

plaint to the United Nations notwithstanding urging from Britain. He has, however, kept the U.N. informed.

The salty Tunku (his title means "Prince") is dead set against neutralism for Malaysia. "There can be no neutrality in southeast Asia," he asserts, "in an area that has been pestered by the Communists all these years."

What finally halted the Communist jungle war against Malaya, he contends, was the British grant of independence in 1957. With this psychological assistance all guerrilla activity was overcome within 18 months except for a small pocket along the border of Thailand.

Partly as a bulwark against Communist subversion, the Federation of Malaysia was formed last summer to join Singapore, Sarawak, and Sabah (North Borneo) with Malaya. It was at that time that Sukarno mounted his confrontation with Indonesian troops released from West Irian (West New Guinea).

Rahman will fly to New York and then to Langley Air Force Base, Va., on Tuesday, spending the night at Williamsburg. Following his consultations in Washington with President Johnson and other officials, he will fly to Ottawa at the invitation of Canadian Prime Minister Lester Pearson.

LEGISLATIVE REAPPORTIONMENT

Mr. PROXMIRE. Mr. President, it is my understanding that tomorrow the amendment of the Senator from Illinois [Mr. DIRKSEN] will be presented to the Senate. I expect that there will be a long, thorough discussion on this most significant amendment. I believe that the Senate owes it to the country and to itself to explore the amendment in greatest detail because, for many reasons, it represents serious interference with the Supreme Court and with a principle which is gradually becoming more widely accepted, a principle which is fundamental to democracy. That principle is: One man, one vote.

In principle, this is just as fundamental to democracy as universal suffrage.

By not following this policy, whatever the other bases for voting may be—whether property, whether race, whether some kind of preferred position, or whether it is areas, as it now is in most of the States—democracy is obviously being frustrated and denied.

Mr. HART. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am glad to yield.

Mr. HART. I am delighted that the Senator from Wisconsin has raised this question as we conclude our deliberations tonight. In a sense, the Senator is putting everyone on notice of what lies ahead in connection with the amendment offered by the Senator from Illinois.

The Senator has mentioned tradition and customs in our country. I have been in the Senate long enough to have received many lectures about tradition and customs in the Senate, too. One of them is never to bypass committees. The committees must give attention to matters which are presented to them in order that the Senate may more intelligently proceed to the consideration of a bill which is reported to it.

In the case of the amendment of the Senator from Illinois [Mr. DIRKSEN], there was no hearing in the committee. There is no record. We could purchase the most expensive compass in the world and we would never be able to find out in what direction the Dirksen amendment really points.

The argument is made that unless we adopt the Dirksen amendment there will be chaos across the country as the courts are asked to give constitutional rights to the people of America. In my book, the real chaos will develop if we enact a bill—at the moment I believe that few, if any, Senators understand precisely what it does—and then say to the country, "All right, figure out where you go from here." The chaos argument cuts both ways.

I, too, feel that only the very fullest discussion of a measure like this, especially since it lacks any committee attention, is essential.

I hope that the proposal will be recognized for what it is—A course of great danger which in effect says to the Supreme Court, "Move over, we are mounting the bench."

That is not the role of Senators. The Supreme Court has asserted the constitutional guarantee to each citizen, that he shall be represented equally in a State legislature.

I believe that the district courts across the country better understand the particular circumstances which are applicable in giving effect to that ruling than is Congress sitting in Washington.

We have heard that lecture many times, too.

Here we undertake, if the Dirksen amendment has any meaning at all, to tell the Court what to do.

This is not what Senators were elected for. This is not what the Constitution authorizes us to do. I believe it would be unsound public policy for us to suspend the availability of a constitutional guarantee. If this can be done for 24 hours, if it can be suspended for 24 hours for this purpose, why not suspend it for 24 years?

Mr. PROXMIRE. The Senator from Michigan could not be more right. My argument was that the "one man, one vote" principle is a fundamental principle of democracy. But what is even more critical in this case is that it is proposed that Congress by law prevent—for years—the Supreme Court from protecting the rights of individual American citizens, their constitutional rights, in the judgment of Congress.

I believe that this is, as the Senator from Michigan has stated, a tragic error—a terrible precedent.

The No. 1 crime for Congress is to prevent the Supreme Court of the United States from protecting the rights of American citizens. But is not that just what we shall be doing if we adopt the Dirksen amendment?

Mr. HART. I thank the Senator from Wisconsin. I assure him that we both feel equally serious on this subject.

Mr. PROXMIRE. Mr. President, I yield the floor.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BAYH. Mr. President, if there is no further business to come before the Senate, I move that the Senate adjourn until 10 o'clock a.m. tomorrow, in accordance with the previous order.

The motion was agreed to; and (at 7 o'clock and 11 minutes p.m.) the Senate, under the previous order, adjourned until tomorrow, Thursday, August 13, 1964, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 12, 1964

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The words of Jesus to Nicodemus: John 3: 7: *Marvel not that I say unto thee, Ye must be born again.*

Almighty and gracious God, we are daily beseeching Thee that the hearts of men and nations may be reborn with a vibrant and radiant sense of Thy presence and a stronger desire and determination for a civilization wherein dwelleth justice and righteousness, peace and good will.

Grant that in the great task of solving the problems of our social order, we may help to cultivate among mankind that community and cooperative spirit, that spirit of tolerance and forbearance, that spirit of sympathy and kindly judgment which will bridge all division and heal all dissension.

We pray that there may be breathed into the heart of man a spiritual rebirth and resurgence of faith, hasten our return to Thee, not because we are afraid and are at our wits end but because we love Thee and have a noble appreciation of Thy greatness and goodness.

In Christ's name we offer our prayer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5044. An act to amend the act entitled "An act to provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes";

H.R. 5337. An act to increase the partial pay of educational employees of the public schools of the District of Columbia who are on leave of absence for educational improvement, and for other purposes;

H.R. 6350. An act to amend the act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, as amended; and

H.R. 7441. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4844. An act relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1839) entitled "An act to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the United States," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the amendment of the Senate, and insists upon its amendment to the bill (H.R. 2434) entitled "An act to amend section 560 of title 38, United States Code, to permit the payment of special pension to holders of the Congressional Medal of Honor awarded such medal for actions not involving conflict with an enemy, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 8864) entitled "An act to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the President pro tempore had appointed Mr. SPARKMAN to be a member on the part of the Senate to the Interparliamentary Union Conference to be held in Copenhagen, Denmark, August 20 to 28, 1964, vice Mr. METCALF.

H.R. 2262—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 336)

The SPEAKER. The Chair lays before the House the following communication which the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 11, 1964.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office at 6:25 p.m. on August 11, 1964, and said to contain a veto message on H.R. 2262, an act for the relief of Catalina Properties, Inc.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.
By JOHN A. ROBERTS.

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 2262, an act for the relief of Catalina Properties, Inc.

This bill is a substantial reenactment of H.R. 12701, 87th Congress, approval of which was withheld by President Kennedy in his memorandum of disapproval dated October 18, 1962, copy of which is set out on page 32 of House Report No. 224, 88th Congress. In view of the passage of this measure for the second time, I have carefully reviewed the reports of the House and Senate Committees on the Judiciary and the advisory opinion and findings of the Court of Claims upon which the committee reports are based. No additional facts or reasons in support of the measure have been presented which were not considered fully at the time the memorandum of disapproval was written. After thorough consideration of the underlying facts, I find myself in full agreement with President Kennedy.

The bill directs the Secretary of the Treasury to pay \$29,425.01 to Catalina Properties, Inc. This payment is based upon the assumption that the United States should have and could have collected a debt due Catalina Properties, upon which it served a notice of levy and warrant for distraint for nonpayment of taxes. Approval of this bill might imply that when the Internal Revenue Service makes a levy against the property of a delinquent taxpayer it must assume the obligation of instituting court proceedings to collect the debts due the taxpayer. I agree with President Kennedy that the Government should not be asked to assume this burden. In the absence of some showing of bad faith by Government officials, which is not raised here, no equity can be said to arise in favor of the taxpayer merely because the Government has not taken affirmative steps to collect his debt. Approval of this bill would create an unfortunate precedent which would weaken the effectiveness of necessary distraint procedures in the collection of revenues due the Government.

Accordingly, I am returning H.R. 2262 without my approval.

LYNDON B. JOHNSON,
THE WHITE HOUSE, August 11, 1964.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

REPLACEMENT OF THE GREAT SEAL OF THE HOUSE OF REPRESENTATIVES—COMMUNICATION FROM THE CHAIRMAN, COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER laid before the House the following communication from the chairman of the Committee on House Administration:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, D.C., July 29, 1964.

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

DEAR MR. SPEAKER: House Resolution 560 provides for the replacement of the great seal of the House of Representatives. The resolution further provides that when approved by the Committee on House Administration the chairman shall notify the Speaker and it shall then become the official great seal of the House of Representatives.

The Committee on House Administration in a meeting convened July 29, 1964, a quorum being present, did formally approve the new seal and direct me to advise you of this action. An impression on a gold wafer of the new great seal and a copy of House Resolution 560 are attached.

With best wishes, I am,
Sincerely yours,

OMAR BURLESON,
Chairman.

CIVIL FUNCTIONS APPROPRIATION BILL, 1965

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11579) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, for the fiscal year ending June 30, 1965, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? The Chair hears none, and appoints the following conferees: MESSRS. KIRWAN, FOGARTY, MAHON, JENSEN, and PILLION.

CIVIL FUNCTIONS APPROPRIATION BILL, 1965—AUTHORITY TO FILE CONFERENCE REPORT

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight Friday to file the conference report on H.R. 11579.

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

Mr. GROSS. Mr. Speaker, the request relates to the same bill?

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

There was no objection.

JIM BENNETT RETIRES AS DIRECTOR OF FEDERAL PRISON SYSTEM

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

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

There was no objection.

Mr. SIKES. Mr. Speaker, the Honorable Jim Bennett's retirement as Director of the Federal Prison System is soon to take place. It has long since been fully earned, but it will nevertheless be a great loss to the Government. I have known him a long time. I have watched his work with appreciation and respect. As a member of the Committee on Appropriations, I have had full opportunity to be cognizant of his great ability and his devotion to his responsibilities. So, I admire him as an extremely able administrator and as a person with many outstanding attributes.

I want to inject just a little personal note into this tribute because I think it will show something of the type of accomplishments which have marked his long and successful record. A few years ago I worked closely with Mr. Bennett in getting a new prison camp started at Eglin Air Force Base, Fla. The establishment of the camp at Eglin is an example of the economy, the spirit of cooperation, and the high principles that have been characteristic of the Federal Prison System under Jim Bennett. The prisoners at Eglin perform useful work for the Air Forces for which appropriated funds are not available, and at the same time the Air Force provides housing facilities and resources for the care and training of the prisoners. Everyone profits from this arrangement—the Air Force gets needed work done, the Federal Prison System can keep its costs down, and the prisoners gain valuable employment experience and training. And, the taxpayer gets a whale of a lot for his money.

There are Federal prison camps on other Air Force bases also, and in my opinion the mutually cooperative arrangement between the Federal Prison System and the Air Force is one of the best examples of interagency cooperation in Government. It ought to be more widely emulated.

Jim Bennett has many, many accomplishments to his credit, and I wish to state my own appreciation for everything he has done to build the Federal Prison System into the splendid organization that it is and for everything he has done over the years to improve the administration of justice generally.

PEACE AND FREEDOM THROUGH COLD WAR VICTORY

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

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

There was no objection.

Mr. MARSH. Mr. Speaker, a thought-provoking book is being published today

under the auspices of the American Security Council.

This slim but fact-packed volume is entitled "Peace and Freedom Through Cold War Victory." It was 2 years in preparation by the 28 national figures who comprise the national strategy committee of the council. This committee is headed by Robert Galvin, chairman of the board of Motorola, Inc., and the cochairman is Loyd Wright, former president of the American Bar Association.

John M. Fisher, president of the American Security Council, points out that the publication is subtitled "Guidelines for Cold War Victory," and he describes it as "a synthesis of the best liberal, moderate, and conservative thinking on how we can win the cold war without a nuclear war."

Taking the premise that the cold war is not, inevitably, a conflict without end, this book suggests courses in national policy which could contribute significantly to eventual victory. As such, it should stimulate productive discussion on a nonpartisan basis of what our strategy should be against the many-pronged worldwide relentless and resourceful attack of the Communist conspiracy.

CONGRESS SHOULD STAY REAPPORTIONMENT

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

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

There was no objection.

Mr. WYMAN. Mr. Speaker, surely we are not going to adjourn this session of Congress without acting to stay reapportionment of State legislative bodies, pending ratification of a constitutional amendment to confirm that the States may apportion at least one house. If we do not act now in this Congress, many State legislative bodies will be reapportioned even before the next Congress returns. Federal courts are issuing orders to this effect on a wholesale basis. Legislatures once reapportioned, of course, will not ratify a constitutional amendment disenfranchising many of its new members. None know this any better than the determined few on the U.S. Supreme Court who, indifferent to the true Constitution of this land, are willfully rewriting our laws in their own image.

The people have only this Congress left for their protection in the defense and preservation of the Constitution of the United States. There is no appeal from the U.S. Supreme Court except by the people to the Congress.

There is no more important domestic issue demanding action by Congress now. The Judiciary Committee should report a bill and a joint resolution this week.

AUTHORITY TO FILE ADDITIONAL VIEWS ON H.R. 12298

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that I may have un-

til midnight tonight to file my additional views on H.R. 12298.

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

There was no objection.

THE VIETNAM SITUATION AND THE RADAR CLAIMS

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

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

There was no objection.

Mr. HOSMER. Mr. Speaker, just 24 hours ago in this forum I pointed out the obvious flaw in the administration's claim that President Johnson's announcement 1 hour and 39 minutes before U.S. naval reprisal against North Vietnamese installations did not tip our hand because our aircraft allegedly had already been picked up on North Vietnamese radar before the President spoke. Flying at 500 miles per hour our jet aircraft would cover 825 miles in that length of time. Hong Kong is about that distance from the points of attack. Obviously North Vietnam possesses no such long-distance radar capability not only to detect the aircraft, but to identify them as bent on attack. On the other hand, if the aircraft were within usual radar ranges during the 1 hour and 39 minutes, they must have been on varying courses over the high seas which could not have indicated their intention.

Yesterday I called for an explanation of this peculiar situation from the administration. None has been made. I call again for such an explanation.

FRASER LAUDS PASSAGE OF H.R. 1927

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

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

There was no objection.

Mr. FRASER. Mr. Speaker, Americans have long believed that the men who have defended this country in wartime deserve the protection of pension programs. To be consistent with our commitment to provide for veterans and their survivors, we must revise these pension programs to keep them up to date. The bill we passed yesterday, H.R. 1927, provides a long-needed revision. It is an important step in the direction of insuring that veterans and their widows will be able to afford the goods and services essential for a healthful and self-respecting life.

The provisions of H.R. 1927 seek to improve the pension law in several areas. For one thing, the bill would allow new exclusions from income in determining pension eligibility. The veteran could exclude 10 percent of the total social security payments he receives in a year.

This would insure that the proposed 5-percent increase in social security benefits would not cut his pension. He could exclude amounts paid for the last illness and burial of his deceased spouse or child. He could exclude profit from nonbusiness sale of property. He could exclude payments received for jury or other civic duty. He could exclude payments received under the War Orphan's Act. He could exclude any bonus paid by a State. Finally, all of the wife's earned income could be excluded by a veteran in calculating his total income. Under the present law, he can exclude only the first \$1,200 of her income.

These "exclusion" provisions will extend well-deserved assistance to many thousands of veterans.

But the bill liberalizes the pension program in other areas as well. For example, present law requires that veterans must be 10-percent disabled and unemployable in order to receive a pension at age 65. H.R. 1927 removes this requirement. Moreover, the new bill increases the additional allowance for aid and attendance cases from \$70 to \$100.

And the bill provides a new rate of \$35 additional per month to any veteran who is permanently housebound.

These and other provisions of H.R. 1927 will make a substantial contribution to the welfare of veterans. I hope that the Senate will act quickly to enact the bill into law.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit while the House is in session today during general debate.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1965

Mr. NATCHER. Mr. Speaker, I call up the conference report on the bill (H.R. 10199) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1965, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1732)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10199) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in

part against the revenues of said District for the fiscal year ending June 30, 1965, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 13, and 21.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 11, 12, 16, and 23, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$18,764,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$69,208,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$157,025"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$68,051,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$9,794,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$13,578,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$9,300,900"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: "new elementary school in the vicinity of Seventh and Webster Streets Northwest, Nichols Avenue Elementary School replacement, Tyler Elementary School addition,"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$58,662,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$6,830,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment insert "\$13,185,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,887,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 10.

WILLIAM H. NATCHER,
ROBERT N. GAIAMO,
GEORGE MAHON,
EARL WILSON,
LOUIS C. WYMAN.

Managers on the Part of the House.

ROBERT C. BYRD,
HUBERT H. HUMPHREY,
E. L. BARTLETT,
ALLEN J. ELLENDER,
JOHN STENNIS,
ALAN BIBLE,
CLIFFORD P. CASE,
NORRIS COTTON,
LEVERETT SALTONSTALL,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10199) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1965, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommend in the accompanying conference report as to each of such amendments; namely:

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

Amendment No. 1—Federal payment: Appropriates \$37,500,000 as proposed by the House instead of \$41,000,000 as proposed by the Senate.

Operating expenses

Amendments Nos. 2, 3, 4, and 5—General operating expenses: Appropriate \$18,764,000 instead of \$18,677,000 as proposed by the House and \$18,935,000 as proposed by the Senate; provide that \$180,700 shall be payable from the highway fund as proposed by the Senate instead of \$179,200 as proposed by the House; provide that \$34,100 shall be payable from the water fund as proposed by the Senate instead of \$26,100 as proposed by the House; and provide that \$16,600 shall be payable from the sanitary sewage works fund as proposed by the Senate instead of \$8,600 as proposed by the House.

Amendments Nos. 6 and 7—Public safety: Appropriate \$69,208,000 instead of \$69,041,000 as proposed by the House and \$69,307,700 as proposed by the Senate; and provide that \$157,025 shall be available for the Legal Aid Agency instead of \$149,550 as proposed by the House and \$164,650 as proposed by the Senate.

Amendment No. 8—Education: Appropriates \$68,051,000 instead of \$67,910,000 as proposed by the House and \$68,273,000 as proposed by the Senate.

Amendment No. 9—Parks and recreation: Appropriates \$9,794,000 instead of \$9,769,000 as proposed by the House and \$9,844,000 as proposed by the Senate.

Amendment No. 10—Health and welfare: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate \$74,670,000 instead of \$74,833,000 as proposed by the House and \$75,041,575 as proposed by the Senate.

Amendments Nos. 11 and 12—Health and welfare: Provide that the inpatient rate and outpatient rate for Children's Hospital only

shall not exceed \$40 per diem and \$6.75 per visit respectively as proposed by the Senate. Amendments Nos. 13, 14, and 15—Highways and traffic: Provide that of the sum appropriated \$73,526 shall be available for traffic safety education as proposed by the House instead of \$81,239 as proposed by the Senate; appropriate \$13,578,000 instead of \$13,573,000 as proposed by the House and \$13,586,000 as proposed by the Senate; and provide that of the sum appropriated \$9,300,900 shall be payable from the highway fund instead of \$9,295,900 as proposed by the House and \$9,308,900 as proposed by the Senate.

Capital outlay

Amendment No. 16: Deletes authority for the preparation of plans and specifications for the Shaw Junior High School replacement as proposed by the Senate.

Amendment No. 17: Deletes authority proposed by the Senate for the preparation of plans and specifications for the Seaton Elementary School replacement; and provides authority for the preparation of plans and specifications for a new elementary school in the vicinity of Seventh and Webster Streets Northwest, Nichols Avenue Elementary School replacement, and Tyler Elementary School addition as proposed by the Senate.

Amendments Nos. 18, 19, 20, 21, and 22: Appropriate \$58,662,000 instead of \$55,887,000 as proposed by the House and \$58,679,500 as proposed by the Senate; provide that \$6,830,000 shall not become available for expenditure until July 1, 1965, instead of \$6,750,000 as proposed by the House and \$6,870,000 as proposed by the Senate; provide that of the sum appropriated \$13,185,000 shall be payable from the highway fund instead of \$13,155,000 as proposed by the House

and \$13,371,000 as proposed by the Senate; deletes \$31,000 proposed by the Senate for the construction of a parking lot to be financed from the motor vehicle parking account; and provide \$1,887,000 for construction services instead of \$1,680,000 as proposed by the House and \$2,024,500 as proposed by the Senate. The committee of conference has included not to exceed \$2,351,000 for the acquisition of a site, the location to be determined by the Commissioners, for a new downtown library. The Senate allowance for the acquisition of sites for the Congress Heights and Takoma Elementary Schools has also been deleted by the committee of conference.

General provisions

Amendment No. 23—Section 15: Provides that the limitation for "Construction Services, Department of Buildings and Grounds" shall be 8 percent of appropriations for construction projects as proposed by the Senate instead of 7 percent as proposed by the House.

WILLIAM H. NATCHER,
ROBERT N. GIAIMO,
GEORGE MAHON,
EARL WILSON,
LOUIS C. WYMAN,

Managers on the Part of the House.

Mr. NATCHER. Mr. Speaker, the amount recommended for the operation of the District of Columbia government for the fiscal year 1965 is \$341,242,200. The House approved a Federal payment of \$37.5 million to the general fund and the other body increased this amount \$3.5 million, making the total \$41 million. The amount approved by the

House, \$37.5 million, was accepted in conference. The total amount for the District government as agreed to in conference is \$16,620,100 less than the budget estimates.

The loan authority of \$20 million approved by the House was also approved by the other body.

The bill provides a balanced budget in that total estimate of revenues are sufficient to meet the appropriations agreed upon and also creates a reserve of \$2,815,000 in the general fund for salary increases for employees covered by the recently enacted classified pay bill. The total police force authorized strength of 3,000 and 100 man-dog teams is funded in this legislation. We also provide for 251 new teaching positions and 17 new capital outlay projects in the public school system. Funds for a new downtown central library site are also included in this budget. In addition provision has been made for the construction of one new branch library, and plans and specifications for another one. I will include at this point in the RECORD a comparative summary of the bill.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include the following table.

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

There was no objection.

District of Columbia appropriation bill, 1965 (H.R. 10199)

	1964 appropriation	1965 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimate	House	Senate
FEDERAL FUNDS									
Federal payment to District of Columbia:									
General fund.....	\$37,000,000	\$50,000,000	\$37,500,000	\$41,000,000	\$37,500,000	-----	-\$12,500,000	-----	-\$3,500,000
Water fund.....	1,924,000	2,047,000	2,047,000	2,047,000	2,047,000	+\$123,000	-----	-----	-----
Sanitary sewage works fund.....	944,000	1,173,000	1,173,000	1,173,000	1,173,000	+\$229,000	-----	-----	-----
Total, Federal funds.....	40,368,000	53,220,000	40,720,000	44,220,000	40,720,000	+\$352,000	-\$12,500,000	-----	-\$3,500,000
LOAN AUTHORIZATION									
(Out of the general revenues of the Federal Treasury)									
Loans for capital outlay:									
General fund.....	11,300,000	8,600,000	20,000,000	20,000,000	20,000,000	+\$8,700,000	+\$11,400,000	-----	-----
Highway fund.....	800,000	800,000	1,400,000	1,400,000	1,400,000	+\$1,400,000	+\$600,000	-----	-----
Sanitary sewage works fund.....	8,000,000	5,000,000	5,000,000	5,000,000	5,000,000	-----	-----	-----	-----
Total, loan authorization.....	19,300,000	14,400,000	26,400,000	26,400,000	26,400,000	+\$7,100,000	+\$12,000,000	-----	-----
DISTRICT OF COLUMBIA FUNDS									
Operating expenses.....	261,940,953	279,877,700	276,954,200	278,138,425	277,216,200	+15,275,247	-2,661,500	+\$262,000	-922,275
Repayment of loans and interest.....	4,992,065	5,364,000	5,364,000	5,364,000	5,364,000	-----	-----	-----	-----
Capital outlay.....	46,536,500	72,620,600	55,887,000	58,679,500	58,662,000	+12,125,500	-13,958,600	+\$2,775,000	-17,500
Total, District of Columbia funds.....	313,469,518	357,862,300	338,205,200	342,181,975	341,242,200	+27,772,682	-16,620,100	+\$3,037,000	-939,775

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

Mr. NATCHER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. Do I understand correctly that this appropriation of Federal funds for the District of Columbia is at the same level as it was last year?

Mr. NATCHER. The gentleman is absolutely correct. I would like to say to my friend from Iowa that the other body yielded in conference and the House conferees brought back the figure of

\$37,500,000 which is the identical amount that we appropriated last year.

Mr. GROSS. I am pleased to hear that the Federal contribution was not increased, and that the total figure in the bill has been reduced from that originally set up by the other body. I believe I am correct in that?

Mr. NATCHER. The gentleman is absolutely correct.

Mr. GROSS. Mr. Speaker, may I ask the gentleman this question. Is there any specific language in this bill with respect to the payment of either princi-

pal or interest on this "white elephant" \$20 million District of Columbia stadium?

Mr. NATCHER. No provision is made in this bill for the District of Columbia for the fiscal year 1965 for payments of either principal or interest for that purpose.

Mr. GROSS. Except as they may use a portion of the Federal contribution for the purpose of paying interest?

Mr. NATCHER. The gentleman is correct; but I believe he will find that the amount appropriated would not be sufficient for that purpose. The chances are

that when the next interest payment becomes due the District government will have to perform the same act it has performed in the past of going to the Treasury and borrowing \$832,000 to pay the interest on that stadium which the gentleman and I have termed a "white elephant."

Mr. GROSS. Mr. Speaker, I thank the gentleman and I commend the subcommittee for its work.

Mr. NATCHER. I thank the gentleman, Mr. Speaker. At this time I yield to my friend from Indiana, the ranking minority member on the subcommittee and one of the ablest Members of the House, the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Speaker, I concur in what our distinguished chairman, the gentleman from Kentucky, Congressman NATCHER, has just said. We have brought out an exceptionally fine conference report. We are phasing out the school problems of the District of Columbia. I think in another 2 or 3 years we will have cared for the classroom needs and we will have reduced the pupil-teacher ratio to national standards in the school system in the District, which will be one of the best. Also we have taken care of the Police and Fire Department needs and they are doing a splendid job.

Mr. Speaker, I support the conference report.

Mr. GIAIMO. Mr. Speaker, I wish to associate myself with the remarks of my distinguished chairman and friend, the gentleman from Kentucky, Congressman NATCHER. He has done his usual excellent and thorough job on this year's budget for the District of Columbia, continuing his tradition of interest in the welfare of our Nation's Capital. It has been a pleasure to work with him, and I believe that all residents of the District should be grateful to him for his zeal and sense of fairness.

I should also like to congratulate the chairman of the House Appropriations Committee, the distinguished Member from Texas [Mr. MAHON] for his leadership and assistance. He is an excellent chairman and it is an honor to serve on his committee.

This year's District of Columbia budget contains many significant and forward-looking provisions. I am particularly pleased by the expenditures in the field of education, which will enable us to reduce the pupil-teacher ratio in elementary schools to 30 to 1 and hold it at 25 to 1 in secondary schools. This is indeed necessary and certainly the maximum ratio which should exist.

I am also happy that we were able to keep the provision for funds for the purchase of a site for a new library for the District of Columbia. I believe that this is a worthwhile project and one which will be of lasting benefit to the District.

There are two other items in the budget which are particularly gratifying to me. One provides funds for a small contribution to the summer Shakespeare festival. This year's production of "A Midsummer Night's Dream" was hailed by almost all who attended, and I con-

gratulate its producer, Mrs. Ellie Chamberlain, on another excellent and brilliant production.

This year, also, funds were included for a contribution to the National Symphony. We are fortunate to have an orchestra of this caliber and a musical director of the genius of Dr. Mitchell's. Certainly we should acknowledge this by assisting in at least a small way. Other cities of comparable size have been contributing to their symphonies for years, and the District should certainly follow suit.

As many of you know, I have been active in efforts to have the District of Columbia included in the aid to dependent children of unemployed parents program. We were successful in passing this in the House, but efforts to include it in the Senate bill have been notoriously unsuccessful. I believe that the Senate's position is incorrect, but we were unable to reach agreement on this program without endangering the other extremely vital portions of this bill and endangering the fiscal process of the District of Columbia. I deeply regret that this should happen and hope sincerely that the Senate can be made to recognize the basic fallacy and unfairness of its position. We should not ignore our responsibilities to those who cannot adequately feed and clothe themselves.

Again, Mr. Speaker, I urge adoption of this conference report and commend my colleagues on the subcommittee for their work on this measure.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Amendment No. 10: Page 6, line 13, strike out "\$74,833,000" and insert "\$75,041,575".

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein with an amendment, as follows: "74,670,000".

The motion was agreed to.

A motion to reconsider the conference report and the amendment was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members have 3 legislative days in which to extend their remarks on the conference report just approved.

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

There was no objection.

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 1965

Mr. STEED. Mr. Speaker, I call up the conference report on the bill (H.R. 10723) making appropriations for the legislative branch for the fiscal year ending June 30, 1965, and for other pur-

poses, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1711)

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H.R. 10723) "making appropriations for the legislative branch for the fiscal year ending June 30, 1965, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 44 and 45.

That the House recede from its disagreement to the amendments of the Senate numbered 31, 32, 33, 36, 42, and 43, and agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,624,300"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,665,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,382,200"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,245,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 29, 30, 34, 37, 46, and 47.

TOM STEED,
MICHAEL J. KIRWAN,
GEORGE MAHON,
WALT HORAN,
ODIN LANGEN,

Managers on the Part of the House.

A. S. MIKE MONRONEY,
HUBERT H. HUMPHREY,
E. L. BARTLETT,
WILLIAM PROXMIER,
CARL HAYDEN,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
THOMAS H. KUCHEL,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate Nos. 29 to 37, inclusive; and 39 to 47, inclusive, to the bill (H.R. 10723) making appropriations for the legislative branch for the fiscal year ending June 30, 1965, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the

accompanying conference report as to each such amendment, namely:

AMENDMENTS PREVIOUSLY AGREED TO

Amendments of the Senate Nos. 1 to 28, inclusive; and No. 38, relating solely to appropriations for the expenses of that body, were agreed to by the House just prior to sending the remaining amendments, listed above, to conference on August 3.

JOINT COMMITTEE ON REDUCTION OF NON-ESSENTIAL FEDERAL EXPENDITURES

Amendment No. 29: Reported in technical disagreement. Motion will be made to recede and concur.

JOINT ECONOMIC COMMITTEE

Amendment No. 30: Reported in technical disagreement. Motion will be made to recede and concur.

JOINT COMMITTEE ON PRINTING

Amendment No. 31: Appropriates \$131,000 as proposed by the Senate instead of \$123,530 proposed by the House.

CAPITOL POLICE BOARD

Amendment No. 32: Appropriates \$330,600 as proposed by the Senate instead of \$144,000 proposed by the House, thus adding \$186,600 to provide for detail of 16 uniformed Metropolitan Police for evening duty in and about the Capitol Grounds—8 on each side of the Capitol, 5 of which would be regular privates and 3 would be Canine Corps specialists. With the addition of this extra force, it may well be that the Committee on House Administration will want to consider the fact in reviewing the necessity for additions to the regular force under House Resolution 648, 88th Congress.

Amendment No. 33: Adopts Senate language adjusting the compensation of the new Chief of Police to a parity with his predecessor.

SALARIES, OFFICE OF THE ARCHITECT OF THE CAPITOL

Amendment No. 34: Reported in technical disagreement. Motion will be made to concur in the Senate figure with corrective language.

CAPITOL BUILDING

Amendment No. 35: Appropriates \$1,624,300 instead of \$1,464,300 proposed by the Senate and \$1,630,000 proposed by the House. The conference agreement deletes one additional position from the House allowance.

CAPITOL GROUNDS

Amendment No. 36: Appropriates \$740,000 as proposed by the Senate instead of \$665,000 proposed by the House. The agreement includes the \$75,000 inserted by the Senate to add 7 additional positions and other expenses deemed necessary to upgrade the condition and appearance of the Capitol Grounds and to keep them in good order.

LEGISLATIVE GARAGE

Amendment No. 37: Reported in technical disagreement. Motion will be made to recede and concur.

CAPITOL POWER PLANT

Amendment No. 39: Appropriates \$2,665,000 instead of \$2,634,000 proposed by the Senate and \$2,700,000 proposed by the House. The conference agreement restores 3 maintenance mechanics and some miscellaneous repair funds deleted by the Senate.

LIBRARY BUILDINGS AND GROUNDS—STRUCTURAL AND MECHANICAL CARE

Amendment No. 40: Appropriates \$2,382,200 instead of \$2,362,000 proposed by the Senate and \$2,396,000 proposed by the House. The conference agreement restores 3 air conditioning mechanics deleted by the Senate.

LEGISLATIVE REFERENCE SERVICE

Amendment No. 41: Appropriates \$2,245,000 instead of \$2,217,500 proposed by the

Senate and \$2,300,000 proposed by the House. The conference agreement contemplates the addition of 4 new professional-type positions rather than the 8 such positions provided for by the House.

DISTRIBUTION OF CATALOG CARDS

Amendments Nos. 42 and 43: Appropriate \$149,000 as proposed by the Senate instead of \$180,000 proposed by the House and make necessary conforming adjustment in the text of the appropriating language.

COLLECTION AND DISTRIBUTION OF LIBRARY MATERIAL (SPECIAL FOREIGN CURRENCY PROGRAM)

Amendments Nos. 44 and 45: Appropriate \$1,541,500 as proposed by the House instead of \$1,860,000 as proposed by the Senate, of which \$1,417,000, as proposed by the House, instead of \$1,717,000, as proposed by the Senate, is to be drawn from excess U.S.-owned local currency of the countries concerned. The effect of the conference agreement is to withhold extension of this program to additional countries.

NEW GOVERNMENT PRINTING OFFICE PLANT

Amendment No. 46: Reported in technical disagreement. Motion will be made to recede and concur with a perfecting amendment.

GENERAL PROVISIONS

Amendment No. 47: Reported in technical disagreement. Motion will be made to recede and concur with certain amendments to the text of the Senate amendment.

TOM STEED,
MICHAEL J. KIRWAN,
GEORGE MAHON,
WALT HORAN,
ODIN LANGDEN,

Managers on the Part of the House.

Mr. STEED. Mr. Speaker, on behalf of the managers on the part of the House we bring you what we believe is a good bill. We had a satisfactory conference with the other body.

Mr. Speaker, the conference bill is \$45,698,860 under the 1965 budget estimates. It is \$7,003,359 in actual cash under what the 1964 appropriations totaled. It shows a net cut of \$79,800 below the total of the bill as passed by the other body.

Mr. Speaker, one of the items of disagreement in the conference was the action on the part of the other body in adding some additional money to provide for a stronger policing of the Capitol Grounds and area during the night hours. This has been a problem which has given many of us concern for some time.

Mr. Speaker, we thought that the action on the part of the other body was well taken and we agreed with it. Therefore, there will be 16 uniformed Metropolitan Police officers added to our facilities, of which 6 will be dog teams. With this additional personnel—eight on the Senate side and eight on the House side of the Capitol area—we can have a type of security that we have not had heretofore.

Members of the House will recall that some time ago 52 additional police were authorized to the Capitol Police force in order to fill some of these growing needs as well as to help man the new House Office Building which will be in service next year.

While 42 of those positions yet remain to be approved, some saving can perhaps be made by reason of the fact that we

are allowing these additional reimbursable police services. We do not now anticipate there will be any actual increase over the number already authorized and contemplated. We hope that the Members will find this agreeable.

We have had, among other things, an unprecedented increase in the number of tourists coming to Washington this year. There were several days when over 40,000 people have gone through the Capitol Building itself. The unprecedented number of Americans coming here to see the Capitol and to see the Congress in session warrants the amount of extra police assistance we have asked for.

Another major item in the bill as a result of the conference was put in by the other body for the architect-engineering planning and fees for a new Government Printing Office plant. The original budget request was for \$46,723,000—later corrected to a cost figure of \$47,287,000—to plan and construct a new Government Printing Office, but at the time the bill was before the House this project had not been authorized. After this appropriation bill left the House, the project came up for action by the Public Works Committees of the two bodies and they approved the project. As a result of that the Senate added \$2.5 million to this bill to finance the architect-engineering planning work and for site selection, but not for buying a site.

Still left undecided is the matter of where this building will be erected. It has given the members of the subcommittee, and I am sure many other Members of Congress, some concern that we have not been able to pin down the location of the building to a specific place. The conferees have agreed, in order to keep the matter in proper perspective and in control of the Congress, we have added an amendment to the Senate amendment which provides that before a final selection of a site for this building can be made the Joint Committee on Printing will have to pass on it. The Joint Committee on Printing is the agency of Congress that takes care of supervising the work of the Government Printing Office. It is, in my opinion, the logical agency to have some say in this matter. We hope that the anxieties that some of us have about a location can be well protected by having whatever choice is made passed on by the joint committee. The joint committee has not only the task of supervising the operations of the Government Printing Office, but it is interested also in the welfare of the employees and the efficiency of the establishment. This will give the Congress all the assurance it needs to know that the thing has to be decided by the joint committee to see that everything will be in proper order and in a way that we will find acceptable.

As an additional safeguard, no construction money has as yet been provided for the actual construction of this building. The Congress will have another opportunity to decide the matter since the construction money must be provided and at the time that comes up the House will then have time to consider it and can assert its will at that time.

There were two other changes in the conference that might be especially mentioned.

In the House version of the bill an item was included to provide some extra space in the Capitol Building itself, primarily to give the doctor some extra room. The air and light shaft near the dome would be closed in and the space captured by that would enable the doctor to have private consultation rooms and a room in which to store his pharmaceuticals.

There has been a great deal of complaint about the inadequate facilities in the doctor's office and this seemed the only practical way to make any improvements in that situation. The other body took this item out but we were able to prevail on them in conference to restore it. The conference agreement will permit this project to go ahead.

Another item that we got the other body to agree to was a reduction from their position on the foreign library acquisition fund. This has been a project that permits the use of U.S. owned, and excess, local currencies in certain foreign countries to aid the research libraries of other countries as well as the Library of Congress in acquiring materials of interest. These research libraries put up a cash contribution on their account to help finance the hard dollar part of this program. We now have this program going in six countries. While it is still in its early stages, we felt that another year of trial in these most needed areas would be well to have before any further expansion in that area was agreed upon.

I think that the other item that I should make some comment on is the last proposition in the bill, amendment No. 47. This has to do with publication of the expenditures of the Congress. If the House will remember, when the bill was before the House a motion to recommit containing section 105 was made, and while it was opposed by myself and the other members of the committee, the House, on a rollcall, adopted that amendment. When the matter got over to the other body it became obvious that the wording of the amendment was so broad and unspecific that it created some very serious problems. After consultation with legal authorities and the General Accounting Office, the other body wrote a greatly expanded version of this section 105.

I still feel that this should not be in this bill. This is a type of legislation that should properly come from the legislative committees concerned.

But in an effort to carry out the express wish of the House, I personally suppressed my own feeling and have done the very best we know how to include in this bill a proviso to come as close as we could to what the House seemed to want.

I want to call the attention of the House to the fact that you may have done something here that we will in time regret. It will cost money to publish these reports and audits that are provided for. While I am the last one in the House that would want to be in a position of trying to hide anything we do here, as a

practical matter I still have some doubts about whether under the limited circumstances in which an appropriations committee operates we have made a proper settlement of this matter.

I would urge the proper legislative committees to give this matter a lot of thought and to study this proposition as it unfolds with the idea in view that if it does have some of these untoward or unnecessary or too expensive angles to it, that some legislative redress be given to this so that this matter of publicity for activities will be put in its proper place and removed from the back of this subcommittee because it is extremely difficult for an appropriation subcommittee to try to cope with a matter of this sort.

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

Mr. STEED. I am happy to yield to the gentleman.

Mr. GROSS. On the subject of section 105, was this language substantially changed as it appeared in italic in the print before you went to conference?

Mr. STEED. The main change that was made, since it costs a lot of money to publish these reports, was the decision that a semiannual publication would be preferable to a quarterly publication. That would reduce the cost of making these records public. It also reduces the burden on the staffs who have to prepare these reports by a considerable amount and it makes it what we believe a more workable program.

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

Mr. STEED. I yield to the gentleman.

Mr. GROSS. Wherein is it stipulated that these reports shall be published? I thought they were simply to be made available, and I did not see any language requiring that they be printed. Is it in the motion to be offered?

Mr. STEED. Oh, yes; it is quite specific as far as the language is concerned. If the gentleman will look on page 37, lines 11-13, of the Senate amendment—which will also be in the motion—it says that the reports required to be submitted to the House of Representatives and Senate under this section shall be printed as Senate and House documents, respectively. And the architects reports and the GAO audits will be printed as Senate documents.

Mr. GROSS. The gentleman is correct. I overlooked that. But even so I can see no reason why these reports should not be made quarterly, except from the standpoint of saving on printing.

Mr. STEED. I might say to the gentleman that the thing that concerns him is illustrative of the fact that trying to do this in an appropriation bill is very, very difficult. We have no way of going into hearings as to the mechanics of how you would prepare these reports. We had to take the word of the employees here who must do the actual physical job of compiling this information. They told us that to do it quarterly will either put an undue burden on them or would require them to have additional personnel and, of course, the frequency of print-

ing adds to the total cost of printing. It is my personal opinion that we are going to wind up here spending perhaps a couple of hundred thousand dollars for some documents—that is an offhand amount—in which there will be very little interest. But I do not want to thwart the will of the House. We have done a conscientious job and we feel we have a workable thing here that will carry out what we believe the House and Senate wanted. If this could be taken up by the proper legislative committees, the points that you are making on these other matters can be gone into and worked out, I think, a lot better than our subcommittee could ever hope to do.

Mr. GROSS. I appreciate the gentleman's statement. He is probably correct, in that this should have been done through separate legislation. Whether it could ever have been done through separate legislation is another question.

Did I correctly understand the gentleman to say that this bill is some \$7 million below the appropriation for last year for housekeeping of the House and Senate?

Mr. STEED. In actual dollars, \$7,003,-359 under the actual appropriation for fiscal year 1964 for the whole bill.

Mr. GROSS. How did you achieve that reduction?

Mr. STEED. The great amount of these savings has been in the nonrecurring capital items. As the gentleman knows, for a number of years we have had to carry a fairly large amount of money in the bill each year to pay for construction going on around the Capitol. This year we are able to go in the other direction to some extent.

In the regular operations of the two bodies there have been some increases in cost this year over last year, brought on by increased activity, by pay raises, and by other factors. Because of the substantial cutback in the nonrecurring capital items, we are able to show an actual dollar net saving of about \$7 million, comparing this 1965 conference report with 1964 actual appropriations.

Mr. GROSS. That is largely on the basis of construction?

Mr. STEED. Yes. The nonrecurring capital items.

Mr. GROSS. Did the gentleman make some mention of Members moving into the 100-year pyramid, otherwise known as the New House Office Building? Did the gentleman say at what time next year it is planned that Mr. McCloskey, the fundraiser for the Democratic Party, will have that building completed?

Mr. STEED. It is a little difficult to give the gentleman a categorical answer, because certain phases of the building may be under construction for some months yet.

For practical purposes, the occupation of the building by Members and by committees in a way in which they can proceed with their normal operations is scheduled to begin after the election, after the new membership of the House is determined. That will require some time. They can move about six Members a day with the moving crew we have trained. There are 169 Member suites

in the building. I assume that moving so many Members into the new building, plus the chain reaction that starts of moves in the other two buildings once suites are vacated, will result in this "game of musical chairs" running into more than 200 moves, so we will probably have a lot of confusion in moving for some weeks when we come back in January.

Mr. GROSS. The gentleman believes the movement will start about the first of the year; is that correct?

Mr. STEED. That is correct. There may be certain phases not ready. I am not certain. The cafeteria may not be ready on that date. Some other facilities of that sort may not be completed.

As a practical matter, the actual occupancy of the building is scheduled to start with the new Congress.

Mr. GROSS. One final question. Does the gentleman know how many new Cadillacs are provided under this bill? Does the gentleman have any guess or any estimate as to the number of new Cadillacs to be provided?

Mr. STEED. There is no change in the number. As the gentleman knows, we do not buy Cadillacs any more. We rent them on an annual basis from the company direct.

Mr. GROSS. There is some cost involved. I wondered, considering the lush

pay increase which will go into effect, whether those who are now the beneficiaries of the Cadillacs could not begin to buy and drive their own cars. They could also pay for the upkeep of those cars, incidentally.

Mr. STEED. The only vehicles we provide for in the bill are authorized by law.

Mr. GROSS. Of course, you provide drivers, gasoline, repairs, and all that sort of thing. It seems to me with the \$7,500 increase and all the fringe benefits that go along with it, perhaps next year would be a good time for some people to start owning their own automobiles and driving them.

They get out of the habit of driving a car, and they might, if they indulge in that practice long enough, become something of a hazard on the highways.

Mr. STEED. As I say, that is not within our province to decide. That is done by other committees, and we only carry out their wishes.

Mr. Speaker, I yield to the gentleman from Washington [Mr. HORAN]. I want to say here again that I publicly thank him and his colleagues, the gentleman from Minnesota [Mr. LANGEN] and the others on the subcommittee, for the wonderful cooperation I have had and without which I am sure we would not be able to bring back what I think is one of

the best conference reports we have ever had.

I am happy now to yield to my very warm and good friend, the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, I am very happy to respond to the chairman of our subcommittee.

In no sense of the word did we approach this bill in a partisan sense. I think the gentleman from Oklahoma [Mr. STEED] made a very fine report on this bill. For the information of the House, I might say that the majority leader's automobile—and it is similar to the minority leader's automobile and the Speaker's automobile—is something for which we provide in this bill; \$11,100 for the purchase, exchange, hire, driving, maintenance, repair, and operation. In other words, these automobiles are furnished for the leaders of this Congress. As far as I am concerned, they are most welcome to have that assistance in the performance of their duties.

Mr. Speaker, I trust that we can move on to the previous question on the conference report so that we can consider the items that we found necessary to bring back in technical disagreement.

Mr. STEED. Mr. Speaker, before we do that, under leave granted, I include here a summary of the conference bill with several comparisons.

Legislative appropriation bill, 1965

Item	1964 appropriation	1965 budget estimates	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimate	House	Senate
Senate.....	\$30,983,450	\$31,010,390	(¹)	\$31,397,625	\$31,397,625	+\$414,175	+\$387,235	+\$31,397,625	-----
House of Representatives.....	53,057,170	54,412,330	\$53,777,945	53,777,945	53,777,945	+720,775	-634,385	-----	-----
Joint items.....	6,274,024	6,368,325	5,860,595	6,319,415	6,319,415	+45,391	-48,910	+458,820	-----
Architect of Capitol.....	33,352,300	22,236,400	119,607,000	21,799,600	22,010,800	-11,341,500	-225,600	+2,403,800	+\$211,200
Botanic Garden.....	456,500	528,000	500,000	500,000	500,000	+43,500	-28,000	-----	-----
Library of Congress.....	20,488,800	23,959,300	23,419,100	23,624,100	23,333,100	+2,844,300	-626,200	-86,000	-291,000
Government Printing Office.....	26,992,000	70,285,000	23,562,000	26,062,000	26,062,000	-930,000	-44,233,000	+2,500,000	-----
General Accounting Office.....	45,700,000	47,200,000	46,900,000	46,900,000	46,900,000	+1,200,000	-300,000	-----	-----
Total.....	217,304,244	255,999,745	173,626,640	210,380,685	210,300,885	-7,003,359	-45,698,860	+36,674,245	-79,800

¹ By custom, House omits all items under the Senate heading and those items under the Architect of the Capitol pertaining solely to the Senate.

² Includes \$211,700 supplemental for 1964.

³ Includes \$180,000 supplemental for 1964.

⁴ Includes \$149,000 arising from the supplemental mentioned in footnote 2 but which, because of lapse of the fiscal year 1964, is to be regarded as fiscal 1965 money.

Mr. STEED. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MACDONALD). The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: Page 16, line 3, insert the following:

"JOINT COMMITTEE ON REDUCTION OF NON-ESSENTIAL FEDERAL EXPENDITURES

"For an amount to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the Committee, \$29,750, to be disbursed by the Secretary of the Senate."

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: Page 16, line 12, insert the following:

"JOINT ECONOMIC COMMITTEE

"For salaries and expenses of the Joint Economic Committee, \$235,000."

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 22, line 8, strike out "\$539,000" and insert in lieu thereof "\$507,800."

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "\$507,800: Provided, That wherever H.R. 11049, 88th Congress, as enacted into law establishes a specific rate of compensation for any position different from the rate specifically enumerated in this Act for such position, the rate in said H.R. 11049 shall prevail."

Mr. STEED. Mr. Speaker, this is a technical amendment without which we would in effect, by the final enactment of this bill, be undoing for certain officers and employees what we did in the recently adopted general pay raise bill in the way of raising their compensation.

Certain pay rates are specifically set out in the text of this appropriation bill, which rates have since been raised in the general pay bill, which in turn will likely be signed into law ahead of the pending appropriation bill. The language of this amendment is precautionary, to be certain no one by reason of this bill is denied whatever he may be entitled to under the general pay bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: Page 24, line 4, insert:

"The second proviso under the caption 'Capitol garages' contained in Public Law 212, 72d Congress, approved June 30, 1932 (47 Stat. 391) is hereby amended to read as follows: 'Provided further, That, effective July 1, 1965, the underground space in the north extension of the Capitol Grounds, known as the Legislative Garage shall hereafter be known as the Senate Garage and shall be under the jurisdiction and control of the Architect of the Capitol, subject to such regulations respecting the use thereof as may be promulgated by the Senate Committee on Rules and Administration: *Provided further*, That such regulations shall provide for the continued assignment of space and the continued furnishing of service in such garage for official motor vehicles of the House and the Senate and the Architect of the Capitol and Capitol Grounds maintenance equipment.'"

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 37 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 33, line 17, insert:

"SELECTION OF SITE AND GENERAL PLANS AND DESIGNS OF BUILDINGS

"For necessary expenses, for site selection and general plans and designs of buildings for the Government Printing Office, pursuant to the Public Buildings Act of 1959 (40 U.S.C. 602 et seq.), \$2,500,000, to be available for transfer to the General Services Administration."

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following:

"SELECTION OF SITE AND GENERAL PLANS AND DESIGNS OF BUILDINGS

"For necessary expenses, for site selection and general plans and designs of buildings for the Government Printing Office, pursuant to the Public Buildings Act of 1959 (40 U.S.C. 602 et seq.), \$2,500,000, to be available for transfer to the General Services Administration: *Provided*, That the selection of a site

must be approved by the Joint Committee on Printing."

Mr. STEED. Mr. Speaker, I made some comment on this amendment in my general statement. Due to the interest that has been expressed to the subcommittee by the gentleman from Ohio [Mr. SCHENCK] who is also a member of the Joint Committee on Printing, I yield 5 minutes to him at this time.

Mr. SCHENCK. Mr. Speaker, I thank the chairman of the subcommittee. Mr. Speaker, there are many questions left unanswered as to the need for building a new \$50 million Government printing plant. As I pointed out in similar discussion last week that this project has never been approved by, or justified before, the Joint Committee on Printing. It would seem to me that the Joint Committee on Printing should now respond fully by ordering a staff study and report for a complete and thorough consideration by the Joint Committee on Printing meeting in regular session. There are many questions that demand information on the advisability of constructing such a new Government printing plant, which is now estimated would cost some \$50 million. May I ask the gentleman from Oklahoma this question: As I understand it, the amendment proposes that the Joint Committee on Printing is given authority to approve the site only?

Mr. STEED. That is literally what the language does; yes. Of course, by pinning down the selection of the site to the point that it must have the approval of the Joint Committee on Printing, that could bring in all other factors connected therewith. Since there is no construction money in the bill yet, that is, I would assume, something on which the Joint Committee on Printing would want additional information, because the subcommittee of either body, I would think, would not otherwise want to go into any appropriation for construction. But this project has been approved in the prescribed way by the two legislative committees concerned. We cannot presume just what the Joint Committee on Printing will do or how it will do it. It is not our business; it is not before us. In that respect, I think we must all agree that the language will just have to speak for itself.

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

Mr. SCHENCK. I yield to the gentleman from Washington.

Mr. HORAN. The Joint Committee on Printing, of which the gentleman from Ohio [Mr. SCHENCK] is a member, will have to approve the site. Without a site, we certainly cannot have a building.

So I believe you have pretty complete control over any expenditures that might flow from this action.

Mr. SCHENCK. Is my understanding correct that there is to be no money spent out of this \$2.5 million contained in this conference report until after a site has been approved by the Joint Committee on Printing?

I take it that the gentleman from Oklahoma [Mr. STEED] means this should be a proper action by the Joint Committee on Printing in closed session, with proper hearings and approval of a resolution in

regular or formal session of the committee?

Mr. STEED. Mr. Speaker, if the gentleman will yield further, may I say that this money can be spent without further action of the joint committee because somewhere along the way the plans and specifications have to be prepared. But the selection of a site must be approved by the Joint Committee on Printing. Of course, the final completion of contract plans and specifications could not be met until a site is selected.

Mr. SCHENCK. I thank the gentleman. But may I remind the gentleman from Oklahoma and the committee further that of course the approval or the development of plans and specifications represents a real good foot in the door. Personally, I do not quite see how proper plans and specifications can be developed until the site has been selected. Certainly, the terrain and other questions will have something to do with the plans and specifications.

Mr. STEED. If the gentleman will yield further, in that last connection, I find myself in accord with the gentleman from Ohio. However, what we are trying to do here is to establish some machinery with which to cope with these questions.

Since the Joint Committee on Printing is the regular agency of oversight of Government Printing Office operations, I hope we can look to them to see that all of these matters are put in proper order and are properly arranged before anything is done.

Mr. SCHENCK. Mr. Speaker, may I join the gentleman in his expressed hope that the Joint Committee on Printing will take a long and hard look at this entire proposal before any final action can be taken in a regular Joint Committee on Printing meeting.

Mr. Speaker, supplementing my recent remarks concerning the request of the Government Printing Office for a new \$50 million printing plant, I point out we are considering the adoption of a small amendment whereby the Joint Committee on Printing, of which I am a member, will have an opportunity to examine at least the site of the, so far, unjustified new \$50 million Government Printing Plant.

Bearing in mind that, contrary to the Public Printer's statement to the Committee on Public Works, the Joint Committee on Printing has never favorably endorsed this new building, together with the fact that my colleague, the gentleman from Oklahoma [Mr. STEED], the chairman of the subcommittee, has stated that they will "welcome all the help and guidance we can get, because at this moment we have some very serious questions about the whole proposition," it is my personal view that the Joint Committee on Printing should respond fully toward resolving those questions by insisting on a full report from its staff after a thorough study.

Even now, several questions are obvious. For example, can this project legally be accomplished pursuant to the provisions of the Public Buildings Act of 1959? Will the new building be located near enough to give timely service on the

many printing needs of Congress? Will there be a reduced volume of Government printing procured from the commercial printing industry? Industry leaders say "Yes" and such appears most likely. Has full consideration been given to all practicable—and much less expensive—means of reasonably solving the problems within the present building complex? Could the Superintendent of Documents be transferred to a portion of the former naval gun plant thus freeing a considerable amount of space in the present Government Printing Plant? None of this seems to have been done.

There are many additional questions which can be itemized and developed, the answers to which are important to all taxpayers. Finally, it is my understanding that, in acting on this small amendment, it is the intent of this body that the \$2.5 million shall not be expended or encumbered, all or in part, prior to the Joint Committee on Printing having developed fully the answers to all questions pertinent to this proposal, considered its findings, and acted on the project at a formal properly assembled meeting of the committee.

The SPEAKER pro tempore (Mr. MACDONALD). The question is on the motion of the gentleman from Oklahoma.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement:

The Clerk read as follows:

Amendment No. 47, page 36, strike out section 105 and insert a new section 105 as follows:

"Sec. 105. Commencing with the quarterly period beginning on July 1, 1964, and ending on September 30, 1964, and for each quarterly period thereafter, the Secretary of the Senate and the Clerk of the House of Representatives shall compile, and, not later than sixty days following the close of the quarterly period, submit to the Senate and House of Representatives, respectively, and make available to the public, in lieu of the reports and information required by sections 60 to 63, inclusive, of the Revised Statutes, as amended (2 U.S.C. 102, 103, 104), and S. Res. 139, Eighty-sixth Congress, a report containing a detailed statement, by items, of the manner in which appropriations and other funds available for disbursement by the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, have been expended during the quarterly period covered by the report, including (1) the name of every person to whom any part of such appropriation has been paid, (2) if for anything furnished, the quantity and price thereof, (3) if for services rendered, the nature of the services, the time employed, and the name, title, and specific amount paid to each person, and (4) a complete statement of all amounts appropriated, received, or expended, and any unexpended balances. Such reports shall include the information contained in statements of accountability and supporting vouchers submitted to the General Accounting Office pursuant to the provisions of section 117(a) of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 67(a)). Reports required to be submitted to the Senate and the House of Representatives under this section shall be printed as Senate and House documents, respectively.

"Section 117 of the Accounting and Auditing Act of 1950 (64 Stat. 837, 31 U.S.C. 67) is amended as follows:

"By adding after the words 'executive agency' in both places where it is used in

subsection (b) the words 'or the Architect of the Capitol' and by adding after the word 'legislative' in the proviso the words '(other than the Architect of the Capitol)'.

"By adding at the end thereof the following new subsection:

"(c) The Comptroller General in auditing the financial transactions of the Architect of the Capitol shall make such audits at such times as he may deem appropriate. For the purpose of conducting such audits, the provisions of section 313 of the Budget and Accounting Act (42 Stat. 26; 31 U.S.C. 54) shall be applicable to the Architect of the Capitol. The Comptroller General shall report to the President of the Senate and to the Speaker of the House of Representatives the results of each such audit. All such reports shall be printed as Senate documents."

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 47 and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following:

"Sec. 105. (a) Commencing with the semiannual period beginning on July 1, 1964, and ending on December 31, 1964, and for each semiannual period thereafter, the Secretary of the Senate and the Clerk of the House of Representatives shall compile, and, not later than sixty days following the close of the semiannual period, submit to the Senate and House of Representatives, respectively, and make available to the public, in lieu of the reports and information required by sections 60 to 63, inclusive, of the Revised Statutes, as amended (2 U.S.C. 102, 103, 104), and S. Res. 139, Eighty-sixth Congress, a report containing a detailed statement, by items, of the manner in which appropriations and other funds available for disbursement by the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, have been expended during the semiannual period covered by the report, including (1) the name of every person to whom any part of such appropriation has been paid, (2) if for anything furnished, the quantity and price thereof, (3) if for services rendered, the nature of the services, the time employed, and the name, title, and specific amount paid to each person, and (4) a complete statement of all amounts appropriated, received, or expended, and any unexpended balances. Such reports shall include the information contained in statements of accountability and supporting vouchers submitted to the General Accounting Office pursuant to the provisions of section 117(a) of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 67(a)). Reports required to be submitted to the Senate and the House of Representatives under this section shall be printed as Senate and House documents, respectively.

"Section 117 of the Accounting and Auditing Act of 1950 (64 Stat. 837, 31 U.S.C. 67) is amended as follows:

"By adding after the words 'executive agency' in both places where it is used in subsection (b) the words 'or the Architect of the Capitol' and by adding after the word 'legislative' in the proviso the words '(other than the Architect of the Capitol)'.

"By adding at the end thereof the following new subsection:

"(c) The Comptroller General in auditing the financial transactions of the Architect of the Capitol shall make such audits at such times as he may deem appropriate. For the purpose of conducting such audits, the provisions of section 313 of the Budget and Accounting Act (42 Stat. 26; 31 U.S.C. 54) shall be applicable to the Architect of the Capitol. The Comptroller General shall report to the President of the Senate and

to the Speaker of the House of Representatives the results of each such audit. All such reports shall be printed as Senate documents."

"(b) Commencing with the semiannual period beginning January 1, 1965, and for each semiannual period thereafter, the Architect of the Capitol shall compile and, not later than sixty days following the close of the semiannual period, submit to the Senate and the House of Representatives a report of all expenditures made from moneys appropriated to the Architect of the Capitol, based on payrolls and other vouchers transmitted during such period to the Treasury Department for disbursement, such report to include (1) the name, title, and gross salary payment to each employee; (2) a list of government contributions to retirement, health, insurance, and other similar funds; and (3) name of payee, brief description of service rendered or items furnished under contract, purchase order, or other agreement. Such report shall be printed as a Senate document."

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

Mr. STEED. I yield to the gentleman from Ohio.

Mr. SCHENCK. Mr. Speaker, I should like to make a statement to the Members of the House on behalf of myself, my colleague from Ohio [Mr. BOLTON], who offered this amendment in the first place, and also the gentleman from Ohio [Mr. BOW], both of whom are in attendance at another meeting at this time on official business.

May I suggest that the amendment offered by the gentleman from Ohio [Mr. BOLTON] was not intended in any way to reflect on the personal integrity, the honesty, or the lack of any proper actions taken by the Architect of the Capitol. We all have a great deal of confidence in the Architect of the Capitol. He is doing a splendid job and we commend him.

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. BOW. Mr. Speaker, I wish to make comment briefly on the amendment to provide for an examination of the Office of the Architect of the Capitol by the General Accounting Office. I think it should be pointed out that this amendment is not a reflection upon our present Architect of the Capitol and his staff. The Architect and his staff, many of whom have been employed here for a number of years, have performed outstanding service for the Congress and for Members. It should be made clear that the adoption of the GAO amendment is no more than an effort to establish for the future what is generally regarded to be a good business practice.

Mr. STEED. Mr. Speaker, I made some comment about the difficulties we had in conference to cope with this matter. Again I want to emphasize that this type of problem in an appropriation bill does pose some problems. This is the best we were able to come up with in an effort to carry out what we considered to be a mandate of the House.

We will know only by actual experience whether we have accomplished the

purpose or not. I just want to say again I urge the proper legislative committees to take note of this and to try to cope with whatever needs or problems that may arise from it so that there will not be another occasion when it will be necessary to try to wrestle with it on an appropriation bill.

Mr. Speaker, I yield to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, I do want to say at this point the question as to whether Congress, its officers or employees, should be made subject to control or authority of anyone besides the Congress itself arose when the Federal Property and Administrative Services Act of 1949 was enacted, June 30, 1949. The Senate amended the bill to exclude the Senate and House from the bill and, as finally passed, the act did exclude the Senate and House, but not the Architect.

