111, supra, which was ordered to lie on the table and to be printed.

COMMISSION ON AUTOMATION, TECHNOLOGY, AND EMPLOYMENT—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the Senator from Indiana [Mr. BAYH] be added as a cosponsor of S. 2427, a bill to establish a Commission on Automation, Technology, and Employment, and that his name be included on the next printing of the bill.

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

ANNOUNCEMENT OF HEARINGS—THE USE OF PESTICIDES ON TOBACCO

Mr. RIBICOFF. Mr. President, I wish to announce that the Subcommittee on Reorganization and International Organizations of the Senate Committee on Government Operations will resume its hearings on "Interagency Coordination in Environmental Hazards" next Tuesday, February 4 in room 3302, New Senate Office Building.

Mr. President, the report of the Advisory Committee to the Surgeon General entitled "Smoking and Health" confirms the information we have been gathering that pesticides, used on tobacco plants, end up in detectable quantities in cigarettes. But the report leaves many unanswered questions concerning these pesticide residues.

We want to know how much of these pesticides are in cigarettes, how much is in cigarette smoke and how much gets into the bodies of smokers themselves. We want to know what health hazard these pesticides present and what can be done to reduce or eliminate this hazard. The Surgeon General's report indicates that little can be done at present to remove some of the cancer-causing elements in cigarette smoking. However, pesticides are one such element that can be reduced through cautious application and can be eliminated entirely through use of nonchemical alternatives.

In addition, we want to review the extent of cooperation between Government agencies in gathering information in this field and the authority of these agencies to take effective action. We know, for example, that there is authority to set tolerances guarding against undue pesticide residues on food products. Apparently no similar authority exists to guard against excessive residues on tobacco products. We will seek answers in this area to see whether additional authority is needed.

Mr. President, the subcommittee's study of the use of pesticides has resulted in numerous specific achievements which our chairman, the Senator from Minnesota [Mr. HUMPHREY], described recently in a progress report memorandum. I ask unanimous consent to include portions of his report at this point in the RECORD.

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

NUMEROUS SPECIFIC ACHIEVEMENTS

1. Strengthened registration law passes Senate: On the first page you see an indi-

cation of one of the most important results—the Senate's sound enactment of a bill, S. 1605, which Senator RIBICOFF had introduced on behalf of himself and three other members of the subcommittee—Senators FELL, PEARSON, and JAVITS.

Recommendations by a panel of the President's Science Advisory Committee and testimony by Secretary of Agriculture Freeman had pinpointed the unfortunate practice of "protest registration" under which a pesticide can be marketed despite USDA disapproval of safety claims. Four days later, remedial legislation—S. 1605—was introduced in order to strengthen the law. The bill passed the Senate on October 22.

Hearings on an identical measure have been completed by the House Committee on Agriculture.

In addition to ending protest registration, the bill requires the pesticide label to show Government approval for safety and effectiveness by printing the USDA registration number on the label.

2. USDA information policy improved: Public attention focused on the protest registration problem brought out the fact that USDA policy forbade disclosure to the public of products so registered. Subcommittee efforts resulted in a change in that policy, so that press releases will announce any future product registered under protest and so that those now on the market will have been clearly identified. In addition, all public comments on proposed revisions in pesticide labeling regulations will be available for public inspection—a departure from past USDA practice.

3. Protection of fish and wildlife clarified: The President's Science Advisory Committee Panel had recommended legislation to clarify the Federal pesticide control law as it applies to the protection of fish and wildlife. At the suggestion of Senator RIBICOFF last May, the Secretary of Agriculture and Secretary of Interior Udall took the problem under advisement. On August 1, there was published in the Federal Register a clarification of the law—including fish and wildlife among species to be protected under the Federal Insecticide, Fungicide, and Rodenticide Act.

4. Funds to evaluate pest control programs: The PSAC panel had recommended the appropriation of funds to evaluate the efficiency of Federal control and eradication programs and their effects on nontarget organisms in the environment. Regrettably, no request for such funds was submitted to Congress in the 1964 fiscal year USDA budget. An amendment to the USDA appropriation bill (H.R. 6754) in the amount of \$250,000 for this purpose was offered by Senator RIBICOFF on the Senate floor on September 26 and was unanimously adopted.

5. Improved labeling of pesticides: During the early hearings, Senator RIBICOFF asked Secretary Freeman to review existing labeling requirements with a view to strengthening and improving them. On September 6, proposed revisions in the labeling and enforcement regulations of USDA were printed in the Federal Register and are now under consideration.

Mr. RIBICOFF. Mr. President, few men in the history of our Nation have been so devoted as the Senator from Minnesota [Mr. HUMPHREY] to protecting the consumers of our country—the unorganized masses who must rely on little more than faith that their health and economic interests are properly protected by those Federal agencies charged with the task. He has been a watchdog over these agencies to assure their coordinated, efficient, and economical administration of the Nation's consumer protection laws. It is a long, hard, and most often unrewarding struggle. The entire

Nation owes him a debt of gratitude for his persistent and effective efforts on behalf of the public.

NOTICE OF HEARINGS ON PROFESSIONAL SPORTS ANTITRUST BILL

Mr. HART. Mr. President, the Antitrust and Monopoly Subcommittee will hold hearings on January 30 and 31 and February 4 on S. 2391, the professional sports antitrust bill. Hearings begin at 10 a. m. in room 2228 of the New Senate Office Building.

The purpose of the bill is to bring the four team sports of baseball, football, basketball, and hockey under the antitrust laws. At present, baseball is exempt while the other three are subject to antitrust regulation. The bill recognizes the unique character of professional sports and limits the applicability of the law in certain areas.

The subcommittee has invited as witnesses management and player representatives of the sports involved. Any others who believe they can contribute to this hearing and who wish to testify are urged to write to Jerry Cohen, chief counsel of the subcommittee, 412 Senate Office Building. The witness list is as follows:

BASEBALL—JANUARY 30

1. Mr. George Selkirk, general manager, Washington Senators.
2. Mr. Ford Frick, commissioner of baseball.
3. Mr. Philip Piton, assistant to the president, Association of Professional Baseball Leagues.
4. Mr. Bob Friend, player representative, National Baseball League.
5. Mr. Bob Allison, player representative, American Baseball League.

BASKETBALL, HOCKEY, AND SOCCER—JANUARY 31

1. Mr. Walter Kennedy, commissioner, National Basketball Association.
2. Mr. C. S. Campbell, president, National Hockey League.
3. Mr. William D. Cox, president, Manhattan Soccer Club, Inc.

FOOTBALL—FEBRUARY 4

1. Mr. Pete Rozelle, commissioner, National Football League.
2. Mr. Joe Foss, commissioner, American Football League.
3. Mr. George T. Gareff, commissioner, United Football League.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 28, 1964, he presented to the President of the United States the enrolled bill (S. 1309) to amend the Small Business Act, and for other purposes.

THE GROWING GOVERNMENT AND YOU

Mr. BEALL. Mr. President, on January 6, 1964, Mr. Robert H. Levi, president of the Hecht Co., addressed the top management session of the National Retail Merchants Association's 53d annual convention in New York.

Selecting as his subject "The Growing Government and You," Mr. Levi has given keen insight into the problems

affecting our business community. He stresses the point that our Nation's business leaders must take a greater interest in Government affairs.

As president of a large chain of department stores, Mr. Levi's record places him among our Nation's outstanding business executives.

I am delighted that he has spoken out on this subject. Our country will benefit greatly if the business community gives heed to Mr. Levi's suggestions.

In order that my colleagues may have an opportunity to read this excellent speech, I ask unanimous consent that Mr. Levi's address entitled "The Growing Government and You" be printed in the RECORD.

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

THE GROWING GOVERNMENT AND YOU

(Address of Robert H. Levi, president of the Hecht Co., Baltimore and Washington, at the top management session of the National Retail Merchants Association's 53d annual convention, Grand Ballroom, Hotel Statler Hilton, New York City, Monday, January 6, 1964)

When I was approached several months ago by Gordon Dakins to accept this speaking assignment on "The Growing Government and You," I was concerned as to my ability and for that matter to the ability of anyone to compress such a large subject into a reasonable length of time.

Since saying "yes" to speaking this evening, I have been trying to determine just why I should be standing on this podium. I am not a lawyer. In the District of Columbia we vote every 4 years for President—we have no voice in the selection of our local government, and with the many problems facing Congress, make little impression in the "marble halls" on the legislation affecting the District of Columbia. I concluded that because Congress is the city council of our National Capital that it brings home to us who work there how tremendously important it is for business and the individual to be heard in the halls of Congress, if we're to have legislation founded on sound business principles rather than economic theory. Tonight, for many reasons that I trust will be obvious as I proceed, I have limited myself to your role with Federal Government.

The very title of my subject might lead one to believe that I am antagonistic to Government, and this I want to make perfectly clear, is not the case. It is my opinion that Government and business should be partners and that the connotation of good or evil cannot be attached to either. The colossus of Federal Government, although a personal benefit to the business I head, is also a serious threat to our future way of life.

Today, almost every phase of our life feels the confining hands of Government regulation and interference with business. George Washington stated: "Government is not reason, it is not eloquence—it is force. Like fire, it is a dangerous servant and a fearful master."

Today we are faced with a collection of powers and bureaucratic institutions against which the average citizen feels absolutely helpless, and yet when you look at all of the things that Government is doing and planning to do, you wonder how it gets along with so few.

Today, one out of every eight employed persons in the United States is on the Federal, State or local government payroll. In the past 32 months, a quarter of a million people have been added to the Federal payroll.

Government spends \$175 billion a year—one out of every \$3 for goods and services produced in the United States.

Government owns 768 million acres of land—again 1 out of every 3 in the country.

Government has authority for outstanding debt of at least \$1,242 billion—equal to \$6,000 for each person in the country.

Since 1910, our population has doubled but our cost of Federal Government is ninetyfold from \$1 billion to \$100 billion.

The complexity of Federal Government increases regardless of the number of people it serves.

A Committee on Government Operations of the House of Representatives in the year 1961 determined to find out just what the U.S. Government was doing for the consumer. The committee requested by questionnaire, answers from 35 governmental departments. The following findings, I think, are of interest:

1. Only 2 of the 35 agencies reported no consumer activities of any kind.

2. The other 33 agencies reported as many as 50 consumer activities, the highest being the Department of Agriculture—Health, Education, and Welfare, 40; the Defense Department, 30; and 20 for Commerce.

One each for the State Department and NASA. In total there were: 103 activities directly protecting consumers; 15 activities directly advancing consumer interest; 135 activities indirectly protecting the consumer or advancing their interest; and 43 activities protecting the general public. A total of 296 activities in all.

The committee, in attempting to figure out how much all of this cost, excluded the 178 general activities and determined the estimated cost of 118 activities, directly protecting or directly advancing consumers interest at 65,000 employees and an expenditure of roughly \$1 billion a year.

Does the consumer realize and if he did realize, would he really want to pay for all of this protection so nicely provided by our elected Representatives but paid for by the consumer in more ways than one? The \$1 billion quoted in Government in 1961 is a minor amount compared to the cost that must be added to merchandise by both manufacturer and distributor spent in complying with the Federal regulations and laws. Many of the laws are good ones—many of the laws go to uneconomic legalistic extremes to the benefit of no one but to the expense of all.

The administration has established the Consumer Advisory Council, now in operation a year and a half. The council has publicly announced its objectives of changing common law to statutory law, of shifting from remedy for damage to prevention of damage and of advocating a general increase in the importance of Federal Government in the activity of consumer affairs.

The administration in its 1963 message to Congress, stressed protection for the consumer, and specifically asked for passage of the Douglas credit bill, the right for the Federal Trade Commission to issue temporary cease-and-desist orders while permanent action is pending and other legislation for so-called consumer protection.

The consumer, however, without being effectively organized, as stated by the administration and without all of these new protective measures, was the mainstay and the outstanding strength of our economy, which brought us from the recession of 1961 to the prosperity of 1963. Might we conclude that perhaps someone other than just Government is also protecting the consumer for the simple reason of self-interest? Business knows that one fact essential to success is the confidence of the consumer. No one has found how to lie forever without being exposed.

Theodore Roosevelt said: "We demand that big business give people a square deal; in return, we must insist that when anyone

in business honestly endeavors to do right, he shall himself be given a square deal." The atmosphere, the political attractiveness of controlling distribution has changed a great deal from the time of Theodore Roosevelt and if retailing is to get a square deal, it must take the leadership in shaping the destinies of its future. Retailers in dealing with the Federal Government remind me of a fellow I once knew who said that when he came to railroad crossings, he always honked his horn very loudly to warn the oncoming express to get to get out of his way.

We have some 10,000 stores associated with NRMA, that means at least 10,000 executives in top management. All potentially can or should become effective on the national scene. Yet, when the Washington office of our association sends out at the beginning of the congressional session a confidential questionnaire requesting the top executive of each member firm to indicate the names of Congressmen and Federal agency officials with whom he may be acquainted, only 200 were returned in 1963 and 150 in 1962. Is it that we don't want to be bothered or are we just too busy in our nice big ruts to realize that it is valuable to us to give this information and to take some active part in the work of our Federal Government?

I am confident that we all realize that our first responsibility is to buy and sell merchandise honestly and profitably, but I am not quite certain that we are as astute in clearly recognizing the largest single partner in our business. The man with the red, white and blue and the big top hat and the nice little beard is still our senior partner and owns the majority of our business. You may ask how I can reach that conclusion and it is simple—how are the profits of the business divided? Our tax rates over the past number of years have represented 52 percent of our profits in larger businesses and if we add the miscellaneous taxes paid in the form of social security, excise and others, would probably represent close to 60 percent of our total profits earned in each year. Should we spend 52 percent of our time on Government affairs? I believe this also to be unrealistic, just as unrealistic as I think most of us are about the amount of time and energy that should be spent on Government affairs.

Do you know that 9 out of 10 resolutions passed at the general meeting of the NRMA convention in 1963 dealt with the Federal Government and one dealt with the question of Sunday selling? That during the last 5 NRMA conventions, years 1959 to 1963, a total of 55 convention resolutions were passed, that of this number, 3 dealt with our trades, 5 dealt with the Sunday closing law which you can classify either as city or State and 47 of our 55 resolutions dealt with the Federal Government.

Time permits only a quick review of present controlling legislation:

(1) Taxes: We are a junior partner with Uncle Sam on income taxes—more social security, higher unemployment taxes and trial balloons on a Federal sales tax. Control is minimum but the cost is detrimentally high for the future of our American economic system.

(2) Labeling laws: Nice to have, * * * how much do they cost the consumer?

(a) Fur Products Labeling Act.
(b) Textile Products Identification Act.
(c) Wool Products Labeling Act of 1939.
(d) Flammable Fabric Act.
(e) Federal Hazardous Substances Labeling Act.

(f) Federal Food, Drug and Cosmetics Act.

(g) National Stamping Act.

(3) Laws prohibiting unfair methods of competition and unfair deceptive acts or practices.

(a) Federal Trade Commission Act—section 5: Knowing receipt or inducement of

nonproportionalized allowances. Anything goes, including fishing expeditions. A tremendous legal field. Wide open for all forms of investigation.

- (4) FTC guides.
 - (a) Deceptive pricing.
 - (b) Bait advertising.
 - (c) Deceptive advertising of guarantees.
 - (d) Guides for shoe content labeling and advertising.
 - (5) Trade regulations: Almost same force as law.
 - (a) The first—on sleeping bags applies to advertising, labeling, marking of sizes, etc., and how many more are to come.
 - (6) Robinson-Patman Act.
 - (a) Knowingly to induce or receive a discrimination in price.
 - (b) Criminal section prohibiting any transaction which discriminates against a competitor as respects discounts, rebates, allowances, or advertising service.
 - (7) Fair Labor Standard Act.
 - (a) Extension of coverage to retailing in 1961.
 - (b) Equal pay amendment—1964, equal pay for women.
 - (8) Welfare and Pension Plan Disclosure Act.
 - (a) Filing of forms.
 - (9) Other acts such as Sherman Act, Clayton Act—dealing with antitrust on the basis of lessening competition.

The Government's attempt to protect people is an even-off process, detrimental to the individual who is aggressive, creative, enterprising and who will work harder than his competitor. We do not argue against protection for all, but we take exception with the policy that treating all alike is advantageous to private enterprise or to the future building of a strong distribution system, which in the past, has been one of the great contributors to the high standard of living created in our country for the benefit of all citizens.

What have we to look for in the future of Federal legislation? Many fertile minds are dreaming up new protection for consumers. Time permits only a quick scanning of laws introduced into the last congressional session:

- (1) Credit control bill by Senator DOUGLAS of Illinois. In addition, nine similar bills are pending in the House of Representatives.
 - (2) Office of Consumers—the late Senator Kefauver of Tennessee. Five similar bills have been introduced in the House.
 - (3) Congressional Committee on Consumer Interests—introduced by Representative MULDER of New York in the House.
 - (4) Packaging and labeling bill—introduced by Senator HART of Michigan. Seven bills on this subject introduced in the House.
 - (5) Wood labeling introduced by Senator HARTKE of Indiana and a similar bill in the House.
 - (6) Mahogany products legislation introduced by Senator DIRKSEN of Illinois. Four similar bills introduced in the House.
 - (7) Quality stabilization introduced by Senator HUMPHREY of Minnesota with 10 co-sponsors—a new fair trade law.
- Now, just so you get the full picture, I will only read titles as otherwise we can time this speech with a calendar rather than a watch:
- (1) Premarketing of cosmetics.
 - (2) Draperies and carpeting legislation.
 - (3) Anti-Government competition legislation.
 - (4) FTC power to issue temporary cease and desist orders.
 - (5) Unreasonably low prices.
 - (6) Mandatory functional discounts.
 - (7) Robinson-Patman Act violations—made available to private parties.
 - (8) Discount price notification.
 - (9) Dual distribution reporting.
 - (10) Shorter workweek.
 - (11) Broader coverage under FLSA.

(12) Broadened investment powers for savings and loan associations.

(13) Greater flexibility of Federal credit union operation.

These are the proposals for legislative action directly affecting you.

Isn't it true, however, that both our industry and Government have the same objective to serve and satisfy the consumer? Stores, both large and small, recognize that consumer confidence is vital to financial success. Customer satisfaction has been the trademark of our industry. Where then lies the conflict?

The conflict arises in writing laws or administrative measures designed to protect the consumer from both the retailer who refuses to violate his integrity as well as those who could violate the truth in the interest of a day's business. Lawyers, when faced with this problem, write the law explicit in every detail and in so doing become so involved that the original objective of the consumer and his protection is lost in a mass of technical requirements. The result is equally frustrating to Government and to the retail industry and is far and beyond the protection or education that the average customer needs or wants.

Do we believe that the customer really cares whether we call a fake fur a fake fur? Or, that a Government lawyer is forced to advise a store that they are violating the law by having a handwritten tag on the fur garment, or that they violate the law because the type on the tag in one part is larger than the type on another part of this same tag?

Does the consumer want money spent to employ intelligent young lawyers to advise stores that the name of a fur bearing animal should not be used in any manner to describe a textile product or that a store violates the law because they only listed 97 percent of the fiber content of a carpet and were missing 3 percent, or that a label that read 100 percent fiberglass was incorrect because fiberglass being a trademark word, it must be accompanied by the generic name glass in accordance with rule 17. I don't believe that the customer wants or needs this kind of detailed technical information, but they are entitled and should receive a reasonable amount of information about any product and with limited tolerances for error. The redesigning of our laws and administrative measures on a less legalistic basis and a more practical business consumer approach is required to improve the efficiency of the distribution system.

The consumer should not be forced to pay for unneeded education and protection. Protecting the consumer is now recognized in politics to be popular with the voting public and excellent campaign material. The question before us is how do we stay the charge of the great elected or appointed official riding out in his full suit of armor on his great white stallion, determined to further protect all the people from all the things.

We can be certain that with the increased pace of consumer protection activities, following the patterns of the past, we are doomed to small success in the future.

Three major groups, the national associations, businesses and individuals—all must reorient their programs and reorganize their thinking if progress is to be made in the field of legislation or administrative action.

First, the associations such as the American Retail Federation and the NRMA must further strengthen their programs in the following manner:

(a) We of the NRMA must support the American Retail Federation with well prepared facts and information on legislative matters where they properly can represent our industry.

(b) NRMA in instances where the American Retail Federation cannot take a strong position must, on the basis of prepared facts, take an aggressive part in the legislative

and administrative machinery of our Government.

(c) We can no longer, in NRMA, expect a single committee known as the Government Affairs Committee properly to cope with the multitude of Federal regulations, present and proposed. It is recommended that just as we devoted a full committee's work and attention to a study of credit costs in the retail industry, that our board of directors establish special committees for each particular type of legislation affecting our industry, the committees to be charged with the full understanding of the law and assisted by adequate staff to properly represent our industry.

(d) NRMA should start a counteroffensive to offset the program of "Government protection for the consumer" by studies and publication of the cost of protection, demonstrating that these costs must be paid for by the consumer.

(e) NRMA must evaluate and allocate the funds and staff time necessary for protecting the retail industry from unwise Federal Government action.

(f) We have, as an organization, reached the time where the membership—that is you—must decide whether it is preferable to spend money in advance so as to prevent controls and restrictions, or be faced with the expenditure after the fact when the controls and restrictions become effective and must be administered within our business.

Second, a few suggestions as to what a business can do:

(a) A selected number of top management executives should be as thoroughly informed as the president of the company. They should be encouraged in their contacts, both in the trade and in Government, to take an aggressive position on undesirable forms of governmental action.

(b) A larger group consisting of the major portion of executives should be furnished educational information on Government action and from time to time should be encouraged to take a position, not a position dictated by management, but a position which they, personally, would take in accordance with what they believe to be sound for themselves.

(c) On a selected few, and I mean few, important national issues, the education of the entire population of a business may, from time to time, be warranted.

(d) We must voluntarily offer the services of competent people in our organizations to serve on specialized committees of the NRMA, working on factfinding and material preparation for presentation to legislative bodies.

(e) We must evaluate the time allocated in our businesses to preventive work in the field of Federal legislation as compared to compliance work in the field of Government regulation and then do something about it.

The third area deals with the individual and may I first say that if you have any children who are interested in politics, please encourage them, as we certainly need more representation in Washington of people understanding the field of retail distribution.

(a) We, of necessity, must promote and support candidates who will consider the needs of all their constituents, and these men should be supported and supported vigorously. May I suggest to each and every one of you that you search your souls and if you have a candidate in which you believe, then remember that running for office is expensive and there is nothing that proves your confidence in a man more than to place your pocketbook, in accordance with the law, in the same position as your verbal expressions. Support a good candidate with work and funds and follow through with courage on your convictions.

(b) As a respected individual in your community, pay a visit on your Congressman and your Senators, when they return

home. Go prepared to discuss specific legislation affecting you and your business. These men are interested in knowing and learning from you the reaction to proposals in Congress.

(c) One of the most effective individual acts is an annual visit to your Congressman and Senators while they are in Washington, while legislation is under consideration. Your views presented in a knowledgeable manner will have far more effect than I think you realize.

(d) Probably the most important is a re-evaluation of your own time and how it is spent and whether the present status of Government affairs doesn't warrant a greater percentage of your total time and energy than you have devoted to it in the past. I, for one, would strongly recommend that a greater allocation of time be devoted toward the proper influencing of Government affairs.

In closing, may I say there is no panacea to "getting the Government off your tail," but a lot can be done that hasn't been done and only you, here tonight, can make this accomplishment a reality. It takes two to make a partnership. Let's make sure that retailers accept their responsibility as one of those partners.

May I remind you of the words of President Eisenhower—"Politics ought to be the part-time profession of every citizen who would protect the rights and privileges of free people." Benjamin Franklin, as he was leaving Independence Hall, was asked by an elderly lady, "Mr. Franklin, do we have a monarchy or a republic? What is the decision?" Mr. Franklin replied, "You have a republic, if you can keep it."

TALMADGE COTTON PLAN

Mr. TALMADGE. Mr. President, I am extremely hopeful that the Congress this year will enact a meaningful cotton plan, one which will allow our farmers to farm, put their cotton on the world market at competitive prices and relieve the textile industry from the iniquitous two-priced cotton system.

As I have repeatedly stated, it is becoming increasingly imperative that the Congress abandon the present cotton program and begin anew with a sensible and economical plan for aiding the cotton industry. I believe that these desired goals could be achieved through the enactment of the Talmadge-Humphrey cotton plan, which in addition to being the most practical one proposed, it is also the least expensive, when compared to our present cotton program and the one recently passed in the House of Representatives.

Mr. President, there appeared in the New Orleans Times-Picayune on January 22 a splendid editorial calling attention to the advantages of the Talmadge-Humphrey plan, and I ask unanimous consent that it be printed in the RECORD.

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

[From the New Orleans Times-Picayune, Jan. 22, 1964]

MERIT IN TALMADGE COTTON PLAN

The cotton industry's troubles are so serious and involved as to raise the question of whether an entirely new approach to solving them is necessary.

One plan after another has led finally to the frustration represented by the Cooley bill (passed the House and now in the Senate) prescribing a subsidy in the form of a discount to domestic textile manufacturers

to protect them against the effects of another subsidy—the export subsidy which enables foreign manufacturers to procure U.S. cotton at the world price and sell the goods in this country. The Cooley bill would add an estimated \$220 million or more to the cost of the Government's cotton program.

Congress has dealt with numerous cotton bills, most of which offered nothing toward a fundamental solution.

There is an exception, however. It is Senate bill 1190, introduced last spring by Senator HERMAN TALMADGE, Democrat, of Georgia, and Senator HUBERT HUMPHREY, Democrat, of Minnesota. The essence of the bill is to abandon the high price support and acreage allotment system that has kept the domestic price of cotton about 25 percent higher than the world market price. Instead, unlimited acreage and a support price of 50 to 60 percent of parity would reduce the domestic price to about the world price. This single price would eliminate the need for export subsidies of 8.5 cents per pound that have been necessary to make American cotton competitive in the world market. And it would permit American textile manufacturers to meet foreign competition without subsidies.

To preserve the cottongrowers' income, current high price supports would be replaced by a direct income supplement based on assigned shares of the domestic market and computed in inverse ratio to the farmer's output. Thus large cotton producers, principally in the West, would be permitted to produce to the full extent of their resources for the world market, while small farmers, principally in the South and Southeast, would maintain their income levels with the aid of the direct subsidies.

The straightforward logic of this approach has not earned the Talmadge-Humphrey bill the congressional attention it deserves. The bill was endorsed during committee hearings last May by Agriculture Department spokesmen, but presumably for political reasons administration support went to the Cooley bill.

Opposition to the Talmadge-Humphrey approach rests on the direct dependence placed in the Federal Treasury to maintain farm income. But it is hard to make much over the direct payments if the plan is going to cost the Government less, free the market, and possibly bring the supply of cotton into balance with demand.

MERIT IN TALMADGE COTTON PLAN

Mr. RUSSELL. Mr. President, for a number of years this Nation's cotton export subsidy program has placed an economic hardship on the U.S. textile industry by enabling foreign manufacturers to buy American-grown cotton at a price 8½ cents below that paid by our mills. This inequitable two-price system, coupled with lower wage scales prevailing in other countries, has resulted in a flood of cheap textile imports into the United States to the serious detriment of our textile industry.

Along with many other Members of Congress, I long have protested against this intolerable condition, but up to now we have been unable to make our voices heard above that of the State Department. However, I am delighted to note that the Committee on Agriculture is now conducting hearings on various proposals to provide a solution to the cotton textile problem.

One of the bills before the committee is the plan sponsored by my distinguished colleague [Mr. TALMADGE], and cosponsored by the Senator from Minnesota [Mr. HUMPHREY], which under-

takes to establish a single world market price for American cotton, while, at the same time, providing a sound program to assure a fair income for the Nation's cotton producers.

Mr. President, the merits of the Talmadge cotton bill were ably discussed in a recent editorial of the New Orleans Times-Picayune. As the editorial suggests, the bill's approach to the problems of the textile industry and to our cotton farmers is so straightforward and logical that it may not have received the attention it deserves. I, therefore, ask unanimous consent to have this editorial printed in the body of the RECORD, in the hope that all our colleagues will have an opportunity to read it.

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

MERIT IN TALMADGE COTTON PLAN

The cotton industry's troubles are so serious and involved as to raise the question of whether an entirely new approach to solving them is necessary.

One plan after another has led finally to the frustration represented by the Cooley bill (passed the House and now in the Senate) prescribing a subsidy in the form of a discount to domestic textile manufacturers to protect them against the effects of another subsidy—the export subsidy which enables foreign manufacturers to procure U.S. cotton at the world price and sell the goods in this country. The Cooley bill would add an estimated \$220 million or more to the cost of the Government's cotton program.