Arising from fact that most of the Architect's functions are performed under the direction and control of committees and commissions of the Congress and that placing him under the act, in effect, made the committees and commissions of Congress subject to the GSA Administrator and his judgment and wishes, thereby failing to preserve the autonomy of the Congress, House Joint Resolution 340, 81st Congress, was enacted at the request of the Speaker, October 26, 1949, to exempt the Architect from the Federal Property and Administrative Services Act.

When the Budget and Accounting Procedures Act of 1950 was being drafted, the question of its coverage again arose and, consistent with the above, the Senate, the House, and the Architect were excluded from the mandatory "on-site" audit provisions, as well as certain other provisions which otherwise would have subjected the Senate, House, and Architect to the control of GAO. The act, as passed, actually went further and excluded the entire legislative branch from such provisions of the act.

The "on-site" audit requirements of amendment 47 flies in the face of this history.

The Architect of the Capitol, John George Stewart, has been an able servant in this position, and we may have overlooked some of the consequences or at least appearances of our actions in this matter now before us, known as section 105 in the conference bill.

Perhaps in haste we have seemed to impugn the good name of a former colleague, Architect Stewart, having served in the 74th Congress. I do not believe it was the intention of this House to do this. Certainly our subcommittee has found Architect Stewart to have acted under instructions in all matters and he should not now be under the shadow of any kind of cloud whatsoever. He has done his important work ably, courteously, and well.

Mr. HORAN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENDEL] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SCHWENDEL. Mr. Speaker, I am glad to have this opportunity to speak for a man who has had such a great influence on the preservation, restoration, and extension of our Capitol Building—a building I have often referred to as a majestic symbol of the majesty of a truly grand and great land.

George Stewart, Mr. Speaker, really needs no defense for his record of service, sense of dedication, and his ability is known and appreciated by those who will make it their business, as I have done, to consider the magnificent, and I might say long past due, improvements that have come under his leadership, his direction, and his devotion.

Rather, he should receive, as he would receive from those who would consider the facts, the plaudits from every Member of Congress and the accolade of all who have an interest in the preservation of this magnificent building.

Mr. Speaker, it may be well for us to remember, first, that nothing has happened to the Capitol, or been done toward its preservation, extension, and improvements, without approval of the Building Commission and a majority of the Members of Congress.

We should also remember that whoever is Architect of the Capitol has a greater responsibility, under more difficult circumstances, than any other person in charge of any other public building. This man must try to please more different people than any other man who serves in a comparable position anywhere else in the world. To help us understand that and appreciate his many and varied responsibilities, I should like to call your attention to some remarks I placed in the CONGRESSIONAL RECORD, volume 105, part 10, page 13255. They follow:

J. GEORGE STEWART, ARCHITECT OF THE CAPITOL

On October 1, 1954, J. George Stewart was appointed by the President of the United States as Architect of the Capitol. Upon assuming office he became the eighth man to hold the position since it was established, in 1793—following William Thornton, Benjamin Latrobe, Charles Bulfinch, Thomas U. Walter, Edward Clark, Elliott Woods, and David Lynn. He is the second man from the State of Delaware to hold this office, William Thornton having become a citizen of the United States in Delaware on January 7, 1788.

Mr. Stewart serves as a member of the Commission for Extension of the U.S. Capitol, the Capitol Police Board, and the District of Columbia Zoning Commission.

He is charged with the structural and mechanical care of the following buildings: The Capitol, Senate Office Buildings, House Office Buildings, Capitol Power Plant, Legislative Garage, Robert A. Taft Memorial, Library of Congress Buildings, U.S. Supreme Court Building, and the U.S. Court of Claims Buildings.

Mr. Stewart is also charged with the operation of the House Restaurants and the U.S. Botanic Garden (as Acting Director).

He is responsible for the acquisition of real property and for the planning and construction of buildings and other improvements committed to his care by the Congress. At present the major construction projects are: Construction and equipment of the newly completed additional Senate Office Building; remodeling of the Old Senate Office Building; construction and equipment of an additional House Office Building and remodeling of the present House Office Buildings;

development of additional areas as part of the Capitol Grounds. Construction of security vaults and underground transportation systems; extension and completion of the Capitol Building; and changes and improvements to the Capitol Power Plant.

The Architect of the Capitol is in charge of the works of art in the Capitol, totaling about 340; administers the laws governing Statutory Hall; arranges for the reception of new statues from the States, with the attendant ceremonies of acceptance.

In cooperation with the proper authorities, he makes arrangements for ceremonies and ceremonials held in the Capitol and on the grounds and for the reception of visiting dignitaries.

Every 4 years, the inaugural stands are built under his direction and he cooperates with other officials in carrying forward the inaugural ceremonies at the Capitol.

Mr. Stewart was born in Wilmington, Del. He was educated in the public schools of that city and studied at the University of Delaware in the engineering school, from 1907 to 1910. He left the university in 1910, without taking his degree, to join his father's construction firm—Stewart and Donohue. In September of last year, the University of Delaware admitted him to the degree of bachelor of science in engineering, class of 1911. The citation for conferring this degree stated that: "In his position as Architect of the Capitol * * * he has deeply impressed those with whom he has worked * * * as a man of sincerity, vision and courage."

"John George Stewart, it is now 47 years since you normally would have received your degree. You have richly earned it by your accomplishments."

In his association with his father's firm, he served in all departments of his general construction business—as waterboy, time-keeper, apprentice mason, gang foreman, superintendent, partner, and finally, as president of the company.

From January 1935 to January 1937, Mr. Stewart served as Representative in Congress from the State of Delaware.

From January 1947 to February 1951, he was with the District of Columbia Committee of the U.S. Senate. He served as clerk of the committee for 2 years. Beginning in 1949, he served as minority clerk and professional staff assistant.

In 1952 and 1953 he was engineer consultant to the Lands Division, Department of Justice. He was also engineer consultant for the Corps of Engineers (Washington District).

Mr. Stewart is licensed in the State of Delaware as a professional engineer.

In May of 1957, he was elected an honorary member of the American Institute of Architects as "one who has rendered distinguished service to the advancement of architecture and the allied arts and sciences."

Other activities:

Member of Delaware State Emergency Relief Commission, 1931 and 1932. Appointed by Hon. C. Douglass Buck, Governor of Delaware.

Member of original Delaware State Athletic Commission, 1932 to 1934. Appointed by Hon. C. Douglass Buck, Governor of Delaware.

Foreman of New Castle County, Del., Grand Jury, 1939.

For 5 years, chairman of building and grounds committee, Wilmington General Hospital.

Mr. Speaker, from this you will get a little better understanding of the magnitude of George Stewart's job, his qualifications and his responsibilities.

Mr. Speaker, I should like to say, in addition, that nothing has happened since that time which has shaken my confi-

dence in the least in George Stewart. Indeed, I should like to say I think we are fortunate to have a man of such stature, such ability, and such dedication to serve in the very important and responsible position of Architect of the Capitol.

I want, also, to voice the hope that those who are quick to criticize when things do not go exactly as they want them would make it their business to find out the facts before they orate on some minor mistakes and about some things that are happening and developments that do not meet the approbation of the moment.

Mr. Speaker, it may be well for me to recall and state that I at one time had similar feelings to those expressed by those who seem critical about what is happening here in the Capitol today. I was one of those who, early in my career here, opposed the extension of the east front of the Capitol and I introduced legislation to block the extension of the east front.

After I introduced the legislation, I did some research work which I should have done before I introduced the legislation hoping to find justification for my bill to block the extension. I soon discovered that the extension that was proposed in 1954 and before was actually planned in the 1860's when the present dome was put on top of the Capitol. In fact, the distance of the extension proposed in 1954 was exactly the same as the distance proposed for the extension in 1860—32 feet, 6 inches.

What was not in the proposal in the 1860's and was included in the 1954 proposal—which was ultimately done—was the extension in the area where our dining room is now and a comparable spot on the Senate side. These were desirable changes and I think everybody approved. And I took the floor in 1959 to reverse my position and become a supporter of the extension.

Mr. Speaker, you will recall many were critical of this extension, but I have found no one who was critical then who is critical of what has happened since the east front was restored. Indeed many like myself have approved and are happy about the extension.

WEST CENTER RESTORATION AND EXTENSION

It may be of interest to the Members to know that the proposed west center restoration and extension was authorized by this Congress in 1900. At that time Members of Congress realized that the west center wall was deteriorating and needed attention. They felt so sure that this program would go forward that they engaged a sculptor to design, prepare, and have cast a bronze door for the west entrance. That door has been cast and has been in storage in the Smithsonian since 1914. It is a beautiful bronze door. It is called the Apotheosis of America. But, somehow, money was never appropriated for this extension so nothing happened.

So, I am glad, and indeed every Member should be, that we are making plans now to restore and in certain areas extend the west center section and I fondly hope and am looking forward with eager anticipation to the placing of these bronze doors on the west entrance so

all who enter that door and visit the Capitol can catch something of the spirit of America that is so eloquently and beautifully revealed in the design of these doors.

Mr. Speaker, again I plead to those who are critical, to make sincere, honest, and thorough investigations before they make allegations that they may regret in the future.

Mr. STEED. Mr. Speaker, I would just like to add my word of agreement with what the gentleman from Washington has said about the Architect of the Capitol. I know of no man who has worked under more handicaps or has a more difficult job. I appreciate the wholehearted and full cooperation I have had from the Architect and that my subcommittee has had from him, and I think that the meager words we say here in appreciation and praise of George Stewart fall far short of a full reward for the dedication and fine service he has given to the Congress, and even more than that to the great historical meaning and importance of the Capitol Building structure itself. I think that he will be long remembered for the wonderful service he has done in making liberty have its fullest meaning. I join with the gentleman from Washington [Mr. HORAN] in the praise he has given to George Stewart.

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

Mr. STEED. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I hate to cut in on this colloquy, but I desire to announce that in addition to other bills previously on the program from the Committee on Interstate and Foreign Commerce there will be brought up today the bill (H.R. 8068) to amend section 403(d) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons. This bill will come up under an open rule, which provides for 1 hour of general debate.

Mr. STEED. Mr. Speaker, I yield to the gentleman from Ohio [Mr. OLIVER] P. BOLTON].

Mr. OLIVER P. BOLTON. I thank the gentleman for yielding.

First, I should like to express my appreciation to the gentleman and his colleagues on the conference committee for the provisions contained in this report.

It seems to me this is a long step forward in the openness of the dealings of this House. It is not necessarily a complete answer, but, as I said, a step ahead. Secondly, Mr. Speaker, and colleagues, I would like to join with those who have paid tribute to the Architect of the Capitol. Certainly, there was no intent on my part or on the part of others who were interested in the inclusion of such accounting provision to single out any one individual. There was no thought of imputing wrongdoing, or to question the activities of anyone. Rather, the thought behind this recommendation which the House accepted was to open our lives to scrutiny in the same way that any other department is and by so doing, do away with some of the ru-

mors and innuendos about this body which have been so damaging to its reputation. Although I have had no official dealings with the Architect of the Capitol, I know him as a fine man and I know his good reputation over many years.

Mr. STEED. Mr. Speaker, I want to say I agree with the gentleman. It is good for the Congress to have its affairs made public and I am as strong an advocate of that as anyone. I only hope that our labors here as represented by this amendment will accomplish its purpose. It is very technical and a very difficult problem. I hope we accomplish some good and do no harm.

Mr. Speaker, I move the adoption of the motion.

The SPEAKER. The question is on the motion.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. STEED. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include pertinent tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REMOVING CERTAIN LIMITATIONS ON WAR RISK INSURANCE

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 927) to amend title 12 of the Merchant Marine Act, 1936, in order to remove certain limitations with respect to war risk insurance issued under the provisions of such title, and ask for its immediate consideration and that it be considered in the House as in Committee of the Whole.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume the gentleman will take a reasonable amount of time to explain this bill.

Mr. BONNER. Yes, I will point out to the gentleman the purpose of the bill.

The purpose of the bill is to accord the U.S. citizens, owners of war-built vessels, built in the U.S. shipyards with construction subsidy the same rights in respect to war risk insurance coverage that other vessels are now accorded as to American and foreign owners of unsubsidized vessels. The existing statute denies to American owners of such subsidized vessels this equality of war risk coverage even though such owners are required by the Maritime Administration to carry insurance in peacetime to the full commercial value of their vessel as determined by the administration. But on the notice of taking of the vessels, the peacetime insurance lapses or is voided. That is not the condition with other vessels. So I would point out to the gentleman further that it should be noticed that peacetime vessels are required to carry full value of marine insurance and not restricted by a rigid formula. By existing law, regulations

require a binder fee to be paid but during the early period of hostilities, premiums are based on actual loss as averaged out.

Then the premiums costs are either averaged out on the basis of experience or are estimated on the basis of risk.

I might say to the gentleman that the best example of this whole proposal is that with respect to the *SS America*. This ship, the *America*, is required by the administration to be insured up to \$6.8 million. Under the present war risk insurance statute, the owners can purchase insurance under section 1209 only up to \$4,556,000 prior to requisition for title or use, and only up to \$437,000 after requisition for use.

I say further to the gentleman that this is the same war risk insurance which applied during World War II, and it did not result in any expense whatsoever to the U.S. Government. In fact, there was a surplus in this insurance after World War II.

Mr. GROSS. I do not have a copy of the bill.

Mr. BONNER. I left a copy of the bill on the gentleman's desk.

Mr. GROSS. Since I have not been able to read the bill, let me ask the gentleman a question. Does the bill meet the objection of the Comptroller General as to the repeal of that portion of section 1209(a)(2) limiting the insurance valuation of a construction subsidized vessel for the period after requisition for use to an amount not in excess of that which would be payable under section 802 in the case of requisition for title?

Mr. BONNER. I understand what the gentleman means. The gentleman from Washington [Mr. PELLY] offered an amendment in that regard. This is contained in the report. All moneys recovered under this war risk insurance shall be put back into a vessel, so there will be no windfall whatsoever to the owner of an American-flag vessel which is built under the 50-percent subsidy.

Mr. GROSS. So the bill does meet the suggestion of the Comptroller General in that respect?

Mr. BONNER. I would think so.

Mr. GROSS. I thank the gentleman.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1209(a)(2) of the Merchant Marine Act, 1936, is amended—

(1) in the first sentence by striking out all beginning with "Provided, however" through "Provided further" and inserting in lieu thereof "Provided"; and

(2) in the second sentence by striking out all beginning with "Provided, however" through "And provided further" and insert in lieu thereof "Provided".

SEC. 2. The amendments made by this Act shall be applicable to war risk insurance coverage attaching after the date of enactment.

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

Mr. BONNER. Mr. Speaker, in World War I, World War II, and in the Korean war the Government recognized that commercial insurance would be terminated in event of major war and that a system of Government-supported insurance was necessary to keep vessels of private maritime interests at sea in time of such extreme crises.

The purpose of this bill is to accord to U.S. citizen-owners of vessels built in U.S. shipyards with construction subsidy the same rights with respect to war risk insurance coverage of their vessels as now are accorded to American and foreign owners of unsubsidized vessels. Existing statutes deny to American owners of subsidized vessels this equality of war risk coverage, even though such owners are required by the Maritime Administrator to carry insurance in peacetime to the full commercial value of their vessels as determined by the Administrator. This measure would provide for the owners of such subsidized vessels the right to purchase equal insurance coverage, free of any restriction placed upon them solely because of a Government subsidy which goes to the shipyards without benefit to the owners. As the war risk insurance program is operated on a mutual basis, the increased coverage sought should not entail any extra costs to the Government.

The situation is fully explained in the committee report.

The need for the legislation arises out of the fact that a number of years ago provision was made in the law to the effect that vessels built with construction subsidy could be seized by the Government in event of all-out war at the depreciated cost to the operator on the theory that the Government had contributed a substantial portion to the cost of building the ship in American shipyards—that is, on account of the construction-differential subsidy. The law, as it exists, overlooks the fact that the hard core of the American-flag merchant marine, the ships that will perform most efficiently and with the greatest safety—the lowest incidence of loss—are these very ships. If any of them should be lost they are the ones we want most of all to be replaced promptly.

They should, in the opinion of the Committee on Merchant Marine and Fisheries, receive equal treatment as to war risk insurance valuations with any other American-flag ship and the many foreign-flag ships which under existing law are permitted to insure at market value—rather than at some greatly reduced value based upon an artificial standard.

It should be pointed out that in peacetime these vessels are required to carry full-value marine insurance—not restricted by a rigid formula. The operator is full owner of the ship, notwithstanding the subsidy paid to the shipyard. He owns his ship as much as does the unsubsidized American-flag owner or the citizen-owner of a foreign-flag ship.

Any indemnities received by the subsidized operator under existing law or under this bill must go into the statutory capital reserve fund to be used for ship

replacement. Your committee's report urges that any such indemnities in excess of the American-foreign differential be offset against construction subsidy otherwise allowable for a replacement ship.

The committee report points out that there should be no cost to the Government in this bill.

Under existing law—and its regulations—a binder fee is paid. But during the early period of hostilities the premiums are based on actual losses—averaged out. From then on premium costs are either averaged out on the basis of experience or estimated on the basis of risk. Experience in the past has borne this out. War risk insurance had in World War II left a substantial gain to the Government after all losses were paid.

There is no reason for any treatment of subsidized vessels different from unsubsidized American and foreign vessels for war risk insurance purposes. Enactment of this bill could reduce construction subsidy costs and speed rebuilding of our liner fleet following major hostilities.

PROVIDING FOR AN INVESTIGATION AND STUDY TO DETERMINE A SITE FOR THE CONSTRUCTION OF A SEA LEVEL CANAL CONNECTING THE ATLANTIC AND PACIFIC OCEANS

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2701) to provide for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans, and that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, will the gentleman from North Carolina yield?

Mr. BONNER. I yield to the gentleman from Ohio.

Mr. ASHBROOK. It is my understanding that the Rayburn Office Building was constructed under a type of study similar to this. Is there anything in this bill which would indicate that they could proceed with the building of a canal under the \$17.5 million authorization?

Mr. BONNER. None whatsoever. I might clarify this. In the past administration, when the gentleman from Washington was acting chairman of the committee, we selected a group of experts to go to Panama and make a study of the possibility of a sea level canal. It was a most interesting study. They made certain recommendations.

In the hearings on this bill in the House the committee amended the bill because the Senate bill set forth who would be on the Commission—for instance, the Secretary of the Army, the Secretary of State, and the Chairman of the Atomic Energy Commission. We struck those names out and gave the

President authority to appoint five men. Of course, they must operate with the Secretary of State, the Secretary of the Army and the Chairman of the Atomic Energy Commission, because the State Department will have to negotiate with nations where the on-the-ground experiments are to take place, the borings and so forth.

The gentleman will notice in the hearings that the committee requires the Commission to make annual reports.

So you point out the figure of \$14 million to \$17 million. It is not anticipated that that would be appropriated in a lump sum immediately after the first year's report, but such moneys as are needed by the Atomic Energy Commission and by the Army Engineers and others would be appropriated as this study progresses. In other words, as far as the borings are concerned, this is something that is going to take very, very careful exploration to determine whether it is possible to put a sea level canal across the isthmus or any other adjacent country. This is pointed out for the reason of the disturbance that might take place under the ocean. I think the gentlemen from Washington [Mr. Pelly and Mr. Tollefson] can assure you that we have taken great care in this bill to amend it so that every precaution will be in the bill to eliminate any unnecessary spending. We have to determine now whether it is feasible to do this.

Mr. ASHBROOK. I will say to the gentleman that I am just an average Member of Congress, but it seems to me \$17.5 million is a lot of money to spend just to determine if it is feasible.

Mr. BONNER. I can appreciate the gentleman's point, and I admire him for his interest.

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

Mr. ASHBROOK. Yes. I yield to the gentleman.

Mr. TOLLEFSON. The necessity for this legislation arises from the fact that the experience with the present canal indicates, No. 1, it has been a trouble spot in the last year or so, of course, but further than that, it is estimated within a very few years the canal cannot handle the traffic, which will increase as the years pass by. So there is going to be a need for another canal or an expansion of the present canal.

Our committee feels an expansion of the present canal might aggravate the troubles we have had there. We would like to have a survey made to determine whether or not it will be advisable and feasible to have another canal at another point. The surveys and studies necessary and preliminary to the building of this canal will take about 5 years. It is estimated at the end of this time the present canal will not carry the load. So all this bill provides for is the authority for the President to appoint a commission to make a survey, and the estimated cost for surveys and borings and drillings, but not construction, might come to some \$17 million. It is a fact, of course, that no funds can be expended until the commission comes before the Committee on Appropriations and spells out how much money it is go-

ing to need and what the money will be spent for.

Mr. ASHBROOK. I will say to the gentleman from Washington there is nothing in the 10-page report that would indicate anything more than the statement of Mr. Seaborg and others that they need \$17 million. There is very little supporting evidence. I assume your committee looked into it, but as a Member of Congress I see little supporting evidence for spending \$17.5 million.

Mr. TOLLEFSON. The hearings, of course, contain much more evidence than the report indicates. Some of the estimates ran higher, but we felt those higher estimates were out of line, and the estimate of \$14 million to \$17 million could be justified.

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

Mr. ASHBROOK. Mr. Speaker, I object.

CLAIMS OF U.S. NATIONALS AGAINST CUBA

Mr. FASCELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12259) to amend the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Government of Cuba.

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

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, that is the agreed bill that was worked out, is it not?

Mr. FASCELL. The gentleman from Ohio is correct.

Mr. BROWN of Ohio. And this bill was reported out unanimously, is that correct?

Mr. FASCELL. That is correct.

Mr. SELDEN. Mr. Speaker, I rise in support of H.R. 12259, a bill which calls for the determination of claims of U.S. nationals against the Government of Cuba.

This legislation is one of a series of measures considered by the Congress in the past with respect to claims of nationals of the United States whose property has been taken by Communist governments since the end of World War II. The enactment of the International Claims Settlement Act, as amended, resulted from violations by Communist governments with respect to the treatment of property owned by American citizens in those countries and the failure to compensate these owners.

The Castro government in Cuba, on and after January 1, 1959, expropriated and nationalized all properties owned by nationals of the United States in violation of the principles of international law. Compensation has not been provided for nationals of the United States, either as private individuals or corporate entities.

The purpose of H.R. 12259 is to provide, in accordance with the principles of international law, for the adjudication of claims of U.S. nationals which are based upon the nationalization, ex-

propriation, intervention, or other taking of their property and special measures directed against their property by the Government of Cuba since January 1, 1959, and for the adjudication of all claims against the Government of Cuba which have arisen since January 1, 1959, for disability or death of U.S. nationals for which the Government of Cuba is responsible under principles of international law.

The Subcommittee on Inter-American Affairs of the Foreign Affairs Committee, of which I am chairman, held hearings on a bill, H.R. 10327, introduced by the gentleman from Florida, Representative FASCELL, and identical bills introduced by the gentleman from Florida, Representative CRAMER, and the gentleman from Florida, Representative PEPPER, H.R. 10536 and H.R. 10720, respectively. In addition to adjudication provisions, these measures also called for the payment of claims from blocked Cuban Government assets, and provided for loans to claimants under the Alliance for Progress program, using as collateral the uncompensated portion of their approved claims.

The subcommittee heard many private witnesses whose property and enterprises were taken by Castro's government, in connection with this legislation. It also heard the sponsor of H.R. 10327, the gentleman from Florida, Hon. DANTE B. FASCELL; the sponsor of H.R. 10720, the gentleman from Florida, Hon. CLAUDE PEPPER; and representatives of the Department of State, the Department of the Treasury, the Foreign Claims Settlement Commission, and the Department of Commerce. After weighing carefully the testimony presented to it, and taking into account important foreign policy considerations, the subcommittee approved the provisions of identical claims bills, H.R. 12259 and H.R. 12260, introduced by the gentleman from Florida, Representative FASCELL, and me, respectively. These bills provide only for the adjudication of claims of U.S. nationals against the Government of Cuba. The Committee on Foreign Affairs considered H.R. 12259 and on August 11, unanimously ordered it favorably reported.

I might mention here that all claims programs do not necessarily involve payment. The Foreign Claims Settlement Commission is presently administering a program where the purpose is to determine the amount of damages suffered by certain American citizens who own property on the southern shores of Lake Ontario. In the Lake Ontario program there is no provision made for payment, and it might also, therefore, be termed a program of adjudication.

It is estimated that 4,000 U.S. nationals have claims against the Government of Cuba totaling more than \$1.5 billion. H.R. 12259 adds a new title V to the International Claims Settlement Act of 1949, as amended, providing for the adjudication of these claims by American citizens against the Government of Cuba, arising since January 1, 1959.

The nationality requirements of claimants under the bill are similar to those under other titles of the International

Claims Settlement Act of 1949, and the claims must have been continuously owned by nationals of the United States from the date of loss. This provision follows established international law principles which, when applicable, have been applied in all adjudications before the Foreign Claims Settlement Commission.

The purpose of establishment of adjudication procedures is to evaluate claims now, while records and witnesses are still available. The bill contains no provision relating to any decision as to the time, form, or manner of payment of eventual compensation. It does not affect the validity of claims which arose prior to January 1, 1959.

The Department of State has been the recipient of all records and documents relating to claims against Cuba. Upon enactment of this measure these records and documents will be turned over to the Commission for use in evaluating claims. Prompt adjudication by the Claims Commission will help all U.S. claimants organize the evidence needed and preserve the statements of witnesses who may disperse or die as time goes on. The adjudication process will give each of the claims a review by the Commission which will pinpoint what additional material should be collected before it is too late to do so.

It is important that the claimants, the Congress, and the executive branch be informed of what the total of valid claims is for guidance in any future negotiations with a responsible, free and democratic Cuban Government. It will be clear just what claims are valid; the State Department as well as the entire executive branch will have an important ingredient in their planning of any future relations with Cuba; and any future Cuban Government will have a detailed written documentation of claims it must face.

In view of the need for early adjudication proceedings by the Foreign Claims Settlement Commission of claims against Cuba, the committee approved an authorization of funds not to exceed \$750,000 for the administrative expenses of the Commission for this purpose.

I wholeheartedly support the provision of this bill, and urge adoption by the House.

Mr. FASCELL. Mr. Speaker, the distinguished chairman of the Inter-American Affairs Subcommittee of the House Committee on Foreign Affairs has just given us an excellent analysis of the legislation before us today, H.R. 12259.

The prompt, yet thorough, action on this legislation serves to demonstrate the outstanding knowledge and leadership which has continually marked the chairmanship of this subcommittee by my able colleague, the gentleman from Alabama [Mr. SELDEN]. His keen awareness and insight into the problems of Cuba and Latin America have enabled the Subcommittee on Inter-American Affairs and the Committee on Foreign Affairs to delve into and effectively act on important foreign policy questions.

While this bill provides no compensation, it will enable our citizens to formally prove their claims—looking forward to

that day when Castro falls and an agreement for compensation may be worked out with a new government. So, after 5 long years, it can be called the first effective step toward obtaining compensation for our American citizens whose property was arbitrarily taken pursuant to Communist design.

Such determination and proving of claims is long overdue and as more time passes, it will become ever more difficult for claimants to locate the necessary documents and witnesses to establish their claims.

Thus far, the only available recourse open to would-be claimants is a routine filing of their losses with the Department of State. The Department estimates that these now total about \$524 million but can go as high as \$1.5 billion if all persons losing property in Cuba were to file.

This legislation makes possible a formal procedure whereby all claimants will have the opportunity to prove up their claims through the already established channels of the Foreign Claims Settlement Commission. This is not only good business, but good sense.

If the United States were to wait for the eventual overturn of the Castro regime before proceeding to adjudication of claims, the expense could be much greater in proving up the claims, not only to the claimants, but to the United States as well. Witnesses must be located, that is, if they are still living, records must be gathered and the time-consuming process of adjudication must begin.

One businessman who testified during the hearings on this legislation is a good case in point. All of his records were taken or destroyed by the officials of the Castro government at the time of expropriation, and only one person remained, outside of his family, who could testify to his ownership of his own knowledge. That person recently died.

When the time comes, and the Castro government has toppled, as it will, we must be prepared to offer our American citizens the protection they deserve by having proved up in this formal adjudicatory procedure the amount of their claim.

The entire program as outlined in H.R. 12259 and H.R. 12260, introduced by my able colleague from Alabama, will be extremely helpful to our State Department in their negotiations with a new government in Cuba and will place us in a much stronger position for reaching a satisfactory agreement.

Mr. Speaker, there is another important matter to which I would like to call attention. The Committee on Foreign Affairs, when it unanimously reported this bill, stated as follows:

The committee respectfully directs the attention of the Department of State and the Agency for International Development to the opportunities for enhancing the Alliance for Progress through the use of the experience and skills acquired by some of these claimants in the course of their business operations in Cuba. Americans who were successful in foreign investments in Cuba should be encouraged to reinvest in other Latin American countries in acceptable projects under the Alliance for Progress. Private enterprise still plays the major role in carrying out the economic improvement of de-

veloping countries. Americans who are claimants have the ability and the know-how which can be useful in support of a major U.S. effort to bring about economic and social improvement in Latin America and to thwart Communist objectives.

The bill as reported by the committee contains no loan provisions as provided in H.R. 10327 and which had as a prerequisite the adjudication of claims. There now exist in the Foreign Assistance Act of 1961, as amended, provisions for direct loans and for investment guarantees to U.S. private enterprise. The committee believes that no additional authority for loans is considered necessary in this legislation.

However, the committee suggests that the Secretary of State take into consideration the successful foreign investment experience of any qualified claimant under this legislation who may apply, under existing law, either for a loan or an investment guarantee.

Mr. Speaker, if we are to provide some 4,000 American citizens throughout the United States with the protection they deserve, we must enact H.R. 12259 which is in accordance with the principles of international law and equally important, in the interest of justice.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Claims Settlement Act of 1949 is amended by adding at the end thereof the following new title:

"TITLE V

"Purpose of title

"SEC. 501. It is the purpose of this title to provide for the determination of the amount and validity of claims against the Government of Cuba which have arisen since January 1, 1959, out of nationalization, expropriation, intervention, or other takings of, or special measures directed against, property of nationals of the United States, and claims for disability or death of nationals of the United States arising out of violations of international laws by the Government of Cuba, in order to obtain information concerning the total amount of such claims against the Government of Cuba on behalf of nationals of the United States.

"Definitions

"SEC. 502. For the purposes of this title:

"(1) The term 'national of the United States' means (A) a natural person who is a citizen of the United States, or (B) a corporation or other legal entity which is organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico, if natural persons who are citizens of the United States own, directly or indirectly, 50 per centum or more of the outstanding capital stock or other beneficial interest of such corporation or entity. The term does not include aliens.

"(2) The term 'Commission' means the Foreign Claims Settlement Commission of the United States.

"(3) The term 'property' means any property, right, or interest, including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

"(4) The term 'Government of Cuba' includes the government of any political subdivision, agency, or instrumentality thereof.

"Receipt of claims"

"SEC. 503. (a) The Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959, for losses resulting from the nationalization, expropriation, intervention, or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States, if such claims are submitted to the Commission within such period specified by the Commission by notice published in the Federal Register (which period shall not be more than eighteen months after such publication) within sixty days after the enactment of this title or of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under this title, whichever date is later. In making the determination with respect to the validity and amount of claims and value of properties, rights, or interests taken, the Commission shall take into account the basis of valuation most appropriate to the property and equitable to the claimant, including but not limited to, (i) fair market value, (ii) book value, (iii) going concern value, or (iv) cost of replacement.

"(b) The Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959, for disability or death resulting from actions taken by or under the authority of the Government of Cuba, if such claims are submitted to the Commission within the period established by the Commission under subsection (a), or within six months after the date the claims first arose (as determined by the Commission), whichever date last occurs.

"Ownership of claims"

"SEC. 504. (a) A claim shall not be considered under section 503(a) of this title unless the property on which the claim was based was owned wholly or partially, directly or indirectly by a national of the United States on the date of the loss and unless the claim has been held by one or more nationals of the United States continuously thereafter until the date of filing with the Commission.

"(b) A claim for disability shall not be considered under section 503(b) of this title unless filed by or on behalf of the disabled person. A claim for death under such section shall not be considered unless filed by or on behalf of the widow or widower, child or parents of the deceased person.

"Corporate claims"

"SEC. 505. (a) A claim under section 503(a) of this title based upon an ownership interest in any corporation, association, or other entity which is a national of the United States shall not be considered.

"(b) A claim under section 503(a) of this title based upon a direct ownership interest in a corporation, association, or other entity for loss shall be considered, subject to the other provisions of this title, if such corporation, association, or other entity on the date of the loss was not a national of the United States, without regard to the percentage of ownership vested in the claimant.

"(c) A claim under section 503(a) of this title based upon an indirect ownership interest in a corporation, association, or other entity for loss shall be considered, subject to the other provisions of this title, only if at least 25 per centum of the entire ownership interest thereof at the time of such loss was vested in nationals of the United States.

"(d) The amount of any claim covered by subsection (b) or (c) of this section shall be calculated on the basis of the total loss suffered by such corporation, association, or other entity, and shall bear the same proportion to such loss as the ownership interest of the claimant at the time of loss bears to the entire ownership interest thereof.

"Offsets"

"SEC. 506. In determining the amount of any claim, the Commission shall deduct all amounts the claimant has received from any source on account of the same loss or losses.

"Action of Commission with respect to claims"

"SEC. 507. The Commission shall certify to each individual who has filed a claim under this title the amount determined by the Commission to be the loss or damage suffered by the claimant which is covered by this title. The Commission shall certify to the Secretary of State such amount and the basic information underlying that amount.

"Transfer of records"

"SEC. 508. The Secretary of State shall transfer or otherwise make available to the Commission such records and documents relating to claims authorized by this as may be required by the Commission in carrying out its functions under this title.

"Application of other laws"

"SEC. 509. To the extent they are not inconsistent with the provisions of this title, the following provisions of title I of this Act shall be applicable to this title: Subsections (b), (c), (d), (e), (h), and (j) of section 4; subsection (f) of section 7.

"Settlement period"

"SEC. 510. The Commission shall complete its affairs in connection with the settlement of claims pursuant to this title not later than three years following the final date for the filing of claims as provided in section 503(a) of this title or following the enactment of legislation making appropriations to the Commission for payment of administrative expenses incurred in carrying out its functions under this title, whichever date is later.

"Appropriations"

"SEC. 511. There are hereby authorized to be appropriated such sums, not to exceed \$750,000, as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title.

"Separability"

"SEC. 512. If any provision of this Act, or the application thereof to any person or circumstances, shall be held invalid, the remainder of the Act, or the application of such provision to other persons or circumstances, shall not be affected."

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

Mr. BONNER. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks following the passage of the bill S. 927, and my remarks on the bill S. 2701.

Mr. TOLLEFSON. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina and the gentleman from Washington?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Texas [Mr.

THOMAS] I ask unanimous consent that the conferees on the disagreeing votes of the two Houses on the bill H.R. 11296, the independent offices appropriation bill, 1965, have until midnight to file a conference report.

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

There was no objection.

PROTECTING HEADS OF FOREIGN STATES

Mr. WILLIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1917) to provide authority to protect heads of foreign states and other officials.

May I say that this bill provides authority to protect heads of foreign states, comparable, let us say, to the President of the United States, traveling abroad, or foreign ministers, comparable, may I say, to our Secretary of State traveling abroad. This is brought about by the assassination of President Kennedy. The House passed an identical bill, H.R. 7651, on May 4, and the Senate passed an identical bill. The purpose here is to approve the Senate bill.

The purpose of the bill is to provide the Department of State with additional authority necessary to enable it to discharge its responsibilities in safeguarding certain distinguished foreign officials who visit in the United States under the auspices of the Government of the United States.

The bill does three things:

First. It amends section 11, title 18, United States Code, to make it a Federal offense to assault the head of a foreign state or of a foreign government or a foreign minister. At present this section protects ambassadors and other public ministers.

Second. It amends section 1114 of title 18, United States Code, to make it a Federal offense to kill security officers of the Department of State and the Foreign Service while engaged in the performance of official duties or on account of the performance of official duties. This would automatically make it a Federal offense to assault such personnel—section 111, title 18, United States Code—and

Third. It authorizes security officers of the Department of State and the Foreign Service—who are already authorized to carry firearms to protect certain national and foreign dignitaries—title 5, United States Code, section 170e—to arrest without a warrant persons violating title 18, United States Code, section 111 or 112 in their presence, or if they have reasonable grounds to believe that the person to be arrested has committed or is committing such offense.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That section 112 of title 18, United States Code, is amended to read as follows:

"§ 112. Assaulting certain foreign diplomatic and other official personnel

"Whoever assaults, strikes, wounds, imprisons, or offers violence to the person of a head of foreign state or foreign government, foreign minister, ambassador or other public minister, in violation of the law of nations, shall be fined not more than \$5,000, or imprisoned not more than three years, or both.

"Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than \$10,000, or imprisoned not more than ten years, or both."

SEC. 2. The analysis in chapter 7, title 18, United States Code, is amended by deleting:

"112. Assaulting public minister" and inserting in lieu thereof

"112. Assaulting certain foreign diplomatic and other official personnel".

SEC. 3. Section 1114 of title 18, United States Code, is amended by inserting immediately before "while engaged in the performance of his official duties," the following: "or any security officer of the Department of State or the Foreign Service."

SEC. 4. The Act of June 28, 1955 (ch. 199, 69 Stat. 188; 5 U.S.C. 170e) is amended by adding a new section at the end thereof, to read as follows:

"Sec. 2. Security officers of the Department of State and the Foreign Service engaged in the performance of the duties prescribed in section 1 of this Act are empowered to arrest without warrant and deliver into custody any person violating section 111 or 112 of title 18, United States Code, in their presence or if they have reasonable grounds to believe that the person to be arrested has committed or is committing such a violation."

SEC. 5. Nothing contained in this Act shall create immunity from criminal prosecution under any laws in any State, Commonwealth of Puerto Rico, territory, possession, or the District of Columbia.

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

OTHER COMMERCIAL TRANSACTIONS, DISTRICT OF COLUMBIA CODE

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11466) to enact subtitle II, "Other Commercial Transactions," of title 28, "Commercial Instruments and Transactions," of the District of Columbia Code, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, line 28, after "wages," insert "upon conviction".

Page 17, line 15, strike out "of" the first time it appears and insert "or".

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

Mr. GROSS. Mr. Speaker, reserving the right to object, the amendments are germane to this bill?

Mr. WILLIS. They are germane; they are grammatical changes and technical changes.

Mr. GROSS. This is a bill that the House previously passed?

Mr. WILLIS. That is right.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MARKETING AREA OF BONNEVILLE POWER ADMINISTRATION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 818 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution the bill (S. 1007) to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes, with House amendments thereto, be, and the same is hereby, taken from the Speaker's table; that the House insists on its amendments to said bill and agrees to the further conference requested by the Senate on the disagreeing votes thereon.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 818, as indicated by the reading of the Clerk, will permit the appointment of conferees on the part of the House and conferees on the part of the Senate to sit down and work out differences pertaining to this particular piece of legislation.

Mr. Speaker, it is my understanding that since the last conference broke down there has been general agreement.

Therefore, I would hope that the resolution is adopted and that conferees will be appointed so that they may expeditiously proceed to a settlement of this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from California [Mr. SISK] explained, House Resolution 818 simply provides that the Senate bill S. 1007, a measure to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes, be sent to conference because of the adoption of an amendment, the Westland amendment, in the House.

Mr. Speaker, the Westland amendment in the opinion of most Members of the House represented a very important improvement in the bill. But there was some question at that time as to whether or not it would be acceptable to the other body. There was considerable delay in the consideration of this resolution.

Finally, there was an agreement worked out, as I understand it, as to the protection that would be afforded in this bill as a result of the wording based on the Westland amendment and that the amendment has been found satisfactory by all parties concerned in the issue.

For that reason, Mr. Speaker, we have this resolution pending before us today which would simply send the bill, S. 1007, to conference for final redrafting of the legislation.

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

Mr. BROWN of Ohio. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I just want to say, as a former conferee on this bill, that while the Department has worked out some language which is satisfactory to the Interior Department, some of us who were conferees and who in all probability will be conferees again, are going to insist that the House position be maintained.

Many Members who voted for that bill in the first instance said that the only reason they did so was because the Westland amendment was added. Speaking for myself as a conferee, I expect to maintain the position of the House and to see to it that the Westland amendment is kept in the bill.

Mr. BROWN of Ohio. I would like to say to the gentleman from Pennsylvania that it has been my understanding that the conferees will accept the Westland amendment or language that will put into effect the wording of the Westland amendment to the satisfaction of all concerned. For that reason, the action was taken by the Rules Committee to bring this resolution to the floor of the House because there was a strong feeling that the position of the House conferees should be supported and the further fact that the House had overwhelmingly taken that position. The Committee on Rules had not called up the resolution because of the feeling that the House insisted upon supporting the position of the House conferees, as mentioned by the gentleman from Pennsylvania.

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

Mr. BROWN of Ohio. I yield to the gentleman from California, very quickly.

Mr. HOSMER. It is my understanding, along with that of the gentleman from Pennsylvania [Mr. SAYLOR]—

Mr. BROWN of Ohio. I cannot hear the gentleman.

Mr. HOSMER. It is my understanding, along with that of the gentleman from Pennsylvania [Mr. SAYLOR], that there may not be the degree of unanimity with respect to what the provisions of this bill should be that some people assume. I want to ask the gentleman from Ohio if that is a fact, and let me get—

Mr. BROWN of Ohio. Let me say to the gentleman—

Mr. HOSMER. Let me get to the question.

Mr. BROWN of Ohio. Ask the question.

Mr. HOSMER. If there is still considerable dispute as to what its terms

should be, in the opinion of the gentleman from Ohio, should this matter go to conference anyway?

Mr. BROWN of Ohio. Well, now, I will answer that question by saying that the gentleman from Ohio, as I have stated before, has been informed by interested parties in this matter on both sides, including the author of the Westland amendment and by others, that a satisfactory agreement has been or will be worked out on this matter. For that reason I have had no question whatsoever about it.

Does that answer the gentleman's question?

Mr. HOSMER. If the gentleman will yield further, no, it does not.

My question was, assuming that that information was incorrect and that there does exist yet disagreement, in the opinion of the gentleman from Ohio, should, nevertheless, this resolution be passed and the bill sent to conference? Does the gentleman so recommend?

Mr. BROWN of Ohio. If the information is incorrect and the bill is not in proper form, I would not be in favor of sending it to conference. I did not go on the assumption the information upon which I base my conclusion is incorrect, because I checked carefully before I took action, and I have been assured this legislation will be in proper form and satisfactory to the House.

Mr. HOSMER. I want the gentleman to understand I am not accusing anybody of misinforming anyone. However, the situation might have changed since this matter was up in the Rules Committee.

Mr. BROWN of Ohio. There has been no change in the last 24 hours, or I would have been informed.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. ASPINALL, ROGERS of Texas, HALEY, SAYLOR, and WESTLAND.

There was no objection.

COMMITTEE ON RULES

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING SECTION 402(d) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 819 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4731) to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I shall yield one-half hour to the gentleman from Ohio, Mr. BROWN, pending which I yield myself such time as I may require.

House Resolution 819 provides for consideration of H.R. 4731, a bill to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act. The resolution provides an open rule with 1 hour of general debate.

When the Pure Food and Drug Act was enacted in 1906, it contained a provision deeming confectionery to be adulterated if it contained certain ingredients deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound or narcotic drug.

In 1938, this prohibition was expanded so that under section 402(d) of the act, confectionery bearing or containing any nonnutritive substance or article, with certain specified exceptions, is automatically deemed adulterated.

In 1958, the act was again amended but no change was made in section 402(d).

Existing law in this area presents somewhat of an anomaly. Certain additives may be used by the canning, frozen food, baking, bottling, and preserving segments of the food industry—even the baby foods industry—but these substances may not be used in the manufacture of candy.

H.R. 4731 would amend the act so as to eliminate those provisions in that section (402(d)) so as to eliminate those provisions which deem confectionery to be adulterated if it bears or contains any nonnutritive article or substance except authorized coloring, harmless flavoring, or certain harmless resinous glazes. This will place the confectionery industry on the same basis as other segments of the food industry and will permit that industry to use in the manufacture of candy, food additives cleared for safety under the food additives amendment.

Mr. Speaker, I urge the adoption of House Resolution 819.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 819, as the gentleman from Massachusetts has explained, makes in order the consideration of H.R. 4731, which is a rather simple but important measure. It simply

permits under the law the use of certain food extracts in the manufacture of candy that is already permitted under the Pure Food and Drug Act to be used in the production and manufacture of foodstuffs and similar materials used for human consumption.

There is no reason why this legislation should not have been enacted a long while ago as a benefit to the candy industry. It will be a big benefit and not injure the general public.

Mr. Speaker, I have no further requests for time.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

MARKING OF STEEL CONTAINERS

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 817, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5673) to prohibit the introduction into interstate commerce of any shipping container manufactured in the United States from imported steel unless the container is marked so as to indicate the country of origin of the steel. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may consume, and at the conclusion of my remarks I shall yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, House Resolution 817 provides for consideration of H.R. 5673, a bill to prohibit the introduction into interstate commerce of any shipping container manufactured in the United States from imported steel unless the container is marked so as to indicate the country of origin of the steel. The resolution provides an open rule with 1 hour of general debate.

H.R. 5673 would, in effect:

First. Require steel shipping containers manufactured in the United States chiefly from imported steel to be marked with the country of origin of the steel.

Second. Require every manufacturer to maintain proper records showing the origin of the steel used in all such containers made by him.

Third. Provide for enforcement by the Federal Trade Commission pursuant to

its powers under the Federal Trade Commission Act to prevent the commission of unfair methods of competition and unfair or deceptive acts or practices in commerce.

Fourth. Provide for imposition of certain sanctions, including criminal penalties, for violations.

The main objectives of the bill are to permit buyers of steel shipping containers to know when imported steel is used in the manufacture of these containers and to promote the use of steel produced in this country.

Mr. Speaker, I urge the adoption of House Resolution 817.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry?

The SPEAKER pro tempore (Mr. ALBERT). The gentleman will state it.

Mr. GROSS. Is it the purpose after the adoption of these rules to go back to the bills in the order in which the bills are adopted?

The SPEAKER pro tempore. Of course, the distinguished gentleman from Arkansas [Mr. HARRIS], the chairman of the Committee on Interstate and Foreign Commerce, which has reported many of the bills to come up, will have control of that. I assume the bills will come up in the order in which the rules have been adopted.

Mr. GROSS. The Chair is speaking of the two bills. When you get off these two bills, they leave the Committee on Interstate and Foreign Commerce.

The SPEAKER pro tempore. The plan is to take up the rules on all of the bills from the Committee on Interstate and Foreign Commerce.

Mr. GROSS. And then call the bills in the order in which the bills have been adopted?

The SPEAKER pro tempore. That is the plan, although that is up to the gentleman from Arkansas, the chairman of the committee.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Massachusetts has explained, House Resolution 817 makes in order the consideration of H.R. 5673, a bill from the House Committee on Interstate and Foreign Commerce, which would provide that it will be illegal to ship in interstate commerce any shipping container manufactured in the United States from imported steel unless such container is plainly marked so as to indicate the country of origin of the steel.

This is a piece of legislation that has been urgently requested by the steel industry of the United States, by the users of these containers, the manufacturers of steel, and by American labor organizations. It is a constructive measure for the benefit of American industry, American commerce, and American labor.

The bill, as I understand it, was reported unanimously from the Committee on Interstate and Foreign Commerce and was reported unanimously by the Committee on Rules.

Mr. Speaker, I have no requests for time, and yield back the balance of my time.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CLAIMS OF SHAREHOLDERS OF GENERAL DYESTUFF CORP.

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 836) providing for consideration of S. 1451, a bill to amend section 41(a) of the Trading With the Enemy Act, by direction of the Committee on Rules and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1451) to amend section 41(a) of the Trading With the Enemy Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, this resolution makes in order the bill, S. 1451. It is a Senate bill to amend the Trading With the Enemy Act. This arises out of the claims of the shareholders of the General Dyestuff Corp. which was a foreign enemy-owned corporation that was seized under the Trading With the Enemy Act during the last war. The shareholders of the corporation have certain claims that they wish to have considered by the Court of Claims. After a good deal of back and forth negotiations about it, the committee came to the conclusion that the best way to settle these claims was to let the Court of Claims have jurisdiction to consider and determine the validity of the claims and do what was necessary.

Mr. Speaker, I know of no objection to the bill. There was no objection to it when it came before the Committee on Rules and when it was reported out of the Committee on Interstate and Foreign Commerce.

Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. BROWN] if he desires to make a statement on the rule.

Mr. BROWN of Ohio. Mr. Speaker, I wish only to add that it is my understanding the bill, S. 1451, was reported out of the Committee on Interstate and Foreign Commerce by a unanimous vote. The purpose of the bill is to correct a situation that resulted from a recent court decision so as to permit the inter-

ested parties to go into the Court of Claims without prejudice.

The rule was reported out of the Committee on Rules by a unanimous vote.

I know of no opposition to the measure or to the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken.

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

The SPEAKER pro tempore. The gentleman from Missouri objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present. Evidently, a quorum is not present.

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

The question was taken; and there were—yeas 375, nays 3, not voting 52, as follows:

[Roll No. 219]

YEAS—375

Abbutt	Celler	Fulton, Tenn.
Abele	Chamberlain	Fuqua
Abernethy	Chelf	Gallagher
Adair	Chenoweth	Garmatz
Addabbo	Clancy	Gary
Albert	Clark	Gathings
Anderson	Clausen,	Glaimo
Andrews, Ala.	Don H.	Gibbons
Andrews,	Clawson, Del	Gilbert
N. Dak.	Cleveland	Glenn
Arends	Conte	Gonzalez
Ashbrook	Cooley	Goodell
Ashley	Corbett	Goodling
Ashmore	Corman	Grabowski
Aspinall	Cramer	Grant
Auchincloss	Cunningham	Green, Ore.
Ayres	Curtin	Green, Pa.
Baker	Curtis	Griffin
Baldwin	Daddario	Griffiths
Barrett	Dague	Gross
Barry	Daniels	Grover
Bates	Davis, Ga.	Gubser
Battin	Davis, Tenn.	Gurney
Becker	Dawson	Hagan, Ga.
Beckworth	Delaney	Hall
Beermann	Dent	Halleck
Belcher	Denton	Halpern
Bell	Derounian	Hanna
Bennett, Fla.	Derwinski	Hansen
Berry	Devine	Harding
Betts	Dole	Hardy
Blatnik	Donohue	Harris
Boland	Dorn	Harrison
Bolton,	Dowdy	Harsha
Oliver P.	Downing	Harvey, Ind.
Bonner	Dulski	Hawkins
Bow	Duncan	Hays
Brademas	Dwyer	Healey
Bray	Edmondson	Hechler
Brock	Edwards	Henderson
Bromwell	Elliott	Herlong
Brooks	Ellsworth	Hoeven
Broomfield	Everett	Hollfield
Brotzman	Ewins	Holland
Brown, Calif.	Fallon	Horan
Brown, Ohio	Farbstein	Horton
Broyhill, N.C.	Fascell	Hosmer
Broyhill, Va.	Feighan	Huddleston
Bruce	Findley	Hull
Burke	Fino	Hutchinson
Burkhalter	Fisher	Ichord
Burleson	Flood	Jarman
Burton, Calif.	Fogarty	Jennings
Burton, Utah	Ford	Jensen
Byrne, Pa.	Foreman	Joelson
Byrnes, Wis.	Forrester	Johansen
Cahill	Fountain	Johnson, Calif.
Cameron	Fraser	Johnson, Pa.
Carey	Frelinghuysen	Johnson, Wis.
Casey	Friedel	Jonas
Cederberg	Fulton, Pa.	Jones, Mo.

Karsten	Nix	Selden
Karth	Norblad	Senner
Kastenmeier	O'Brien, N.Y.	Short
Keith	O'Hara, Ill.	Shriver
Kelly	O'Hara, Mich.	Sickles
Keogh	O'Konski	Sikes
Kilburn	Olsen, Mont.	Siler
Kilgore	Olsen, Minn.	Sisk
King, Calif.	O'Neill	Skubitz
King, N.Y.	Osmer	Smith, Iowa
Kluczynski	Ostertag	Smith, Va.
Knox	Patman	Snyder
Kornegay	Patten	Springer
Kunkel	Pelly	Stafford
Kyl	Pepper	Staggers
Laird	Perkins	Stephens
Langen	Philbin	Stinson
Latta	Pickle	Stratton
Lennon	Pike	Stubblefield
Libonati	Pilcher	Sullivan
Lindsay	Pirnie	Taft
Lipscomb	Poage	Talcott
Long, La.	Poff	Taylor
Long, Md.	Pool	Teague, Calif.
McClary	Price	Teague, Tex.
McCulloch	Pucinski	Thomas
McDade	Purcell	Thompson, N.J.
McDowell	Qule	Thompson, Tex.
McFall	Quillen	Thomson, Wis.
McIntire	Randall	Tollefson
McLoskey	Reid, Ill.	Trimble
McMillan	Reid, N.Y.	Tuck
Macdonald	Reifel	Tupper
MacGregor	Reuss	Tuten
Madden	Rhodes, Ariz.	Udall
Mahon	Rhodes, Pa.	Ullman
Marsh	Rich	Utt
Martin, Calif.	Riehlman	Van Deerlin
Martin, Mass.	Rivers, Alaska	Vanik
Martin, Nebr.	Rivers, S.C.	Van Pelt
Matsunaga	Roberts, Ala.	Waggonner
Matthews	Roberts, Tex.	Watson
May	Robison	Watts
Michel	Rodino	Weaver
Miller, Calif.	Rogers, Colo.	Weltner
Milliken	Rogers, Fla.	Westland
Mills	Rogers, Tex.	Whalley
Minish	Rooney, N.Y.	Wharton
Minshall	Rooney, Pa.	White
Monagan	Roosevelt	Whitener
Montoya	Rosenthal	Whitten
Moore	Rostenkowski	Wickersham
Moorhead	Roudebush	Widnall
Morgan	Roush	Williams
Morris	Roybal	Willis
Morrison	Rumsfeld	Wilson,
Morse	St. George	Charles H.
Morton	St. Germain	Wilson, Ind.
Mosher	St. Onge	Wright
Moss	Saylor	Wydler
Multer	Schadberg	Wyman
Murphy, Ill.	Schenck	Young
Murphy, N.Y.	Schneebeli	Younger
Murray	Schwelker	Zablocki
Natcher	Schwengel	
Nelsen	Secret	

NAYS—3

Hagen, Calif. Pillion Ryan, N.Y.

NOT VOTING—52

Alger	Haley	Powell
Avery	Harvey, Mich.	Rains
Baring	Hébert	Ryan, Mich.
Bass	Hoffman	Scott
Boggs	Jones, Ala.	Sheppard
Bolling	Kee	Shipley
Bolton,	Kirwan	Sibal
Frances P.	Landrum	Slack
Buckley	Lankford	Smith, Calif.
Cohelan	Leggett	Staebler
Collier	Lesinski	Steed
Colmer	Lloyd	Thompson, La.
Diggs	Mailliard	Toll
Dingell	Mathias	Vinson
Finnegan	Meador	Wallhauser
Flynt	Miller, N.Y.	Wilson, Bob
Gill	Nedzi	Winstead
Gray	Passman	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bob Wilson.
 Mr. Toll with Mr. Sibal.
 Mr. Cohelan with Mr. Mailliard.
 Mr. Thompson of Louisiana with Mr. Alger.
 Mr. Kirwan with Mrs. Frances P. Bolton.
 Mr. Boggs with Mr. Miller of New York.
 Mr. Flynt with Mr. Harvey of Michigan.
 Mr. Shipley with Mr. Mathias.

Mr. Colmer with Mr. Smith of California.
 Mr. Winstead with Mr. Meador.
 Mr. Gray with Mr. Collier.
 Mr. Slack with Mr. Wallhauser.
 Mr. Steed with Mr. Hoffman.
 Mr. Passman with Mr. Avery.
 Mr. Gill with Mr. Diggs.
 Mr. Ryan of Michigan with Mr. Powell.
 Mr. Scott with Mr. Sheppard.
 Mr. Bass with Mrs. Kee.
 Mr. Finnegan with Mr. Lankford.
 Mr. Haley with Mr. Lesinski.
 Mr. Baring with Mr. Dingell.
 Mr. Jones of Alabama with Mr. Nedzi.
 Mr. Landrum with Mr. Buckley.
 Mr. Leggett with Mr. Staebler.

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

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING FREE TRANSPORTATION OF GUIDES OR DOG GUIDES ACCOMPANYING BLIND PERSONS ABOARD AIRCRAFT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 838, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8068) to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentlewoman from New York [Mrs. St. GEORGE], and pending that I yield myself such time as I may desire.

Mr. Speaker, this bill is for the purpose of aiding the blind who are passengers on air transportation facilities. The purpose of the bill is to grant express statutory authority to any air carrier or foreign air carrier to transport a human guide or dog guide, accompanying a totally blind person, at a reduced rate or at no charge, under such reasonable regulations as may be established by such carrier.

Mr. Speaker, I know of no opposition to the bill, and urge the adoption of the rule.

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, this is a most necessary and certainly humanitarian resolution.

It makes in order the consideration of H.R. 8068, to allow blind people to be accompanied on a plane either by a seeing-eye dog or a human guide. There could not be any possible objection to this, and of course the airlines themselves will be responsible as to how this matter can be arranged.

Of course, we know that dogs are not allowed on airplanes as a general rule, but they are very necessary in cases of this kind, and there can be no proper objection to their being carried. In fact, I would suggest that there would be many instances where these well-trained animals would be less undesirable on a plane than some human beings.

This resolution came out of the Committee on Rules unanimously, and I think it came out of the Committee on Interstate and Foreign Commerce unanimously. I can see no objection to it, and there is none on our side.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HYDROELECTRIC PROJECTS ON THE COLORADO RIVER

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 840, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9752) to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may require; and, pending that, I yield 30 minutes to the gentlewoman from New York [Mrs. St. GEORGE].

Mr. Speaker, House Resolution 840 provides for consideration of H.R. 9752, a bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam. The resolution provides an open rule with 1 hour of debate.

H.R. 9752 would suspend, through December 31, 1966, the authority of the Federal Power Commission to license individual water and power projects on a described portion of the Colorado River,

in order to provide Congress with the opportunity of passing upon a comprehensive plan which proposes a unified, integrated system of such projects for the entire Colorado River Basin.

There are now pending before the Federal Power Commission competing applications of the Arizona Power Authority and others for a license to construct a hydroelectric project at the Marble Canyon site on the lower Colorado, one of the last sites available for significant power development in the basin. A comprehensive plan for the development of water and power resources in the whole Southwest region served by the Colorado and other rivers is also pending in Congress. It is believed that any action by the Federal Power Commission with respect to this reach of the Colorado River should await congressional consideration and congressional action, if any, with respect to the plan. In considering the plan, Congress will be presented with the question whether this project should properly be constructed and operated by the United States as one more unit in the whole system of Federal projects up and down the river, in order that it might contribute to meeting the costs of lower basin water supply development under the Federal reclamation laws.

Mr. Speaker, I urge the adoption of this resolution (H. Res. 840).

Mrs. ST. GEORGE. Mr. Speaker, this resolution makes in order the consideration of the bill, H.R. 9752, to preserve the jurisdiction of the Congress over the construction of hydroelectric projects on the Colorado River below Glen Canyon Dam.

My colleague, the gentleman from Indiana, has very ably and very properly described the resolution and the purpose of the bill.

There was absolutely no objection to the adoption of this resolution in the House Committee on Rules. I think in every way the bill is meritorious. I believe many of us particularly like the statement that it will preserve the jurisdiction of the Congress over the construction of these hydroelectric projects. I think this is an important thing and the more often we do preserve the jurisdiction of the Congress, the better off we shall be.

Mr. Speaker, I have no further requests for time and yield back the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

USE OF ADDITIVES IN CONFECTIONERY

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4731) to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 402(d) of the Federal Food, Drug, and Cosmetic Act, as amended, is hereby amended to read as follows:

"(d) If it is confectionery, and it bears or contains—

"any alcohol other than not to exceed one-half of 1 per centum by volume derived solely from the use of flavoring extracts."

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

Mr. Speaker, this bill, H.R. 4731, amends section 402(d) of the Federal Food, Drug, and Cosmetic Act to permit manufacturers of candy to use food additives which are cleared for safety—I repeat—which are cleared for safety, by the Food and Drug Administration, in the manufacture of candy, whether or not these additives are nutritive.

The bill was considered by the Committee on Interstate and Foreign Commerce and was unanimously reported by the committee and is before the House by the direction of the committee today.

Under existing law, a candy manufacturer may not use, in the manufacture of candy, any substance which is not nutritive except authorized coloring, harmless flavoring, natural gum, pectin, or certain harmless resinous glazes.

This means then that if a candy manufacturer needs to use an additive to impart some particular quality to one of his products—for example, an additive which would preserve shelf life, or otherwise aid in the manufacture of the candy—he may find that although the particular additive which he wishes to use is completely harmless and safe, and has already been cleared by the Food and Drug Administration for use by all other segments of the food manufacturing industry, he must determine whether this particular additive is nutritive. If the additive is nutritive, he can use it; if the additive is not nutritive, he is prohibited from using it even though that same additive may be used by all other segments of the food industry from canning and freezing manufacturers to baby food manufacturers.

In other words, a substance which can be used in the manufacture of cookies, soft drinks, ice cream, or pastry, frequently cannot be used in the manufacture of candy.

This odd result arises primarily out of the history of the provisions of the Food and Drug Act which relate to the manufacture of candy. Prior to 1906, when the Pure Food and Drug Act was first passed, many harmful substances were used in the manufacture of candy. The 1906 act contained specific prohibitions against the use of certain substances in the manufacture of candy, and spelled out the substances which were not permitted to be used. In 1938, the 1906 act was expanded so that instead of the law specifying which substances could not be used, the law prohibited use of any non-nutritive substance, with certain specified exceptions.

The 1906 law specified substances that could not be used; the 1938 law listed the substances that could be used. This provision—section 402(d)—has not been changed since 1938, notwithstanding other developments that have occurred since, primarily the adoption of the food additive amendment in 1938.