Congress has dealt with numerous cotton bills, most of which offered nothing toward a fundamental solution.

There is an exception, however. It is Senate bill 1190, introduced last spring by Senator HERMAN TALMADGE, Democrat, of Georgia, and Senator HUBERT HUMPHREY, Democrat, of Minnesota. The essence of the bill is to abandon the high price support and acreage allotment system that has kept the domestic price of cotton about 25 percent higher than the world market price. Instead, unlimited acreage and a support price of 50 to 60 percent of parity would reduce the domestic price to about the world price. This single price would eliminate the need for export subsidies of 8.5 cents per pound that have been necessary to make American cotton competitive in the world market. And it would permit American textile manufacturers to meet foreign competition without subsidies.

To preserve the cotton growers' income, current high price supports would be replaced by a direct-income supplement based on assigned shares of the domestic market and computed in inverse ratio to the farmer's output. Thus large cotton producers, principally in the West, would be permitted to produce to the full extent of their resources for the world market, while small farmers, principally in the South and Southeast, would maintain their income levels with the aid of the direct subsidies.

The straightforward logic of this approach has not earned the Talmadge-Humphrey bill the congressional attention it deserves. The bill was endorsed during committee hearings last May by Agriculture Department spokesmen, but presumably for political reasons administration support went to the Cooley bill.

Opposition to the Talmadge-Humphrey approach rests on the direct dependence placed in the Federal Treasury to maintain farm income. But it is hard to make much over the direct payments if the plan is going to cost the Government less, free the market, and possibly bring the supply of cotton into balance with demand.

ANTI-SEMITISM IN THE SOVIET UNION

Mr. HUMPHREY. Mr. President, it is well known that there has been a revival of anti-Semitism in the Soviet Union. This unfortunate development is all the more significant in the light of previous claims that the blight of anti-Semitism had been banished from Russian life.

Reports of anti-Semitism have been widely circulated in the free world, but they have been suppressed in Russia itself. While few Soviet citizens could have been ignorant of these ugly trends, scarcely any voices of protest were raised in public. Very recently, however, a new and more hopeful development has occurred. Protests have been made both of anti-Semitism and of the official policy of pretending that this evil does not exist. The most dramatic of these protesters is the young poet Yevtushenko. He insisted on speaking his mind in public, even in front of Nikita Khrushchev. Confronted by Khrushchev, Yevtushenko stood his ground, refused to back down, and flatly contradicted the Russian dictator to his face.

Transcripts of this public defiance have been reproduced secretly and bootlegged all over Russia. This debate and a notable speech by another rebellious artist have been smuggled out of Russia and reprinted in Commentary, along with a preface by Moshe Decter. These smuggled speeches illustrate the ferment of creative spirit that is stirring Russians today. This revolution is a source of hope for all believers in man's indomitable will, just as it is a source of despair for those Communists who would imprison man's spirit in a straitjacket.

These two speeches are about anti-Semitism, but they have a larger meaning. They show that 45 years of Communist tyranny have not stifled the wish to be free, that two generations of police terror cannot eradicate common humanity and compassion.

It is equally significant that these voices of protest have not been allowed public expression. They have been heard in Russia only through the black market in ideas that have sprung up in that thought-controlled society. The Soviet Government still does not dare to let the minds of its people run free. But, to borrow Yevtushenko's phrase, that spirit cannot be denied, and it cannot be suppressed.

Mr. President, I ask unanimous consent that this revealing article from the December article of Commentary be printed in the RECORD.

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

RUSSIAN ART AND ANTI-SEMITISM, TWO DOCUMENTS: YEVTUSHENKO VERSUS KHRUSHCHEV, A SPEECH BY MIKHAIL ROMM

FOREWORD BY MOSHE DECTER

Exactly 1 year ago, on December 1, 1962, Nikita S. Khrushchev paid an unexpected visit to the Manezh gallery in Moscow, to inspect a special exhibit of abstract and semiabstract paintings by a group of young Soviet artists. His angry reaction, couched in expletives and obscenities, immediately became the sensation of Moscow, and the events of the succeeding 6 months revealed

more clearly than ever before the nature of the ferment that has been agitating major segments of the Soviet intelligentsia in the last few years. They supplied evidence of three truly sensational developments (of which close students in the West had been increasingly aware but of which the general public was largely ignorant): that the younger generation of intellectuals and creative artists, supported by a considerable number of middle aged and even a handful of elderly established literary figures, were making an effort to expand the area of their freedom to write, paint, and sculpt; that this effort was being combated by many Stalinist artists and officials of the artistic unions and enterprises; and that the Communist Party leadership, divided in its counsels on how to cope with the phenomenon of a rebellious young intelligentsia, was exerting some pressures, clamping down on certain "excesses," exacting some grudging and ambiguous self-criticism from a few—but was settling for now into an indecisive muddle.

A good deal of the foregoing came to light as a result of the publicity surrounding the extraordinary meetings between Khrushchev and his party colleagues and several hundred leading Soviet intellectuals on three occasions during the past year: on December 17, 1962, and on March 8 and June 18, 1963. Though Khrushchev's speeches on the latter two occasions were widely published in the Soviet press, neither his speech of December 17 nor his spontaneous exchanges with the intellectuals on any of the three occasions have appeared in print. For months now, however, typed manuscripts—purporting to give the texts of who said what, to whom, where, and when—have passed from hand to hand, and have been read by many thousands in Moscow, Leningrad, and elsewhere.

One of these typescripts—brought out of the U.S.S.R. in various versions by Western visitors—appears below, together with the text of a speech by Mikhail Romm that has circulated in similar fashion. The challenge to publication of such documents in the West is twofold: to obviate any danger to the authors, since their real names are used; and to authenticate the texts.

Both conditions can now be essentially satisfied. By this point, the positions of both Mikhail Romm and Yevgeny Yevtushenko are clearly known to Khrushchev and the party leadership, to scores of thousands of intelligentsia and university youth and their supporters on the peripheries of the intellectual and academic community—and, not least, to the West. The Soviet authorities are fully aware of their views, of the fact that such manuscripts have circulated widely, and that they have also found their way into the hands of Western visitors and observers. Their publication can therefore come as no shock to the authorities.

As for the problem of authentication, it has been, for obvious reasons, a technically difficult one. As indicated, these texts emerged from the U.S.S.R. in various versions, and each posed a different kind of problem. The versions of the Romm text differed so little from one another that in time and after a meticulous process of inquiry and counterchecking, it became very easy to determine its genuineness. (The speech was delivered at a public meeting of cinema and theater workers during November–December 1962.) The Yevtushenko text is more complicated. The same kind of investigative process, coupled with everything else Yevtushenko has published at home and abroad, has made it clear that the remarks attributed to him here are genuine both in substance and spirit. What may be in question is whether he made all these remarks on the same occasion. It seems entirely possible that the two sections of his "speech" were delivered on two separate occasions—the part on abstract art, in the course of a running debate with Khrushchev at the

Manezh; and the part on anti-Semitism, at the December 17 meeting. But their authenticity—as of Khrushchev's interjections—is no longer disputable.

Yevtushenko needs no introduction to Western readers. He burst into national and world renown after September 19, 1961, when his poem, "Babi Yar," appeared in *Literaturnaya Gazeta* (Literary Gazette), the organ of the Soviet writers union. He remains today a significant if erratic and somewhat ambiguous, spokesman of the younger Soviet intelligentsia.

Romm, in his own way, is no less fascinating a figure. He is perhaps the most distinguished living Soviet film director. He began his career as one of a band of experimenters in the silent screen of the early 1920's, established himself a decade later as a leading director of orthodox films, and then re-emerged in the post-Stalin period as both an avant gardist and a public exponent of greater liberality in Soviet art and society.

For Romm, as for the young intellectuals whose champion he is and for whom he symbolizes the Golden Age of the 1920's, there is a connection between the struggle against anti-Semitism and the struggle against repression of freedom in the arts. Romm (who is Jewish) and Yevtushenko (who is not) reflect the feelings of the entire dissenting generation of young intelligentsia, sons who are turning away from their fathers of the 1930's, 1940's, and 1950's, and turning back to their grandfathers of the 1920's—a period when there was experimentation in the arts and when anti-Semitism was officially regarded as a disease and was openly fought. In fighting it openly now, the young intellectuals are simultaneously fighting those forces in Soviet society which stand in the way of greater freedom of expression in general.

YEVTUSHENKO VERSUS KHRUSHCHEV

YEVTUSHENKO. First of all I want to thank the leaders of the party and the Government for kindly making it possible for me to speak here. Permit me to begin my speech with a verse which I wrote not so long ago which I consider very timely. [Recites the two last lines of the poem, "Babi Yar."]

Comrade KHRUSHCHEV. Comrade Yevtushenko, this poem has no place here.

YEVTUSHENKO. Respected Nikita Sergeevich, I especially selected this poem and with the following purpose in mind. We all know that no one has done more than you in the liquidation of the negative consequences of the Stalin cult of personality and we are all very grateful to you for this. However, one problem yet remains which is also a negative consequence of those times, but which today has not yet been resolved. This is the problem of anti-Semitism.

Comrade KHRUSHCHEV. That is not a problem.

YEVTUSHENKO. It is a problem, Nikita Sergeevich. It cannot be denied and it cannot be suppressed. It is necessary to come to grips with it time and again. It has a place. I myself was a witness to such things. Moreover, it came from people who occupy official posts, and thus it assumed an official character. We cannot go forward to communism with such a heavy load as Judophobia. And here there can be neither silence nor denial. The problem must be resolved and we hope that it will be resolved. The whole progressive world is watching us and the resolution of this problem will even more greatly enhance the authority of our country. By resolution of the problem I mean the cessation of anti-Semitism—[not clear], along with instituting criminal proceedings against the anti-Semites. This positive measure will give many people of Jewish nationality the opportunity to take heart and will lead us to even greater success in all areas of Communist construction.

I would like to say a few words about abstract painting and our artists. I think that our young artists have acted incorrectly in organizing the "underground exhibition" and inviting foreign correspondents to it.¹ This was done without forethought and deserves widespread censure. We also cannot permit our artists to sell their works abroad. This can only be a blow to our prestige and to our art. But I want to say that we must have great patience with this abstract trend in our art and not rush to suppress it, for the result may be the opposite. I know the artists in question, I know their work, and I can emphasize that side by side with the abstract aspect, they are attracted to the realistic manner of expression. I am convinced that several formalistic tendencies in their work will be straightened out in time.

Comrade KHRUSHCHEV. The grave straightens out the humpbacked.

YEVTUSHENKO. Nikita Sergeevich, we have come a long way since the time when only the grave straightened out humpbacks. Really, there are other ways. I think that the best way is to display patience and tact and give examples of how to work at our art. I think that we should permit the existence of various schools in painting and let art, our Soviet art, progress in the arguments among them. Artists, like writers and musicians, are most sensitive to any pressure. Therefore, it best not to resort to it. Everything will remain in its place.

Comrade KHRUSHCHEV. I don't believe that you personally like abstract art.

YEVTUSHENKO. Nikita Sergeevich, there are all kinds of abstractionism. What is important is that it should not be charlatanism. I submit that a situation can occur when it would not be possible to convey the newest trends of our epoch in the old manner of writing. I must openly admit that I do not like our portrait painting although it is realistic. I very much respect those comrades who are depicted in these portraits, but the portraits themselves seem to me to be ordinary color photographs incapable of stirring the viewer. I cannot permit the idea, Nikolai [sic] Sergeevich, that you can like the tastelessly drawn picture, "N. S. Khrushchev among the Workers." The latest period of my life has been closely linked up with Cuba. I like Cuban abstract art very much. It would be good if we would organize an exhibition of Cuban art. Cuban abstract art is very popular among the Cuban people and their leaders. Fidel Castro is attracted to it. Cuban abstract art is helping the Cuban revolution and is walking in step with it. I think that our art, including the abstractionists, is also going in one straight line of fighters for communism. I appeal not for appeasement, but I call for self-restraint, for the deepened study of the theory and practice of modern art, and in the final analysis, a consolidation of the forces of literary and artistic workers for the good of our country.

Thank you for your attention.

A SPEECH BY MIKHAIL ROMM

The subject of the report "Traditions and Innovations" offers an occasion to talk about such serious things. The Voronezh theater director, Comrade Dobrotin, spoke before me very well and with much passion. He vehemently protested against the remnants of Stalinism in the field of consciousness.

He told us the story of those leaders in a province who—after a drunken party—started a fire on the terrace of a sanitarium and

imposed disciplinary measures against the person responsible for cultural affairs at the sanitarium because he tried to protest. This is a significant example.

At the same time, however, Comrade Dobrotin advised that Comrade Leonov² should be called before the CC (Central Committee) and told to write a comedy. And if Comrade Leonov has other wishes? If at the moment he doesn't feel like working for the theater? In accordance with Dobrotin, if the party's CC asks it, Leonov will start writing, obediently, and turn out a good comedy. Are there no other means? You don't seem to understand, Comrade Dobrotin, that this way of thinking also stems from the old methods, that it resembles a bit starting a fire on a terrace. [Applause.]

During your speech you let yourself go about the modern ballet. You expressed regret that on New Year's Eve your actor Popov did a Western dance. I have never danced in my life; simply because I can't dance, be it the waltz, the mazurka, or the pas de patineur. But it seems to me that in a small hall it is preferable to do a Western dance rather than the mazurka because for that the hall would be too small.

For many years we tried to invent a real Soviet dance. Finally it was invented. It is called the "Promenade" and requires a lot of room. On putting it on television, the explanations concerning certain steps of this dance took four sessions, but no spectator understood all its finesse. On the other hand Popov learned how to do his dance at once. Evidently it was a simple dance. I should like to know if, performing this on New Year's Eve, Popov did much harm and what the harm was exactly.

Comrade Dobrotin also let himself go on singers without voices. For myself, contrary to him, I like singers without voices. I prefer Bernes and, in general, those who talk instead of sing, their mouths wide open, emitting trills. Of course, the aria "Perdona, Celeste Creatura" must be sung by a well-trained voice. On the other hand the song "The Little Girl Goes Toward the Fields" needs other qualities. In the field of art, I like everything that is expressive. [Applause.]

In our country, however, certain methods were imposed against which it is necessary to fight. I'm ready to fight against my own shortcomings still remaining from the past.³ Precisely because of that, before we take up traditions and innovations I should like to clarify the problem of certain traditions which were imposed in our country. There are good ones and there are very bad ones; for example, the one of playing the Overture of Tchaikovsky's "Symphony 1812" twice a year.

Comrades, as I understand it, this overture expresses a very clear political idea—the idea of the triumph of orthodox religion and autocracy over revolution. It's a bad piece of music written by Tchaikovsky on command. It's a thing Peter Ilyitch was himself ashamed of at the end of his life. I'm not a specialist in the history of music, but I am convinced that this overture was composed for passing reasons, with the very clear aim of pleasing the church and the monarchy.

Why should the Soviet power humiliate the "Marsellaise," the marvelous hymn of the French Revolution, by drowning it out with the noise of church bells? Why should

¹ Leonid Leonov, with Sholokhov the premier novelist of the U.S.S.R. Born 1899, author of numerous novels, stories, and plays. His best work was perhaps done in the 1920's.

² Here Romm seems to be referring to the fact that he was a dutiful and well-rewarded director during the thirties and forties, producing some of the most effective adult films for Stalin.

it celebrate the triumph of czarist ideology, the ideology of the "Black Hundreds"?

But to play this overture has become a tradition. After the October revolution, this overture was played the first time during those years when the expression "cosmopolite without a fatherland" was invented to replace that other expression "dirty Jew."

Among other things, and in certain instances, the latter expression was even printed. On the cover of the [satirical] magazine Crocodile a cartoon appeared during those years presenting a "cosmopolite without a fatherland" of clearly Jewish type, holding a book in his hands on which one could read in big characters the word "GID." Not "André Gide" but simply "Gid."

Neither the cartoonist nor any of those responsible for this scoundrel's joke has been condemned by us. We have preferred to keep quiet, to forget all this, as one could forget that dozens of our best theater and movie people were declared "cosmopolites without a fatherland": for instance, comrades Yutkevich,⁴ Leonid Trauberg,⁵ Sutyriki,⁶ Kovarski,⁷ Bleiman,⁸ and others present here. They have been authorized to work again, some in the party, some in their particular union. But is it really possible to heal the wounds, to forget what one has suffered for many years, when you were trampled on and covered with mud?⁹

And those who directed this shameful campaign with joy and pleasure, who racked their brains to invent other things and to drag other people into the mire, have they been made to pay for what they did? People don't even reproach them, holding that this would show lack of tact!

The magazine October,¹⁰ edited by Kochetov,¹¹ has recently become interested in motion pictures. From January to November

⁴ In Russian the words "Gide"—and "Zhid," dirty Jew, are pronounced exactly alike.

⁵ Should read Yutkevich. Sergei Yutkevich, born 1904, originally a painter, became one of a group of experimental artistic designers and directors of films in the 1920's. Until the late 1940's, he had achieved enormous success with a long series of films. A 1947 movie, "Light Over Russia" was banned because of "serious errors." By 1949, when the cultural purge presided over by Andrei A. Zhdanov was in full swing, he was under attack and his career threatened because he had contributed favorable articles to volumes in honor of D. W. Griffith and Charlie Chaplin.

⁶ Born 1902, another of that galaxy of silent screen experimenters of the 1920's and an established director in subsequent decades. Like Romm, Yutkevich, and all the others to be mentioned below—except for Kalatazov—he is a Jew, and came under vicious attack in the late forties for, among other things, "spreading and elaborating the false and un-Soviet myth that the American film director D. W. Griffith was the father of world film art."

⁷ Should read Sutyriin. Vladimir A. Sutyriin, born 1902, a distinguished film critic and theoretician of the cinema.

⁸ Nikolai Kovarsky. Also a distinguished film critic.

⁹ Mikhail Bleiman. Born 1904. Highly successful screen writer until the late forties.

¹⁰ All the above were attacked at that time as a "group of estheticizing cosmopolitans in the film industry, miserable tramps of humanity, homeless and nameless cosmopolitans of the cinema, base spokesmen of reactionary estheticism, who conducted an organized slander campaign against its [the Soviet film's] lofty ideology, its truthfulness and its patriotic content."

¹¹ A major literary monthly, the stronghold of the literary Stalinists.

¹² Should read Kochetov. Vsevolod Kochetov, born 1911. The party's favorite Soviet novelist.

it published articles smearing all the progress achieved by Soviet films, expressing suspicion toward the critics of the great artists of the older generation and even the new one. These articles were inspired by the same persons who led the campaign of denunciation of "cosmopolites without a fatherland." It seems to me, however, that we should not forget all that happened.

Today many writers are starting to do scripts for the theater or motion pictures denouncing the Stalinist epoch and the cult of the personality. This is because it has become possible and necessary, while 3 or 4 years ago it was still thought that Nikita Sergeevich's speech at the 20th Congress was sufficient. A more or less leading official told me this clearly: "Listen, the party has shown infinite courage. Study Comrade Khrushchev's speech, and that's enough. Why stick your nose into this business?"

Today it has become definitely clear that it was not sufficient, that it is necessary for us to think for ourselves, to speak and write for ourselves.

It is very important to unmask Stalin and Stalinism, but the heritage left by Stalinism is not less important. And it is not less important to look around at what surrounds us and to formulate a judgment on events that occur in the social life of art.

Our meetings are conducted in a calm, tranquil, academic tone. In the meantime a very energetic group of rather bad writers hits out viciously in the magazine October against the new literature and nobody answers them in this arena. On the other hand, the very moment Yevtushenko published his poem "Babi Yar," this group printed a reply in the journal Literature and Life [Literatura i Zhizn].¹³

Not long ago I happened to be in Italy and America, and I should like to say that what was considered to be a scandal in the West was not Yevtushenko's poem, but the response to it. The local journalists asked me, "What do you think of the new wave of anti-Semitism in the U.S.S.R.?"

I asked with perplexity what they were talking about. They mentioned Starikov's article¹⁴ and Markov's poem.¹⁵

That issue of the journal Literature and Life was shameful, as are the latest issues of the magazine October.

Since the articles in October are aimed at me, it is difficult and embarrassing for me to reply. Difficult but necessary.

The attacks against films carried in October began in the January issue with an article on the picture "Peace to Him Who Enters," an article written in an absolutely inadmissible tone of political denunciation. The only error in calculation made by the editorial board was that they failed to name anyone specifically in their denunciation. Ten years ago, after such an article, somebody would be put in chains, forbidden to work, sent to faraway regions. But it is a fact that times have changed and that this denunciation probably wasn't even read. But the denunciation remains.

Then came the attack on the films "The Letter That Wasn't Sent,"¹⁶ "When the

Storks Take Their Flight,"¹⁷ "If This Is Love," and "Nine Days in a Year."¹⁸ The themes of the accusations were not new. For "Nine Days" the hero wasn't "positive." The same thing applied to "When the Storks Take Their Flight." In "The Letter That Wasn't Sent," a decadent pessimism is to be found. Reisman's¹⁹ heroes show moral deficiencies and amorality is decadent.

In the past, one was severely punished for such shortcomings. Today denunciations like these haven't had any consequences, simply because the authorities in charge don't read them or don't even exist any more. That is why neither Kilatozov²⁰ nor Reisman nor myself were hunted out of the movies, and the magazine became very angry. In the first and second issues of that magazine some terrible articles were published, containing general accusations against everything and everyone. Only the word "cosmopolite" wasn't used. For the rest there was a surprising resemblance to articles published 15 years ago.

The author of the article that appeared in No. 2 of the magazine October writes among other things: "Whereas the Italians themselves recognize that neorealism is dead, Romm continues to praise it." (I quote from memory.) In fact neorealism is dead. It died with the help of the Vatican and the capitalist censorship. The artists of Italian neorealism created films like Germi's "The Railwaymen," De Sica's "The Bicycle Thief," "Two Coins in the Fountain," "Rome 11 O'Clock in the Morning," and other really great and unforgettable masterpieces.

Never has the film industry under a bourgeois regime created such work before, in any case not as a group and with such unity. All forces were mobilized against Italian neorealism—the censorship, bribery, threats, sabotage of distribution, violence of all kinds. All this in order to destroy, to break, to crush this group of artists. World reaction as a whole went into action against Italian neorealism. At that time a single article was published in our country, unfortunately signed by Polevoi,²¹ a man I respect. In that article, Polevoi also attacked Italian neorealism. I was ashamed of that article, a reaction common to all of us. That happened 6 years ago. We didn't encourage this current, which was very close to the Italian CP. They were strangling neorealism and we attacked it. And it was only recently that Solovieva²² finally wrote a book on neorealism. She wrote it when it was necessary to treat the subject on a historical plane.

Three years ago I ventured to intervene in favor of Italian neorealism. And even today people who insist on the importance of remaining loyal to tradition recall this sin. How did I dare intervene in favor of neorealism? But in my opinion, neorealism has had an influence on the youth. It must be admitted. If this influence existed, it did exist. You have to decide then whether this influence was positive or negative. I know

¹³ Better known here as "The Cranes Are Flying."

¹⁴ The most recent film, 1961, directed by Romm.

¹⁵ Yul Reisman. Born 1903. Active as a leading screen director since the early 1920's. Won a Stalin Prize for his 1945 documentary, "Berlin." Now again experimenting.

¹⁶ Should read Kalatozov. Mikhail Kalatozov. Born 1903, a Georgian. Major film director and administrator. Surrealistic in early 1920's and up to 1930, then became orthodox. In post-Stalin period, director of "The Cranes Are Flying" and "The Letter That Was Never Sent," the latter of which was considerably revised by censors.

¹⁷ Boris Polevoi, famous novelist, also editor of Yunost (Youth), a literary journal.

¹⁸ Inna Solovieva, film historian, published the volume, "Neo-Realism in Italian Movies" in 1961 (Moscow).

our youth. I know the impression created by the Italian films. I can underline that this influence was real.

Why should we bow in all fields to what is called "the first" as we had to do in the past? I am not at all certain that this "first" is always a good thing. Let's suppose that a lone American genius invented the phonograph and that we developed the invention. Who then should be proud of it? In my opinion we should, because genius wasn't recognized in America while we developed the phonograph. We, to the contrary, make it appear that we invented everything, the cinema, the phonograph, the electric light, and the telephone while in fact it was the Americans who developed all these good things. There is no reason why we should be proud of this.

We are combing history hunting for someone who invented the locomotive before Stevenson although we know very well that we didn't build one at that time. We should give ourselves airs because of our lack of efficiency, our backwardness. Those who built the first locomotives, who made the first flight, they were right. We should be proud of being the first to fly into outer space, of having the biggest power stations in the world, and not about what occurred 200 years ago, about the man who said "E" for the first time, whether it was Dobchinsky or Bobchinsky.

By defending and sometimes inventing this claim to be "the first" at all costs, it's impossible to say how far you can go. Only 10 years ago, we tried to cut ourselves off completely from Western culture—and this, too, was covered by the word "tradition."

I was very happy today to hear Yutkevich speak about innovations and about spending much time in the West. We have lost the habit of considering that something also exists in the West. And this in Russia, the country in the world where more foreign literature is translated than anywhere else. One of the strong points of the Russian intellectuals was precisely the fact that they read all of world literature, that they stood at the top in knowledge of world culture. This, too, is one of our traditions. An excellent tradition which we needn't be reminded of today.

A TIME FOR AFFIRMATION

Mr. HUMPHREY. Mr. President, I invite the attention of the Senate to a moving and forceful statement relating to the tragic loss of President Kennedy, a statement written by Marion Harper, Jr., president and chairman of the Board of Interpublic, Inc., and a leader in the communications profession.

This statement is concise and to the point. Mr. Harper emphasizes the remarkable courage and vision of our late President and how we must not now falter in our quest for a better America, just as President Kennedy did not falter. This is a statement which every American should read and ponder carefully.

Mr. President, I ask unanimous consent to have the article entitled "A Time for Affirmation" printed in the RECORD.

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

A TIME FOR AFFIRMATION

"In your hands, my fellow citizens, more than mine, will rest the final success or failure of our course."—JOHN F. KENNEDY, inaugural address.

"I will do my best. That is all I can do. I ask for your help—and God's."—LYNDON B. JOHNSON, first statement as President.

In the first numbered reaction to days of horror and tragedy, it was perhaps inevitable

that a stunned and saddened Nation should for a moment shudder under the cold hand of despair. And, for a moment, fall prey to the calamity-howlers and doomsayers who were keening that all was lost—the American spirit had finally bogged down in a welter of violence, immorality, greed, and hatred.

Our martyred young President would be the first to say—that's a lot of nonsense. He was fully aware of the currents of violence, distrust, and bigotry that swirled around his office, his country, and the world—aware of their causes, and determined to seek their cure. But never once did he falter in his buoyant confidence that anything was possible, given a real commitment; that the American dream of peace, decency, and freedom was realizable, and worth living and dying for—as he lived and died for it.

"In the long history of the world," he said, "only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shrink from this responsibility—I welcome it. I do not believe that any of us would exchange places with any other people or any other generation. The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it—and the glow from that fire can truly light the world."

That fire, which flickered momentarily to the shock of horrendous events, still burns * * * in the marvel of orderly transfer of the powers of government * * * in the modest but meaningful words of the new Chief of State, who permitted no smallest doubt of continuum * * * in the eloquence of an American spokesman, telling the United Nations, "U.S. policy outlasts violence and outlives men" * * * in the immediate vote of confidence by the business community * * * in the outpouring of messages and visits of grief and devotion—by princes, prelates, potentates, and plain people, from every part of the globe.

These messages, these visits, and manifestations of concern transcend the mortality of any one man. They seem, rather, to be tributes to the strength, validity, and importance of the ideas which one man symbolized for a great part of the world.

The loss of our President is grievous and irrecoverable. The American spirit shone bright in him. But that spirit is not extinguished by his passing.

Much of what he set out to do hasn't been done. All too apparent is the irony—and the challenge—of his words, "in your hands, my fellow citizens, more than mine."

The problems and challenges remain: jobs, housing, schooling, health; our relations with and support to free nations, and our hope and help for the unfree; the need for national growth to support all these urgent programs. And with it all, the unceasing demands upon our inventiveness, statesmanship, patriotism, patience, and pocketbooks.

With the energy, the faith, the devotion our late President was so sure he could count on—and which few of his countrymen have ever doubted was there—we can build his—and our own—best monument. And in heeding his wish to ask what we can do for the country, we can give our best support to his successor.

MARION HARPER, JR.

THE INVESTMENT CREDIT

Mr. GORE. Mr. President, a tax loophole, once opened, soon becomes bigger and a growing amount of income flows through it into a sheltered position. The crevice deepens and the erosion of the tax base soon becomes a great gully. Often this is a process which takes a few years. In the case of the investment credit, however, the ink was hardly dry

when the beneficiaries of this tax refund—a refund which must come out of the pockets of taxpayers—began efforts to fatten themselves further.

I will not today repeat what was set out in minority views signed by the senior Senator from Illinois and me when the investment credit was first adopted in 1962, or the arguments advanced during floor debate in 1962. For anyone who might be interested, I would cite the report of the Committee on Finance on the Revenue Act of 1962, beginning on page 396. Perhaps I will be pardoned for recommending it.

But section 203 of the tax bill, H.R. 8363, as ordered reported by the Finance Committee, simply makes the investment credit twice as bad as it was when it was first enacted during the 87th Congress. The credit now becomes an outright, full-value gift, with not even the pretense of partial recovery through slightly decreased depreciation allowances.

There is one additional provision in this section, however, which does not even relate to revenues, and therefore it has no place in this bill. It is wrong and will create much mischief. I refer to section 203(e), which would direct the Federal regulatory agencies not to order any of the benefits of the investment credit "flowed through" to consumers.

Regulatory agencies have two basic choices in handling the treatment of the tax refunds represented by the investment credit.

One method is to flow through the tax cut, that is, put the tax savings into the net profit figure, where it would, of course, operate to raise the utility's rate of return. It does so operate, even if the company and the regulatory agency agree to allow it to be hidden somewhere else in the books—or to pretend it does not exist, that all apparent taxes were actually paid. But logic and equity require that this tax saving be shown as a reduction of costs, or an increase in profits, and the consumer, the customer of the utility, would benefit through reduced rates.

The other choice, and the one which would in effect be ordered by this bill, is to normalize the tax savings, that is, to permit the utility to use this tax refund as it sees fit, while continuing to charge its customers the full rate it would be allowed to charge if these taxes were, in fact, actually paid.

I think it is not putting the matter too strongly to say that the Congress is, with the passage of this bill with this section intact, ordering the regulatory agencies to permit the utilities to cheat the consumers of electricity, gas, and other goods and services which come to them from these favored companies. This is made worse by the fact that utilities, generally speaking, enjoy a monopoly, and against them the consumer has no recourse.

On January 23, 1964, the Federal Power Commission announced its decision in favor of flow through. Other Federal regulatory agencies, less vigorous in protection of the public interest, are standing by perhaps in the hope that Congress will prohibit them from doing what is now their legal, rightful duty. They

have been standing by since the investment credit was enacted in 1962.

But even industry spokesmen have, in some instances, spoken out against this unconscionable theft from their customers.

Mr. Donald C. Cook, president of American Electric Power Co., Inc., in a letter to the chairman of the Finance Committee, a copy of which was very kindly sent to me, and I am sure to all members of the committee, by Mr. Cook, has set out his views on this subject.

Here is a paragraph from Mr. Cook's letter:

It is my view that the investment credit does in fact represent a reduction in current Federal income tax expense, and therefore a reduction in current operating expenses; that the investment credit will stimulate capital expenditures by utilities even if all or part of the tax saving is passed on to customers, or if the tax saving forestalls or reduces an otherwise necessary increase in rates; and, indeed, that the use of this tax saving to reduce or avoid an increase in the price of the taxpayer's product is best calculated to increase demand and in turn to stimulate plant investment, and thus to carry out the basic objectives underlying the adoption of the credit.

Mr. Cook went on to say that he understood that his views were shared by many other utility companies and regulatory agencies.

The question of equity and forced, if not false bookkeeping aside, there are tremendous sums of money involved. By the passage of this section, the Congress will take away from consumers some \$300 million per year by forcing higher rates on the customers of natural gas pipelines and electric utilities under the jurisdiction of the Federal Power Commission alone, considering both the interstate and intrastate business of these companies. And this is just one segment of regulated activities.

If the matter would stop with the handling of the investment credit, the situation would be bad enough. But already proposals have been advanced to have the Congress order the Federal regulatory agencies to allow regulated monopolies to normalize with respect to other funds.

During the Korean war, rapid amortization certificates were issued to many companies. In the 1954 Code, accelerated depreciation was approved. As a consequence, the sums of money collected from consumers by the monopolies operating in the utility field—supposedly regulated—are truly astronomical.

Amendment No. 350 to this bill has already been offered and may well be brought up during floor debate. This amendment would order the Federal regulatory agencies to give the same treatment this bill accords the investment credit to amounts set aside under liberalized depreciation provisions.

Accumulated deferred taxes of companies under the jurisdiction of the Federal Power Commission amounted to some \$2 billion at the end of 1962.

These amounts, set aside under provisions of sections 167 and 168 of the code, have given rise to sizable tax-free dividends. With the enactment of the principle enunciated in this bill, section

203(e), there will never be any possibility that the customers of these utilities will ever receive rate reductions based on the taxes actually paid by the monopolies serving them. They will continue to pay rates based on phantom, nonexistent taxes and other expenses which show on the books, but which are never, in actuality, paid or incurred.

I shall do my best to see that no colleague votes for this provision without an awareness of its content and meaning. I shall ask the assistance of the members of the Commerce Committee in making an effort to refer the matter to that committee for study.

POVERTY AMONG THE AMERICAN INDIANS

Mr. McGOVERN. Mr. President, as a freshman Member of the House of Representatives, I joined with the then Representative LEE METCALF, now the junior Senator from Montana, and with the late Senator James E. Murray, in proposing a resolution to endorse a point 4 program for the American Indians.

Because of my service as director of the food-for-peace program, my advocacy of aid to needy, undernourished people and to the underdeveloped nations abroad is established. But my prior commitment to the elimination of poverty in our own land is just as intense today as when I first came to Congress.

We should continue and expand our attack on hunger around the world. But if our assistance to other nations is to be convincing proof to them that democratic institutions can best achieve abundance and a good way of life, then we must accept the challenge: "Doctor, heal thyself."

Mr. President, I ask unanimous consent to put in the CONGRESSIONAL RECORD an article from the Washington Post of January 16, 1964, by Aubrey Graves, an outstanding journalistic authority on Indian problems.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. McGOVERN. Mr. Graves was the author of a very fine series of seven articles last year, which I inserted in the CONGRESSIONAL RECORD of March 11, March 15, and March 17, 1963, describing the nature of problems as he observed them on the Oglala Sioux Tribe Reservation at Pine Ridge, S. Dak.

Looking again at the situation of our Indians after nearly a year, Mr. Graves writes:

American Indians living on reservations furnish a bleak example of the poverty on which President Johnson has declared all-out war.

Mr. Graves' article reports that the average income of an Indian family on a reservation last year was \$1,500, only one-half the \$3,000 "poverty level" received by the poorest one-fifth of American families, and only one-fourth of the average family income for the Nation as a whole.

He reports that 9 out of 10 Indian families on reservations still live in homes below acceptable standards; that

young Indian adults receive an average of 8 years' education compared to a national average of 12 years; and that the average age at death of our Indian people in 1963 was 42 years compared to the national average of 62.

We have no more urgent problem of poverty to solve than our own, domestic Indian problem.

Congress has given adequate statutory authority to the Secretary of the Interior to conduct needed Indian programs.

Dr. J. K. Galbraith, who was one of the late President Kennedy's advisers and until recently Ambassador to India, has pointed out the relationship between education and poverty, suggesting a massive attack on the educational problem among our poorest citizens.

Programs to alleviate poverty on the Indian reservations must be accompanied by improved education or our problem of special assistance to these Americans will continue from generation to generation indefinitely. If we will supplement funds provided for the Indian peoples sufficiently to give them the educational opportunities they need and should have, we will make far greater real progress than in the past.

The need is for funds—for adequate appropriations—for a decade or two to bring these underprivileged citizens within our own land abreast of our own development in education as well as some of the material necessities.

EXHIBIT 1

[From the Washington (D.C.) Post,
Jan. 17, 1964]

INDIAN LIFE EXAMPLE OF U.S. POVERTY (By Aubrey Graves)

American Indians living on reservations furnish a bleak example of the poverty on which President Johnson has declared all-out war.

At the same time, programs enacted by the Federal Government for their benefit already have achieved heartening results. They could serve as a pattern for alleviating the misery of other Americans living, as the President expressed it, "on the outskirts of hope."

To appreciate fully the status of the Indians, consider these facts:

The income of the average reservation family during the winter of 1963 was \$1,500. This was far below the "poverty line," of \$3,000, received by the lower fifth of all families in the Nation. The average family income for the United States as a whole was \$6,000.

On the Indian reservations, about half of all family heads were idle and on public assistance in winter, 1963. By contrast the unemployment rate for the entire labor force was roughly 6½ percent.

On the reservations 9 of every 10 families were living in dwellings far below acceptable standards of comfort, safety, or decency.

Young Indian adults had received only 8 years of schooling, against a national average of 12. The average age of Indians at death during 1963 was 42 years, compared to the national average of 62.

By 1955, it was apparent, Indians on reservations were multiplying faster than the rest of the population, and their land base (one-third of what it was in 1880) could support only 22,375 of the 64,690 Indian families living on it.

TRAINING PROGRAM

A high percentage of Indians in employment age brackets had no occupational skill; they preferred the squalor and misery of

their home areas to a new life in unfamiliar surroundings.

Faced with these stubborn facts, the Bureau of Indian Affairs in 1957 instituted a program of off-reservation adult vocational training.

In 1961 it greatly accelerated a program of industrial development on the reservations and began the change from contract labor to a force-account policy in construction work. Under the force account system, the Government acts as contractor and does the hiring.

During fiscal 1962 and 1963, force account employment has increased 1440, or 77 percent. This is exclusive of the accelerated public works program under which the Bureau by the end of this month will have spent or obligated \$20 million.

Through last November, this had already resulted in more than 24,000 man-months of temporary employment. On the average, 3,000 workers, nearly all Indian, have had temporary jobs.

Since 1961, 25 small industrial plants have been added to 11 previously set up on reservations. Manufacturing wood products, plastic novelties, costume jewelry, quilted goods, clothing, leathercraft, fishhooks, carpets, electric clocks, cameras, and other precision instruments, these plants when in full operation will employ more than 3,000 Indians.

A beginning has been made in providing modern housing on a few reservations. Fifty units at Pine Ridge, S. Dak., are in occupancy.

This is a program of the Public Health Administration in cooperation with the individual tribes and the Bureau of Indian Affairs.

LABOR CONTRIBUTED

Fifty-six units are under construction at Fort Peck in Montana; 20 units are approaching completion on the Black Feet Reservation and 60 are under construction or in the planning state at San Carlos, Ariz.

These projects employ the concept of self-help. The Indian contributes his labor, under Bureau supervision. The value of the Indian's labor becomes his downpayment. He enters a lease-purchase agreement with the tribal housing authority and eventually will own his house. Fifty-eight tribes have set up housing authorities.

Interior Secretary Stewart L. Udall has demonstrated deep interest in improving the lot of American Indians. Said the Secretary yesterday:

"President Johnson, in his state of the Union message, called for Federal and local pursuit of poverty wherever it exists. Rightly, he included Indian reservations in the list of those places where poverty exists in its severest form.

"With the proven programs of the Bureau of Indian Affairs to point the way to a breakthrough, we must, and will, press forward until poverty on the Indian reservations has been eliminated."

Indian Commissioner Philleo Nash believes that the adult vocational training program is perhaps the Bureau's most important. Under it, 3,550 individuals are currently in training in more than 150 trade schools with which the BIA has contracts. More than 700 skills are taught, from barbering and cosmetics to electronic maintenance and repair. The BIA pays for the trainee's transportation and tuition and for the maintenance of his entire family during the training period.

Nash reports that the 70 percent who have successfully completed these courses have been placed in full-time gainful employment.

Five Athabaskan Indians and five Eskimos, for instance, were the first graduates last summer of a 24-month course in electronics at the RCA Institute in New York.

All have taken jobs with RCA's "White Alice" communications system in Alaska, at beginning salaries of \$9,357 to \$10,209. They

are being followed by about 100 others who will serve in the Nation's defense in their home State of Alaska.

TAX CREDIT FOR COLLEGE EXPENSES

Mr. BREWSTER. Mr. President, the distinguished junior Senator from Connecticut [Mr. RIBICOFF] has made known his intention of offering, as an amendment to the tax bill, his proposal of a tax credit for college expenses. My colleague deserves high praise for his continuing efforts to assist families who are seeking better education for their children and are confronted with the rising costs of college tuition.

I am proud to be a cosponsor of his proposal. I am sure that the Senate will carefully consider this amendment.

This proposal provides an income tax credit on \$1,500 of tuition, fees, books, and supplies for a student at an institution of higher education. It provides a sliding scale formula to equalize the benefits of the credit with respect to students at public and private colleges. The credit will be available to each and every person who pays tuition. Finally, the credit is limited so that it provides greater dollar benefits for lower income families.

Since its original proposal by President Kennedy, I have strongly advocated an overall reduction in taxes as a stimulant to industrial development, investment expansion, national economic growth, and employment.

On January 23, 1964, the Baltimore Sun carried an illuminating editorial on the proposed college tax credit. I ask unanimous consent to have this editorial printed in the RECORD.

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

COLLEGE TAX CREDIT

It used to be that a family's biggest expense in the lifetime of its chief wage-earner was the cost of buying a home—something that is entered into with many safeguards and paid off slowly over many years. Now the biggest expense may be the cost of sending three or four children to college, something that must be paid off more quickly and hits—as a rule—within a short period of time. Even at a State or other public college, the cost of 4 years of education can run as high as \$6,600; an education at a good private college can cost double that sum.

Hence, millions of parents will watch anxiously the fate of Senator RIBICOFF's proposal to allow families special income tax credits (to a maximum of \$325 a year) for each student in college. The administration is opposed to this amendment to its tax bill, but Mr. RIBICOFF, a former Secretary of Health, Education, and Welfare, feels that there is enough support for his plan to override an unfavorable vote by the Senate Finance Committee. The committee majority opposes the Ribicoff proposal following the administration's contention that education can be financed more efficiently through grants and loans.

But can it? The administrative costs involved in any Federal (or, for that matter, State) scholarship plan, the general tendency of scholarships to be restricted to levels below the middle-income group and the inevitable selectivity of Federal support for college scholarship systems provide less help for the average student, and at higher cost, than would a straightforward modest tax

reduction. Mr. RIBICOFF's proposal, which would help a great number of families in the most direct way, is likely to be approved if it gets to the floor.

INTER-AMERICAN COMMITTEE FOR THE ALLIANCE FOR PROGRESS

Mr. FULBRIGHT. Mr. President, we have said and heard a good deal in recent weeks about the advantages of channeling our assistance to other nations through international organizations. This body knows that I have long been an advocate of this method of getting this aid into projects which are economically sound and which for this reason are bound to contribute to social progress and political stability in the developing nations.

It is through multilateral organizations, too, that we can best spur self-help and reform efforts in the proud new nations which resent lecturing from donor countries and whose sensitivity leads them to confuse well-intentioned advice with dictation.

It is with this in mind that I am pleased to see the creation of a new inter-American organization designed to give the Alliance for Progress a genuinely multilateral character. We are about to see the new Inter-American Committee for the Alliance for Progress—CIAP—go into operation. It has long been the view of experienced and candid men in the executive branch and of some of us here in the legislative branch that the Alliance was not developing as the cooperative program which its planners and founders had in mind. Rather, it seemed to be an essentially bilateral aid program albeit with considerably more resources than were available for Latin America in past years.

The result was that the United States was looked to as the source of all the funds, direction, and responsibility for the conduct of the program. The Latin American nations felt little involvement. They identified the Alliance with the United States.

In administering the program, the United States to the best of its ability was trying to apply the criteria of the Charter of Punta del Este. But this policy was often misunderstood as coercion, dictation of terms, or tying U.S. strings on aid. When our spokesman countered that this is an Alliance, that the bulk of the resources had to come from Latin America itself, and that we all signed and are committed to the goals and principles of the charter, our voice carried little conviction.

Now, hopefully, there will be a change. Based on a review and recommendations of two of Latin America's best known statesmen—former Presidents Kubitschek of Brazil and Lleras Camargo of Colombia—the Inter-American Economic and Social Council has decided to give meaning to the phrase "Alliance for Progress." With strong support from the United States, the Council has established a seven-member committee to be headed by a strong Chairman and designed to function somewhat along the lines of the Organization for European Economic Cooperation—OEEC. That group was the fulcrum of action in the

days of the Marshall plan. Hopefully, the new Inter-American Committee will develop the same degree of effectiveness.

From now on, it will no longer be the United States alone which will judge plans and proposals from the Latin American nations. It will be seven men, including one from the United States and six representing regional Latin American groups, who will do the appraising, judging, and recommending. Thus, there will be a much greater sharing of responsibility, credit, and criticism among the members of the Alliance than has been the case so far. The judgments of the committee also are likely to have more effect in the Latin American countries, and to call forth greater effort by these nations, than if they came from the United States alone. The success of the Inter-American Development Bank is, I believe, due largely to the fact that the Latin American countries consider it their instrument, feel involved with its operations, and therefore want it to succeed. Only by developing the same and even more intense feeling of involvement in the Alliance on the part of the Latin American members can that program hope to succeed.

Clearly, the recommendations of the new committee are not binding upon this or any other country or international institution. As in the Marshall plan days, the United States will retain final authority over the distribution of U.S. funds. But I should hope that, if the new group functions with the degree of effectiveness and responsibility that the member nations have a right to expect, the sources of external assistance, including this Government, should heed its proposals.

We have a new instrument to convert the most hopeful program ever launched in this hemisphere into a genuinely multilateral, and far more effective, operation. This country should give the new group its full and loyal support.

FINANCIAL DISCLOSURE BY FEDERAL JUDGES

Mr. HART. Mr. President, the late Senator Kefauver, my predecessor as chairman of the Antitrust Subcommittee of the Senate Judiciary Committee, wrote a review for the New York Times in December 1962, of a book on judicial reform entitled "The Corrupt Judge," by Joseph Borkin. Both the review and the book itself have already sparked some important preliminary results. For one thing, Senator Kefauver, as he promised in his review, introduced a bill, S. 1613, embodying Borkin's proposals for financial disclosure by Federal judges. Even though the Judicial Conference of the United States has opposed this bill, not on its merits but because it felt judges should not be singled out, the conference nevertheless did pass a resolution forbidding any Federal judge from being a director, officer, or employee of a corporation operated for profit.

More recently, in the December 1963, issue of the Stanford Law Review, in a review of Borkin's book, retired Judge William J. Palmer of the Superior Court of California, following what is appar-

ently the lead of Supreme Court Justice Tom C. Clark, made a thoughtful recommendation with regard to the administration of justice. Judges, Palmer believes, should have special training, just as occurs in the specialized branches of other professions, and this could very well begin in the law schools. Without evaluating the merits or demerits of Senator Kefauver's bill for financial disclosure by judges or Judge Palmer's recommendation of a school for judges, I ask unanimous consent to include their reviews of "The Corrupt Judge" in the CONGRESSIONAL RECORD. Like Borkin's book, they represent important contributions to the literature of judicial administration.

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

[From the Stanford Law Review, Dec. 1963]
THE CORRUPT JUDGE: AN INQUIRY INTO BRIBERY AND OTHER HIGH CRIMES AND MISDEMEANORS IN THE FEDERAL COURTS
 (By Joseph Borkin)

New York: Clarkson N. Potter, Inc., 1962, 310 pages, \$6.

Reading "The Corrupt Judge" is an experience that leaves one with the poignant feeling of need for an antidote—not that the mind has been poisoned but that it has been shockingly reminded of a shameful aspect of our history, government, and culture with a consequent sickening of the spirit. Fortunately, a number of antidotes are at hand. They too are books: "The Life of John Marshall," "Yankee From Olympus," "Benjamin N. Cardozo," "Brandels," "Harlan Fiske Stone: Pillar of the Law," "Charles Evans Hughes," and "Stephen J. Field."¹

Although "The Corrupt Judge" presents a comprehensive survey of corruption among and charges against our Federal judges, its objective of stark, stirring revelation is accomplished mainly by the stories of four judges who sold judicial decisions and edicts. One of those judges, Sir Francis Bacon, was Lord Chancellor of England nearly 350 years ago. The treatment of his case is concise and was included only as a prologue indicating that corruption of judges did not originate in the United States. The other judges upon whose careers Mr. Borkin's book is based were members of our Federal courts: Martin T. Manton of the second circuit (1916-39), J. Warren Davis of the third circuit (1920-39), and Albert W. Johnson of the District Court for the Middle District of Pennsylvania (1925-45).

The adjective "unbelievable" is sometimes appropriate even as to a true story, but it would be a natural and fitting response to the grotesque facts of "The Corrupt Judge" except for the thoroughness and accuracy of documentation exhibited in the book itself.²

¹ Beveridge, "The Life of John Marshall" (1916-19); Bowen, "Yankee from Olympus" (1944); Hellman, "Benjamin N. Cardozo" (1940); Mason, "Brandels" (1946); Mason, "Harlan Fiske Stone: Pillar of the Law" (1956); Pusey, "Charles Evans Hughes" (1951); Swisher, "Stephen J. Field" (1930).

² The appendix, pp. 213-76, is more than the caption ordinarily suggests, presenting a significant work of research. In addition to the "Articles of Impeachment of Sir Francis Bacon, Lord Chancellor," pp. 213-18, it contains concise statistical reports concerning charges and congressional inquiries—their consequences, sterility, or disposition—related to the official conduct of all Federal judges who have been involved in any critical or questioning congressional resolution or action. Aply included also are the Canons of Judicial Ethics promulgated by the Ameri-

and the experience, achievements, and prestige of the author.³ The publisher speaks truthfully on the jacket, saying of the book: "The catalogue of venality is overpowering."

Author Joseph Borkin, whom the publisher describes as "an economic and legal scholar of the first rank," is a lawyer to be admired, respected, and trusted for his ability, versatility, and demonstrated character. It is manifest that he wrote this book, not for fame or profit or any morbid satisfaction that might derive from muckraking as a purpose or as a pattern of thought, but only to perform a constructive service—to improve the administration of justice in our land and time.

The constructive purpose is implicit in the opening chapter titled "The Judge,"⁴ a discourse in which the author makes it clear that all the pride, faith, and hope that we feel for our mode of jurisprudence is dependent on the integrity, impartiality, and ability of the deciding judge. The keynote is sounded in the first paragraph of the text: "The attainment of justice is the purpose to which the entire intricate structure of jurisprudence is dedicated. Within this edifice sits a focal figure in whom is crystallized the essence and meaning of law and equity. This is the judge."⁵

This book will induce only a minimum of its possible thought stimulation if the reader fails to recognize this fact: to the litigant who has received injustice resulting from a bias that ethically disqualified the judge who did not disqualify himself, the consequence is not ameliorated by possible gradation in the relative reprehensibility of the cause of the bias. The unjust decision is equally unjust whether delivered gratuitously to a friend, issued in token of appreciation for a noncriminal favor or in satisfaction of some personal obligation, or bungled into form by incompetence or the compulsion of fear. The sine qua non for any person who undertakes to hear and justly determine a judicable controversy is fearless impartiality, and any factor that destroys or bars such a state of mind pollutes the only source of humanly accomplished justice.⁶ An unjust

can Bar Association and a few "Ancient Precedents" in standards of judicial conduct. Pp. 259-76. Nine pages of notes, 11 pages of bibliography, and 12 pages of detailed indexing conclude the volume of only 310 pages, a volume much smaller than its relative significance.

³ Joseph Borkin is the author of a number of scholarly treatises and discourses, e.g., Borkin, "Patent Abuses, Compulsion To License and Recent Decisions," 43 Column. L. Rev. 720 (1943); Borkin, "The Patent Infringement Suit—Ordeal by Trial," 17 U. Chi. L. Rev. 634 (1950), and served in the Antitrust Division of the Department of Justice during the presidency of Franklin D. Roosevelt. He participated in the legal battles involved in the bankruptcy of the Missouri Pacific Railroad and the proxy contests for control of the Allegheny Corporation and the New York Central Railroad.

⁴ Pp. 7-22.

⁵ P. 9.

⁶ Moses addressing his people about 3,500 years ago, counseled them thus: "You shall appoint judges and officers in all your towns . . . and they shall judge the people with righteous judgment. You shall not pervert justice; you shall not show partiality; and you shall not take a bribe, for a bribe blinds the eyes of the wise and subverts the cause of the righteous. Justice, and only justice, you shall follow." Deuteronomy 16: 18-20 (Revised standard version).

About 2,700 years ago, the Prophet Micah, warning the people of Israel against moral corruption, declaimed: "[T]he prince and the judge ask for a bribe." Micah 7:3 (Revised standard version). And he exhorted: "[W]hat doth the Lord require of you but to

decision resulting from such pollution is a corrupt decision regardless of how innocent of criminality the trier may have been.

Criminally corrupt judges are, of course, a rarity, although if gathered from all the ages and climes of jurisprudence such judges might fill a large museum. But the corrupt decision, as I have defined it, is not nearly so rare. Although relatively isolated, it is far more common than would be possible in a perfectly healthy and enlightened climate of judicial idealism.

To recognize the occurrence, however infrequent, of the corrupt decision is to identify a symptom of organic or functional weakness and evil in our judicial regime. Questions of cause and remedy become crucial. Why do injustice and wrong ever flow from the instruments of justice and what can be done to prevent such perversions are questions for which we ought earnestly to seek answers.

Author Borkin does not attempt to pinpoint any cause of judicial corruption, and the specific cases he reports would support no sound generalization. He is unequivocally critical of our constitutional reliance on impeachment as the sole means of removing an unfit judge. Borkin states: "Impeachment is a costly, complicated, and cumbersome removal process, initiated rarely and then only with the greatest reluctance. . . . In the main, however, an examination of the evidence in the history of impeachment of judges would indicate its failure. It has protected neither the public interest nor the rights of the accused."⁷

In his final chapter, "A Proposal,"⁸ the author, expressing his conviction that the judiciary should carry the responsibility for keeping its own house clean, proposes that "the Supreme Court, under its rulemaking power, require statements from all circuit and district court judges regarding their extrajudicial business activities."⁹ He supports his proposal with the following paragraph concerning the question of causation:

"One clear-cut conclusion emerges from the study of the judicial misconduct of Judges Manton, Davis, and Johnson. Unsettled economic conditions, particularly those associated with a depression, coupled with a deteriorating state of a judge's financial condition, produce a climate in which judicial corruption can flourish. But the corruption involved did not arrive in full bloom. Instead, it had a discernible evolution. What began as modest private investment and reasonable speculation in securities and real estate grew to such proportions that they not only challenged the canons of judicial ethics but led ultimately to fiscal disaster. The pressure of creditors, plus attempts to recoup, led to ever deeper involvement, to bolder forays into the business arena, until even the semblance of propriety disappeared. Desperation became a colleague. Not only were these judges easy marks for corruptors but they themselves were driven to place their judicial function on the market, to go on the prowl, as it were, for susceptible litigants and lawyers."¹⁰

The author of "The Corrupt Judge" might have pointed to and emphasized one underlying cause of corruption and pollution in judicial decisions: climate, the prevailing atmosphere and public attitudes in the realm of practical politics in respect to judicial qualification, responsibility, and ethical

do justice, and to love kindness, and to walk humbly with your God?" Id. 6:8.

About 2,500 years ago Confucius fervently preached the doctrine of government by good example. "Ruling is straightening." Editors of Life, "The World's Great Religions" 106-07 (1957).

⁷ Pp. 193-194.

⁸ Pp. 205-210.

⁹ P. 208.

¹⁰ Pp. 207-208.

standards and the capacity or lack of capacity of the bar, the press, and the general public for intelligent indignation. However, Borkin does state: "A judge cannot be corrupt alone. For every corrupt judge studied, there were inevitable corruptors. They consisted most frequently of lawyers and clients, trustees and receivers, clerks and assistants, rapacious 'finders' and predatory intermediaries."¹¹

The climate in which only dedicated, selfless, and unshakably honest men are elevated to the awesome position of judging others cannot exist where judicial appointments are pieces on a chessboard played in a game of political ambition and negotiation, played to curry favor, buy and reward support, and provide consideration for maneuvers and deals. It cannot exist where a powerful pressure group can demand and receive for its campaign support a voice in the appointment of judges, a voice which asks not for honored preeminence in the legal profession but only that the appointee have views and bias favorable to it. It cannot exist where no thought is given to rewarding, honoring, or recognizing long, outstanding, highly respected achievement in the practice of law or in any area of jurisprudence and where often those who seek and obtain a judicial appointment do so only to satisfy a yen for its prestige or to obtain a job or to compensate for a sense of inferiority, with no concept of selfless dedication of superior knowledge, ability, and character to the service of justice.