In 1958, the Congress amended the Federal Food, Drug, and Cosmetic Act to add a new section 409 giving the Food and Drug Administration authority to regulate the use of additives in the manufacture of food. Under this amendment, no substance may be used which will become a component of, or otherwise affect the characteristics of food, unless that substance has been cleared in advance by the Food and Drug Administration, and a regulation approving the uses of that substance has been printed in the Federal Register. No change was made at that time in section 402(d), covering use of additives in the manufacture of confectionery, although it may well have been appropriate for the Congress to consider such a change.

At present, therefore, the presence of section 402(d) in the Federal Food, Drug, and Cosmetic Act, along with section 409 creates an unusual situation under which an additive can be used in the manufacture of all types of food if it is nonnutritive, but that same additive cannot be used in the manufacture of candy.

This restriction, applicable only to the candy industry, imposes on that industry rigid requirements not present in any other segment of the food industry, and in the opinion of the committee, serves no useful purpose in the protection of the public health. Section 409 relating to food additives already provides ample protection, and the continuation of the extra restrictions imposed by section 402(d) is no longer necessary and should be repealed.

This bill, therefore, amends the Food and Drug Act so as to eliminate the present restrictions applicable only to the manufacture of confectionery, and puts confectionery manufacturers on the same basis as all other food manufacturers.

The Food and Drug Administration objected to the bill in the form in which proposed and suggested amendments which would have required confectionery manufacturers to meet restrictions not applicable to any other segment of the food manufacturing industry. For example, their proposal would have required that candy manufacturers establish to the satisfaction of the Food and Drug Administration that the use of a particular additive had technological value. This same proposal was made by the Food and Drug Administration in connection with the Food Additives Amendment of 1958, but the Congress rejected that proposal then, and there is no more justification for imposing it now upon candy manufacturers than there was for imposing it upon all other food manufacturers in 1958.

Mr. Speaker, this bill merely places candy manufacturers on the same basis as all other food manufacturers in the United States with respect to the use of

additives in the manufacture of their product.

The author of the bill is the gentleman from Massachusetts [Mr. MACDONALD]. We commend the bill to the House for its consideration and approval.

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

Mr. HARRIS. I am delighted to yield to the gentleman, who is the author of the bill.

Mr. MACDONALD. Mr. Speaker, I wish to associate myself with the remarks of the distinguished chairman of the committee.

Mr. Speaker, as a sponsor of the bill now before us, I rise to speak on its behalf. This bill was introduced to remedy a situation whereby the candy manufacturers of this country, many of whom are located in the congressional district of the gentleman from Massachusetts [Mr. O'NEILL], who so ably handled the rule on this bill, and also in the district that I myself am privileged to represent, have been unfairly discriminated against by reason of the current provisions of the Food, Drug, and Cosmetic Act which apply to their industry.

Section 402(d) of the act, the present section, to which H.R. 4731 is addressed, provides for a blanket prohibition of the use of all nonnutritive ingredients in the manufacture of candy. This prohibition was once needed, as one of several legislative safeguards for the consumer, against the possible use of harmful ingredients or cheap fillers in the manufacture of candy. Today, however, such provision clearly is not needed, since it does not recognize the very real and basic fact that under modern methods a better candy product is possible if certain additives, which are nonnutritive, but which also have been declared to be safe by the Food and Drug Administration, are used in the manufacturing process. These ingredients facilitate the mechanical processes involved, they improve the flavor of the product, and they also enable it to stay fresher for a longer period of time. The law should be updated to take account of these technological advances.

Mr. Speaker, I would like to point out further that my bill does not pave the way for the use of harmful ingredients or cheap fillers such as talc in the confectionery which we all eat. Sections 402 and 409 of the Food, Drug, and Cosmetic Act still give a very real and satisfactory protection to the consumers of candy. Under section 409 of the act, the language states:

Any substance whose use results in its becoming a component or otherwise affecting the characteristics of any food (including confectionery) may not be used unless there is in effect, and its use or intended use are in conformity with a regulation issued by the Food and Drug Administration under certain specified terms.

In plain English the Food and Drug Administration has to pass on the safety of the additive before it can be used by the candy manufacturer and sold to the ultimate consumer.

Finally, Mr. Speaker, I should like to point out to yourself and to the other Members of the House, that the bill

before you serves to remedy a situation under which, for reasons which no longer apply, the candy industry has been singled out in a discriminatory fashion. By passing this amendment, you will be placing the confectionery industry on the same basis as now applies to the other segments of the food industry. The existing law in this area presents an anomalous situation, whereby the additives in question may be, and are, used by the canning, the frozen food, the baking, the bottling and the preserving segments of the food industry—even, for instance, the bread and the baby food industries—but these same substances may not presently be used in the manufacture of candy.

In urging favorable action on this bill, Mr. Speaker, I repeat that this discriminatory and anomalous treatment of the confectionery industry is neither warranted nor desirable but is an anachronism that should be updated. For these reasons I respectfully request passage of the bill.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I am glad to yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, the chairman of the Committee on Interstate and Foreign Commerce has already answered the questions I had intended to ask on this legislation. It was my understanding, in studying the bill, that it permits or requires candy manufacturers to do no more and no less than manufacturers of other food products in assuring the safety of their products. The gentleman from Arkansas has clearly established that in his remarks.

Mr. Speaker, I think we have got to watch this situation very carefully, however. I am not aware that the candy industry is suffering from the fact that it cannot use all of these chemical additives which are now so prevalent in all processed foods. I think the candy industry has just had one of its biggest years in history. I would hate to see candy turned into a new variety of chemical tidbit. At the present time, the customer instantly knows when a piece of candy is stale or moldy; the purpose of this bill seems primarily to help fool the customer as to the product's freshness by permitting the use of chemicals to extend shelf life. However, if every other food product enjoys this privilege, it is difficult to deny it to the candy manufacturer.

ASSURING WHOLESOMENESS OF IMPORTED FOODS

In looking through the hearings on this bill, Mr. Speaker, I noted numerous references to the fact that the candy imports are often a worrisome problem, in terms of their safety and wholesomeness. We require very high standards of wholesomeness and of sanitation in all food processing plants in this country, but we have to depend upon the vigilance of the Food and Drug Administration's inspectors and laboratory scientists, and a good deal of luck on a sampling basis—or on hunches—to ferret out dubious shipments of food products imported into this country, and seize those which are unfit or adulterated. Often, the only way the FDA can tell that dan-

gerous ingredients have been used purposely or by mistake in an imported food is by elaborate laboratory analysis, and that is time consuming and difficult. According to the hearings on this bill, the FDA once found imported candy which had been colored by the use of ordinary house paint.

Now, of course this is clearly prohibited under our laws, and will continue to be prohibited under this bill today. My point is that we do not have really solid defenses against unwholesome imported foods because we do not and cannot require foreign manufacturers to submit to the same kind of factory inspection we have established for food processors in this country. Reference to this fact was made in the hearings on H.R. 4731 only insofar as this problem relates to candy imports, but it is common in many food products.

H.R. 1235 PROPOSES FDA INSPECTIONS ABROAD

I would therefore like to point out, Mr. Speaker, that in H.R. 1235, my omnibus bill to rewrite the Food, Drug, and Cosmetic Act to close a great variety of loopholes in consumer protections in the present law, I have a provision which, I believe, is unique in meeting this problem. It would permit FDA to make factory inspections overseas in any plants which ship substantial quantities of processed foods into the United States. Of course, we would not attempt to have inspectors in every foreign plant; but this way we could inspect those foreign plants shipping to the United States products which consistently or periodically seem to be manufactured under unsanitary conditions, or which vary widely in quality indicating a lack of good manufacturing standards, or which contain ingredients not permitted under our laws. If such a plant refused to permit reasonable inspection by United States inspectors upon request, then its products could be barred from this country, and a good deal of the time of our inspectors who are working on imports here could be saved for other important assignments. It is my impression that some foreign firms have been constant offenders on foods sent to the United States, and that inspecting their products at dockside takes a lot of concentrated effort by our pure food inspectors. Under such circumstances, we should send inspectors overseas to see just how these factories are set up from a sanitation standpoint, and what manufacturing practices are followed. Otherwise, FDA must continue to spend an inordinate amount of time and effort and expense inspecting and analyzing their shipments after they arrive.

It seems to me this approach would solve one of the major problems cited by the FDA in opposing H.R. 4731. FDA said that it is mostly the foreign candy manufacturers, rather than the domestic ones, they fear may abuse the relaxations in this legislation. My omnibus bill to rewrite the Food, Drug, and Cosmetic Act, H.R. 1235, has many, many provisions in it, such as sections dealing with the safety of cosmetics, pep pills, and barbiturates, the safety and efficacy of prosthetic and therapeutic devices, the labeling of foods and cosmetics, and so

on. So this one provision on foreign factory inspections is only a minor part of a very broad bill. But it is yet another demonstration of the fact that H.R. 1235 contains many long-overdue reforms, and I hope that next year, this bill can finally be written into law, as its drug control provisions were 2 years ago.

Mr. HARRIS. I thank the gentleman for her statement.

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

The existing law in this field does present somewhat of an anomaly. Certain additives may be used by the canning, frozen food, baking, bottling, and preserving segments of the food industry. Even the baby food industry may use these additives, but these substances may not be used in the manufacture of candy.

The purpose of this legislation today is to cure this discrimination, this anomalous treatment received by the confectionery industry.

Technically the bill would amend section 402(d) of the Federal Food, Drug, and Cosmetic Act to permit manufacturers of candy to use, in the manufacture of candy, additives which are cleared for safety by the Food and Drug Administration for use in the manufacture of food by all other segments of the food industry of the United States.

This would eliminate the present unusual situation under which a substance can be used in the manufacture of food by all segments of the food industry, including the baby food manufacturing industry today, but may not be used today in the manufacture of candy. I think all of us on the committee understood the discriminatory nature of the law up until today. The purpose of this legislation is to cure that discrimination, and we believe we did that.

The evidence presented to the committee was so favorably presented that this bill did come unanimously from the committee, and I recommend it to my colleagues.

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

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. NELSEN. I would like to associate myself with the remarks that the gentleman from Illinois [Mr. SPRINGER], just made. There is no controversy in our committee relative to this bill. We think it is a sensible approach to the problem, and we believe all precautions have been taken that are necessary to protect the general public. I hope the bill passes this body.

Mr. FOGARTY. Mr. Speaker, we have before us today H.R. 4731, a bill to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act. That section of the act now bars the use of non-nutritive substances in confectionery. The rule under which we will debate this bill characterizes it as amending the Food, Drug, and Cosmetic Act regarding flavoring extracts. But let me tell you briefly how far this bill goes beyond the subject of flavoring extracts. This bill would relax the high standards which have applied to confectionery since 1906 when the original Pure Food and Drug Act prohibited the adulteration of candy

with nonnutritive substances. This bill amends section 402(d) by deleting the present prohibition against the use of nonnutritive substances in confectionery. This bill would permit the use of such nonnutritive substances as talc to debase candy.

While it would be objectionable to amend our food and drug laws to permit such economic adulteration of candy, the bill would have another more serious result. It would open the door to the dangerous practice of incorporating non-nutritive articles such as small plastic or metal trinkets in confectionery. This hazardous practice was common in this country, and still is in certain other countries, but has been successfully eliminated domestically by enforcement of section 402(d). This bill before us would roll back consumer health protection, by paving the way for a revival of this dangerous practice of embedding trinkets in candy despite the fact that this practice has killed children who swallowed these trinkets.

I have here before me a summary of testimony presented by Deputy Commissioner John L. Harvey, of the FDA, in opposition to H.R. 4731 during a hearing before the Subcommittee on Public Health and Safety on April 28, 1964. Mr. Harvey said that under the proposed bill it would be virtually impossible to deal with the type of economic adulteration which is now curbed so successfully by the prohibitions in section 402(d).

I am further advised that passage of this bill would make it necessary to deal with dangerous trinkets in candy on a case-by-case basis, proving in each instance that the trinket in the candy represented a deleterious substance which may render it injurious to health.

As the President's Consumer Advisory Council said about the bill:

It is incredible that such legislation could even be contemplated.

The Subcommittee on Public Health and Safety in reporting the bill adopted an amendment which would have barred dangerous trinkets from confectionery unless separately and distinctly wrapped but the full Committee on Interstate and Foreign Commerce rejected this consumer protection amendment. Vending machine distributors alleged no one had been injured by trinkets mixed with confectionery in vending machines. On the contrary, in 1953, an 8-year-old boy on Long Island, N.Y., choked to death on a plastic trinket obtained along with chewing gum from a vending machine. The exclusion from confectionery of non-nutritive articles such as metal and plastic trinkets, sharp wooden or plastic sticks, and similar substances has been extremely valuable as a preventive public health measure. It would be regrettable to see this consumer protection feature of the Federal Food, Drug, and Cosmetic Act repealed.

The confectionery industry has stated that the principal reason it desires amendment of section 402(d) is so that candy manufacturers can use food additives which will increase shelf life and impart desirable qualities to the product from the standpoint of taste, texture,

and flavor enhancement, which they are now barred from using if the additives are nonnutritive.

Gentlemen, I have no desire whatsoever to see the confectionery industry deprived of the advantages of modern food technology which are enjoyed by other segments of the industry. I believe candy manufacturers should be permitted to use safe, nonnutritive substances if they serve useful purposes to enhance the quality of the product. But I do not believe we should adopt regressive legislation to provide relief for the confectionery industry. This relief can be afforded without weakening the present law. The Department of HEW proposed an amendment to section 402(d) which would have provided a means whereby the industry could employ safe nonnutritive substances in the production of confectionery. I believe this amendment should be adopted in lieu of the language of H.R. 4731.

Add the following proviso to the present section 402(d):

Provided further, That this paragraph shall not apply to a safe nonnutritive substance which is in or on confectionery by reason of its use in the manufacture, packaging, or storage of such confectionery, if such use of the substance (including the amount thereof remaining in or on such confectionery) is in conformity with a regulation issued and in effect under section 409, but no such regulation shall issue unless the Secretary finds that such use has technological value in such manufacture, packaging, or storage and is in accordance with good manufacturing practice. For the purpose of the application of section 409 (b) through (h) of this Act to this proviso, such nonnutritive substance shall be deemed to be a 'food additive' whether or not it is such within the meaning of section 201(s). As used in this paragraph (d), the term 'nonnutritive' refers to a substance or article which, when ingested by man, is not utilized in normal metabolism, or which is inedible."

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

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

MARKING OF STEEL CONTAINERS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5673) to prohibit the introduction into interstate commerce of any shipping container manufactured in the United States from imported steel unless the container is marked so as to indicate the country of origin of the steel, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Steel Shipping Container Identification Act".

Definitions

SEC. 2. As used in this Act—

(a) The term "person" means an individual, partnership, corporation, association, or any other form of business enterprise.

(b) The term "commerce" means commerce among the several States or with foreign nations, or in any possession of the United States or in the District of Columbia, or between any such possession and another, or between any such possession and any State or foreign nation, or between the District of Columbia and any State or possession or foreign nation.

(c) The term "Commission" means the Federal Trade Commission.

(d) The term "shipping container" shall mean all steel drums and pails (as defined in this subsection) used for shipping products to wholesale or retail distributors or to commercial users and are defined as—

(1) Drum: Any single wall cylindrical or bilged container having a capacity of over twelve gallons to one hundred and ten gallons, inclusive, constructed of steel sheet and inclusive of all gages.

(2) Pail: Any steel shipping package with or without bail and handle having a capacity of one gallon to twelve gallons, inclusive, constructed of steel sheet twenty-nine gage or heavier.

Marking of steel shipping containers

SEC. 3. (a) It shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act for any manufacturer of steel shipping containers to introduce any such container into commerce directly or indirectly, whenever such container is manufactured in the United States in whole or in chief value from steel made outside the United States, unless such container bears stamped thereon in letters not less than one-fourth of an inch in height the legend "Steel used in the manufacture of this _____ was made in _____", with the first blank space being filled with the appropriate designation of the container, and the second blank space being filled with the name of the foreign country in which such steel was made.

(b) It shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act for any person to deface, destroy, remove, alter, cover, obscure, or obliterate any mark placed on a steel shipping container pursuant to subsection (a) of this section, if the purpose of defacing, destroying, removing, altering, covering, obscuring, or obliterating such mark is to hinder or prevent other persons from obtaining the information given by such mark.

Records

SEC. 4. (a) Every manufacturer of steel shipping containers subject to sections 2-7 of this Act shall maintain proper records showing the origin of the steel used in all steel shipping containers made by him, and shall preserve such records for at least three years.

(b) The neglect or refusal to maintain or preserve the records required by this section is unlawful, and any person neglecting or refusing to maintain such records shall be guilty of an unfair method of competition, and an unfair or deceptive act or practice in commerce under the Federal Trade Commission Act.

Enforcement

SEC. 5. (a) Except as otherwise specifically provided in this Act, this Act shall be en-

forced by the Commission under rules, regulations, and procedures authorized for in the Federal Trade Commission Act.

(b) The Commission shall prevent any person from violating the provisions of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating the provisions of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though the applicable terms and provisions of such Act were incorporated into and made a part of this Act.

(c) The Commission is authorized and directed to make such rules and regulations as may be necessary and proper for the purposes of administration and enforcement of this Act.

(d) The Commission is authorized to cause inspections, analyses, tests, and examinations to be made of any steel shipping container subject to this Act.

Criminal penalty

SEC. 6. (a) Whoever willfully violates section 3 or 4 of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$5,000 or imprisoned not more than one year, or both, in the discretion of the court: *Provided*, That nothing in this section shall limit any other provision of this Act.

(b) If the Commission has reason to believe that any person has violated section 3 or 4 of this Act the Commission may certify all pertinent facts to the Attorney General and if the Attorney General concurs, he shall cause appropriate proceedings to be brought for the enforcement of this Act against such person.

Application of other laws

SEC. 7. The purposes of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

SEC. 8. This Act shall take effect three months after the date of its enactment.

With the following committee amendments:

On page 2, strike out lines 1 through 7 and insert in lieu thereof the following:

"(b) The term 'commerce' means commerce among the several States or with foreign nations, or between two points in the same State but through any point outside thereof, or in any possession of the United States or in the District of Columbia, or between any such possession and another, or between any such possession and any State or foreign nation, or between the District of Columbia and any State, possession of the United States, or foreign nation.

"(c) The term 'State' includes the Commonwealth of Puerto Rico."

On page 2, line 8, strike out "(c)" and insert in lieu thereof "(d)".

On page 2, line 10, strike out "(d)" and insert in lieu thereof "(e)".

On page 2, strike out lines 1 through 7 and insert in lieu thereof the following:

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"(c) The term 'State' includes the Commonwealth of Puerto Rico."

On page 2, line 8, strike out "(c)" and insert in lieu thereof "(d)".

On page 2, line 10, strike out "(d)" and insert in lieu thereof "(e)".

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

Mr. Speaker, H.R. 5673 was reported by the Committee on Interstate and Foreign Commerce unanimously after hearings and consideration by the committee and its Subcommittee on Commerce and Finance. The bill was sponsored by the gentleman from Alabama [Mr. ROBERTS], a member of the committee, and chairman of the Subcommittee on Public Health and Safety. The gentleman from Pennsylvania [Mr. CURTIN] is cosponsoring the bill. He is likewise a member of the committee. The gentleman from Illinois [Mr. ROSTENKOWSKI], a former member of the Committee on Interstate and Foreign Commerce, is also a cosponsor of this bill.

Mr. Speaker, H.R. 5673, the Steel Shipping Container Identification Act, has two broad objectives, namely:

First, to permit buyers of certain types of steel shipping containers—as defined in the bill—to know when imported steel is used in the manufacture of these containers; and second, to promote the use of steel produced in this country.

The provisions of the bill can be simply summarized:

First, the bill would require steel shipping containers manufactured in the United States, chiefly from imported steel, to be marked with the country of origin of the steel.

Second, every manufacturer would be required to maintain proper records for at least 3 years showing the origin of the steel used in all such containers manufactured by him.

Third, the bill provides for enforcement of these requirements by the Federal Trade Commission pursuant to its authority under the Federal Trade Commission Act to prevent unfair methods of competition and unfair or deceptive acts or practices in commerce.

Fourth, provision is made for the imposition of certain sanctions, including criminal penalties, for violations.

Mr. Speaker, it is well recognized that the increasing use of foreign steel by domestic manufacturers of all types of goods has had a serious impact on the steel-producing industry of this Nation. And, those industries which supply raw materials to our domestic steel producers—such as iron ore and coal—have been similarly affected as well.

Through 1957, the United States exported substantially more steel than it imported, but in the period 1958-62, imports of foreign steel into the United States nearly tripled in volume. As a result, this Nation changed from a net exporter into a net importer of steel. Whereas United States exports tended to stagnate at approximately 2 million tons per year during the period 1958-62, United States imports rose to a level above 4 million tons. In 1963, imports exceeded 5 million tons for the first time.

This trend is particularly pronounced in the case of hot- and cold-rolled sheet steel which is used in the manufacture of the shipping containers covered by this legislation. Imports of sheet steel have

grown and are continuing to grow at an even higher rate.

These developments are particularly relevant to our consideration of this legislation, owing to the fact that the manufacturers of steel shipping containers represent a major market for sheet steel—in fact, they rank second only to the automotive industry in consumption of this important steel product.

However, Mr. Speaker, the record of the committee's hearings on this legislation indicates that this major market for sheet steel; that is, the steel shipping container manufacturing industry, is gradually being forced to turn from domestic producers of steel to foreign producers to fill its needs. This shift has been caused by the fact that for a number of years the steel shipping container manufacturing industry has been severely depressed, operating substantially below full capacity. Price competition is severe and profit margins very small. A company using foreign steel in the manufacture of such containers enjoys a significant economic advantage by reason of the difference in price between foreign and domestic steel.

This price differential arises from a number of factors—employment costs, tariff structures, nontariff trade barriers, export subsidies, and so forth. In order to meet competition, the smaller companies in particular are compelled to purchase foreign steel, and it is anticipated that this trend, in view of current conditions within the industry, will probably accelerate. Increasingly these users of American steel will be forced to attempt to meet lower prices resulting from importation of foreign steel by buying foreign steel themselves under the penalty of possible operating losses or as a matter of self-preservation. Thus an important market for a major product of the domestic steel industry will be subject to even further shrinkage.

Mr. Speaker, H.R. 5673 is designed to provide an incentive to manufacturers of steel shipping containers to continue to support the domestic steel industry. The committee's hearings indicated that at least some purchasers of steel shipping containers might prefer to buy containers manufactured from domestically produced steel, but at the present time this information is not available to them.

In reporting this bill favorably, the Committee on Interstate and Foreign Commerce was of the opinion that purchasers of steel shipping containers ought to be entitled to know the source of the steel used in these containers. This bill requires the giving of such information, so that customers of container manufacturers may weigh this factor, together with other factors, in making their selection between competing products.

The provisions of this bill would in no way restrict the importation of foreign steel. The marking requirement would simply strengthen the competitive position of American manufacturers of steel shipping containers who prefer to use domestically produced steel.

The Subcommittee on Commerce and Finance held a hearing November 6, 1963, on these bills, receiving statements

in support from the sponsors of the legislation, and also from representatives of the Steel Shipping Container Institute, the United Steelworkers of America, and two steel shipping container manufacturers. In addition, two of the large domestic producers of steel have communicated their support of the legislation to the subcommittee.

I join in urging your favorable consideration.

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

Mr. Speaker, we had extensive hearings on this matter when we heard I think from every segment that was interested, both for and against this legislation. It was the committee's opinion when we completed that the purchasers of steel shipping containers were entitled to know the source of the steel used in these containers. This bill would simply require the giving of relevant and important information to any customer of container manufacturers so that they could weigh this factor, together with all other factors, and have a freedom of choice in their purchases.

This bill would not in any way restrict the imports of foreign steel. However, it would undoubtedly strengthen the position of American manufacturers of steel shipping containers who prefer to use domestically produced steel.

The committee considers that the incentive to steel containers manufacturers to buy domestic steel, as provided in this legislation, is especially appropriate because the nature of their product does not lend itself to alteration or changes in design or relocation of plants in order to cut costs.

As you may know, many plants have relocated in other countries. It is not feasible for steel plants to do so. It is the feeling of the committee that the customer ought to know from which country the steel came.

Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Speaker, I desire to associate myself with the remarks made by Chairman HARRIS and the gentleman from Illinois [Mr. SPRINGER] on H.R. 5673.

Mr. Speaker, I rise in support of H.R. 5673, a bill to prohibit the introduction into interstate commerce of any shipping container manufactured in the United States from imported steel unless the container is marked so as to indicate the country of origin of the steel.

I am very much interested in this legislation due to the fact that I introduced an identical bill, H.R. 5662, and have been working very diligently with the gentleman from Alabama [Mr. ROBERTS], the author of H.R. 5673, in the reporting of this bill by the Committee on Interstate and Foreign Commerce, of which we are both privileged to be members.

This legislation was introduced for two basic purposes: First, to promote the continued use of domestic steel to the end that American industry and labor will not suffer the loss of dollars and man-hours caused by the use of foreign steel in the fabrication of steel drums

and pails. Second, to assist the manufacturers of steel drums and pails in continuing to use domestic steel and to alleviate the demoralizing price dilemma posed by users of foreign steel, who may undersell the user of American steel without having to disclose that the price differential is not due to superior technology and know-how—but simply due to his using foreign steel in drums and pails to be sold to domestic purchasers.

To accomplish these goals, we do not propose to raise tariffs or arbitrarily exclude foreign steels—we merely want to inform the purchaser of steel drums and pails and let him make his decision based upon all the facts and considerations which provide the basis for a business decision as to what drums and pails he will buy.

This legislation would require that the local manufacturers of steel shipping containers from foreign steel indicate the country of origin of the steel on the container.

This bill would authorize the Federal Trade Commission to enforce the marking requirements—the failure to comply with the act would be an unfair trade practice. The Federal Trade Commission is particularly suited for the administration and enforcement of this act because it is generally similar to other labeling acts under its authority. In addition, since the marking will take place after the containers have been fabricated from the imported steel, the FTC, with its nationwide network of offices, is best suited at present to enforce such an act.

The public must be able to use American-made steel products if it wishes. This bill leaves the choice entirely up to the private sector of the economy. This measure cannot be called an act discriminating against, or restricting, foreign trade or imported products. It is like the description of ingredients on food and drug containers—the purpose of the law is information.

The present level of production among American steel producers adds to the urgency of the present position. Unemployed steelworkers and hard-pressed manufacturers caught in the cost-price squeeze must be adequately protected through the efforts of other citizens to spur a demand for their product.

This is not a restraint of free trade. The public still makes the decision—but with this legislation, a concerned public will have the information so that it may make a meaningful decision.

I think that this bill represents good legislation and is beneficial to both the steel industry and to the steelworkers, and for that reason, I urge favorable action.

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

Mr. Speaker, this bill, which is cosponsored by the distinguished gentleman from Pennsylvania [Mr. CURTIN], and the distinguished gentleman from Illinois [Mr. ROSTENKOWSKI] would, in my opinion, enhance the economic status of the steel industry.

In my opinion, these are highly desirable and worthwhile objectives in view of certain grave problems with which the

Nation and the steel industry are confronted today.

Through 1957, the United States exported substantially more steel than it imported. However, in the period 1958-62, imports of steel into the United States nearly tripled in volume, rising to 9 percent of world imports, compared to 4 percent in the earlier period.

Thus, whereas world trade in steel mill products continued to increase throughout the period, reaching 44 million tons in 1962—nearly triple the 1950 volume—U.S. exports have tended to stagnate at approximately 2 million tons, and U.S. imports to rise to a level of above 4 million tons per year. In fact, for 1963, imports are expected to exceed 5 million tons for the first time.

The fact that this country has changed from a net exporter to a net importer of steel mill products has had an adverse effect on our balance of payments and employment in steel and related industries.

It has been estimated that if the American steel industry had maintained its 1953-57 average participation in world export trade, and had prevented further erosion of its markets by imports, the industry in 1962 alone would have provided employment for an additional 50,000 workers and paid out over \$350 million in wages and salaries.

The unfavorable imbalance in our steel exports and imports stems from competitive factors which show little promise of diminishing in the years immediately ahead.

The current trend, in fact, will probably accelerate. The differences in employment costs, tariff structures, non-tariff trade carriers and export subsidies, credit costs, and governmental regulatory policies in this and other countries of the world present obstacles to the domestic steel industry which are extremely difficult for it to overcome in its battle for consumer markets.

I am advised that the steel shipping container industry is second only to the automotive industry in consumption of sheet steel in the United States. In a typical year, manufacturers of such containers consume in excess of 1 million tons of steel. Price competition within the industry is severe. Manufacturers utilizing imported steel can substantially undercut in price those of their competitors who support to a large extent the basic domestic steel markets.

It seems clear to me from the information available that this poses a grave threat to not only these industries, but to our economy as well. In my opinion, some incentive should be provided to utilize domestic steel in the manufacture of these containers, but clearly an incentive which is in no way punitive in character.

The Steel Shipping Container Identification Act would, I believe, provide an indirect incentive of this nature, for the following reasons.

Section 304(a) of the Tariff Act of 1930, as amended, requires—subject to certain exceptions—that every article of

foreign origin—or its container—imported into the United States be plainly marked so as to indicate to the ultimate purchaser in the United States the name of the country of origin.

For the purposes of the act, the "ultimate purchaser" is ordinarily viewed as the last person in the United States who will receive the article in the form in which it was imported.

Since the manufacturer of steel shipping containers is the "ultimate purchaser" of the steel in the form in which it is imported, he must ordinarily be put on notice of the country of origin of the steel.

However, there is no requirement that the manufacturer in turn mark the steel containers so as to convey this information to the purchasers of such containers. The Steel Shipping Container Identification Act would require the manufacturer to provide this information for the benefit of those customers to whom such information is pertinent in exercising their freedom of choice.

This legislation would in no way affect tariff rates or other customs regulations. The act provides that a violation of its provisions constitutes an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

Enforcement is therefore lodged with the Federal Trade Commission, which is equipped to administer other legislation requiring the labeling of certain products.

You gentlemen on the committee of course are familiar with the Textile Fiber Products Identification Act, the Fur Products Label Act, and the Wool Products Labeling Act.

Mr. Speaker, this is, beyond question, a good bill. I hope the Members of the House will support it.

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

Mr. ROBERTS of Alabama. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman from Alabama for yielding to me. I simply want information.

I wonder if the distinguished chairman of the subcommittee, one of the sponsors of the bill, would tell me if H.R. 5662 is essentially the same as H.R. 5673?

Mr. ROBERTS of Alabama. I believe so.

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

Mr. ROBERTS of Alabama. I yield to the gentleman from Arkansas.

Mr. HARRIS. Would the gentleman from Alabama permit me to say, in answer to the question of the gentleman from Missouri, that they are identical bills.

Mr. HALL. Mr. Speaker, I thank the distinguished chairman of this important committee.

Mr. Speaker, am I to understand that in this legislation now pending before the House we are "flying in the face of" the Reciprocal Trade and Tariff Act of 1962 and against the recommendations of the Department of Justice, signed in the report here by Mr. Katzenbach, or whatever his name is, and against the recommendation of the Department of Commerce, the counsel of the Treasury

Department; in order to protect American free enterprise, labor, and production? Do I understand that in spite of the 1962 act, we now seek to protect the people that are employed in steel manufacturing and label it "Buy American," by identifying its source?

Is that the general essence of this bill that is presently pending before us?

Mr. ROBERTS of Alabama. I think the gentleman is correct. Irrespective of whether the reports submitted by the various departments and agencies are adverse, I have always conceived it to be the duty of the Congress to pass laws for the benefit of the American people. That is the reason we reported this measure out unanimously. Regardless of the stand they take, I believe it is up to the Congress to make up its mind on these policy matters and that is why the bill is before us today.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I take this time only to compliment the subcommittee and the gentleman from Alabama [Mr. ROBERTS] for the sudden reversal of position and regaining and calling back unto ourselves, that which was originally not freely given, in spite of some of the things that have transpired here in the last two sessions of the Congress.

Mr. Speaker, I believe it is high time that we did just exactly what this committee has unanimously recommended today, and I hope that the bill does pass.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Alabama has expired.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. ROBERTS] may proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

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

Mr. ROBERTS of Alabama. I yield to the gentleman from Arkansas.

Mr. HARRIS. In further response to the question of the distinguished gentleman from Missouri [Mr. HALL], I might say that the Committee on Interstate and Foreign Commerce has also in the past reported legislation which requires labeling of furs that are imported from foreign countries in order that they show the country of their origin. The same is true with respect to textile fibers.

So, Mr. Speaker, this is not a new precedent at all. The committee has taken similar action in this direction in the past where we felt the facts justified it.

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

Mr. Speaker, I would like to take this time to add my congratulations to those already expressed to the distinguished gentleman from Alabama [Mr. ROBERTS] and the gentleman from Arkansas [Mr. HARRIS] in reporting out this bill.

Mr. Speaker, I wish that I could offer an amendment to this bill at the present time. If I could do so, it would be to

strike the word "steel" wherever it appears and insert the word "lumber." If the word "lumber" were used wherever the word "steel" appears in this colloquy that has just taken place, the same facts would apply.

Mr. Speaker, this Congress passed a lumber labeling bill a little over a year ago. We tried to do exactly what these gentlemen are doing here today. We believe that foreign competition is ruining the lumber industry throughout the Pacific Northwest and, perhaps, throughout a larger part of the United States than that, ruining it through foreign competition, because of a 92½-cent Canadian dollar, and because of the Jones act which requires that lumber be shipped in American bottoms, even though mills cannot get the ships to send the lumber back to the east coast.

Mr. Speaker, all we wanted to do was to put a label on that lumber that came into the United States indicating in what country it originated, principally in Canada. The House of Representatives and the Congress passed this legislation but President Johnson saw fit to veto that little bit of help to the lumber industry.

I hope you will have a little better luck with your steel labeling bill than we had with ours. Perhaps your strength is greater than ours. Maybe it will have more effect.

Just yesterday we had a dissertation in the House on the problem of the meat and cattle industry. The House made itself pretty clear in its views on this matter of restricting imports. Yet when we introduce legislation to try to get a regulation on the importation of foreign lumber we get knocked on our heads by the administration. I can tell the Members of the House this is resulting in the loss of jobs by the thousands in the Pacific Northwest, and in other areas of the country as well.

If this administration would give a little bit of help to the lumber industry maybe it would not have to worry quite so much about jobs.

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

Mr. WESTLAND. I yield to the gentleman from Washington.

Mr. PELLY. I would like to associate myself with the remarks just made by the gentleman from Washington [Mr. WESTLAND]. First of all I would like to go back to the colloquy a short while ago when there was some question raised as to the matter of the Trade Extension Act. I call attention to the fact, which often seems to be overlooked, that the Constitution places on the legislative branch the sole responsibility to regulate foreign commerce.

I support this bill. I, too, like my colleague from the State of Washington, wish that we could add lumber to it because we need jobs in this country and in the Northwest in the lumber industry, and this is one way we could help.

I thank the gentleman for yielding.

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

Mr. Speaker, I rise in support of the bill before us. I would like to tell you a story. Two years ago when investigating the impact of imports on Ameri-

can employment for this House I ran across an instance on steel that may be of interest to all of you.

It appears an importer in his anxiety to sell Japanese tool steel put in his proposal a suggestion that if the steel being imported from Japan caused embarrassment to the customer, for a slight fee they would obliterate the markings that showed the origin of the steel. You will find this piece of information contained in the report of my subcommittee, and an identical copy of the letter from the Japanese importer to his customer in the United States.

In reference to the matter of the lumber situation that was discussed a minute ago, the President of the United States was misled by his informers and advisers. If you will read his statement on the veto of the bill you will find it was brought out this would increase the cost of lumber to the home builders in the United States when the very contrary is true, because every stick of lumber that comes out of Canada into the United States, or from any other country, has markings upon it showing the lot number, its source, and the company that ships it. That does not mean on a little lot of lumber, a cord or a thousand feet, but on every single strip, whether it be 1 by 2, 6 by 6, or 10 by 16. In the case of lumber coming in to these United States they may have anywhere from one to three markings on them. All that requires it to be labeled is the addition of an abbreviation for Canada or an abbreviation for some other country.

We have before us legislation asking that all imports be marked with the country of origin. On my birthday this year my family bought a little radio, not a cheap little radio, that was imported. Some \$99.95 was spent for it. You will note they have learned our method of marking. This particular product was given to me.

About 2 months later I needed a new battery for it, and in taking it apart, deep in the bowels of the contraption, I found "made in Japan."

We are selling in this country something even worse than false labels; we are selling to the unsuspecting public items made overseas by foreign labor at anywhere from one-fifth to one-seventh of the price of labor paid in the United States. We are supporting foreign industry because we have created a new breed of cat in America, the import-export lobby, the richest group of exploiters that ever came on the American scene.

Unless we stop it, not lumber alone, not steel alone, not glass alone, but every item manufactured in America will suffer except those items now making up the bulk of our exports which are subsidized by the American taxpayer. We could not last 2 months in a free-for-all, free-trade economy, that operates on an economic basis different than we have. No nation can ever exist in a free-trade world; no, we cannot, nor can any other country.

Recently the Department of Agriculture put out a very worthwhile article showing how much more feed grains we sold than were supposed to have been

sold. This was supposed to make us all be fond of Public Law 480, that enables us to sell surplus foods abroad.

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

Mr. Speaker, I will support this legislation, but certainly it does not go far enough. If there was any way the Committee on Interstate and Foreign Commerce could do it, that committee ought to have provided in this legislation for a reduction in the total importation of foreign steel.

The thing that impresses me most about the report is the unanimity of opposition to it by the bureaus, agencies, and departments of Government directly concerned. That is a good endorsement for this legislation. Perhaps if we can pass this bill this afternoon we will have given some slight ray of hope that the House is just a little bit dissatisfied with this Trade Agreements Act, otherwise known as the Reciprocal Trade Agreements Act. This is the first little gleam of hope that has hit this place for a long time.

I assume the bill is going to be passed. I do not know how anyone could vote against a piece of legislation as reasonable as this.

Speaking of marking containers, a bill dealing with this subject was introduced by the distinguished majority whip, the gentleman from Louisiana [Mr. Boggs], and it was approved on the Private Calendar. This bill provided for the forgiving of a penalty due the U.S. Government by a New Orleans importer.

In this case there was an importation of kegs or barrels of nails. The nails actually came from Hungary or Yugoslavia, one of the Communist countries. The containers went to Italy. Somewhere along the line, apparently it was in Italy that the barrels or kegs containing the nails were marked "Italy," as being the point of origin, with no indication that the nails had been made in the Communist country. So they were shipped to New Orleans, the American importer sold them, and the U.S. Government descended upon him for a penalty for having sold nails that originated in a Communist country.

It is scarcely to be expected that the importer in New Orleans could know that the nails originated in a Communist country. But what penalty do we impose on those in Italy who deliberately and fraudulently changed the designation of the origin of the nails?

Mr. Speaker, I suggest we might also have Japan painted on the hulls of the Navy oil tankers that have been jumbolized in Japanese Navy yards.

Mr. Speaker, I support this bill and I hope there will be more legislation of this nature calling attention to the foreign imports that are playing havoc with American industry, agriculture and labor.

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

Mr. Speaker, I am very much in favor of this legislation. I only wish we could go further along this line. Not only do we have just cause in seeing this material marked with the nation of origin, but someday I hope the Congress will give

serious thought to requiring advertisers to state in their ads in the newspapers and on television and on the radio what country the component parts of the product come from so that the American people will know what they are buying.

Mr. Speaker, I would like to yield to the gentleman from Pennsylvania [Mr. DENT] who was making an extremely important speech when his time expired, and if the gentleman would like to continue, I yield to him to continue his statement.

Mr. DENT. I thank my colleague from Illinois.

Mr. Speaker, I want to continue with the story about the increased exports of feed grains. The increased exports of feed grains is supposed to be a great boon to our economy.

Yet, in the paragraph later on in the story that was released, it says there is a reason for the increase in the consumption of feed grains in foreign countries and that the reason is that our exports have gone over there and have enabled them to raise cattle and chickens and produce their own eggs better and to produce dairy products and beef and so forth.

Now what I am trying to drive home is this. Not long ago we were protesting because foreign countries were buying less of our chickens and they were putting up barriers against us, and we were protesting because foreign countries were shipping in more and more beef into the United States.

Yet, on the one hand we say they cannot ship beef and we are mad because they are stopping the exports of our chickens to their country, but on the other hand we are giving them feed grains which they can use to feed their cattle and so forth.

Let us make up our mind. What do we want to be—what do we want to do in this country? Do we want to survive as an industrial-farm complex? Do we want America to survive or do we want to become the providers of raw materials in order that the so-called backward nations may attain that peak, that high peak, of industrial strength that we reached after many, many years in this Nation of ours as producers of raw materials and as producers of goods from those raw materials.

In this entire picture you will find false labeling and false advertising is the crux of the whole problem.

Many, many millions of Americans every day march into the stores in this country and buy merchandise from the shelves that bear American trade names but that are actually foreign products. I need not tell you that the sale of these products provide exorbitant profit to the merchants and at the same time put American labor and American workingmen out of work.

Yes, Mr. Speaker, all of the retraining programs that we will ever put through—and I support them because they are necessary as a way at least of providing hope to those American working people who are displaced by the imports of these products—yes, all of the retraining programs and all of the legislation that we have passed which are remedial measures by their very nature, can never

undo the damage that is done if we close our eyes to the fact that international trade is the same and has the same purpose as domestic trade. International trade is a commercial business and the only motive for it is to make a profit. The minute you find that trade does not make a profit, whether it is in the domestic trade area or in the international trade area, there will be no trade.

Any time anybody tries to tell you that they are trading with America for the benefit of Americans, they are lying to you and you are a sucker of the first water if you believe it, because the international cartels control the entire international trade picture and America will be driven to the point of becoming a land of monopoly where there will be absolutely no independent merchants.

There will be absolutely nobody who will be able to do business in this country unless he belongs to a monopoly which belongs to an international cartel. Right now, today, international corporations are flourishing more than ever before in the history of the world. They control our economy, the same as any other economy. If you do not believe it, go into the oil picture. Dig down into oil. Once they have trouble in Arabia, they shut off a valve and open one somewhere else. That is what is going to happen to every product consumed or used by nations all over the world.

This Nation need not be a closed, isolated nation. It can have free trade. We ought to have free trade in the things we need, and we ought to have protective trade in the things we have.

That is what all nations will have to do. Sooner or later all nations will have to turn inward and look for prosperity in their own lands. They will have to look to their own economies to see how high they can climb and how far they can go with what they can provide.

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

I rise in support of this legislation. I wish to compliment the gentleman from Pennsylvania [Mr. DENT] for the fine speech he has made.

I should like to call the attention of Members to the fact that there are a number of bills pending of this same type, to require the labeling of beef and meat products. I believe that if those bills can be brought out and passed by the House they will go a long way toward solving the situation faced by this country at this time in respect to the beef import problem.

I am glad to see this bill come before the House, because I believe that the people of the United States ought to have freedom of choice. Many of the products from foreign countries are branded "imported," and some people believe it is "smart" to buy imported products. They drive imported automobiles and they feel that puts them on somewhat of a higher plane than someone else. I do not believe that. I favor "buying America," which is one of the most important things in the world.

Until we require these products to be labeled the American people are not going to know what they are buying.

As the gentleman from Pennsylvania so ably pointed out, the American people will be fooled. It is high time that the Members of Congress awake to these problems, to learn how the people in many instances are being hoodwinked. We should label this beef, label this mutton, and label the other meats which come into this country. Then the American people themselves will solve this import problem.

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

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Texas [Mr. POOL].

Mr. POOL. I wish to compliment the gentleman for his fine statement and associate myself with his remarks.

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

Mr. ROGERS of Texas. I yield to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. The gentleman mentioned the labeling of imported beef. There are several bills which have been introduced, one of which is my own.

The gentleman knows but did not mention the additional fact that a large portion of this imported beef comes in in frozen, boneless form. It then goes to the processor, who defrosts the beef. It is then ground up into hamburger, usually, or mixed with some other type of domestic meat.

When the housewife goes to the grocery store she may buy four or five pounds of hamburger. Then she takes it home, puts it into patties, and puts it into the freezer for freezing. She does not know that it has been frozen previously.

The point is that this involves a definite health hazard. Everyone knows that once something has been frozen and defrosted, if it is refrozen it is a health hazard. I wished to bring that out.

Mr. ROGERS of Texas. I thank the gentleman. I commend him for the active part he has taken in this endeavor.

What he has pointed out with respect to these meats being mixed in the local markets brings up the further point that I think should be made here, namely, that there are several avenues which must be traveled to work out this problem. Not only Federal legislation is needed, but State legislation is needed and city ordinances are needed. I think it is the duty and the responsibility of the Federal Congress of this country, however, to open the door and lead the way, because until we pass Federal legislation, State and local ordinances will have very little, if any, effect, because they will interfere with interstate commerce.

Mr. Speaker, I want to compliment all of the folks who have introduced these bills and say I think they are very sound.

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

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I will be glad to yield to the gentlewoman.

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent that following

the legislative program and any special orders heretofore entered into, the gentleman from Michigan [Mr. FORD] be permitted tomorrow to address the House for 1 hour to permit Members to pay respect to our late colleague JOHN BENNETT, of Michigan, and also to revise and extend their remarks and include extraneous matter.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HARRIS. Mr. Speaker, there are several bills, as our distinguished colleague, the gentleman from Texas [Mr. ROGERS] and others have mentioned, pending before the committee that would require the labeling of imported beef to identify the country of origin.

The major problem which has caused the dilemma of the cattle producers of this country and contributed to the depressed prices has been the ever increasing and excessively high imports of foreign beef.

The farmers, producers of cattle, farm organizations, Members of Congress, our committees, and the Congress have been considering a limitation on imports for the past several months and trying to find a solution for the best and most effective program which would stabilize the price of cattle and relieve the terrible condition that exists throughout the country today.

Our committee has been giving consideration to this entire problem and is ready to act on any of these proposals that can be worked out which would be helpful in relieving the condition that has existed for a long period of time.

The major effort thus far has been toward mandatory quotas on importation of beef. I have supported efforts to bring about an effective program, whether voluntary or mandatory. I think more could have been done to protect the cattle producers of this country and this segment of our agricultural industry than has been done.

I am glad, as I know many of you are, that the Senate recently adopted the Mansfield amendment to provide mandatory quotas on beef imports. Since an equitable and reasonable program has not been worked out in the interest of the cattle producers, I think this approach is appropriate and necessary.

During my recent primary campaign, I publicly stated that I would vote for mandatory quotas, and I have made it clear that I will vote for and support the Mansfield amendment or any other proposal that will bring about the needed and necessary relief.

Yesterday the House sent to conference, under usual procedure, the problem, with the assurance from the chairman of the Committee on Ways and Means that there will be a conference report. As was stated then, if the House does not like what the conferees may do, we can go back to the Senate amendment.

I had reached the decision that we should accept the Senate amendment. It would impose mandatory quotas upon the importation of foreign beef, beef products, lamb, and mutton. I had

reached the decision that the bill in that form should be sent to the President.

This is the first opportunity that the House has had to pass on this important matter and provide some relief for the cattle industry.

I, of course, would like to see the conferees work out a satisfactory solution. I am confident that the chairman and other Members of the House conferees will make every possible effort to do so.

Over the past several years, the domestic cattle industry has experienced serious increases in production costs and, at the same time, suffered from substantial reduction in the price received for beef cattle.

As so well stated in the Senate report, diligent efforts have been made to detect the cause and devise a remedy for this dangerous situation. I am convinced one of the primary causes has been found to be the growing importation and sale on the American market of foreign beef and beef products.

In 1956, importations of foreign beef total 200 million pounds. But by 1963, foreign beef importations had increased almost ninefold to 1,700 million pounds.

It has been found that this flood of low-priced imported beef has discouraged the sale of domestic cattle and, as a result, large numbers of domestic cattle have been forced back to the range where they breed more cattle and create an ever-increasing cycle, causing further deterioration of the domestic cattle industry.

It is clear that informal efforts by the Secretary of State in concert with the Secretary of Agriculture to induce foreign shippers to voluntarily reduce shipments of foreign beef to the American market have not resulted in substantial success.

When this question of quota limitation has been determined, as we expect in the next few days, it is my intention to schedule consideration of the various bills proposing the labeling of imported beef in order that identification of the country of origin will be made known to the consumer.

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

Mr. Speaker, I just want to make this statement: All of this conversation this afternoon and the comments here are music to my ears, because I voted against the Trade Expansion Act originally. I consider it one of the best votes I have cast since I have been in Congress.

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

Mr. Speaker, the RECORD should not look so unanimous. In spite of the fact that I never knew him personally and never did see him, I believe it is true a man named Cordell Hull did live in this country a few years ago. To look at this RECORD today and yesterday, one would think they were looking at the CONGRESSIONAL RECORD of 1928. Well, we tried the Smoot-Hawley tariff bill and tried cutting down on imports so much that they could not buy anything from this country, and it did not work. We had the worst depression of all times. If you

have another depression like that one, you can bet your bottom dollar there will be riots in this country. I lived out in the country where they tried to hang a judge at that time. It was not imports that hurt Midwest farmers at that time as much as lack of exports. We have to think a little bit about the fact that if we cut down on imports—and that is the purpose of this bill—we are going to cut down on exports.

We had a meeting yesterday of some midwesterners over in the Committee on Ways and Means room, and it was alleged at this meeting everybody was in favor of increasing the economic opportunity of the Midwest. Let me point this out to you: Every time there has been a jump in imports in the last 3 or 4 years in this country—and I admit some of it has been in steel and some in shoes and some in other products—there has been a corresponding jump in the exports of products from the Midwest, a big jump in feed grains and beans especially. Last year exports totaled \$22 billion while imports were \$17 billion.

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

Mr. SMITH of Iowa. I yield.

Mr. GROSS. With or without a Trade Agreements Act, if the Government had not gone to the Treasury and borrowed billions of dollars every year there would have been a depression.

Mr. SMITH of Iowa. The Trade Agreements Act, of course, has not had the opportunity fully to work yet. They are trying to negotiate in Geneva right now.

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

Mr. SMITH of Iowa. I yield.

Mr. DENT. Mr. Speaker, the gentleman says that when there is an increase in imports of steel, shoes, and other manufactured products, there is a corresponding increase in imports of Midwest products. Let me say that if you will give to the manufactured products the same conditions in world trade that you have for the Midwest products; namely, a subsidy on every product that is produced, we would probably be for free trade and exports, because, as the gentleman knows full well, you cannot sell one single grain of wheat or one pound of cotton in world markets without a subsidy.

Mr. SMITH of Iowa. We are selling corn right now at the backed off world market price of \$1.14 a bushel.

We do not need any subsidy for anything if you will take off these tariffs so they can secure the money to buy our products that we could raise on that idled land. A tariff is just as much a subsidy as any direct subsidy that you can give us.

You cannot hide it under a bushel by saying that it is a tariff instead of a subsidy.

Mr. DENT. Of course, that is an oversimplified statement because you know and I know that the price of a manufactured product is not controlled in all instances by the producer. You have a fixed cost of labor which is controlled in this country in the main, by a minimum wage law, by unions, and by other work

agreements. You have a fixed cost on utilities which is controlled by a governmental agency. You have the fixed cost of taxes, local, county, or Federal. You have all of the other fixed costs in arriving at a flat price. No single nation in the world can produce anything as cheaply as we can if we were allowed the same uncontrolled conditions today just exactly as you have in the Midwest.

Mr. SMITH of Iowa. As a matter of fact, their costs in some instances are more than ours. For instance, in steel—and that is what we are dealing with in the bill under consideration—the cost per ton of steel in Germany for labor is more than it is in the United States. In fact, in spite of the fact that we pay more per hour, our labor costs per unit are less, so it is the unit cost that really counts.

Mrs. GRIFFITHS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield.

Mrs. GRIFFITHS. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Iowa. I am not willing to join in this bipartisan rally for McKinley either. Further, businesses in coal from the State of the gentleman from Pennsylvania are selling in Japan because they can produce it more cheaply in Pennsylvania than they can in Japan. Out of every 6 acres planted in the United States, the products of 1 acre are sold abroad. How can the farmers of this country stand a one-sixth cut in their markets?

The SPEAKER pro tempore. The time of the gentleman from Iowa [Mr. SMITH] has expired.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all debate be concluded in 7 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PELLY. Mr. Speaker, in connection with this Record I would like to remind the Members of the House of the situation that is going on in Alaska now.

Mr. Speaker, one of the items in which there has been a substantial increase in imports is canned salmon from Japan. Right now in Alaska we have eight Japanese freezer vessels operating in our territorial waters invited there by the Governor of Alaska, Governor Egan, each one having about 100 Japanese nationals who receive compensation at the rate of 33 cents per hour. Those 800 to 1,000 Japanese are putting American processing workers out of their jobs. The American workers normally receive something over \$3 an hour now. That canned salmon caught by American fishermen in Alaska waters, from those Japanese processing vessels will go back to Japan and come back into our country.

Mr. Speaker, I cannot see how anyone can feel that this is helping the interests of the United States.

Mr. Speaker, this operation has put some 800 to 1,000 American workers out of a job. When we buy that salmon how can our American canned salmon industry, produced by our American salmon labor, compete? They just cannot do it.

Those floating Japanese cannery operations, I am informed, do not have to comply with our minimum wage laws. I am told they do not have to comply with American sanitation laws or safety regulations.

Mr. Speaker, I am all for helping the steel industry but it is about time the smaller industries such as our Pacific Northwest fishing industry gets some help. They seem to be expendable as far as our agencies of Government are concerned.

The jobs of Americans are at stake. Our salmon industry, if this situation is allowed to continue, will be out of business.

The SPEAKER pro tempore. The time of the gentleman from Washington has expired.

The Chair recognizes the gentleman from Illinois [Mr. SPRINGER] for 5 minutes.

Mr. SPRINGER. Mr. Speaker, I yield back my time.

Mrs. HANSEN. Mr. Speaker, this afternoon many have discussed the problem of steel. I join with my colleagues in their concern relative to imports. I would only like to point out that lumber, one of our great natural resources and one of our major bases of economic strength in the Northwest has difficulties similar to those of steel. Last year we were fortunate enough to secure the enactment of H.R. 2513, known as the lumber labeling bill. This would have done exactly for lumber what this bill does for steel. Unfortunately, problems arose and when the bill was placed on the President's desk there were those who urged that the bill be vetoed.

This I regretted, for I feel that at no time is it against our national interest to designate the country of origin by a label.

Lumber is a proud industry. The Northwest is proud of the product we harvest and process. We are also proud of the fact that we believe in good wages and pay them. For that reason, I again call to the attention of this House the similarity of this bill today and that of H.R. 2513 which was passed last year and I urge again that the problem be reviewed by our House committees to see what steps may be taken to eliminate discrimination against U.S. forest products and that we do proudly label our products as U.S. products, doing so with the knowledge that we make these designations a symbol of American capability, fair labor standards, efficiency, and quality.

Let me review several facts:

For many years the lumber industry has been employing a decreasing number of people. In 1947 there were 492,000 persons working in the mills of the Nation. In 1949 this number had decreased to 432,000, to 416,000 in 1954, to 393,000 in 1955, to 332,000 in 1957, and to 309,000 in 1960. Estimates indicate that during 1964 there were less than 300,000 employed in the lumber mills of the Nation.

There are many reasons for this, of course.

However, increasing imports of lumber from Canada have played an important part. In 1961, imports amounted to 13.7

percent of U.S. softwood lumber consumption. In 1962, they rose to 15 percent. In 1963, the latest figures indicate they rose again to 16.1 percent. Practically all U.S. softwood lumber imports come from Canada.

According to the Department of Commerce, waterborne shipments of lumber from the United States-Canadian west coast to the U.S. east coast declined from approximately 1.4 billion board feet in 1962 to 1.2 billion board feet in 1963. At the same time, however, British Columbia's share of the waterborne market increased, rising from 62 percent—852 million feet—in 1962 to 70 percent—875 million feet—during the first 10 months of 1963.

The real meaning of such statistics is self-evident. The adverse impact which imports have on the practical, daily business operations within the lumber industry also becomes quite obvious from these facts. Those who have the responsibility—to their employees and to their communities—know only too well what the impact of rising imports means in a strongly competitive industry like the lumber industry.

Experience in trying to resolve the softwood import problem during the past few years indicates that precise and unbiased information often does not exist to show exactly the impact which rising imports are having on the domestic industry. Some within the industry feel that a timely, unbiased, and thorough analysis of the effect of lumber imports would be a particularly worthwhile project. They strongly believe that an unbiased analysis of definitive statistics would support the industry's position by helping to make the most persuasive case for establishment of a quota.

U.S. imports of Canadian softwood lumber

Year	Million board feet	Percent of total softwood consumption
1947.....	1,096	4.1
1960.....	3,636	12.5
1961.....	4,004	13.7
1962.....	4,573	15.0
1963 (estimated).....	5,100	16.1

Source: BDSA Industry Outlook Series on Lumber Industry.

Lumber employment

1962.....	267,000
1963.....	262,000
1964.....	260,000

Source: BDSA Industry Outlook Series on Lumber Industry.

LUMBER IMPORT PROBLEM SUMMARY OF CANADIAN ADVANTAGES

While it is impossible to isolate a single item which gives the Canadian lumberman a preferred position over his counterpart in the United States, following are a few of the Government-granted advantages which Canadian lumbermen currently enjoy:

First, favorable currency exchange rates: The Canadian Government in a relatively few years arbitrarily reduced the par value of its dollar from a high of about \$1.04 to the current 92.5 cents as compared to the U.S. dollar. This

places the Canadian dollar approximately 7.5 cents below the U.S. dollar and, in effect, reduces the price to U.S. purchasers of Canadian lumber about 7½ percent. Stated differently, this gives the Canadians an advantage in the U.S. market of 7½ percent. Thus, American producers are placed at a further disadvantage in competing for international markets.

While Canadian currency is supposedly pegged—or permanently fixed—at the rate of 92.5 cents, American lumbermen can never be fully certain that they will not be faced with further manipulation and devaluation of the Canadian dollar.

Second. Government-pegged lower stumpage rates: The average stumpage costs in British Columbia in 1960—the latest year for which figures are immediately available—for all species was \$5.38; the average stumpage costs in Western United States in 1960 for all species was \$20.02; the average stumpage costs in the Pacific Northwest in 1960 for all species was \$22.89; the average stumpage costs in the South in 1960 for southern pine was \$26.

Third. Government-granted transportation advantages: Because of regional transportation advantages available to Canadian lumber producers, the Canadians are able to ship their products to U.S. markets at a decided competitive transportation advantage over American lumber producers.

Fourth. Tariff differential favors Canadian lumbermen: Most U.S. softwood lumber of the major construction species bears a rate of 7.5 to 10 percent ad valorem—approximately \$5 to \$7.50 per thousand board feet—when exported to Canada. On the other hand, most Canadian softwood lumber entering the United States bears a tariff and tax of from 25 cents to \$1 per thousand board feet.

Fifth. Positive Government assistance in trade mission and other export development activities: Both the Provincial and the Central Government are actively engaged in the promotion of Canadian lumber exports to the United States and other world markets. Canadians appear, however, to particularly concentrate their efforts with respect to lumber and wood products on exporting to the United States.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the committee amendments.

The committee amendments were agreed to.

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

CLAIMS OF SHAREHOLDERS OF GENERAL DYESTUFF CORP.

Mr. HARRIS. Mr. Speaker, I call up the bill S. 1451 and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 41(a) of the Trading With the Enemy Act (50 U.S.C. App. 42(a)), as added thereto by section 206 of the Act of October 22, 1962 (76 Stat. 1115), is amended by—

(1) striking out in the first sentence thereof the words "report to the Congress concerning", and inserting in lieu thereof the words "render judgment upon";

(2) striking out in the second sentence thereof the words "one year after the date of the enactment of this Act", and inserting in lieu thereof the words "two years after the date of enactment of this section".

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

Mr. Speaker, the purpose of this bill is to carry out an agreement reached in the conference on war claims legislation during the 87th Congress. During the consideration of war claims legislation in the 87th Congress, an amendment was agreed to in the other body that would have permitted a trial on the merits before the Court of Claims of the claims of certain stockholders for the return of property vested by the Alien Property Custodian during World War II. The Court of Claims would have been granted authority to render judgment against the United States for this property; in the conference this provision was changed so that the Court of Claims was required to report to the Congress its recommendations concerning this claim.

The Supreme Court decision in the case of Glidden against Zdanok held that the Court of Claims is a constitutional court and does not have jurisdiction to render advisory opinions to the Congress. This meant then that the conference agreement could not be carried out precisely in the form in which agreed to. The only way at present by which this case could be judicially adjudicated will be for the Court of Claims to be granted jurisdiction to grant the traditional judicial remedy available to constitutional courts—in other words, in order for the claimants in this case to have a decision rendered on the merits of their claims, it is necessary that the Congress grant the Court of Claims jurisdiction to render judgment on the claim.

That is all that this bill does. It amends section 41(a) of the Trading With the Enemy Act by striking out the words "report to the Congress concerning" and inserts the words "render judgment upon."

This is a very complicated, and a very controversial case. We received testimony from the Justice Department strongly opposed to the legislation; we received testimony from a representative of the claimants strongly in favor of the legislation. Senator DIRKSEN appeared before our committee and explained the reasons why he was convinced that this case involved a grave injustice.

As I have said, the facts in this case are very complicated, and ultimately boil down to the question of whether the claimants in this case, all of them American citizens who owned all the outstanding stock of General Dyestuff Corp., were acting as "cloaks" for Germans, to

conceal true German ownership of this corporation. There has never been a trial on the merits of this case, without resort to technical defenses by the Government.

Under the measure as passed in the 87th Congress, technical defenses by the Government were waived in proceedings before the Court of Claims; and no change is made in that aspect of the law by this bill. The only change which this bill makes is in the jurisdiction granted to the Court of Claims, made necessary by the Glidden case. If the court finds that the Americans were not the bona fide owners of this stock, then judgment will be rendered for the United States; if the court finds that the Americans were bona fide owners, judgment will be granted for them. I do not think any purpose will be served by arguing the merits of this case at this time. All these matters, and they are complex, will be litigated before the Court of Claims. This case is an appropriate one for judicial determination, and this bill provides for that method of disposing of a complicated and difficult issue.

I hope this bill will be passed so that we can resolve one of the last remaining troublesome problems arising out of the vesting of property by the United States during World War II.

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

Mr. Speaker, I believe it is fundamental in the American character and in our course of justice that everybody at least have his day in court.

This case does present a very complex state of facts, and I am not going to attempt to get into a discussion of them. The basic issue involved here is whether or not this stock in question was bona fide American owned. This has never been tried on its merits.

This bill would merely allow the court to try this matter upon its merits. It seems to me that the trial on its merits is a trial of the fundamental issues, namely, whether or not these people were enemy nationals or speaking for enemy nationals. It is important that the courts, which are dedicated to giving justice to every citizen, look into and examine these issues.

If the Government acted properly and legally in this matter it has nothing to fear or lose, since the court would confirm the seizure. If this was not a proper action by the Government it should not now hide behind a technical curtain and prevent citizens from asserting their rights on the basic merits involved. I am convinced in the interest of justice that the Department of Justice, which has jurisdiction of this matter, should lend every effort to clarifying this matter.

I respectfully suggest in this bill we are not in any way attempting to determine or legalize in any way the merits of this case. All we are doing is allowing these people to go to court and have the court make a judicial finding as to whether or not they are entitled to the property in question.

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

Mr. SPRINGER. I yield to the gentleman from New York.

Mr. ROBISON. I take this time merely to ask one simple question of the gentleman from Illinois, who knows of my continued interest in the early return of the General Aniline & Film properties under our free enterprise system. Would the enactment of this legislation in his judgment in any way postpone or impede the proceedings for the sale of those properties that is now underway?

Mr. SPRINGER. I will refer that question to the chairman of the committee.

Mr. HARRIS. I shall be glad to answer the question. I am advised by the Department of Justice it would have no effect whatever.

Mr. ROBISON. I thank the gentleman.

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

I join with my colleagues in their comments on this bill, and I would like to point out while the history is extremely complicated, the purpose and contents of this bill are basically simple. The committee sat for many days in hearing the facts on the bill. I believe that is one of the last pieces of war claims legislation that we will have before us on matters of this kind. As the chairman has said, during the last Congress and in conference with the other body, we thought we had disposed of it, but as it turns out the Supreme Court held otherwise.

All this bill will do is to change a few words under the law which was enacted in the last Congress directing the Court of Claims to render an advisory judgment and report back to this body. This way we will not have it before the Congress again. It will be relegated to the Court of Claims for a decision and as to the amount of judgment, I think this is the proper conclusion of a piece of legislation that has been considered through several Congresses.

I urge its adoption.

Mr. O'BRIEN of New York. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I should like to confine my remarks to the very narrow question of morality here involved. I think others have discussed the desirability of giving these people their day in court.

I was one of the conferees with the Senate on the bill enacted 2 years ago, Public Law 87-846, and I remember very distinctly what happened at that time. The Senate had approved on the floor an amendment which would do exactly what we propose to do here today. When we got to conference some change in language was suggested. Ultimately, as the distinguished chairman of the committee said, the Supreme Court made it impossible to carry out what we desired under the language agreed on. What this bill does is return to the language originally submitted to the conference by the Senate conferees.

I have always felt that one of the most delicate operations in Congress is the conferring on bills between the two Houses. I feel that as one of the conferees 2 years ago I assumed a moral

responsibility not only for myself but for the Members of the House whom I represented. I feel that if we do not approve this legislation today, we will in a sense be going back on the agreement we made with the Senate conferees 2 years ago. We are not deciding the case here, we are only deciding to permit the court to pass upon this very complicated and unsettled question.

If the other body is to have confidence in the promises of conferees from this body and vice versa, I think it would be most desirable to approve this legislation.

Mr. RYAN of New York. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I have read the minority report of the gentleman from Michigan [Mr. DINGELL], in report No. 1551 accompanying the pending bill, and I find it very compelling. I ask unanimous consent that it be printed at this point in the RECORD.

The SPEAKER pro tempore (Mr. KEOGH). Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

MINORITY VIEWS OF MR. DINGELL

The Congress should never have passed this amendment to the Trading With the Enemy Act calling for the Court of Claims to report to the Congress in the first place, and the Congress should not pass this bill now. The bill is opposed by the Department of Justice and the Bureau of the Budget, will involve the Government in needless and costly litigation, and unfairly discriminates in favor of one group of stockholders who settled their claims against the United States long ago by letting them reopen their claims, while others who settled claims against the United States have no opportunity to reopen their claims.

The bill is even more unfair, since it puts these claimants in a position where they cannot lose—if they lose in court, they have lost nothing, since they can keep the amounts they have already received from the United States. It would be an interesting test of the good faith of these claimants if this bill were amended to require that, before they may go to court, they must return to the United States the settlement they received, and then have their claim decided on an "all or nothing" basis, rather than the proposed "heads the claimants win, tails the United States loses" basis provided in this bill.

Each of the claimants in this case had full opportunity to have a trial on the merits on this issue of whether they were acting as "cloaks" for Germans, and failed to do so. It seems more than coincidental that every single one of these stockholders, with one exception, settled their suits with the Justice Department, rather than being willing to try their suit on the merits. That one stockholder later settled his claim on the same basis as the Halbach claim was settled.

It is claimed that Ernest Halbach, the majority stockholder, settled his suit during World War II because of duress, because his wife was being harassed by Federal agents, because he was afraid of losing his job, and because he was being pilloried in the press. Yet he was unable to convince a Federal court that this alleged duress occurred, and for a good reason—it did not occur. It appears also to be conveniently overlooked that this alleged duress, etc., did not apply to the other claimants in this case. One wonders why they settled, regardless of Mr. Halbach's reasons. The reason is clear—General Dyestuff Corp.'s alleged American ownership actually concealed German ownership.

To understand the actual relationship between German interests and the General Dyestuff stockholders requires some review of the history of the ownership of this corporation and the options held on the stock.

The arrangements by which this stock was held were the same sort of arrangements used by the German cartels throughout the world to conceal their ownership or control of corporations operating in foreign countries.

General Dyestuff Corp. was organized under the laws of the State of New York on March 25, 1926, to serve as a sales agent for German-owned or controlled dyestuff manufacturers. In September 1926, each stockholder entered into an option agreement with I. G. Farben, a German cartel, permitting I. G. Farben at any time to purchase any or all of the stock held by each stockholder for \$100 per share, plus 6-percent interest from the date of issue of the stock, less any dividends received. In 1933, after the rise of Adolph Hitler to power, the Marion Co., a personal holding company of D. A. Schmitz, acquired these options. D. A. Schmitz, a naturalized American citizen, was the brother of Herman Schmitz, the financial head of I. G. Farben. D. A. Schmitz was president of I. G. Chemie until June 1940, director of General Aniline & Film from 1929 to 1939, and president of General Aniline & Film from 1929 to 1936.

The Marion Co. was dissolved in June 1939 and all the outstanding stock was assigned to Chemnyco, Inc., a technical service agency in the United States for I. G. Farben. D. A. Schmitz was the major stockholder of Chemnyco, Inc.

In 1939, before the outbreak of World War II, at about the same time that I. G. Farben was attempting to Americanize its holdings in the United States, these stock options, worth millions of dollars, were given up by Chemnyco, without any payment whatsoever being made. D. A. Schmitz sold his 4,100 shares of stock in General Dyestuff Corp. to the corporation in 1939 for the option price of \$100, though the value of the stock at that time was \$460 a share, and resigned as chairman of the board. It was at this same time that American I. G. Chemical Co. changed its name to General Aniline & Film Corp.

As part of the process of Americanizing General Aniline & Film, and Americanizing General Dyestuff Corp., the interlocking directorates between General Dyestuff Corp. and General Aniline & Film, and its subsidiaries, were dissolved. It is incredible that anyone can believe that these actions, all taken virtually simultaneously, had any purpose other than concealing German ownership and control of General Dyestuff Corp. A series of resignations from various boards of directors and from offices in these two corporations occurred late in July and early in August 1939, just before the outbreak of World War II in Europe. For example:

1. W. E. Duisberg, a director of General Dyestuff (1938-39) resigned as director, vice president, and treasurer of General Aniline & Film, July 26, 1939.

2. E. K. Halbach, director, president, and general manager of General Dyestuff Corp., resigned August 2, 1939, as a director of GAW, Inc., a GAF subsidiary, and as a director of AGFA, another GAF subsidiary, in July 1939.

3. Rudolph Hutz resigned as a director and vice president of General Dyestuffs Corp. July 31, 1939, while remaining as director and vice president of General Aniline & Film, and as general manager of GAW, Inc.

4. W. P. Picard resigned August 21, 1939, as director of General Dyestuff Corp., remaining a director of General Aniline & Film.

5. D. A. Schmitz resigned as director and chairman of the board of General Dyestuff Corp. July 27, 1939, but remained a director and president of General Aniline & Film.

It is absurd to contend that these frantic last minute resignations had any purpose other than presenting a "paper" picture of American ownership and control of General Dyestuff Corp. It should be obvious that these transactions were entered into for the purpose of attempting to prevent General Dyestuff Corp. from being seized by the United States in the event of war between the United States and Germany.

The cozy arrangement between General Dyestuff Corp. and its German associates is also shown by the voluntary action of Chemnyco Corp. "voluntarily" giving up stock options worth millions of dollars without receiving anything in return and by the very strange sale, at millions of dollars below its true value, of all stock owned by D. A. Schmitz to General Dyestuff Corp.

It also is worthy of note that after Germany became involved in World War II, I. G. Farben had difficulty paying its pensioners located in the United States. I. G. Farben wrote General Dyestuff Corp. and asked that General Dyestuff take over payment of pensioners for them, whereupon General Dyestuff Corp.'s board of directors voted to pay the I. G. Farben pensioners in the United States and continued to do so until July 1941 at which time the U.S. Treasury blocked further use of General Dyestuff Corp. funds for this purpose.

Mr. Halbach, the major stockholder, in 1939 purchased 2,100 shares at \$100 a share at a time when the stock had a book value of \$460 a share. Thus, Mr. Halbach allegedly purchased assets worth almost a million dollars for \$210,000. The other stockholders fared similarly.

In 1941, Mr. Halbach attempted to set up a trust by setting aside his shares of stock for the benefit of his wife and children. It is interesting to note that when he evaluated the stock for tax purposes he declared its value to be \$100 a share.

SUMMARY

In 1926, General Dyestuff Corp. was organized by Germans, or German representatives in the United States. This corporation remained subject to the control of I. G. Farben, a German cartel, from the date of its organization until just before the outbreak of World War II in 1939. At that time, frantic paper transactions went on to conceal German ownership and interest in this firm. It is obvious that these transactions were a sham and fraud designed to conceal the continuing German ownership and control of General Dyestuff Corp. Of course, since the United States won World War II, the argument can be made with considerable force that had General Dyestuff Corp. not been vested, American ownership of that corporation would continue, especially since General Aniline & Film will, after its sale by the Attorney General, remain American owned. Suppose, however, that the United States had not entered World War II, and that the Germans had won the war, with their continuing ownership of General Aniline & Film, and the stranglehold that they would have thereby have had upon General Dyestuff Corp., it is ridiculous to assume that the General Dyestuff Corp. would have continued American owned, with no control being asserted by General Aniline & Film acting for the I. G. Farben cartel.

REASONS FOR OPPOSING THE BILL

It should be clear from the above that the General Dyestuff Corp. was actually held by Americans under a secret arrangement for the benefit of a group of Germans. Granting these former stockholders, who settled their suit with the United States at a time when they were represented by one of the top law firms in the country, a second chance to litigate their claims would be unconscionable. If we are going to set aside this settlement, there is no justification for not setting aside all other settlements that

have been reached under the Trading With the Enemy Act and giving every claimant a second shot at having his claim relitigated.

I opposed this amendment to section 41(a) in the conference 2 years ago, and if the conference agreement cannot be carried out, then I see no reason to disturb the situation. The bill should be defeated.

JOHN D. DINGELL.

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

Mr. Speaker, we should commend the chairman of the Committee on Interstate and Foreign Commerce, the ranking minority member, and others who have put this very complicated matter before the House. I have studied many hours on the issues involved in this case and I feel that the moral responsibility of this body at this time is absolute and clear. So I wholeheartedly support the committee in the effort it has made to bring this matter to a vote at this time. It deserves to pass.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD at this point on the pending bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

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

Mr. RYAN of New York. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. RYAN of New York. Mr. Speaker, the minority report states that there were claims against the U.S. Government and that the claims were settled.

Mr. HARRIS. The minority report deals with the merits of the case. As I said earlier, we do not deal with that at all. As a matter of justice we feel that this procedure is desirable.

Mr. RYAN of New York. Is it not a fact that the stockholders did settle their claims with the U.S. Government?

Mr. HARRIS. That goes to the merits of the case which is to be adjudicated. There is contention on both sides, of course, and arguments can be made on either side and we do not, as the gentleman from Ohio [Mr. Brown] stated a moment ago, attempt to pass on that at all.

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

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may extend their own remarks in the body of the RECORD at the appropriate place during the consideration of the bill (H.R. 5673) to prohibit the introduction into interstate commerce of any shipping container manufactured in the United States from imported steel unless the container is marked so as to indicate the country of origin of the steel, which was considered earlier this afternoon.

The SPEAKER pro tempore (Mr. KEOGH). Without objection, it is so ordered.

There was no objection.

HYDROELECTRIC PROJECTS ON THE COLORADO RIVER

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9752) to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam, and ask for its immediate consideration, and that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no licenses or permits shall be issued under the Federal Power Act (16 U.S.C. 791a-823) for the reach of the Colorado River between Glen Canyon Dam and Lake Mead during the period ending December 31, 1965: Provided, That nothing herein shall change or affect for the purposes of any action which may be taken subsequent to such date the present status, equities, position, rights, or priorities of any parties to applications now pending.

With the following committee amendments:

On page 1, line 4, insert "nor any applications for such licenses or permits be accepted for filing" immediately before "for the reach of the".

On page 1, line 6, strike out "1965" and insert in lieu thereof "1966".

On page 1, line 10, strike out "now pending" and insert in lieu thereof "pending on the date of the enactment of this Act".

The committee amendments were agreed to.

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

Mr. Speaker, this bill, H.R. 9752, was considered by the Committee on Interstate and Foreign Commerce after hearings and considerations of the bill by the Subcommittee on Communications and Power, chaired by the distinguished gentleman from Texas [Mr. ROGERS], and was reported out unanimously.

Mr. Speaker, although this bill is sponsored by the gentleman from Arizona [Mr. RHODES], let me say that this is the Hayden-Goldwater-Udall-Rhodes bill. It comes unanimously from the Committee on Interstate and Foreign Commerce.

Mr. Speaker, the substance and purpose of H.R. 9752 can be briefly stated.

This bill would suspend—through December 31, 1966—the authority of the Federal Power Commission to license individual hydroelectric or other projects for the reach of the Colorado River between Glen Canyon Dam and Lake Mead.

The purpose of the suspension is to provide the Congress with an opportunity to consider and pass upon the merits of a plan for the comprehensive development of water resources in the Pacific Southwest. The plan proposes a unified, integrated system of projects for the Lower Colorado River Basin. In considering the plan, Congress will be presented with the question whether Federal development of this portion of the Colorado River might better serve the

general public interest. Enactment of H.R. 9752 would preserve this question for determination by Congress.

There are now pending before the Federal Power Commission competing applications of the Arizona Power Authority and others for a license to construct a hydroelectric project at the Marble Canyon site on the lower Colorado. Marble Canyon is located between Glen Canyon Dam and Lake Mead, and is one of the last sites available for major power development in the basin.

In reporting this bill, the Committee on Interstate and Foreign Commerce believed that any action by the Federal Power Commission with respect to this reach of the Colorado River should be forestalled, pending consideration by Congress of the Pacific Southwest plan.

The questions the Congress will have to deal with will be complex. One of these will be whether the Marble Canyon project should be constructed and operated by the United States as one more unit in the whole system of Federal projects up and down the river—Hoover, Davis, and Parker Dams and so on—in order that the Marble Canyon project, like the others, might contribute to meeting the costs of water supply development under the Federal reclamation laws, in the lower basin.

Therefore, the committee was of the opinion that the Congress ought to be given the opportunity of determining the policy to be pursued with respect to development of this reach of the Colorado in the context of the comprehensive plan. The possible interjection of new and conflicting rights might prove a real handicap to Congress in its consideration of the plan, for a number of reasons.

As pointed out in the committee's report on this bill, Congress has on several occasions temporarily withdrawn and suspended the authority of the Federal Power Commission to issue licenses on the Colorado River. There is, therefore, ample legislative precedent for this proposal.

I urge the passage of H.R. 9752.

Mr. SPRINGER. Mr. Speaker, I move to strike out the last word and yield to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I have nothing to add to what the distinguished chairman of the Committee on Interstate and Foreign Commerce has said.

This is a bill which has the type of backing of the Arizona delegation in both the House and Senate set forth by the gentleman from Arkansas. It is a bill that needs to be adopted because we need to protect that region of the Colorado River between Glen Canyon Dam and Lake Mead from having any structure built there at the present time until it is possible to perfect plans for Federal projects which we hope will be before this body for authorization at some time in the near future.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, I just want to associate myself with the remarks

made by the gentleman from Arizona [Mr. RHODES], and indicate that, in my judgment, this is a good bill and a necessary bill. I want to mention also that the Legislature of the State of Arizona adopted a resolution earlier this year asking the Congress to do just what is proposed to be done today.

Mr. SPRINGER. Mr. Speaker, I yield back the remainder of my time.

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

AUTHORIZING FREE TRANSPORTATION OF GUIDES OR DOG GUIDES ACCOMPANYING BLIND PERSONS ABOARD AIRCRAFT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the bill (H.R. 8068) to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1373(b)) is amended by adding at the end thereof the following new sentence: "Nothing in this Act shall prohibit any air carrier or foreign air carrier from carrying any totally blind person accompanied by a guide or seeing-eye dog or other guide dog specially trained and educated for that purpose at the usual and ordinary fare charged to one person, under such reasonable regulations as may be established by such air carrier or foreign air carrier."

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment, on page 1, line 8, strike out "seeing-eye dog or other guide dog" and insert "by a dog guide."

The committee amendment was agreed to.

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

Mr. Speaker, H.R. 8068 amends section 403(b) of the Federal Aviation Act of 1958 to expressly permit any air carrier to grant free transportation, or transportation at a reduced rate, to a human guide or dog guide accompanying a totally blind person, under such reasonable regulations as may be established by the carrier.

Under this bill, any air carrier may, if it wishes to do so, grant a special reduced rate to a guide—whether an individual or a dog—accompanying a totally blind person. The permissive approach adopted in this bill is patterned upon a similar permissive provision in section 22(1) of the Interstate Commerce Act—49 United States Code 22(1)—which applies to water, rail, and motor common

carriers. Section 22(1) of that act in effect authorizes transportation of a human guide or dog guide, accompanying a totally blind person, at a reduced rate or at no charge, just as this bill would authorize in the case of air carriers.

In reporting H.R. 8068, the Committee on Interstate and Foreign Commerce recognized that the seating problems of air carriers are generally more critical than those of surface carriers. For that reason, the committee's report on the bill—House Report No. 1542—points out that free or reduced-rate transportation by the air carrier might well be rendered on a "space-available" or other reasonable basis pursuant to regulations adopted by the air carrier.

Mr. Speaker, I would hope that this distinguished body acts favorably on H.R. 8068.

Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WILLIAMS], the chairman of the subcommittee which considered and reported the bill.

Mr. WILLIAMS. Mr. Speaker, the bill presently before the House would authorize air carriers or foreign air carriers to carry human guides or guide dogs accompanying blind persons free or at reduced rates upon a space-available basis.

There are ample precedents for legislation of this kind. I recall that several years ago we granted permissive authority to the airlines to carry ministers of religion at reduced rates.

The purpose of the legislation is quite obvious. A blind person attempting to travel from one place to another is under a severe handicap if he does not have either a human guide to accompany him or a trained guide dog.

The legislation would not require the air carriers to grant free travel or reduced rates to these persons, but would leave this within the province of the carriers themselves. The carriers at present, I understand, have agreed among themselves to carry what are commonly known as seeing-eye dogs, or rather, dog guides, since I believe "seeing-eye dog" is a trade name.

At present the blind are permitted to have dog guides free of charge, but they do not occupy a seat, as I understand it.

This bill will extend the authority, to permit the carrying of human guides in order to permit blind people to travel more freely.

So far as I know, there is no objection to this legislation. If there are any questions about it, I shall be happy to attempt to answer them. I feel that the legislation is good legislation. I hope it will be adopted.

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

A hearing was held in February of this year on this and other bills related to it. The American Foundation for the Blind, the American Council for the Blind, the Blinded Veterans Association, and the American Association of Workers for the Blind appeared in support of the bill.

To me the evidence before our subcommittee was quite convincing. As a result of this, the carriers are willing to carry the guide at either a reduced or reasonable rate.

It appeared to me, from all the evidence I heard in the subcommittee, that this bill is in the public interest. It came from the subcommittee and the full committee unanimously.

Mr. Speaker, at this time I yield to the distinguished gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, I thank the gentleman for yielding. I wish to make the statement that this legislation will merely give to the blind the same privilege of travel on the airlines as they enjoy now on the surface lines.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Speaker, the need for this legislation was brought to my attention, very persuasively, by a constituent of mine, a young lady who, although blind, has now become a valued employee of our Government right here in our Nation's Capital. I am convinced that this measure will provide a humanitarian answer to a very real problem which has occasioned much concern among many fine people. I know they join me in congratulating the gentleman from Arkansas, the chairman, Mr. HARRIS, the gentleman from Mississippi [Mr. WILLIAMS], the chairman of the subcommittee, and members of his committee for their prompt and cooperative action on this measure.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Speaker, I rise in support of this legislation and wish to commend the gentleman from Mississippi and the members of his subcommittee and of the full committee for their work on this meritorious legislation. Certainly, thousands of individuals who carry the burden of blindness will be greatly benefited by this act.

As the Representative of the 13th Congressional District of Illinois, the home of the nationally known Hadley School for the Blind in Winnetka, Ill., I have had a continuing interest in the problems of the blind. In this connection, I wish to call the attention of the Members of the House to a bill which I introduced on October 2, 1963, H.R. 8695. This bill was brought into being primarily because of the development by the Hadley School for the Blind of a portable physics laboratory for use in home study education of the blind, the first such kit of its kind, which unfortunately, because of its special nature, exceeds the current maximum size and weight limitations for mailing purposes. It was hoped an exception could be made to permit the Hadley School to provide its blind students with this necessary adjunct of a newly offered course in physics. It is my hope that the provisions of this bill will be given favorable attention by the House Committee on Post Office and Civil Service and by the Members of this distinguished body.

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

The title was amended so as to read: "A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit

the granting of free transportation to guides or dog guides accompanying totally blind persons."

A motion to reconsider was laid on the table.

COMPACTS BETWEEN STATES TO PROMOTE HIGHWAY TRAFFIC SAFETY

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2318) to amend the joint resolution approved August 20, 1958, granting the consent of Congress to the several States to negotiate and enter into compacts for the purpose of promoting highway traffic safety.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution approved August 20, 1958 (72 Stat. 635), is amended by inserting in the resolving clause after the word "States" the phrase ", and one or more of the several States and the District of Columbia,".

Mr. SICKLES. Mr. Speaker, I rise in support of S. 2318 and to compliment the chairman of the committee, the gentleman from Arkansas [Mr. HARRIS], for bringing it to the floor at this time. I particularly want to express my appreciation to the chairman of the subcommittee, the gentleman from Alabama [Mr. ROBERTS], for his activities and work in connection with this bill and to commend his support and efforts which have brought about the consideration of this bill. I am the sponsor of H.R. 9642 introduced in this House on January 15, 1964, which is identical to the bill now before us.

The immediate effect of this bill is to allow the District of Columbia and the State of Maryland to enter an agreement now being considered by the parties which would permit law-enforcement officers of both jurisdictions to issue citations to residents of the other jurisdiction for violations of such traffic regulations as are covered by the agreement rather than require the nonresident to post collateral. Just this weekend I was visited at my home by a gentleman who could not understand why he had to be locked up in the District of Columbia until a friend could be found to provide the collateral for a traffic violation just because he lived a mile over the District line in Maryland.

And what the bill does is merely to grant to the District of Columbia government the same consent of Congress which was granted to the States in 1958 to negotiate and enter into compacts for promoting highway traffic safety. It is, therefore, in the nature of legislative oversight legislation.

Of course the authority granted to the District of Columbia is not confined to the agreement under consideration since the law amended—Public Law 85-684—envisions a broad range of agreements or compacts. Some 25 States have en-

tered into compacts relating to vehicle equipment and 12 States have also entered into compacts relating to driver licensing.

Mr. Speaker, this is a significant step in the most important area of highway traffic safety. I urge my colleagues to support this bill.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

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

ESTABLISHING AN ADMINISTRATIVE CONFERENCE IN THE UNITED STATES

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 824, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1664) to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ELLIOTT. Mr. Speaker, I yield myself such time as I may require, after which I shall yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, House Resolution 824 provides for the consideration of S. 1664, a bill to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States and for other purposes. The resolution provides an open rule with 1 hour of general debate.

Mr. Speaker, the purpose of S. 1664 is to provide permanent machinery whereby the Federal agencies with assistance from non-Government authorities on administrative practice will be able to formulate recommendations to improve Government procedures cutting down time and costs while preserving due process of law. A permanent conference will provide continuity for the kind of work performed by the two temporary admin-

istrative conferences appointed by President Eisenhower and President Kennedy respectively. The Conference would stand in similar relationship to the agencies as the Judicial Conference stands to the Federal courts.

Mr. Speaker, I understand that the bill, S. 1664, will come to the House with the unanimous approval of the subcommittee and of the Committee on the Judiciary itself and by a unanimous vote of the House Committee on Rules.

I urge the adoption of House Resolution 824.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as the gentleman from Alabama has explained, House Resolution 824 makes in order the consideration of the bill S. 1664, a bill to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes.

This bill, in my opinion, and in the opinion of its sponsors and those who have studied the measure meets a very great need. There is a real demand for an improvement in the administrative procedure of the various Federal agencies by having this Administrative Conference officially established. We have had some officials meeting at different times in different agencies in an unofficial way to try to work out better administrative procedure. Almost every agency of the Government, almost every Federal department, the American Bar Association, and many other similar organizations feel that problems of representing the American people in their various contacts with administrative agencies of the Federal Government would be helped by this legislation, and that it is actually very much needed.

The Committee on the Judiciary has given long consideration to this matter. It has reported S. 1664 by unanimous vote. The Rules Committee which heard testimony on the measure were unanimous in reporting this rule. I know of no opposition either to the rule itself or to the measure.

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

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I will say to the gentleman that I have a number of questions to ask about this bill. This is a move to create another commission in Government, this one with a chairman to be appointed for 5 years. If I read the bill correctly there is \$250,000 a year provided for at least 5 years and probably on into eternity. I do not take this kind of bill lightly because I say again that it apparently means the creation of another permanent commission in Government.

There are agencies of the Government that ought to be doing what is proposed that this Commission or Conference to do, and that is recommend needed reforms.

Mr. BROWN of Ohio. There is a strong feeling that while this may carry

some expense it will save a great deal of money in the long run, not only for the agencies but for various citizens as well who must deal with these agencies and departments of Government. I might add that if the gentleman will wait just a few hours he may have other legislation before him that will create new agencies of Government and new commissions which can be criticized more properly, perhaps, than this measure itself; and I will be happy to join with him at that time.

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

Mr. BROWN of Ohio. Yes, I yield further to the gentleman from Iowa.

Mr. GROSS. Well, only a few days ago the House passed a bill to create a National Commission on Technology, Automation, and Economic Progress.

Mr. BROWN of Ohio. And, I joined with the gentleman from Iowa as one of the minority that opposed that matter. But I do feel that this legislation is justified and is badly needed. We can simplify the administrative procedure for the benefit of the people who must deal with this myriad of agencies which we have in the Federal Government. If we can work out some sensible approach to these problems, I believe it will be worth the amount it will cost, and more too.

In addition, this is one of the few bills of this type that I personally feel I can support and do support.

Mr. GROSS. Will the gentleman yield further, briefly?

Mr. BROWN of Ohio. I yield further to my dear friend from Iowa.

Mr. GROSS. How about providing this chairman a term of 3 instead of 5 years?

Mr. BROWN of Ohio. It would be perfectly all right with me. I am not too much interested in the welfare of chairmen anyway. I think ranking members are always better than chairmen, but we do not always prevail.

Mr. Speaker, I have no further requests for time.

Mr. ELLIOTT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE

Mr. WILLIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1664) to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Louisiana.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1664, with Mr. ELLIOTT in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Louisiana [Mr. WILLIS] will be recognized for 30 minutes and the gentleman from Ohio [Mr. McCULLOCH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the bill, S. 1664, would create a permanent Administrative Conference of the United States.

PURPOSE

The purpose of S. 1664 is to establish permanent machinery whereby the many Federal agencies can, with assistance from non-Government authorities on administrative practice, formulate recommendations to improve Government procedures, cut down time and costs, while preserving due process of law. A permanent Administrative Conference will provide continuity to the kind of work performed by the two temporary administrative conferences appointed by President Eisenhower—1954-55—and President Kennedy—1961-62. The Conference would stand in similar relationship to the Federal agencies as the Judicial Conference stands to the Federal courts.

NO ENFORCEMENT POWER

Let me emphasize that the power of this permanent Administrative Conference will be limited to study and recommendation; it will have no power whatever to enforce its recommendations. Its recommendations will go to the Congress, the President and/or the Judicial Conference and its jurisdiction will conform generally to that of the Administrative Procedure Act.

LOW COST

I would emphasize also that the cost of this Conference would be modest. Appropriations are limited to \$250,000—section 7.

COMPOSITION

Under S. 1664, the Conference would consist of a Chairman, a Council, and an Assembly.

Only the Chairman would be full time, being appointed by the President subject to Senate confirmation.

An 11-man Council would consist of the Chairman and 10 members appointed by the President for 3-year terms.

The main body of the Conference would be the Assembly, consisting of the Chairman, the Council, and a flexible number of Government and non-Government members.

SUPPORT FOR MEASURE

The proposal for a permanent Administrative Conference has the support of the Judicial Conference, the Chief Justice, the American Bar Association, the District of Columbia Bar Association, Chairman OREN HARRIS—who introduced similar House bills—and the Budget Bureau, plus a long list of Government agencies—including CAB, FCC, FPC, FTC, ICC, NLRB, SEC, AEC, HEW, Treasury, Maritime Administration, and FAA.

The subcommittee hearings took testimony from Chairman OREN HARRIS, Judge Prettyman, and representatives of the bar associations, and of the Budget Bureau in support of the proposal. No opposition has been registered except to details.

COMMITTEE AMENDMENTS

Amendment No. 1 excludes military and foreign affairs functions of the United States from the definition of "administrative program." This conforms to Judge Prettyman's testimony that it was not contemplated that the Conference would have any jurisdiction over military or foreign affairs.

Primarily, the committee amendments place limits on the total number of Conference members and assure that Government members shall preponderate, but not too overwhelmingly.

Composition of the Conference: Amendments Nos. 2, 3, 5, and 6 provide:

(1) The total Conference shall not exceed 91 members (a complement recommended by Judge Prettyman) nor be less than 75 members.

(2) The Council is to comprise the Chairman, plus five Government and five non-Government members (as provided by President Kennedy).

(3) Non-Government members (other than Council members) are not to exceed 36 and shall not be more than two-fifths nor less than one-third of all members.

So that out of a total Conference of 75, the maximum number of non-Government members including the 5 Council members would be approximately 46.6 percent—35 out of 75 members.

Out of a total Conference of 91 members, the minimum number of non-Government members, including 5 Council members would be 39.5 percent—36 out of 91.

Amendment No. 8 has two effects:

(1) It removes a requirement that a member shall participate in his "individual capacity and not as a representative of any governmental or nongovernmental organization." The committee was concerned lest this requirement be thought to prohibit agency personnel or, for that matter, non-Government personnel from recognizing problems encountered by their own agency or outside organizations. While the committee expects Conference members to exercise intellectual independence, it was believed best to omit any instruction on this point.

(2) It removes a conflict of interest exemption that is not needed. The bill states that non-Government Conference members shall be "special Government employees" within the meaning of the conflict of interest statute. However, persons hired to work less than 130 days in any year are already defined as "special Government employees" (18 U.S.C. 202). It is contemplated that non-Government Conference members will be appointed to work substantially less than 130 days per year; thus the exemption is not needed by them. The interpretation of the applicability of the conflict of interest law, in this regard, will not be affected by the fact that Conference members are appointed for 2-year terms. On the other hand, no reason appears why Conference members, in the unlikely circumstance in which they are appointed to work more than 130 days in a year, should be dealt with more leniently as to conflicts of interest than other persons so appointed to Government posts.

Amendment No. 7 eliminates a requirement that a conference report on agency compliance with its recommendations. The committee was concerned lest this requirement be considered to attribute the weight of law to Conference recommendations. The requirement was deleted since the purpose of this legislation is to establish machinery to formulate, not impose, recommendations designed to improve administrative procedure.

Of course, as provided in section 5 of the bill, reports of the Conference will include studies of, and statistical data on, agency procedure. These studies can be expected to include reports on the consideration given by agencies to Conference recommendations.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I am glad to yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, first I want to compliment the gentleman and the great Committee on the Judiciary for the consideration that has been given to this most important legislation.

Mr. Chairman, it is a matter of deep gratification to me that the House is considering today legislation to establish a permanent Administrative Conference of the United States. This legislation has been long overdue. It has followed a tortuous road and it has taken a great deal of ingenuity and patience to bring together the various views which have been held on ways and means to improve the administrative processes of the departments and agencies of our Federal Government.

In a sense this legislation goes back to the days when the Congress after many years of study and deliberation enacted the Administrative Procedures Act. Following the enactment of that law, many of you will recall attempts to establish special committees of the Congress vested with jurisdiction over the regulatory activities of our Federal agencies.

Many of you will recall that one of these committees was the Legislative Oversight Subcommittee, which was established at the urging of our late beloved Speaker Rayburn for the purpose of determining whether the independent regulatory agencies were carrying out the laws as enacted by the Congress.

I had the responsibility of serving as chairman of the Legislative Oversight Subcommittee of the Committee on Interstate and Foreign Commerce. We investigated the activities of several of the six great independent regulatory agencies which come within the jurisdiction of our committee. We found in the course of our investigations that the procedures followed by some of these agencies invited improper influence and ex parte communications.

Upon conclusion of our investigation our Committee on Interstate and Foreign Commerce considered legislation to modify the procedures of these agencies in order to prevent ex parte communications. However, we found that the needs of these agencies with regard to organization and procedure were so different that it was difficult, if not impossible, to prescribe by statute procedures for all of

them which would have precluded ex parte communications and other improper methods of influencing the decisions of these agencies.

About this time President Eisenhower by Executive order created a temporary Administrative Conference. Our late President Kennedy continued that Conference, and I had the privilege of serving as a congressional member of that Conference. Judge Prettyman, the eminent jurist, formerly on the U.S. Circuit Court of Appeals for the District of Columbia, was the chairman of the Conference, and it is largely due to his loyal, tenacious, and astute leadership that the Conference was a great success.

When our committee found that it would be exceedingly difficult to legislate on the question of ex parte communications I addressed a letter to Judge Prettyman, requesting him to submit the legislation pending before our committee to the Conference for its review and advice.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 15, 1961.

Judge E. BARRETT PRETTYMAN,
Chairman, Administrative Conference of the
United States, Department of Justice,
Washington, D.C.

MY DEAR JUDGE PRETTYMAN: This committee has pending before it a bill, H.R. 14, which proposes the enactment of the "Independent Regulatory Agencies Act of 1961" and which deals, among others, with the subject of ex parte communications in the case of on-the-record proceedings.

This bill is a reintroduction of a bill, H.R. 12731, which was reported unanimously by this committee during the 86th Congress. I am most anxious to have the principles which are incorporated in this bill considered by the Administrative Conference since the problems with which it seeks to deal are most complex and highly controversial.

I am enclosing for your information copies of H.R. 14, 87th Congress; H.R. 12731, 86th Congress; and House Report 2070, 86th Congress, together with copies of the hearings which this committee has held on this bill.

I am aware of the fact that the bill proposes to deal only with the procedures of the six major independent regulatory agencies. I feel strongly that a start in dealing with the problem of ex parte communications has to be made somewhere, and since the proceedings conducted by these agencies are of particular importance to the American people, appropriate legislation applicable to these agencies should be enacted. After actual experience has demonstrated the merits of this legislation, it might then at a later date be extended to apply to other agencies.

Our committee has spent a good deal of time in consideration of this legislation and the prospect for its passage would certainly be enhanced by the support of the Administrative Conference. The committee, of course, will be glad to have any suggestions for amendments which the Conference or any of its committees may deem desirable.

Sincerely yours,

OREN HARRIS,
Chairman.

The Conference did an exceedingly careful job and concluded as we had before—that the regulation of agency procedure had better be left to agency rules of the individual agencies as long as these rules were in conformity with gen-

eral principles. The Administrative Conference proceeded to elaborate these principles and I am glad to say that the majority of the six agencies which come within our committee's jurisdiction have adopted agency rules for their respective agencies which deal in detail with the question of prohibited ex parte communications.

Mr. Chairman, what has been accomplished in the field of ex parte communications is merely an example of what can be accomplished by a permanent Administrative Conference. Within the framework of such a conference, under competent leadership, it should be possible for the agency heads and for interested private practitioners and academic personnel to work out many of the problems which urgently require attention. Our congressional committees are so busy with the substantive problems affecting the industries which are subject to regulation by these agencies that little time often remains to deal with the complex procedural problems which are of great importance if the agency procedures are to be efficient and equitable.

Of course, it should be clearly understood that no authority to modify any statutory provisions is being delegated to the Administrative Conference by this legislation. The Conference has only authority to study problems and if the study discloses a need for changes in any statutory provisions, the Conference will submit its recommendations to the Congress for appropriate action. In the case of ex parte communications, of course, each agency has not only the authority but the responsibility to protect the integrity of its administrative processes. Therefore, the temporary Administrative Conference was in a position to make recommendations to the agencies, and the agencies thereupon used their statutory authority to promulgate appropriate rules to carry out the recommendations of the Conference.

I myself introduced two bills which were referred to the Committee on the Judiciary. H.R. 7200 was a bill which had the support of the executive branch, and H.R. 7201 was a similar bill which was favored by the American Bar Association. The differences between these two bills largely related to the ratio of Government representatives to non-Government representatives who would be constituting the Administrative Conference.

Mr. Chairman, I am glad to say that these differences have been worked out in a satisfactory manner in the bill, S. 1664, which is now the pending business of the House. I want to congratulate the able Chairman of the subcommittee, the gentleman from Louisiana [Mr. WILLIS] and the eminent chairman of the full committee, the gentleman from New York [Mr. CELLER] for having taken time from their busy committee schedules to give attention to this legislation. I was given the privilege of testifying before the subcommittee when it held hearings on all bills on this subject pending before it, and I want to express again my gratification that a bill has been ordered reported to the House which deserves the

complete support of the membership of this body.

This bill deserves the support of the membership because it is a good bill. It will strengthen the administrative procedures of our Federal departments and agencies. It will thereby benefit greatly the general public.

A lot of hard work has gone into this legislation and I hope this House will support this legislation by an overwhelming vote for the reasons which I have stated.

Mr. WILLIS. I well remember the gentleman's work in the study of the various oversight committees. I will never forget when that study was suggested by the late great Speaker of the House, Sam Rayburn. It was due to that work that the bill was brought up. I will say to the membership of the Committee of the Whole that the gentleman from Arkansas is one of the architects of this proposal.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. Chairman, at this time I want to express my appreciation to the distinguished chairman of the subcommittee, [Mr. WILLIS], my colleague from Louisiana, for the work he has done in this particular instance. I usually look with much reluctance on the creation of another government agency or commission because too often they serve no useful purpose, but in this particular instance I think there is a valuable service to be done. This administration conference should be established for many reasons but especially to protect the private citizens and the public interest.

I want to associate myself with the remarks of my colleague from Louisiana in expressing his appreciation of the interest shown by my colleague from Arkansas [Mr. HARRIS]. He too has been instrumental in framing this legislation. The State of Arkansas is fortunate in having OREN HARRIS represent them. I am well aware of the sincere desire of the gentleman from Arkansas [Mr. HARRIS] to protect fully the private rights of individuals in the administration of Government affairs by the respective agencies. I share this desire with him. I know he is interested in providing a broad representation for not only the people of his district, whom he so ably represents as chairman of the House Committee on Interstate and Foreign Commerce, but in protecting the views and the individual rights of all the private citizens of this country. He continually utilizes his diverse experience as a member of the bar and Member of this Congress in so doing. He certainly does this in a sterling manner. He is a student of government and administrative law and utilizes that experience every day as does Ed WILLIS, my colleague from Louisiana, in the public interest. It is because of the concern of gentlemen like Mr. HARRIS and Mr. WILLIS that we are making a sincere effort here today to protect the rights of our private citizens and we all know they need protection,

in their dealings with the Government and the overall administrative affairs of the Government by our support of this administrative conference. I am especially glad that the good people of Arkansas have seen fit to return him to this body. He is indeed a valuable member.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I want to reaffirm what the chairman of the subcommittee has told the House in regard to this legislation. First of all, let me say that this bill came from the subcommittee by a unanimous vote. It likewise was reported unanimously by the full committee. I suppose there is no legislation that comes before this House that has the unanimous approval of all Members, but it does seem to me that this probably will come as close as any piece of legislation can.

This not only has the support of all the regulatory agencies of the U.S. Government, it has the support of the non-governmental organizations who represent thousands of people who actively appear before these agencies. Among these latter groups we will find the American Bar Association as an enthusiastic advocate.

Therefore, it seems to me Mr. Chairman and Members, that this bill indeed serves a very useful purpose. One of the best features of it, in my judgment, is the mandate contained in the legislation that at least 33½ to 40 percent of the membership shall at all times be composed of members outside of Government service. It seems to me that this is the way those of us who in the past and at the present have been and are critical of governmental agencies and the mass of redtape that sometimes is involved in dealing with them, can bring the fresh viewpoint of the objective civilian expert in an effort to recommend to the proper committees of this Congress improvements such as were outlined by the distinguished chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS].

So I would say to you that while there is some money involved and while this will cost dollars and cents, the money that is spent will be well spent and I think it will be made up by the improvements that should come if the fresh viewpoint is utilized and implemented.

Certainly, if there is one bill that will be helpful to the taxpayers and to the litigants and to the applicants who appear before the governmental agencies, it should be this bill.

Now let me conclude by saying that this certainly is not going to be any panacea for all of the evils or for all of the wrongs that exist, but it certainly should be a step forward in the attempt to continue improvement of the services that are rendered by our governmental agencies.

Since it does meet with the approval of the minority members of the Committee on the Judiciary and since all of the members of the subcommittee headed by the gentleman from Louisiana [Mr.

WILLIS] have approved it, I certainly recommend it for passage to the House of Representatives.

Mr. SCHWEIKER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LINDSAY. Mr. Chairman, this bill, providing for the creation of a permanent Administrative Conference, will give us a most effective vehicle through which the personnel of our multitudes of administrative agencies, with the aid of nongovernmental advisers on administrative practices, will be able to formulate recommendations for the improvement of their own procedures.

Certainly, it is clear that the performance of regulatory functions, and its related responsibilities for the determination of private rights, privileges, and obligations by executive departments and administrative agencies, substantially affects large numbers of private individuals and many areas of economic and business activity. These interests which, in the aggregate, affect the development of the national economy must be protected by Federal administrative procedures which insure maximum efficiency and fairness in the performance of the governmental functions.

Unfortunately, however, the steady expansion of the Federal administrative process during recent years has been accompanied by growing concern over the efficiency and adequacy of department and agency procedures. The record is replete with the countless problems that cry out for a solution. Who among us has not heard the futile wails of public exasperation over the multitude of obstacles encountered in our administrative procedures; the businessman fighting the seemingly endless procession of complicated and unnecessary paperwork that all too often duplicates or overlaps itself; the inconsistencies of agency procedure and regulation; the great delays in administrative action, and consequent delays in justice, which are always to be found; and on and on. Though the Administrative Conference will not be an automatic cure-all for these ills, these problems will be clearly within the focus of that body's jurisdiction and subject to solution through its recommendations to the President, the Congress and our agencies and departments.

Closely paralleling the Judicial Conference of the United States in its relationship to the Federal court system, the Administrative Conference will stand in a similar position with our administrative agencies. I would suggest that if this permanent conference is only partially as successful as the Judicial Conference has been in its field, it will be very worthwhile. As a matter of fact, the temporary conferences created by President Eisenhower and President Kennedy already made it clear that substantial progress in improving departmental and agency practices can result

from the cooperative efforts of agency personnel working together with members of the practicing bar, scholars, and business and labor leaders.

It is with these views in mind, then, that I enthusiastically support the creation of a permanent Administrative Conference, for I am convinced that through its ability to ascertain ways to reduce the time and costs of administrative procedures, while preserving the necessary elements of fairness and due process of law, we will be taking a giant step forward in our quest for good government.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, thus far I have no specifics on what this administrative conference, as it is called, is going to do. I look at it as another commission or bureau in the Government. What specifically is it going to do?

The gentleman from Arkansas, the distinguished chairman of the Committee on Interstate and Foreign Commerce, referred back, or at least I assume he referred back to the old Goldfine-Sherman Adams deal and the part that was played by his Oversight Committee in that. Am I correct in assuming that that is what the gentleman was referring to a moment ago?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HARRIS. Of course, those matters that the gentleman mentions were a consideration of the committee at that time. But what I had reference to was the study and consideration we gave to the procedures and administrative standards of the agencies themselves, that is, the six major agencies. Various reports were issued during 1959 and 1960 and many of the recommendations that we made in those reports have already been enacted into law as to the organization and administration of these various agencies. Some have been enacted by the Congress such as the FCC Act and the Interstate Act and amendments thereto.

What we have in mind here is not so much those things which indicate matters we do not like to see happen in our society but more with respect to delays in administrative procedures. People who go before these agencies are entitled to consideration of the matter pending.

Mr. GROSS. Could not the standing committees of the Congress consider legislation, without spending \$250,000 a year to hire a group to tell them what to do? This information is available to the committees of Congress. It was available to the gentleman's committee. At least, some of the information upon which the gentleman's recommendations were based came from the Goldfine-Sherman Adams business; is that not true?

Mr. HARRIS. That is true. I repeat that we have in mind more the administrative actions of these agencies in determining the innumerable cases pending before them. We did of course develop information in reports, after hearings, during the 3 years we had this matter

under consideration. We are referring to matters of administrative procedures.

We learned, after the experience which the gentleman from Louisiana so well described—after the experience of the temporary conferences which have been carried on for the past 5 years—that these are helpful and will save money, as mentioned by the gentleman from Ohio [Mr. BROWN] earlier this afternoon.

Mr. GROSS. Well, there are situations in Government today which badly need attention. We know where they are. Nothing is being done about them. Always we go outside and hire others to tell us what we should do.

The thing which concerns me the most is that we are continually establishing commissions and conferences, as is being done in this case, apparently to rub our noses in something we have already smelled and know about.

I do not understand why we should spend \$250,000 a year, or perhaps more, on a situation of this kind, for the establishment of still another group.

There is a situation over in the White House today. A witness has testified under oath that an adviser to President Johnson has taken part in certain activities beyond his duties as a Federal employee. The Presidential adviser denies the charge. Obviously somebody has committed perjury.

Would this conference go into that, as the gentleman suggests it might have had there been such a conference in existence when the Goldfine-Sherman Adams thing came up?

There is a committee in the other body which should have gone into that situation, wherein someone obviously is committing perjury.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. CAHILL. I say to the gentleman from Iowa that I share to some degree his concern.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 5 additional minutes to the gentleman from Iowa.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I thank the gentleman for yielding additional time. I yield to the gentleman from New Jersey.

Mr. CAHILL. I would say to the gentleman, very respectfully, that the thought behind this bill, as I understand it, is to go beyond the governmental investigation and to go beyond what may be a limited vision on the part of those within Government, to seek a fresh viewpoint from individuals outside the Government appointed to such a committee.

I will say that this will depend, as always, not on what the legislation says but on what the Members do. It is therefore my hope that proper and qualified men will be appointed. If that is done and if these men devote the time to the Commission which the committee intends them to devote to it, and if they do the job the committee expects them

to do, it would be my hope there would be some good which would come out of it.

Mr. GROSS. Let me say to the gentleman, with all respect to him, that he has been very "iffy" in his presentation as to what he expects this Administrative Conference to do. I point out that in your own report you state that there was a temporary conference in 1954-55 and this report says that it produced many worthwhile recommendations, but practically none of these recommendations were implemented. Then President Kennedy came back in 1961-62 with another temporary Administrative Conference. Your report says that one of its strongest recommendations was for the establishment of a permanent Administrative Conference of the United States. Now, somebody tell me what you expect to get from this Conference. There have been two temporary Conferences. Neither one of them apparently amounted to very much. I do not know how much money we spent on them. What reason have we to think that another Administrative Conference is going to produce any better results than the two you have already had?

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. WILLIS. Of course, no one can give that assurance, but I can explain to the gentleman. The purpose of the act is to provide suitable arrangements through which Government agencies assisted by outside experts may cooperatively study mutual problems, exchange information, and develop recommendations for action by proper authorities to the end that private rights may be fully protected and regulatory activities and other Federal responsibilities may be carried out expeditiously and in the public interest. Those programs include any Federal function which involves the protection of the public interest and a determination of the rights, privileges, and obligations of private persons through rulemaking adjudication, licensing, and so on.

Those are the general objectives and are necessarily stated in these general terms. It will involve such things, for instance, and also the study of the efficiency, adequacy, and fairness of the administrative procedure before these agencies. Right now, if you apply, let us say, for a license for a TV station, are the rules adequate? Are the procedures too slow? Is there too much redtape? Is the cost too heavy? And so on. This does not involve one agency but all of the agencies of the Government. That is why at long last there are several things about this that please me. One, they have no power to impose rules and, two, we bring in, as my good friend from New Jersey says, non-Government people into this business.

Mr. GROSS. This raises an interesting question. The gentleman brings in the Federal Communications Commission and the allocation and granting, I assume, of TV and radio licenses. I wonder if this proposed Conference is

supposed to or would go into the question of the TV monopoly operated by the Johnson family in Austin, Tex.

Mr. WILLIS. Of course not.

Mr. GROSS. Would this not be a part of their job?

Mr. WILLIS. No, it would not be. It would not be.

Mr. GROSS. Then, where would the Administrative Conference stop in the matter of how licenses are allocated and granted, and so on and so forth?

Mr. WILLIS. I agree that this is legalistic language, but we have to have it. This is to improve the procedures before these agencies in order to render better service at a cheaper price to the public.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. GROSS. Mr. Chairman, will someone yield me more time or must I wait until I can get time under the 5-minute rule?

Mr. McCULLOCH. Mr. Chairman, we always try to be generous in yielding time, and we are happy to yield another 2 minutes to the gentleman from Iowa.

Mr. GROSS. Again I thank the gentleman.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I cannot yield because I do not have sufficient time. If the gentleman on that side will yield me 2 or 3 minutes additional, I will be glad to yield.

Mr. WILLIS. I will be delighted to yield the gentleman 3 additional minutes to bring it up to 5 all together.

The CHAIRMAN. The gentleman from Iowa is recognized for 5 additional minutes.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. WAGGONNER. I thank the gentleman.

I understand the gentleman's concern but I think there is much to be said for the fact that somebody needs to look after the interests of the public who have dealings with agencies of the Government. I have a particular case in mind, for example, which quite possibly could be prevented with an Administrative Conference such as this. Yesterday a good friend of mine contacted me about some dealings with the FHA in attempting to purchase a home. This individual was denied the purchase of this home because it was felt by this Government agency that his income was insufficient to purchase this particular home valued at \$13,750.

I do not agree with this Government agency. This man has an income of \$9,600 a year. His obligations, including furniture notes, appliance notes, car notes, and everything else are only about \$2,200. He has money in the bank. And yet they say he does not have sufficient income to purchase a repossessed FHA home valued at \$13,750. I feel that this Government agency has not given proper consideration to the public interest or the interest of this private citizen. I question whose interest has been served and why? I think this Administrative

Conference can be used to cure many cases similar to this in too many agencies. Administrative procedures must be streamlined and clarified.

Mr. GROSS. Mr. Chairman, let me say that as far as administrative procedure within the Federal Government is concerned we have the Bureau of the Budget which ought to be primarily concerned with administrative procedure. I do not know how this is going to implement the Bureau of the Budget in its operation. But let me get to a specific question. Is this going to deal with personnel in the Government and, if so, in what way? I believe personnel is mentioned in the report but I am not quite sure what this proposed Conference is supposed to do specifically with regard to Federal personnel.

Mr. WILLIS. Mr. Chairman, I would venture to express this opinion, that personnel as such would not be the function of the Conference, but the proper staffing of an agency—understaffing, overstaffing, quality, et cetera—could result in some recommendations that affect administrative procedure. But personnel as such would not come in, nor under the specific provisions of the bill—and I refer to page 3, lines 21 to 23—that the functions:

Shall not be construed to include the scope of agency responsibility as established by law or matters of substantive policy committed by law to agency discretion.

That is very important to a businessman.

Mr. GROSS. Somewhere in this report—I cannot locate it at the moment—I believe it is stated that they are going to look into personnel grievance procedures.

Mr. WILLIS. Not for the sake of determining whether the grievances are good or bad in themselves but insofar as there are procedures in an agency dealing with personnel matters, as grievances are disposed of under the procedure of an agency, I would say that this phase of administrative procedure and efficiency would, in my opinion, have to be considered to that extent.

Mr. GROSS. In the light of that statement I wonder why we do not find in the report accompanying this bill a statement of some kind from the Chairman of the Civil Service Commission, since you are going into the field of personnel and civil service.

Mr. WILLIS. Of course, I did not want to leave the impression—and if I did I am sorry, although I think I did not—that that would be the cornerstone or one of the major undertakings of the study. That would be a minor thing. But to the extent grievances have to do with procedure those procedures could be reviewed or studied.

Mr. Chairman, I yield 4 minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I want to congratulate the distinguished gentleman from Louisiana [Mr. WILLIS] and his associates for bringing this bill to the floor of the House. In my opinion, this legislation is much needed, and definitely in the public interest.

Now, like the gentleman from Iowa, I too am deeply disturbed over the present spending level in Government. As a matter of fact, I suspect I vote "no" about as often as my good friend from Iowa. I have often said that the gentleman from Iowa is a very valuable Member of this body and on many occasions I have said, and certainly not facetiously, that he might be, even, the most valuable Member of this body.

However, Mr. Chairman, in this instance I feel quite sure that the gentleman does not understand fully the potential of the Administrative Conference contemplated by this bill.

Mr. Chairman, I served on the old Legislative Oversight Committee during its first 2 years, and those were rather hectic years, as the members of the committee will recall. Those were the days of the Goldfine-Adams controversy, they were the days of the FCC controversy that involved Commissioner Mack and his friend, Mr. Whiteside.

Mr. Chairman, if I learned anything during those hearings, it was that reform in the activities of some of these regulatory agencies was imperative in the public interest. There was a pressing need to streamline their operations, and to set up administrative machinery to insure that their decisions would be determined purely and solely on the basis of the evidence presented.

I want to congratulate principally the distinguished chairman of my committee, the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS] who provided the impetus for this bill.

Mr. Chairman, as chairman of the Oversight Subcommittee he worked with great diligence in the field of administrative law. I am certain that no Member of Congress, whether House or Senate, is as well informed on administrative and regulatory law as OREN HARRIS. He has been the author of much legislation which has improved the operations of our administrative agencies and has saved untold millions of dollars in redtape cost to the American taxpayers. He deserves the thanks and commendation of every American for his contributions to sound and efficient Government.

Mr. Chairman, for the benefit of the gentleman from Iowa, I can point out one case in particular which is still hanging fire after 3 years of litigation under the Administrative Procedures Act. The case is now in the courts and it is still undecided. This case involved one of our larger railroads and I am told that it has already cost them more than \$2 million in prosecuting their case. If it cost one of the parties that much, then goodness only knows how much it cost the Government in administrative costs over that period of 3 years.

It is my feeling, Mr. Chairman, that this legislation is definitely in the interest of economy. It is certainly sound and is a necessary step in the improvement of the administration of our regulatory system and the Administrative Procedures Act.

Mr. McCULLOCH. Mr. Chairman, I have no further request for time.

Mr. WILLIS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I very seldom speak on this floor, as the Members know, but I believe this is a very important bill and I want to compliment the committee. I want to also extend my compliments to the chairman of the Committee on Interstate and Foreign Commerce, because I know of his long interest in this matter.

Mr. Chairman, my interest in the functioning of the Administrative Procedures Act goes back to 1946 when the gentleman from Virginia, Judge HOWARD SMITH, was appointed as chairman of a committee to look into the actions of the administrative agencies which went beyond the scope and the purpose as intended by Congress.

It goes to a specific case in which the Home Loan Bank Board seized a savings and loan association at Long Beach, Calif. That case was under the Administrative Procedure Act for 16 years. I know that the Government must have spent at least \$1 or \$2 million fighting that case because the litigants on the savings and loan side also spent a considerable amount of money.

This case was investigated by Judge SMITH's committee; it was investigated by a subcommittee appointed in 1950 or 1951. I was chairman of that subcommittee. And more recently it was investigated by a subcommittee under the chairmanship of my colleague from California. There were three different investigations of the actions of an agency functioning under the Administrative Procedure Act.

Now, if the gentleman from Iowa will listen a minute, I would make this point: This comes also from my experience on the Hoover Commission, where we recommended continuing scrutiny of the functions of the different agencies under the Administrative Procedure Act. The businessmen of America today are functioning under countless rules and regulations, based on laws passed by Congress.

We pass a bill, say, with 30 to 60 pages, on the basis of the basic law we passed in the Congress, maybe after 2 or 3 months of consideration by a jurisdictional committee; then on that 30 to 60 pages the agencies build and enforce rules and regulations. And this is not because of bureaucracy altogether. Possibly the fault, if you want to call it a fault, is on account of the complicated nature of the businesses which are under regulation in this Nation. They are not simply businesses whose problems we can solve in a legal document. Back of that legal document is the necessity of promulgating administrative rules and regulations, and it is under these rules and regulations by the people in the agency that the American businessman and the American citizen gets into trouble because he operates under different rules than he would operate under in a court of equity.

The test of the Administrative Agencies Act as against an individual or a business is whether he acted within the scope of

his delegated authority to promulgate rules and regulations, not whether he did what was right or wrong. You cannot get a decision in many instances on the basis of merit or what we call common equity. You have to in going through the Administrative Procedures Act test whether the administrator acted within the scope of his authority, not whether he did a good job, whether he did a bad job, whether he made the right decision or not, but did he have the authority to do it under his own wide administrative latitude of action.

The attempt to get into court has been most difficult without first going through the Administrative Procedures Act. And I will tell you the pitfall there.

This agency, the Home Loan Bank Board, in 1946 seized this institution and ran its assets down from \$60 million to \$14 million. They could not go into a court of equity. They had to first go through the Administrative Procedures Act route. But their appeal had to go to the people who seized them. So they refused to do this because they knew the people who seized them would verify the fact they had a right to do that. They became a victim of the basic act which allowed the agency to make rules and regulations without regard to the fairness of those regulations. This controversy continued for 16 years, and it was decided only a year or two ago.

The point we are getting at is that the procedures under the Administrative Procedures Act functions are not by any means a perfect procedure. It needs looking into very carefully. They are continuously promulgating new rules and regulations, and the businessmen are being harassed by these rules and regulations. This needs continuing scrutiny.

I think from the standpoint of economy we can save many millions of dollars in Government costs, not to mention the costs incurred by the litigants against the Government.

More important, we can expedite hearings and decisions which have the effect of law but which are subject in many instances to years of delay. There is a truism which says, "Justice long delayed is justice denied."

We owe it to the business people who are facing bureaucratic delay and harassment throughout the land.

We owe it to our own democratic ideals to improve the efficiency and responsiveness of our governmental function.

I urge the adoption of the bill.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY of Indiana. Mr. Chairman, I have been much interested in this proposal. I listened attentively to the very pertinent questions of the gentleman from Iowa. I also want to compliment him because it indicated that he has given a great deal of thought and attention to this problem.

When I first came to this Congress in the 80th Congress I served on the Committee on Government Operations. The gentleman from Illinois [Mr. DAWSON], the present chairman, was then I believe

the ranking member on the committee. Our committee had the assignment of implementing the recommendations of the first Hoover Commission. If I might add in addition to what my good friend, the gentleman from California [Mr. HOLIFIELD] said, and we served on this subcommittee at least during the entire period of time I was on the committee, a matter of about 4 years, we served in an effort to implement these Hoover Commission recommendations.

The Hoover Commission functioned effectively in much the same manner I hope this Commission will function. The Hoover Commission had the assignment of making recommendations for streamlining our Government. About 39 major recommendations were finally enacted into law. The procedures were set up with which you are all familiar for bringing these recommendations into effect. The President would send up a recommendation and if it were not vetoed by either House it became automatically effective.

The thing that particularly struck me after having served in the Congress is with regard to our regulatory agencies. I am sure no one is more familiar with the problem than the gentleman from Arkansas [Mr. HARRIS], the chairman of the Interstate and Foreign Commerce Committee, and the members of his committee. The thing that has come to my attention most forcefully is the fact that these regulatory agencies in many instances have been so dilatory, so reluctant to pass on matters of grave importance, they have been so unwilling to assume responsible decisions. That is exactly why I think, if I might add a word of suggestion as to where this Commission could best function, it certainly would be to help the Congress in unraveling this tangle we ourselves have created.

I know where applications for franchises made to the Federal Communications Commission have been kept dangling 4, 5, and 6 years, awaiting a decision. Many times people have had considerable sums of money invested, only to see them ultimately lost because of the unwillingness of this regulatory agency to give a prompt decision. I am sure in many cases had they been willing to do so they could have.

A growing percentage of our citizens are becoming more and more involved every year in the actions of these so-called regulatory agencies. As the gentleman from California has pointed out, in many instances they act not only as the judge but the jury. You appeal, and the people you appeal to are the same people who made the original decision, which to me seems a rather inconsistent way to operate.

So I certainly approve of this Commission and I know I join the gentleman from Iowa in hoping that the ultimate outcome of it will be to produce something of value. I do not want to seem to be cynical. I am not going to downgrade this Commission before it ever gets started. But I do want to give this word of warning; that unless capable people are appointed and unless they go to work

constructively and vigorously, it will deteriorate into just another commission and we will pay the bill and no good will come of it.