That Borkin's book is more than a parcel of scandalous history and probably was intended to sound a timely tocsin is strikingly evidenced by an extended article in the Wall Street Journal captioned "Judges in Business." The opening lines state that "Federal judges in substantial numbers have moved into a no-man's land of judicial ethics by accepting jobs as directors of corporations, banks, and insurance companies."¹² One judge mentioned in the article received \$111,425 over a period of 13 years for his services as a director of a life insurance company. In one particular year he was the company's most active board member, receiving \$11,900 for services rendered. "To earn that sum he must have attended 119 meetings (at the rate of \$100 each), or one meeting every other working day of the year."¹³ No accusation is made that the judge was improperly influenced in any decision.

If "The Corrupt Judge" is regarded as simply the report of a thorough, conscientious investigation, of search for truth for the sake of truth, it invites no criticism or constructive suggestion. But the author himself, as above pointed out, goes beyond so limited a purpose and offers a proposal. To provide reason for that proposal, he states his analysis of the course of economic pressures and temptations that resulted in consummate corruption.¹⁴ This treatment, in my appraisal, is only an explanation of the downfall of three particular judges and provides no clue to a preventive program designed to obstruct the occurrence of the corrupt judge and the corrupt decision. The author's proposal that the financial investments of Federal judges be monitored by the Supreme Court is, in my judgment, superficial and would be generally and justly disliked by Federal judges. They or some of them surely would ask: "Who shall monitor the use of time, energy, and money by the Supreme Court Justices, and who among us has the virtue and the right to discriminate authoritatively between one judge's use of his personal resources and another's?"

In looking for a program to elevate and enlighten the judicial function of our Government, we first should ask and answer two questions: (1) What is the judicial function? (2) What kind of person do we want to have control over that function?

It should not be necessary to remind ourselves that in our form of government the judicial function is not to establish social, legislative, economic, or political policy. The judicial function is to find the facts in a litigated controversy and to apply to those facts the law that actually exists or that did exist when the events in question took place. The person whom we want to have control over that function ought to possess these qualifications: (1) A superior knowledge and understanding of the law; (2) ideally, if not necessarily, a sufficiently extensive experience in the actual practice of law to have exposed himself to the meaning of the law to private citizens, corporations, institutions, and other associations, and to know and appreciate the work, problems, and points of view of lawyers engaged in private practice; (3) a thorough knowledge of, and a genuine sympathy with, the most enlightened judicial ethics and the highest standards of judicial conduct; (4) exemplary strength of moral character with proved integrity and courage; (5) adequate practical experience with human nature and its reactions and general behavior in the affairs of a workaday world to have gained more than ordinary skill in distinguishing truth from falsehood; (6) the intention of unconditional dedication of his thought, energy, and ability to the faithful performance of the judicial duties.

We have in our country numerous lawyers with all these qualifications. If all the judicial offices in the land were to become vacant overnight, we could fill them tomorrow with lawyers such as I have described if we had a procedure for finding them, authority to commission them, and the enlightened intent to do both. As of now, the best hope for accomplishing so sensible an objective lies in a method which has come to be known as the Missouri plan.¹⁵ Its essential feature provides for the establishment of a nonpartisan commission to be as free as practicable from any motivation extraneous to the business of selecting qualified persons for judicial office. When a vacancy in judicial office occurs, the commission has the responsibility to go forth and find a certain number of persons, usually three, who are well qualified to hold the office and who will accept it if appointed. Finally, it provides that one of the persons so selected must be appointed to the office by the appointing power.

Many years ago I wrote a thesis defining and advocating what I believe to be an even better method. The plan called for the establishment and administration of a course of study by a body that could be composed of educators from the law schools, of lawyers selected by the State bar or by bar associations, or of both legal educators and lawyers. The course would be designed for lawyers who aspired to judicial office and those who, without such an aspiration, would be willing to accept judicial appointment. The course would be handled in the manner of a typical correspondence course so that a lawyer could fit the studies to his own schedule, could determine his own rate of progress with a view to completion within a prescribed number of years, and could give himself self-testing examinations but would be required to devote a few days to final examinations prepared and supervised by the administering body.

The curriculum might wisely include courses in judicial ethics, evidence, pleading, and other phases of adjective law, constitutional law, history of the United States, writ-

ing, logic, and at least an introduction to accounting. Enrollment would be restricted to lawyers with a specified number of years of experience in active practice, of good professional standing, and of good moral character. Only those who had completed the course and passed the final examinations with satisfactory grades would be eligible for appointment to a judicial office above that of justice of the peace.

This plan is not based on the proposition that a first-rate lawyer who has practiced law for many years needs to take such a course of study to be qualified for judicial office. It is based on the propositions that it would provide an efficient and fair method for eliminating the unfit, that it would provide a channel for and evidence of the unselfish dedication that must constitute the base for the performance of the judicial function, that it would identify and bring into the known number of well-qualified persons the modest and extraordinarily efficient lawyer who seeks no publicity and strives for no prominence in professional or political organizations or activities, that it would remove judicial office as a pawn from the game board of partisan and pressure politics, and that it would make even the first-rate, richly experienced lawyer better qualified to undertake the responsibilities of judicial office and better prepared to clothe himself in the judicial temperament.

WILLIAM J. PALMER.¹⁶

[From the New York Times, Dec. 9, 1962]
WHEN HIS HONOR TURNS OUT TO BE A MAN
WITHOUT HONOR

(By Estes Kefauver)

"The Corrupt Judge," by Joseph Borkin, 310 pages, New York: Clarkson N. Potter, \$6.

Under our delicately balanced system of government, the judge plays a singular role, in keeping with the doctrine of judicial supremacy. Figuratively and literally, he has been placed on a pedestal above the rest of us. No matter how wise the laws drafted by the legislature, or how effectively enforced by the executive, it is the judge on whom we must depend in the final analysis for impartial administration of justice.

Are all judges honest? Though it appears that the vast majority are, perfection would be too much to expect of all. What disturbs me is that the general public is only vaguely aware of the few specific instances where judges have soiled their hands. Though the facts are widely known in legal circles, there seems to be a dearth of public knowledge or discussion of judicial corruption. Joseph Borkin's work on the subject, "The Corrupt Judge," is an eye-opening shocker.

What is responsible for this "conspiracy" of silence? I have frequently noted with regret that the legal profession is loath to dwell on past examples of corruption. Apparently, lawyers tempted to refer to judicial corruptibility believe they would be considered indiscreet by their colleagues—and worse, that clients may be frightened away.

Even more unfortunate, and damaging to the democratic process, is the unwillingness of lawyers to help the authorities by testifying about their knowledge of corruption. The reason for this, of course, lies in fear of retaliation. Borkin quotes Emerson's famous remark to Justice Holmes: "If you shoot at a king, you must kill him." If you don't, there are insidious ways in which he can react on you and your clients. Because so little is written on this subject, except in professional journals, I am especially pleased that a man of Borkin's background and scholarship (he is a former Department

¹¹ P. 15.

¹² Landauer, "Judges in Business," Wall Street Journal, May 2, 1963, p. 1, col. 1.

¹³ *Ibid.*

¹⁴ See text accompanying note 10 supra.

¹⁵ Mo. Const., art. V, secs. 29(a)-(g).

¹⁶ B.A. 1912, J.D. 1914, University of Southern California. Judge, Superior Court of California in and for the county of Los Angeles, 1932-62.

of Justice attorney and a writer on legal and cultural subjects) has made these facts and views available to the general public.

What type of judge is corruptible? Analyzing 32 cases of Federal judges under congressional inquiry for financial manipulation, biased rulings, intoxication, etc., he finds no single pattern. Their backgrounds range from theological seminaries to Tammany politics; from honor graduates and trustees of great universities to associates of gangsters.

Borkin makes the important point that judicial corruption is often connected with economic downturns: "the greatest incidence of corrupt judges, lawyers, businessmen, and fixers makes its appearance as part of the debris of a business depression." It is then that desperate financial interests bring great pressures to bear, and a few judges succumb. Fittingly, figures show that more charges of misconduct are brought in the field of bankruptcy than all others combined.

One of Borkin's conclusions—a grave charge if true, and he supports it with facts—is that "an atmosphere of inequality and caste" exists in the more flagrant cases of corruption. He goes on, "One cannot observe the evidence in these cases without being struck by the selective application of the (judicial) canons, with one code for the Brahmins of the law and another for its lesser servants, with a soft impeachment for knavery on the grand scale and a swift, harsh discipline for the fumbblings of the petty shyster."

My own experience would seem to bear this out. One instance comes to mind. Some years ago I sent a transcript containing documentation of unquestioned corruption to the Association of the Bar of New York City and accompanied it with a letter requesting that disciplinary action be taken against an attorney who had bribed a judge. The man in question was a very prominent "Brahmin." I was not even given the courtesy of a reply. Had he been of lesser stature, I am sure the response would have been prompt and affirmative.

The major part of the book is devoted to a dissection of three celebrated cases, all of which took place in the thirties and forties, involving Federal Circuit Court Judges Martin T. Manton and J. Warren Davis and Federal District Court Judge Albert W. Johnson of Pennsylvania. These are outstanding examples of judicial corruption on the grand scale. Manton and Davis both had the very highest of reputations and became the first two senior Federal judges ever criminally indicted for corruption. The three came from widely dissimilar backgrounds. Manton, a poor Brooklyn youth, worked his way through law school and began a negligence-case practice. Davis, a North Carolinian, was a scholar and minister before turning to the law. Johnson was a Pennsylvanian of dubious competence who began as a teacher and soon entered State politics. Their experiences prove that temptation may lead to downfall in the most brilliant as well as the most mediocre of careers.

Manton resigned under pressure in 1939 after then District Attorney Thomas E. Dewey charged him with judicial corruption of the "lowest order—employing fixers, engaging in corrupt bankruptcy proceedings," and so on. Davis resigned in 1941 under suspicion of bribery and the obstruction of justice. Johnson resigned in 1945 under charges of bribery, sale of court offices, biased rulings and judicial conduct that was "generally tainted with fraud."

If Borkin's recital of the facts of judicial corruption exhibit a courage rare even among legal scholars, his remedy does not shrink from recommending what is necessary. Borkin's proposal would require all district and circuit court judges to file with the Supreme Court a full statement of their finan-

cial status, with a special master to act for the court in assuring compliance. This recommendation may very well become law after the next Congress. I intend to introduce it as an amendment to the conflict of interest statute.

"The Corrupt Judge" is truly a blockbuster. I hope it will help pull aside the ermine curtain that has been discreetly held over this entire subject.

NEW LOOPHOLE IN TAX BILL

Mr. DOUGLAS. Mr. President, the Members of the Senate should be on notice that there is one provision in the tax bill, which I am told may be reported to the Senate today, which the Senate and the public should know about. This provision prevents the Federal regulatory agencies from passing through to the consumers the tax savings the utilities make as a result of the investment credit.

What in effect it says is that we will allow the utilities to count as a tax cost or a tax expense what is really a tax savings or a tax gain. If the provisions of this section 202(e), are followed by the State regulatory commissions as well as the Federal commissions—as I am sure they will be—the cost to consumers in this country will initially be from \$600 to \$700 million a year, and will average about \$1 billion a year over the next 3 years.

This provision should be eliminated from the tax bill because it is a new loophole favoring a few people in an unjustified way.

I ask unanimous consent that an article by Rice Odell from the Washington Daily News for Monday, January 13, 1964, be printed in the RECORD.

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

FINANCE COMMITTEE MAY VOTE TODAY—TAX BILL LOOPHOLE MEANS MILLIONS TO THE UTILITIES

(By Rice Odell)

The Senate Finance Committee is expected to vote today on an amendment to the tax bill which would open an obscure but gaping hole through which large utility companies could haul many millions of dollars.

The amendment, which could affect nearly everyone in the country, has been heaped with abuse.

One of the country's leading authorities on public utilities has called it outrageous and a gross piece of unfairness to the consuming public.

It has also been attacked as ridiculous and an improper exercise of congressional power.

POLITICS

Indeed, partly underlying the amendment is a political power struggle between elements of Congress and the Federal regulatory agencies—or "those people downtown," as one Congressman referred to them.

In any case, the amendment will probably be either retained or thrown out of the bill by a single vote margin in the 17-member Finance Committee.

The story behind the amendment begins in 1962 when Congress passed the investment tax credit, an inducement for firms to invest in new plant and equipment.

Utilities were included at either a 7- or 3-percent rate—meaning they could lower their Federal income tax bill by either \$7 or \$3 for every \$100 so invested.

Since utilities generally have huge and continuing investments of this nature (to

keep up with increased consumer demand for gas, electricity, transportation, and the like), such tax savings have been making a great deal more money available to the companies.

THE KEY

Then came the key question: Does such money properly belong to the company and its stockholders, or should it be passed on immediately to the customers in the form of lower rates?

To put it another way, should the companies continue to charge tax expenses to consumers as if they were paying full taxes and use the money as they see fit (including tax-free dividends to investors), or should actual tax savings be "flowed through" directly to net profits, with a possible reduction in consumer rates?

Accountants disagreed, and still do. Controversy has spread throughout the public utility field. In any case, the first major decision on the matter came from the Federal Communications Commission.

RULING

Last July 31, in a 4-to-3 vote, the FCC prescribed "flow through" for the utilities under its jurisdiction, thus ruling in the consumers' favor.

The Federal Power Commission set hearings on the question. Though it hasn't acted, its staff has recommended the same position as the FCC.

That was the time for Congress to step in. Some Members didn't like what the regulatory agencies were doing.

"It's not up to them to decide what Congress meant (when it passed the investment tax credit)," one said.

"They were telling us," he added.

REMEDY

The remedy chosen was an amendment to the tax bill, introduced in the House Ways and Means Committee.

Sponsored by Representative CLARK W. THOMPSON, Democrat, of Texas, it has been called the pipeline amendment because it particularly benefits the natural gas pipeline companies.

Specifically, the amendment would prohibit Federal regulatory agencies from doing what they had started to do—namely, forcing utilities to pass on their tax savings to consumers.

Such a boon is the amendment to big investors in new plant, that one large gas transmission company has reportedly held up a huge expansion program to await favorable congressional action.

FPC Chairman Joseph Swidler later testified before the Senate Finance Committee that if investment credit savings were passed on to electricity and gas consumers, it would mean a benefit of almost \$300 million a year to them.

Others have estimated that the yearly amount at stake would start at \$60 million and soon reach \$1 billion.

APPROVED

In any case, the Thompson amendment passed the Ways and Means Committee. There have been several explanations why. One man close to the committee said he believes that "only about four or five of its members understood the section."

It has also been charged that Ways and Means gave Representative THOMPSON his amendment in exchange for his vote on the administration's pet proposal to repeal the dividend credit, a measure he had opposed and which eventually needed his crucial vote to get through the committee.

CHOICE

"There was no deal of any kind," Representative THOMPSON said.

He said he changed his mind after "considerable deliberation"—and to choose between the dividend credit and a reduction in

rates for high income tax brackets, since "it was obvious we couldn't have both."

Members of Ways and Means received critical comments on the investment credit amendment from several regulatory agencies. But it passed both the committee and the House, and went to the Senate Finance Committee, which late last year at least took the trouble to invite witnesses to an open hearing.

Throughout the dispute, one hoary phrase has been repeated by both sides: The "intent of Congress" in providing the investment credit in the first place.

Proindustry men claim it was passed in 1962 solely to stimulate new investment and cost. Attempts to pass the benefits on to consumers—such agencies—are "clearly contrary to the intent of Congress," they say, and would negate the stimulative effect of the credit.

Proconsumer groups cite the House committee report of 1962, which says the smaller 3-percent credit was given to some utilities because much of the benefit would probably be passed on to consumers anyway.

They also point to the late Senator Robert Kerr, Democrat, of Oklahoma's statements to the same effect in a floor debate with Senator WILLIAM PROXMIER, Democrat, of Wisconsin.

RECAITED

Representative THOMPSON, however, states that, in spite of these comments, the last word on the matter came from the conference committee, and that there Senator Kerr's position was based solely on the investment stimulant.

Any discussion of the treatment of investment tax credit raises an even thornier question in the minds of many people:

Why do most utilities need such a credit at all?

The question was debated vehemently when Congress decided in 1962 to include utilities in the investment credit coverage.

SUBSIDY

Representative AL ULLMAN, Democrat, of Oregon, said it is "nothing more than a subsidy." Both he and Treasury Secretary Douglas Dillon, among others, said the credit does not and has not induced capital spending by utilities. The evidence supports this judgment.

However, there is, no doubt, at least some logic in Representative THOMPSON's view that pipeline companies—because they compete with other utilities and transportation industries—should get the same investment advantages as those other companies.

But the investment credit was applied to all utilities (though to some in a lesser amount), in spite of the fact that most of them gear their investment solely to demand for their services, which they are dutybound to provide anyway.

GROWTH FACTOR

Thus they need no such incentive. As Mr. Swidler told the Senate committee:

"In the utility business, which sells only one commodity, which does not have annual changes of style or packaging, and which does not have new products for which provision must be made each year, the investment in plant, by and large, is controlled by one factor—growth."

Chairman E. William Henry, speaking for the majority of the FCC, wrote the House committee that, in any case, investment credit savings to a company would be passed on to the customers only if it brought the company's earnings above the level set by the regulatory body involved.

"Since, by definition," he said, "a company at that level is already making enough to stimulate investment, that's a main criterion for setting the level in the first place, the passing along of any excess to the customer at that point is not in conflict with Con-

gress intent in enacting the investment tax credit."

(It is interesting to note that at least one utility, American Electric Power Co., has voluntarily used the credit's tax savings as a reason for reducing its rates for consumers.)

DOUBLE BLOW

So, to many critics, the new amendment forbidding regulatory bodies from passing investment credit savings on to consumers is compounding one unfair subsidy with another.

Not only that, but when the tax bill got to the Senate committee, two more amendments were offered which would sweeten the utility pot even more.

Senator WALLACE F. BENNETT, Republican, of Utah, proposed that Federal agencies be prevented from forcing utilities to pass on to consumers the tax savings enjoyed by them from liberalized depreciation and other fast writeoffs.

Senator EVERETT DIRKSEN, Republican, of Illinois, made a pro-utility suggestion involving consolidated tax returns—which would nullify an FPC practice.

It is true that any of the three amendments, if passed, would apply only to the interstate companies which come under Federal regulation. And nearly all of the private electric power generated in the country, for example, is intrastate and thus subject to State regulation only.

FILTER EFFECT

However, the effect of such action by Congress would probably filter down to many of the States. It would be used as a precedent by utilities arguing before State regulators, and some State commissions have specifically said they were waiting for some Federal guideline before deciding how to handle the investment credit savings.

There have been two other major arguments against Representative THOMPSON's "pipeline" proposal:

Since it is a ratemaking utility provision, it has no place in a revenue bill at all.

It usurps the proper function of regulatory agencies, who are in the best position to determine proper handling of the credit. As Mr. Henry put it: "Our chief concern with the bill is the manner in which we believe it restricts our discretion ratemaking situation on its own merits."

Such restriction, of course, is exactly what Mr. THOMPSON and his colleagues have in mind.

FOOD FOR PEACE SCORES REAL ACCOMPLISHMENTS

Mr. MCGOVERN. Mr. President, the food-for-peace program since its inception has scored many dramatic successes. This humanitarian effort on the part of our Nation to make constructive use of our agricultural abundance proves its value every day.

From time to time over the last year or so I have had a chance to read the monthly newsletter, Food for Peace, issued by the food-for-peace office in the White House. I have noted in nearly every issue a summary of another success scored by food for peace. I would call my colleagues attention to some of these items because they set forth what this program is doing throughout the world to put food in the mouths of hungry children, to help develop new markets for American farm products, to combat hunger which is the breeder of unrest, and to make constructive use of the products of our farms.

I ask unanimous consent that a series of excerpts from past issues of the Food

for Peace bulletin be printed at this point in the RECORD.

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

FOOD-FOR-PEACE PROJECTS

Costa Rica, with continuing emphasis on education, has taken new steps under *Allianza para los Niños* program to improve quality and quantity of food now being given to approximately 85,000 needy Costa Rican school-children * * *. More than a half-million dollars of food-for-peace butter and cheese were approved last month for the Central American country. * * * Plans are to expand number of recipients during next school year to an estimated 200,000 students.

The largest single food-for-peace program has been a success. This is the good news brought to the United States by India's Minister of Food and Agriculture S. K. Patil. * * * He said the 4-year agreement signed in 1960 had been of inestimable value to development efforts of India. * * * Minister Patil noted that Public Law 480 had been of great benefit in helping India's own agricultural production move forward, in meeting needs for current consumption, in maintaining stability of prices of agricultural commodities, and in assisting in the buildup of buffer stocks. The Minister said that when present agreement comes to an end in June 1964, India would require a much smaller program.

New title II program has been approved to reduce dire shortage of animal protein in diets of people of Dominican Republic. * * * Low income Dominican farmers will receive food-for-peace commodities to help them increase production of hogs and poultry in a move to ease the country's shortage of animal protein foods. * * * Approximately 1,500 farmers in the lowest income bracket will benefit. * * * Most normally maintain only a few free-ranging hogs and chickens. * * * The food-for-peace grain is expected to enable a small poultry farmer to expand his flock to 300 birds and a small hog farmer to maintain up to 20 head of swine. Making feeds available cheaply will induce small farmers to produce hogs and chickens for market and for their own family use. It will increase the amount of animal protein available to the Dominican people, increase the incomes of farmers, and expand the market for feeds, thereby expanding the local market for corn. * * * The Peace Corps plans to assign volunteers to work with the small farmers in the program. A Heifer project poultry adviser and an AID livestock adviser also will assist part time.

A new school lunch program, recently signed with Israel, includes takeover date for the Israel Government. Five-year program is based on formula in which there are sizeable increases of U.S. shipments for first 3 years and then gradual decline for the next 2 as the Israelis slowly take over the program. At the conclusion of the 5-year agreement, the United States will bow out and leave a large continuing program.

Seven surplus 1½-ton army trucks rolled out of the Schenectady, N.Y., Army Depot last month, en route to El Salvador and the recently initiated Alliance for Progress child-feeding program there. * * * The trucks, the first of 66 assigned to the Latin American programs, were rehabilitated at the depot under AID's excess property utilization program. Total cost for the first group was \$6,300, less than a fifth of the estimated open market purchase price. * * * AID Assistant Administrator Herbert Waters pointed out at the "christening" ceremony that the trucks will be used by El Salvador to transport food-for-peace commodities to a quarter of a million children in 2,650 schools. * * * An additional 59 vehicles from excess property stocks have been reserved for other projects. * * * Requests have been received

from Guatemala, Ecuador, Brazil, Peru, and Mexico, the latter two having already been approved. * * * The excess property trucks granted to Mexico alone will enable an additional 1 million children to benefit from the program.

U.S. food for peace—1,400 tons of it—will help Bolivia in three major self-help projects. These include (1) food for wages for the builders of 100 more rural schools, (2) similar payment to those constructing badly needed "fair weather roads," and (3) food subsidization of 1,500 Altiplano families (until their new land is brought into production) who have recently colonized an area opened up by a newly completed road. Settlers will volunteer time to build schools, medical posts, and roads. They will be assisted by 1,000 military conscriptees, who also will be receiving food-for-peace commodities.

The food-for-peace program penetrated the southernmost tip of South America last month, bringing new hope and life to the needy inhabitants of some of the loneliest outposts of civilization. The Yaghan Indians, who live within 500 miles of Antarctica, began receiving their foods only after Chilean Navy tugboats and sailing cutters conquered the treacherous channels and maze of islands that extend south from the Strait of Magellan.

Food for peace played its usual major role in the emergency operations following the recent Caribbean hurricane. The path of Hurricane Flora was hurriedly traced by U.S. help. Food was airlifted into Tobago from U.S. naval bases in Trinidad and Puerto Rico. * * * In Martinique, food and other emergency supplies were flown from the existing stocks of the Catholic Relief Services. * * * And in Haiti, victims of the disaster were being fed from stocks of three voluntary agencies—CARE, Church World Service, and Catholic Relief Services. The U.S. Navy provided helicopter airlift support as well as Operation Handclasp supplies. Handclasp director, Comdr. "Hoppy" Hanson, personally visited the scene and returned with high praise for the job being done by U.S. voluntary agencies operating in Haiti.

The largest "Cooley" loan in history was recently authorized by AID for the construction of a badly needed fertilizer plant in India. The \$17.5 million loan—along with a \$27 million Export-Import Bank dollar loan—constitutes the largest financing of any private project in India.

The CCC-type Youth Corps reforestation program is now off the ground in the Philippines. * * * AID plans a circular to the field encouraging similar projects in other countries.

Food for peace is being used in training stimulus in Dahomey. Their men are being taught carpentry—at the same time fixing and making furniture for the Government—and being paid in food. * * * In another project in Dahomey, 900 workers are developing an experimental teak and cashew plantation. They receive part wages in food. Other project costs are paid for in Italian lira, which the United States had received from earlier local currency food sales to Italy.

A radio school piped into 46 villages is the focal point for a new food-for-work project in Ecuador. There, villages receive, by radio, guidance and practical instruction on how to build badly needed facilities. They then are given food for their labor in constructing projects like community ovens, washing stations, and latrines.

The first title IV (dollar credit) sale to Paraguay has just been made to improve that country's milk supply. Dairy producers will be provided with a powdered preparation which, when mixed with water, can be fed to calves in lieu of whole milk. Use of

this substitute will release whole milk for human consumption.

Outlook for Operation Ninos: In the coming year, more emphasis will be placed on reaching preschool children and on developing school gardens as a source of supplementary foods; also, a sizable increase in mobile demonstration units is planned. * * * Ninos is now operating in more than 150,000 schools. * * * The number of children to be fed in the next 9 to 10 months is expected to jump by 2 or 3 million.

A new "first" in the food-for-peace program is the registration of the American Institute for Free Labor Development as a voluntary agency under AID. The AIFLD, started by the AFL-CIO in June 1962, is the first certified voluntary agency which expects to carry on food projects through free labor organizations in other countries, especially Latin America. FFP projects under titles II and III of Public Law 480 will be carried out under the direction of Joseph J. Palisi, who formerly served with Catholic Relief Services in Mexico. Palisi has been on an extended tour of Latin American countries surveying possibilities for the distribution of food through trade union outlets, using food in works projects, and other food programs designed to relieve unemployment and underemployment and give "muscle" to the Alliance for Progress. The AIFLD recently made headlines by financing a \$10 million apartment project in Mexico City on a worker-to-worker loan basis.

The sleepy Ecuadorian town of Esmeraldas (population 40,000) is going to be put on the map in a unique "impact" plan of local development. Conceived by the AID mission in Ecuador, the "town plan" works this way: All local representatives of U.S. Government agencies, including AID, FFP, and the Peace Corps, as well as of voluntary agencies meet with local government officials to size up the town's problems and prepare a plan, with priorities, for overcoming them. Then, all resources—local and external—are combined in a way that will result in an immediate impact. Food for peace is expected to play a key role in the plan, with concurrent child-feeding, relief-feeding and food-for-work projects. The "town plan" will later be tried in other towns in Ecuador.

Public Law 480 cornmeal distributed by Catholic Relief Services to famine victims in southern Upper Volta may indirectly mean a bigger harvest in the region next year. A report by Dr. Brooks Ryder, of the American Embassy, Ouagadougou, notes that the cornmeal was distributed when local food stocks were at their lowest and when workers most needed extra calories to meet the heavy physical demands of the planting season. Dr. Ryder concludes: "It may well be that the U.S. cornmeal, by increasing the efficiency of the workers at a critical time, will have assisted in producing a bigger crop of foodstuffs for the coming year; hence, the ultimate effect of the cornmeal distribution program may be felt throughout the coming year."

Proceeds from food-for-peace sales to Bolivia are helping to finance a new shirt factory in La Paz. Bolivian President Victor Paz Estenssoro took part in ceremonies opening the plant, which will make shirts under license from an American company. The shirts will sell for less than contraband imports and thus may help curb smuggling.

Two blending machines will soon be turning out whole milk for child-feeding programs in Latin America, thanks to Russell E. Baum, of Merion, Pa. Baum donated the machines to AID through the Academy of Food Marketing, a member organization of the American Food for Peace Council. They will be used to blend butter or butter oil with dry skim milk and water to provide whole milk for AID programs in Brazil and Ecuador.