Mr. WILLIS. Mr. Chairman, I yield 3 minutes to my friend, the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. I thank the able chairman very much for yielding to me.

Mr. Chairman, I wish to associate myself with my colleagues who have highly commended the distinguished gentleman from Arkansas [Mr. HARRIS] for what he has done with his committee to initiate legislation of the character that we have here before us today, and also to commend the very able gentleman from Louisiana [Mr. WILLIS] for all he has done to ready this measure for consideration and for bringing it to the floor of the House.

Mr. Chairman, we pride ourselves that this is a country of law and not of men. Yet, until the Administrative Procedures Act of the 1940's came into being, the decisions rendered by the administrative agencies and to a large degree the quasi-judicial tribunals of the Government of the United States were the arbitrary decisions of men and not decisions arrived at according to the elementary principles of the legal process where fair inquiry is conducted and impartial judgment thereon is rendered on the basis of the facts that are brought out before the tribunal trying the matter.

A great deal of progress therefore was made when the Congress enacted the Administrative Procedures Act. But none of us claims that it was perfect when created. Even experience has not given it the perfection that we desire it to attain.

Surely it is most desirable that able personnel both inside and outside of Government should as this bill provides study the efficiency, adequacy, and fairness of the administrative procedure used by administrative agencies in carrying out administrative programs and make recommendations to the Congress, to the President, to the judicial conference and other agencies of the Government for their improvement.

So, Mr. Chairman, it seems to me that the process of administration in a great Government such as ours is rather necessarily complex and that that administration will be greatly improved and the administrative judgment greatly expedited and put on a sounder basis by the advice and counsel that will come out of the study and the recommendations of this conference.

We, therefore, by passing this bill are taking another step toward making this Government as we hope some day it shall perfectly be, a government of law and not of men.

Mr. McCULLOCH. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks on the pending bill immediately following the remarks of the gentleman from New Jersey [Mr. CAHILL].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. WILLIS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FASCELL. Mr. Chairman, because of its far-ranging functions and responsibilities, the Government of the United States must of necessity be a large and complicated organization. As a result primarily of the severe economic depression of the 1930's, World War II, and the staggering increase in our population in the past 15 or 20 years, much of the growth of the National Government has occurred within the past generation.

Inevitably, this rapid expansion of Federal functions and services has created considerable administrative upheaval, disorder, overlapping, and inefficiency. The needs of society must be met when they arise; they cannot always be handled administratively with the neatness of a textbook organization chart.

This House now has before it legislation, S. 1664, designed to introduce order and coherence into this administrative disarray and confusion. Before I begin a discussion of S. 1664, let me say Mr. Chairman, that this question has been a matter of profound concern to me for almost as long as I have had the honor of serving in this House.

In January 1957 I introduced a bill to establish in the executive branch an Office of Administrative Practice headed by a Presidentially appointed Director. The duties of this Director would have included carrying on continuous studies, making recommendations concerning compliance by agencies with the procedures as set forth in the Administrative Procedure Act where the rights, duties, and privileges of persons were affected, and maintaining a continuing scrutiny of the rulemaking and adjudicatory functions of these agencies.

The Director would also have been empowered to coordinate agency activities to cut down delays, improve reporting, simplify and reduce the costs of records-keeping, and to act in other ways to make the administrative machinery smoother and more efficient.

This 1957 bill created a Legal Career Service and a Federal Grievance Committee. The purpose of the Committee was to review complaints against attorneys arising out of representation of participants before governmental agencies.

Because I believe this matter is so important, I reintroduced bills of this nature in the 86th Congress in 1959 and in the 87th Congress in 1961.

Again in this Congress, on January 24, 1963, I introduced a bill, H.R. 2662, creating an Office of Federal Administrative Practice under a Director appointed for 10 years. The purpose of this measure is very much the same as that of my earlier legislation—to make studies and recommendations, reduce delays, protect the rights and privileges of citizens, improve

reporting, simplify records, correlate decisions, and so forth.

A related bill, H.R. 8046, which I introduced August 14, 1963, directs Federal agencies to file in the Federal Register descriptions of their organization, method of functioning, formal and informal procedures, and substantive rules and changes in these rules. It would require agency opinions, orders, and rules to be made available for public inspection.

I have discussed my past legislative efforts in some detail to provide certain background information which I think is a necessary prelude to the bill which we are considering today. S. 1664 is a bill calling for the creation of an Administrative Conference of the United States. I was pleased to introduce an identical measure in the House this session, and I have found that support for the legislation is virtually unanimous and wholly nonpartisan among lawyers, political scientists, administrators, and others representing a broad spectrum of practical experience in many fields.

Only the sort of Conference proposed in this bill can provide the overall view of administrative problems that is essential to their solution or mitigation. The separate agencies, each working alone and independently, cannot do it.

There must be a central coordinating agency that can see the entire picture, serve as a clearinghouse for information and the exchange of ideas, and study the various problems and difficulties as a unit in their relationship to each other.

The Administrative Conference proposed in this bill is precisely the central coordinating agency that is needed.

The Conference membership would consist of executive branch officials most concerned with administrative problems and citizens from private life who could contribute a broad representation of views, expert knowledge, and diverse experience.

A Presidentially appointed chairman and members of the Conference and its subunit, the council, would determine agenda, select and investigate problem areas, disseminate information, and make recommendations to the President, to Congress, to the agencies, and to the Judicial Conference of the United States.

Only a very few employees would be needed to form the permanent staff of the Conference. The Conference members from Federal agencies would draw no additional compensation, and those from private life would receive only travel expenses and per diem.

The other body approved S. 1664, last October 30. Now, with time rapidly running out on the 88th Congress, it is our obligation to act promptly on this bill.

Oversight of the executive agencies is one of the most important constitutional responsibilities of Congress. By passing S. 1664 we would be fulfilling this responsibility in a truly productive and useful way.

Mr. WILLIS. Mr. Chairman, I have no further requests for time.

Mr. McCULLOCH. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

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

Findings and declaration of policy

SEC. 2. The Congress finds and declares that—

(a) administration of regulatory and other statutes enacted by Congress in the public interest substantially affects large numbers of private individuals and many areas of business and economic activity;

(b) the protection of public and private interests requires continuing attention to the administrative procedure of Federal agencies to insure maximum efficiency and fairness in achieving statutory objectives;

(c) responsibility for assuring fair and efficient administrative procedure is inherent in the general responsibilities of officials appointed to administer Federal statutes;

(d) experience has demonstrated that cooperative effort among Federal officials, assisted by private citizens and others whose interest, competence, and objectivity enable them to make a unique contribution, can find solutions to complex problems and achieve substantial progress in improving the effectiveness of administrative procedure; and

(e) it is the purpose of this Act to provide suitable arrangements through which Federal agencies, assisted by outside experts, may cooperatively study mutual problems, exchange information, and develop recommendations for action by proper authorities to the end that private rights may be fully protected and regulatory activities and other Federal responsibilities may be carried out expeditiously in the public interest.

Definitions

SEC. 3. As used in this Act—

(a) "Administrative program" includes any Federal function which involves protection of the public interest and the determination of rights, privileges, and obligations of private persons through rulemaking, adjudication, licensing, or investigation, as those terms are used in the Administrative Procedure Act (5 U.S.C. 1001-1011).

(b) "Administrative agency" means any authority as defined by section 2(a) of the Administrative Procedure Act (5 U.S.C. 1001(a)).

(c) "Administrative procedure" means procedure used in carrying out an administrative program and shall be broadly construed to include any aspect of agency organization, procedure, or management which may affect the equitable consideration of public and private interests, the fairness of agency decisions, the speed of agency action, and the relationship of operating methods to later judicial review, but shall not be construed to include the scope of agency responsibility as established by law or matters of substantive policy committed by law to agency discretion.

Administrative—Conference of the United States

SEC. 4. (a) There is hereby established the Administrative Conference of the United States (hereinafter referred to as the "Conference").

(b) The Conference shall be composed of—

(1) a full-time Chairman, who shall be appointed for a five-year term by the President, by and with the advice and consent of the Senate. The Chairman shall receive compensation at the highest rate established by law for the chairman of an independent regulatory board or commission, and may

continue to serve until his successor has been appointed and has qualified;

(2) The chairman of each independent regulatory board or commission or a person designated by such board or commission;

(3) the head of each executive department or other administrative agency which is designated by the President, or a person designated by such head of a department or agency;

(4) when authorized by the Council, one or more appointees from any such board, commission, department, or agency, designated by the department or agency head or, in the case of a board or commission, by the head of such board or commission with the approval of the board or commission;

(5) persons appointed by the President to membership upon the Council hereinafter established who are not otherwise members of the Conference; and

(6) other members in such number as will assure full representation of the viewpoints of private citizens and the utilization of diverse experience, who shall be appointed by the Chairman, with the approval of the Council, for terms of two years. Members appointed by the Chairman shall be members of the practicing bar, scholars in the field of administrative law or government, or others specially informed by knowledge and experience with respect to Federal administrative procedure.

(c) Members of the Conference other than the Chairman shall receive no compensation for service, but members appointed from outside the Federal Government shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons serving without compensation.

Duties and powers of the Conference

SEC. 5. To carry out the purposes of this Act the Conference is authorized to—

(a) study the efficiency, adequacy, and fairness of the administrative procedure used by administrative agencies in carrying out administrative programs;

(b) make recommendations to administrative agencies, collectively or individually, and to the President, the Congress, or the Judicial Conference of the United States, as it deems appropriate;

(c) arrange for interchange among administrative agencies of information potentially useful in improving administrative procedure; and

(d) collect information and statistics from administrative agencies and publish such reports as it deems useful for evaluating and improving administrative procedure.

Organization of the Conference

SEC. 6. (a) The membership of the Conference meeting in plenary session shall constitute the Assembly of the Conference. The Assembly shall have ultimate authority over all activities of the Conference. Specifically, it shall have power to (1) adopt such recommendations as it deems appropriate for improving administrative procedure; *Provided*, That any member or members who disagree with a recommendation adopted by the Assembly shall be accorded the privilege of entering dissenting opinions and alternative proposals in the record of Conference proceedings, and the opinions and proposals so entered shall accompany the Conference recommendations in any publication or distribution thereof; and (2) adopt bylaws and regulations not inconsistent with this Act for carrying out the functions of the Conference, including the creation of such committees as it deems necessary for the conduct of studies and the development of recommendations for consideration by the Assembly.

(b) The Conference shall include a Council composed of the Chairman of the Conference, who shall be the Chairman of the Council, and ten other members appointed

by the President, for three-year terms, except that the Council members initially appointed shall serve for one, two, or three years, as designated by the President, and each member may continue to serve until a successor is appointed. The Council shall have power to (1) determine the time and place of plenary sessions of the Conference and the agenda for such meetings and it shall call at least one plenary session each year; (2) propose bylaws and regulations, including rules of procedure and committee organization, for adoption by the Assembly; (3) make recommendations to the Conference or its committees upon any subject germane to the purposes of the Conference; (4) receive and consider reports and recommendations of committees of the Conference and transmit them to members of the Conference with the views and recommendations of the Council; (5) designate a member of the Council to preside at meetings of the Council in the absence or incapacity of the Chairman and Vice Chairman; (6) designate such additional officers of the Conference as it may deem desirable; (7) approve or revise the Chairman's budgetary proposals; and (8) excise such other powers as may be delegated to it by the Assembly.

(c) The Chairman shall be the chief executive of the Conference. In that capacity he shall have power to (1) make inquiries into matters he deems important for Conference consideration, including matters proposed by persons inside or outside the Federal Government; (2) be the official spokesman for the Conference in relations with the several branches and agencies of the Federal Government and with interested organizations and individuals outside the Government, including responsibility for encouraging Federal agencies to effectuate the recommendations of the Conference; (3) request agency heads to provide information needed by the Conference, which information shall be supplied to the extent permitted by law; (4) recommend to the Council appropriate subjects for action by the Conference; (5) appoint, with the approval of the Council, members of committees authorized by the bylaws and regulations of the Conference; (6) prepare, for approval of the Council, estimates of the budgetary requirements of the Conference; (7) appoint employees, subject to the civil service and classification laws, define their duties and responsibilities, and direct and supervise their activities; (8) rent office space in the District of Columbia; (9) provide necessary services for the Assembly, the Council, and the committees of the Conference; (10) organize and direct studies ordered by the Assembly or the Council, utilizing from time to time, as appropriate, experts and consultants who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), but at rates for individuals not to exceed \$100 per diem; (11) upon request of the head of any agency, furnish assistance and advice on matters of administrative procedure; and (12) exercise such additional authority as may be delegated to him by the Council or the Assembly. The Chairman shall preside at meetings of the Council and at each plenary session of the Conference, to which he shall make a full report concerning the affairs of the Conference since the last preceding plenary session. The Chairman shall, on behalf of the Conference, transmit to the President and the Congress an annual report and such interim reports as he deems desirable; such reports shall set forth the compliance of the agencies with the recommendations of the Conference.

(d) The President may designate a member of the Council as Vice Chairman, who shall serve as Chairman in the event of a vacancy in that office or in the absence or incapacity of the Chairman.

(e) Each member of the Conference shall participate in his individual capacity and not as a representative of any governmental or nongovernmental organization. Members of the Conference who are not regular Federal officials or personnel shall be special Government employees for the purposes of sections 203, 205, 207, 208, and 209 of title 18, United States Code.

Appropriations

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary, to accomplish the purposes of this Act.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, line 10, change the period to a comma and add; except that it does not include any military, naval, or foreign affairs function of the United States.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 4, line 6, change the period to a comma and add: which shall consist of not more than 91 nor fewer than 75 members appointed as set forth in subsection (b) of this section.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 5, strike out lines 6 through 15 and insert in lieu thereof the following:

"(6) no more than 36 other members appointed by the Chairman, with the approval of the Council, for terms of two years; *Provided*, That the number of members appointed by the Chairman shall at no time be less than one-third nor more than two-fifths of the total number of members. Such members shall be selected in a manner which will provide broad representation of the views of private citizens and utilize diverse experience, and shall be members of the practicing bar, scholars in the field of administrative law or government, or others especially informed by knowledge and experience with respect to Federal administrative procedure."

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 6 strike out lines 4 through 7, and reletter subsections "(c)" and "(d)" to "(b)" and "(c)" respectively.

On page 6, line 3, after "programs" change the semicolon to a comma and insert the following: "and make recommendations to administrative agencies, collectively or individually, and to the President, the Congress, or the Judicial Conference of the United States, in connection therewith, as it deems appropriate;"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 7, line 11, after "President" insert the following: "of whom not more than one-half shall be officials or personnel of Federal regulatory agencies or executive departments. Members other than the Chairman shall be appointed."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 7, line 13, after "President" strike out ", and each member" and insert in lieu thereof: "*Provided*, That (1) the service of any member shall terminate whenever a change in his employment status would make him ineligible for Council membership under the conditions of his original appointment, and (2) except as provided in item (1), above, any member whose term has expired".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 9, line 21, after "desirable" change the semicolon to a period and strike out the remainder of the sentence, lines 21 through 23.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 10, strike out lines 3 through 9.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 10, line 12, after "necessary" insert the following: "not to exceed \$250,000."

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross: On page 4, line 9, strike the words "five-year term" and insert the words "three-year term".

Mr. GROSS. Mr. Chairman, I did not have an opportunity to do so previously, so I wish to respond briefly to the remarks of the gentleman from California [Mr. HOLIFIELD].

I agree substantially with what the gentleman said, but I should like to point out that there is no reason why the existing committees of the Congress cannot be apprised—and they are—of the difficulties which the business fraternity finds, for instance, under laws enacted by Congress and the rules and regulations issued thereunder.

I would also point out to the gentleman that we have a House Committee on Government Operations, with a number of subcommittees, upon which the taxpayers spend several hundred thousand dollars a year. That committee and its subcommittees are devoted to the very things we are talking about, and which would be of interest to this Conference.

I join with the gentleman in the desire to resolve every possible difficulty which ought to be resolved in behalf of people who are laboring under a myriad of laws and rules and regulations. I have every sympathy for them.

However, I question, in the light of what has already transpired with respect to the temporary Administrative Conferences we have had and the failure of those conferences to come up with worthwhile recommendations, whether this will be any improvement or produce any better results than in the past. I am confident that the \$250,000 will be spent.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. HOLIFIELD. I thank the gentleman for yielding.

Let me say this: It is true that the Committee on Government Operations occupies itself constantly with specific complaints which are in many instances referred to us by other Members of the Congress. We go in and investigate a specific complaint. However, this Conference is supposed to go to the roots of the problem of why do they make these situations which cause the complaint rather than trying to correct a specific complaint. I will say the myriad of problems involved is much greater than the staff of the Committee on Government Operations and its subcommittees can handle. I do not think the gentleman really understands the tremendous amount of cases which come before hearing examiners under the Administrative Procedure Act. It is somewhat beyond belief.

Mr. GROSS. Of course, the Government Operations Committee has to get at the root cause of the complaints that come in.

Mr. HOLIFIELD. Of a specific complaint, yes. However, we do not have a chance to look at the whole body of administrative law and just do not have the time or the staff to do it.

Mr. GROSS. Mr. Chairman, I must say a word or two about the amendment I have offered. I hope the committee will accept the amendment. It would reduce the term of the Chairman to 3 years. Of course, he is still appointed by and with the advice and consent of the Senate. I only change the tenure of office. Why not appoint the Chairman for 3 years and come back at the end of that time and take another look at this proposition? Let us review it and see whether we are getting anything for the money we are expending. Let us see what we are getting for the \$250,000 a year. If it is worthwhile, I will be glad to support it, as I am sure every other Member of Congress will. The Lord knows I want to cut the inefficiencies in Government and I want to see the people who are in business and who are laboring under the laws, the procedures, and the regulations that are issued thereunder are able to cope with them. If this commission will do the job, then I am for it. Certainly, if it can save any money, it will be well worth it. But let us do this for 3 years and then come back and have another look at what has developed thereunder.

Mr. Chairman, I yield back the balance of my time.

Mr. WILLIS. Mr. Chairman, I rise in opposition to the amendment.

Let me say that I fully recognize the objective of the gentleman from Iowa and would normally perhaps agree with him. In the first place, I do not see much greater virtue between a term of 3 years, as he proposes, as against 5 years which the subcommittee and the full committee unanimously thought was wise.

There is another reason for that; that is, making the term 5 years instead of 3 years. I think it should convince my friend when he thinks about it.

Under the terms of the bill the term of office of the members of the Conference, which is to be composed of not less than 75 members, is 2 years. The term of office of the Council composed of 10 members, 5 from Government and 5 from non-Government, and a Chairman thereof, is 3 years. The term of office of the Chairman of the Conference is 5 years.

Now, why 5? You have to have continuity or else you will have a whole new body reelected with no continuity or with anyone remaining there to advise the newcomers as to what has been going on and so forth. That was the idea for the difference in these terms. I understand that may not satisfy the gentleman, but the 5-year term was not put there arbitrarily. It was with the idea of continuity and, as I say, I see no greater virtue in 3 over 5 to begin with.

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

Mr. WILLIS. Yes, sir; I am glad to yield.

Mr. GROSS. We had in the Government, advising President Kennedy on administrative procedures, a gentleman—I shall not mention his name, he is now dead—who, had there been a permanent organization such as you are proposing to create here today, I would not have been surprised would have been designated the permanent chairman. Yet this gentleman who was advising the President on administrative procedure at that time did not find it convenient to pay his Federal income taxes.

I cannot think of any good reason why the proposed Chairman should have a 5-year tenure in a new and untried field. Let us give him 3 years and see how he performs.

Mr. WILLIS. I will say to the gentleman that the man who has been heading this Conference under Executive order, first under President Eisenhower and then under former President Kennedy, was Judge Prettyman.

Mr. GROSS. I understand; and I made no allusion to Judge Prettyman.

Mr. WILLIS. I know that: I caught that. The gentleman to whom he was referring was not Judge Prettyman.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I certainly appreciate the concern of the gentleman from Iowa about continued conferences and permanent organizations in the Government. I would agree, as has been said here, that there are probably many that we could curtail and we should consider most carefully the question of the establishment of others. But this is one which I think has been so well justified here, we

can say it is needed. As I have said innumerable times the large and powerful regulatory agencies of this Government have the economy of our country in the palm of their hand. If you do not think they do not control activities in the field of economics through the regulatory procedures of this country, you should survey the authority they have. Here we are trying to do something about it. We are trying to do something about inefficiency, and have been doing it over the years—inefficiency in the administrative agencies of this Government. We are trying to do something about the delays that we have discovered.

As has been stated here this afternoon there are cases that have been pending for years and years; someone mentioned 16 years. I can tell you of cases that have been before the agency for years. That is because of inefficiencies. And we found in the investigation that we carried on for 4 years that the thing which brought about inefficiencies and delays were often ex parte contacts in the Government. We discovered that so many things resulted from ex parte contacts which should not have been permitted, because there was no way for the people on the outside, as has been mentioned, to talk to members of the regulatory agencies that have quasi-judicial responsibilities in these fields and who should have been talked to about procedure in many instances.

This provides a method, a procedure for those in the agencies, the Chairmen of the various regulatory agencies of the Government or some one designated by them, those on the outside—perhaps a member of the Federal bar or a member of the American bar, or organizations or individuals on the outside who could become a member of this group, and have their meetings constantly in the Conference.

There they can discuss these matters of administrative procedures without being charged with ex parte proceedings with the regulatory commissioners who are serving in these responsible positions.

Mr. Chairman, if there is any one man who ought to know what he is doing, it is the chairman of this Conference. Every member of the independent regulatory agencies who is going to serve on this has an appointment for 5 to 7 years, everyone of them.

Now, Mr. Chairman, if that is the case, why should not the man who is going to have charge and whose responsibility it is to direct the discussion at these conferences of regulatory procedures not have the same kind of tenure of office in order that these matters may be developed with the people who are going to consider the recommendations made? I believe that is one way we can get at inefficiency and ex parte contacts, which we cannot permit, as well as the long delays that exist in these agencies in attending to the business of the people who have business before them.

Mr. Chairman, for that reason I believe the 5-year tenure of office should be the minimum.

I strongly support the action of this committee which gave such careful consideration to this legislation.

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

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. This several years old case about which the gentleman speaks, insofar as this new Administrative Conference is concerned, could stay right in that department or agency for another 18 years. They could not force it out. All they can do is recommend to Congress that someone in Congress or someone dig it out. That is all they can do. If they cannot find an official of the department or agency to do it, they would have to come to Congress, where they now come.

Mr. HARRIS. The major responsibility is reviewing the procedures of these regulatory agencies. That is the purpose of it.

Mr. GROSS. All they do is make recommendations.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 22, noes 51.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ELLIOTT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1664) to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes, pursuant to House Resolution 824, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on an amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

The bill was passed.

A motion to reconsider was laid on the table.

CONSTRUCTION OF HYDROELECTRIC PROJECTS ON THE COLORADO RIVER BELOW GLEN CANYON DAM

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 502) to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam, to strike out all after the enacting clause, and insert the bill, H.R. 9752, which passed the House earlier today.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause of the bill, S. 502, and insert the provisions of the bill, H.R. 9752, as passed by the House.

The amendment was agreed to.

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

A similar House bill (H.R. 9752) was laid on the table.

A motion to reconsider was laid on the table.

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL OF LAOS

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 823 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1627) to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos as provided in article 18 of the protocol to the declaration on the neutrality of Laos. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ELLIOTT. Mr. Speaker, I yield myself such time as I may require, after which I shall yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. Speaker, House Resolution 823 makes in order the consideration of S. 1627, which is a bill to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos as provided in article 18 of the protocol to the declaration on the neutrality of Laos. The resolution provides an open rule with 1 hour of general debate.

S. 1627 authorizes the appropriation of such sums as may be necessary from time to time for the payment by the United States of its share of the costs of the operations of the International Commission for Supervision and Control in Laos (ICC) as provided in article 18 of the protocol to the declaration on the neutrality of Laos dated July 23, 1962. Under the terms of the protocol the U.S. share of the ICC costs is 17.6 percent. The budget of the ICC has not finally been agreed upon for the current fiscal year. The estimated figure is \$3,780,000

of which 17.6 percent would be about \$655,000.

Mr. Speaker, I urge the adoption of House Resolution 823.

Mr. ANDERSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 823 makes in order consideration of S. 1627 which would authorize the appropriation of such sums as may be necessary for payment by the United States of its share of the costs of the operations of the International Commission for Supervision and Control in Laos. It is estimated that this involves an authorization of approximately \$655,000 or 17.6 percent of the sum which will be required to operate this Commission during the ensuing year. This bill has previously passed the other body and has been reported unanimously out of the House Committee on Foreign Affairs.

Mr. Speaker, our obligation to pay this amount for the operations of the ICC rests on the protocol to the Declaration on the Neutrality of Laos dated July 23, 1962. The United States was 1 of the 14 signatories to that agreement whereby among other things we undertook to share the costs of operations of the ICC.

Mr. Speaker, I have always maintained and continue to maintain that our Government committed an egregious foreign policy blunder when it entered into the Geneva Agreement. This abortive attempt to neutralize Laos by providing for a coalition government which included the Communist Pathet Lao has been a signal failure. Laos is and continues to be a staging area for North Vietnamese assaults on the Republic of South Vietnam. The unhappy experiences under the Geneva Agreement of 1962 should end for all time the illusion that still seems to exist in the minds of our State Department that it is possible to neutralize a country by including Communists as a part of the government of that country.

Mr. Speaker, the fact remains that we have made a commitment which is cognizable under international law to discharge a portion of the obligations incurred in the operation of the International Control Commission. This country has historically and traditionally stood by its agreements and has not followed the example of those nations who have consistently defaulted on their financial commitments. Our vote on this measure today must be judged in the light of the action that is scheduled to take place in the General Assembly of the United Nations when that body reconvenes some time in November.

Mr. Speaker, I have long been among those who believe that if the Soviet Union, or for that matter, any other country, persists in defaulting on its obligations to the United Nations that they should be barred from a vote in the General Assembly pursuant to the terms of article 19 of the charter. The Soviet Union and certain other nations who are now in default do have legal commitments cognizable under international law to meet a certain fixed share of the expenses of the United Nations. The failure to pay their assessed obligations should and must be dealt with firmly in

the coming months. Therefore, Mr. Speaker, I believe that the United States in this instance and in this hour must before the world display its willingness to discharge the legal commitment which it made under the Geneva Agreement of 1962. I think that by so doing we will be in a much stronger position to urge upon the other members of the General Assembly of the United Nations that they invoke the provisions of article 19 against the U.S.S.R. if she persists in her default.

Mr. Speaker, at the same time I do want to make it abundantly clear that I do not and cannot condone the Geneva Agreement of July 23, 1962. Furthermore, I would make it completely clear that I do not agree with our policy of vacillation and irresolution with respect to Laos and southeast Asia generally. I hope that never again will this Government make the kind of mistake that it made in concluding the agreement referred to.

Mr. ELLIOTT. Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The resolution was agreed to.

Mr. ZABLOCKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1627) to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos as provided in article 18 of the protocol to the declaration on the neutrality of Laos.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1627, with Mr. ELLIOTT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Wisconsin [Mr. ZABLOCKI] will be recognized for 30 minutes and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, only last week Congress passed the southeast Asia resolution supporting and approving the actions of the President in resisting Communist military aggression in southeast Asia.

On June 2 the President summarized four simple propositions that are our policy in southeast Asia when he stated:

1. America keeps her word. Here as elsewhere, we must and shall honor our commitments.

2. The issue is the future of southeast Asia as a whole. A threat to any nation in that region is a threat to all, and a threat to us.

3. Our purpose is peace. We have no military, political, or territorial ambitions in the area.

4. This is not just a jungle war, but a struggle for freedom on every front of human activity.

Some may ask what is the connection between that joint resolution and the content of this bill.

I think these four points are the connection.

Some may ask why is this bill necessary? That is a reasonable and proper question that I shall try to answer.

It should be remembered that the resolution of last week did not rule out the desire of our Government to pursue every honorable method to bring peace to southeast Asia. This bill is a logical complement to that resolution and is evidence of the intent of the United States to use such machinery as is available to end the strife in wartorn Laos.

Let me briefly outline the events that have made this bill necessary. When Laos gained its independence in 1954, there was created an International Commission for Supervision and Control in Laos, popularly referred to as the ICC. It consisted of three Commissioners—an Indian, a Canadian, and a Pole—representing a neutral power, a pro-Western power, and a Communist power. Their responsibility was to assure that foreign intervention in Laos was brought to an end. By 1958 Laos felt confident that it could maintain itself and the work of the ICC ended.

By 1961, the Communists had stepped up their activities in that country. To meet that threat, the ICC was reestablished. A conference of 14 interested powers was convened in Geneva to deal with the Laotian situation. The United States was one of the participants. Out of the Geneva Conference came a declaration on the neutrality of Laos and a protocol to that declaration.

The declaration called for the neutrality of Laos and the withdrawal of foreign troops from that country. The protocol, among other matters, gave to the International Control Commission the responsibility to make certain that the provisions of the Geneva Conference were carried out. Specifically, the ICC was given these responsibilities:

First. To supervise and control the withdrawal of foreign military personnel from Laos;

Second. To supervise and control the cease-fire in Laos;

Third. To investigate cases of illegal introduction of foreign military personnel into Laos;

Fourth. To assist the Government of Laos in cases of illegal introduction of armaments into Laos; and

Fifth. To investigate other possible violations of the provisions of the protocol and agreement.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am glad to yield to the gentleman from Ohio.

Mr. FEIGHAN. During the time of the International Control Commission in Korea, according to my understanding, the Commission was not permitted to go to North Korea. I wonder if there is a provision which makes it mandatory so that this Commission would have authority which it could exercise?

Mr. ZABLOCKI. To the gentleman from Ohio, I wish to say that I intend

to deal with the problems facing the International Control Commission. Of course, the gentleman realizes that the United Nations Commission in Korea was an entirely different body from the International Control Commission we are discussing this afternoon.

I will deal with the difficulties which the International Control Commission has had, and it has had difficulties. The Communists prevented the International Control Commission from going into the northern provinces of Laos, which is self-incriminating and evidence that the Communists are not carrying out the agreements embodied in the Geneva accord.

It is common knowledge that the Commission has not been able to discharge all of its responsibilities in Laos. The Commission had not been able to exercise its powers in the northern provinces.

This is not because of any lack of desire on the Commission's part but is due entirely to the failure of the Communist elements to enable it to do so. On the other hand, the ICC has carried out investigations on numerous occasions, often under most difficult circumstances. On 31 occasions the ICC has made reports. Acting under majority rule, the Indian and Canadian members have conducted numerous investigations of violations of the Geneva agreement and reported these to the British and Soviet co-chairmen of the Geneva meeting. It has facilitated meetings between the competing factions of the Laotian Government. Through special arrangements it has been able to insure security at meetings of rival and hostile elements and has played a helpful role in support of the Lao Government against attempts to overthrow that Government. No one of these accomplishments in itself may seem important. But taken together they do indicate that the precarious stability within the Lao Government is largely the result of the Commission's efforts.

Let me refer to the financial side of the Commission. That is the matter of most immediate consideration so far as this bill is concerned. For the period during which the Geneva Conference was meeting and the Commission was reactivated—that is, from May 1961 to July 1962—the five principal powers—the United States, Britain, France, the Soviet Union, and Communist China—each agreed to contribute \$450,000.

The Geneva agreement of July 1962, included a method of annual assessments. Each of the five principal powers agreed to pay 17.6 percent of the Commission's costs. That accounts for 88 percent of the budget. The three Commission powers—India, Canada, and Poland—are to pay 1 percent each. And the six small powers are to pay 1.5 percent each.

The authorization for an appropriation contained in this bill will enable the United States to pay its assessed share. During each of the last 2 years the ICC budget has been about \$3.8 million of which the United States share has been about \$680,000.

The question was asked before the Rules Committee as to for what the money is used. The money is used to support the operations of the Commission. Details of the budget may be found in the hearings on this bill on pages 8 to 14.

I have just this morning received the budget for fiscal year 1964. If the gentleman or any other members of the committee desire to see it, I will be delighted to show it to them. It is unfortunate we do not have additional copies for general distribution.

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. ZABLOCKI. Mr. Chairman, I yield myself 4 additional minutes.

We must remember that there are problems for the ICC other than those created by the obstinacy of the Communists. Laos is a country of mountains and jungles about the size of Great Britain. Communication between points is either poor or nonexistent. Contact with field investigating teams is maintained by radio. Personnel must be moved by helicopter or light aircraft when jeeps cannot get over the terrain. All the equipment must be serviced in Laos. That is one of the principal purposes for which the money is used.

The next question one may ask is how much has the United States paid to date. As I indicated, for the period from May 1961 to July 1962, the five principal powers each agreed to contribute \$450,000. The United States has paid that sum. For fiscal 1963 the U.S. share under the formula of the Geneva agreement was \$665,280. The United States has also paid that. But the Department of State lacks authority to make any further payments without congressional authorization. That is why this bill is before the Congress. Hence our Government has not paid its assessment of \$683,000 for the last year, fiscal year 1964.

What about the payments by the other principal powers? Only Communist China owes more than the United States. The United Kingdom, France, and the Soviet Union have paid all that they owe for fiscal year 1963 and have made substantial payments for fiscal year 1964.

If there are these defaults, it may be asked how has the Commission been able to operate. The Commission is operational because the three supervisory powers—India, Canada, and Poland—have advanced about \$1.5 million above their own assessments to cover travel and personnel costs. Further, the Commission is simply not paying some of their bills. For example, it owes the United States \$379,000 for the cost of helicopters. This amount will be deducted from the U.S. payments when we make our future payments.

Although this bill carries permanent authorization, I should like to point out that the parties to the Geneva accord agreed to make recommendations regarding its continuation not later than 1965. Thus, next year the 14 powers will make a determination on the future of the Commission.

Mr. Chairman, I was the chairman of a special study mission that visited Laos

last fall. Our group had an opportunity to meet with the Indian and the Canadian Commissioners and had a firsthand report of their work and the difficulties under which they operate. I can assure the Members that they are not living a life of luxury and ease in Laos. They are trying to do their very best under most difficult and trying circumstances.

In urging the passage of this bill I am making my case on the simple ground that the United States entered into an agreement to maintain some peacekeeping mechanism alive in Laos. I want to make plain that our payment is not the difference between success and failure in Laos. If we were to write off the Commission, we would be committing a tremendous political and psychological blunder. Our continued support of the Commission is only one bit of tangible evidence that we intend to exert our efforts to maintain peace in that part of the world. I urge the passage of S. 1627.

Mr. BROOMFIELD. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, last fall I was one of eight members of the Committee on Foreign Affairs who made a trip to southeast Asia to study at first hand the nature of our programs and policies in that area. We included Laos in our itinerary because we were aware of its importance as one of the probing points of Communist expansion.

Since its independence in 1954, the landlocked Kingdom of Laos has been seeking to achieve some degree of unity and national identification. It is a fascinating country of mountains and jungles inhabited by about 2½ million people who are divided by ethnic and linguistic differences. Loosely organized factions centering around personalities rather than issues give the country a veneer of political organization. Its problems of survival have been complicated by the presence and pressure of Communist elements that draw their principal support from North Vietnam.

The 1962 Geneva agreements to which the gentleman from Wisconsin [Mr. ZABLOCKI] has referred were designed to enable this small nation to preserve its neutral status and thereby survive as a sovereign, independent, non-Communist state and a buffer between Communist China and North Vietnam and the free nations of Thailand, Cambodia, and the Republic of Vietnam.

The United States has taken every occasion to make abundantly clear its support of the Geneva agreements. In accordance with those agreements the United States withdrew its military advisory group. The same cannot be said of the Communists who have not only remained in the country but have been actively engaged in seizing more territory.

The three-member International Control Commission created to supervise the arrangements made at Geneva for the neutrality of Laos plays an important role in the current situation in Laos. Despite obstructionism by the Polish member who has always sided with the Communist Pathet Lao, the Commission

under its Indian chairman has taken significant steps to preserve the 1962 agreements and to help stabilize the political-military situation. The Polish member, acting in conjunction with the Pathet Lao representatives, has so far thwarted all efforts of the Commission to institute an investigation into the presence of North Vietnamese troops in Laos.

I think that all eight of us who visited Laos last fall and met with the Indian and Canadian members of the Commission were tremendously impressed by the enormity of their task and their determination to discharge their responsibilities to the best of their ability. The fact that they have not always been successful is no reflection on them. Rather it underscores the Communist determination to prevent the execution of the Geneva agreements to which the Communists subscribed. In my opinion there is a lesson in foreign policy for us in the attitude of the Communists. Simply stated it is that we need not go to the conference table for more negotiations and agreements. Let the Communists abide by the agreements they have already entered into.

I would like to amplify one further point made by my colleague from Wisconsin. That is on the matter of financing the Commission. During the 14 months when the Geneva conference was meeting, the \$450,000 that constituted our contribution toward the expenses of the Commission was funded under the section of the Foreign Assistance Act dealing with voluntary contributions to international organizations. Once the Geneva agreements were signed, the United States assumed an annual assessment of 17.6 percent of the cost of the Commission. It was possible to appropriate funds for our fiscal year 1963 share under the authority given the Department of State which permits our payment of assessments in international bodies such as the ICC for 1 year without congressional approval. Beyond the 1 year period congressional authorization is necessary for continued financial support. That is why this bill is before the Congress.

For the preaccord period from May 1961 to July 1962, we have contributed our share of \$450,000. For fiscal year 1963 we have paid \$665,280—our assessed share for that year. Thus our total payments have amounted to \$1,115,280. We have not paid \$683,000 that we owe for the last fiscal year; nor is there authority to pay our share for the current fiscal year which will be about the same amount as last year.

Briefly, for the 3 fiscal years 1962 through 1964, Communist China owes \$1,099,056; the United States owes \$683,000; the Soviet Union, \$411,400; France, \$330,228; and the United Kingdom, \$311,695. The latter three countries—the United Kingdom, France, and the Soviet Union—have made partial payments on their 1964 assessment.

Mr. Chairman, there are few alternative courses of action open to us in Laos that will permit us to carry out our policy objectives. The support of the International Control Commission is perhaps the

most important one available to us. Like my colleagues who have given this matter some study, I can offer no assurance that the Commission will succeed. But I am certain that its failure will only multiply our problems in that country and in that area. I urge the passage of S. 1627.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BRUCE].

Mr. BRUCE. Mr. Chairman, I have asked for this time solely for the purpose of trying to bring my own thinking into line and into mind as to what exactly we are dealing with in Laos.

Mr. Chairman, I am sure we are all aware that we are dealing here with matters of security and that some of the information is under the security label. I do want to ask some questions of the distinguished chairman of this subcommittee, the gentleman from Wisconsin [Mr. ZABLOCKI], and I will understand if at any time I am getting into a sensitive area he waves me off, and I know the gentleman will.

But, Mr. Chairman, in view of the situation those of us who are interested in foreign affairs to a certain degree must find our own source of information. It is paramount upon us to check where we can as to the validity of information that we receive.

Is it a correct assessment that the purpose of our support of the ICC is to stop Communist aggression in Laos?

Mr. ZABLOCKI. Mr. Chairman, if the gentleman will yield, the gentleman is correct. That is our purpose.

Mr. BRUCE. Is the statement that was made earlier, that the Polish members of the Commission have blocked any real inspection of the Communist Pathet Lao-controlled areas of Laos, correct?

Mr. ZABLOCKI. The ICC in Laos operates under a majority rule. Therefore, if the Polish member did not cooperate or should try to put stumbling blocks before the ICC, the two remaining members, India and Canada, can operate as a majority. These two members have undertaken investigations.

As I said in my opening statement the problem is not in the ICC. It is the Communists who have tried to prevent the ICC from investigating the situation with reference to the Plaine des Jarres.

We have a report as recently as June 1964. If the gentleman will come to the table, I shall be happy to show him the report. It does indicate that the situation with reference to the Plaine des Jarres plainly lies with the fault of the Communists.

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

Mr. BRUCE. I yield to the gentleman from Iowa.

Mr. GROSS. That is splitting a hair right down the middle to say that the Communists might do it, but the Poles do not.

Mr. ZABLOCKI. Even in this case, the committee was able to investigate and has made a report as recently as June 1964.

Mr. BRUCE. Has the Commission itself actually had full access to the free areas of Laos?

Mr. ZABLOCKI. No.

Mr. BRUCE. Who is blocking that?

Mr. ZABLOCKI. The Communists.

Mr. BRUCE. Have the Polish members of the ICC cooperated with the Canadians and the Indians, or both, or did they engage in harassment and the blocking of it?

Mr. ZABLOCKI. They are not cooperative.

Mr. BRUCE. The Communist members of the Commission are appointed by the Polish Government?

Mr. ZABLOCKI. Yes.

Mr. BRUCE. The Polish Government is Communist, so they would appoint Communist members as their representatives?

Mr. ZABLOCKI. Yes.

Mr. BRUCE. Do the Polish members have full and free access in the non-Communist area?

Mr. ZABLOCKI. Yes. We have nothing to hide. There is no aggression on the part of the freedom-loving people over there.

Mr. BRUCE. It would be within the purview of the intelligence of the Polish members of the Commission to know the troop location, the supplies location, by their free access as a member of the Commission?

Mr. ZABLOCKI. They would know how many troops there are. I refer to the troops of the Kingdom of Laos.

Mr. BRUCE. Is the Commission the one that takes credit for the Royal Government of Laos merging the Pathet Lao into their Armed Forces?

Mr. ZABLOCKI. That was worked out under the Geneva agreement.

Mr. BRUCE. It was not the ICC that was charged with carrying this out? As I read the report that is the impression I get.

Mr. ZABLOCKI. That is true.

Mr. BRUCE. When the Commission finds a violation of the agreement somewhere in Laos to whom do they report?

Mr. ZABLOCKI. They report to the cochairman.

Mr. BRUCE. Who are the cochairmen.

Mr. ZABLOCKI. The British and the Soviet Union.

Mr. BRUCE. I thank the gentleman very much for his cooperation in answering these questions.

Mr. ZABLOCKI. There is one other observation I would like to make: If we did not have the ICC we would not have that report.

Mr. BRUCE. May I pursue that for a moment? Has the situation, since the letter of Secretary Rusk, dated May 20, changed in Plaine des Jarres? Has it changed any?

Mr. ZABLOCKI. Yes. It is our position that there will be no reconvening of the 14 powers until there is a ceasefire and the Communists withdraw from areas in the Plaine des Jarres that they have seized.

Mr. BRUCE. Is this not a rather accurate description of the situation in Laos right now: In effect, under Communist control, there is a funnel for supplying troops in Vietnam under sanctuary of the Communist controlled area in Laos?

Mr. ZABLOCKI. There has been a movement of Communist equipment and personnel through the northern part of Laos into Vietnam. But I point out if we did not have the ICC there would be even greater movements of troops and military equipment. The ICC in Laos has acted as a deterrent to further Communist activities. Let me make clear at this point that a vote for the bill is not giving aid and comfort to the Communists.

Mr. BRUCE. I thank the chairman very much. It may be that the obligation we have calls upon us to approve the appropriation of these funds. But I raise the grave question of policy, of determining what goal we are leading to. We have time and time again seen the fallacy of trying to form coalitions with Communists. The Poles named to this Commission by the Communist-Polish Government would not be anything except agents of the world Communist conspiracy. I would not talk about separate Communist entities in Vietnam, or South America, or any other place in any meaningful terms. It is part of the same overall conspiracy using different tactics where necessary. To believe that the Poles and the Soviets are not working hand in glove with the Communist leaders elsewhere is the height of naivete. It would seem to me after all the experience we have had that sooner or later we would come to the conclusion we might try to reach a goal that would mean victory in the cold war.

I do not believe we are going to achieve victory by putting our reliance on commissions that include Communists. I do not believe we can take any real steps toward victory by forcing a coalition on a people such as we did in Laos. We should have learned this thing clearly. Literally, we coerce them into taking the Pathet Lao only to have them betray the trust, as was easily predictable. I suggest that the time is long overdue when the United States must recognize that you do not put your trust in Communists. This is what we are doing.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. BRUCE. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. The gentleman has come to an entirely wrong conclusion. We are opposing Communist aggression.

Mr. BRUCE. They are part of the International Control Commission.

Mr. ZABLOCKI. Yes, but in 1961 the situation was deteriorating.

Mr. BRUCE. How did it deteriorate so badly? How did they get into that situation? Why did the royal government get into the position where they took the Communists into the government in a coalition?

Mr. ZABLOCKI. We wanted to deal effectively with the Communists, but the gentleman would not want the Communists to have a free hand in Laos.

Mr. BRUCE. I would say to the gentleman the Communists got exactly the free hand they wanted.

Mr. ZABLOCKI. The gentleman would say they have a free hand?

Mr. BRUCE. I would say they have exactly a free hand. They have the fa-

cilities of a funnel for Vietnamese troops, and to get supplies into Vietnam. This is their technique. We are talking at the conference table with them, and they are accomplishing their goal.

Mr. ZABLOCKI. Mr. Chairman, I have no further requests for time on this side.

Mr. BROOMFIELD. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the Department of State such sums as may be necessary from time to time for the payment by the United States of its share of the costs of the operations of the International Commission for Supervision and Control in Laos as provided in article 18 of the protocol to the declaration on the neutrality of Laos dated July 23, 1962.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ELLIOTT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1627) to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos as provided in article 18 of the protocol to the declaration on the neutrality of Laos pursuant to House Resolution 823, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 268, nays 89, not voting 74, as follows:

[Roll No. 220]

YEAS—268

Abernethy	Beckworth	Cahill
Adair	Bennett, Fla.	Cameron
Addabbo	Blatnik	Carey
Albert	Boggs	Casey
Anderson	Boland	Cederberg
Andrews, Ala.	Bonner	Celler
Andrews,	Brademas	Chelf
N. Dak.	Bromwell	Clark
Arends	Brooks	Cleveland
Ashley	Broomfield	Colmer
Ashmore	Brotzman	Conte
Aspinall	Brown, Calif.	Cooley
Avery	Brown, Ohio	Corbett
Ayres	Broyhill, Va.	Corman
Baker	Burke	Cunningham
Barrett	Burkhalter	Curtin
Barry	Burleson	Curtis
Bates	Burton, Calif.	Daddario
Battin	Byrne, Pa.	Daniels

Davis, Ga.	Karh	Riehlman
Dawson	Kastenmeier	Rivers, Alaska
Delaney	Kelly	Rivers, S.C.
Denton	Keogh	Robison
Derwinski	Kilgore	Rodino
Donohue	King, Calif.	Rogers, Colo.
Duncan	Kluczynski	Rogers, Fla.
Dwyer	Kornegay	Rogers, Tex.
Edmondson	Kunkel	Rooney, N.Y.
Edwards	Kyl	Rooney, Pa.
Elliott	Laird	Roosevelt
Ellsworth	Libonati	Rosenthal
Everett	Long, La.	Rostenkowski
Evins	Long, Md.	Roush
Farbstein	McClory	Roybal
Farrell	McDade	Rumsfeld
Findley	McDowell	Ryan, N.Y.
Fino	McFall	St. Onge
Fisher	Macdonald	Schneebell
Flood	Madden	Schweiker
Fogarty	Mahon	Schwengel
Fountain	Marsh	Secret
Fraser	Martin, Mass.	Selden
Frelinghuysen	Matsunaga	Senner
Friedel	Matthews	Shriver
Fulton, Pa.	Miller, Calif.	Sibal
Fulton, Tenn.	Milliken	Sickles
Fuqua	Mills	Sikes
Gallagher	Minish	Skubitz
Gary	Monagan	Slack
Gathings	Montoya	Smith, Iowa
Gialmo	Moorhead	Springer
Gibbons	Morgan	Stafford
Gilbert	Morris	Steed
Gonzalez	Morrison	Stephens
Grabowski	Morse	Stratton
Grant	Mosher	Stubbienfeld
Gray	Moss	Sullivan
Green, Oreg.	Multer	Taft
Green, Pa.	Murphy, Ill.	Taylor
Griffin	Murphy, N.Y.	Teague, Calif.
Griffiths	Murray	Teague, Tex.
Hagen, Calif.	Natcher	Thomas
Halleck	Norblad	Thompson, N.J.
Halpern	O'Brien, N.Y.	Thompson, Tex.
Hanna	O'Hara, Ill.	Thomson, Wis.
Hansen	O'Hara, Mich.	Tollefson
Harding	Olsen, Mont.	Trimble
Hardy	O'Neill	Tucker
Harris	Osmers	Tupper
Hawkins	Ostertag	Tuten
Hays	Patman	Udall
Healey	Patten	Ullman
Hechler	Pelly	Van Deerlin
Henderson	Pepper	Vanik
Herlong	Perkins	Watson
Hollifield	Philbin	Watts
Horan	Pickle	Weaver
Horton	Pike	Weltner
Hosmer	Pillion	Whalley
Huddleston	Pirnie	White
Hull	Poage	Whitener
Ichord	Price	Whitten
Jarman	Pucinski	Wickersham
Jennings	Purcell	Widnall
Joelson	Quie	Wilson
Johnson, Calif.	Randall	Charles H.
Johnson, Pa.	Reid, N.Y.	Wright
Jones, Mo.	Reifel	Wydlar
Karsten	Reuss	Young
	Rhodes, Pa.	Zablocki

NAYS—89

Abbutt	Glenn	Moore
Abele	Goodell	Morton
Ashbrook	Goodling	Nelsen
Baldwin	Gross	O'Konski
Becker	Grover	Poff
Beermann	Gubser	Pool
Belcher	Gurney	Quillen
Bell	Hall	Reid, Ill.
Berry	Harrison	Rhodes, Ariz.
Betts	Harsha	Rich
Bolton,	Harvey, Ind.	Roudebush
Oliver P.	Hoeven	St. George
Bow	Hutchinson	Saylor
Bray	Jensen	Schadeberg
Broyhill, N.C.	Johansen	Schenck
Bruce	Keith	Short
Byrnes, Wis.	Kilburn	Siler
Chamberlain	King, N.Y.	Smith, Calif.
Clancy	Knox	Snyder
Clausen,	Langen	Stinson
Don H.	Latta	Talcott
Clawson, Del	Lennon	Utt
Cramer	Lipscomb	Van Pelt
Dague	McCulloch	Waggoner
Derounian	McIntire	Williams
Devine	McLoskey	Wilson, Bob
Doie	MacGregor	Wilson, Ind.
Dorn	Martin, Nebr.	Wyman
Dowdy	May	Younger
Dulski	Michel	
Ford	Minshall	

NOT VOTING—74

Alger	Gill	Olson, Minn.
Auchincloss	Hagan, Ga.	Passman
Baring	Haley	Pilcher
Bass	Harvey, Mich.	Powell
Bolling	Hébert	Rains
Bolton,	Hoffman	Roberts, Ala.
Frances P.	Holland	Roberts, Tex.
Brock	Johnson, Wis.	Ryan, Mich.
Buckley	Jones, Ala.	St Germain
Burton, Utah	Kee	Scott
Chenoweth	Kirwan	Sheppard
Cohelan	Landrum	Shipley
Collier	Lankford	Sisk
Davis, Tenn.	Leggett	Smith, Va.
Dent	Lesinski	Staebler
Diggs	Lindsay	Staggers
Dingell	Lloyd	Thompson, La.
Downing	McMillan	Toll
Fallon	Mailliard	Vinson
Feighan	Martin, Calif.	Wallhauser
Finnegan	Mathias	Westland
Flynt	Meader	Wharton
Foreman	Miller, N.Y.	Willis
Forrester	Nedzi	Winstead
Garmatz	Nix	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Mailliard for, with Mr. Burton of Utah against.

Mr. Mathias for, with Mr. Martin of California against.

Mr. Kirwan for, with Mr. Hoffman against.

Mr. Lindsay for, with Mr. Alger against.

Mr. Wallhauser for, with Mr. Foreman against.

Mr. Garmatz for, with Mr. Auchincloss against.

Mr. Fallon for, with Mr. Meader against.

Mr. Hébert for, with Mr. Westland against.

Mr. Cohelan for, with Mr. Collier against.

Mr. Nix for, with Mr. Chenoweth against.

Mr. Thompson of Louisiana for, with Mr. Brock against.

Mr. Baring for, with Mr. Wharton against.

Mr. St Germain for, with Mr. Harvey of Michigan against.

Mr. Winstead for, with Mr. Buckley against.

Mr. Jones of Alabama for, with Mr. Finnegan against.

Mr. Feighan for, with Mr. Ryan of Michigan against.

Mr. Sisk for, with Mr. Holland against.

Mr. Dent for, with Mr. Diggs against.

Mr. Dingell for, with Mr. Lankford against.

Mr. Nedzi for, with Mrs. Kee against.

Mr. Lesinski for, with Mr. Passman against.

Mr. Shipley for, with Mr. Powell against.

Mr. Roberts of Alabama for, with Mr. Sheppard against.

Mr. Downing for, with Mr. Davis of Tennessee against.

Mr. Forrester for, with Mr. Haley against.

Mr. Gill for, with Mr. Pilcher against.

Mr. Rains for, with Mr. McMillan against.

Mr. Johnson of Wisconsin for, with Mr. Leggett against.

Mr. Landrum for, with Mr. Staebler against.

Mr. Roberts of Texas for, with Mr. Scott against.

Mr. Toll for, with Mr. Staggers against.

Mr. Willis for, with Mr. Smith of Virginia against.

Mr. Olson of Minnesota for, with Mr. Vinson against.

Mr. Flynt for, with Mr. Bass against.

Messrs. SHORT, SCHADEBERG, BOB WILSON, and CHAMBERLAIN changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.
A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

SALT RIVER PIMA-MARICOPA INDIAN RESERVATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 8334) to transfer to the Salt River Pima-Maricopa Indian community certain lands within the Salt River Pima-Maricopa Indian Reservation, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That all the right, title, and interest of the United States in and to the following-described lands within the Salt River Pima-Maricopa Indian Reservation, Arizona, consisting of approximately 27,362.5 acres, purchased for school purposes from Indian moneys proceeds of labor funds and now excess to the needs of the Bureau of Indian Affairs, are hereby declared to be held by the United States in trust for the Salt River Pima-Maricopa Indian Community:

"South half north half south half northeast quarter southwest quarter southeast quarter,

"South half south half northeast quarter southwest quarter southeast quarter,

"North half northwest quarter southwest quarter southeast quarter,

"North half north half south half northwest quarter southwest quarter southeast quarter,

"West half east half southeast quarter southwest quarter,

"West half east half east half southeast quarter southwest quarter,

"East half northeast quarter northeast quarter southeast quarter southwest quarter,

"North half northeast quarter southeast quarter northeast quarter southeast quarter southwest quarter,

"Section 32, township 2 north, range 5 east, G & SRP & M, Arizona.

"Sec. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim the United States determined by the Commission."

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

Mr. GROSS. Reserving the right to object, Mr. Speaker, do I understand correctly that this is one of the bills the gentleman intends to call up this evening?

Mr. ASPINALL. Yes. This is one of three bills I am going to call up and ask to concur in the Senate amendments. I may say to the gentleman that all the amendments are germane to those bills.

Mr. GROSS. All the amendments to those bills are germane?

Mr. ASPINALL. Yes.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1988) to provide for the settlement of claims of certain residents of the Trust Territory of the Pacific Islands, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: That the Congress hereby assumes compassionate responsibility to compensate inhabitants of the Rongelap Atoll, in the Trust Territory of the Pacific Islands, for radiation exposures sustained by them as a result of a thermonuclear detonation at Bikini Atoll in the Marshall Islands on March 1, 1954.

SEC. 2. There is authorized to be appropriated for such purpose out of the Treasury of the United States the sum of \$950,000 to be expended by the Secretary of the Interior (hereinafter referred to as the "Secretary") in the manner hereinafter provided. After deducting the amount provided for in section 5 hereof, the Secretary shall pay the remainder in equal amounts to each of the affected inhabitants of Rongelap, except that (a) with respect to each such inhabitant who has died before receipt of such payment, the Secretary shall pay such sum to the heirs or legatees of such inhabitant, and (b) with respect to any such inhabitant who is less than twenty-one years of age or who has been adjudged incompetent or insane, payment shall be made, in the discretion of the Secretary, to a parent, relative, other person, or institution for his benefit.

SEC. 3. The Secretary shall give advice concerning prudent financial management to each person receiving a payment pursuant to this Act, to the end that each such person will have information as to methods of conserving his funds and as to suitable objects for which such funds may be expended.

SEC. 4. A payment made under the provisions of this Act shall be in full settlement and discharge of all claims against the United States arising out of the thermonuclear detonation on March 1, 1954.

SEC. 5. The Secretary is authorized to pay reasonable attorney fees for legal services rendered on behalf of the people of Rongelap prior to the date of enactment of this Act. Such fees shall be paid out of the funds authorized to be appropriated in section 2 of this Act, but the total of such fees paid shall not exceed 5 per centum of the appropriated funds.

SEC. 6. The decisions of the Secretary in carrying out the provisions of this Act shall be final and not subject to review.

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

Mr. SAYLOR. Reserving the right to object, Mr. Speaker, this amendment added by the Senate merely makes the trust money payable to the individuals involved?

Mr. ASPINALL. That is correct. The House provided that the trust funds be expended under the supervision of the Secretary of the Interior. The Senate saw fit to make it a direct payment. The representatives of the people concerned were agreeable to the Senate amendment.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ECONOMIC AND SOCIAL DEVELOPMENT OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3198) to promote the economic and social development of the Trust Territory of the Pacific Islands, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, strike out all after line 15 over to and including line 20 on page 3.

Page 3, line 21, strike out "3" and insert "2".

Page 4, line 4, strike out "4" and insert "3".

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

THE ATOM AND US

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

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

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, I have just finished reading "Peace and Freedom Through Cold War Victory." I cannot agree with everything it says: for instance its suggestion that it is in the interest of U.S. security to give our allies control—*independent* of the United States—over decisions they may wish to make as to when they will launch nuclear weaponry furnished by us. Yet, there are other things said in this book that make very great sense to me. I heartily recommend that every American read this book. Certainly no Congressman or Senator should fail to read it at the very earliest opportunity.

It points out our failure to have a follow-on bomber in production now; and our failure to have launched by now an adequate shelter program as a war deterrent.

On disarmament, it sanely says that the arms race is not the cause of war

but the "effect of the cold war started by the Communists."

The book rightly acknowledges that we are the best defended nation on earth but it sets even higher goals, I think attainable ones. It omits one thing that it might well have said: that if our country should gird its loins to be prepared even more adequately against war to thus secure a firmer peace, there would be real advantage in the antipoverty war now going on in our country. For instance, how many people could be employed in the new hardware and building programs envisioned? Together with the already enacted training bills we should just about have the unemployment problem and the poverty problem licked.

Mr. Speaker, I cannot agree that it is wise to further distribute abroad either knowledge or control of our nuclear secrets and weapons. An article in the August 10 edition of U.S. News & World Report pertinently observes as follows:

Experts see a time—and relatively soon—when as many as 20 countries may have their own A-bombs. The long-range prospect: a world armed to the teeth, with A-arms possibly in the hands of desperate or unstable rulers.

WHY THE WORRY?

Behind the mounting concern is this:

Homemade atomic bombs—the kind that cost the United States \$2 billion to develop—can now be made for a fraction of that by a determined group of scientists, for perhaps 50 million. And the price is coming down.

Nuclear know-how, moreover, is no longer tightly held by just three or four nations, but is now widespread. Today, more than 40 nations own 600 atomic reactors. These "atoms for peace" reactors are for research and industrial uses, but many turn out plutonium, the key element in one type of nuclear bomb. More and more reactors are being built. In 3 years, peaceful reactors will be producing enough plutonium to make 100 A-bombs a year.

Another reason for growing concern is the new knowledge, now considered top secret by the United States about the gas-centrifuge method of producing enriched uranium, the key element in a second type of atomic bomb. The United States decided to impose its curtain of secrecy around the gas-centrifuge process after months of deliberation and worry about the spread of nuclear weaponry.

DANGER TO SECURITY?

It was Secretary of Defense Robert S. McNamara who first publicly called attention to official U.S. concern. In testimony before the present session of Congress, Mr. McNamara said that a large number of countries in addition to the four present nuclear powers—United States, Russia, Britain, and France—"will be able to acquire at least a few nuclear weapons and a crude delivery capability—possibly including medium-range rockets—during the next 10 years."

All this, said Mr. McNamara, "poses a severe threat to our national security."

Mr. Speaker, because I foresaw that sharing our secrets with our allies would lead to what has occurred, I voted against such sharing in the past. Today we must not go even further than secret sharing and turn over to foreign nationals the control of when these weapons shall be used. We may not always be able to control the situation;

but as long as we can control it we should do so, in the interest of our own security and of international peace.

BEEF IMPORT QUOTAS NOW

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

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

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I note that on Tuesday, August 11, the gentleman from Mississippi [Mr. COLMER], presented a resolution (H. Res. 814), providing for taking H.R. 1839 from the Speaker's table, disagreeing to Senate amendments and request a conference with the Senate. I support the position taken by the gentleman from Mississippi [Mr. COLMER] for the reason that I am advised that there is a provision in the Senate amendments which says that the beef import quota bill would not be operative, would not be effective during a national emergency declared by the President. Until learning of this, I supported House Resolution 812, which I heretofore introduced, and which would have taken H.R. 1839, the beef import quota bill, from the Speaker's table and agree with the Senate amendments and thus pass the bill; however, that would be a nullity, I am now informed. I am well advised by those who are learned in the laws and parliamentary procedure that this emergency provision would nullify the provision of the Senate bill. The situation being true, we who are interested in obtaining some real relief for the beef industry from the destructive competition of foreign imports, have reluctantly concluded that we must pass the resolution, House Resolution 814, and send the bill to conference.

I am solemnly promised by the House leadership that the Committee on Ways and Means will make every effort to bring to the floor of the House a satisfactory bill for the relief of the cattle industry. I strongly urge immediate relief as I have so repeated in this House several times. I note that the resolution presented by the gentleman from Mississippi [Mr. COLMER] passed by a voice vote. I ask unanimous consent to include in my remarks the remarks of the gentleman from Mississippi [Mr. COLMER] which he made yesterday, Tuesday, August 11:

FREE IMPORTATION OF WILD ANIMALS AND WILD BIRDS INTENDED FOR EXHIBITION

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 814) providing for taking H.R. 1839 from the Speaker's table, disagreeing to Senate amendments, and requesting a conference with the Senate, and ask for its immediate consideration.