U.S. COAL RESERVES OVER 753 BILLION TONS

Mr. BYRD of West Virginia. Mr. President, the U.S. Geological Survey has estimated that the known coal reserves of the United States are 753,142 million metric tons, according to a recent article in the Welch, W. Va., Daily News. This is a reassuring statement for coal-producing States, such as my State of West Virginia, and for the hundreds of thousands of persons engaged in coal associated industries, for it means that there will be no shortage of coal for many years to come.

Mr. President, I ask unanimous consent that this article from the Welch Daily News be printed in the RECORD.

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

RESERVES OF 753 BILLION METRIC TONS

Despite the many millions of tons of coal that have been mined from the large coal beds of the United States, there will be no shortage for years, according to Raymond E. Salvati and Stephen F. Dunn, Island Creek Coal Co. official and president of the National Coal Association, respectively.

The men said in an address prepared for the International Coal Conference in Tokyo, Japan, that the coal reserves of the United States are ample for any demand on them for many years to come. The U.S. Geological Survey estimates the recoverable reserves of coal to be 753,142 million metric tons, and the United States is fortunately endowed with coal seams that are level and relatively thick, and therefore susceptible to mechanization. Our reserves of high-grade metallurgical coal can be produced for many years to come to aid the steel industries and the national economies of many nations.

Despite the domestic and foreign demands on our deposits of true coking coal, the Bureau of Mines recently surveyed coal deposits in West Virginia, Pennsylvania, Kentucky, Virginia, and Tennessee, and found approximately 11,978 million metric tons of measured coking coal.

This includes only coal in seams more than 106 centimeters thick, containing no more than 1.25 percent sulfur and 8 percent ash, either as mined or after conventional washing, and assumes only a 50-percent recovery of the coal in place. More than 11 percent of this total is low-volatile coal, and a slightly larger amount is medium-volatile.

Nor is this the whole story, for the Bureau of Mines says that practically all coals east of the Mississippi River are potential coking coals, with proper beneficiation. That amounts to 219,258 million metric tons.

Constantly improved blending techniques and changing blast furnace technology have reduced the requirement for coking coal per ton of steel produced. Injection of coal into blast furnaces permits to some extent the substitution of ordinary coals for coke.

Thus, we see no shortage of metallurgical coal to supply not only our own steel industry but those of friendly nations which need the help of our high-quality coals.

About 88 percent of the 753,142 million metric tons of U.S. coal reserves lies at a depth of 305 meters or less; 10 percent between 305 and 610 meters; and 2 percent deeper than 610 meters. This may well indicate not a lack of coal at greater depths, but a lack of geologic information.

For example, Island Creek Coal Co. is engaged in a joint venture with Republic Steel Corp., a major producer of steel, in developing a seam of excellent metallurgical coal at a depth of 397 meters. This is the Beatrice mine of the Beatrice Pocahontas Co. It will

produce more than 1,089,000 metric tons annually of low-volatile, low-sulfur, low-ash Pocahontas No. 3 seam coal.

This is the deepest mine in the United States, but much greater depths are commonplace in other coal-producing countries, and it may well be that at greater depths our coal reserves will be multiplied.

So far, we have discussed principally the conventional applications of coal as a fuel. But there are challenging prospects for new uses of coal, both as fuel and as a chemical raw material. Our industry has lagged in an adequate research program to develop coal's potentialities, but there is a new interest sweeping the industry. Research programs, though still modest in scope, are underway in many areas.

As we all know, it is possible to produce a heating gas from coal by various processes; in the United States the price of natural gas renders this uneconomic, but it is quite likely that research will lower the cost enough to meet the competition of natural gas in many markets, since the price of gas at the well has been rising constantly.

One of our major coal companies is working with a big petroleum company on a means of producing high-octane gasoline from coal. Government-sponsored research is studying the prospect of producing synthetic crude oil from coal and moving the resultant char to market by pipeline in the liquids thus extracted; in other words, shipping coal in its own juice. A large electrical equipment company is studying the use of coal in solid electrolyte fuel cells for the generation of electricity.

The Bureau of Mines is testing methods for mining coal hydraulically, which leads to the idea of transporting coal out of the mine, cleaning it, and taking it to market by hydraulic means, without drying it anywhere in the process.

Fully automatic combustion equipment has been evolved which makes coal a more attractive fuel bargain for medium-sized boilerrooms. For instance, in the headquarters of the National Coal Association in Washington, D.C., two Coal-Pak automatic boiler stoker units both heat and air-condition the nine-story building. Their fully automatic operation over a wide range of loads is highly economical, and they are the features of a showplace boilerroom where neither a lump of coal nor a speck of dust is visible.

Constant progress in coal preparation has kept pace with advances in mechanization of the mines. Sixty-six percent of annual production is now mechanically cleaned. Modern preparation plants can produce coal in any size, cleaned, crushed, treated against dust and freezing, to the exact specifications of the consumer.

At the same time, there is a growing trend among large electric generating plants to consume run-of-mine coal, in equipment designed especially for that purpose, thereby reducing their fuel costs.

The U.S. coal industry has come through some hard times, and its problems are far from solved—but they are not insoluble. In almost every respect, the role of coal in the expanding energy market of the United States appears to be promising. In every major conventional market, the days of serious losses seem to be behind us, and indications are we will hold our own in some markets and make spectacular advances in others.

New methods of low-cost transportation are making coal an even bigger bargain. New methods of mining and new machines are increasing productive efficiency. Research is actively seeking new uses for coal both as a fuel and as a chemical raw material. Ample reserves assure us of a continuing supply of coal for our customers at home and abroad.

A bright future lies ahead—not a certainty, but a goal to be won—won by hard-working, imaginative, resolute men, men willing to gamble their money and their careers for such a future. We may have experienced an occasional shortage of customers in the past, but we have no shortage of determined men in the U.S. coal industry.

MODERNIZATION OF COAL MINING BRINGS DRAMATIC CHANGES

Mr. BYRD of West Virginia. Mr. President, the history of coal mining in the 20th century is a story of progressive mechanization of what were originally arduous and dangerous manual operations. My State of West Virginia is proud of the role our mines have played in bringing about the dramatic changes in the coal industry which have made us world leaders in this field. The story of this development is told in a recent article in the Welch (W. Va.) Daily News.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

GREAT STRIDES MADE IN MODERNIZING COAL MINING

Underground coal mining is a breeze compared to the damp, back-breaking pick-and-shovel work of even a century ago. For with the development of efficient, mechanized mining machines, the miner of today is a highly skilled technician rather than a common laborer.

The pick and the shovel and the hand drill were the only tools which the early miner had. Mules had been added to haul the coal-filled carts out of the mine so that he no longer had to handle this chore.

But mining was about the same. First the miner would kneel or lie on his side on the damp, dirty mine floor, breathing the dust-laden air, and swing his pick against the bottom of the coal until he had chopped out a slot or "kerf" across the bottom of the coal. This was done to control the breakage of the coal when it was shot down with explosives. You can easily realize how inefficient this was, and how hard, if you will lie down on the floor of your room or on top of your desk and try swinging your arms.

Next the miner would drill holes in the face of the coal, insert explosives in the holes and blast down the coal. After the dust and sickening powder smoke had cleared, he would move in with his hand shovel and load the cart; then hook up his mule and move the coal to the main haulage way where another mule took over.

The history of coal mining in the 20th century is a story of progressive mechanization of each of these hand operations—and later their elimination or combination—developed with an ultimate goal of providing a continuous flow of coal from seam to surface.

The carts were first replaced by mule-drawn mine cars operating on underground mine track which was similar to a small railroad track. Electric locomotives, or "mechanical mules," replaced the live animals (although some smaller mines still have them around). Conveyor systems were also developed to haul coal out of the mine.

The pick was first replaced around 1890 by a compressed air-driven punching machine which was, in turn, replaced by various cutting machines. Drills, too, were mechanized, first as a hand-held electric drill, then a heavier version of this unit, support-

ed by a steel jack propped against the roof and floor, and finally a still heavier version mounted on mobile machinery.

But as late as 1920, most of the loading was still done by hand. Several attempts were made to develop mechanical loading machines, some of which were accepted by a few mines and placed into operation. In fact, some of these are still in operation today. Not until Joseph F. Joy developed the first Joy loader with the "gathering arm" loading principle, however, did mechanical loading become practical for every mine, and any sort of continuity in the mining cycle become possible.

In 1922, the Joy loader was further changed into a unit mounted on crawler treads that moved like a tractor. This was the first mechanized coal unit to be freed from the limitations of the underground mine track; the first step in a trackless mining machine team. By 1929, many of these units were in operation and had thoroughly proved themselves in the field. So great a hold did they secure in mining that even today in many mines you will hear the operator of any loading machine referred to as the "Joy Operator."

The Joy loader, however, proved to be too efficient. The rest of the equipment could not keep up. Cutting machines were small and transported around the mine on small machine trucks, requiring a lot of time to load and unload in each room. The limitations of track prevented efficient spotting of mine cars to make use of the new loading potential.

Again Joy engineers went to work.

First they developed, in 1935, a universal coal cutter, mounted on track that could get in and out of the work area quickly, and that not only undercut, but also made cuts to a depth of 9 feet, and made similar cuts at the sides and top of the coal seam. A year later, in 1936, they developed an open-end, self-powered car on four rubber-tired wheels which they called a shuttle car. The car had a conveyor mounted on the floor which quickly distributed coal dumped in at the front, and quickly forced out the contents at a discharge point. The car could be quickly maneuvered in back of the loader, loaded, and "shuttled" to a discharge point while a second car moved in. By 1940, authoritative mining publications stated that the tonnage of coal was usually doubled by using shuttle cars in place of small mine cars to haul coal from the face to a central discharge point on the main haulage line.

Only the cutter remained on track. In 1942, Joy made the final step to complete trackless mining by placing its universal coal cutter on rubber-tired wheels.

Mechanized mining had come a long way. But it was still the mechanization of the same cycle used by the miner with his pick and shovel—undercut, drill, blast, and load. The time had come to put these operations together.

Many men had long since been working on such a dream. In fact the first prototype of the boring type mining machine—the Stanley Header—had been imported from England in 1888 for trial in Colorado and elsewhere, but was unsuccessful. The McKinley entry driver, a successor borer, was being tested in an Illinois mine at this time. They didn't succeed for a number of reasons. The present high alloy steels and excellent bearings had not been developed. Motors capable of driving such equipment were not available. The coal market at that time required a greater percentage of large size coal than it does at present. And there were few effective cleaning plants available—clean coal depended on using a man to remove foreign material that might occur in the seam.

So it was not until 1948 that the first practical continuous mining machine—the

Joy continuous miner—was available to the coal industry. It was based on an experimental machine made in 1946 by Carson Smith and Harold Silver in the Denver, Colo., area. Since that time, many other manufacturers have developed similar and other types of miners: Jeffrey, Goodman, Lee-Norse, and others.

This first Joy continuous miner eliminated the blasting and drilling; combined the cutting and loading. It moves up to the face on crawler treads under its own power, claws its way into the coal at the floor line to a depth of 24 inches, and tears out a path 42 inches wide upward from floor to roof with one sweep of its head. It then throws the coal over its shoulders into a self-contained conveyor which carries the coal to a flexible tailpiece and discharges it into waiting shuttle car or conveyor. Moving nothing but its head, it then pulls back, drops to the floor again, moves over, and scoops out another vertical path overlapping the first.

The operation is repeated until the machine has eaten through the small distance across the face. The whole machine then moves forward and the cycle repeated. One man operates this machine, and he controls it in safety under supported roof from a central station 15 feet back from the face.

Once again, however, production had stepped out ahead of the haulage, and once again Joy engineers had to work out better associated equipment to match a recent development. This time they came up with a special conveyor, called the Joy extensible belt conveyor, that extended and retracted to follow the needs of the continuous miner. The headpiece of the unit drives the belt and stores extra belting. It remains at a fixed discharge point on the main haulage conveyor. The tailpiece of the unit stays with the continuous miner as the latter eats its way into a room, and extends the belt as it goes to a maximum length of 1,000 feet. Specially designed portable conveyor support stands and idlers are added and taken out as needed while the belt is in operation.

Here, at last, is a true continuous mining system. Coal, torn out by the miner, is discharged onto the Joy extensible belt conveyor, carried to the main haulage belt, and taken out of the mine in one continuous stream.

The foregoing is but a brief highlighting of the progress made in recent years by the coal industry; almost to the point of automation. What's ahead is anybody's guess.

Already Joy is in process of developing a huge unit that looks like a parking garage on big tractor treads which will enable one man, sitting in a control station outside the mine, to mine coal up to 1,000 feet underground. Called the pushbutton miner, it holds a remotely controlled boring type continuous miner and a train of portable conveyors on the spiral track which surrounds the structure.

By pushing buttons, the operator can bring the miner and conveyor train down the track and into the coal operation on various recording instruments in front of him. Coal flows back over the conveyor train, onto an intermediate conveyor which is an integral part of the system, and is discharged on a main conveyor for delivery away from the mine site. Designed for use only at highway operation, after stripping has finished, it is already being viewed as a possibility for underground work.

FUTURE ENERGY TRENDS INDICATE INCREASED USE OF SOFT COAL

Mr. BYRD of West Virginia. Mr. President, it is an obvious fact that demands for electric power are increasing by leaps and bounds all over the world.

It is important for the Appalachian region and for my State of West Virginia to know how great a role bituminous coal will play in the generation of ever-greater supplies of electric power. According to a recent article in the *Welch, W. Va., Daily News*, which reports on findings of the International Coal Conference held in Tokyo, Japan, last year, coal will hold and increase its share of the energy market during the next 15 years.

Mr. President, I ask unanimous consent that this article from the *Welch Daily News* be printed in the *RECORD*.

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

RIISING WORLD MARKET FORESEEN FOR COAL AS ENERGY FUEL

Predicting the future of anything is an uncertain job, but all officials connected with the coal industry generally agree that the coal market of the future will be much greater than today.

Raymond E. Salvati, chairman of the board of Island Creek Coal Co., in a report to the International Coal Conference, Tokyo, Japan, in October of 1963 said:

"Forecasting future energy trends and the share of the market for each fuel is a hazardous venture. A number of intangibles increase the risk of error. It is certain the energy demands will increase, because of the continuing population growth, the rising economic level and the accelerated demand for electricity."

But how much will the demands grow, and what will be the future share of the market for each fuel? We have seen many changes in energy patterns in the past, but how about the future? Despite the perils of making such estimates, we have not lacked for volunteers.

Ebasco Services, Inc., a firm of engineers, builders, and management consultants, predicts a total energy consumption of 15,045 billion kilocalories for the United States in 1970, and in 1980 predicts consumption of 20,135 billion kilocalories.

It calculates that bituminous coal and lignite will increase their share of the market slightly from 22.2 percent to about 22.9 percent in 1970 and 26.5 percent in 1980. This figures out to a forecast of 472,755,000 metric tons of bituminous coal in 1970 and 732-272,000 metric tons in 1980—exclusive of exports.

Ebasco estimates that electric generation from nuclear sources will be very small in 1970 and 1980 will account for only 1.5 percent of total energy. Texas Eastern Transmission Corp., a major pipeline firm which transports natural gas and petroleum—and is interested in building and operating coal pipelines—estimated that the consumption of coal in the United States would reach 451,885,000 metric tons in 1970 and 803,049,000 metric tons in 1980.

This includes about 18,148,000 metric tons of anthracite in the 1980 estimate. Texas Eastern predicts that coal will have 22.9 percent of the market in 1970 and that this will increase to 26.2 percent in 1980. Incidentally, Texas Eastern predicts that nuclear energy will hold only 4.7 percent of the electric generating market in 1980.

However, the foregoing estimates and those of most other authorities in the fields, were made before the Federal Power Commission recently revised its forecast of the demand for electricity in 1980. Using these new figures, the Bureau of Mines estimates that total energy demand in the United States will increase about 80 percent from 1961 to 1980, to a total of about 20,765 billion kilocalories. The Bureau believes that coal will capture a growing share of the market.

The Bureau of Mines estimates that electric utilities will consume 61,532,000 metric tons of coal in 1980. The stable prices of coal and its increasing efficiency in utility plants made it likely that coal will enlarge its present 65-percent share of the utility fuel market, the Bureau said.

The Bureau of Mines predicts 88,925,000 metric tons of coal will be converted to coke in 1980. Although the steel industry is experimenting with injection of gaseous and liquid fuels into blast furnaces to reduce coke requirement, there have also been successful experiments in the injection of pulverized coal. While this reduces consumption of coke, it insures that the fuel which replaces it is coal and not one of its competitors.

Other manufacturing and mining industries are expected to use 79,851,000 metric tons of coal in 1980, the Bureau said. This is only a slight increase from present consumption. The Bureau forecasts an increase in the use of coal in cement manufacturing, and a decline in coal requirements in many industrial and general manufacturing plants. New economies in coal transportation and advances in combustion equipment may improve this prospect, however.

The Bureau estimates retail deliveries of coal for space heating will account for 13,611,000 metric tons in 1980, and another 1,815,000 metric tons is predicted for use in motive power by ships and a few remaining railroad consumers.

U.S. coal exports in 1980, principally our high-grade metallurgical coals, are forecast by the Bureau at 27,222,000 metric tons. This is considered to be a minimum figure. Actually, the industry will be capable of shipping many times this amount if the demand exists, as we believe it will.

In light of our present production, this entire forecast presents an entrancing prospect, but the coal industry does not believe that this millennium will arrive unassisted. It is an objective to be gained only by careful planning, the risk of heavy investments, a constant striving for greater efficiency, imaginative research into new and expanded uses for coal, and aggressive salesmanship. But we firmly believe it is a goal which can be attained. We intend to attain it—and surpass it.

BITUMINOUS COAL PRODUCTION UP

Mr. BYRD of West Virginia. Mr. President, from time to time one hears rumors that coal is on its way out as a fuel. As a Senator from the greatest coal-producing State in the Union, the State of West Virginia, I am happy to be able to report to you that the contrary is true. According to a recent article in the *Welch, W. Va., Daily News*, in 1963 the bituminous coal industry enjoyed its best year since 1957.

Mr. President, I ask unanimous consent that this article from the *Welch Daily News* be printed in the *RECORD*.

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

COAL INDUSTRY WINDS UP BEST YEAR SINCE 1957

Who said King Coal had abdicated his reign?

The bituminous coal industry wound up its best year since 1957 last month, according to the National Coal Association. Production totaled 452 million tons when miners ended their shifts on New Year's Eve. And, according to the association, miners can look forward to a happy new year, for 1964 production is expected to reach 462 million tons, up 2.2 percent over 1963.

Dr. Myles E. Robinson, National Coal Association's director of economics and transportation, said in the 1963 year end summary of the bituminous coal industry, that coal consumption rose this year in all but one major category, for a total of 5.9 percent greater than the 426 million tons consumed in 1962.

Electric utilities, Dr. Robinson said, is the coal industry's biggest customer. They took 207 million tons or 46 percent of last year's consumption of bituminous coal. This marked an 8.4 percent increase from the 191 million tons burned to generate electricity in 1962. The utilities are expected to boost their use of coal in 1964 to 220 million tons.

Export markets for U.S. coal boomed last year. Oversea customers, principally steel mills, took 33 million tons, and are expected to need about the same amount in 1964. This is an increase of 22.2 percent from the 27 million tons sent overseas in 1962. Shipments to Canada rose from 11 million tons in 1962 to 12 million tons last year and are forecast at 13 million next year.

Use of coal for production of coke in this country, principally for the steel industry, amounted to 77 million tons in 1963, in contrast to the 74 million tons used last year, thanks in part to the continuing boom in the automobile industry.

The thousands of other industries which consume coal for space heating or in manufacturing processes burned 96 million tons last year.

COAL EXPORTS RISING

Mr. BYRD of West Virginia. Mr. President, the industrialization of many undeveloped countries in the world, which is proceeding rapidly with American help, is reflected in the increased demand abroad for American coal. Our total export for 1963 is expected to exceed 1962 by 20 percent, according to a recent article in the *Welch, W. Va., Daily News*.

The article tells how American coal producers are winning a greater share of the foreign market, in spite of increasing competition from major coal producing nations, such as Great Britain and Russia. Mr. President, I ask unanimous consent that this article from the *Welch Daily News* be printed in the *RECORD*.

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

RIISING EXPORT MARKET FOR U.S. COAL

The coal industry not only is expanding, but is bouncing back as one of the world's growth fuels, according to the U.S. Bureau of Mines experts.

An article published recently in the *Journal of Commerce* magazine is reprinted here bringing out some of the facts on the coal market.

Increased demand, here and abroad, is spurring coal output in the two biggest producing nations—the United States and Soviet Union—and the European Common Market countries are canceling further coal production cutbacks.

TWENTY PERCENT EXPORT RISE

The rising world demand is being directly reflected in American coal exports. Commercial shipments abroad this year of U.S. bituminous and anthracite coal are expected to reach 48.5 million tons, a 20-percent jump over last year.

Productivity seems to be the single biggest factor behind the coal industry revival, both in this country and Western Europe. Mining costs have been substantially reduced, making coal more competitive with other fuels. In the United States, the productivity

gains have been abetted by lower rail rates and improved distribution methods.

U.S. researchers, helped by Federal grants, are meanwhile exploring new ways to utilize coal, to extend its marketing and to extract more kinds of usable products from its contents.

LONG-RANGE OUTLOOK

The long-range prospects for American coal—bituminous, if not anthracite—appear substantial enough for Government officials such as Chief Trade Negotiator Christian Herter to quote predicted export gains averaging 5 million tons a year over the rest of this decade.

U.S. bituminous coal production this year is expected to climb about 13 million tons to a total 433 million, the best gain in several years bringing output to its highest level since 1957. Anthracite output is slated to rise about 2.6 million tons to 19.5 million—the first production increase since 1956.

While officials are confident of continued gains in bituminous production, they are less confident about anthracite's future. The anthracite comeback has been almost entirely a result of last winter's unusual severity, forcing suppliers to build up their inventories here and abroad.

Abroad, the biggest U.S. coal markets—present and potential—are the European Common Market and Japan. To a very large extent, U.S. export prospects in these areas will depend not only on relative fuel costs but Governmental trade policies.

Of the six Common Market countries, only Italy permits free entry of American coal. Japan governs its purchases through import licenses, which are regulated according to the country's financial condition.

U.S. coal producers, together with the Federal Government, seem to be tackling these export problems with unprecedented vigor. The Interior Department and coal exporters are setting up a joint unit to do everything feasible toward developing U.S. coal markets abroad.

But the going is not likely to be easy. There's the Soviet Union and its coal plans as well as British coal and the possibility that the Common Market coal producers—France, Germany, and Belgium—may step up output again.

SOVIET COMPETITION

The Soviet Union represents the most important competitor. It is planning to almost double its bituminous and anthracite production between now and 1980. Operating through state agencies, the Russians can sell their coal at virtually any price they wish and in their efforts to expand trade with the West they may undercut U.S. prices.

The British, because of recent productivity gains, reportedly are considering reducing their coal prices. British coal exports also are in the hands of a Government unit, the National Coal Board.

Indicative of the drive to modernize coal operations on the Continent, the European Coal and Steel Community has proposed to spend nearly \$400 million this year in coal research and improvements. The Community comprises the same six nations that make up the Common Market.

Belgium is meanwhile said to have requested the Community to agree to halting further Belgian mine closures, in the claim that Belgian coal imports have grown disproportionately large. France has said that it does not intend to cut back any more of its coal production while West German output is expected to rise this year after several years of stability.

COAL USAGES NOT LIMITED TO SOLID STATE

Mr. BYRD of West Virginia. Mr. President, coal, the oldest of the fossil

fuels, is still not fully explored as a source of energy and a storehouse of chemical wonders. According to a recent article in the *Welch, W. Va., Daily News*, conversion of coal to fluid fuels is already a technical reality, and the gasification of coal will soon follow, as a result of experimentation now underway.

Mr. President, I ask unanimous consent that this article be printed in the *RECORD*.

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

VERSATILE COAL NOT BOUND TO SOLID STATE

Coal, the oldest of the fossil fuels, is still not fully explored as a source of energy and a storehouse of chemical wonders. Research is constantly broadening the base of coal applications so today the fuel that supported the industrial revolution is vital to the modern giants of our economy—to the electric utility industry, the iron and steel industry, the chemical industry and a host of manufacturing and processing industries, according to the National Coal Association.

Research has proved that coal is richly complex—new compounds from coal are being discovered every year; perhaps the latest are the indenols found by the Bureau of Mines in coal tar, phenols that are of value to the plastics industry, the article said.

Research is also proving coal is versatile—as a fuel, coal is not bound to a solid state. It already flowed through pipelines as a slurry and will eventually satisfy the Nation's rocketing energy demands as an oil and gas.

Conversion of coal to fluid fuels is a technical reality; rising costs and falling supply among the present fluid fuels will make coal conversion an economic necessity, the article continued.

Modern coal research takes two equally important directions—improvement of the product as it is now used, and discovery of new applications. Research in the production, transportation and use of coal has enabled it to maintain its traditional power leadership against a temporary flood of competition. The marketability of coal now is the economic base on which research can build the radically new coal uses of the future, it stated.

Among the significant research projects underway are a 2-year study, under a contract from the Federal Office of Coal Research, of the preparation and handling and use of ultrafine coal—coal sizes smaller even than the talcum—powderlike fuel used in pulverized coal—burning utility and large industrial plants.

Petrography, the microscopic study of samples of selected coal to determine its basic structure and composition, can pinpoint the coal's suitability for metallurgical coke production; microscopic examination may soon improve preparation methods to the point of tailoring coal or coal blends to the needs of any specific combustion process.

Reduction of sulfur in steam coals to reduce air contaminants from combustion; a parallel project aims at more efficient and economical removal of contaminants from flue gases before they reach the atmosphere.

Conversion of fly ash from a nuisance product of combustion to a useful constituent of concrete, paving mixes, prepared fertilizers, and a host of other commercial products.

The U.S. Bureau of Mines is conducting projects that cover work in hydraulic mining of bituminous coal and anthracite; degasification of coal mines; effect of radiation on coal; recapture of hydrogen from coal; continuous carbonization of coking coal; distillation of chemical compounds from coal tars; coal gasification; development of a

coal-fired gas turbine (initiated by the Locomotive Development Committee of Bituminous Coal Research, Inc.); and hydraulic transportation of coarse coal.

This is the pattern for the future—greater benefits for the coal industry, for coal users, and for the Nation—through coal research.

WELCH, W. VA., EXAMPLE OF PROGRESSIVE MINING TOWN

Mr. BYRD of West Virginia. Mr. President, the coal mining town of Welch, in McDowell County, W. Va., is an example of a coal mining community that has kept pace with the times. Millions of dollars are being spent annually in this progress-minded area to maintain a place for coal in the competitive fuel markets of America and the world at large.

The encouraging story of how the town of Welch is maintaining and improving its economic condition is told in a recent article in the Welch, W. Va., Daily News. Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

WELCH, W. VA., KEEPS PACE WITH PROGRESSING COAL ECONOMY

Welch and surrounding coalfields have kept pace with improving economic conditions, particularly in the coal industry, and set the promise of even better things to come.

The men who produce and sell coal in the United States talk confidently of the product once again becoming the world's leading fossil fuel in the constantly growing business of generating energy.

The prospective good record of the coal industry in 1964 will mark the third consecutive annual increase in the demand for coal, according to Stephen F. Dunn, president of the National Coal Association.

Such growth is bound to be felt in the Welch fields, where premium coal is produced in some of the Nation's most efficient operations.

In back of the rosy business picture, is the constantly improving modernization and mechanization system that contribute to the low cost, mass production methods of today's coal business.

Millions of dollars are being spent in the Welch coal mining area to further improve efficiency and guarantee a uniformly dependable supply of coal.

Joy Manufacturing Co., the world's largest producer of underground mining equipment, is playing a major role in the vast program to improve the production and quality of coal.

The role is not new for Joy. The company led the way in the mechanization of underground coal mining back in the 1920's.

It was then that Joy developed and brought to market the now historic loading machine with its unique gathering arms. The unit made the team mechanization possible in coal mining.

Then in 1938, Joy introduced the shuttle car which was destined to eliminate track at the mine face. It transports coal from the face to main haulage systems but requires no track to run on. Instead, shuttle cars move on rubber-tired wheels.

In 1947, Joy continuous miner again revolutionized the coal industry. It was a machine that dug the coal, loaded it and conveyed it to shuttle cars. Drilling and blasting were eliminated where the continuous miner worked.

Today about 32 percent of all the coal mined underground is produced with continuous miners.

It may be important to take note that the average tonnage per man in deep mining has soared from 5.5 tons per man in 1948 to about 12 tons per man today.

But coal was an still is in an extremely competitive market. The emphasis must continue to be placed on increased, efficient production with a minimum of maintenance.