The Clerk read the resolution, as follows: "Resolved, That immediately upon the adoption of this resolution the bill (H.R. 1839) to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for ex-

hibition in the United States, with the Senate amendments thereto, be, and the same hereby are taken from the Speaker's table, to the end that the Senate amendments be, and the same are disagreed to and a conference is requested with the Senate upon the disagreeing votes of the two Houses."

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the minority side, to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, pending that, I yield myself such time as I may consume.

Mr. Speaker, this proceeding involves the question of quotas on foreign imports of cattle and beef.

A number of bills were introduced earlier in the session, including one by the distinguished gentleman from Florida [Mr. HERLONG] as well as one by me, to meet this situation. They were all referred to the Committee on Ways and Means of the House. But before any action was taken by that committee the Senate acted by attaching a similar bill, as a rider on a House bill. I shall discuss this parliamentary maneuver at some length further on in my comments.

Mr. Speaker, specifically this resolution provides that upon its passage the bill, H.R. 1839, as amended, be taken from the Speaker's table, the Senate amendments be disagreed to, and the bill be sent to conference.

Mr. Speaker, this is a matter which is of great interest to a substantial number of the Members of this House. It affects the cattle industry of this country vitally, and would attempt to help them in a time of great stress to that industry.

Without discussing the merits of the bill, Mr. Speaker, this is a rather unusual situation. I hope the House will give me its attention while I call attention to the rather unusual parliamentary situation.

We have a situation in the Congress whereby a bill can be passed by the House dealing, let us say, with the propagation of bees, and when that bill goes over to the other body the other body can add an entirely foreign subject—say, for instance, the general question of foreign aid—to that House bill. Then the bill is sent back to the House, usually with the House provisions taken out entirely, and the amendment for foreign aid, or whatever foreign subject it might be, left in the bill.

Mr. Speaker, this is a bad way to legislate, and yet it is something which has been done repeatedly, particularly in the past few years.

As a result of this the Committee on Rules, at the instance of the chairman, set up a subcommittee to study that situation and to bring in an appropriate resolution which would revise the rules of the House so that that kind of parliamentary shenanigan could not go on. I happen to have been the chairman of the subcommittee which reported to the Rules Committee the appropriate amendment to the rules of the House. The amendment would merely provide that if an amendment placed on a House bill were not germane under the House rules it would not be germane when it came back from the Senate.

However, we have been unable to get that resolution out amending the rules. I do not know why, but sometimes it has proven advantageous, I suspect, to those who want to use it. I recall at one time there was a minor bill for the relief of some school district out in Missouri passed by the House and the other body put a whole civil rights bill onto that relief bill and sent it back here to the House. I say it is an abominable thing. That practice should not be pursued, but there is nothing we can do about it as long as the powers that be condone the practice.

Now, what does this do? This resolution would take this Senate amendment to the House bill and send it to conference.

Let me say very frankly again that an effort was made in the Committee on Rules by some of us who are very much interested in getting some relief for the cattle industry to adopt a rule that would accept the Senate amendment. You see, some of us wanted to use this procedure ourselves this time, I being among them. It all depends on whose ox is being gored, you understand, but the practice is still bad. So we wanted to use this gimmick or rule, rather, to take the bill from the Speaker's table and agree to the Senate amendments, which would purportedly give the relief to the cattle people that they crave; namely, some limitation upon imports.

As I said, I am discussing the parliamentary situation rather than the merits of the bill.

Now, that effort failed in the Committee on Rules. On the contrary, the resolution before us today, the resolution of the gentleman from Arkansas, the distinguished and able chairman of the Committee on Ways and Means [Mr. MILLS], is before us to send it to conference.

I want to say with equal candor again that if I thought that the best interests of the cattle people, of the cattle industry, would be served by following out that original plan, I would ask you here today to vote down the previous question and permit us to amend the resolution by taking the Senate amendments, agreeing to them, and therefore passing the bill. However, there are two reasons why we are not going to ask that. Primarily I am not going to ask that because there is a provision in the Senate amendments which says that that bill would not be operative, would not be effective, during a national emergency declared by the President. I do not know how that got into this bill, but it is in there, and the fact is that we are in a national emergency now which was declared by President Truman in the Korean war situation. We are still in it, and I am advised by those who are learned in the law and the parliamentary situation that this emergency provision would nullify the provisions of the Senate bill.

This being true, we, who are interested in trying to obtain some relief for the cattle industry from these foreign imports, have reluctantly come to the conclusion that our only course is to adopt the present resolution and send the bill to conference. Those representing the industry, I am informed, agree.

The distinguished chairman of the Committee on Ways and Means, the author of this resolution we are considering, the gentleman from Arkansas [Mr. MILLS], has advised many of us, the majority leader and others interested, including myself, that if this resolution is adopted, that he will take it to conference and do his level best to work out some bill that the cattle industry could live with, some kind of compromise, something that could be signed by the President.

But so far as this humble Member of the House is concerned and one who is very much interested in getting the desired relief, I do not see any other course to follow except to send it to conference.

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

Mr. COLMER. I yield to the gentleman.

Mr. MONAGAN. As I understand, although this bill, H.R. 1839, purports to apply to wild animals and wild birds, what we are considering at the present time has nothing whatsoever to do with that subject at all; is that correct?

Mr. COLMER. Except that the whole matter will be in conference when the bill goes to conference. I tried to explain a moment ago that entirely foreign substances were placed in this bill.

Mr. MONAGAN. Essentially what we are considering is the quota system to be imposed on the imports of meat?

Mr. COLMER. That is right.

Mr. MONAGAN. Mr. Speaker, I would like to say to the gentleman that apart from the increase in cost that might come and the effect on other countries in the world with whom we are trying to deal at the present time, the thing that concerns me is the fact that 2 years ago we voted here to set up a new policy on trade. We decided we were going to take away special treatment, we were not going to do anything except to apply this law across the board. It seems to me that in this instance we are making a very special exception wholly in opposition to that policy that applies to manufacturing industries and other enterprises and I personally see no reason for doing it.

Mr. MILLS. Mr. Speaker, will my friend from Mississippi yield to me?

Mr. COLMER. Of course, I yield to the distinguished gentleman from Arkansas.

Mr. MILLS. I know my friend can answer the question. In order to keep the issue presently before the House, as my friend from Mississippi has pointed out, it is not at the moment the issue of the merits or demerits of any amendment; the issue is whether or not the House will permit this matter going to conference, to see if some resolution can be had of it that would be in accord with the wishes of the House. Is not that the issue?

Mr. COLMER. If the gentleman is asking me, permit me to say that that is what I was trying to lead up to, and it is the only issue involved. Let me add further, if I may, that I also understand that the distinguished gentleman from Arkansas, if he does not succeed in bringing something back that would be acceptable, the House will be given an opportunity under the rules of the House to pass judgment on that, and as to whether or not the Senate amendment should be adopted.

Mr. MILLS. Mr. Speaker, will my friend, the gentleman from Mississippi, yield?

Mr. COLMER. I yield to the gentleman from Arkansas.

Mr. MILLS. The gentleman from Mississippi earlier stated my position with which I am in complete accord.

Mr. Speaker, I want to make it clear, not only to the gentleman from Mississippi but to all of the Members of the House, that I would not be recommending to the House that this or any other matter go to conference if I were not going to conference with the sincere intention of trying to accomplish legislation.

It may be, if I am appointed a conferee and if the others who normally represent the House on these matters are appointed conferees, that we will be unable to resolve this matter at all. That does not mean that this matter would be left in conference, because I have assured the majority leader of the House and I have assured the minority leader of the House and many others that there will be a conference report returned to the House on this subject matter on which the House will pass judgment. Whether the House wants it or not will be up to the majority of the Members of the House.

Mr. Speaker, there will be a conference report, let me put it that way.

Mr. COLMER. I thank the gentleman.

LOYALTY AMENDMENTS TO THE ECONOMIC OPPORTUNITY BILL

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

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

There was no objection.

Mr. WILLIAMS. Mr. Speaker, I was interested in the debate in the other body on yesterday relative to amendments I offered to the economic opportunity bill and which the House adopted.

A letter from the Department of Justice was placed in the RECORD interpreting the scope and intent of the two amendments. Additionally, there was a discussion on the floor purporting to provide a legislative history of the language contained in the loyalty oath amendments.

It is interesting to note, Mr. Speaker, that the Justice Department did not contact me relative to the scope and intent of the amendments. Furthermore, no Member of the other body contacted me with reference to this matter.

At the time the two amendments were offered, a majority of the House had limited the time for debate. As a consequence, I had but a few seconds to explain the amendments.

For the RECORD and as a part of the legislative history, I would like to state that the Justice Department has placed a rather narrow construction on the amendments. I feel that the Justice Department has correctly construed the purpose of my first amendment. The second amendment was intended to apply to every individual who received any monetary consideration, directly or indirectly, from the Treasury of the United States during the course of the administration of the Economic Opportunity Act of 1964.

Section 616 applies to every title of the bill. Section 616 is applicable to any loan or grant to any individual participating under the authority of this act.

It was my intent and purpose, as the author of the amendment, to have section 616 apply to an adult education program, a community program, a work-study program, or any other kind of program, if the individual receives monetary remuneration which emanated directly or indirectly from the Federal Government. Any individual receiving salary from a nonprofit private or public agency, the funds of which were obtained in whole or in part from the Federal Government under authority of the Economic Opportunity Act of 1964, would be subject to the provisions of section 616. Of course, an institution, private corporation, or public agency would not have to file an affidavit; but if any employee thereof receives his salary, in whole or in part, traceable to the Federal Government under authority of the Economic Opportunity Act of 1964, he would have to file an affidavit as provided in section 616. That is the intent and purpose of my amendments.

Mr. Speaker, I would like to observe that an Assistant Attorney General of the United States and two Members of the other body do not have the authority or responsibility of interpreting U.S. statutes. That is the function of the Federal judiciary.

STOP CERAMIC TILE IMPORTS

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

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

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am greatly concerned with the great and increasing threat being posed for our entire domestic ceramic tile industry and its faithful workers by the flood of cheap foreign imports of tile now pouring into this country at an alarming and steadily augmented rate.

In a conference today with representatives of this great, very useful industry, I learned in considerable detail of the dire conditions developing in this industry as a result of growing cutthroat competition from overseas.

It is the sad fact that glazed wall tile imports increased at the rate of 16 percent a year between 1960 and 1963 and figures for 1964 show them to be increasing at a much higher rate.

Since our own U.S. industry depends upon wall tile sales, the rapid conquest of our domestic markets is not only widening import price advantages, but is causing and threatening the loss of many jobs of American workers, driving more and more small tile firms out of business and stifling the prosperity and well-being of American local communities.

In the light of these present and developing dangers, I am strongly protesting the situation confronting our ceramic tile industry to the President, Governor Herter and other appropriate officials of the Government urging that it is essential to the best interests of the United States that glazed wall tile be placed among the commodities reserved from tariff cuts during the GATT negotiations.

In addition, Mr. Speaker, I propose to take every other action that I deem necessary and advisable to take to prevent further deterioration and perhaps the ultimate collapse of this valuable tile industry that is making such sizable, commendable contributions to our economy, our workers, and the American people.

I earnestly hope that this Government will take appropriate, effective action in this important, critical matter as soon as possible and thus move to render a real service to the country and its best interests.

MILLIONS WILL LIVE

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

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

There was no objection.

Mr. O'BRIEN. Mr. Speaker, the distinguished gentleman from Alabama [Mr. ROBERTS] submitted to the House this week a résumé of the important legislation handled during the 88th Congress by the Subcommittee on Health and Safety, of which he is chairman.

The manner in which he reported to his colleagues and the generosity with which he gave credit to all the members of his committee was typical of the man.

Many of us, with less reason, might have stood on the housetops to boast of accomplishments which radiate throughout our land and into every home.

Mr. Speaker, millions of Americans, some of them as yet unborn, will live better, longer lives as the result of the work here of the gentleman from Alabama, KENNETH A. ROBERTS.

All of us have little moments of our congressional service which we prize. My collection, Mr. Speaker, includes two White House pens, one used by the late President Kennedy to sign into law H.R. 12, designed to provide assistance in the construction of schools of medicine, dentistry, osteopathy, public health, and other health professions, and to provide loans for students of medicine, dentistry, and osteopathy, and the other used by President Johnson to sign into law the so-called clean air bill.

Is it not significant that one of the last major bills signed by Mr. Kennedy and the first major bill signed by President Johnson arrived at the signing place largely through the efforts of the gentleman from Alabama?

There are many other bills in this area which might be mentioned, but suffice to say that few men in all our history were and are entitled to greater public gratitude than is the gentleman from Alabama, Representative ROBERTS.

Our Divine Savior said, "Blessed is he who gives a cup of water in My name." Our colleague from Alabama has given all of us, and to those who will come after us, far more than a "cup of water." He has made it possible for them to live longer and live freer from disease and accident.

We know him as a modest man. It is my earnest hope that he will accept this sincere evaluation of his caliber as a Congressman and a human being as a statement of fact and not an invasion of his practice of giving credit to others while retaining little for himself. I am proud to have been associated with him and for all who are concerned about the health and safety of our people I say much thanks.

VETERANS' PENSIONS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I support H.R. 1927 because of my deep concern for veterans in my district who are recipients of non-service-connected pensions. I have had more than passing interest in this subject. I have studied carefully the provisions of H.R. 1927 as well as the provisions of other bills that have been introduced on this subject. It is my considered opinion that H.R.

1927 offers the most acceptable solution to the problems of the needy veteran.

The bill will increase many of the pension rates and income limits of the existing law. The forthcoming increase in social security payments and its effect upon veteran pensioners is recognized and solved in H.R. 1927. Under the provisions of the bill, a 65-year-old veteran will no longer be required to prove that he has a 10-percent disability that renders him unemployable to qualify him for a pension. Another feature of the bill permits a veteran to exclude his spouse's wages from employment or self-employment in computing his income for pension purposes. Heretofore, a working wife receiving a modest salary, in many instances, prevented her husband from drawing a pension because her income was counted as the veteran's income for pension purposes. Most important, Mr. Speaker, the bill provides a substantial increase in monthly payments for certain seriously disabled veterans.

The bill is a good bill and I endorse it most enthusiastically.

HERBERT HOOVER: LIFE OF SERVICE

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, former President Herbert Hoover celebrated his 90th birthday this week, and we are all reminded again of his great life of service to his country and the world. Hoover's distinguished career includes being a successful engineer and businessman, director of relief efforts during and after World War I, Secretary of Commerce under Presidents Harding and Coolidge, and 31st President of the United States. In later years, he headed the Hoover Commission, authored several notable books, directed the Hoover Institution on War, Revolution, and Peace at his alma mater, Stanford University, and became a valued elder counsel to statesmen. Leading Americans of both parties joined in paying tribute to Hoover on his birthday. The myths and smears of New Deal publicists have not withstood the scrutiny of unbiased history. It is comforting to know that fairness and perspective are shedding new light on the career of a great and distinguished American.

Because Hoover has so often been portrayed by demagogues as the individual responsible for the depression and its effects, I think that it is appropriate to include here in the RECORD an article, "Hoover as Scapegoat," by Henry Hazlitt from the August 17 Newsweek:

HOOVER AS SCAPEGOAT
(By Henry Hazlitt)

In his brilliant and absorbing biography of Herbert Hoover, published on August 10 to celebrate the former President's 90th

birthday, Eugene Lyons is obliged to refer again and again to the incredible smear campaign launched against Hoover in the early months of his administration and continued long after his exit from public office.

The campaign, under the paid direction of Charlie Michelson, was enormously successful. In his autobiography, Michelson afterward alluded to "the gloomy occupant of the White House whom we referred to as the author of the depression." The smear stuck. "The Hoover depression" became an established phrase. So did "Hoover breadlines" and "Hoovervilles." The myth got firmly established for a generation that Hoover had thrown the country into major depression and that Franklin Roosevelt had bailed us out.

THE DOUBLE MYTH

The facts support neither the first nor second half of the myth. The causes of the collapse and world depression that started in October 1929, go back years before Herbert Hoover assumed the Presidency. They are complex. But they can be summarized as cheap-money policies, credit expansion, inflation. And Hoover was among the earliest to combat such policies. In 1925, as Secretary of Commerce, he warned in a letter to one of the Federal Reserve Governors against "inflation with inevitable collapse which will bring the greatest calamities upon our farmers, our workers, and legitimate businessmen." In a New Year's statement for 1926 he warned against "real estate and stock speculation * * * with inevitable inflation." One member of the Federal Reserve Board, Adolph C. Miller, who opposed the cheap-money obsessions of his colleagues, testified in an interview published in the magazine *Sphere* in July 1935:

"The Board knew that Mr. Hoover, from 1926 on, had been protesting that the money policy of the Reserve System was certain to bring about disaster and calamity. Mr. Hoover before and after he took office was struggling desperately to curb credit extravagance. The record will show that he became the victim of a policy that was anathema to him the whole time it was in operation."

When the depression started, Hoover made Herculean efforts to stem it. The most fantastic myth of all was that he "did nothing." A far more plausible charge is that he did too much. True, he made errors. But they were not those for which he is popularly blamed.

MAINTAINING WAGES

The most serious error, in my estimation, was to call together the leaders in business in November 1929, a month after the stock-market break began, and urge upon them the policies of not cutting prices, not cutting wages, and increasing capital outlay. When there has been a collapse in confidence, in demand, and in the money and credit supply, there must be some downward adjustment in prices and wages if sales, output, and employment are to be sustained. When, under such circumstances, prices and wages are inflexible in a downward direction, the result can only be spreading unemployment.

But the doctrine of maintaining or even increasing money wage rates, to "increase purchasing power," has now become New Deal, Fair Deal, Keynesian, Hellerious gospel.

But the great "error" for which the New Dealers, Keynesians, Hellerites, and fiscal revolutionists blame Hoover is trying (unsuccessfully) to balance the budget. I doubt that this was an error. In any case none of Hoover's opponents at the time thought so. On the contrary, it was the deficits and the spending that Franklin Roosevelt denounced. The Democratic platform pledged a budget annually balanced.

It is constantly forgotten that the worst disasters in the Hoover administration came in the last 4 months, after his election de-

feat and before F.D.R. took office, when Hoover was powerless and F.D.R. refused to deny rumors that he meant to take the country off the gold standard.

The final myth is that Roosevelt stopped the depression. In his first two terms, chronic deficits were combined with massive unemployment. Only our entrance into World War II "solved" the problem.

MINUTEMEN GUN CLUBS RECEIVE FEDERAL SUBSIDIES

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, thousands of Minutemen have joined the National Rifle Association in order to get free weapons and ammunition from the Defense Department and because their dues support the association's campaign against passage of legislation restricting the possession and use of firearms. As a result the number of gun clubs has doubled in the last few years, as has membership in the NRA. These and other illuminating facts were brought out in a recent newsstory in the *New York Times* by Donald Janson. The story by Mr. Janson, dated August 1 and printed in the *Times* on August 6, completely substantiates and supports the charges I have been making about this extremist, self-styled guerrilla organization, the Minutemen, since last January.

Mr. Janson's story consists of an interview with Robert B. DePugh, the fanatic leader of the Minutemen. It is a valuable account of the sinister and twisted motives of one would be terrorist, and it illustrates in dramatic fashion how the resources of the Federal Government are being subverted by those who would destroy this Government.

The program by which free weapons and ammunition are distributed to gun clubs affiliated with the NRA was created by Congress in 1903. Its purpose was to promote skill in the use of firearms. Thus the National Board for the Promotion of Rifle Practice was established, and its implementing agency, the office of the director of civilian marksmanship.

If there is reason for continuing this 60-year-old program, then at least it ought to be adequately controlled. I have stated on numerous occasions that this program is being handled loosely, and that as a result of this loose handling the Federal Government is making it possible for extremist organizations to obtain free guns and ammunition. They do this by simply forming local gun clubs, affiliating with the NRA, and applying to the Department of the Army—which handles the program—for their Federal subsidy. How does the Department of the Army or the Department of Defense know whether or not a local gun club is made up of Minutemen or some other collection of extremists and fanatics? They do not know. How does the Department of the

Army or the Department of Defense know whether or not the free ammunition it distributes is being used for target practice, stored in secret ammunition dumps, sold to racists or rioters, or shipped to foreign governments? They do not know. In fact, the Federal Government has no way in the world of knowing who the 400,000 persons receiving free guns and ammunition are or what they are doing with their military aid. Those who claim that programs of Federal aid always bring Federal control ought to examine this program. We have here a program of Federal aid to private gun clubs and no Federal controls whatsoever.

But in this instance there ought to be some controls exercised by the Federal Government. For the program is beginning to run away with itself. In my judgment it has already gotten out of hand. It is multiplying in almost geometric proportions. In fiscal year 1960 39,520,000 rounds of ammunition were given away free through this program. These rounds of ammunition cost the Government \$1,132,170.

In fiscal year 1965 the program calls for ammunition giveaways totaling 63,840,000 rounds costing \$2,067,000. In 1959 the value of weapons and other equipment on loan to clubs enrolled in the program totaled \$1,242,027.50. In 1963 this total was \$2,360,472.60. In 1959, 5,545 weapons were sold to members of gun clubs enrolled in the program. In the next 5 years more than 500,000 weapons were sold in this manner, an average of 100,000 guns per year.

The program is growing at a rapid and alarming rate. It is growing without controls. Thus, extremist organizations like the Minutemen are taking advantage of it. Yet the attitude within the Department of the Army seems to be one of complacency, if not indifference. I wrote to Secretary of Defense Robert S. McNamara inquiring into this program as well as the surplus and scrap weapons program. My letter was written on May 26, 1964. On July 16, 1964, I received an answer from the Department of the Army to whom my letter had been referred for a reply. The reply is dated July 15, 1964. It is self-serving and defensive. Although it contains much of the statistical information I had requested, it is characterized by the following statement:

In summary, I can assure you that these programs are conducted with full realization of our responsibilities to insure that arms and ammunition do not fall into unscrupulous hands.

But this statement sounds unconvincing in the light of the *New York Times* correspondent's interview with Robert de Pugh, in which the national coordinator of the right wing group known as the Minutemen said that:

It was "a common tactic" for Minutemen, never disclosing their affiliation, to organize or join gun clubs in order to gain access to rifle ranges for target practice—

And that Minutemen—
get weapons and ammunition free from the Department of Defense.

If the Department of the Army truly realizes its responsibilities for this program it does so in a strange, unspoken, unwritten fashion. Certainly the responsibilities have not been translated into rules and regulations. There are few, if any, safeguards. There is little control. Guns and ammunition have fallen, is falling and will continue to fall into the hands of unscrupulous persons like the Minutemen and other extremists.

With unanimous consent, I am attaching at this point in the RECORD the news story by Donald Janson in the New York Times, August 6, 1964, entitled "Minutemen Help Spur the Growth of Gun Clubs," a copy of my letter to Secretary McNamara dated May 26, 1964, and a copy of the reply by the Department of the Army dated July 15, 1964. Because of the length of the exhibits attached to the reply from the Department of the Army, I am including only the full text of the letter without the exhibits:

MINUTEMEN HELP SPUR THE GROWTH OF GUN CLUBS: HEAD OF ANTI-COMMUNIST GROUP SAYS THEY JOIN TO GAIN ACCESS TO RIFLE RANGE

(By Donald Janson)

NORBORNE, Mo., August 1.—The number of private gun clubs in the United States has doubled in the last few years. One group that has made a contribution to the proliferation is the militantly anti-Communist Minutemen organization, headquartered here.

Robert B. de Pugh, national coordinator of the right-wing group, said in an interview that it was "a common tactic" for minutemen, never disclosing their affiliation, to organize or join gun clubs in order to gain access to rifle ranges for target practice.

Each Minuteman is under instructions to fire at least 500 rounds of ammunition a year to maintain proficiency as a marksman. Minutemen believe the United States will be subjugated by communism by 1973 and as patriots they must be prepared to resist as guerrillas in "an effort to restore constitutional government."

Finding a place to shoot is no problem around Norborne, a town of 950 population and several cornfields, but it can be a problem in more densely settled places. Mr. de Pugh said gun clubs were being formed rapidly in order to lease and reserve land for ranges while land was still available in or near cities.

The Minutemen, organized in small bands throughout the Nation, also train in the countryside at night for the role they believe they will soon have.

Mr. de Pugh, a 41-year-old drug manufacturer, founder of the 3-year-old organization, says there are more than 25,000 Minutemen now. They are, he says, "the most dedicated, most active and best disciplined American organization in the fight to preserve our constitutional republic."

Each supplies his own rifle, shotgun, sidearms and other "survival" equipment.

U.S. PROVIDES WEAPONS

Some, the Norborne chemist said, get weapons and ammunition free from the Department of Defense. This is possible through a Federal program little known outside circles of gun enthusiasts.

The program was started in 1903 to promote skill in use of firearms for the benefit of the Armed Forces in case of mobilization.

Under it, the Army's director of civilian marksmanship lends rifles and gives ammunition to rifle clubs affiliated with the National Rifle Association.

Thousands of Minutemen have joined the association, Mr. de Pugh said, partly because their dues support the association campaign against passage by States of legislation restricting possession and use of firearms.

Membership in the association has doubled in the last 4 years. It now stands at 650,000. Affiliated gun clubs have doubled in number in the same period, to 11,500. More than half make use of the Army program. Other clubs have been formed outside the association.

Mr. de Pugh, a "lifetime" member of the association, said Minutemen accounted for only a "small part" of the increase in membership.

He said Minutemen did not rely on the Army's program, because the rifles are subject to recall in case of war or other emergency.

Members have no trouble buying all the guns and ammunition they want, he added.

Several States require permits to buy guns, but the Missourian said only New York further regulated possession by periodic registration and fee "harassment." He charged that this amounted to "confiscation by legislation."

GROWING ARSENAL

In Missouri, he said, citizens have no trouble getting the necessary purchase permit at the sheriff's office except in Kansas City and St. Louis, where crime rates are higher.

St. Louisans simply cross the State border to Illinois and Kansas Citizens to Kansas, he said, and buy guns without permits.

The arsenal in the hands of civilians has been growing rapidly. It is now estimated by the National Rifle Association at a billion pistols, rifles and shotguns and several billion rounds of ammunition.

A million mail-order guns, such as the one bought by Lee Harvey Oswald, the accused assassin of President Kennedy, are sold in the United States annually.

Mr. de Pugh contended that efforts to require registration and other restrictive firearms legislation were being led by Communists because after they "take over" the United States, he said, the registration lists would alert them as to whom to disarm.

However, some Congressmen doubt whether all civilians should be trusted with the unregulated use of arms.

Representative HENRY B. GONZALEZ, Democrat, of Texas, has noted that On Target, the Minuteman newsletter edited by Mr. de Pugh, recently warned "Communists and fellow travelers" that "only their leaders" restrained patriots who had learned to hit sparrows at 200 yards with a target rifle.

The newsletter told "traitors" to "beware" because "even now crosshairs are on the backs of your necks."

PRO-COMMUNISTS LISTED

Mr. de Pugh said his organization had files listing 67,000 "pro-Communists" whom the Minutemen were watching. Two months ago, he said in the book-lined office of his Biolab Corp. here, the Minutemen files were cross-indexed with those of six other "conservative" organizations.

He said that "intelligence" operations were as important as weaponry in the Minutemen program and that 600 periodicals were read regularly as an aid in spotting suspects and building the files.

Why not leave such surveillance to the Federal Bureau of Investigation? "No law enforcement agency," Mr. de Pugh said, "can watch all the people all the time. The basic duty of patriotic American citizens is to be vigilant to protect his country in every way he can."

A recently issued Minutemen booklet casts doubt on the loyalty of a wide range of elected officials.

"What do you really know about the State Senator or State Representative from your district?" it asks. "Could any of these men have been indoctrinated in Communist ideology at some time in their career or past education?"

"There are several men who are now known Communists who once served as U.S. Senators or Representatives and were in all probability Communists all the time."

Representative GONZALEZ said the Minutemen had published "a thinly veiled threat" against him and some colleagues who voted against increasing an appropriation for the House Committee on Un-American Activities.

WEAPONS SEIZED

Others have expressed concern about some of the uses to which Minutemen have put weapons. When Mr. de Pugh conducted a class in guerrilla warfare in Shiloh, Ill., 3 years ago, sheriff's deputies seized mortars and machineguns as well as rifles. Richard Lauchli, a Minutemen leader from Collinsville, Ill., was arrested.

Last May Mr. Lauchli was arrested again, this time near Clinton, Ill., by Federal agents posing as arms buyers for Cuban revolutionaries seeking to overthrow the Castro regime. They seized a truckload of bombs and automatic weapons.

Mr. Lauchli is free on \$20,000 bond. Mr. de Pugh says he is now a former Minuteman.

The handsome, black-haired Missourian said the Minutemen were more interested in quality of membership than quantity "because we are training future military leaders."

Mr. de Pugh said only 10 percent of the population would qualify as sufficiently conservative, patriotic, dedicated and self-sacrificing for Minutemen membership.

Seven thousand members have been "weeded out" in the last year, he said, for failing to measure up. Some were spies, he said. They were not dropped, simply "isolated."

"When they found they were not being included in anything of importance," he said, "they decided it would be easier to quit and infiltrate the John Birch Society."

Mr. de Pugh recently dropped out of the Birch Society. He said it "wasted too much time" on impractical efforts like its movement to impeach Chief Justice Earl Warren.

MOVEMENT IN COLLEGES

Mr. de Pugh is taking the Minutemen's youth movement, which he considers vital for maintaining anti-Communist vigilance, into the Nation's colleges.

Last summer 15 college-student sons and daughters of Minutemen were trained in counterpropaganda techniques to combat "leftwing influences" on their campuses.

This summer, the national coordinator said, 100 students from major colleges and universities are taking a 6-weeks course. The classes are conducted at three unspecified places, one in the East, one in the West and one near St. Louis.

The first two weeks are devoted to a study of "the American heritage," the second two to Communist propaganda techniques and the last two to counterpropaganda.

"We want the students to be able to recognize Communist agitation for what it is," Mr. de Pugh said, "and use whatever forums are available at their colleges to counteract it."

Mr. de Pugh, soft spoken and articulate, said he planned to embark on a round of speeches himself this fall.

The oldest of his six children will enroll as a freshman in September at the Kansas City Art Institute.

The de Pugh teenagers already are well trained in weaponry. Even his 12-year-old daughter, the chief Minuteman said, is "a pretty good shot" after 2 years of rifle practice.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 26, 1964.

HON. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: Because of recent events, I have become deeply concerned about certain aspects of the surplus weapons and scrap weapons program and the civilian marksmanship program of the Defense Department.

A news story in the Baltimore Sun dated May 21, 1964, related the details of the seizure of a stockpile of weapons and the arrest of an individual who at one time, at least, was one of the leaders of the "Minutemen." The Minutemen, as you may know, is an extremist armed self-styled guerrilla organization. The individual arrested on May 21, Richard Lauchli, was arrested and admitted stealing in 1959 weapons from the Madison, Ind., proving grounds. These same weapons were later sold to Castro revolutionaries. In 1961 the Minutemen conducted field guerrilla maneuvers in southern Illinois and the leader of that group, Robert de Pugh, declared at that time that similar maneuvers had already been conducted in a number of other cities including my home city, San Antonio, Tex.

The weapons used in the Minutemen maneuvers in 1961 included automatic rifles, machineguns, mortars, and antitank guns. The weapons seized from Lauchli on May 21 included at least 100 submachineguns, 5 .50-caliber tripod-mounted machineguns, a flame thrower, several aerial bombs, several mortars, and numerous automatic pistols. According to the news story, the stockpile had been purchased by Lauchli as scrap and then reconditioned.

Further, facts I have learned about the civilian marksmanship program are equally disturbing. As you know, the National Board for the Promotion of Rifle Practice is the policymaking body of the program administered by the Director of Civilian Marksmanship. I understand that through this program more than 60 million rounds of ammunition were given away free to clubs throughout the Nation belonging to the National Rifle Association in fiscal year 1963, and that in addition, great quantities of rifles, pistols, and other target equipment were distributed to these clubs on a loan basis or sold at low-cost negotiated prices. I also understand that approximately 400,000 persons belong to clubs receiving this Federal subsidy.

It is obvious to me that through these programs, the Defense Department is providing private persons with a steady stream of heavy and small arms and ammunition at a considerable cost to the taxpayer. Not only is it within the realm of possibility that rightwing extremists and other unscrupulous persons are obtaining weapons in this manner, but the news stories I have referred to reflect that they definitely are.

I am, therefore, requesting from your office the full details on the organization and operation of both the surplus and scrap weapons program and the civilian marksmanship program. I would like to know exactly who administers the surplus and scrap weapons program; what safeguards exist to insure that weapons do not get into the wrong hands; how weapons are declared surplus and scrap; what if anything is done to these weapons before they are disposed of; the amount and kinds of surplus and scrap weapons disposed of by the Defense Department in each of the past 5 years; the original costs of these weapons to the Federal Government and the amounts paid by the private purchasers for the surplus and scrap; and the cost to the Federal Government for administering this program. I assume that the answers to these questions will apply to ammunition as well as weapons.

I would also like to know more about the civilian marksmanship program. Among other things, I would like to know the names of the members of the National Board for the Promotion of Rifle Practice and which of these persons belongs to the National Rifle Association; the number and types of rounds of ammunition given away through this program and the cost to the Federal Government for each of the past 5 years; the number and types of weapons and other equipment loaned to clubs belonging to the NRA through this program for each of the past 5 years; the original cost to the Federal Government of these weapons and equipment; the number and types of weapons and other equipment sold through this program during the past 5 years and the original cost of these guns and equipment to the Federal Government; the number and types of weapons given away through this program during the past 5 years and the original cost to the Federal Government of these guns and equipment. According to testimony received by the House Committee on Appropriations, the National Board's request for funds for fiscal year 1965 is \$485,000 for operation and maintenance. I would like to know the amounts expended by the national board for operation and maintenance for each of the past 5 years.

I believe you will understand my grave concern that weapons may be going to the wrong persons, particularly at this time of proliferation of extremist organizations advocating everything from subversion to assassination.

For your information I have enclosed copies of recent speeches I have delivered in the House on this subject.

Sincerely yours,

HENRY B. GONZALEZ.

DEPARTMENT OF THE ARMY,
Washington, D.C., July 15, 1964.

HON. HENRY B. GONZALEZ,
House of Representatives.

DEAR MR. GONZALEZ: The Secretary of the Army has asked me to reply to your inquiry addressed to the Secretary of Defense concerning the Department of the Army surplus weapons program and the civilian marksmanship program conducted by the National Board for the Promotion of Rifle Practice.

The Federal Property and Administrative Services Act of 1949, as amended (Act of June 30, 1949, 63 Stat. 377, 40 U.S.C. 471, et seq.), assigned the responsibility for the supervision and direction over the disposition of excess and surplus Federal property to the Administrator of General Services. The Administrator has delegated to the Secretary of Defense the responsibility for the disposition of excess and surplus property generated by the Department of Defense.

The Secretary of Defense has established the Defense Supply Agency (DSA) and assigned responsibility to the Director for the administration and supervision of the Department of Defense (DOD) excess and surplus property disposal program. The military services are responsible for the coordination in, dissemination of, and insuring compliance with OSD approved policies and procedures issued by DSA. The DSA also operates the Defense Surplus Sales Offices which sell surplus material located in the continental United States.

The military services declare small arms weapons surplus after the decision has been made that the items are obsolete and/or they are no longer required by the services; or that there is no foreseeable military assistance program requirement; or that the material is unserviceable and uneconomical to repair.

Installation commanders appoint a property disposal officer (PDO), in writing. The PDO is responsible for the receipt, accounting, storage, reporting, and disposal of ex-

cess and surplus property through redistribution, transfer, donation, sale, abandonment, and destruction.

The Department of Defense sells small-arms weapons through one of three authorized methods: Through the sale of a serviceable rifle or pistol to a member of the National Rifle Association; through the reporting of properly mutilated unserviceable pieces to the DSA for sale as scrap; or through retail or competitive sales (only for weapons safe to fire) in the case of commercially available small arms, such as .22 caliber rifles, shotguns, and bolt action .30 caliber rifles.

A small portion of our overall program involves donations of weapons to veterans organizations. The law provides that recognized and approved veterans organizations may obtain by donation certain items of condemned or obsolete combat type material for ceremonial purposes, which material includes bolt action rifles suitable for firing blank ammunition only.

DOD Instruction 4160.15 (table 2) requires that prior to the sale of surplus weapons as scrap, the responsible Department mutilate (demilitarize all automatic and semiautomatic machineguns, rifles and pistols, revolvers, and all other small arms, and survival weapons, except shotguns having a barrel length of 18 inches or more, and bolt action hand operated rifles having a barrel length of 18 inches or more and 16 inches or more if the caliber of the rifle is 0.22 or smaller. These weapons are disposed of by retail or competitive sale as mentioned in the preceding paragraph. It should be noted that under certain conditions small arms may be sold without demilitarization, e.g., sales to States and political subdivisions and sales to friendly foreign governments. All unserviceable ammunition and weapons are demilitarized and sold as scrap.

Scrap generated as a result of mutilation of small arms is intermingled with other ferrous scrap for disposal. The PDO then reports this scrap to the appropriate Defense Surplus Sales Office (DSSO) for sale by the competitive bid method.

The Army is the only agency authorized to sell small-arms ammunition and small arms to members of the National Rifle Association as individuals (10 U.S.C. 4308(a)(5)). Sales are made in accordance with rules and regulations recommended by the National Board for the Promotion of Rifle Practice and approved by the Secretary of the Army.

The cost of the complete demilitarization program for the Department of Defense for the first three quarters of fiscal year 1964 was \$16.8 million, representing only the cost of actual demilitarization of arms, ammunition and implements of war. This figure does not include the property disposal officer's costs or the Defense Surplus Sales Office costs relating directly to the disposal of scrap or serviceable weapons.

A breakdown of the sales and donations of various small arms over the last 5 years and the Government costs for such weapons is shown in table 3. Table 4 depicts the number and types of weapons (small arms as well as crew-served weapons) disposed of as scrap in the years 1962-64 and the estimated dollar value of such scrap sales. Records for 1960 and 1961 are not available.

It should be emphasized that the only place in which weapons such as machineguns, mortars, etc., appear in these data is as scrap. It is the policy of the Department of Defense to properly and thoroughly demilitarize all such weapons before disposal.

With reference to that portion of your inquiry concerning activities of the National Board for the Promotion of Rifle Practice (NBPRP), information is forwarded in the form of enclosures as follows:

Tab 5. AR 920-15, which outlines the missions and responsibilities of the NBPRP and its implementing agency, the Office of

the Director of Civilian Marksmanship (DCM).

Tab 6. Roster of Board Members, indicating those who are National Rifle Association (NRA) members. Of the 15 military members on the Board, 8 are members of the National Rifle Association. However, membership in the NRA is not a criterion for appointment of these members of the Board, nor is it in any other way considered in their appointment to serve as a board member.

Tab 7. Tabulation in detail of the amount, types of rounds, and cost of ammunition required to support of Board's program during the last 5 years. It should be noted that ammunition costs are based on ammunition prices, prevailing at the time requirements were established. For some years, a large part of this ammunition has been provided from surplus World War II stocks having an actual value less than that which must be used for budget purposes.

Tab 8. Inventory listing types of weapons and other equipment on loan to clubs enrolled in the DCM for each of the past 5 years. Variations in price, by year, are occasioned by differences in prices prevailing at those times. Inventories, procedures, and records required to be maintained in 1960 and 1961 account for major differences shown on the inventories. Bayonets and cartridge belts are furnished only to schools maintaining a corps of cadets (other than ROTC) exceeding 40 in number. Inventories are accumulative; i.e., the 1964 inventory reflects the total balance of issues and turn-ins for all preceding years.

Tab 9. Tabulation showing the number and types of weapons sold through the DCM program during the past 5 years. Costs to the Government are based upon 1945 price information. Weapons sold through the DCM, in most cases, were procured by the Government prior to 1945, and in some cases, prior to World War II. Sale of these items, which were in excess of military requirements, has resulted in a return of \$9,187,588 to the Treasury of the United States. Had these weapons not been sold through the DCM programs (except for the M-1 rifle which is a current service weapon) a substantial portion of the remaining weapons would normally have been mutilated and sold as scrap under current Defense policies.

Tab 10. Summary of amount spent by the Board for operations and maintenance for each of the past 5 years.

The moneys appropriated by the Congress for operation and maintenance of the Board are used for such things as personnel compensation and benefits; travel and transportation (Board members, and teams representing the United States in international competition, such as the Pan American and Olympic games; rent, communications, and utilities; maintenance and repair of office equipment and facilities; engraving and maintenance of trophies; and office supplies and materials. Complete details of the Board's budget are provided the Senate and House Appropriations Committees annually as a part of the President's budget.

The funds appropriated by the Congress are not used for the acquisition of weapons and equipment in support of the Board's program except for ammunition (tab 7) and a limited number of standard military targets for use in firing qualification courses with ammunition issued.

In summary, I can assure you that these programs are conducted with full realization of our responsibilities to insure that arms and ammunition do not fall into unscrupulous hands. The Board for the Promotion of Rifle Practice has a long and unblemished record of supporting rifle marksmanship by our citizens. Since small arms weapons are sold only to NRA members, as directed by law, this arrangement has served to insure

making them available to the proper individuals while keeping them out of the hands of criminals and subversive elements to whom the association is careful to deny membership. The success of this screening is evident in the fact that there is not a single reported incident of one of these weapons purchased by an NRA member having been used in the commission of a crime. Also, the Defense Department has a weapons demilitarization policy (tab 1) which recognizes the need for security precautions and safeguarding the citizenry.

In addition to the foregoing, the Defense Department is now reviewing its weapons disposal procedures to determine means by which they can be improved. Certain procedural changes have already been directed, and the Army has been requested to continue the review in greater depth.

I trust this information will be sufficient for your purposes.

Sincerely,

F. W. BOYE, Jr.,

Major General, General Staff, Chief of
Legislative Liaison.

THE MILITARY PAY ACT OF 1964

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it is almost facetious to refer to S. 3001, which was signed into law today by the President, as the Military Pay Act of 1964. The vast majority of those affected by the act will receive the magnificent pay increase of 2½ percent of their basic pay. To enlisted personnel that means a raise of from \$5 per month to \$12 per month. Those with under 2 years of service get nothing.

Perhaps the attitude of those of us who voted reluctantly for this bill is best summed up in the words of one of the members of the subcommittee of the House Armed Services Committee which held hearings on it on July 22, 1964. This Member stated in that hearing:

"I hate to vote for this crummy bill, but I guess I will have to." Truer words were never spoken. The bill offers crumbs to the dedicated men of this land of plenty who serve in the armed services.

On June 29, I introduced H.R. 11819, to increase subsistence allowances for members of the armed services from the present starvation levels to \$75 per month. This is a moderate and a reasonable proposal. I urge my colleagues to consider it seriously. For it is later than we think. Even now military personnel are becoming disgruntled, dissatisfied, and disenchanted with the Government that asks so much of them and gives so little.

The Air Force Sergeants Association today, August 12, published an "Open Letter to the Congress of the United States" by taking out a full page ad in the Air Force Times. The more than 10,000 men which belong to this organization point out in their letter that we in Congress have recently raised our own

salaries by 33½ percent, and they asked this question:

How long do you expect military men to endure on simple patriotism when the pay raises of others are being constantly flaunted in their faces?

These men are not asking for bonuses, or handouts, or crumbs. They are asking for justice, no less than they are entitled to. They are asking for, and they deserve, just and fair compensation. With unanimous consent I am inserting in the RECORD the "Open Letter to the Congress of the United States" of the Air Force Sergeants Association.

AIR FORCE SERGEANTS ASSOCIATION,
San Antonio, Tex.

AN OPEN LETTER TO THE CONGRESS OF THE UNITED STATES

The Air Force Sergeants Association, composed of over 10,000 enlisted personnel in grades E-1 through E-9, is amazed by the lack of understanding shown by those Members of Congress who must know by now the plight of the enlisted men of the military services.

The recent act of the Senate to provide a "morsel" or "something for the military too" appears to be an act of conscience; therefore, a 2.5-percent pay raise is proposed as an appeasement offer. We should be thankful for the spoils, I suppose; however, it is acceptable with heavy heart and much misgivings as regards those of you, our guardians whom we as taxpayers have placed our trust in, to provide us the military personnel with an equal and fitting way of life.

As we have stated before, we appreciate and respect your efforts to operate our Government in the most economical manner possible, consistent with justice and fairplay. How long do you expect military men to endure on simple patriotism when the pay raises of others are being constantly flaunted in their faces, to include your own increase of 33½ percent? After all, Congress has no difficulty in obtaining adequate personnel to fill positions. There is no "draft" to compel men to serve in Congress. Men will spend, and are spending thousands of dollars to vie for your seat in the forthcoming elections.

The enlisted men are aware that a small pay increase was recently granted them; however, they are aware that through the losses of foreign-duty pay, proficiency pay, and a cut in their subsistence, etc., they did, in fact, pay for their own pay raise, partly out of their own pockets.

As this association has stated to you on other occasions, and we reiterate: We are convinced that a just and deserved pay increase would definitely pay for itself and at the same time provide our Nation with a more effective defense team. By giving the military services the type of pay increase they deserve, and more than earn in the service of their country, the size of our forces could be greatly reduced within a few years. In the technological defense forces of today, mere numbers could mean waste. The number of skilled experienced personnel available determine our real strength. With adequate pay, there would be more skilled people and less recruiting, training and retraining of personnel with subsequent loss to civilian industry. Good men would seek service careers and the necessity for a Selective Service System and expensive training programs would almost vanish in comparison to the functions required today.

Millions of dollars currently spent for all aspects of the procurement program could also be diverted for personnel salaries. With fewer people leaving the services with minimum tours and expensive training programs behind them, a smaller, more highly skilled force would logically result.

Merging into the subject of poverty, which has been broached many times in the past year (and this since the last pay raise), do you feel we should continue to "force" the youth of our Nation (those who cannot by devious means get out of it) to work at slave-labor wages? Will you vote into law another "marginal" pay raise for the Armed Forces and add insult to injury by not giving the enlisted personnel, with under 2 years' service, a substantial pay raise; other Federal employees are not penalized thusly. Is it so firm in your mind that your son will never serve as an enlisted man? Did you?

The Air Force Sergeants Association urges each Member of Congress to delve into this vital subject without haste and come up with a realistic pay act for the Armed Forces. Yours in "duty, honor, and country,"

BENNY W. McGEHEE,
National President.

THE BRACERO PROGRAM

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, those who have long observed the world of politics know well that rationality and logic often play only a small part in the minds of some men. There are those who cry for free trade for everyone else but protection for themselves. It is strange indeed when one finds that in this country we have long demanded protection for our industries in the face of competition from cheap foreign labor, but that we have at the same time imported such labor and expected our workers to compete against that.

Our history has seen the importation of coolies and of indentured servants and slaves; all these have been outlawed for moral and humane reasons. But still we are asking our farmworkers to compete against the foreign labor that most industry is protected against, and that other workers have been protected against since the 1880's.

It is ironic to note that Senator GOLDWATER favors the further extension of Public Law 78, and I think that President Thomas Lloyd, of the Amalgamated Butchers and Meatcutters Union, accurately portrayed the irony of the Senator's stand in a recent letter to him:

We have read your comments concerning the bracero or Mexican farm labor importation program. Your comments show an incredible lack of knowledge about a program on which you have voted some half dozen times in the Senate.

The Congress has refused to extend the Government importation of Mexican farm workers beyond December 31, 1964. The less than 1 percent of the Nation's growers who use the bracero program will no longer have the Federal Government supplying them with labor. They will have to depend on the free market. They will have to attract labor by raising wages and improving working conditions, as do all other industries operating in the free enterprise system. Yet you call this "Government meddling" and ask a "return to the bracero program."

As you should know, the Mexican farm labor importation is a Federal Government program which prevents the laws of supply

and demand from working in the Western farm labor market. It prevents the market economy from operating. It runs counter to the free enterprise system.

If a grower cannot get an adequate number of farm workers at the wage rates and working conditions which he offers, he need not raise the wages or improve the working conditions. He simply calls upon the U.S. Government to import braceros from Mexico and in most cases, he does get this captive labor. And it is captive labor since the bracero cannot move from job-to-job or seek any U.S. employment other than from the grower or association for whom he was imported.

In your statement, you ask for a "return to the bracero program and for the Government to keep its hands off a relationship existing between employer and employee that has thus far been successful." The fact is that with the Mexican farm labor importation program, the Government prevents any need for a successful employer-employee relationship since the Federal Government will supply foreign workers from an unlimited reservoir of poverty in Mexico.

Frankly, we have never been able to understand how your conscience as a conservative and how your strong views against economic activities by the Federal Government permit you to support the Mexican farm labor importation program. It appears as if you are quite willing to support Government interference in the economy as long as it benefits corporate-type agriculture or industrial corporations.

As you know, Protestant, Catholic, and Jewish church groups, labor organizations, civic groups, welfare organizations, family farm groups, and many other organizations have strongly opposed the bracero program because it interferes with the agricultural labor market in order to depress the wages and limit the job opportunities of U.S. farm workers. It is a major factor in creating the miserable wages and working conditions in agriculture. And it is a major reason why U.S. farm workers are the most poverty-stricken, the most depressed, and the most exploited group of workers in the United States.

NATIONAL RIVERS AND HARBORS CONGRESS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HULL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HULL. Mr. Speaker, the Resolutions Committee of the National Rivers and Harbors Congress is one of America's most productive organizations in the field of the Nation's waterways, flood control, and reclamation. The convention, held in Washington, this year was attended by 471 registered delegates and their wives from 46 States, including Alaska and Hawaii, the Virgin Islands, Puerto Rico, Peru, and the District of Columbia. Florida led with 71 delegates; Texas was second with 56, North Carolina was third with 30, while Ohio was fourth with 23.

It was also attended by several score unregistered delegates, guests, visitors, and representatives of the press, radio, and television.

As chairman of the resolutions committee, it was my privilege to preside over one of the most productive meetings this

committee has ever conducted. The resolutions committee is composed of representatives from every section of the country and their occupational specialties represent business, government, and interested organizations. I ask that these resolutions be included in the RECORD at this point.

The resolutions follow:

REPORT OF THE RESOLUTIONS COMMITTEE TO THE 51ST NATIONAL CONVENTION OF THE NATIONAL RIVERS AND HARBORS CONGRESS

FOREWORD

Another year has been added to the more than threescore years during which the objectives of the National Rivers and Harbors Congress have been endorsed by the President of the United States. This is as it should be. We are proud of our contribution to the development and preservation of our natural resources. The continued proper use of this basic asset to our economy is an obligation of all Americans and our obligation as a national organization is to see to it that aggressive effort on our part brings to fruition the preservation and development of more of our resources in a matter compatible with our expanding population.

H. R. 9903

The National Rivers and Harbors Congress has not and will not relax its efforts to avoid the creation of new and serious transportation and marketing problems such as H.R. 9903 would have brought about. This bill, reported by the House Committee on Interstate and Foreign Commerce, failed of clearance to the House floor by the Rules Committee. The legislation was opposed on the grounds that it would permit the railroads to move goods owned by them; remove the rail rate regulation on agricultural products, of which grain constitutes a substantial portion of the country's domestic and foreign commerce; and reduce from three to one the number of exempt bulk dry commodities which can be transported in one tow or vessel. Constructive legislation will be supported when it is in the best interests of shippers, carriers, and receivers, and not adverse to the public interest.

POVERTY PROGRAM

Considerable impetus can be given to the poverty program if a reasonable amount of Federal funds already appropriated can be applied to programs for water, land, and recreation resource development. These have been justified as permanent capital investments. Many of these projects are being planned or ready for planning. Expedited action could place them under construction. This we urge.

FEDERAL LAND ACQUISITION

Large Federal land acquisitions often adversely affect the tax revenues of rural areas, particularly when such areas are acquired for reservoirs in such counties where tax incomes are low at best. Local conditions should be a compelling consideration if these projects are to serve their authorized purposes in the public interest.

FLOOD PLAIN STUDIES

The authorized program for flood plain studies is a sound one which can provide the means of regulating the encroachment on our flood plains. We urge State and local authorities to avail themselves of flood plain studies and adopt programs for adequate flood plain regulation and appropriate community development. We also urge Congress to provide adequate appropriations so that this program can adequately meet the needs for flood plain information of our expanding metropolitan areas.

COMPREHENSIVE RIVER BASIN PLANNING

This Congress supports the program of comprehensive planning by all of the Federal agencies concerned. By such a program we

can avoid a piecemeal approach to the full potential of all of our river basins. By this we do not mean that basin study should be complete before any of the proposals are put into effect. Some must be left for the future. Progress must not be slowed and accordingly we suggest interim approvals of worthwhile projects that fit into the overall plan for a basin.

ITEM VETO

We continue to hear that the President should have authority to veto items in authorization and appropriation bills. Congress gives thorough consideration to all items in these bills with a view to the optimum development of our resources. Centralizing in the President authority to consider each item as a separate bill and approve or disapprove would take from the Congress the right to determine an appropriate water resource program. Much has been accomplished under the present system. We oppose any change which would upset an adequate system.

EXISTING AGENCIES

We again reaffirm our opposition to the creation of any public works agency or Department designed to supplant the experienced agencies now engaged in water resource development. We are particularly concerned as to the consequences should the Corps of Engineers be withdrawn from a field of activity in which it has been engaged for more than a century. Furthermore, the loss of the peacetime training afforded by civil works activities has stood us in good stead during all of our wars and we may well need it again.

TOLLS ON WATERWAYS

The long-established American policy of free waterways continues to be under attack by those who knowingly or unknowingly seek to disrupt our national economy as it relates to low-cost water transportation. The attack has increased in intensity and we intend to continue our counterattack with more intensity. The investments already made and planned for improved and increased equipment require free waterways in the interest of avoiding drastic inflationary prices for products of our economy. Furthermore, the huge investments in waterside industry made on the availability of free waterway transportation and its continued availability must have it to survive. The extensive development of our vast waterway system is threatened with abandonment or uneconomical use leading to nonmaintenance if this ill-conceived plan for tolls, in whatever form they may be, is put into effect. We are devoting our best interests to methods of preventing the downswing in our national economy indicated by this plan.

BRIDGE HEIGHTS

Prospective development in the field of water transportation stemming from general navigation requirements and those related to the space program dictate that we keep a watchful eye on bridge clearances. It is the duty of the Secretary of the Army to approve bridge plans that will provide adequate facilities for land and water traffic. We urge that the Secretary of the Army reevaluate all standards for bridge clearance.

H.R. 3846

In accordance with established policy of the National Rivers and Harbors Congress, we wish to record our opposition to the imposition of charges by the Federal Government for the recreational use of navigable waters of the United States and recommend that H.R. 3846 be amended to prohibit charges for such use.

THE AMERICAN MERCHANT MARINE

This Congress for many years has made known its belief in the great economic value of the American merchant marine and its importance as a defense arm. The privately

owned and operated merchant fleet that has made us the leader in the trade of the free world must be strongly supported to offset low-cost foreign competition. Our national survival could depend on water transportation for food and vital materials in the absence of land transportation destroyed or damaged by nuclear attack. We favor continuation of adequate Government support in order to provide an efficient merchant fleet.

The survival of our merchant fleet and our continuance as a dominant sea power depend on adequate Government support sufficient to achieve cost parity for our shipyards and ship operators, combined with private investment and initiative. We also believe that American steamship lines should carry a larger proportion of our own commerce and the laws governing the water transportation of Government-financed cargo should be strengthened.

NATIONAL ASSOCIATION OF RETAIL DRUGGISTS INTERESTED IN SOLUTION OF COIN SHORTAGE

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, one of the businesses that has felt the coin shortage is that of the retail druggists. Drugstores in recent years have found it expedient to use coin-operated dispensing machines for such things as stamps, tobacco, and soft drinks. These activities have added to the demand for coins that normally exists by means of the many small transactions that take place in the average day of the drugstore.

I am in receipt of a letter from my good friend, Willard Simmons, executive secretary of the National Association of Retail Druggists, urging that every effort be made to discourage the hoarding of coin. The association, for this reason, supports H.R. 11893. His letter follows:

THE NATIONAL ASSOCIATION OF
RETAIL DRUGGISTS,
August 7, 1964.

HON. WRIGHT PATMAN,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR WRIGHT: The National Association of Retail Druggists is a small business and professional organization having a nationwide membership that consists of more than 40,000 drugstore owners. NARD speaks for these family pharmacists on all legislative matters affecting their professional and economic interests.

As you know, drugstores render a variety of services to the community. Most of these services involve transactions that require the accessible, free flow of specie of every denomination.

Beside normal cash transactions, many drugstores are equipped with coin-operated dispensers of cigarettes, beverages and stamps. The numerous small sales in drugstores, coupled with long hour of operation, require a substantial reserve of currency, especially coin.

In the drugstore, it is just as vital to have an unlimited supply of coin as it is to have ample merchandise to meet public demand. Both are necessary for economic progress and stability, and a lack of either or both is

an impediment to business progress and public convenience.

The NARD feels that every possible effort should be made to discourage the hoarding of coin. The NARD believes H.R. 11893 will alleviate the coin shortage and correct the philosophy behind it. We are very pleased to know that the House has favorably reported the bill and that it should be passed by the House next week. It would be appreciated if this statement could be incorporated in your committee's public hearings on H.R. 11893.

Sincerely,

WILLARD SIMMONS,
Executive Secretary.

VETERANS' PENSIONS

(Mr. BECKWORTH (at the request of Mr. WELTNER) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BECKWORTH. Mr. Speaker, I include in the CONGRESSIONAL RECORD a letter that concerns H.R. 174, a bill I have introduced—also the bill:

THE AMERICAN LEGION,
BERNAY CAMP POST NO. 140,
Longview, Tex., July 23, 1964.

Bernay Camp Post No. 140 of the American Legion met Monday night, July 20, 1964, and a copy of H.R. 174 was read and explained to the membership. Dr. N. R. Bachelor made a motion, seconded by B. T. Skinner, that we instruct Congressman LINDLEY BECKWORTH to continue to press this bill for passage because we are interested in providing a pension for our fellow veterans who have been prisoners of war in Japan.

We also want to thank Mr. BECKWORTH for his interests and efforts in helping veterans in any way that he can. He is truly our friend.

J. E. DRURY,
Commander.
Mrs. PEGGY SAPP,
Adjutant.

H.R. 174

A bill to amend section 312 of title 38, United States Code, to provide that disabilities of certain veterans held as prisoners of war for two or more years by the Japanese during World War II shall be considered to be service connected

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 312 of title 38, United States Code, is amended (1) by striking out "diseases" in the catchline and inserting in lieu thereof "diseases and disabilities"; (2) by inserting the subsection designation "(a)" immediately before "For the purposes"; and (3) by adding at the end thereof the following:

"(b) For the purposes of this chapter and chapter 17 of this title, in the case of any veteran who, during World War II was held for two or more years as a prisoner of war by the Imperial Japanese Government and with respect to whom such Government did not meet its obligation to furnish him the quantity or quality of food to which he was entitled under the Geneva Convention of July 27, 1929, any disability of such veteran shall be held and considered to be a service-connected disability."

JAMES V. BENNETT, DIRECTOR OF FEDERAL PRISONS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. LIBONATI] may extend

his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. LIBONATI. Mr. Speaker, the Director of Federal Prisons, James V. Bennett, has influenced thousands of inmates, upon their return to society, to adapt themselves to social norms and become valuable citizens in their respective communities.

His entire life's study has been to seek means to bring about this readjustment, especially as to youthful first offenders. Through his efforts and appeal, the Congress has passed legislation to accomplish these ends.

His writings, speeches, and conferences reflect his exhaustive study in human relationship of the parolee to the outside world.

He has activated reforms that have instilled in the individual inmate great hope and renewed confidence in his future relationship to society. One of his most challenging reforms is the formation of a civic group of leading citizens native to the city, town, or community of the inmate—who has received vocational instruction or other skills in prison—to settle the problem of employment and community interest before his release. After several years' parole under good conduct and satisfactory employment, the entire court record is expunged. Thus, the first offender has relieved his character standing in the community as a good citizen. Mr. Bennett has made all this possible through his persistent action in advocating certain law reforms before the committees of the Congress.

Mr. Bennett is a realist. He has had inexhaustible experience in the field of penology. But he is also a humanitarian who advocates rehabilitation measures and methods far beyond the accepted norms of some of his professional contemporaries. He follows the philosophy of life that prisoners are still human beings—that every individual with a will to better his condition in life will react to training both mentally and physically if the task set out before him is to his liking. Each prison has a board comprised of such persons or officials who are in a position to ascertain these facts. After entry of a general sentence by court order, the first offender is subject to a psychiatric examination and study of his background at the prison to determine his mental capacity and contributory problems due to his background and environment. The prisoner is counseled by a welfare officer at a hearing where he expresses his desires for certain educational training. He attends classes and receives instruction in his chosen work to prepare himself for life outside upon his release. From time to time he appears before the board—his progress is discussed and determined.

The interest in his welfare pays off. He no longer is an outcast without a future, and subject to criminal influences. He belongs to society for he can produce and enjoy his share of the wealth of the community for his work.

Mr. Bennett has saved the U.S. Government thousands of dollars in purely structural expansion alone in our penal institutions, such as the building of dormitories, men's halls, school facilities, shops, offices and other structures needed for institutional purposes. Old structures have been modernized—all this accomplished through the building trade union instructors from the neighboring areas who volunteer their services to teach the art of bricklaying, plumbing, painting, carpentry, cement finishers and electrical workers. Young mechanics become experts on automobiles and airplane engines—artistry in painting oils, and so forth, to say nothing of those seeking knowledge in the physical, chemical and biological fields of science and engineering. Also, agriculture, in all of its farm purposes, supply the respective institutions with crops and meat. The prison workers in the canning factory preserve the foods raised on the farm.

The refurbishing and repair of desks, chairs, furniture of all types and uses for Government agencies are done by expert prison trained labor. The large factory units turning out furniture, gloves, tools, blankets, towels, sheets, and so forth, save the Government millions of dollars.

And each prison worker receives a stipend for his work, either helping the folks at home or crediting the money to his account.

The Sunday edition—August 9—of the Washington Post paid a high tribute to the accomplishments of Mr. Bennett as Director of the Federal Prison System. Staff Reporter Eve Edstrom has written an interesting and illuminating article depicting incidents in Director Bennett's career that reflect the tremendous influence that he exerted in molding the future life of countless felons.