It is in this field that Joy continues to labor. Its loader, its shuttle cars, and its continuous miners are constantly being updated. Heavier, more powerful equipment is constantly being developed.

A few examples of this trend can be visualized by comparing the 16,000-pound 30-horsepower shuttle cars of 1950 with the current 23,900-pound 75-horsepower models.

Loaders, too, have been beefed up from the 18,200-pound 34-horsepower models of 1950 to today's models of 28,200 pounds with 144 horsepower. And cutters today are built in the 32,000-pound 142-horsepower class, compared to 1950 models of 24,200 pounds with 80 horsepower.

The heavier, more powerful equipment means machinery that will do the job on a mass scale without the constant pampering by maintenance men. Maintenance is lost production time.

More productivity and less maintenance in a way is the design theme of Joy's newer continuous miners such as the 6CM-5, the 2BT-6, and the CU-43. Each is designed for a specific type of mining.

The 6CM-5 is a ripper type miner. The 2BT-6 is a boring machine, and the CU-43 might be called a combination of ripper and borer.

The 6CM-5 miner, with a 4- to 5-ton-a-minute capacity is designed for development and retreat work in 48- to 88-inch seams. In addition it has the ability to drill holes and install roof bolts while mining coal.

The 2BT-6 is a heavy duty, 8- to 12-ton-a-minute machine whose production is limited only by the mining system and haulage capacity. It has the ability to cut harder minerals as well as coal with impurities that standard machines cannot recover economically.

The CU-43 with its ripper-borer combination, was designed for low coal. In use it already has averaged over 400 tons of coal per shift.

But continuous miners do not answer all of the coal production problems. There still are many mines that use the so-called conventional equipment and produce coal that must be competitive.

Joy's newly designed 14-BU-10 loader, the 16-RB low seam cutting machine and the CD-41 face drill, all are designed with the weight and power to stay on the job. Auger machines, for above-ground mining also are built with the extra power and strength for long-range, high-rated production.

The Joy shuttle car that did so much for early mining also has been modernized. Today, it is equipped with a hinged, six-wheel design that lets the car follow bottom contour while absorbing shock and avoiding roofing. It has up to 50 percent more capacity than any four-wheel car of similar height.

And Joy continues to set the pace with newly developed equipment. Today, it is the mining equipment company that has remote control mining equipment in commercial production. The new machine is known as the Joy pushbutton miner. It is currently being used in high wall mining. Without ever sending a man underground it can enter a seam up to 1,000 feet and produce at the rate of 1,000 tons in 8 hours.

Even as this fleet of new model coal mining equipment reaches the market, Joy engineers and research men are busy looking to

the future when new ideas will further modernize coal mining and insure the future of coal regions such as Welch.

MESSAGE FROM THE LONG ISLAND FEDERATION OF WOMEN'S CLUBS

Mr. KEATING. Mr. President, the Long Island Federation of Women's Clubs, Inc., is a progressive and active organization which takes a deep interest in issues of national as well as local importance. The federation has directed to my attention a copy of the telegram of condolence sent to Mrs. John F. Kennedy. At the request of the executive board, I ask unanimous consent to include the text of this telegram in the CONGRESSIONAL RECORD.

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

The executive board of the Long Island Federation of Women's Clubs, Inc., in session December 6, 1963, extend sincere sympathy to you on the loss of your beloved husband and our President.

MISS EDYTHE FROST,
President,

MRS. DOROTHY L. DOUGLAS,
Corresponding Secretary.

ROBERTA PETERS NAMED WOMAN OF THE YEAR

Mr. KEATING. Mr. President, the Westchester, N.Y., County Federation of Women's Clubs recently named Roberta Peters Woman of the Year for 1963. I cannot think of a more fitting or deserving tribute to this young woman. Miss Peters has enchanted people the world over with her lovely voice and charming manner. Perhaps even more important, she has contributed significantly in acquainting the Soviet Union and the European countries with the musical achievements of the United States.

In accepting this award, Miss Peters gave a very fine address entitled "The American Artist in a Changing World." In her speech, she touches upon the problems and potential, struggles and success of American artists.

Mr. President, I ask unanimous consent that following my remarks, the text of Miss Peters' remarks be printed in the RECORD.

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

THE AMERICAN ARTIST IN A CHANGING WORLD (By Roberta Peters)

Mrs. Chairman, ladies of the Federation of Women's Clubs, first of all, let me say that I am very proud and deeply grateful to have been chosen woman of the year. The honor is especially great, since I will be succeeding Dr. Rosemary Park, president of Barnard College and one of the outstanding educators in our country today.

You have honored me for my contributions in the field of music and art and for my efforts abroad to acquaint the people of Europe and the Soviet Union with the musical culture of the United States. I accept this award with even deeper gratitude, because I feel that in bestowing it upon me, you have also honored and recognized the emergence and the importance of all American artists.

And today, I would like to talk to you about our American artists in this constantly changing world, their problems and their potential, their success and their struggles, where they have been and where they are going, what they have done and what they must do.

Not long ago, at the turn of the century, the music life of our Nation was completely dominated by foreign artists. Before World War I, it would have been difficult to find the names of American singers and conductors on many programs of the Metropolitan Opera. It was almost as though we were strangers in our own land. But gradually the picture changed, and great American names emerged—Charles Thomas, Lawrence Tibbett, Grace Moore and many others. In the concert halls, too, there were a number of rising American conductors.

The twenties and thirties produced many fine artists, born and trained in the United States, and slowly our dependency on Europe lessened. But the real revolution in our musical scene came with the ominous threats of the Second World War. The rise of fascism and national socialism brought some of the greatest artists of Europe to the United States. Many were either forced to leave their homeland or chose to leave voluntarily, rather than live under a dictatorship. Arturo Toscanini, pelted with eggs because he refused to conduct the Fascist hymn, eventually settled in our country. From Germany came a tide of the foremost singers, musicians, and conductors—Bruno Walter, Paul Hindemith, Lotte Lehman, Emanuel List, Friedrich Schor. From occupied Denmark came Lauritz Melchior and many, many others. This cultural exodus had a double impact on American music: The great artists of Europe not only contributed immensely to the development and enrichment of music in this country, but they also inspired and helped the young generation of American singers and musicians.

After the war, the picture changed, both here and abroad. The United States began to witness a cultural awakening. Americans, with more leisure time and more income, began to discover the joy of great music. We looked with new eyes on the wealth of our own American talent. Once this was a country that American artists had to leave to become successful and European performers had only to visit to become rich. At one time, the only city in the United States that took a great interest in music was New York—the only possible place for an American artist to embark on a performing career. The rest of the country seemed either indifferent or felt there was just no money available for sponsoring regular musical performances. Such community projects as Lincoln Center, the Tyrone Guthrie Theatre in Minneapolis and the many programs sponsored by cities and colleges throughout the Nation would have been unthinkable before the war.

The changing world and the changing times left an indelible mark on the American musical world. Today community orchestras have taken the place of town bands, a performer can be greeted by an overwhelmingly enthusiastic audience in the most remote parts of the country, and the speed of transportation has added to the potential audience an artist can reach. America was growing culturally. And, of course, I must mention here that the Metropolitan Opera—under the excellent management of Rudolf Bing—has become the greatest opera house in the world. Every artist—American and European—aspire to sing at the Metropolitan Opera. We have moved forward—yet in some ways we have stood still. Even to this day, many Americans are more receptive to European performers than to their own artists.

But probably the greatest change in the musical emergence of the American artist took place after the war in Europe. Coun-

tries like Germany, Austria, and Italy—once boasting the giant names in music—now had to look to America for fresh, young, new talent. Soon the world-famous opera houses of Milan, Vienna, Munich, and Hamburg engaged Americans as permanent members of their staffs. Europeans discovered to their amazement that we have hundreds of American singers and musicians, many of whom are today the finest in their fields. American performers made debuts in the great opera houses, and the works of such composers as Menotti, Barber and Leonard Bernstein were played all over the world. An interesting example of the rise of our own artists is that in the Zurich Opera House in Switzerland there are so many American singers that the language predominantly spoken there, even by stagehands, is English.

Yet the most important aspect here was not the success of individual performers, but rather the new image our artists projected abroad. Many Europeans had a distorted idea of the United States. They thought of us as a brash, crude, materialistic nation, where people were only interested in making money and where there was no interest in cultural development.

But the postwar exchange of artists made a significant impression. Our conductors participated in the great festivals of Europe, our musicians became more celebrated abroad than were our movie stars or sports heroes in the past. America was no longer just a nation of dollar worshipers with a high crime rate and a low cultural level. Rather, we were the birthplace of hundreds of great artists—versed in the music of traditional composers, yet with fresh, 20th-century innovations. Another, more subtle point was the language problem—always a sensitive spot with Europeans. Unlike the average American, our opera singers not only speak several languages on stage, but must be able to meet the residents of foreign countries on their own terms and in their own language. I can remember that on my tour of the Soviet Union sponsored by the State Department, many Russian performers were amazed that I had studied languages in the United States and not abroad.

We are the cultural ambassadors for the performing arts, and we welcome the opportunity to represent our great country. But along with the opportunity, there comes a new responsibility and new problems. The American artist, in the limelight today wherever she goes, must always bear in mind the fact that she is an American artist. For, in a sense, the world is always watching and judging not only her, but her country. She cannot indulge in on-stage feuds, fits of temperament, or an unprofessional manner. The old cliché of "the show must go on" is as true today as it ever was. We must be careful to erase the bad connotation of the words "prima donna," and we are expected always to uphold the American tradition of good sportsmanship.

The speed of our jet age has brought us benefits as well as drawbacks. Today it is possible to tour the concert stages of Europe and be gone from the United States only a matter of weeks. And yet a performer must be careful that this new mobility does not affect her personal and professional well-being. Too much globetrotting can exhaust a musician and rob years from such a delicate instrument as a voice.

The emphasis on speed in today's world has another sad effect—that of throwing before the public talent which is not trained fully and not ready. There are so many things a singer must master—basic and complex techniques of music, literary style, diction, dress, languages, deportment. Yet too often, impatient young singers—more eager to make money than to train and nurture a rich, lasting talent—burst upon the musical scene and die out in a few seasons. Here the growth of the music competitions or

tournaments can be both a curse and a blessing. The performer, having won out over her rivals, is blinded to the fact that there is far, far more to a career than simply winning at the time.

Yet the competitions—national and international—have excellent advantages. They provide a reachable goal for young people—and, of course, their parents—who might otherwise be discouraged by the long, difficult road a performer must travel. They enable American talent to meet Europeans on an equal footing and to display their musical virtues without the need of a Government subsidy. The mention of the word "subsidy" is an extremely sensitive one, and there are many pros and cons. Perhaps the greatest danger in complete subsidies for the creative arts is that under Government support, they can become merely an official organ, subject to Government censorship and approval. The most wonderful thing about American culture is that it is so individual, fresh and spontaneous. Our tradition of independence and experimentation is a very precious thing, worth far more than the certainty of a steady income. Yet, it must be said that the many excellent Government sponsored cultural projects have done a fine job in enlightening people all over the world about what we are doing here. This is a two-way street, and we must be very careful to toe the mark between artistic individuality and providing a proper environment for the growth of the creative arts.

Perhaps the most important adjustment an artist must make is the combination of careers: As a singer, and as a wife and mother. Both are of the utmost importance and require special attention and effort. When I perform in this country, I never travel for more than 2 weeks at a time, unless my husband and two sons can join me during a holiday. This past summer, when I sang at the festivals of Salzburg and Vienna, my whole family was with me. And when I am at home, I make sure to arrange my day so as to give the greatest possible amount of time to my children.

The situation of the American artist in today's world can probably be best described in the words of Charles Dickens: "It is the best of times—it is the worst of times."

We have a tremendous opportunity and challenge, yet we bear a heavy responsibility. The artist—once traditionally removed from the everyday world of reality—must today be first and foremost a good American. By our public actions, we must support our beliefs and our country. We must uphold tradition in music, and yet we are expected to look for innovations. We must learn to live in a world of speed, yet never forget the importance of time, training, and patience. Today, more than ever, we need the assistance, support, and recognition of every citizen. For although the number of regular listeners of operas and concerts grows each year, the percentage is still little more than 2 percent of our total population. Yet we know that there are thousands of prospective opera enthusiasts in this country who are—right now—on the threshold of true musical enjoyment and experience. And it is heartening to know that an opera singer can now be honored with an award such as you have given me today—an award usually bestowed on those in the fields of medicine, science, and technology. But perhaps the greatest measure of our changing times is the fact that the memorial to our late President, John F. Kennedy, will be—not a stone monument or the traditional statue on horseback—but a theater dedicated to the performing arts.

For the growth and maturity of American arts and American artists must always go hand in hand with the growth and maturity of our Nation.

In a divided world—constantly haunted by the specter of nuclear weapons—we need

more than ever the beauty, the promise, the glory of the creative arts. They stand among the greatest achievements of mankind, and they are—and always have been—a universal bond.

In closing, I want to thank you again, not only for conferring this honor upon me, but for helping me to achieve it. I accept this award with deep gratitude, not only for myself, but on behalf of all the great artists of our country. And I want to assure you that we will do everything within our power to justify your encouragement, recognition, and faith in us. Perhaps the best way to say this is in the often-quoted words of the great American poet, Robert Frost:

"For I have promises to keep
And miles to go—before I sleep."

Thank you.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until 3 o'clock, and that, to make sure, the 2 hours in recess will not apply to the 3 hours on the resolution under the rule of germaneness.

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

There being no objection, the Senate (at 12 o'clock and 49 minutes p.m.) took a recess until 3 o'clock p.m. today.

At 3 o'clock p.m., on the expiration of the recess, the Senate reassembled, and was called to order by the Acting President pro tempore [Mr. JAVITS].

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATIVE TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

The Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CHURCH. Mr. President, yesterday, when Senate Resolution 111, the pending business, was laid down, I made my introductory remarks, and they appear in yesterday's CONGRESSIONAL RECORD.

The Committee on Rules and Administration has prepared an excellent and concise report. I ask unanimous consent that an excerpt from the report be printed in the RECORD; and in that connection I point out that the committee has favorably reported the resolution, without amendment, and recommends that the resolution be agreed to by the Senate.

There being no objection, the excerpt from the report (No. 506) was ordered to be printed in the RECORD, as follows:

Senate Resolution 111 would amend rule XXV of the Standing Rules of the Senate by

adding at the end thereof the following new paragraph:

"5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier."

The resolution would further provide that section 134(c) of the Legislative Reorganization Act. (Aug. 2, 1946, 60 Stat. 831, 832; 2 U.S.C. 190b(b)):

"(c) No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit without special leave, while the Senate or the House, as the case may be, is in session,"

no longer be applicable to standing committees of the Senate. This provision no longer obtains in the House of Representatives, being superseded by paragraph 30¹ of its rule XI, adopted January 3, 1953. The Senate, however, has continued to operate under section 134(c) without incorporating it into its own rules.

Senate Resolution 111 was submitted by Senator FRANK CHURCH (for himself and Senators MONRONEY, ANDERSON, MCGEE, and PASTORE) on March 14, 1963, and the same day was referred to the Committee on Rules and Administration. A hearing was held on the proposal by the Subcommittee on Standing Rules of the Senate on June 27, 1963. Senator A. S. MIKE MONRONEY and Senator JOSEPH S. CLARK appeared and urged approval of this resolution. Senator CLARK, while speaking in favor of the principle of the resolution indicated a preference for his own resolution, Senate Resolution 32, which would remove all limitations on committees sitting while the Senate is in session. Senator GORDON ALLOTT appeared in opposition to the resolution. Senator CHURCH, being unable to appear, submitted a written statement in behalf of his resolution. At the hearings it was expressly pointed out that Senate Resolution 111 had received the unanimous support of the ad hoc committee appointed by the Senate leadership.

Pursuant to the present procedure (sec. 134(c)), all Senate committees must cease sitting when the Senate goes into session unless they obtain permission from the Senate to continue. Such permission is frequently obtained by unanimous consent, but is also frequently denied—by the objection of one Member. Theoretically, permission could also be granted upon adoption by a majority of a motion to permit a committee to sit. In practice, however, since such a motion would be debatable, decision on the issue could easily be delayed beyond the time during which the committee wished to meet.

By the adoption of Senate Resolution 111, the morning "hour" of the Senate would be available for committee meetings. In the opinion of the committee, the routine and often relatively unimportant business of the Senate handled during this period would not suffer due to the absence of Members engaged in committee affairs. On the contrary, it is believed that the interests of the Senate could better be served by granting the committees this additional time for the consideration and processing of legislation. This modification of the rules would expedite the business of committees, and enable them much sooner to report measures to the Senate for floor action.

For the reasons expressed herein, the Committee on Rules and Administration is reporting Senate Resolution 111 favorably to the Senate, and recommending its adoption.

¹ "30. No committee of the House, except the Committees on Government Operations, Rules, and Un-American Activities, shall sit, without special leave, while the House is in session."

Mr. CHURCH. Mr. President, I am advised that the majority leader anticipates that there will be no votes on the resolution today. However, it is to be hoped that Senators can proceed with debate on its merits and explore whatever amendments there may be.

Mr. DIRKSEN. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. DIRKSEN. I should like to advise the distinguished Senator from Idaho that while there may be no votes today, I shall, at the appropriate time, when it comes time for the vote on the resolution, insist on a ye-and-nay vote.

Mr. CHURCH. I understand.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DIRKSEN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. I ask unanimous consent that my distinguished friend from Minnesota [Mr. HUMPHREY] be permitted to speak out of order on certain matters, notwithstanding the rule of germaneness which was adopted by the Senate last Thursday.

Mr. HUMPHREY. Mr. President, I object.

The PRESIDING OFFICER. The rule of germaneness is in effect. Unanimous consent has been asked; and without objection, the Senator from Minnesota may be—

Mr. HUMPHREY. Mr. President, in light of the previous order on this matter, I thought the period of germaneness had already expired. I shall, therefore, withhold submission for the RECORD of these items, and will abide by the rule.

I now move that the Senate stand in recess subject to the call of the Chair—

Mr. KEATING. Mr. President, will the Senator from Minnesota withhold his motion for a moment?

Mr. HUMPHREY. I am glad to withhold it.

Mr. KEATING. Mr. President, I ask unanimous consent that despite the excellent rule that was recently adopted, I may be permitted to speak on an ungermane subject, and that the rule be temporarily waived for a few moments.

The PRESIDING OFFICER. Will the Senator from New York advise the Chair the length of time he wishes?

Mr. KEATING. Three minutes.

The PRESIDING OFFICER. The Senator from New York is asking for 3 minutes. Is there objection?

Mr. HUMPHREY. Mr. President, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. HUMPHREY. I do this with deep regret, but I believe we should insist

upon the application of the rule of germaneness, at least for a period of time, until Senators have become accustomed to it.

Mr. KEATING. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator. I do not do this in personal pique. I hope the Senator will understand.

The PRESIDING OFFICER. The Chair advises the Senator from New York that debate is not in order on that subject. When objection is made, the rule of germaneness applies. An objection has been heard.

Mr. KEATING. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the resolution (S. Res. 111).

Mr. KEATING. Mr. President, I move to strike out the resolving clause.

The PRESIDING OFFICER. The motion is not in order. There is no resolving clause.

Mr. KEATING. Mr. President, I move to recommit the resolution.

The PRESIDING OFFICER. The Chair advises the Senator from New York that a motion to recommit is in order, but the rule of germaneness applies to the motion. Therefore, the Senator's remarks must apply to the motion to recommit.

Mr. KEATING. Mr. President, the resolution before the Senate is an excellent resolution. Efforts should be made to improve the Senate rules. I have always been insistent that there should be an improvement in the Senate rules.

The pending resolution provides:

Resolved, That rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier."

SEC. 2. Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

The resolution, which was submitted by the distinguished occupant of the chair [Mr. CHURCH], is, in my judgment, very desirable. But I invite attention to the fact that today there was a very short morning hour; and therefore a comparatively short period of time during which the standing committees could sit. After the conclusion of the morning hour, the standing committees would not be permitted to meet.

Standing committees might be considering very important business. For example, they might be considering a resolution which I have offered relating to the Soviet campaign of anti-Semitic and antireligious terror. That is one subject which might be under consideration at that time.

It might be very important to consider the various ramifications of that particular resolution.

In that connection, my attention has been called to a statement and resolution in the State Legislature of New York,

which I am hoping may be made a part of the RECORD, to indicate the importance of some of the subjects which could be considered by a committee.

As a further example of a subject in which many people are interested, I call attention to the fact that one of the standing committees might be considering a statement in tribute to Lithuanian Independence Day.

I ask unanimous consent to have printed at this point in the RECORD the two matters to which I have referred in order to point out possible subjects which committees might be considering.

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

SOVIET CAMPAIGN OF ANTI-SEMITIC AND ANTI-RELIGIOUS TERROR—STATEMENT BY SENATOR KEATING

The people of New York State, in fact the people of this entire Nation, are shocked at the continuing deliberate campaign of anti-religious persecution and anti-Semitic activities which have been so conspicuous in the Soviet Union over the last year.

I have spoken up on this matter a number of times in the past and I shall continue to do everything in my power to press for determined and effective action on the part of the U.S. Government to make known our sense of outrage and dismay over these barbaric tactics.

The text of a resolution recently adopted by the Legislature of the State of New York, is as follows:

CONCURRENT RESOLUTION MEMORIALIZING THE SECRETARY OF STATE OF THE UNITED STATES TO LODGE A PROTEST WITH THE GOVERNMENT OF SOVIET RUSSIA, IN RELATION TO SUCH GOVERNMENT'S CAMPAIGN OF ANTI-SEMITIC AND ANTIRELIGIOUS TERROR

Whereas the people of the State of New York and of the United States are deeply shocked by reports appearing in the press and elsewhere concerning the oppression, persecution and tyranny of the Government of Soviet Russia directed toward Russian Jewry residing in Soviet Russia; and

Whereas many acts of terrorism, confiscation and persecution have already been committed against such Jewry and even more serious acts are threatened; and

Whereas such acts have resulted, unjustly and unwarrantedly in the confiscation of property and in the deprivation of rights, privileges and immunities possessed by the Jewry of that country; and

Whereas the Government of the United States because of its humanitarian interests in the various peoples of this country and their interest in and relationship to the persecuted Jewry in Soviet Russia, should register emphatic protest with the Russian Government with a firm request that it should cease and desist in its program of persecution; and

Whereas the Government of the United States has on other occasions intervened and interceded in behalf of persecuted minorities in other countries: Now, therefore, be it

Resolved (if the assembly concur), That the Secretary of State of the United States of America be and he hereby is respectfully memorialized to lodge an official protest on behalf of the Government of the United States with the Russian Government against the concerted attack presently being made directly and indirectly by the latter Government toward Russian Jewry residing in such country and that the Department of State be and it hereby is respectfully memorialized to employ its best diplomatic efforts in an attempt to persuade the Rus-

sian Government to desist from any further persecutions and acts of terrorism and confiscation complained of in this resolution; and be it further

Resolved (if the assembly concur), That copies of this resolution be transmitted to the President of the United States and to the Secretary of State of the United States and to each Member of Congress duly elected from the State of New York and that the latter be urged to do everything possible to accomplish the purposes of this resolution.

By order of the senate.

ALBERT J. ABRAMS,
Secretary.

In assembly January 21, 1964, concurred in without amendment.

By order of assembly.

ANSLEY B. BORKOWSKI,
Clerk.

LITHUANIAN INDEPENDENCE DAY—STATEMENT BY SENATOR KEATING

Forty-six years ago today Lithuania declared its independence after more than a century of Russian domination. But a Lithuanian living in Lithuania today has little cause to rejoice. If he is 46 years old today, he has known 21 years of freedom and 25 years of oppression. He has seen his land become a victim of Soviet aggression as a result of the infamous Nazi-Soviet pact of 1939, and a victim of Nazi aggression in 1941. He witnessed not liberation in 1944 but only absorption into the vast Soviet empire constructed following World War II.

Since then he has seen hundreds of thousands of his fellow countrymen deported to Siberia or other remote reaches of the Soviet Union. Tens of thousands of others have been executed or are living in exile. He has seen his land collectivized by force, his living standards reduced following Soviet exploitation, his religion trampled upon by Soviet authorities, his freedom to travel denied, his scenic coast subjected to the sinister requirements of the Soviet armed forces. He saw the courageous Lithuanian freedom army finally forced to cease active resistance in 1952. He has seen his land turned into a vast prison.

Nor have we in the United States and our million citizens of Lithuanian origin any cause to rejoice. Rather, we should soberly reflect upon the shocking record of Soviet colonization in an era of supposed decolonization, and resolve that this record be exposed at every opportunity. Indeed, non-recognition of the Soviet occupation of Lithuania is not enough. This is a passive policy. We should denounce the violation of the rights of the Lithuanians in the many public forums that are available to us.

Our 46-year-old Lithuanian has known treachery, invasion, persecution, occupation. Does he know hope? Or does he not sometimes wonder in despair whether he has been forgotten? The hope of almost 3 million people behind the iron curtain is important to us. The voice of the American people can be heard. And be it only raised in protest, it can keep a hope alive that is important to the future of the free world.

It is not just today then, but throughout the year that we must remember that the subjection of millions of people to a foreign dictatorship which they despise is a living symbol of the threat we face and the courage required to face it. There are those who argue that keeping hope alive is dangerous; that facts are facts; that the susceptibilities of the Soviet Union should not be inflamed. They are sorely mistaken. No free nation can afford to forget the fate of a people whose traditions and ideals are linked to its own. No free nation can afford to give the impression by word or deed that it leans toward the proposition that might makes right. The United States does not

accept this proposition. We recognize the right of the Lithuanian people to determine their future in freedom. We look forward to the day when Lithuania will once more be able to join the community of free nations.

Mr. KEATING. Mr. President, I withdraw my motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. HUMPHREY. Mr. President, there happens to be a Democratic conference in progress at the present time relating to legislative subjects that will soon be before the Senate, including the tax bill. Therefore, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 25 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 3:58 p.m., the Senate reconvened, when called to order by the Presiding Officer (Mr. NELSON in the chair).

Mr. HUMPHREY. Mr. President, do I correctly understand that the Senator from Idaho wishes to present Senate Resolution 111 and make a statement with respect to it?

Mr. CHURCH. Mr. President, if the Senator from Minnesota will yield, Senate Resolution 111 has been laid before the Senate. Introductory remarks have been made. It is now the pending business. As I understand, the senior Senator from Pennsylvania, who intends to offer an amendment, would like to make some remarks with respect to the amendment at this time.

Mr. CLARK. Mr. President, being in an unusually vicious mood, 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. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT UNTIL NOON, TOMORROW

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

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is the rule of germaneness in effect?

The PRESIDING OFFICER. It is.

Mr. CLARK. Then I am happy to yield to the Senator from Minnesota, within the burden of the rule of germaneness.

Mr. HUMPHREY. Mr. President, I move that when the Senate completes its business today, it stand in adjournment until 12 o'clock meridian, tomorrow.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

PROPOSED AMENDMENT OF RULE XXV OF STANDING RULES RELATING TO COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE

The Senate resumed the consideration of the resolution (S. Res. 111) amending rule XXV of the Standing Rules of the Senate relative to meetings of committees while the Senate is in session.

Mr. CLARK. Mr. President—

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield, to enable me to propound a unanimous-consent request which has been cleared with the minority, and which I am sure will meet with general concurrence among the majority?

Mr. CLARK. I yield for that purpose.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that during the further consideration of the pending resolution, Senate Resolution 111, the time for debate on amendments be limited to 1 hour, to be equally divided between the proponents and the opponents, and that the time available on the question of adoption of the resolution itself be limited to 1 hour, to be equally divided.

Mr. CLARK. Mr. President, will the Senator from Minnesota also include a proviso that the agreement shall go into effect, not today, but tomorrow?

Mr. HUMPHREY. Yes; I include a proviso that the agreement go into effect tomorrow, at the conclusion of the morning hour.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered. That, effective on Wednesday, January 29, 1964, at the conclusion of routine morning business, during the further consideration of the resolution, Senate Resolution 111, amending rule XXV of the standing rules relative to meetings of committees while the Senate is in session, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further. That on the question of the final passage of the said resolution debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said resolution, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. HUMPHREY. Mr. President, I thank the distinguished Senator from Pennsylvania for his cooperation; and

also the minority leader and the Presiding Officer.

Mr. CLARK. Mr. President, I rise for a parliamentary inquiry, and I invite the attention of the Parliamentarian.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Senate Resolution 111 provides that rule XXV of the Standing Rules of the Senate shall be amended by adding at the end thereof a new paragraph, as follows:

5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier.