It is unfortunate that the mandatory provision of the law on retirement becomes effective in his case next year. His valued services should be retained in an advisory capacity by our Government. The capable officials serving under his direction have contributed much to the success of the program. They dedicated themselves to the same high principles of prison standards of education to prepare inmates to follow worthwhile pursuits in their daily lives. Mr. Bennett has taken the word "hopelessness" out of prison jargon. He instilled in manhood a new look on life firing ambition in the human soul. He did what he believed would do good for society and the individual no matter how forlorn an accomplishment appeared to the doubters. God blessed him with patience and a deep concern for the well-being of his fellow man. He carried on God's work under the most difficult circumstances. The Members of the Congress salute him with honor and respect—the men he benefited love and venerate him. The Nation accepts him as the great "savior of souls." Here, truly, is a saintly man who carried the word to the prison world.

A FURTHER OUTLOOK

(By Eve Edstrom)

A former Leavenworth lifer showed up at the office of Federal Prison Director James V. Bennett one day with a sketch for the memorial stone he wanted to cut for Bennett's grave.

The bizarre offer didn't faze Bennett. The lifer, who had become a successful sculptor after serving 25 years for murder, merely wanted to show his gratitude to Bennett for "helping me to develop my artistic talent."

The sculptor, who has war memorials in two public parks and who submitted a design for the Franklin Delano Roosevelt Memorial; the flamboyant mail robber who now is a successful advertising executive; the former Alcatraz inmate who eventually earned \$60,000 a year in the oil business—these are the real monuments to Bennett's work as the Nation's prisonkeeper for the last 27 years.

On August 28, Bennett will reach the mandatory retirement age of 70. But through his writings and his speeches, he will continue to preach that prisoners are "individuals with hearts, lungs and emotions like anyone else."

EIGHT OUT OF 750,000

This does not mean that Bennett is a cream-puff penologist. Despite the fact that he has given prisoners increased freedom, he has fulfilled his responsibility to protect the public from criminals. Of the 750,000 prisoners committed to Federal custody during his tenure, only eight escapees are still at large.

Furthermore, the Federal prisons have had few major disorders, even though they have been overcrowded and lacked congressional authorization for new buildings from 1940 to 1960. The most serious uprising was the Alcatraz revolt of 1946 which cost the lives of two prison guards before the 2-day gunfight ended.

Because Alcatraz, which was closed down in 1963, housed the most hopeless of the prison population, Bennett visited there the most often. And even among longtime inmates of "the Rock," he can point to success stories.

From the 1930's to the late 1950's, for example, Alcatraz was home for a member of the notorious Karpis-Barker gang that engineered the kidnaping of a banker for \$200,000 ransom. That inmate took part in the kidnaping while he was AWOL from an Oklahoma penitentiary where he was serving a life term for murder.

After a stormy beginning at Alcatraz, he settled down and consistently tried to tell younger inmates that crime can't pay. In an article for a prison publication, he said:

"If you will stop and do some honest thinking, you will realize that a common ditch-digger is wealthier than any of us for he has something that we cannot buy—freedom with peace of mind * * *. Remember: it really takes neither guts nor any other special ability to get into prison."

Paroled in 1959, this Alcatraz alumnus has worked regularly as a printer and has had only one difficulty in adjusting to life on the outside. In a letter to Bennett, he said:

"One thing that is strange to me is the supermarkets. I buy too many things when I visit them. Things look so good and different to what I have seen in the past."

BIOGRAPHICAL PROBLEM

In Bennett's view, it is not the murderers, rapists, and kidnapers who have been the most difficult prisoners. Even the infamous Al Capone didn't give Bennett too much trouble except for insisting that Bennett be his biographer. Capone couldn't understand why Bennett refused, particularly when Capone offered to waive all movie rights to his life story and to make Bennett the Attorney General.

For the prison administrator, Bennett says, the connivers are the most troublesome. In this category, he places Bernard F. Goldfine, who thought he should have special privileges because of his friendship with Presidential Assistant Sherman Adams during the Eisenhower administration.

Goldfine wanted to conduct business as usual from his prison quarters, couldn't understand why he couldn't have a private telephone. He lost good time credits for obtaining unauthorized items from the commissary. And he was upset because the Bureau of Prisons didn't provide a barber to shave him.

But some inmates with more political influence than Goldfine were gems in prison. The late Kentucky Congressman Andrew J. May taught illiterates from his home State how to read and write while he was imprisoned at Ashland, Ky. And Boston's late Mayor James J. Curley never missed a chance to read Shakespeare to his fellow inmates.

The prison library soon was swamped with requests for the works of Shakespeare. And such lines as "he jests at scars that never felt a wound" began to appear on cell walls and in letters home.

CONVICTED THIEF AT 8

The Mays and Curleys, however, are not typical of the prisoners with whom Bennett has had to deal. Unfortunately, 32-year-old Roland, who recently got the first break in his life while in prison, is more typical.

The child of a mentally retarded mother and an alcoholic father, Roland spent his first 8 years in a home which was described by a Red Cross worker as the worst she had ever seen. Roland bragged about killing 18 rats in the kitchen in 1 week.

Police charged him with theft at the age of 8 and he was sent to a children's home. He spent his teens in industrial schools. At 17, he enlisted in the Army.

Roland became Bennett's responsibility after the youth's military career was marked by five summary, three special and four general courts-martial. His varying sentences totaled 42½ years.

At Alcatraz, he was considered one of the most dangerous men. He was involved in two fatal stabbings of inmates but juries acquitted him. Since his transfer to the Federal prison hospital at Springfield, Mo., for psychiatric help, he has done well.

On the day that President Kennedy died, Roland was informed that his sentences had been reduced by 10 years so that he would be eligible for parole in 1973.

In a letter to parole officials, Roland thanked them for their "extraordinary consideration. . . . I can only say that I won't let you down. . . . you cannot know what it means to me to know someone has faith in me and thinks there is still something worth while in me."

But he said that his happiness was short-lived because "I feel the grief that passed throughout the Nation and the world" at the news of the President's death and so "forgive me if my letter of thanks and appreciation is not so full."

EVER-PRESENT REMINDER

Bennett is not certain that Roland will be able to make good if he wins his release in 1973, but he has hope. As a reminder that a prison official should never give up hope on any felon, Bennett carries a battered briefcase made for him years ago by a former Federal inmate.

The man had a record dating back to 1933 and involving larcenies, forgeries, and robberies. He had seen the inside of numerous State prisons, such as Sing Sing, before winding up in Federal custody in 1945.

When he was released in 1952 at the end of his term, the warden was certain he would be back again because there had been no indication that he had changed his values.

Prison psychiatrists had labeled him a psychopath.

Yet 3 years after his release, he was earning \$1,450 a month as the manager of a radio station. He ultimately became head of a chain of radio and television stations and in 1961 he was honored as 1 of 20 outstanding business leaders in a large southern city.

A similar case concerns Morris "Red" Rudensky, who, along with Bennett, had a signed article in the special crime supplement of Harper's magazine last April.

Rudensky, now 66, was first sent to a reformatory at the age of 8 and never returned to his own home after that. He had served time for such crimes as burglary, assault, and manslaughter when he was committed to Federal custody for mail robbery at 25. At the time of his sentence, he was wanted for escaping from an Illinois penitentiary.

Sent to Leavenworth, he was reported for a number of rule infractions and was involved in an unsuccessful escape. Transferred to the Atlanta Penitentiary, he became interested in the prison publication. Under his editorship, the Atlantian became the outstanding magazine among penal publications.

PETITION BY INMATES

After Pearl Harbor, when the Federal Prison Industries expanded greatly, Rudensky was instrumental in stimulating other inmates to work hard for the war effort. Rudensky was scheduled for release from Federal custody in 1943 but he still was wanted in Illinois to finish his sentence there. In an unusual move, 128 inmates of Atlanta signed a petition in his behalf.

Sent to the Attorney General, it said: "No little part of the credit for our increased efforts is due to Morris Rudensky. If the purpose of imprisonment is rehabilitation of the prisoner—then surely there is no question about Red * * *. He has been a friend, father confessor and big brother to countless numbers of us. And, in a way, he is a symbol.

"He has worked hard to better himself and we're certain he'd really make good outside. And every one of us, and thousands of men in other prisons, would be given new hope if he were released. If ever any one of us deserved a break, he does."

But Illinois still wanted Rudensky. Finally, in 1944, when he was to be considered for parole, Bennett wrote to Illinois officials to say:

"I dare say that no inmate in the Federal institutions has done more to bring the inmates and staff together in good working relationship than has Rudensky, and no inmate has done more to encourage high production in our prison industries, which are devoted primarily to the production of goods for the military service."

On May 25, 1944, Bennett received a jubilant letter.

"I've made it," wrote Rudensky. "Parole, of course. For this break I can be most thankful to all of you. With all of you folks pulling for me, it's no wonder I made it. The rest is up to me now. I fully understand that. I salute all of you. You'll hear from me when my D-day comes."

TWENTY YEARS A SUCCESS

Following his release, Rudensky went to work as a copywriter for a major advertising firm. Within 4 months, Bennett received a letter from the agency's president telling how Rudensky was writing copy for 23 customers and how some salesmen wanted no one but Rudensky to write copy for their accounts.

For more than 20 years now, Rudensky has been a successful advertising executive and a fast friend of Bennett, with whom he visits and corresponds regularly.

Another longtime friend of Bennett, but one who just recently has taken the straight and narrow path, is Eddie, now 70. In his

younger days, Eddie was a topnotch bank robber.

Eddie had a theory which he discussed with Bennett when the latter visited Alcatraz, Eddie believed that the economy needed bank robbers. Without them, he said, safe-makers, locksmiths, and banks would go out of business. Because he robbed only insured banks, Eddie believed he should be allowed to proceed with his life's work.

That theory kept Eddie behind bars for all but 15 months of one 31-year period. And it was only in recent years that Eddie came to realize that working as a bank robber had another major disadvantage: he was not earning sufficient social security credits.

He had accumulated four-quarters of credits in 1953 when he had completed all his prison sentences and went to work as a skilled machinist in Chicago. But then he met an old friend who asked if Eddie would help him rob a farmers' cooperative in Wisconsin.

"Since I was going up there on vacation and I felt sorry for him, I told him I would," Eddie wrote to Bennett.

HIS WAR ON WASTE

That resulted in Eddie's serving 8 years in Wisconsin and then facing 2,720 more days in Federal prison as a violator of the conditions of his 1953 release.

When Eddie was back in Federal custody in 1962, he informed Bennett:

"I am in the central toolroom here and do try to save the Government money whenever I can by fixing tools, retrieving discarded material and invoking the policy of 'don't take more material than you actually need.' Such a policy does not always jell with some * * *. To be frank, I cannot and never could digest needless waste."

Bennett thanked Eddie for keeping "a frugal eye on our materials" but said that he had hoped Eddie's letters wouldn't continue to emanate from a penal institution.

In April 1963, parole authorities released Eddie under supervision. In his appeal for freedom, Eddie had noted that he wanted to work at least 2 more years to qualify for social security benefits and that, at his age, it would be difficult for him to get a job if he remained in prison any longer.

Eddie now has a job that makes use of his mechanical ability legally. Bennett hopes that the promise of social security will keep Eddie on the outside for the rest of his "borrowed time" beyond threescore and ten.

A SENSITIVE "TYPIST"

A very few inmates serve out their lives in prison. One was an early public enemy No. 1—swaggering, big-talking George R. (Machine Gun) Kelly, who was sent to Alcatraz in the early 1930's for the kidnaping of an Oklahoma City oilman. Legend has it that he dubbed his machinegun "The Little Stenog" because he could write his name with its bullets. He also is credited with coining the "G-man" label for FBI agents.

Yet before Kelly died of a heart attack in prison on his 59th birthday, he wrote some highly sensitive letters to Bennett. In describing life in prison, he said:

"Maybe you have asked yourself how can a man of even ordinary intelligence put up with this kind of life day in, day out, week after week, month after weary month, year after endless year * * * .

"To begin with, these five words seem written in fire on the walls of my cell: 'Nothing can be worth this.' * * * A man in prison cannot keep from being haunted by a vision of life as it used to be * * * . At such times I pay with a sense of delicious overwhelming melancholy my tribute to life as it once was."

It is because Bennett wants former prisoners to savor life as it is and not "as it once was" that his major concern is with youthful offenders, who comprise one-third of the Federal prison population. He was

a chief advocate of the 1950 Federal Youth Corrections Act, which opened up a wide range of flexible procedures for dealing with young criminals. And now Bennett can point to case after case that shows the wisdom of that approach.

A GRAND SLAM SUCCESS

There were, for example, four young men who had kidnaped and raped a young woman. The Federal judge who tried their cases resisted public demands that they be dealt with as harshly as possible. Instead, they were committed under youthful offender procedures, with maximum sentences of 12 years.

They responded so well to the judge's confidence in them that they were paroled. In 1961, one of the four graduated from college. Two of them started businesses with the skills they had learned at the Ashland, Ky., correctional institution. And the fourth has been working steadily. Such successes led to the enactment of a 1958 law permitting similar flexible procedures for adult offenders.

By no means do all prisoners released from Federal institutions make good, but more do than do not. It was Bennett's interest in penal research that led to a 1958 Ford Foundation grant to determine what happens to released Federal prisoners. That study showed that 90 percent of former convicts have the intent to make good and that more than 66 percent accomplish their goal.

This is largely because Bennett has emphasized the treatment of prisoners as individuals since he began his Federal prison career in 1930. He wrote the legislation that created the Bureau of Prisons and was on the original Commission which made a survey of Federal prisons for Congress in 1929 to determine how the national prison system could be improved. That Commission recognized that while the chief mission of the prisons was to protect the public, protection could best be achieved by rehabilitating inmates, because most of them eventually would be released.

All of the reforms that Bennett subsequently instituted would read like a manual of modern penology. But just one small reform—removal of billy clubs from the hands of prison guards 1 year after Bennett became Prison Director—told prisoners all they needed to know about Bennett.

SHORTSIGHTED NIGGARDLINESS

That one-third of Federal prisoners return to crime, Bennett says, is not so much their fault as it is the fault of society. He says that it makes no sense to spend \$2,000 a year to keep a man in prison and then give him \$20 on his release to the community.

To be honest, he emphasizes, one must have the wherewithal to live without resorting to crime. And on numerous occasions, and without the knowledge of the released prisoner, he has dipped into his own pocket to help a former convict while he was looking for a job.

Probably the most poignant case of a prisoner not being able to cope with his freedom was that of Roy G. Gardner, the 20th century's Jesse James, who robbed the mails single handed with six-guns loaded with wooden bullets. This last of the lone badmen of the Old West killed only one man—himself.

His prison career was as spectacular as his career as a gem thief, post office looter, train robber, and escape artist. In 1920, while he was en route to McNeil Island to serve 25 years for a \$130,000 mail robbery, he escaped twice. He later escaped from McNeil, then participated in two abortive escape plots at Atlanta—one of which involved the smuggling of pistols, nitric acid, glycerin, fuse strips, and dynamite into the penitentiary.

But when he entered Leavenworth in 1930, he became a model prisoner. He sent all his earnings from his prison factory work to his wife and daughter, even though it meant

denying himself such small luxuries as tobacco and candy.

LET ME DOWN LIGHT

When he was released at the expiration of his sentence, prison officials made numerous efforts to find him a job, but without any luck. He tried lecturing on "crime doesn't pay," but lecturing didn't pay, either. Finally, the 56-year-old Gardner went to a funeral director to make arrangements for his burial, explaining that doctors had told him he had only 6 months to live.

He returned to his hotel room, packed all his belongings, left half-dollar tips for the porter and maid, hung a "do not disturb" sign outside his room, shut himself in the bathroom and inhaled the gas from cyanide pellets he dropped into a glass of acid.

Before he did this, he pinned a note on the bathroom door. It read: "Do not open this door. Poison gas. Call the police." In a note to newspaper reporters, he said:

"Please let me down as light as possible boys. I have played ball with you all the way, and now you should pitch me a slow one and let me hit it. I am checking out simply because I am old and tired, and don't care to continue the struggle * * * .

"I hold no malice toward any human being and I hope those whom I have wronged will forgive me for it. * * * All men who have to serve more than 5 years in prison are doomed, but they don't realize it. They kid themselves into the belief that they can 'come back,' but they can't. There is a barrier between the ex convict and society that cannot be leveled."

A HAPPY ENDING

But Bennett doesn't believe that this has to be so. One of the reasons why he doesn't is the case of a former Alcatraz inmate who was paroled in 1958 after a criminal career dating back to 1933.

Bennett was happy recently to be able to write him the following letter: "I am glad your new business is working out so well. In the event you haven't already heard, I have some other good news for you. President Johnson yesterday commuted your sentence to expire at once. Congratulations."

Bennett undoubtedly was able to write that letter because many years ago, while still at Alcatraz, this inmate also wrote a letter, which said:

"These passing years on this island have given me the opportunity to take a firm grasp on myself, to sense my true responsibility to society, to adjust myself in a manner which I should have many years ago. The deep shame which I feel for causing the many troubles and difficulties to many people is not easy to overcome. However, there is a time to begin anew—and I am beginning now."

CHILE'S BREAK WITH CASTRO COMMENDED

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. ROGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, Chile's break with Communist Cuba earns praise from the United States and the other free nations of this hemisphere. Prior to the recent Organization of American States' adoption of sanctions against Cuba, Chile along with Bolivia, Uruguay, and Mexico, were

the only remaining Latin nations which recognized Castro.

Chile's action in effect makes her the first OAS nation to comply with the new OAS sanctions. This break represents another in a series of recent defeats for Fidel Castro, and shows that popular opinion throughout Latin America is running against him, Cuba, once a staunch member of the inter-American community, has been formally black-listed as a result of the Castro regime.

With Chile's action being first, we now look to the remaining three—Bolivia, Uruguay, and Mexico. Each of these nations now holds the initiative in Latin America as psychological pressure builds up toward action similar to that just taken by Chile.

Unless these remaining three nations follow the steps set forth by the OAS then action by that organization must be taken to secure compliance, and a review of the membership these nations have in the OAS would be in order.

DUMPING OF CZECHOSLOVAK SHOES IN THE U.S. MARKET

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. BATES] is recognized for 60 minutes.

Mr. BATES. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to revise and extend their remarks following my remarks under this special order.

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

There was no objection.

Mr. BATES. Mr. Speaker, I welcome the opportunity to join once again with my colleagues in expressing concern for the increasing import problems of the domestic shoe industry. With them, I have been alarmed by the sharp acceleration of foreign shoes entering the United States and the factory and job dislocations that it has caused.

The crisis now facing the industry has an impact on the entire Nation. To be sure, many areas of Massachusetts have suffered substantial and persistent unemployment as a result of import competition. In Massachusetts, as in most other New England States, shoe production is one of the largest sources of employment. But the foreign trade problems of the shoe industry are felt increasingly in other areas. Pennsylvania is now the Nation's largest shoe-supplying State, and New York, Tennessee, Missouri, Arkansas, and California are major producers as well. The list of States containing one or more shoe factories is extensive, and the problem brought to your attention today has a substantial impact on each one.

There is, however, a broader significance in the dumping of Czechoslovak shoes in the U.S. market, a significance that transcends any one industry and any one geographic area. There appears to be a developing official climate favorable to more extensive trade with the Communist bloc nations. It is not my present purpose to discuss the merit, or lack thereof, in this policy. It is essen-

tial, however, to watch closely the manner in which such trade is conducted, and the development brought to light today underscores the necessity for our watchfulness.

Dumping of foreign goods is a serious matter, whatever the source. It is particularly grave when the industry in the supplying nation is state owned and state operated. Dumping can be perpetrated by industries in relatively free market nations as a loss-leader effort to enter the market, or perhaps as the result of faulty cost accounting. But ultimately it is necessary for such industries to show a profit. The Communist state industry faces no such need. Far from being profit motivated, dumping can be produced by purely political considerations, and losses can be subsidized or obscured in the manipulations of the managed economy.

There is but one reason why foreign suppliers are able to capture a steadily increasing share of the U.S. shoe market: Foreign labor costs are substantially lower than those of the United States. In this Nation, the average shoe worker receives \$1.97 per hour, including fringe benefits. In Japan, which supplies 62 percent of shoe imports, the average worker receives 40 cents hourly; in Italy, which supplies 24 percent, the average hourly employment cost is 56 cents. The data for both nations also include fringe benefits. Even assuming that U.S. factories and workers are more productive, they cannot be four or five times more productive, which is what would be necessary to overcome the disadvantage.

The competitive impact of employment cost disparities naturally increases with the amount of labor required to make the products of an industry. Because of the nature of the process, direct labor continues to represent an unusually high proportion of total manufacturing costs, ranging from 25 to 35 percent. Notwithstanding the substantial improvements in productive efficiency and in component materials, in which the U.S. industry has led the way, labor content in footwear will continue to be unusually high. Fit specifications are of paramount importance, as is symmetry of construction in difficult operations, particularly stitching. Attainment of these standards requires visual judgment and manual dexterity which cannot be mechanized.

The described cost advantage enables foreign producers to sell footwear in the U.S. market at far lower prices than domestic manufacturers can sell comparable items. Over the average of the industry's product, foreign footwear sells at prices 15 to 25 percent below prices for equivalent items of U.S. manufacture.

Already facing market disruption caused by low priced foreign shoes subsidized by low employment costs, the industry is further burdened by the dumping revealed today. A further market depressant is added to its woes.

This is an onus which the industry should not have to bear, and I believe that the Treasury Department should take immediate action to eliminate it. Even if we must accept trade with Com-

munist nations, which I question, we dare not tolerate dumping from these sources. I do not choose here to become involved with the legal niceties of the Antidumping Act. I do state that to permit any dumping by these nations is to be grossly negligent in the pursuit of the Nation's best interest. The shoe industry deserves better treatment at our hands. So do the American people.

I suggest it does not make sense to talk about eliminating poverty on the one hand while we are creating it on the other. It does not make sense to train people in certain skills so they can make a livelihood and at the same time throw people, already trained, out of their jobs by the slavery of a Communist economy in Czechoslovakia.

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

Mr. BATES. I yield to the gentleman from New Hampshire, who has been an ardent worker for the shoe industry.

Mr. WYMAN. Mr. Speaker, New England produces 32.8 percent of the shoe output of the United States, and my State produces 25 percent of that 32.8 percent.

In the first 4 months of 1964 women's, misses' and children's shoes by way of imports totaled 7 percent higher than the comparable period in 1963, and nearly 90 percent of these imports were from Italy. In the last 9 months of 1963 imports were up 24 percent over the previous period.

There were 31 shoe manufacturer failures in the United States and Canada, 11 in New England, in 1963.

Based on statistical studies and other information, the best information we can get shows a profit margin in the leather and allied products businesses of about 1.2 percent of sales, which is so low as to discourage continuing in business. In 1960 leather and allied products were third from the bottom of manufacturing industries listed. On the last report, for 1963, they were at the bottom, the least profitable manufacturing industry.

I wish to ask the gentleman from Massachusetts: How can we obtain relief against this type of condition which is putting many Americans, including the largest employer in my district, out of work in this country?

Mr. BATES. As the gentleman knows, we have attempted to get voluntary quotas from foreign countries. Subsequent to a meeting we had at the White House a group of individuals in the trade, with the blessing of our Government, proceeded to Italy in an endeavor to induce the exporters from Italy to make certain adjustments and to develop certain quotas. At the moment the results of that visit have not been ascertained.

That is one way in which it could be done. Another way, of course, would be for the President to issue an Executive order.

Mr. WYMAN. We have not gotten any action by way of a voluntary imposition of quotas from Italy or other countries?

Mr. BATES. No. I wish we could say that we had achieved something, but unfortunately at this date I cannot.

Mr. WYMAN. What is the hourly wage rate paid for a shoe worker in Italy? Does the gentleman know that?

Mr. BATES. Yes. In Italy the average worker receives about 56 cents an hour, and that includes all the fringe benefits.

Mr. WYMAN. Could the President of the United States, under the Trade Expansion Act, by quotas limit the imports so as to help our industry?

Mr. BATES. Yes. As the gentleman knows, we are endeavoring to get another meeting with the President to see what can be done in that regard.

I thank the gentleman for asking those pertinent questions. We are most fortunate to have his aid in this crucial battle. The gentleman's keen mind and fighting heart are valuable assets in our cause.

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

Mr. BATES. I yield to the distinguished gentleman from Massachusetts [Mr. BURKE], a member of the Committee on Ways and Means, whose work is so renowned with respect to the Reciprocal Trade Act and particularly because of his efforts to promote the shoe industry of New England.

Mr. BURKE. I thank my colleague from Massachusetts, and I commend him for the outstanding job he has been doing not only for the shoe industry but also for many other industries which find themselves facing the same problem.

Mr. Speaker, as is well known, a great many Members of this House have been increasingly concerned with the impact of imports on the Nation's shoe manufacturing industry. A new and striking development which has come to my attention further underscores the sound basis for this concern and adds to the rapidly accumulating evidence of the disregard of foreign suppliers and their governments for the problems of this industry; it adds also to the hopelessness many feel for reaching a voluntary solution.

The latest aggravation is the dumping of Czechoslovak shoes on the American market. The significance of this practice lies not only in its immediate impact but in its blueprint usefulness for the numerous other foreign suppliers—of other products as well as shoes—who are unquestionably similarly inclined.

Mr. Speaker, the U.S. shoe manufacturing industry is composed of 1,300 factories located in 38 States and more than 260 congressional districts. Together with supplying and supporting industries, it provides jobs for 320,000 employees a total annual payroll of over \$1 billion. Its importance to the economy is also evidenced by yearly sales of approximately \$4½ billion.

In this light, it is not difficult to understand why so many of us are concerned with its economic health. An industry such as this, widely dispersed, composed largely of small-to-medium-sized companies, and generating sizable employment and sales, is especially important to the Nation's economic welfare. Moreover, in many towns where its factories are located, it offers the principal and

often sole source of income and employment; the closing of the shoe plant is the obituary note to the history of the town.

But this industry and its workers in many areas now face just such a catastrophe and the direct cause is imported shoes. Between 1955 and 1963, footwear imports increased nearly 1,100 percent, resulting in a market penetration for the latter year of over 13 percent of domestic production.

While domestic production remained relatively constant, the U.S. industry suffered a total absorption of its normal growth by foreign shoes. During the same period, employment has declined and the yearly loss of job opportunities now exceeds 35,000. But from my own experience, the statistics revealing lost jobs do not tell a complete story. Under pressure from imports, many plants have been uprooted from one section of the country and have moved to another, where lower wages prevail. The impact on the abandoned communities and the employees who once held these jobs is self-evident—factories are moved but the people are not. Thus the contribution to poverty of shoe imports. In the State of Massachusetts, the once-prosperous shoe and textile towns of Brockton, Fitchburg, Lawrence, Haverhill, Lowell, New Bedford, Springfield, Chicopee, Worcester, Leominster, and others are now areas of substantial unemployment.

This rapidly deteriorating situation has understandably caused the alarm shared by many of us. In 1963, 235 Members of this House and 33 Members of the Senate petitioned President Kennedy to take steps for the relief of the domestic shoe industry. In October a group of Congressmen and Senators accompanied by representatives of management and labor, met with President Kennedy. We found him similarly concerned with the problem and anxious to initiate certain steps which would offer the industry some assistance. This spring, the congressional-industry group conferred with President Johnson. We were pleased to report that President Johnson was equally impressed with the gravity of the situation and equally ready to take steps to insure the healthy survival of the domestic shoe industry and to give it a fair opportunity to share in the Nation's growth.

We had hoped that the severe market disruption suffered by the industry and the numerous expressions of widespread legislative and executive concern would have made an impression on our foreign suppliers. We had hoped that they would recognize that it is in their interests individually, as well as ours, and in the interest of orderly world trade in footwear, to encourage their governments to enter into multilateral negotiations providing all nations with a fair share in the world's markets and preventing the destruction of any large segment of a nation's industry. This hope was not realized.

In June, a delegation of leading U.S. shoe manufacturers and labor leaders traveled to Milan, Italy, to discuss the chaotic state of the world footwear industry with their Italian counterparts

and to urge a multinational government-to-government conference to develop a solution. They were accompanied by Senator EDMUND S. MUSKIE, of Maine, representing the 235 Congressmen and 33 Senators who signed the petition to President Kennedy.

It might have been expected that the representatives of the Italian shoe manufacturing industry were willing to discuss rationally the overwhelming problems facing the U.S. industry, the ramifications of this problem on their own future position in the U.S. market, and the desirability of intergovernmental meetings for voluntary solution. But, they did not even want to talk to our representatives. They probably would not have talked at all had a Member of Congress not been present.

This cold shoulder treatment is what we often face in seeking voluntary solutions to our problems in foreign trade. We as a nation are, and have always been, expected to take a sympathetic view of oversea economic difficulties. But, as in so many other trade areas, the principle of reciprocity does not apply.

Dumping, as is well known, is fundamentally nothing more than a familiar price discrimination practice whereby foreign suppliers offer merchandise in the U.S. market at less than they sell like merchandise in their own, or third nation markets. The inevitable result of such discrimination is, of course, artificially causing injury to industry in this country.

Consider just two examples. The man's shoe which I am holding was made in Czechoslovakia and is offered at \$3.50 per pair, f.o.b. New York, duty paid. This comparable shoe of domestic make sells at \$7.15 per pair wholesale—more than twice the price of its Czech counterpart.

As another example, notice these two hunting boots. The light-colored one is Czech, the other American. They represent a U.S. price disadvantage of \$6.12 versus \$4.06 per pair.

I shall have these shoes and others in my office and welcome any Members who are concerned to come and see for themselves the dangerous situation which is developing. By inspecting these shoes as I have you will see the equally high, if not superior quality of the imported footwear, which nevertheless sells at such a ridiculously low price that our industry simply cannot compete.

Considering all the productive factors involved—labor, material, and design—it is in my opinion impossible that the Czechoslovak shoes could be offered anywhere in the world at the prices for which they are sold here. It is equally impossible that comparable shoes could be manufactured in third nations and offered in such nations at these prices with the hope of making a profit.

The source of this problem is in part inherent in trading with Communist-bloc nations, and, in fact, in trading with any nation where industry is state-owned and state-operated. Many factors may contribute to the condition whereby dumping is fostered and directed as an inte-

gral part of supervening state policy. It may be that dumping is called for by political considerations to stimulate the artificial growth of an industry which the government feels should be a substantial part of the managed economy. Dumping may also be dictated as a means of gaining acceptance in a rapidly expanding market such as ours, where consumers might otherwise be reluctant to purchase goods from bloc nations. I should not have to remind Members of this House that Communist-bloc dumping in the U.S. market can also be motivated by more malignant considerations as well.

Whatever the cause, the situation which I commend to your attention today has dangerous implications for all domestic industry and calls for immediate action. Doubtless the volume of shoes imported from Czechoslovakia is not at the present time comparable to the penetration from Japan and Italy. As I have described at some length, however, the U.S. shoe manufacturing industry has already suffered too much injury from foreign competition to suffer this additional burden through the unfair competitive act of dumping. It would be ill-advised for us to be complacent and shrug that the overall impact of dumped entries might not amount to much. It is our job to act now, not when it is too late, to insure that this Nation will continue to have a healthy domestic shoe industry.

Indifference to the dumping practices which I cite here will not only encourage their persistence and expansion, but will invite other nations to follow the course now charted by the Czechs. Failure to stop unfair competition in its incipiency will permit its development until irreparable harm is done. Toleration of the dumping of shoes by nations where the state owns and operates industry, is an open suggestion to such nations that we will also acquiesce in dumping injury to other industries, such as textiles and high alloy steels, which are also hard pressed by import competition.

Mr. Speaker, in my opinion the path of action is clear. Many of us have been concerned with the inadequacy of the present antidumping law. We believe that the existing procedures offer little real protection but rather tend to frustrate relief or cause it to be so long in coming as to be of questionable value. For these reasons, I introduced H.R. 10836 in April, a bill identical to those introduced by numerous other Members calling for revision of the antidumping laws.

The situation facing the shoe industry today necessitates further reappraisal of the antidumping law and its adequacy to the tasks intended. Involved is the complex question of providing dumping in the case of a Communist nation. Also involved is the ability of this law to terminate injurious practices in their incipiency, before permanent damage is done. Unless this can be accomplished, relief will be of little use.

The issues raised appear complex, although the complexity may be more superficial than real. In any event, the danger is imminent and the larger implications are portentous. Accordingly,

I have concluded that there is only one course open as an initial step. I have determined to ask the Treasury Department to undertake an investigation of the practices described today—to ascertain whether dumping is taking place and, if so, to initiate preventive measures. I emphasize that this step may be only preliminary. If the dumping statute is inadequate to this task, then other action, by legislation or otherwise, must be taken to protect domestic industry and workers from unfair methods of competition.

A voluntary solution to world trade problems is the most desirable objective, but volition on only one side is no solution. The principle of reciprocity in trade is our national goal, but too often nations expect reciprocity from us while with them it is more rhetorical than real. It is time that the United States notify the world that it will not permit any major industry to be sacrificed to ideals and policies which only we embrace, and that it will take immediate action in the face of reckless or predatory competitive practices.

Mr. EVERETT. Mr. Speaker, I join my colleagues in voicing concern over the serious matter of Communists' dumping shoes in the U.S. market. The impact of these imports on the American shoe industry requires an attentive and realistic consideration which seeks to get at the heart of the matter. My own study of the situation raises the serious question as to whether those responsible for our trade policy are aware of the full implications of what they are doing.

It has been suggested by one of our more alert political humorists that a Communist is a fellow who borrows your pot to cook your goose in. I can perhaps understand why we might occasionally give in to the good-neighbor impulse and lend out our pot to an enemy, but it escapes me entirely why, having discovered our mistake on more than one occasion, we insist not only on giving away the pot once again but in asking the fellow to turn up the heat. Yet this is precisely the problem we face in the shoe industry. What worries me is the fact that what is happening to the American shoe industry today can happen to any other industry tomorrow. I am worried, too, by the fact that our existing means of dealing with dumping by foreign countries, and especially by Communist nations, is woefully inadequate and cumbersome.

The problem, in a nutshell, is this. Shoes from Communist bloc countries are entering this country at an alarming rate and are being sold at prices clearly below the cost of production. The impact of our own shoe manufacturers, who are already beleaguered by fierce competition from Italian, Japanese and other sources, is most deleterious, and working American men and women are being deprived of jobs and job opportunities because Communist governments subsidize their own shoe manufacturing.

I see a great irony in our current trade relations with Soviet-bloc countries. We seem to proceed on the false premise

that economic relations with these satellites can take place in a political vacuum, as if we were exchanging a friendly economic handshake with a good neighbor to the mutual advantage of both parties.

I wish that were the case. The fact of the matter is that "peace and friendship" and good neighborliness do not characterize the policies of satellite nations. We deal instead with men and policies whose major purpose is to undermine the power of this country while simultaneously strengthening their own position.

I suspect that few people realize the technique of trading with a Communist country and how it differs from normal international commerce. We deal not with individual manufacturers or jobbers, but with a government-controlled trade agency, which works hand-in-glove with the state planning organ, which in turn determines the political as well as the economic advantage of trading with the West. Let there be no mistake about it: Trade policy, like everything else the Communist countries do, is viewed as a cold-war weapon to be used in the same way as a gun; and we all know where that gun is pointed.

The very nature of these state-controlled economies gives a built-in ability to dump surplus products in foreign markets. With the normal market barometer of the price system gone from the planned economy, its production runs a wide cycle between deficit and surplus, depending on how close the supposedly omniscient planner comes to predicting salable output. If there is a surplus in any given accounting period, it can be dumped on the most advantageous market at any price, no matter how outrageously low. And, it should be noted, there is no day of reckoning with the auditors, no worries about meeting a payroll, and no stockholders to face. The monolithic state simply assumes the loss as a cost of doing business the socialist way.

There is another means by which such state-dominated economies are capable of dumping: they can plan to do so at the outset when they set their productive quotas for a given period, so that a specified portion of the output is earmarked for purposes of undermining another country's domestic market. This ability provides the Communists with a potent weapon for economic disruption, and they have not hesitated to use it.

The shoes we see before us today are the result of one of two causes: either socialist economic inefficiency hiding behind a wall of government assistance, or calculated infliction of injury. Either way, we are the suckers; either way, we get stuck; either we are in the foolish position of sandbagging a Communist country's stupidity, or we are freely handing over the proverbial pot and begging for the heat to be turned on.

We should, however, note, Mr. Speaker, that such predatory tactics can be perpetrated only so long as we foolishly insist on pursuing a policy which allows such goods to come into this country unrestricted, and without regard to the impact of an important American industry.

What irony we have here. This country spends billions annually to insure the freedom of the world against the ravages of communism; and yet here our foreign trade policy is, in effect, giving open assistance to the very governmental policies whose goals we say we oppose. Above all, the Congress spends many millions of the taxpayers dollars annually to alleviate the unemployment problem. This House is now weighing the merits of the so-called poverty program, a substantial part of which is devoted to a supposed cure for unemployment; yet at this very moment we sit back watching Communist imports do the very damage to our shoe industry that our appropriations are attempting to stop. The left hand taketh away what the right hand giveth.

Mr. Speaker, many Americans are vitally concerned with this problem. It may be "just" shoes today; but tomorrow it will be more shoes, and more the day after that, until the great, long line in front of the unemployment office is shod entirely with Communist shoes. And then, I suppose, it will be something else, perhaps steel; and, for all I am able to predict, I suppose someday we will be buying weapons of national defense from Communist countries. When it's too late, we'll wonder how it all happened. Now is the time, indeed, to look closely at our Communist trade policy.

Mr. HECHLER. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. BATES. I will be happy to yield to the gentleman.

Mr. HECHLER. I am interested in the discussion of the gentleman from Massachusetts [Mr. BURKE] who is a great and valiant fighter for the State of Massachusetts, but I am a little puzzled. How can he be consistent in urging a limitation on the import of shoes at a time when he is spearheading the effort to bring huge amounts of residual oil into this Nation, which hurts coal-mining States such as the State of West Virginia? How can the gentleman be consistent in advocating this?

Mr. BURKE. I have never claimed to be consistent. In fact, I emphatically state I have never been consistent. I believe in acting in the best interests of the people of my State. Of course, I recognize the gentleman from West Virginia and the efforts he has been making on this residual oil question. I am a little bit concerned about the provincial attitude he takes about West Virginia. I see him working morning, noon, and night on this problem of keeping restrictions on residual oil, and more than likely he is the main cause of us not being able to remove these restrictions so that we can bring about the import of these oils into New England to provide heating there. I know he is concerned about the coal-mining region, but there are other problems in the United States that we have to be concerned with.

Mr. HECHLER. Mr. Speaker, I thank the gentleman.

Mr. BATES. Mr. Speaker, I want to thank the gentleman from Massachusetts for his remarks. He has certainly been a champion of the shoe industry. I

am very pleased to have him join with me here today.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. BATES. Yes. I will yield to the gentleman.

Mr. O'KONSKI. I would like to make inquiry about your colleague from Massachusetts. I understand him to say that he is in favor of importing anything except that which is produced in his district. Do I understand the gentleman correctly?

Mr. BATES. I will be glad to yield to the gentleman to make reply.

Mr. BURKE. In answer to the gentleman from West Virginia [Mr. HECHLER] who asked me to explain why I was not consistent, I told him I have never claimed I was consistent. I act entirely in the interests of the people of the Nation and the interests of the people of my district. Those interests are primarily my interests first. To do so I could not be consistent and be a good legislator.

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

Mr. BATES. I will be glad to yield to the gentleman from New Hampshire.

Mr. WYMAN. I would like to compliment both of the gentlemen who just addressed the House in this matter. I associate myself with their remarks, because we are all together in this along with a good many other Members of this body.

I would like to ask the gentleman from Massachusetts this question: Is there not going on at the present time some kind of a statistical study of foreign imports of shoes of all types?

Mr. BATES. Yes. I am glad the gentleman mentioned that point. One of the main problems we have had in the past when we conducted hearings on this subject was to attempt to get statistics lined up in such an order that we are all talking about the same thing. The gentleman will recall the meeting he attended with President Kennedy at the White House at which time the President requested the Committee on Appropriations of the Congress to allocate some \$250,000 for a statistical study. I remember how much the gentleman from New Hampshire [Mr. WYMAN] and the gentleman from Massachusetts [Mr. BOLAND] on the Appropriations Committee did to bring that desire to fruition. As a consequence of those efforts we are pleased to see those studies now under way.

Mr. WYMAN. Will that study be helpful in the determination of whether or not there should be import quotas established?

Mr. BATES. Yes. I believe this study will be of vital importance.

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. WYMAN. Mr. Speaker, I include in my remarks, at this point in the Rec-

ORD, the excellent statement of views prepared by counsel to the shoe manufacturing industry, Attorney Thomas Shannon, of Washington, D.C. This statement sets forth in detail the dilemma faced by the industry and the acute need for relief from floods of cheap foreign imports, especially in women's, misses, and children's shoes. It makes little sense to talk of relieving poverty here in the United States all the while allowing conditions of unfair foreign competition to put American workers in the shoe industry out of their jobs. Our State Department should encourage, rather than discourage, a reasonable amount of protection for this important industry.

The statement follows:

STATEMENT OF VIEWS ON INCLUSION OF FOOTWEAR PRODUCTS ON THE LIST OF ARTICLES FOR POSSIBLE CONSIDERATION IN TRADE AGREEMENT NEGOTIATION

The foreign trade committee of the shoe manufacturing industry, representing more than 800 shoe manufacturers requests that the footwear items enumerated in subpart A, part I, of schedule 7, tariff schedules of the United States be reserved from the list of articles to be considered for duty reductions during the forthcoming negotiations. We submit that duty reductions on footwear would aggravate foreign trade conditions which at present threaten the survival of a major portion of the U.S. footwear industry.

I. CONDITIONS OF FOREIGN TRADE IN FOOTWEAR

Analysis of foreign trade conditions in footwear reveals the following:

1. Imports of footwear have increased more than 1,054 percent since 1955 and now represent more than 13 percent of domestic production;

2. Exports of footwear, never significant in quantity, have virtually disappeared in recent years.

Import trend

In 1955, imports of footwear aggregated only 7.9 million pairs and had but a 1.2-percent relationship to domestic production. Since that time, imports have increased at an alarming and significant rate each year, the point of departure appearing to be 1958, when imports more than doubled the 1957 total.

The result of this dramatic trend was an aggregate importation of 92.2 million pairs in 1962, a figure representing 13.2 percent of domestic production. We know of no industry of comparable size which has suffered such a rate of increase and accompanying market disruption as have been thrust upon U.S. shoe manufacturers.

There was no sign that this deteriorating situation was reversed in 1963. Last year the footwear market was relatively depressed; domestic production was somewhat less than 1962. It might have been expected that the flood of imports would also diminish, but, in fact, reported imports remained at approximately the same level, although declared value increased by approximately \$3,500,000. Accordingly, the imports to production ratio remained at approximately 13 percent.

Reported 1963 imports substantially understate total imports for last year. By operation of the tariff schedules, effective September 1, 1963, a large quantity of infants' knit booties, previously reported under paragraph 1530(e), Tariff Act of 1930, were transferred to schedule III (textiles) of the tariff schedules and are not now identifiable. Beyond question, this statistical factor accounts for a large share of the apparent decline in importation of footwear shown in table I as "All other nonrubber."

The total volume of footwear imports for each year, 1955 through 1963, is set forth in table I, attached hereto. This table has been developed to demonstrate the total impact of imports on the footwear market, and includes both leather and rubber-canvas footwear, although the information presented in this brief relates primarily to leather and leather-type footwear.

Rubber-canvas footwear, except for footwear used for athletic purposes, is directly competitive with and displaces leather footwear. In the men's and women's fields canvas-rubber is worn for casual use and in the children's field it is worn for day-to-day use. In these markets a pair of canvas-rubber shoes takes the place of a pair of leather shoes. Such activities as tennis, boating, and certain other sports may require special rubber footwear which would be extra shoes, but such footwear occupies a very small share of the canvas-rubber total.

The import level increase involving certain significant categories of footwear is even more startling. For example, cement footwear for women, misses, children, and infants account for more than one-third of the total domestic footwear production by volume and only a slightly lesser proportion by value. Imports of this type of footwear equaled only 234,712 pairs in 1954; by 1962, 9,839,400 pairs were imported. For the first 8 months of 1963, 10,416,270 pairs were imported, more than total importation during the year 1962 and representing an increase of over 4,000 percent compared with 1954. It is clear that invasion of basic footwear markets such as this cement category has an even greater overall impact than higher percentage penetration of less important markets. This statement does not, however, minimize that increased import penetration in other categories, for all tariff classifications covering footwear have experienced substantially higher import levels during the past 10 years.

Export trend

At the same time that the domestic industry has been experiencing the described sharp acceleration of footwear imports, exports have rapidly declined, and significant export markets are not available to U.S. producers. Between 1955 and 1962, exports of nonrubber domestic footwear declined by 1,700,000 pairs, approximately 37 percent. Our unfavorable trade balance in nonrubber footwear is approximately 20 to 1, and the unfavorable balance for all footwear covered by this brief is more than 30 to 1.

II. CAUSES FOR DETERIORATION OF FOREIGN TRADE IN FOOTWEAR

The alarming rate of increase in footwear imports entering the United States and the negligible and diminishing export market for these products are directly attributable to four causes. These are:

(1) Foreign employment costs, including fringe benefits, are substantially lower than such costs in the United States;

(2) High labor input is required for the production of footwear;

(3) Foreign shoe factories are of such modern character that no decisive U.S. productivity advantage can be achieved; and

(4) Foreign entry barriers, tariff and non-tariff, are significantly higher than U.S. import duties.

Employment cost disparity

By a substantial margin the most important factor generating the sharp and substantial import increase is the wide disparity in employment costs between U.S. and foreign shoe plants. The employment costs in the footwear industries of Japan and Italy are the lowest of all major producing nations; it is not surprising that they rank first and second among the nations supply-

ing the United States with imported footwear. Imports from both Japan and Italy increased between 1955 and 1962 at an even greater rate than the total footwear import rate of increase during the same period. In 1962, approximately 48 million more pairs of Japanese footwear entered the United States than in 1955, an increase of greater than 1,700 percent. The acceleration of Italian imports is comparable: 13,900,000 more pairs entered in 1962 than in 1955, an increase exceeding 1,100 percent. The influence of the employment cost differential on footwear imports is further demonstrated by the fact that entries from the United Kingdom and Switzerland have increased only slightly during the 1955-62 period, and such costs in these nations are substantially greater than in Japan and Italy.

The following table sets forth employment costs for hourly rated labor in principal footwear producing nations:

Hourly employment costs in the footwear industry, by countries, including fringe benefits for all nations

Country	1958	1959	1960	1961	1962
Japan.....	\$0.27	\$0.29	\$0.32	\$0.35	\$0.40
Italy.....	.43	.44	.44	.47	.56
United Kingdom:					
Males.....	.81	.83	.93	.98	1.03
Females.....	.51	.53	.57	.60	.64
Switzerland:					
Males.....	.99	1.03	1.09	1.15	1.25
Females.....	.52	.55	.57	.61	.66
United States.....	1.81	1.84	1.90	1.95	1.97

Labor input

The competitive impact of employment cost disparities naturally increases with the amount of labor required to make the products of an industry. Because of the nature of the process, direct labor continues to represent an unusually high proportion of total manufacturing costs, ranging from 25 to 35 percent. Notwithstanding the substantial improvements in productive efficiency and in component materials, in which the U.S. industry has led the way, labor content in footwear will continue to be unusually high. It is inherent in this item of apparel that fit specifications are of paramount importance, and equally inherent that symmetry of construction in difficult operations, particularly stitching, is essential. Attainment of these standards requires visual judgment and manual dexterity which cannot be mechanized.

Foreign plants

It is an unwarranted and unrealistic assumption that U.S. productive superiority will enable the domestic footwear industry to compete effectively in our home market and in foreign markets.

First, such an assumption ignores the fact that foreign factories are extremely modern, many having been built since World War II. They cannot be described as inefficient.

The U.S. footwear industry is continuing to improve its productive techniques and to seek lower costs in footwear production, and doubtless the domestic industry and its workers are more efficient than plant and employment abroad. It is the industry's estimate that U.S. plants and workers are 25 percent more efficient than foreign labor and facilities. But it is impossible that our workers could be five times more productive than Japanese workers or nearly four times more productive than Italian workers as would be necessary to overcome our employment cost disadvantage.

The described cost advantage enables foreign producers to sell footwear in the U.S. market at far lower prices than domestic manufacturers can sell comparable items.

Over the average of the industry's product, foreign footwear sells at prices 15 to 25 percent below prices for equivalent items of U.S. manufacture.

In an industry such as this involving active demand response to price within the product mix, tariff rates exert a significant influence. It is important to point out that substantial tariff concessions have been granted on 21 of the 25 items covered in this brief.

Foreign trade barriers

The U.S. tariff levels applicable to footwear are as low or lower than those of any nation, and there are no U.S. equalization taxes applicable to imported footwear. Most foreign producing nations couple relatively higher duty rates, based on c.i.f. value, with substantial nontariff taxes resulting in much greater trade barriers than prevail in the United States.

There is no question that these barriers burden what footwear export market remains available to the domestic industry, and they should be reduced to the existing U.S. level. One point, however, should be emphasized: Even if foreign trade barriers were to be substantially reduced the export markets for U.S. footwear would not expand significantly, since the cost-price advantage enjoyed by foreign producers would continue to prevent effective competition.

III. THE IMPACT OF IMPORTS

The rapid deterioration of U.S. position in footwear foreign trade has produced the following results:

1. A decline in the domestic industry's growth and profitability.
2. A loss of more than 30,000 job opportunities in 1963.
3. An immediate threat to the survival of the domestic industry as a healthy element of the economy and consequent derogation of the national interest.

Decline in growth and profitability

Production in the domestic shoe manufacturing industry (rubber and nonrubber combined) increased at an average annual rate of 2.7 percent between 1947 and 1955. Had this growth rate been maintained in the years since 1955, production would have been 790 million pairs in 1963, but, in fact, the domestic industry produced only 698,602,000 pairs of footwear in 1963. The difference of approximately 90 million pairs is virtually equal to the 1963 import volume.

The shoe manufacturing industry is historically a highly competitive, low profit industry, and profit margins have been further impaired by import competition. Net profit (after taxes) on sales in the leather and leather products industry, including shoes, was 2 percent in 1957; only two manufacturing industries listed by the SEC-FTC financial report suffered a lower return. By the second quarter of 1963, percentage of profits to sales in the leather and leather products industry had declined to 1.2 percent and the industry was the least profitable of those listed in the SEC-FTC report. It is evident that this development occurred during the period of greatest increase in import levels.

Table III, attached hereto, sets forth the net profit after taxes for all manufacturing corporations by industry, derived from the SEC-FTC report.

As is typical of a highly competitive industry, price has a substantial influence on shifts in demand. This very responsiveness of demand to price, of course, is the principal advantage enjoyed by foreign producers and underscores the economic impact which could result from further tariff concessions.

Loss of job opportunities

Imports during 1963 of 91,491,454 pairs of footwear eliminated approximately 35,096 job

opportunities in the footwear manufacturing and allied industries, and 29,213 opportunities for production workers alone. This total is calculated on the basis of U.S. production figures and 1963 productivity. At the current rate and on the same formula, projected imports will displace approximately 51,400 job opportunities in 1965, including 42,786 for production workers. This labor displacement represents a substantial proportion of the workers currently employed in shoe manufacturing and related industries. Since 1958, the number of employee separations in the shoe industry has increased from 4 to nearly 5 per 100 employees, and new employment since 1959 has declined from 3.0 to 2.9 since 1959 per hundred employees. As will be demonstrated in the immediately succeeding section of this brief, the loss of these job opportunities and concomitant purchasing power will have an immense impact on numerous small communities.

Table IV, attached hereto, sets forth new employment, separations and voluntary separations, 1958-62.

Importance to the national economy

The described adverse foreign trade posture of domestic shoe manufacturers also has substantial impact on the Nation's economic well-being, because of the size, employment and location of the plants in the industry.

The 1958 Census of Manufacturers disclosed that there are over 1,300 shoe factories, located in over 600 communities, the majority of which are small towns where shoe manufacturing supplies the major source of income and few alternative job opportunities exist. These establishments are located in 38 States and over 260 congressional districts.

This industry mass-produces a basic necessity. The American consumer today is the best shod individual in the world; annual per capita consumption ranges from two to four times that of consumers in all other parts of the world.

The industry is one of the largest industrial employers in the economy, providing jobs for approximately 320,000 persons. The vast majority of the workers seek and in many cases are limited to tasks which involve manual and handicraft talents, they can find few other employment opportunities. The industry is also an important customer of industries producing shoe machinery, materials, components and supplies. The activity of these persons results in sales of footwear of over \$4,500 million annually.

Employment figures for leather and allied industries are shown in table V, attached hereto.

Yet even these facts fail to reveal the direct relationship between the economic condition of the footwear manufacturing industry and that of the numerous small communities in which its plants are located. In Massachusetts, such areas include Fitchburg-Leominster, Brockton, Lawrence-Haverhill, Lowell, New Bedford, Springfield, Chicopee, Worcester—all towns which are classified by the U.S. Department of Labor as areas of "substantial unemployment." In addition, Portland, Maine; Manchester, N.H., and other small, semirural cities are in areas of moderate unemployment. If the U.S. shoe industry is made expendable to the cause of imports, hundreds of employees working in these plants must also be considered expendable. According to U.S. Department of Labor's "Area Labor Market Trends" for November 1963, "a moderate job decline seems likely for the shoe industry, where the bulk of the drop is expected to occur in Boston and Utica-Rome, N.Y."

The shoe industry has contributed substantially to manufacturing developments in Pennsylvania, now the second largest shoe-producing State in the Union. But, the

threat of imports increasing further may result in aggravated unemployment in this State. Already some manufacturers who were in the playshoe, casual and slipper fields in Pennsylvania have terminated operations. Others who survive indicate that it is a much harder struggle to maintain a reasonable profit level than previously. We are particularly concerned about footwear manufacturers in Altoona, Scranton, and Wilkes-Barre-Hazleton and other Appalachian areas where unemployment is already at critical levels. In West Virginia, the industry is concerned about the Huntington-Ashland area, also in Appalachia, where unemployment is slightly under the 9-percent level.

Other small towns classified in labor surplus areas and having a local shoe manufacturing industry are: Carrollton, Metter and Waycross in Georgia; Cape Girardeau, Ca-

ruthersville, Hannibal, Monett, Poplar Bluffs, Potosi, Versailles and Washington in Missouri; Logan and Portsmouth in Ohio; Centerville, Franklin, Greenville, Martin, Paris, Savannah, and Springfield in Tennessee; and La Crosse in Wisconsin.

National security

Of equal significance to its impact on the economy as a whole is the domestic shoe manufacturing industry's importance to national defense. The response to defense needs made by this industry in time of crisis is ample testimony to its essential defense character. In 1941, 15,285,000 pairs of footwear were shipped to the military; this volume increased to 40,875,000 pairs in 1942 and reached a peak of 50,485,000 in 1944. At the time of Korea, footwear for defense purposes increased from a negligible quantity in 1950 to more than 20 million pairs in 1951. This

rapid satisfaction of emergency needs could not have been accomplished by an industry whose very existence was threatened by import penetration.

It is apparent that our defense chiefs are increasingly concerned with the Nation's ability to undertake flexible responses to critical or potentially critical situations throughout the world. Less reliance is placed upon "pushbutton" warfare as an exclusive retaliatory course, and correspondingly greater attention is devoted to conventional or modified conventional forces. If we are to be prepared for conventional action in various world trouble spots, certainly provision should be made for a shoe industry ability to provide for present and contemplated conventional forces. Permitting sacrifice of the domestic industry to a rapidly increasing import rate does not serve this end.

TABLE I.—Footwear imports, 1955-63

Category	1955		1956		1957		1958		1959	
	Pairs	Value	Pairs	Value	Pairs	Value	Pairs	Value	Pairs	Value
Men's, youths', and boys'	856,551	\$5,440,020	1,801,028	\$8,987,826	2,409,921	\$11,124,621	6,907,380	\$16,359,552	4,834,849	\$21,564,277
Women's, misses', and children's	928,193	3,391,103	1,194,778	4,051,452	2,484,501	6,603,422	9,192,845	11,526,067	6,221,748	14,313,173
Slippers	921,263	1,081,529	1,027,784	1,187,412	818,917	1,081,037	1,135,704	1,173,042	1,598,914	1,857,348
Moccasins	1,547,811	926,877	1,170,618	703,345	941,720	580,520	1,063,005	733,583	917,985	772,992
All other nonrubber	3,555,836	2,730,931	4,804,731	3,565,595	4,333,418	2,824,789	5,298,107	3,080,538	8,703,345	5,906,486
Vinyl-supported uppers	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Rubber and simulated rubber with canvas uppers	115,183	152,399	433,716	343,844	1,022,647	1,122,942	3,247,741	2,429,226	12,614,104	17,105,903
Total	7,924,837	13,722,859	10,432,655	18,839,474	12,011,124	23,337,331	26,844,282	35,308,008	34,890,945	61,520,179
Production	638,203,000		652,894,000		666,725,000		650,759,000		707,670,000	
Percent of production	1.2		1.6		1.8		4.1		4.9	

Category	1960		1961		1962		1963		Percent change, 1955-63	
	Pairs	Value	Pairs	Value	Pairs	Value	Pairs	Value	Pairs	Value
Men's, youths', and boys'	5,203,069	\$24,183,344	5,420,358	\$24,061,736	7,490,055	\$32,297,483	7,723,871	\$33,424,866	801.7	514.4
Women's, misses', and children's	7,777,444	18,920,098	9,648,436	22,981,494	13,616,388	30,285,259	18,426,804	36,335,920	1,885.2	971.5
Slippers	2,828,061	2,138,591	3,231,758	2,189,022	7,175,220	3,790,009	6,969,140	3,294,546	626.8	204.6
Moccasins	1,327,119	1,057,988	1,006,868	882,756	658,560	626,863	670,818	530,312	-63.1	-42.8
All other nonrubber	9,480,815	6,957,357	17,350,967	9,619,615	26,117,234	13,264,202	13,145,418	7,083,499	269.7	159.4
Vinyl-supported uppers	(1)	(1)	(1)	(1)	2,961,212	2,594,252	16,252,784	8,856,381	(1)	(1)
Rubber and simulated rubber with canvas uppers	30,337,152	37,580,523	28,614,610	31,843,330	29,225,176	18,791,494	28,675,619	18,766,845	24,795.7	12,214.3
Total	56,953,660	90,837,901	65,272,997	91,577,953	92,243,845	104,749,562	91,491,454	108,292,369	1,054.5	689.1
Production	679,486,000		686,265,000		698,982,000		698,602,000			
Percent of production	8.4		9.5		13.2		13.1			

¹ Not available.
² Data available beginning July 1962; not available previous to this time.

Source: U.S. Commerce Department and National Shoe Manufacturers Association records, Feb. 24, 1964.

TABLE II.—Foreign duty-tax rates on U.S. footwear, 1964; and actual duty paid on nonrubber footwear imported into United States, 1962

Country	Range of foreign rates			U.S. duty (percent paid)
	Duty (percent rate)	Other taxes ¹	Net duty taxes	
Common Market:				
Belgium	16 to 20 percent	6 to 12 percent	23 to 34.4 percent	14.4 percent
France	do	25 to 26 percent	45 to 61.2 percent	11.2 percent
West Germany	16 to 19 percent	6 percent	23 to 26.1 percent	8.3 percent
Italy	14 to 20 percent	7.3 to 7.8 percent	22.3 to 29.4 percent	13.8 percent
Netherlands	16 to 20 percent	2 to 4.5 percent	18.3 to 25.4 percent	10.8 percent
Luxembourg	do	4 percent	20.6 to 24.8 percent	
Japan	15 to 27 percent	5 to 50 percent ¹	15 to 90 percent	19.9 percent
United Kingdom:				
With leather uppers:				
Men's	15 percent	10 percent	26.5 percent	
Children's	20 percent		20 percent	
Women's	3 shillings per pair or 10 percent, whichever is higher	10 percent	11 to 21 percent	6.9 percent
Canada	20 to 27½ percent	11 percent	33.2 to 41.5 percent	9.5 percent

¹ This tax range applies to luxury and semiluxury items, which we understand may be applied to any given shipment of U.S. footwear.

Source: U.S. Department of Commerce. Cols. 4 and 5 compiled by National Shoe Manufacturers Association.

TABLE III.—Net profit after taxes for all manufacturing corporations by industry, as a percent of sales

1957	
Drugs.....	10.4
Petroleum refining and related industries.....	10.3
Chemicals and allied products.....	7.7
Stone, clay, and glass products.....	7.5
Primary metal industries.....	6.5
Instruments and related products.....	5.7
Tobacco manufactures.....	5.1
Paper and allied products.....	5.0
All manufacturing corporations except newspapers.....	4.8
Machinery (except electrical).....	4.8
Transportation equipment.....	4.5
Electrical machinery, equipment, and supplies.....	4.2
Rubber and miscellaneous plastics products.....	4.2
Printing and publishing, except newspapers.....	3.8
Other fabricated metal products.....	3.6
Furniture and fixtures.....	2.7
Miscellaneous manufacturing and ordnance.....	2.5

TABLE III.—Net profit after taxes for all manufacturing corporations by industry, as a percent of sales—Continued

Lumber and wood products.....	2.3
Food and kindred products.....	2.2
Leather and leather products (including shoes).....	2.0
Textile mill products.....	1.9
Apparel and other finished products.....	1.3
1963 ¹	
Petroleum refining and related industries.....	9.8
Drugs.....	9.7
Chemicals and allied products.....	8.0
Stone, clay, and glass products.....	7.2
Transportation equipment.....	6.0
Tobacco manufactures.....	5.8
Instruments and related products.....	5.8
Primary metal industries.....	5.7
Machinery (except electrical).....	5.1
All manufacturing corporations except newspapers.....	5.0
Paper and allied products.....	4.7
Rubber and miscellaneous plastics products.....	3.9

TABLE III.—Net profit after taxes for all manufacturing corporations by industry, as a percent of sales—Continued

Electrical machinery, equipment, and supplies.....	3.8
Lumber and wood products.....	3.5
Other fabricated metal products.....	3.4
Printing and publishing except newspapers.....	3.4
Miscellaneous manufacturing and ordnance.....	3.3
Textile mill products.....	2.4
Food and kindred products.....	2.3
Furniture and fixtures.....	2.3
Apparel and other finished products.....	1.2
Leather and leather products (including shoes).....	1.2

¹ 2d quarter.

Source: Quarterly financial reports, Securities and Exchange Commission and Federal Trade Commission.