In explanation of my inquiry, I point out to the Chair that it is my understanding that in the La Follette-Monroney Reorganization Act of 1946 there is a provision that no standing committee of the Senate may meet, except by special leave, while the Senate is in session.

Section 2 of Senate Resolution 111 provides:

Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

My parliamentary inquiry is as follows: In view of the wording of Senate Resolution 111, will the result be—if the resolution is approved by the Senate—that standing committees of the Senate may meet at any time while the Senate is in session, without obtaining special leave, except after the conclusion of the morning hour or after the Senate proceeds to the consideration of the unfinished business, whichever is earlier; and that from that date forward no standing committee of the Senate may meet, whether or not with special leave, except by unanimous consent, until after the adjournment of the Senate?

Let me say to the Presiding Officer and the Parliamentarian, in order to clarify my question, that it is as follows: Would Senate Resolution 111 make the situation worse than it is today, with respect to the meeting of Senate committees while the Senate is in session? Under the present rule they can meet, with special leave, which means by majority vote; and I am concerned that Senate Resolution 111 would make it impossible for Senate committees to meet at all, except by unanimous consent, while the Senate is in session, after the conclusion of the morning hour or after consideration of the unfinished business has begun, whichever is the earlier.

The PRESIDING OFFICER. The Senator from Pennsylvania has stated the interpretation correctly.

Mr. CLARK. To make it perfectly clear, if Senate Resolution 111 is adopted by the Senate, section 134(c) of the Legislative Reorganization Act of 1946 will no longer apply. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. CLARK. I invite the attention of the Senator from Idaho to the words "special leave" in line 4 of his resolution. I also invite his attention to the statement made in the report of the Committee on Rules and Administration on the

present resolution, on page 3, from the testimony of the Senator from Oklahoma [Mr. MONRONEY], who was a coauthor of the La Follette-Monroney Reorganization Act:

In the Reorganization Act, we did not intend absolutely to prohibit the committees from sitting during Senate sessions except with unanimous consent only. We meant that they should not sit during the Senate sessions without special leave.

This leave could even be a majority vote without debate or it could be permission of the majority and minority leaders.

As the Senator will note at the bottom of page 4, there is a reference to the testimony of the Senator from Oklahoma.

Despite that statement, the Presiding Officer ruled on April 6, 1949, that a motion for leave for a committee to sit while the Senate is in session is debatable. The same ruling was made a little earlier this session.

This seems to me to be entirely contrary both to the wording of the resolution of the Senator, which is taken from the Reorganization Act, and to the clear intention of one of the principal framers of that Act, the Senator from Oklahoma [Mr. MONRONEY].

My question to the Senator from Idaho, which is made for the purpose of establishing legislative history in connection with the resolution, is whether the Senator from Idaho agrees with the Senator from Oklahoma.

Mr. CHURCH. Mr. President, in order to clarify this question, I believe we should go back and start where the distinguished Senator from Pennsylvania started—that is to say, with the law itself.

Section 134(c) of the Legislative Reorganization Act reads as follows:

No standing committee of the Senate or House, except the Committee on Rules of the House, shall sit without special leave while the Senate or House, as the case may be, is in session.

That is the law. But, since the Constitution of the United States vests in the House and Senate separately the right to determine its own rules, it is possible to change this particular law in the Senate alone, merely by changing the rules of the Senate.

As the committee report points out, the House has already done this. In other words, it has altered this provision of the law by adopting a special rule extending the privilege of sitting, while the House is in session, to certain other committees not mentioned in the text of the law.

The pending resolution would substitute for this provision of the law a new Senate rule, which it is entirely within the competence of the Senate to do, since our authority derives directly from the Constitution in this respect, which rule would substitute for the provision of the law the wording of the resolution.

I invite the attention of the Senator from Pennsylvania to that wording:

Resolved, That rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morn-

ing hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier."

With respect to the words "without special leave," the meaning of that term has been established by the Parliamentarian, and by the precedents in the Senate. Whatever may have been intended by the original proponents of the Reorganization Act, the precedents and customs of the Senate have exactly defined the meaning of this particular term.

We use the same term in the resolution. We change it in no way whatever. We do not mean to change the precedents of the Senate by redefining the term.

Therefore, my answer to the Senator from Pennsylvania is that the words "without special leave" in the resolution mean that if a committee is to sit, either unanimous consent must be obtained or a motion must be put to the Senate, which is debatable and which must be decided by a majority vote.

Mr. CLARK. I thank the Senator from Idaho for his candid reply. He disagrees completely with the interpretation placed on the act by its author, the Senator from Oklahoma [Mr. MONRONEY]. The Senator from Idaho is well within his rights in doing so.

My point has been that the ruling of the Parliamentarian in 1949 was clearly wrong, that the ruling of the Parliamentarian in 1963 was clearly wrong, and that this is an opportunity, in the interests of justice and equity, to insure that the majority will of the Senate shall prevail, to right an erroneous decision. It is certainly within the purview of the Senator from Idaho to rely on these precedents, which I believe to be erroneous.

I do not criticize the Senator in any way. I honor him for his views. I regret very much that he does not seem to feel that if a committee of the Senate wishes to meet while the Senate is in session, it should have the right to meet. If the Senate does not want a committee to meet, the Senate should have the right to tell it not to meet; but a single Senator has no right under the Constitution and the law, or the properly construed precedents of the Senate, to prevent majority rule within the committee, or majority rule within the Senate, from prevailing. I believe that such action is improper.

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

Mr. CLARK. I yield.

Mr. CHURCH. I believe I should say a word of clarification. I did not say in my remarks that I disagreed with the distinguished Senator from Oklahoma [Mr. MONRONEY]. If this were a matter of first impression, the interpretation originally urged by the Senator from Oklahoma [Mr. MONRONEY] of the term "without special leave" might well be preferred.

But the point is that that term has been passed upon; precedents have been established. The Senate has seen fit to interpret the term "without special leave" to mean that a committee may not meet unless unanimous consent is given or unless a motion is made and

supported by the majority; and such a motion is debatable.

All I am saying to the distinguished Senator from Pennsylvania is that those are the facts. That is how the term has come to be defined by the practice of the Senate; and the term is used in that sense in the resolution.

But I invite the attention of Senators to the fact that if the resolution is agreed to by the Senate—and I hope that it will be—the effect of the resolution will be to permit committees to continue their hearings through the morning hour or until the legislative business is laid down. Such action would help to expedite both the work of the committees and the work of the Senate. I believe this objective is one with which the distinguished Senator from Pennsylvania agrees, and I am confident that, at the final rollcall tomorrow, he will be counted among the supporters of the proposed resolution.

Mr. CLARK. I thank my friend for his lucid explanation of his point of view. I regret very much that he does not feel in the mood to make even a second short step forward toward remedying a situation with respect to Senate procedure which I consider deplorable. He certainly has every right to do so.

The pending resolution was reported favorably by the Committee on Rules and Administration by a vote of 7 to 2. Another member of the committee expressed grave doubts as to the validity of the vote, but did not join in the individual views of the Senator from Pennsylvania and myself.

The Senator from Idaho is quite correct that in the end, if I must, I shall probably vote for his resolution. But I wish to make at least two mild efforts, in the interests of what seems to me perhaps an unsound and stubborn adherence to what I believe is common sense, to improve the resolution.

The first amendment which I shall propose after a short while would in effect reverse the ruling of the Chair in 1949, and later in 1963, and provide that special leave may be obtained on motion, which shall be decided without debate. That, I believe, would bring majority rule back to the Senate on a question of some importance.

The second amendment which I shall offer and call up for a vote tomorrow would permit standing committees of the Senate to meet while the Senate is in session, except during the 3-hour period of germaneness. In effect, that resolution would extend the time during which the committees might meet, so that it would be possible for them to meet without unanimous consent and, indeed, without special leave after the germaneness period had expired each day, as well as before. The extension of the time when committees would be permitted to meet would be particularly useful in the closing days of the second session of any particular Congress, when many measures are pending in committees, hearings are completed, and mark-ups are about to start. Yet one Senator could prevent the entire committee from meeting, and thus could prevent the entire Senate from considering proposed legislation which might be very impor-

tant in the national interest. Under the proposal of the Senator from Idaho [Mr. CHURCH] no committee could meet after the morning hour was over or after the pending business had been laid before the Senate, whichever occurred first.

I hope to have on the desks of Senators tomorrow a brief explanation of those two amendments. I speak this afternoon for the purpose of placing in the RECORD, where perhaps a few Senators at least will read it before they are called upon to pass on the question tomorrow, the burden of my argument.

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

Mr. CLARK. I am happy to yield.

Mr. LAUSCHE. Does one of the amendments of the Senator from Pennsylvania contemplate extending the right of committees to meet each day until the period of germane debate has expired?

Mr. CLARK. I should like to rephrase the question in the following way: The resolution of the Senator from Idaho would permit committees to meet until the germaneness resolution went into effect. It would not permit them to meet at any time thereafter. One of my amendments would permit committees to meet after the period of germaneness had expired while the Senate was still in session. Without intending to be facetious, I point out, as my friend from Ohio knows, that one or two of the most articulate and distinguished Members of the Senate are wont to obtain the floor of the Senate toward the end of the afternoon and speak for a substantial period of time, unfortunately all too frequently. Their colleagues are not compelled to be in attendance on the floor of the Senate while those eloquent speeches are being made.

My proposal would permit committees to meet and conduct their business during that period if a majority of the committee wished to meet, and not otherwise, of course.

Mr. LAUSCHE. In the period after the time for germane debate had expired and irrelevant subjects might be discussed on the floor of the Senate, the amendment of the Senator from Pennsylvania would allow the committees to meet?

Mr. CLARK. The Senator is correct. As I said before, that procedure would seem to me to be desirable, particularly toward the end of a session when the work of committees becomes jammed.

Mr. President, every Senator has had the experience of having consideration of a measure in which he is vitally interested repeatedly postponed because of the inability of standing committees to meet in executive session, or for the purpose of holding hearings, while the Senate is in session.

The problem has now assumed a chronic and persistent character. Objections against committees meeting are lodged as a matter of course, and often it is only in the exceptional case that a committee is able to obtain unanimous consent to meet.

Last year one of our distinguished colleagues was charged by a number of his companions with the duty of always ob-

jecting to any committee meeting while the Senate was in session. It was bruted about, but never proved, that those objections might have had something to do with delaying procedure in the Senate so that a filibuster against the civil rights bill would be more likely to succeed than otherwise. I do not make that charge. All I say is that the statement was repeated in the cloakrooms by Members of this body, and by the press.

One of the tactics and techniques of making a filibuster more effective is blanket denial to committees of permission to meet while the filibuster is in progress. I have no doubt that very shortly the Senate will be faced with a determined filibuster against the civil rights bill when it comes over from the House in the foreseeable future.

It seems to me it would be a great shame if during that period of filibuster—a most immature and quite un-American procedure which we have tolerated in the Senate now for well over 100 years—the entire legislative mill of the Senate should cease to grind and no committees were permitted to act on appropriation bills, the war against poverty, the housing bill, and education bills. The whole legislative machinery would be brought to a grinding halt under present procedures.

Nor would the amendment to the rule of the Senator from Idaho improve this situation perceptibly, for all the proposal would do would be to extend for a very brief period each day, which might be as long as 2 hours, but which more likely would be 20 minutes or a half hour, the period during which committees might meet.

I am fearful that if the Senate adopts the resolution without amendment, Senators will smack their lips, clap their hands, go home, and say, "We have arranged everything. Committees of the Senate can now meet for additional time, and senatorial business will be conducted with much better efficiency."

That is not the case. I do not say the Senator's proposed rule change would make no improvement. Of course, it would be an improvement, but the improvement would be so slight as to be barely perceptible, and pretty much in the same category as the rule of germaneness which the Senate adopted the other day.

We made a pious and fine gesture of seeking to stick to the subject, but, as the Senator from Georgia [Mr. RUSSELL] pointed out to me—I think it was on the floor, but certainly it was informally—that the rule of germaneness has a hole in it so big that a truck can be driven through it; that all a Senator had to do was to propose a nongermane amendment to a pending bill, and continue to talk about anything he chose until the 3-hour period was over. So if a Senator intended to evade the rule of germaneness, he could do so with impunity.

The rule I had proposed which would call for germaneness until the business then before the Senate had concluded, and which, if I thought it had a chance, I would propose, would have prohibited nongermane amendments and would

have made an improvement in expediting the business of the Senate.

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

Mr. CLARK. I yield to the Senator from Florida.

Mr. HOLLAND. It seems to me the Senator from Pennsylvania may have gone a little further than the proposed rule would provide in suggesting, as I understand, that this measure would provide a period each day, the period of the morning hour, during which committees could remain in session.

Mr. CLARK. That, of course, assumes that there is a morning hour, which often the Senate does not have.

Mr. HOLLAND. That is the point I am making. "Morning hour," according to my understanding, does not come after a recess.

Mr. CLARK. The Senator is correct.

Mr. HOLLAND. Therefore, if the Senate entered into extended debate, if the majority leader had made a motion not to adjourn, but only recess, this rule would give no relief whatever, but, to the contrary, would provide that there could not be any relief under that situation without leaving the pending business, making a motion, debating it, and giving special leave, unless unanimous consent were given.

Mr. CLARK. I am in complete accord with what the Senator from Florida has said.

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

Mr. CLARK. I yield now to the Senator from Idaho, so that he may engage in a colloquy with the Senator from Florida.

Mr. CHURCH. This resolution cannot possibly restrict the meeting of committees. Its effect can only be to extend the period during which committees may sit.

The Senator from Florida is quite correct when he says that if there is protracted debate, if there is no adjournment, if the Senate merely recesses, there is no morning hour the following day as a matter of right, under the rules of the Senate. But the practice which has been followed, and which no doubt will continue to be followed, is for the majority leader, in such a situation, to ask unanimous consent that there may be a morning hour.

Mr. HOLLAND. My understanding is that such a period is not to be construed as the morning hour as set forth in the rules, when there is a course of procedure where that is followed, but, to the contrary, exists only for a generally brief period during which Senators who wish to make 3-minute statements for the RECORD may do so. I do not think that is a "morning hour" as contemplated by the rules. Certainly for that time—not definite—such a morning hour as referred to by the Senator from Idaho is solely for the purpose of allowing Members of the Senate to make statements for not more than 3 minutes and does not in any way constitute a morning hour under the rules of the Senate, which contemplates a great many other actions than the mere making of 3-minute statements.

Mr. CLARK. I agree with the Senator from Florida. I point out to my friend from Florida what I stated at greater length earlier, when we got into what I call a real legislative snafu, if I may use the word, because objection was made to the 3-minute limitation and the Senate was required to proceed under rule VII, a rule with which some of us are not too familiar, but which I have had occasion to use because I have invoked it from time to time. But the Senator's statement is correct. "Morning hour" and "morning business" as laid down in rules VII, VIII, and IX, are very different. In ordinary practice, the unanimous consent requests of the majority leader, as the Senator will recall, include unanimous consent requests to dispense with the reading of the Journal, then unanimous consent requests for statements to be limited to 3 minutes, and then completely avoid rules VII, VIII, and IX, which call for a definite agenda of business.

My proposal would bring the rules into some semblance of conformity with what the Senate actually does.

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

Mr. CLARK. I yield.

Mr. CHURCH. The Senator from Pennsylvania has pointed out that, even when there is a morning hour under the rule, it is customary procedure for the majority leader to ask unanimous consent to permit 3-minute statements and insertions which are not contemplated under the rule, as well as unanimous consent to dispense with the reading of the Journal.

If the Senator will read the whole text of the pending resolution, he will note that:

No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier.

When the Senate is engaged in protracted debate, when it recesses the night before, and when the majority leader asks unanimous consent the following day for a limitation of 3 minutes on statements and insertions, which is the common procedure, when such consent is given, the Senate does not proceed to the unfinished business until the period for insertions has ended, and then the unfinished business is laid before the Senate. So, under this resolution, it is not merely a question of the ending of the morning hour, but of proceeding to the unfinished business, which may occur before 2 o'clock, whichever is earlier.

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

Mr. CHURCH. In either case, there would be an added period of time during which committees could meet.

Mr. CLARK. Mr. President, I thoroughly disagree with the Senator, but I now yield to the Senator from Florida.

Mr. HOLLAND. It seems to me that the distinguished Senator from Idaho overlooks the point that it would still require unanimous consent to provide for an informal morning hour of uncertain duration.

Mr. CLARK. Which is not really a morning hour at all.

Mr. HOLLAND. Unanimous consent would no sooner be given on that matter than it would be given for a committee to meet during the session of the Senate, and nothing would be accomplished. In other words, if there were a sufficient reason in the mind of any one Senator to protest against the meeting of a standing committee at the time the Senate was in session, he would have exactly the same privilege of objecting to an informal morning hour.

Mr. CLARK. Which is not a morning hour at all, under the rule.

Mr. HOLLAND. Which is not a morning hour at all. One Senator could stop it. Therefore, it would preclude the obtaining of consent under this rule for a continuation of the session of a standing committee.

Mr. CLARK. Does not the Senator agree with me that it would not even be necessary to lay the unfinished business before the Senate, because after a recess it would already be before the Senate?

Mr. HOLLAND. I believe that is correct.

Mr. CHURCH. Mr. President, I agree with much of what the distinguished Senators have said, but not with the statement of the Senator from Florida, that nothing would be accomplished. With that statement I cannot agree.

In all the cases when the Senate adjourns, when a morning hour follows under the rule, the resolution would be applicable, and it would not depend upon a unanimous-consent agreement. There would be opportunity for a committee to sit beyond 12 o'clock noon for, say, a half hour, or an hour, or an hour and a half.

How often have Senators served in committees attempting to complete a hearing, only to find that it was 12 o'clock, when we knew that an additional 30 minutes would permit us to complete consideration of a particular matter, and to hear the remaining out-of-town witnesses. Yet, when the hour of 12 o'clock arrives, the committee must stop the hearing, and perhaps ask the witnesses to remain for another day, simply because the committee cannot meet for an additional 30 minutes or 45 minutes to dispose of its business. Again and again, this resolution would have the effect of expediting committee business, and thus the work of the Senate itself.

Mr. CLARK. In answer to the Senator's question, "How often?" I would say every now and then, but not very often. As a general rule, if a committee wishes to continue to sit, it will wish to sit for a good deal more than 20 minutes or a half hour, or perhaps even an hour.

Mr. HOLLAND. I am willing to concede that there could be some occasions of the kind the Senator from Idaho has described, when a committee could continue to sit for an indefinite period of time, to dispose of certain business. I am suggesting that in all cases in which the question is a serious one, and when consent has not been granted as a matter of courtesy or comity, the proposed rule would do no good, because it is not unusual for both the majority leader

and the minority leader to obtain consent for half a dozen committees to continue in session when there is a normal meeting of the Senate and Senators are not debating a highly complicated subject. Under those circumstances, there is no difficulty in obtaining consent of the Senate.

I am calling attention to the fact that in all the other cases, in which a highly controversial matter is under discussion, when there are protracted sessions of the Senate, when the Senate does not meet after an adjournment but after a recess, and when unanimous consent is not procurable, no relief would be afforded by reason of the adoption of the proposed rule.

It is equally important to have the RECORD show that in the normal case, when there is no such protracted business before the Senate, when no highly controversial issue is under debate, it is normal, under our rule, for unanimous consent to be requested and given so that a committee may continue in session.

Mr. CLARK. I disagree to some extent with my friend from Florida, because time after time I have had the experience of having one Senator who did not want a committee on which I was sitting to report a bill refuse to permit the committee to sit after the Senate went into session. I have in mind that under such circumstances, a Senator would send word to the minority leader to object to the committee sitting.

On one occasion, 2 or 3 years ago, when an education bill was being considered in the Committee on Labor and Public Welfare, an honored and beloved member of the party across the aisle, on 13 separate occasions, prevented the committee from considering an education bill. He finally became tired on the 14th day, after 2 months of hearings, and finally we were able to report the bill.

When we were in executive session, he would present an amendment and talk about it. Normally we could not obtain a quorum in committee until 10:30 or so. He would talk for an hour and a half. Then the bell would ring, at 12 o'clock, and he would say, "Mr. Chairman, I must object. The Senate is in session. We will have to come back another time." This procedure would be repeated over and over.

That is what I am objecting to. I agree with my friend from Florida that the proposal of my friend from Idaho has limited effectiveness. It is for that reason that I am proposing a few amendments to strengthen the proposal.

I should like to ask the Senator from Florida why he objects—I do not know that he does object, and perhaps I am doing him an injustice by suggesting that he would object, so I will merely ask the Senator from Florida whether he would have any objection to permitting a majority of a committee, confirmed by a majority of the Senate, on a motion decided without debate, to meet while the Senate is in session.

Mr. HOLLAND. I certainly would. If the occasion is one on which the presence of the Senate as a whole is not desirable on the floor, consent can usually

be asked and given. I believe that the attendance of Senators on the floor has been all too small in the consideration of important measures. I believe that one of the things that has not been mentioned in this debate is the need for bringing more Senators to the Chamber while debate is underway. I have received many letters from constituents and other persons, who have been present in the galleries and have seen situations similar to the present one, when only three or four Senators have been in the Chamber, with a few Senators debating what seemed to them to be worthy of debate, while other Senators were absent.

One of the reasons for the provision in the Reorganization Act which would be repealed so far as its application to the Senate is concerned if this rule were adopted was to repair that unseemly situation, by insisting that more Senators be in the Chamber. That provision, which would be repealed by the adoption of the resolution, reads as follows—

Mr. CLARK. We had this out before the Senator entered the Chamber.

Mr. HOLLAND. I am sorry. I might have profited from hearing the debate at that time.

Mr. CLARK. I believe it is quite interesting. Let us do it again.

Mr. HOLLAND. That section of the Reorganization Act, which is known as section 134(c), reads as follows:

No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit, without special leave, while the Senate or the House, as the case may be, is in session.

That was a very salutary provision. I am sorry it has not accomplished its purpose. Its purpose was to bring more Senators into the Chamber. The House has approached the matter through a rule of its own, as Senators know. I very much dislike further weakening and impairing the very salutary purpose of that section of the Reorganization Act, which I admit has not been too well accomplished. I would rather strengthen that rule by insisting that more Senators be in the Chamber while debate is underway.

Mr. CLARK. I wonder whether the Senator from Florida, who came to the Senate on September 25, 1946, was present at the time the La Follette-Monroney reorganization bill was debated on the floor.

Mr. HOLLAND. Unfortunately for me, I was not. I was not able to take part in that discussion. I came to the Senate after the end of the regular session in 1946; and there was no succeeding special session.

Mr. CLARK. What I wished to point out to the Senator from Florida is my understanding that the purpose of this section of the Reorganization Act, section 134(c), was exactly what he said it was, because the Senate at that time was concerned about the lack of attendance in the Chamber during what I think we dignify with the word "debate" but often is not debate at all; it is merely the making of a speech for home consumption.

Mr. HOLLAND. Too often, a monologue.

Mr. CLARK. Too often a monologue; and that the purpose of the section was to bring more Senators to the Chamber.

I did not come to this body until the same day the Senator from Idaho [Mr. CHURCH] arrived, and we have been boon companions in the back row ever since. I am sure he will agree with me that that provision has not worked. Senators do not come to the Chamber. They are not going to come.

We are discussing a proposal which one would hope would be of some interest to Members of the Senate. It involves our own housekeeping procedures. Yet we three Senators are the only ones participating in the debate, and the unfortunate Senator from South Dakota [Mr. McGOVERN] is required to sit by and listen to us because it is necessary for us to have a Presiding Officer.

There is not even a Senator of the minority present to protect the minority rights. I think we might, if we chose, pass the entire legislative program of the Johnson administration in the next hour or two; there would not be any Senator of the minority to object, such is their lack of attention.

This provision of the Reorganization Act has not worked, and it will not work. The only effect it has had has been to afford the able and distinguished colleagues of the Senator from Florida, who are eager to prevent various kinds of proposed legislation from coming to a vote in this body, another weapon, which they did not have before 1946, to enable them to slow down the progress of legislation to which they quite sincerely object, a weapon which I, with equal sincerity, would like to take away from them. Instead, I would restore majority rule, which I believe to be one of the most important elements in every legislature, particularly in the second half of the 20th century.

I ask the Senator from Florida if he will not ponder this proposal overnight and perhaps give some consideration to supporting an effort to restore majority rule, which is the basis of the American system of government, and thus permit committees to meet when a majority of the committee wants to meet, and when a majority of the Senate, acting on a motion to be determined without debate, is willing to let them meet.

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

Mr. CLARK. I am happy to yield.

Mr. HOLLAND. I shall ponder seriously any suggestion made by either the distinguished Senator from Pennsylvania or the distinguished Senator from Idaho, but I would also ponder seriously any effort to weaken the salutary effect, not so great as I should like it to have been, of the Reorganization Act in this regard. It seems to me that the proposed rule is a weakening of the provision that is designed to bring Senators to the Chamber.

Mr. CLARK. The Senator from Florida is quite correct.

Mr. HOLLAND. I think it would so operate. My own feeling is that, as between the two courses, both of which I regard as desirable, I would have to

decide which was more desirable. Up to this moment, I think it is more desirable to try to bring Senators to the Chamber. The Senator from Pennsylvania has probably noticed during his many years of service that the Senator from Florida is rather assiduous in his attendance in the Chamber.

Mr. CLARK. He is, indeed.

Mr. HOLLAND. I thank the Senator. The Senator from Florida wishes that the Senate always had a large representation in the Chamber. It would be good for the Senate. I know it would be good for Senators, because many of them, including myself, would more clearly understand the issues on which we are called upon to vote. We would understand them better if we had heard the arguments made upon them.

I understand the proposed rule and the motives of the distinguished Senator from Idaho in proposing it better than I would have if I had only looked at the proposed rule and report and had only consulted my own conscience and memory as to the reasons for the section of the La Follette-Monroney Reorganization Act to which reference has been made.

So it is a question of which is the higher good as between two good objectives. Each Senator will have to decide that question for himself.

I thank the Senator from Pennsylvania for yielding.

Mr. CLARK. I regret that my argument has failed to persuade the Senator from Florida to cast his vote in support of majority rule. I had hoped that the logic of the situation, the essence of democracy which it involves, and the long American tradition in support of majority rule would persuade him.

My view is, frankly, that I do not want the Senator from Florida to be able to say to a committee on which I serve, "Thou shalt not sit, even though thou wantest to meet, and the Senate is willing to let the committee meet, because I know best, and I will not let thee meet." That is the situation.

Mr. CHURCH. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. CHURCH. I merely wish to emphasize that, in my judgment, the resolution contains nothing which is contrary to the objective sought by the provision of the Reorganization Act that has been cited.

It is quite apparent that the purpose of including in the act the provision:

No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit, without special leave, while the Senate or the House, as the case may be, is in session,

was to induce Members to participate in the debate, when the two Houses were engaged in their legislative functions.

But the resolution is carefully written so as not to conflict with that objective. Senators know that, during the morning hour, the principal business transacted is the insertion of editorials and other extraneous material into the RECORD. It is only during this period that the resolution contemplates that committees should continue to meet. But as soon as the legislative business is laid before the

Senate, committees would have to obtain special leave of the Senate to continue to sit.

The objective of bringing Senators to the Chamber when the Senate was in fact engaged upon its legislative business would in no way be weakened by the adoption of the resolution.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield, so that I may address a question to the distinguished Senator from Idaho?

Mr. CLARK. Mr. President, with the understanding that I do not lose my right to the floor, I yield to the Senator from Florida.

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

Mr. HOLLAND. I call the attention of the distinguished Senator from Idaho to the fact that the Committee on Appropriations, under a practice which has prevailed ever since I became a Member of this body, and by reason of leave obtained on the first day or during the first few days of each session, may, by unanimous consent, given by the Senate, meet at all times, regardless of what is taking place on the floor of the Senate. This is done for many reasons. It occurs to me, looking at the proposed rule, that such a situation possibly could not exist if the proposed rule were in effect.

Mr. CHURCH. I disagree with the Senator from Florida.

Mr. HOLLAND. At least, during certain hours. I am wondering if the distinguished Senator from Idaho thinks that such a request would have to be renewed from time to time under the proposed rule, if it be adopted, or whether special leave could be granted at the beginning of a session, as has been customary for so many years, for the Committee on Appropriations to meet at any time in its own discretion, regardless of whether the Senate was in session.

Mr. CHURCH. I have no doubt that this practice could continue under the proposed rule, because the Committee on Appropriations meets after having obtained leave of the Senate to meet.

I draw the Senator's attention to the wording of the first sentence of the language of the resolution, line 4, which reads:

No standing committee shall sit without special leave—

That is precisely the same term heretofore used in the Reorganization Act. It has been well defined by the Parliamentarian and by the established precedents of the Senate. So, nothing will be changed by the adoption of the resolution. The special leave which the Appropriations Committee ordinarily obtains could still be obtained in precisely the same fashion as is now the case.

Mr. CLARK. But the Appropriations Committee has not yet obtained unanimous consent to sit during this session of the 88th Congress; and I have notified the leadership that I would object to such a request, because I see no reason why the 27 members of the Appropriations Committee should be treated differently from the other 73 Members of the Senate, including the members of several committees on which I serve,

which have very important legislative business pending during this session.

I have told the leadership that if the Appropriations Committee wishes to meet while the Senate is in session, it should make such a request for each day it wishes to have such authority, in the same way that other committees make their requests. I do not think there should be both "first-class citizenship" and "second-class citizenship" in this body, insofar as its committees are concerned.

Although this resolution makes no particular difference in that connection, I point out that I do not intend to join in giving unanimous consent for the Appropriations Committee to meet during the sessions of the Senate, because I do not think that committee is a whit more important than many other legislative committees which have equally important duties in connection with legislation advocated by the Johnson administration which I hope will be passed at this session.

The argument that the difference is that the Appropriations Committee meets in the Capitol Building and the other Senate committees meet in the Senate Office Building is a completely spacious one, so far as I am concerned, for I have never had any difficulty coming quickly from the Senate Office Building to the Senate Chamber.

So the argument that much more blanket permission must be given the Appropriations Committee, as compared to the permission given the other Senate committees, is not valid, so far as I am concerned.

I shall not object to a request, in the ordinary course, for permission for the Appropriations Committee to meet during the session of the Senate on any particular day. But if the Appropriations Committee is to have blanket permission, throughout the 88th Congress, to meet while the Senate is in session, I wish to have similar permission given the Banking and Currency Committee, the Committee on Rules and Administration, and the Committee on Labor and Public Welfare. I see no reason why preferred status should be given the Appropriations Committee, no matter how important it may be. Of course, it is an important committee, and the Senator from Florida serves with distinction on it.

Mr. HOLLAND. Mr. President, I thank the Senator from Pennsylvania for his reference to the Appropriations Committee and to me. The Senate itself—as I know because of the fact that for many years I have been a Member of the Senate—has seen fit, over a long period of time, to distinguish between the duties of the Appropriations Committee and those of other Senate committees, and has given such permission, by unanimous consent, to the Appropriations Committee for at least 17 or 18 years—the period covered by my service in the Senate. Therefore, it appears that the verdict of the great majority of the Senate—and I have heard with interest the Senator from Pennsylvania refer to the majority—has evidently been

that the Appropriations Committee is entitled to this kind of treatment.

I shall not argue that point now; but having been for many years a member of the Appropriations Committee, I know how many emergency matters have come up before it, particularly with reference to supplemental appropriation bills.

So I hope the Senate will grant the Appropriations Committee the same sort of blanket permission it has in the past. I have not found it to be abused; to the contrary, I think the record shows clearly that the members of the Appropriations Committee have been exceedingly diligent in their attendance on the floor of the Senate, and that their record of participation in votes in the Senate is probably better than that of the average Senator. I believe that will be found to be the case.

In my opinion, there is a difference in the duties of the Appropriations Committee, in the judgment of the vast majority of Senators; and I think the distinguished Senator from Pennsylvania finds himself on not unusual ground when he finds himself in the minority, as apparently he is on this question.

Mr. CLARK. Mr. President, I, too, do not wish to argue this matter with the Senator from Florida; but I commend to him the ancient adage that what is sauce for the goose is also sauce for the gander.

Mr. CHURCH. Mr. President, I think the debate has clearly shown that the pending resolution would not affect in any way the custom of the Senate in permitting its Appropriations Committee to meet while the Senate is in session, because the resolution contains the words "special leave," which is the operative language under which we now function.

Mr. HOLLAND. Mr. President, I am glad that the author of the resolution has made that clear, because I think that in the absence of his statement, this point would not have been clear, inasmuch as the resolution seems to be based on the day-by-day handling of the matter, in connection with the day-by-day consideration of measures in the Senate. However, now we do not have to worry any more about that point, because the distinguished author of the resolution has stated quite clearly, in the RECORD, that he has no intention whatsoever of having the Appropriations Committee deprived of the special consideration it has received for many years, by receiving such permission at or near the beginning of a session—with the result that the committee is given special permission to meet during the sessions of the Senate whenever in the judgment of the committee it is necessary for it to meet, regardless of whether a session of the Senate is then underway.

Mr. CHURCH. The Senator from Florida is correct.

Mr. HOLLAND. I thank the Senator from Idaho for making that point clear.

Mr. CLARK. Mr. President, I rise for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is the Senate still operating under the rule of germaneness?

The PRESIDING OFFICER. That is correct.

Mr. CLARK. At what time will application of the rule of germaneness expire, this afternoon?

The PRESIDING OFFICER. It will expire at approximately 7 p.m. today.

Mr. CLARK. Seven p.m. would seem to be substantially later than 3 hours after the morning hour ended. Is that because the Parliamentarian and the occupant of the Chair have made the quite important ruling—to me—that a period of time during which the Senate is in recess shall not count, in determining when the 3-hour period has expired?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that the Senate was in recess from 12:49 to 3:58 p.m., today.

Mr. CLARK. It is my understanding that both morning business and the morning hour were closed before the taking of the recess. Is that correct?

The PRESIDING OFFICER. Prior to the taking of the recess, 1 minute was devoted to the pending business.

Mr. CLARK. Therefore, the 3 hours began to run 1 minute before the taking of the recess; is that correct?

The PRESIDING OFFICER. Yes; but the time taken by the recess period would not be counted.

Mr. CLARK. I commend the Chair and the Parliamentarian for making so sound and—if I may say so—so unexpected a ruling in support of the rule of germaneness.

I take it that it is now established—by one of the "edicts from Mount Olympus"—that in determining when the 3-hour period has ended, we do not count a period of time during which the Senate is in recess. I think this is a perceptible, if not significant, advance in having the Senate stick to the point.

Mr. President, at this time I desire to complete my argument on this matter.

As I stated before the colloquy between the Senator from Florida, the Senator from Idaho, and myself, the objection to the meeting of Senate committees while the Senate is in session has now assumed a chronic and persistent character. Objections to the meeting of committees during sessions of the Senate are often lodged as a matter of course. Often it is only in an exceptional case that a committee is able to obtain unanimous consent to meet while the Senate is in session.

This situation has very real bearing and impact on the ability of the Senate to complete its legislative business, each year, within a reasonable length of time. It has been one of the significant factors in preventing the Senate, for now these many years, from completing its work and adjourning by the 31st of July of each year, as categorically required by the Reorganization Act of 1946.

It is in an effort to improve that deplorable situation, which resulted in the first session of the 88th Congress—for no good reason at all—continuing until the last day of the year, that I am bringing forward my amendments to the resolution of the Senator from Idaho.

I do not contend that these amendments will remedy a deep-seated and—

I fear—malignant disease in the methods, procedures, traditions, and rules of this body, but I believe that they would treat one obvious symptom and help cure that symptom and thus, to some extent at least, enable us to move forward with the Nation's business.

The failure of the Senate to operate adequately under the present requirement of unanimous consent as a condition to permitting committees to sit, was made transparently clear all through 1963. For example, on July 24, July 29, July 30, and July 31, the Commerce Committee, which was then engaged in the consideration of legislation to avert an impending nationwide railroad strike, was forced to meet late at night after the Senate had adjourned because one Senator kept it from meeting during the daylight hours when the Senate was in session.

As the first session of the 88th Congress dragged on to its weary conclusion at the end of 1963, the problem of finding time for committee work grew progressively worse. That situation will become worse and worse as 1964 progresses and we are under the hammer of adjourning by the time the Republican National Convention meets on the 13th of July of this year.

Mr. President, as we proceed in 1964 with the practical, pragmatic, political deadline of the Republican National Convention meeting on July 13, the disadvantageous defects of not permitting committees to sit while the Senate is in session will become more and more apparent.

This will be particularly true in view of the practical certainty that starting some time next month or at the latest in March, there will be a protracted filibuster on the civil rights bill during which, unless some procedure is agreed upon to permit the Senate committees to meet while the Senate is in session, the whole legislative program of the Johnson administration will necessarily come to a halt.

Therefore, I implore Senators to give careful attention to the amendments which I shall propose tomorrow to the resolution of the Senator from Idaho [Mr. CHURCH], in order to make it possible for these committees to sit at all times during the rest of 1964, except during the 3-hour period when the rule of germaneness is in effect after an adjournment.

I believe that such action on the part of the Senate is almost essential if we are to save any substantial part of the legislative program of the President of the United States.

I happen to be serving on committees which have before them the work of processing an important housing bill. This will take a good many days of hearings, several additional days to mark up the bill in subcommittee, and then a perceptible amount of time in the full committee.

If we get into a situation in which committees are not allowed to sit except by unanimous consent when the Senate is in session, we can kiss goodbye to a housing bill for this year. The same is equally true of a number of other meas-

ures which the President has proposed that the Congress enact in his war against poverty, and also a great many other measures which are part of his legislative program.

Accordingly, I request Senators to think deeply as to whether it is not highly desirable, in the interest of the Nation's business and in the interests of that part of the President's program—and much of it will not be handled on a partisan basis—that we make it possible this year for Senate committees to meet while the Senate is in session.

This will become particularly important as we near the end of the session and we are in the usual second session race against time to get measures out of committee and on to the floor of the Senate and passed.

Our legislative record in 1963 was bad enough, but I say with all of the conviction of which I am capable, that our record in 1964 will be worse unless we come to some arrangement under which committees can meet most of the time while the Senate is in session.

LEGISLATIVE PROGRAM

Mr. CLARK. Mr. President, despite the rule of germaneness which is in effect, I ask unanimous consent that I may yield to the majority leader for an important announcement.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I thank the Senator from Pennsylvania.

For the information of the Senate, it is anticipated that the tax bill will be taken up on Thursday next. I therefore ask unanimous consent that when the Senate adjourns tomorrow night, it adjourn to meet at 11 o'clock on Thursday, January 30.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns on Thursday—and I believe it will be late—that the Senate adjourn to meet at 10 o'clock on Friday, January 31.

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

Mr. MANSFIELD. There will be no Senate session this Saturday because I believe Senators should receive ample prior notice; but if the bill is not completed by the following Saturday, the Senate should be prepared to meet on that day, a week from this coming Saturday, February 8.

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

Mr. MANSFIELD. I yield.

Mr. CLARK. While the Senator from Montana was out of the Chamber, the majority whip obtained unanimous consent for the Senate to meet tomorrow and to vote tomorrow. Do I understand correctly that that agreement is still in effect?

Mr. MANSFIELD. That is correct. The purpose of making this announcement is to notify Senators on both sides of the aisle as to what the procedure will be when the tax bill reaches the Senate beginning on Thursday, January 30. It

is anticipated that the Senate will remain in session late into the evening considering the bill, and it is hoped that Senators will arrange their schedules accordingly so that they will be prepared to remain here at night, beginning on Thursday next. If they have any engagements, I hope that they will take them into consideration.

Mr. CLARK. Mr. President, will the Senator from Montana yield further?

Mr. MANSFIELD. I yield.

Mr. CLARK. I wonder whether the Senator from Montana could advise me whether he anticipates obtaining a unanimous-consent agreement with respect to the tax bill before the end of this week?

Mr. MANSFIELD. No. I believe the bill should be permitted to take its course. I would hope, after consulting with the appropriate Senators on the committee, and others, that it might be possible at least to broach such a request next week.

Mr. CLARK. I realize the Senator from Montana cannot make a categorical answer to this next inquiry—each Senator must make up his own mind—but I wonder whether the Senator from Montana believes there is much likelihood of any votes on the tax bill on Thursday next?

Mr. MANSFIELD. There is a slight possibility, because we would not attempt to prevent Senators from offering amendments Thursday and Friday if they so desired; but the Senator from Pennsylvania knows the Senate as well as if not better than I, so his guess would be as good as mine. We anticipate calling the Senate into session on Saturday, February 8—not this coming Saturday—but I believe that enough notice should be given concerning the following Saturday, that if the bill is not completed the Senate will be in session then.

Mr. CLARK. Mr. President, I ask unanimous consent that the statements of the Senator from Montana and the colloquy which he and I have engaged in may be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

Mr. CLARK. I thank the Senator from Montana.

I would permit the committees to meet at any time they might desire to meet unless the Senate, by majority vote taken without debate, were to determine otherwise. But in the interest of compromise and in order to see if we cannot make the truncated rule of germaneness work at least a little bit, I would be prepared to yield those 3 hours when the rule of germaneness was in effect to permit Senate committees to meet.

What I have been saying during the last few minutes is taken largely from the individual views of my colleague from Pennsylvania [Mr. SCOTT] and myself, which appear on pages 3 and 4 of the report of the Committee on Rules and Administration. In order to shorten my discussion this evening I ask unanimous consent that a copy of those individual views be printed in full in the RECORD at this point in my remarks.

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

INDIVIDUAL VIEWS OF MR. CLARK AND MR. SCOTT

Every Senator has had the experience of having consideration of a measure in which he is vitally interested repeatedly put off because of the inability of standing committees to meet in executive session, or for the purpose of holding hearings, while the Senate is in session.

The problem has now assumed a chronic and persistent character. Objections against committees sitting are lodged as a matter of course, and often it is only in the exceptional case that a committee is able to secure unanimous consent to sit.

As a result, the work of the Senate has been gravely impeded, and on occasion, Members of the Senate have suffered severe personal inconvenience. On July 24, July 29, July 30, and July 31, the Commerce Committee, which was then engaged in the consideration of legislation to avert an impending nationwide railroad strike, was forced to meet late at night, because the objection of a single Senator was sufficient to prevent it from meeting during the daylight hours when the Senate was in session.

As the sessions of the Congress drag on through the year, the problem of finding time for committee work grows progressively worse. Daily sessions of the Senate begin earlier and end later, occupying an increasingly greater share of the working hours of the day. And, as if matters were not bad enough, as the time available for committee work decreases, the need for time to clear committee dockets before the end of the session grows more urgent.

We believe that this obstacle to the proper performance of the Senate's legislative function must be cleared by a meaningful and effective change in the rules of the Senate.

Specifically, we support the liberalization of the rule which, in recent years, has made it impossible when a single Senator objects for standing committees of the Senate to meet while the Senate is in session.

We have joined with the committee in reporting Senate Resolution 111 to the floor of the Senate. But we believe the proposed resolution is inadequate to deal with the problem which arises from the present practice of permitting one Senator to prevent a committee which wants to meet, from meeting while the Senate is in session.

Our objections to Senate Resolution 111 are based upon the following considerations:

First, Senate Resolution 111 does not repair the violence done to the intention of the authors of the La Follette-Monroney Reorganization Act of 1946 by subsequent interpretation.

The committee was privileged to have the testimony of Senator MONRONEY himself upon this point. Senator MONRONEY said:

"In the Reorganization Act, we did not intend absolutely to prohibit the committees from sitting during Senate sessions except with unanimous consent only. We meant that they should not sit during the Senate sessions without special leave.

"This leave could even be a majority vote without debate or it could be permission of the majority and minority leaders."

Because of a ruling of the Chair on April 6, 1949, a motion for leave for a committee to sit while the Senate is in session is debatable. This precedent, in effect, gives any single

¹ Hearings on S. Res. 111, Subcommittee on Standing Rules of the Senate of the Committee on Rules and Administration of the U.S. Senate, 88th Cong., 1st sess., June 27 and 28, 1963.

Senator the power to defeat such a motion by delaying action upon it and thus evade the intent of the Reorganization Act of 1946.

This unintended and anomalous consequence would not be corrected by Senate Resolution 111. One Senator, by talking long enough, can frustrate the will of not only the committee but of a majority, perhaps practically all, of the Senate. We believe that the original intent of the Reorganization Act of 1946 would be best implemented by a rule which would permit a standing committee to sit at any time agreed upon by the committee, unless a majority of the Members of the Senate should direct otherwise upon a motion determined without debate.

If such an approach cannot be accepted, we are of the view that it should be made plain that a motion for leave for a standing committee to sit while the Senate is in session shall be a privileged motion, and shall not be debatable.

Second, the rule restricting committee meetings while the Senate is in session should relate to, and operate in conjunction with, the rule requiring germane debate.

The only time when it is really the duty of a Senator to be on the floor, listening to and participating in debate, is when there is pending business which is under active consideration. The committee has reported out a proposal (S. Res. 89) which would provide for a daily germane period, during which it is intended that the critical debate on pending legislative business take place. There seems to us no persuasive reason why standing committees of the Senate should be denied the right to meet at all other times while the Senate is in session.

We would favor a rule which would permit standing committees to meet without special leave at all times when debate upon the floor of the Senate is not controlled by a rule of germaneness. This would accomplish the result intended in the Reorganization Act by bringing Senators to the floor for pertinent debate, but freeing them for committee work at all other times.

JOSEPH S. CLARK.
HUGH SCOTT.

Mr. CLARK. Mr. President, I take it, by way of a parliamentary inquiry, that the resolution is now open to amendment. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 1, line 7, it is proposed to strike out the quotation marks after the word "earlier," and insert the following:

A motion for leave for a standing committee to sit while the Senate is in session shall be a privileged motion and shall not be debatable.

The entire resolution would then read as follows:

Resolved, That Rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, whichever is earlier. A motion for leave for a standing committee to sit while the

Senate is in session shall be a privileged motion and shall not be debatable."

Sec. 2. Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

Mr. CLARK. The purpose of the amendment is to restore the original intention of the Congress when it passed the Legislative Reorganization Act of 1946 as that intention has been brought to our attention by the senior Senator from Oklahoma [Mr. MONRONEY], who was the floor manager of the bill in the House of Representatives. I have already pointed out earlier in this discussion his views given to the Committee on Rules and Administration to the effect that it was never intended to prevent committees from meeting except by unanimous consent. It was intended that special leave should be obtained.

The Senator from Oklahoma [Mr. MONRONEY] testified he did not think that special leave should be conditioned on a determination of a debatable motion. He felt that the leave could be obtained by majority vote without debate or could be permissive by the joint agreement of the majority and minority leaders.

I feel the same way. I feel very strongly that the ruling made by the Parliamentarian back in 1949 was clearly wrong, and the purpose of the amendment is to overrule that parliamentary ruling and reinstate the intention of the Congress when it passed the act.

Mr. President, I expect to ask for a yea-and-nay vote on the amendment. At the conclusion of that vote I shall propose another amendment. While I cannot, under the rules, bring the second amendment before the Senate at the present time, I shall read it so that it may appear in the CONGRESSIONAL RECORD tomorrow. My second amendment would read as follows:

Referring back to Senate Resolution 111, offered by the Senator from Idaho [Mr. CHURCH] for himself and others, beginning at line 4, it is proposed to strike out all through and including line 7 and insert in lieu thereof the following language:

No standing committee shall sit without special leave while the Senate is in session during any time when debate is controlled by a rule of germaneness.

The resolution would then read as follows:

Resolved, That rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"No standing committee shall sit without special leave while the Senate is in session during any time when debate is controlled by a rule of germaneness."

Sec. 2. Section 134(c) of the Legislative Reorganization Act of 1946 shall not be applicable to standing committees of the Senate.

I send the proposed amendment to the desk and propound to the Parliamentarian and the Presiding Officer the following question: If that amendment should be adopted, under the precedents would it not be construed to mean that any standing committee may meet without special leave while the Senate is in

session except during any time when debate is controlled by a rule of germaneness?

The PRESIDING OFFICER. The Chair would prefer not to rule on that question until the Chair has had more ample time to study the proposal.

Mr. CLARK. I would be happy to include the Chair in that regard.

My staff has consulted informally with one of the Parliamentarians. He has been advised that what I have said would be as we anticipate, then I would desire to rephrase the amendment which has been written in those words largely for traditional and legalistic reasons.

Mr. President, I am prepared to yield the floor.

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

Mr. CLARK. I am happy to yield to my friend from Michigan.

Mr. HART. It might be less embarrassing to the Senator from Pennsylvania if I had not asked that he yield but rather made my statement on my own right.

Mr. CLARK. Mr. President, not wishing to be embarrassed by my good friend from Michigan, I yield the floor.

Mr. HART. Mr. President, here we are late on an afternoon. The Senator from Pennsylvania has again impressed into the RECORD of the Senate for all to study what I think is another chapter in the many times thankless but overwhelmingly important effort on his part to bring the Senate of the United States into the moment of history in which the calendar tells us we are living.

There is disagreement, I am sure, and rightly so, with respect to chapter and verse on each of the several rules changes that have been proposed. The reason I come to the floor at this late hour is simply to state for the RECORD, as one Senator, my appreciation of the Senator from Pennsylvania. His is the voice and the mind which are insisting that the Senate do that which so many of us realize must be done, but many of us find reasons that we ourselves cannot take the time to undertake that kind of fight.

I am sure that when historians get around to looking at the Senate in the middle of the present century, some of the things which seem dramatic highlights to us living on a day-to-day basis through this period of history will get very brief footnote treatment from the historians, and the effort which has been led by the Senator from Pennsylvania to vitalize the Senate's performance will find a very conspicuous place in history. None of us will be around to see whose guess is right, but I have a deep conviction that that is probably so.

I am sure there are occasions when the Senator from Pennsylvania wonders whether the objective is worth his effort and whether, indeed, any of us are conscious of what he is doing.

For one, I am. I am appreciative. I assure him of my continued support, and suggest that during those darker days he accept my prediction with respect to history and what he is doing. I am sure it will be a good one.

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

Mr. HART. I yield.

Mr. CLARK. If I had any doubt as to the importance of continuing a fight begun several years ago—originally a lonely fight—that doubt would have been dispelled by the wonderful tribute which the Senator from Michigan has just paid to me. It is not as lonely as it used to be before he joined the back row.

Mr. CHURCH. Mr. President, I join in paying tribute to the distinguished Senator from Pennsylvania. I have said many times that he, above all others, is to be credited with the effort to reform Senate procedures.

I concur wholeheartedly that this is a highly important effort which must be continued from day to day, from month to month, from year to year. He has given it his unflagging attention, his energy, and his dedication. He has stimulated and provoked all of us to the point where we are beginning to make a little progress.

I think the germaneness rule just adopted is a result of the effort the distinguished Senator commenced years ago. I would hope the pending resolution might be regarded as another step in the direction toward which the Senator from Pennsylvania wants to see the Senate move. So, I concur wholeheartedly in the tribute which has been paid to my seatmate, the Senator from Pennsylvania.

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

Mr. CHURCH. I yield.

Mr. CLARK. I thank my friend from Idaho for his very kind comments. In order to prevent emotion from overcoming this somewhat empty Chamber, I should like to say that the difference of opinion between the Senator from Idaho and myself is not one of principle, but one of practical political judgment. I believe that we can drag the balking mule a little farther than the Senator from Idaho is willing to admit.

Mr. CHURCH. I thank the Senator very much.

Due to the spirit of the remarks that have just been made, I think it would be inappropriate for me now to state why I feel constrained to oppose the amendments offered by the Senator from Pennsylvania. I shall leave those remarks for tomorrow.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. CHURCH. Mr. President, I ask unanimous consent that the Internal Security Subcommittee of the Committee on the Judiciary be permitted to sit during the session of the Senate today.

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

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

Mr. CHURCH. I yield.

Mr. CLARK. Let me point out the odd situation which confronts us when the Senator, who believes that all Senate committees should be permitted to meet while the Senate is in session, is

restrained from objecting individually when a subcommittee such as the Subcommittee on Internal Security desires to meet, instead of compelling able and distinguished Senators to attend on the floor of the Senate while the debate on the resolution of the Senator from Idaho is taking place. I regret their absence, but as I look over the roll of that particular subcommittee, I doubt if many votes for the Clark amendments will have been lost by reason of the fact that such Senators are not present, and have missed the debate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the

House had receded from its disagreement to the amendment of the Senate to the joint resolution (H.J. Res. 875) making supplemental appropriations for the fiscal year ending June 30, 1964, for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

ADJOURNMENT

Mr. CHURCH. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand adjourned until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 33 minutes p.m., under the previous order, the Senate adjourned until tomorrow, Wednesday, January 29, 1964, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate, January 28, 1964:

DEPARTMENT OF STATE

Andrew V. Corry, of Montana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Maj. Gen. Fred M. Dean, U.S. Air Force, of Florida, to be an Assistant Director, U.S. Arms Control and Disarmament Agency.

EXTENSIONS OF REMARKS

Jewish War Veterans

EXTENSION OF REMARKS

OF

HON. JAMES C. HEALEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

Mr. HEALEY. Mr. Speaker, during the first session of this Congress, it was my distinct privilege to introduce H.R. 9379, a bill to incorporate the Jewish War Veterans of the United States. In my judgment, this fine organization, now in its 68th year of activity and service, merits the granting of a Federal charter.

Organized in 1896 by veterans of the Civil War, the Jewish War Veterans is now our Nation's oldest active war veterans organization. From its inception, when it spoke out in behalf of the 8,000 Union veterans of the Jewish faith, it has served as an inspiring example of the American ex-serviceman committed to the highest standard of patriotism and dedicated as well to the precepts of Judaism. Among its membership today are veterans of military actions from the Spanish-American War through the Korean conflict.

From my own knowledge of the JWV Bronx Council, and the department of New York, I am well aware of its substantial veterans service program through which any veteran, regardless of race or religion, may be helped. In addition to its well-earned reputation for promoting patriotic programs in over 300 communities, the JWV is actively engaged in carrying on activities designed to foster good relations between diverse elements and groups such as we have in the Bronx.

Eight years of service in the Congress have afforded me an opportunity to be much impressed by JWV legislative activities. While working to create better understanding of government for its members, it has interpreted to the Congress the uppermost concerns of American veterans of whom over 1 million are of the Jewish faith.

As a longtime vigilant fighter against the extremes of communism and fascism and as an outspoken enemy of all prejudice and bigotry, the Jewish War Veterans deserves the prestige and recognition implicit in a Federal charter. The enactment by this body of my bill, H.R. 9379, will be a tangible recognition of a job well done for 68 years. Since introducing it, I have received a large number of letters from residents of my congressional district, thanking me and expressing their hope that the bill will be approved by Congress.

The 1965 Budget Coupled With Tax Cut Will Provide a Sound and Expanding Economy

EXTENSION OF REMARKS

OF

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 1964

Mr. HOLIFIELD. Mr. Speaker, the 1965 budget is an expansionary budget. It is designed to speed the rate of economic advance—to increase the markets for our farms and factories—to add \$30 billion to our gross national product—and to help provide 2 to 3 million additional jobs for our unemployed workers and for the young people coming into our labor market.

Many of my colleagues may ask how this is possible in a budget which reduces Federal spending and which cuts the deficit in half. Mr. Speaker, the answer is plain. This budget relies not upon a vast increase in total Federal spending to accomplish these important aims. Rather, it makes available, through an \$11 billion tax reduction, the funds and the incentives to individual consumers and private business firms to fuel a major economic expansion.

Mr. Speaker, a strongly expanding economy is the surest means of ending

budget deficits. And when we take the proposed tax reduction into account, this budget provides the largest year-to-year economic stimulus of any budget ever submitted in peacetime.

In 1964, the drop in withholding taxes which this budget proposes will put \$8 billion additional dollars directly into the pockets of American families. Reductions in corporate taxes will raise corporate profits. And this extra spending power—as it circulates through the economy—will yield an increase in markets and jobs several times as great as the initial stimulus. With incomes rising more rapidly, Federal revenues will begin to increase sharply. Very quickly, a large part of the initial loss in revenues from tax reductions will be made up, and in a short time Federal revenues under the new tax program will be higher than they would have been under the old one.

Deficit reduction through expenditure control, tax reduction, and economic expansion—that is the fiscal strategy of the 1965 budget.

This budget, Mr. Speaker, is not only a fiscally expansionary budget—it is a socially progressive one. Total expenditures are reduced from 1964 to 1965 by \$500 million. But frugality has not been practiced solely for frugality's sake. The savings which more efficient management and rigorous pruning of low priority programs made possible are proposed to be used in constructive ways to help the American people—and particularly to help the millions of Americans living in poverty to help themselves. This budget provides for major increases in appropriations to furnish work and training for the unemployed, and education and job opportunities for youth: \$160 million for youth employment opportunities; a \$250 million increase for manpower training, and a \$100 million increase for vocational education and rehabilitation; more than \$700 million for major new education programs; and \$50 million for community work and training. Over and above this, it provides \$500 million in special new funds for a joint Federal-State and local effort which will strike at the roots of poverty