Of all industries recorded in 1957, the leather and leather products industry ranked 3d from the bottom. Of all industries recorded in 1963, the leather and leather products industry was the lowest.

TABLE IV.—New employment separations and voluntary separations, 1958-62¹

	Nonrubber ²			Leather tanning and finishing		
	New employment per 100 employees	Separations per 100 employees	Voluntary separations per 100 employees	New employment per 100 employees	Separations per 100 employees	Voluntary separations per 100 employees
1962.....	2.9	4.7	2.4	2.1	3.9	1.2
1961.....	2.6	4.6	2.1	1.8	3.6	.9
1960.....	2.8	4.7	2.3	1.6	3.4	1.0
1959.....	3.0	4.3	2.3	1.7	3.3	1.0
1958.....	2.0	4.0	1.7	1.2	3.1	.7

¹ Figures prior to 1958 are not available. ² Not available for rubber division of industry.

TABLE V.—Number of employees and payroll in footwear manufacturing industry, by rubber and nonrubber division, 1955-62

[In thousands of employees and dollars]

	Total		Nonrubber		Rubber			Total		Nonrubber		Rubber	
	Number of employees	Payroll	Number of employees	Payroll	Number of employees	Payroll		Number of employees	Payroll	Number of employees	Payroll	Number of employees	Payroll
1962.....	268.1	\$909,590	241.2	\$784,556	26.9	\$125,034	1958.....	257.8	\$785,349	237.4	\$699,738	20.4	\$85,611
1961.....	263.4	864,119	239.6	756,696	23.8	107,423	1957.....	264.0	799,915	243.8	718,280	20.2	81,635
1960.....	264.6	839,737	242.6	743,338	22.0	96,399	1956.....	268.0	788,354	246.3	704,892	21.7	83,462
1959.....	269.5	863,917	247.5	758,224	22.0	95,693	1955.....	268.5	737,355	248.4	664,316	20.1	73,039

ALLIED INDUSTRIES

	Total		Leather tanning and finishing		Footwear cut stock			Total		Leather tanning and finishing		Footwear cut stock	
	Number of employees	Payroll	Number of employees	Payroll	Number of employees	Payroll		Number of employees	Payroll	Number of employees	Payroll	Number of employees	Payroll
1962.....	49.1	\$218,381	31.7	\$157,237	17.4	\$61,144	1958.....	55.1	\$223,943	37.1	\$165,454	18.0	\$58,489
1961.....	52.0	224,935	32.3	158,217	19.7	66,718	1957.....	62.6	237,609	40.1	171,071	22.5	66,538
1960.....	53.6	232,661	33.6	163,864	20.0	68,797	1956.....	63.0	235,714	41.4	172,452	21.6	63,262
1959.....	55.2	241,821	36.3	173,563	18.9	68,258	1955.....	65.4	239,038	43.5	177,153	21.9	61,885

Source: Bureau of Labor Statistics.

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

Mr. BATES. I yield to the gentleman from Massachusetts.

Mr. BURKE. Mr. Speaker, I wish to call attention of the Members of the House present today to two types of shoes, examples of which I have here. These shoes are identically the same. One pair was manufactured in Czechoslovakia. The quality of the shoe, the workman-

ship, is just as good as, if not superior to that of the American-made shoe. This shoe is made in Czechoslovakia, arrives f.o.b., New York City, duty paid for \$3.50. This other shoe, made in the United States, wholesales for \$7.15 a pair. You can see what is going to happen. These shoes are dumped on the U.S. market at a price below that for which they sell in Czechoslovakia. They are glutting the American market.

The Treasury Department should take cognizance of what is being done today and look into this problem, to see that regulations are put into effect that will prevent such dumping from taking place. It is costing thousands of American jobs and driving the American shoe manufacturers out of business.

Here is another pair of workshoes. These two are almost identical. The leather on this one seems to be a little

bit better than that on the American-made shoe. But this shoe, made in Czechoslovakia, landed, including freight and tax and everything else, for \$4.06. This other shoe, made in America, wholesales at the factory, before it is shipped out, for \$6.12.

This is a really serious problem. The Treasury Department should certainly look into the dumping methods of Czechoslovakia and others behind the Iron Curtain who are participating in this practice.

Mr. BATES. Mr. Speaker, I want to thank the gentleman for bringing this matter to our attention and particularly for bringing these examples to show to the Members. I remember some 14 or 15 years ago I stood in this well, and at that time Czechoslovakia was exporting to this country these cheap shoes and dumping them on the American market at a price below that at which they were selling them abroad. As a consequence of that the President of the United States took action, such as I hope the President will now take, to impose the provisions of the Anti-Dumping Act of 1921 so that the jobs of the people in this country will not be taken away by the dumping of these products on our market.

Mr. MCINTIRE. Mr. Speaker, I join with my colleague from Massachusetts [Mr. BATES] in expressing deep concern relative to imports of shoes into this country. These imports are jeopardizing the jobs of hundreds of citizens in each of our States where shoe manufacture makes a vital contribution to the economy.

In my State of Maine there are some 22,000 workers employed in the shoe industry, the total annual wage of these workers being \$67,331,200. These workers are painfully aware of the threat that was created by the implementation of the Trade Expansion Act of 1962. They are only too familiar with the repeated failures of the administration in giving adequate protection through trade negotiations with foreign countries and that, in the wake of these negotiations, there is a real threat to the security of their jobs and necessary income for their families.

Let us keep the aspect of trade reserved for commodities and not jobs—let us keep jobs in America and not trade them off to some foreign country. Let's keep American jobs in America.

Mr. Speaker, under unanimous consent, I include an article entitled "Imports of Women's and Misses' Footwear and Vinyl Shoes at an Alltime High," and pertinent schedule in the RECORD:

IMPORTS OF WOMEN'S AND MISSES' FOOTWEAR AND VINYL SHOES AT AN ALLTIME HIGH

(First 5 months' imports of 45,594,816 pairs equal to 14 percent of U.S. production of 328,140,000 pairs.)

Women's, misses', and children's footwear imports totaled over 10,200,000 pairs, a figure 8 percent higher than the comparable 1963 figure. Nearly 90 percent of all the imports in this category were from Italy.

Another significant increase is in vinyl footwear imports. January-May 1964 imports totaled 14,492,419 pairs which was 185 percent of the comparable 1963 figure. At

present rate of importation the total annual figure would be 46,300,000 pairs. The vinyl shoes from Japan are selling at an f.o.b. wholesale price of 43 cents per pair which is 25 percent below the 57-cent average of 1963. The comparable U.S. price is usually 100-percent higher or more. Japan exported 98 percent of the 14.5 million pairs of supported-vinyl-upper shoes as well as 83 percent of the 14.1 million pairs of sneakers.

Imports of men's, youths', and boys' footwear dropped 5 percent from a year ago to 3,171,850 pairs but wholesale f.o.b. value per pair increased 3.2 percent to \$3.75, thus indicating successful trading-up by importers.

The vinyl-upper footwear imports from Japan have for the first time, starting in

January and for each month since, exceeded importations of rubber canvas varieties, both in pairs and dollar value. Also for the first time the vinyl imports have exceeded the volume of fabric upper footwear with non-rubber soles, which have dropped 50 percent compared to a year ago.

Total imports for May 1964 increased to the level where they brought the running total, January through May, imports to the 1963 level. Before May, total imports lagged behind a year ago. Total imports for May itself exceeded May a year ago by 25 percent. Thus, the current trend indicates an upswing which, if maintained, will result in total 1964 imports that will exceed 1963 by a considerable margin.

Total imports of over-the-foot footwear, January-May 1964

Type of footwear	January-May 1964			January-May 1963			Percent change 1964/1963	
	Pairs	Value	Average value per pair	Pairs	Value	Average value per pair	Pairs	Average value per pair
Leather.....	13,928,586	\$31,411,290	\$2.26	17,215,916	\$30,644,944	\$1.78	-19.1	+27.0
Men's, youths', and boys'.....	3,171,850	12,288,718	3.87	3,325,775	12,482,627	3.75	-4.6	+3.2
Women's, misses', children's.....	10,243,001	18,488,491	1.80	9,471,370	16,152,194	1.71	+8.1	+5.3
Slippers ¹	168,083	280,278	1.55	4,065,290	1,651,861	.41	-95.9	+278.0
Moccasins.....	282,952	277,040	.94	302,128	282,147	.93	-3.0	+2.2
Other leather.....	52,700	96,763	1.84	51,353	76,115	1.48	+2.6	+24.3
Shoes of wood.....	109,767	162,042	1.48
Fabric uppers ¹	2,984,164	1,614,810	.54	5,203,038	2,901,236	.56	-42.7	-3.6
Supported vinyl uppers.....	14,492,419	6,290,459	.43	5,082,408	2,899,555	.57	+185.1	-24.6
Rubber soled fabric uppers.....	14,079,880	8,678,881	.62	18,045,164	12,079,245	.67	-22.0	-7.5
Total, all kinds.....	45,594,816	48,157,482	1.06	45,546,526	48,524,980	1.07	(²)	-1.9

¹ Year-to-year comparisons of data not valid due to change in definition.

² No change.

NOTE.—Figures do not include imports of waterproof rubber footwear, zoris, and slipper socks.

Source: U.S. Department of Commerce, Records of the National Shoe Manufacturers Association.

Mr. HALL. Mr. Speaker, I am pleased that my esteemed colleague from the State of Massachusetts has brought the attention of the House once again to the persistent practice of "dumping" shoes. Last April nearly 40 Members including myself introduced identical bills designed to strengthen the Antidumping Act of 1921 and to close loopholes in that legislation and its interpretation. The Treasury Department's intention to adopt revised regulations governing dumping—and such action—while inevitably limited in scope, is to be commended. Current legislative and administrative concern reflected by these steps has been caused by a rising ground swell of complaint voiced by American industry and labor. The citizens of this Nation object to the cumbersome machinery, the long delay, and the stringent standards which characterize the present defense against dumping.

To object to this practice by foreign producers and to insist on adequate protection of domestic interests is not to be blindly chauvinistic. Dumping is universally recognized to be an unfair trade practice. Foreign companies stooping to such unfair competition have too long enjoyed a virtual immunity from corrective action because of the ineffectual legal procedures under existing law. In the rare instance where dumping is at last conclusively established, the only action taken is to impose a dumping duty,

which is nothing more than the difference between the price charged to purchasers in the foreign producer's country and the price charged the importer importing into this country. Correction is, therefore, remedial rather than punitive; and I wonder whether, rather than serving to deter, the "dumping duty" is not tantamount to an invitation to foreign producers to get away with dumping if they can. What have they to risk, other than a spank on the hand?

And yet domestic industry and labor—whose interests, like those of all other citizens of this Nation, it is our duty to protect and further—suffer from the widespread inroads made by dumpers whose practices are beneath the threshold of existing legal standards of injury. Those standards are too stringent for two reasons. In the first place any dumping, however limited, is unfair and unconscionable.

It should be met with strong and prompt corrective action which will teach unscrupulous companies not to risk being caught. In the second place, every single article—every pair of shoes, if you will—dumped by some foreign manufacturer in this country represents, plainly and simply, earnings unfairly denied American business and bread taken from the mouth of American labor.

Injury to American industry, which must be found after price discrimination has been established, is currently defined

to mean that a domestic industry is hurt, or is likely to be hurt, or is prevented from being established, by the imports sold here at prices lower than those in the foreign producer's country. Furthermore, the emasculated Tariff Commission construes injury to mean material injury. Mr. Speaker, I submit that every single instance of price discrimination is then and there, by that fact alone, injurious. This Congress should put foreign producers, predatory or otherwise, on notice that this Nation will not tolerate below-the-belt competition no matter how frequently or infrequently they choose to affront us.

Last month, the Tariff Commission, looking to percentages of domestic consumption, found no injury where importers of white portland cement from Japan were charged with dumping. Yet one domestic producer had been forced to lower its price in the affected area and another had been forced to withdraw. The foreign company, faced with the charge, withdrew from the market and promised to sell at fair value thereafter. The dissenting views of Commissioners Culliton and Sutton are well worth repeating. They said:

In assessing the extent of injury caused by imports at less than fair value, the impact is to be measured generally in terms of the effect on the producer or producers who meet in actual competition with the imported article and the extent of the injury is not to be diluted by considering the overall statistical health of the entire industry. If some domestic producer or producers are injured by imports at less than fair value, it follows that the national industry may be materially injured because such producers are part of the national industry. An injury to a part is an injury to the whole.

The dissenters were obviously right in finding injury to both domestic firms and in stating that an injury need not be fatal, permanently crippling, or universal to be material. What does it matter how small a percentage of domestic consumption is stolen? Our market will not countenance unfair practices.

Our belief in fair ground rules testifies to our faith in the American dedication to vigorous competition.

The unsatisfactory definition of injury currently being applied is quite apparent to anyone familiar with the impact of dumping on a small community oriented to one or two industries. Injury to one of those industries through dumping can be irreparably destructive to that town and subject to no correction under present standards. One of the provisions in the bills submitted last April is that injury may be found in any line of commerce in any section of the country where it is more than insignificant, regardless of other causes of injury. Such focusing on a segment of the economy is an important step in the right direction. Yet emphasis should be given to protecting our industries and labor while the injury is still incipient and before it is fatal. Only by weeding out these unfair practices when first ascertained, can the individual American business and the individual American laborer and his family be safeguarded

against injury which to them not only is material but may be total.

Other countries—among them, Switzerland, Austria, Spain, Turkey, Brazil, and Great Britain—can impose dumping duties without determining that injury has occurred or is likely to occur to a specific industry. Should we be less ready to extend similar protection to the interests of American industry and labor?

Mr. Speaker, steps to amend the Anti-Dumping Act of 1921 should no longer be delayed. I am confident that the identical bills introduced by my distinguished colleagues last April provide an excellent basis on which to proceed. It is not my purpose at this time to enter into an analysis of the proposed amendments. I will, however, note that these bills are no spur-of-the-moment reactions. They represent the considered judgment of informed and competent Members who have studied the problem. They are proposed against the background of the amendments advanced in 1963 by 50 Members of this body, and they reflect an accommodation of the views of some who opposed the 1963 bill. The 1964 proposals have therefore already begun the legislative journey designed to create the best balanced and most judicious approach to the immediate problem. Hearings and, if necessary, amendments can further refine the solution.

I do not profess great expertise in the field of antidumping, but no expertise is necessary to understand the present injury to the shoe industry and its labor nor to discern the future plight of other industries and labor, if dumping is allowed to continue. Indeed, it takes nothing more than commonsense and a proper concern for one's constituents. We have been through the same in lead and zinc, steel, glass, watches, beef, dairy products, and many others since the now proved infamous Trade and Tariff Act of 1962. My constituents and those of a growing number of my colleagues are deeply concerned, and rightly so, with the gravity of this situation. It is our duty to heed their voices and to proceed without delay toward an effective strengthening of antidumping legislation.

Mr. MORSE. Mr. Speaker, it is with profound regret that I feel it necessary to rise once more in the House to protest the inaction which is leading the U.S. domestic shoe industry into deeper and deeper distress.

The figures released on the imports of shoes during the first 5 months of 1964 tell the fateful story that rather than decreasing, imports are rising, by as much as 185 percent in some categories. For example, imports of vinyl footwear in the 5-month period totaled about 14.5 million pairs. These items sell in the United States at a price 100 percent higher or more than the import price.

I was one of those who supported the Trade Expansion Act of 1962. I did so because I believe firmly in the advantages of expanded trade not only for our own economy but for that of the whole free world. But I did not intend, and

I am sure that my colleagues who also supported that bill did not intend, to permit forces within the executive branch, by inaction or otherwise, to bring about the destruction of important domestic industries.

The 1962 act retained Presidential authority to raise tariffs, negotiate international marketing agreements and provide adjustment assistance to workers injured by the impact of the bill. To date, the worker-industry petitions to the Tariff Commission for relief have not produced the needed relief. And to date, the President has not acted on his own initiative to relieve their distress. Executive power to raise tariffs has been applied to other items; the case for shoes is no less worthy.

The results are clear: While the Government of the United States fails to act, more jobs are lost, more capital investment is lost. This is no way to win the war against poverty. We cannot have the Government working at cross purposes: fighting a war on poverty one week and permitting the loss of jobs and self-respect the next.

Members of Congress who are concerned about this problem have repeatedly contacted the White House, the Tariff Commission and other responsible officials. To date, we have had no effective response to our entreaties.

Mr. Speaker, I firmly hope that it will not be necessary to call this problem to the attention of the administration again. The question does not concern the power to act, but rather the will to act.

Mr. CLEVELAND. Mr. Speaker, I wish to associate myself with my colleague, the gentleman from Massachusetts [Mr. BATES] and others participating with him in this discussion of the serious problem that steadily increasing imports are creating for workers in New Hampshire and in my district.

New Hampshire ranks sixth in the Nation in the production of shoes, and our shoe industry, too, faces difficult days. Imports climbed 1,054.5 percent in volume and 689.1 percent in value between 1955 and 1963. They rose from 1.2 percent to 13.1 percent of domestic production during that period. In 1955 only 7,924,859 pairs of shoes were imported; by 1963, 91,494,454 were imported.

Shoe imports in 1963 were the equivalent of 35,096 jobs in the footwear and allied industries, of which 29,213 were opportunities for production workers. Based upon the same statistical formula, by 1965 imports will replace 51,400 job opportunities, of which 42,786 will be production workers. Between 1955 and 1962 employment in nonrubber footwear manufacturing declined by 7,200.

Another item of concern that threatens New Hampshire's shoe industry in my district is the fact that the U.S. Government is building new shoe factories with ARA funds. Thus the New Hampshire shoe industry is not only threatened by foreign competition but by factories constructed with low-interest, long-term funds provided by our own

Government in low wage, nonunion areas where the competitive advantage of cheaper labor helps pirate industries from the Northeast.

As I have stated before here in the House, there should be a wage differential factor incorporated into our tariff rate structure. In addition there should be a factor that would compensate for any subsidy given by a foreign government to an industry sending goods into the United States in competition with ours. The need for reasonable tariff reform is overdue as witnessed by the shoe industry.

Mr. PHILBIN. Mr. Speaker, I am very much pleased to join current efforts being exerted to help the shoe industry by providing relief from the flood of cheap shoes and footwear coming into the country from Czechoslovakia and other foreign sources.

I am deeply concerned with the mounting problems of the shoe industry which are growing day by day in very disturbing and threatening ways.

I have been greatly concerned by the steady, progressive, and now rapidly advancing increase in shoe and footwear imports that are having such serious current impact, and present such grave implications for the future of this great industry and its faithful workers.

I will not recite the doleful statistics of these injurious imports and their devastating effect upon American markets, both in this country and abroad, since these living facts and the intolerable situation they have created are very well known to everyone connected with the shoe business and Members of Congress as well.

Nor will I recount or reiterate here the historic legislative background of this situation which has had so much to do with current developments, since this is no time for crying over spilled milk; but rather a time for constructive remedial action to try to check the continuing impact of vast quantities of imports that are inundating competitive standards here and threatening our great shoe industry with stagnation and collapse if present import trends continue for long.

To be sure, even the most casual appraisal of this distressing situation will disclose the dangers, the potential, and the prospects of a possible depressed industry and widespread unemployment of its workers unless some early effective way can be found to avert further irreparable damage to its strength, its vitality, and operating efficiency.

I have indicated on numerous other occasions that the very serious problem of destructive imports can be effectively solved principally by congressional action. In fact, there is no other lasting, effective way by which this grave problem can be finally and adequately solved. Those who would rely upon administrative action in this area as a total remedy are merely disillusioning themselves.

In view of the history of the shoe industry's struggle for survival and the uncertain commitments and broken promises that lie behind us in past negotiations and efforts, only some naive and

trusting Pollyanna could reasonably conclude that the shoe industry problems can or will ever be solved unless some definite forthright legislative action is taken by Congress to bring about a permanent remedy.

I never believed, and I do not now believe that the great shoe industry can long endure the frightful, devastating, competitive disadvantages being imposed by these foreign imports. Nor do I believe that it is possible to secure any completely effective action from administrative agencies of this Government, either in the form of adjustment of current staggering imports or in payments by the Government under certain provisions of existing trade laws for the damages sustained.

Neither monetary payments to the industry nor unemployment benefits and retraining privileges to its faithful employees are an answer to this most alarming situation. Legislative action upon a broad front must be undertaken. Under the circumstances, let me say that measures initiated by the industry itself, the owners, workers and friends must be prepared, introduced and pressed upon the Congress. These proposals must be well thought out, carefully studied, skillfully drawn and effectively presented to the committees of Congress and strongly urged upon both branches of Congress, as well as upon the executive department.

In my opinion, there is little time to lose. I have suggested these measures before when the trade bill was pending and since, but unfortunately, up to this time, no concerted action has been taken to institute them in the Congress. I not only suggest them again, but also again urge them, because I profoundly believe that they are the only real enduring total solution that can be found to the very serious problems of the shoe industry and its workers.

I make these statements with full understanding of their import and their effect upon existing trade and treaty laws, because I have indicated on many occasions my approval and support of mutual respect for and reciprocal trade with other nations, but I do not believe that this trade is of real benefit or advantage to this country when it is a "one way street," so to speak, and when it undermines American competitive standards, the prospects of the steady employment of American working men and women, and results in depressed conditions in our economy. That kind of trade, I submit, Mr. Speaker, produces nothing but grief and misfortune for millions of American people and will, if long continued, produce immeasurable deterioration and the ultimate destruction of many of our economic institutions and greatly weaken our free way of life.

I again pledge my vigorous support and wholehearted cooperation to our great shoe industry and its workers, and I hope that under the sagacious leadership of this industry, with sincere, vigorous and effective efforts by Members of Congress that action will soon be taken across the board to put an end to

the augmented flow of cheap competitive, destructive imports that are causing so much concern and threaten such dire results for our economy, our Nation and the cause of freedom.

H.R. 12305—ITS PURPOSE

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 30 minutes.

Mr. FEIGHAN. Mr. Speaker, on Monday, August 10, I introduced H.R. 12305, to create a Selective Immigration Board and to provide for the allocation of authorized but unused quota numbers in accordance with the criteria established by the Congress.

The bill which I introduced is not stop-gap legislation, it is not another patch on a law which is already overburdened and confused with patchwork legislation.

The bill which I introduced is directed at providing a remedy for the major problems in the immigration field which should be remedied now, before the close of this session of the 88th Congress. Those problems are:

First, reuniting families. By this I mean that citizens of the United States are separated from their parents, sons and daughters, brothers and sisters residing in foreign lands because the quota against which they would be charged is oversubscribed. Legally resident aliens of our country, awaiting the opportunity to become citizens, are separated from their husbands or wives and their unmarried sons and daughters for the same reason. Our free society is based upon the sanctity of the home and the integrity of the family. It is in our own best interests to provide a reasonable remedy to this problem which strikes at the foundations of our great society. My bill provides a remedy for this problem.

Second, meeting the need for certain skills and special talents in short supply in the United States in a manner that will help strengthen and expand our economy by helping business and industry fill these needs. The present method of meeting this need is unsatisfactory, it is not working out as intended. That method needs to be tightened up and made workable, as my bill provides.

Third, meeting the need for our country to provide an asylum for a fair share of the victims of Communist and other totalitarian persecution, under conditions which do not place the stigma of parole upon those unfortunate victims who qualify for admission to our country. Moreover, the parole provisions of the existing law were not intended to be used for this purpose. Abuses have developed in the use of parole authority which invite further abuses. It is time Congress put a stop to these abuses and dealt with the refugee problem on a forthright basis. The bill which I have introduced accomplishes both those purposes.

Those three problems which confront our Nation in the immigration field form the three preferences defined in my bill. The authorized but unused quota num-

bers are to be made available to meet these problems during a 2-year trial period. Let me emphasize that the bill which I have introduced does not raise the number of quota immigrants now authorized for admission during the 2-year trial period. It simply authorizes the use of those authorized quota numbers which remain unused during each of 2 years for the preference categories I have outlined.

The bill provides for a three-member Selective Immigration Board, appointed by the President, with the advice and consent of the Senate. That Board is responsible for developing an annual plan for the allocation of the authorized but unused quota numbers to the three preference classes I have defined. Before the plans of the Board become operative they must be approved by Congress, through a provision under which either body of Congress can reject the plan within 90 days after its submission. This requirement controls each of the plans covering the 2-year trial period provided for in the bill.

It should be obvious that the Board will consult with the appropriate committees of Congress before formulating their plans because failure to do so will insure congressional rejection of the proposed plan. The Board is also required to submit detailed reports to Congress, covering each of the 2 years and a final report of operations under the authorizations provided for in the bill. Through this system I have provided what I believe to be a reasonable solution to a very difficult question which has arisen during the hearings on H.R. 7700. That question involves the constitutional responsibility laid upon Congress to regulate immigration into the United States, an unchallenged responsibility affirmed by the Supreme Court, and the call of H.R. 7700 to delegate those responsibilities to the executive branch of our Government. The provisions of my bill do not delegate the powers of Congress to the executive branch of our Government in any instance.

What it does, in fact, is to establish exacting criteria for allocation of unused quota numbers and calls upon the executive branch, through the Selective Immigration Board, to recommend to Congress how those quota numbers should be distributed within the preferences set by Congress. Congress retains its final authority on the use of such unused quotas through the statutory power to reject such recommendations made by the Board.

The Secretary of State is required to certify to the Selective Immigration Board the number of authorized but unused quota numbers for the fiscal years ending June 30, 1964, and June 30, 1965. The Board in turn is governed by those figures certified by the Secretary of State during the 2-year trial period ending June 30, 1967. The board is not required by law to reallocate all of the unused quota numbers during the 2-year trial period. It is required to exercise its judgment in the use of those unused quota numbers in resolving the

three major problems involved in our immigration program, subject of course to final approval by Congress.

The Board is also required to consult with the Secretary of State, the Attorney General, the Secretary of Commerce and the Secretary of Labor before formulating the plans for submission to Congress. This should insure that all the vital and emergent problems of the various Departments of Government are considered in formulation of the Board's plan for allocation of the unused quota numbers.

That in substance is what the bill I have introduced will authorize and should accomplish. Now for the things the bill will not do.

First, it will not raise the present ceiling as set by law on quota immigrants.

Second, it will not replace the national origins quota system which continues without interruption during the 2-year trial period.

Third, it will not alter the eligibility or admissibility requirements of the present law which govern all immigrant admission including those safeguards on security, health, moral turpitude and character of the applicants.

Fourth, it will not call for any reorganization of the Immigration and Naturalization Service or the Bureau of Security and Consular Affairs of the Department of State, both organs of Government retaining their full authority and responsibility under existing law.

Fifth, it will not serve as an invitation to build a new arm of government bureaucracy because the powers of the Selective Immigration Board are limited, requiring no more than a small but competent staff to assist the Board in the discharge of its responsibilities. Since the Board and any staff connected with it will be terminated by law on October 1, 1967, the danger of planting the seeds of further bureaucratic involvement are minimized and controlled by the cutoff date.

Mr. Speaker, the bill which I have introduced is based upon my 22 years experience in Congress, very careful study of our entire immigration program and testimony given during the 20 days of hearings before Subcommittee No. 1 on pending immigration legislation, including H.R. 7700.

Our hearings began on June 11, 1964, and they are continuing according to the schedule set and announced on June 1, 1964. We have completed testimony from interested Members of Congress. We have completed testimony from the Secretary of State, the Attorney General, and the Secretary of Labor. We have completed testimony from the operating level of the Department of Justice, including the Commissioner of Immigration and Naturalization. We have taken testimony on 2 days from the Administrator of the Bureau of Security and Consular Affairs, Department of State, and I regret to announce that testimony is neither satisfactory nor complete.

Because of scheduled commitments to take testimony from interested non-

Government organizations and individual citizens, we opened that phase of our hearings on August 5, 1964, and we will continue those hearings until we have heard as many witnesses as time will permit. Let me say, in this connection, that we have had thoughtful and informative testimony, both pro and con, from this healthy wellspring of citizen opinion.

Our hearings to date reveal there is great disagreement about what our immigration policy is or ought to be. Testimony in support of H.R. 7700 has been inconclusive, in some important respects, conflicting and uncertain. It is apparent that Congress will require studies, investigations, and public hearings in depth to weld an immigration policy and supporting laws which serve the domestic needs and international commitments of our Nation.

That is a primary responsibility of Congress which must be discharged. Congress provided the mechanism by law to discharge that responsibility when it established the Joint Committee on Immigration and Nationality Policy in 1952. It is time Congress provided the funds necessary for the joint committee to discharge its responsibilities. The obvious alternative is continuing conflict over what our immigration policy is, in fact, and what it ought to be, along with the present open invitation for the executive branch of Government to seek the authority in this field which Congress is unwilling to exercise. Let me make it clear that I am dedicated to maintaining the separation of powers upon which our representative form of government is based. I do not point a finger of accusation at the executive branch of our Government because I understand fully that when a vacuum of authority exists someone always moves in to fill it. My single purpose is and has been to put Congress in a position where it can discharge its constitutional authority as well as its unquestioned responsibility for regulating immigration into the United States.

Finally, Mr. Speaker, the bill which I have introduced is a very modest proposal. The overwhelming weight of testimony taken before Subcommittee No. 1 to date supports it. Our heritage as well as our commonsense supports it. It is not a panacea for all the problems and disagreements which afflict our immigration program. But it does provide a reasonable remedy to three major problems and the opportunity for Congress to observe some of the basic principles of H.R. 7700 in practice for a 2-year trial period, during which Congress undertakes a full and objective review of all the factors upon which a sound national immigration policy must be based.

CARIBBEAN CRISIS: CONTINUING STORM SIGNS DEMAND ACTION AGAINST FURTHER PERILS

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the

House, the gentleman from Pennsylvania [Mr. Flood] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, the poet, Thomas Campbell, in "Lochiel's Warning," makes this significant statement: "Coming events cast their shadows before." The truth of this saying has been amply illustrated by a succession of crucial occurrences on the Isthmus of Panama. Clearly foreseen and repeatedly predicted by me in addresses to the Congress, these forecasts gave timely warnings to proper authorities of what subsequently culminated; but whatever satisfaction there may be in having been right, the outcome is, indeed, barren.

The Red-led and directed Panamanian mob assaults on the Canal Zone on January 9-12, 1964, encouraged and facilitated by officials of the Red-infiltrated government of Panama, were the inevitable consequences of what had preceded and could have been anticipated by anyone who made the effort to collect facts and to evaluate the evidence. Moreover, they could have been entirely avoided had the legislative and executive branches of our Government taken timely preventive action as they should have done.

Denied vital information on Isthmian developments over a long period of time, the people of our country were naturally shocked by the sanguinary violence that featured the Panamanian outbreak. Now, Mr. Speaker, they have learned that, subsequent to the attack, news-stories in the major press organs of the United States purporting to relate events of the outbreak were slanted. The result is that growing numbers of our citizens are holding the Department of State accountable for the series of betrayals affecting the Panama Canal, which, over many years, have plagued those charged with responsibility for the efficient maintenance, operation, sanitation and protection of this key artery of inter-oceanic commerce.

In view of the publication on June 9, 1964, of the report of the onsite investigation of the January 1964 Panamanian mob assaults by the International Commission of Jurists of Geneva, Switzerland, and its inclusion in an address to this body on June 11 by the distinguished chairman of the Panama Canal Subcommittee, the gentlewoman from Missouri [Mrs. SULLIVAN], important facts about the riots, as found by a neutral body, are now available—CONGRESSIONAL RECORD, June 11, 1964, pages 13559-13567. To undo some of the harm inflicted by the mendacious propaganda that characterized most of the publicity following the outbreak, it is still the duty of the press of our country to present all the facts forthrightly and fearlessly. Any representative of the press who wishes to see pictorial evidence of some of the destruction of American-owned property in the Canal Zone and in Panama during the January 1964 disorders can examine a stack of photographs on a desk in my office. Those who seek additional information from the documentation on the background can get a start by reading

my addresses on March 9, 1964, "Panama Canal: Focus of Power Politics"—CONGRESSIONAL RECORD, March 9, 1964, pages 4706-4718—on May 5, "Under Two Flags: Blunders, Confusion, and Chaos at Panama"—CONGRESSIONAL RECORD, May 5, 1964, pages 10032-10039—and correlated statements by many other Members of the Congress.

THE 1959 PROGRAM FOR CARIBBEAN SECURITY
GAVE TIMELY WARNING

Mr. Speaker, in order to provide necessary perspective for comments to be made later in this address, let us recall proceedings in the Congress in 1959, the year of the Red takeover of Cuba. By that time, the trend of subsequent events in the long-range program for Red conquest of the strategic Caribbean, through the processes of infiltration, subversion, and violence, were clear to any discerning observer of the world revolutionary movement known as the international Communist conspiracy.

In an effort to supply a remedy for meeting the mounting crisis, protecting our vital interests in the Caribbean, and assuring the safety of the Western Hemisphere, I suggested a five-point policy program for our Government. This was outlined in an address by me on August 24, 1959, at Reading, Pa., on "Storm Clouds Over the Caribbean."—CONGRESSIONAL RECORD, volume 105, part 13, page 17062.

In view of what later transpired and the crucial situation now facing our country to the south of us, I repeat the 1959 policy program then advocated and proposed as a plan of action for our agencies of Government. Let me repeat now from my 1959 proposals:

First, announcement that the Monroe Doctrine applies to communistic subversion through penetration and infiltration and veiled motivation, as well as by open and direct effort.

Second, proclamation by our Government that the Canal Zone is constitutionally acquired territory of the United States and that its continued control by this Nation pursuant to treaty and the obligations thus imposed is best for all the Americas, best for the world, and best for interoceanic commerce.

Third, reactivation by the United States of its historic Special Service Squadron based in the Canal Zone, independent of combat forces, under the direct control of the Chief of Naval Operations for continuous display of the flag and other diplomatic missions.

Fourth, announcement that no hostile or other provocative demonstrations of any character will be tolerated in the Canal Zone, from whatever source.

Fifth, clear-cut, nonequivocal reaffirmation of our historic and treaty supported rights and obligations with respect to the Panama Canal and Canal Zone—CONGRESSIONAL RECORD, volume 105, part 13, page 17063.

It will be recalled that when the Canal Zone was "peacefully" invaded in 1958 by well organized flag-planting raiders from Panama, that our authorities in the Canal Zone, against the advice of some of the zone's most ex-

perienced police officials, and for reasons not disclosed, supinely acquiesced in permitting the planting of Panamanian flags. Because of this fact, I concluded my August 24, 1959, address with the suggestion to the Panamanian Government that it "take and enforce necessary measures to prevent any further revolutionary forays into the Canal Zone, which, if permitted to occur, may well end in grim tragedy, with grave impairment of relations between the two Governments."

Mr. Speaker, in view of what has eventually occurred in the Canal Zone, could there have been a more accurate statement of predictions, more timely warnings, or a better program for precautionary policy measures?

Mr. Speaker, I repeat that the warnings voiced by me in 1959, the warnings that I have just quoted and which may be found in print as cited, expose the lie behind recent and present claims that the Panamanian violence of last January could not be foreseen. It was foreseen, Mr. Speaker, not only by me but also by other loyal Americans and Panamanians. In fact, as early as July 1963, informed circles in the Canal Zone knew that mob assaults against the zone were being planned by certain Panamanian factions; and this knowledge extended to Latin American embassies in Panama. Moreover, a bus strike in the following November was a clear sign of the approaching storm. The tragedy is that the warnings which were so plainly foreseen were not heeded. We now ask why, and we insist that present danger signs equally plain regarding further perils be heeded.

HOUSE SUPPORTS UNDILUTED U.S. SOVEREIGNTY
OVER CANAL ZONE, 1960

Did my 1959 efforts have any visible results on the conduct of our policies affecting the Panama Canal, then recognized as the key target for a Red conquest of the Caribbean? They did not.

Precisely on the day as predicted by me, November 3, 1959, in the midst of the celebration of Panamanian independence from Colombia, mobs from Panama attempted to invade the Canal Zone amidst scenes of wild disorder and violence, overpowering the Canal Zone police and requiring the services of the U.S. Army on the isthmus to repel the invaders. Another attempt by Panamanian mobs to invade the zone on November 28, 1959, also had to be repelled. On the latter occasion, this task was accomplished mainly by the National Guard of Panama.

In an address to the House on January 13, 1960, I reiterated the 1959 five-point program for action, quoted resolutions introduced by me to implement the program and urged meeting the Red challenge of wresting control of the Panama Canal from the United States through the process of nationalization or internationalization—"Panama Canal: Symbol of a Fourth Front"—CONGRESSIONAL RECORD, volume 106, part 1, page 416.

Under the impetus thus attained for some form of remedial action and through the efforts of the Committee on Foreign Affairs, the House, on February

2, 1960, passed House Concurrent Resolution 459, 86th Congress, reaffirming the sovereignty of the United States over the Canal Zone territory by the overwhelming vote of 381 to 12. Transmitted to the Senate and referred to the Committee on Foreign Relations, that body, because of opposition from suspect elements in the Department of State, did not report the resolution, and this important policy declaration was not submitted to the Senate for proper action as it should have been.

Mr. Speaker, if we consider the magnitude of the incidents that followed that inaction by the Senate, its failure to adopt the House-approved House Concurrent Resolution 459 was crucial, amounting to an abdication by the Senate, to elements in the executive branch of our Government. In effect, the Senate surrendered its constitutional responsibility in the formulation of vital Isthmian Canal policy. Moreover, its effect was an invitation for further lawlessness and disorder on the isthmus, for increased infiltration by Red revolutionaries in Panama and all Latin American countries, and for open contemptuous treatment of the United States by its secret enemies. Submission to political blackmail can only lead to greater demands of like character.

CANAL ZONE, A NO. MAN'S LAND

Mr. Speaker, in the preparation of these remarks, I reexamined my file of addresses and statements in the CONGRESSIONAL RECORD on Caribbean and Panama Canal policy questions made subsequent to adoption by the House on February 2, 1960, of House Concurrent Resolution 459, 86th Congress, on territorial sovereignty. The volume of their documentation in the exposure of timidity, falsification, and unjustified proposals for placating the implacable, is truly shocking.

During the remainder of 1960, in 1961, 1962, and in 1963, I repeated the key points in the plan of action for hemispheric defense, revising as was appropriate; introduced the necessary implementing measures, some of which were cosponsored by distinguished colleagues; and appealed to the Congress and the President to act.

In the interest of an historical record, I now list the dates and titles of major addresses in the House of Representatives or elsewhere carrying the five-point program for vital hemispheric defense or some feature related thereto, and significant documentation:

March 7, 1960: "Hemispheric Security Demands Congressional Reaffirmation of Monroe Doctrine."

April 19, 1960: "Panama Canal: Key Target of Fourth Front."

May 4, 1960: "Hemispheric Security: Congress Must Reaffirm Our Historic Policies."

June 23, 1960: "U.S. Faltering in Caribbean Invites Disaster" (Manion Forum).

April 12, 1962: "Monroe Doctrine or Khrushchev Doctrine?"

September 14, 1962: "Caribbean and Isthmian Policies."

September 20, 1962: "Enemy at Our Gate."

October 23, 1963: "Canal Zone Crisis: Plan of Action."

Other addresses in the House that should be read in these general connections include the following:

March 9, 1964: "Panama Canal: Focus of Power Politics."

March 11, 1964: "Panama Canal: Formula for Future Canal Policy."

May 5, 1964: "Under Two Flags: Blunders, Confusion, and Chaos at Panama."

May 21, 1964: "Panama Canal and the Milton Eisenhower Paper."

In spite of these addresses expressing clear warnings, which many Members of the Congress supported on the floor, all the efforts of my colleagues and myself in the House to secure formal actions by the Congress and the executive branch were frustrated. In consequence, the Red advance in the Caribbean gathered momentum in its program of conquest through infiltration, subversion, and negotiation. It progressed to the point where Cuba openly became a Soviet satellite, the strategic Caribbean virtually a Red lake, and the Canal Zone a "no man's land" under two flags, its chaos maintained by State Department vasillation.

The inevitable and easily predictable took place. The previously mentioned Red led and directed Panamanian mob assaults on January 9 to 12, 1964, occurred, amidst scenes of grim tragedy. Panama, the small country that grew out of the movement for an Isthmian Canal, scornfully broke diplomatic relations with the United States, our diplomats ignominiously fled to the Canal Zone for refuge and, for 3 days, that territorial possession of the United States was a sanguinary battleground, featured by disorder, violence, and death, including the killing of our soldiers. The destruction of U.S. property was enormous—"Panama Canal: Focus of Power Politics," CONGRESSIONAL RECORD, March 9, 1964, page 4705.

To clear up some of the confusions injected into public discussions of the Canal Zone sovereignty question, on January 15, 1964, I entered into what proved to be an extended correspondence with the Department of State and endeavored to secure from that agency a public statement defining the use of the term "titular sovereignty." Unfortunately, the Department of State failed to clarify this ambiguous and misleading term. It merely signifies a reversionary or residual interest on the part of Panama in the Canal Zone in the sole event of abandonment of the Panama Canal by the United States, and nothing else. Moreover, Panama has never, as many confused or uninformed writers have alleged, demanded titular sovereignty but complete and unconditional sovereignty—"Under Two Flags: Blunders, Confusion, and Chaos," CONGRESSIONAL RECORD, May 5, 1964, pages 10032-10039.

In these connections, Mr. Speaker, may I correct a contention repeated in our general press, and unfortunately recurrent in many school history texts in our country. This contention is that the United States took unfair advantage of

Panama in undertaking the construction of the Panama Canal.

On the contrary, over a period of years, the people of Panama, then a department of Colombia, clamored eagerly for a treaty that would enable the United States to build the Panama Canal. When the Colombian Senate in 1903 failed to ratify the Hay-Herrán Treaty with the United States, Panama seceded from Colombia, with the result that the Panama Canal Treaty was made with Panama rather than with Colombia. Its favorable terms were the inducement to construct the canal at Panama rather than at Nicaragua.

The facts in this episode of U.S. diplomatic history have been ably set forth in various reliable books. The 1903 treaty with Panama granting the Canal Zone was not against the popular will in Panama as is frequently alleged but was for the best interests of Panama and her people; and many of her citizens obtained jobs in constructing the canal.

DR. MILTON EISENHOWER AND THE PANAMA CANAL

Mr. Speaker, it will be recalled by those who have followed the erosions of U.S. rights in the Canal Zone over the past few years, that Dr. Milton S. Eisenhower, a brother of the then President of the United States, was one of the key figures in promoting the illegal and ill-advised display of the Panama flag in the Canal Zone in September 1960, thereby contributing greatly to the 1964 mob violence. Significantly, this display was done after adjournment of the Congress in utter disregard of the overwhelming vote of the House, 381 to 12, and the unanimous vote of the Congress on the Gross amendment to the 1960 Department of Commerce Appropriation Act—CONGRESSIONAL RECORD, volume 106, part 2, page 2350.

More than 4 years later, Dr. Eisenhower, on April 7, 1964, issued a press release under the title of "Panama Canal: A Realistic Appraisal," CONGRESSIONAL RECORD, April 8, 1964, pages 7192-7196. Obviously designed to influence the platforms of both major political parties, this paper was featured in the mass news media of the Nation.

In an address to the House on May 21, I undertook to expose the nature of Dr. Eisenhower's unjustified proposals for the diplomatic placation of Panama at the expense of our indispensable rights, power, and authority with respect to the Panama Canal and how his recommendations would assure the ultimate loss of the canal and of any other interoceanic waterway that may be constructed—"Panama Canal and the Milton Eisenhower Paper," CONGRESSIONAL RECORD, May 21, 1964, pages 11686-11690.

With rare exceptions, this address of mine was ignored by the major newspapers that had publicized the Eisenhower document. Notwithstanding this, the exposure of the fallacies in the Eisenhower proposals, including his preposterous recommendation that tolls be raised 30 percent to cover an increase of the annuity to Panama of \$15 million, aroused patriotic citizens all

over the Nation who wish an end to the long series of betrayals at Panama.

U.S. POLICY FAILURES INVITE RED-LED ATTACKS
ON CANAL ZONE

Mr. Speaker, as previously indicated, following Panamanian mob assaults on the Canal Zone in January, I promptly noted a wide divergence between news reports on isthmian violence as supplied me by eye witnesses in the Canal Zone and the distorted accounts published in most of the major newspapers of the United States.

The most deplorable feature of this mendacious propaganda was the cowardly attempt to place responsibility for precipitating the outbreak on patriotic 17-year-old high school students at Balboa. So I now repeat the points that I have made on other occasions about our fine American youth in the Canal Zone. It was their courageous action in insisting upon the display of the U.S. flag on American territory that alerted the Nation to the enormity of the situation. For their patriotic service in warning the people of our country to the danger in the Canal Zone they should be acclaimed from one end of our Nation to the other for services comparable to those of the heroes of Iwo Jima—"Panama Canal: Focus of Power Politics," CONGRESSIONAL RECORD, March 9, 1964, pages 4705-4718.

What, Mr. Speaker, are the explanations for the January mob attacks on the Canal Zone? Though the entire background is too complicated for detailed recital, the principal factors are simple. They were: first, the illegal display in 1960, and subsequently, of the Panama flag in the zone as visual evidence of so-called Panamanian titular sovereignty, and second, the failure of the Department of State to declare the real meaning of "titular sovereignty"—as previously stated, a mere reversionary or residual interest in the sole event of the United States abandoning the Panama Canal. These two factors together served to create a climate inviting what later occurred and reflect an irresponsibility on the part of high officials of our Government that is, indeed, difficult to comprehend. Are there yet other Alger Hisses in our Government formulating diplomatic policy?

"MANAGED NEWS GOVERNMENT" BY DEPARTMENT
OF STATE IN CANAL ZONE

On January 20, 1964, following the mob attack, the Panama Canal organization, in one of its official organs, the Spillway, published a news story summarizing significant events during the riots under the title of "What Really Happened." Preceded by a commendation by the Governor of the Canal Zone of his "fellow employees" for their "magnificent record" in maintaining uninterrupted transit of the Panama Canal during the critical period, the article was fair and objective. The Governor's commendation, however, made this ominous comment:

Before the existing crisis is completely resolved, an examination will be made of the basic causes of United States-Panama differences. To the extent that I am permitted

to do so, I will keep the Panama Canal employees informed of what is going on. You can depend on this.

Mr. Speaker, this implication by the Governor of secret processes concerning the Panama Canal made informed Members of the Congress curious as to what was transpiring. In the context of Panamanian aims, which have been openly and repeatedly declared, what could the "basic causes" of the United States-Panama differences be except sovereignty over the Canal Zone and Panama Canal and matters related to such sovereign rights, powers, and authority, greater and greater benefits, and abrogation of the "perpetuity" provision of the 1903 treaty?

Because of the dangerous confusions generated by raising the Panama flag on this U.S. possession and failure to define at the same time the term "titular sovereignty," which its display was supposed to symbolize, on January 15, 1964, I requested the Secretary of State to supply copies of any orders or statements directing the recognition in 1959 of so-called "titular sovereignty" of Panama over the Canal Zone. In reply, the Department of State supplied me a typed paper entitled "Summary Background: Flying of Panamanian Flag with the U.S. Flag in the Canal Zone by Civilian Authorities, January 20, 1964."

When the January 27 issue of the Spillway appeared, it carried a major article on "The Flag Issue," which all expected to be an objective treatment of the subject. On comparing it with the "Summary Background" supplied me by the Department of State, I noted that the wording of the two statements was identical. A more careful reading showed that both were deceptive.

My inquiries indicate the following facts:

First. Both quote a special Department of State representative then on the isthmus as assuring the President of Panama that the United States recognizes that "titular sovereignty" over the Canal Zone remains with Panama but, significantly, this emissary failed to define that term, thus causing confusion.

Second. Both give a history of the 1959 riots as justification for President Eisenhower's ill-advised 1960 action in approving the illegal display of the Panama flag in the Canal Zone.

Third. Both fail to state, that the initial display of the Panama flag under President Eisenhower's direction and its more profuse display under President Kennedy, were made in violation of law, treaty, and international usage, and that the 1960 display was done after adjournment of the Congress despite the mandate of the House of Representatives—vote 381 to 12—in opposition.

Fourth. Both neglect to describe how Panamanian mobs invaded the Canal Zone, killing our soldiers, endangering the lives of our citizens, destroying property, and threatening canal installations and security of transit.

Fifth. Both attempt, in cowardly manner, to place the blame for the Red-led Panamanian mob assaults on 17-year old Balboa High School students.

Sixth. Spanish language versions of this hostile propaganda, printed by the Panama Canal organization under the title, "El Asunto de la Bandera," were given wide distribution in Latin America by Panamanians.

Imagine, Mr. Speaker, my shock when later learning that the original draft of "The Flag Issue," prepared by the regular Panama Canal staff after painstaking and time-consuming effort, was destroyed. Moreover, it appears that a managed news account, worked up by an agent of the Department of State in the office of the Governor of the Canal Zone, was the version published in the January 27 Spillway and the basis for the State Department's describing the summary as having been prepared in the Governor's office. The typed copy supplied me by the Department of State, which I promptly challenged, was described by that agency on February 18 as "an accurate account of events of January 9-12, in Panama."

Mr. Speaker, such misleading audacity in obscuring facts is alien to innate American character. The truth is that the Canal Zone, as the key target of Red attacks, was the principal scene of violence and disorder; not Panama. This alone is enough to remove any pretense of the article as an "accurate account." Moreover, it reveals the predilection of its framers and their superiors toward describing this territorial possession of the United States, known as the Canal Zone, as part of Panama.

No wonder, Mr. Speaker, my reluctant correspondents in the Department of State have been evasive and ambiguous in replies to my queries. They well know that the truth about their failures to act in the protection of our just and indispensable sovereign rights, power and authority in the Canal Zone would bring about universal condemnation by our people. Moreover, many of our loyal citizens throughout the Nation are demanding a full inquiry by the Congress into the conduct of Panama Canal policies with punitive actions against those guilty of the betrayals and criminal stupidity.

In the light of such outrageous proceedings, is it not pertinent to inquire when only Americans will be on guard in the vital positions involved?

A COALITION CANAL ZONE GOVERNMENT NO
SOLUTION

Mr. Speaker, diplomatic discussions between the United States and Panama are now getting underway. Like the Communists under Lenin, Panamanian radicals have disdained to conceal their aims and have loudly proclaimed their ultimate objective for complete and unconditional sovereignty over the Canal Zone territory and Panama Canal. Among their immediate purposes, supported by suspect elements in our Government, are jurisdiction over the Thatcher Ferry Bridge at Balboa, its approaches, and connecting highways; and the employment of alien Panamanians as members of the Canal Zone Police Force, which body is charged with responsibilities in protecting the canal.

In remarks to the House on May 26, 1964, I stressed the importance of retaining full and complete U.S. control over the indicated bridge and its connections, and opposed cession of any corridors across the Canal Zone at any place. It is self-evident, Mr. Speaker, that jurisdiction by Panama over bridges and corridors will result in the zone territory being instantly affected by all future revolutions in Panama, the frequency and violence of which are expected to increase rather than diminish. Moreover, such control by Panama would facilitate the imposition of vehicular tolls over the toll-free bridge, and this predatory objective is now being discussed in high Panamanian circles as a convenient method for extorting additional revenue from the United States.

Mr. Speaker, notwithstanding the obvious fact that such alien control of the new bridge at Balboa across the Pacific entrance channel and corridors through the zone would hamper the proper operation and protection of the Panama Canal, there are some in the United States as well as in Panama who constantly harp on the idea that the passage of 60 years has changed the overall aspects involved in the control, management, operation, and protection of the vital waterway; and that, therefore, the authority of the United States should be substantially liquidated and that Panama should fill the vacuum thus created.

As to such contention, Mr. Speaker, there could be no greater fallacy. Major developments during the past few years in modern weapons and "peaceful" methods of warfare through infiltration, subversion, and terror, have absolutely increased the necessity for retention by the United States of its full rights, power, and authority over the Canal Zone and Panama Canal as provided in the 1903 Treaty and for a wider Canal Zone. Among the reasons for this is the fact that the nuclear age constitutes an infinitely greater danger than did the naval gunfire of 60 years ago, when the treaty was promulgated. Indeed, instead of surrendering any of the Canal Zone territory to Panama, the width of the zone should be extended to include the entire watershed of the Chagres River.

These grim and realistic facts, Mr. Speaker, should always be kept in mind by the treatymaking powers of both Panama and the United States. What do our experienced military and naval leaders have to say about proposals for the surrender of corridors across the Canal Zone?—daily CONGRESSIONAL RECORD, May 26, 1964, page A2778.

As to hiring alien Panamanians as members of the Canal Zone police force, this proposal conforms to the pretake-over tactics of the Red conspiracy and should be denounced as "tantamount to treason."—CONGRESSIONAL RECORD, March 9, 1964, page 4716.

Mr. Speaker, Panama has no obligation under treaty to maintain, operate, sanitize, or protect the Panama Canal. This obligation is vested in the United States alone. Thus, it is indispensable that only U.S. citizens be chosen for all

security positions. Such a practice is not anti-Panama or anti-Latin America but one of good sense and the best guarantee for security. Any relaxation in this regard will inevitably lead to the employment of those who will infiltrate the ranks of security positions for destructive purposes.

When the picture of events in the Canal Zone since the initial display in September 1960 of the Panama flag in equal dignity with the flag of the United States, and as recently disclosed by alarming reports from the Zone and Panama, is evaluated, the trend is unmistakable—the formation of a "coalition" Canal Zone Government.

This sinister objective was, in effect, revealed by the determined opposition on the part of loyal members of the Canal Zone police to the hiring of alien Panamanians in this protective force as a serious breach of security.

Mr. Speaker, in the light of modern history, such "coalition" government for the Panama Canal would be fatal, for it would not provide a solution but could only result in confusion and chaos, with our complete abandonment of the Panama Canal. The cases of China, Cuba and many others could be cited as ample warnings of the dangers of "coalition" governments. Moreover, it would bring about unsolvable extraterritorial problems which Theodore Roosevelt and the statesmen of his day sought to prevent forever.

While it may be contended that the plan to hire Panamanians as police has been shelved, the Congress should not be beguiled by such delaying tactics. At this moment, the Panama Canal legal organization is working on plausible amendments to the Canal Zone code to cover such employment, despite the clear intent of the Congress that only U.S. citizens shall be members of forces charged with the protection of the Canal Zone and Panama Canal.

To show the importance of safeguarding the integrity of the Canal Zone police and other security positions, there is the case of a Panamanian who, though a Panama Canal terminal security guard, joined the rioters in January and engaged in sniping into the Canal Zone. He was identified as one Edgar Harrison and, I understand, that an agency of our Government has a film showing him in the act of shooting into the Canal Zone during the riots. Why, I ask, has such information been withheld from our people?

Certainly, Mr. Speaker, such revelations as have been previously documented in many addresses to the Congress are adequate grounds for making major investigations of all aspects of the conduct of Panama Canal policy.

Mr. Speaker, in so urging the Congress, I am not one who would wish to impugn unjustly the motives of those formulating policies on these gravely important matters but if I am worthy at all to be a Member of this body, I am first an American. In these times of crisis, I must be patriotic rather than partisan. So I ask why is it that the cognizant

committees of the Congress have failed to institute the vital and necessary investigations? Is it because the Department of State has been able to prevent such actions?

COMING EVENTS CAST THEIR SHADOWS

Mr. Speaker, the maintenance of the authority of the United States over the Panama Canal, which I have so often described as the key target for the Red revolutionary conquest of the Caribbean, is directly related to the security of our naval base at Guantanamo, Cuba, which now has to be protected by battle-equipped marines. What happens to one will inevitably have its impact on the other.

As to Guantanamo, its salubrious climate and commodious protected anchorages, close to deep water, make it the best fleet training facility south of the Chesapeake-southern drill ground area. For these reasons alone, regardless of bases that may be constructed in other Caribbean islands, the weakness of placation-minded diplomatic officials, or the aims of Red collaborators in our Government, Guantanamo should never be surrendered. This view is not a blind following of the past but one that meets the needs of the present and future.

In these connections, the following are now being discussed in Washington and other news centers:

First. The organization of a special U.S. naval force for the Caribbean.

Second. The formulation of a firm policy for U.S. relations with Latin America—U.S. News & World Report, June 1, 1964, page 19.

As to the creation of a special naval force in the Caribbean, there is the helpful precedent of the pre-World War II Special Service Squadron, which was based on the Canal Zone and thus conveniently located for service in either ocean. It was the existence of this naval force which in 1933 enabled our country to support its policies in Cuba without a costly military intervention. We ought to have such a naval unit today, certainly as long as Cuba remains a Soviet satellite.

With regard to the formulation of firmer policies toward Latin-America, the fundamentals are the Monroe Doctrine, our Caribbean, and Isthmian Canal policies. The task, therefore, is not the development of something new in the way of policy determination but the clarification and reaffirmation of our historic and tested policies.

Suggestions to pull out of Guantanamo, where our investments run into hundreds of millions of dollars, are neither realistic nor fair to the American taxpayer, regardless of what may be constructed in Puerto Rico. Guantanamo Bay, strategically located on the northern flank of the Atlantic approaches to the Panama Canal, controls shipping routes to that vital waterway and is indispensable for its protection.

OMINOUS SIGNS DEMAND ACTION

Mr. Speaker, as I have previously indicated on many occasions, the conduct of our policies for Latin American and

Caribbean regions over a long period of time has been indecisive and utterly lacking in consistency. Innate North American courtesy and self-restraint have been mistaken for weakness and Red power has advanced into the vacuum created by fumbling, timidity, and betrayals on the part of long suspect elements in our Government. The storm clouds of 1959 have grown larger. Their shadows have ominously extended, far away lightning is seen, and distant mutterings of thunder heard.

To meet the situation in which we face absolute power, our statesmen and the Congress must show absolute fearlessness; and we must do it legally, forthrightly, and decisively.

Accordingly, I reiterate my basic proposals for a reasoned line of action by our Government:

First. Make definite and reaffirm by congressional resolution our historic and fully vindicated policy of the Monroe Doctrine, applying it to intervention through infiltration and revolutionary subversion as well as by armed might.

Second. Clarify, make definite and reaffirm our treaty-based Panama Canal policies by congressional resolution as contemplated in House Concurrent Resolution 105, 88th Congress—Cannon resolution.

Third. Make clear by congressional resolution our Nation's determination to defend the Canal Zone and the Guantanamo Naval Base against all forms of attack and of retaining full and complete control of both as provided by treaty.

Fourth. Reactivate our special naval force in the Caribbean on a permanent basis for diplomatic and other missions.

Fifth. Conduct full and complete congressional investigations of all aspects of the execution of Panama Canal policy, to fix responsibility for policy failures on the individuals directly concerned.

Sixth. Prohibit by statute the employment of aliens in security positions in the Canal Zone.

Seventh. Forbid by legislation the display of any flag in the Canal Zone territory other than the flag of the United States.

Mr. Speaker, in the perspective of more than a decade of close study and observation of the crisis in the Caribbean and Latin America now under Red revolutionary attack focusing on the Panama Canal, it is abundantly clear that only by such forthright actions of our Government—prompt, courageous, and effective—can the badly impaired prestige of our Nation be restored and the cause of Western Hemispheric defense be strengthened.

To these ends, I would appeal to the Congress, especially the cognizant appropriation, investigating, and legislative committees, and the President, to act in the spirit of Cleveland, McKinley, and Theodore Roosevelt when they faced foreign attempts to destroy the authority and integrity of our sister Republics of the Western Hemisphere.

Decisions thus to act may be difficult to make; but they must be made if the cause of Western civilization is to be

sustained. In no other way, Mr. Speaker, can our agencies of Government, that is, the Congress and the President, better serve the United States and all the Western World in this crucial era.

Finally, I would stress that in meeting the crisis in the Caribbean, the people of the United States expect the necessary leadership on the part of the Congress and the President. Let us not wait until new blows fall at Panama or elsewhere, but act now.

THE ALL-PURPOSE AIRCRAFT

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

Mr. LAIRD. Mr. Speaker, the defense of this country is rightly the concern of all Americans. Today, we are the strongest nation in the world. During the 1970's we may not be. I have stood in the well of this House on several occasions and demonstrated clearly that there has been a lag in new weapons development under this administration. This lag is evident particularly in the area of major new strategic weapons, but it appears in other areas as well when we project our needs into the 1970's. Unfortunately, the most notable omissions or slowdowns have occurred in the area of qualitative advances.

When responding to specific charges, this administration relies on citing long lists of quantitative increases. The Secretary of Defense for example, in response to one of my earlier charges that this administration had not developed a single new major strategic weapons system, contended that 208 major new projects had been initiated under this administration. Not one of them was a new, major strategic weapons system. Also, in responding to these and similar charges, and in repeated announcements by the administration, the danger period of the 1970's is consistently played down or totally ignored.

We all are aware, I think, that the significant portion of our defense complement has been inherited from the Eisenhower years, a fact that would not have to be repeated if subsequent administrations could feel that they would inherit a similarly reassuring defense complement.

Be that as it may, my charges and those later included in my party platform apparently proved too much for this administration. Thus, the President, in a news conference broke security classification, which is of course his privilege, to reveal a hitherto secret aircraft designated the A-11. Members of my committee were aware of its existence before the President's announcement. We were notified in advance of his impending announcement and, I understand, were unanimous in our feeling that the announcement would serve no useful purpose.

The development of the A-11 concept and program began under President Eisenhower in 1959. The implication in some news stories that the A-11

was a major new weapons system developed under this administration was, of course, rather farfetched. Yet the President attempted to perpetuate this impression in a subsequent news conference.

On July 24, the President announced "the successful development of a major new strategic manned aircraft system." It was designated the SR-71. From the President's description and from further investigation, it is clear that the SR-71 is really a modified A-11.

The amazing thing, Mr. Speaker, is that the President in this news conference attempted to enhance the image of his administration by stating that this so-called new aircraft was started in February of 1963 and that an operational aircraft will be flown early in 1965. Anyone who knows the least bit about modern weapons development cycles knows that such an advanced aircraft would take approximately 5 years to develop. This was clearly an attempt to mislead the Congress and the American people as to both the state of our defense effort and the thinking of this administration concerning defense problems.

Mr. Speaker, I do not understand how the President can justify in his own mind the public relations use he has made of this aircraft. You will recall that when the first announcement of the A-11 was made, it was hailed as an interceptor in an apparent attempt to kill the discussions in Congress over the need for a new interceptor. It was and still is a reconnaissance aircraft. In his announcement on July 24, the President referred to the A-11 as an "experimental interceptor" which it clearly is not and could not be without major modifications.

The A-11 has apparently become an all-purpose aircraft, although the purposes for which it has been used to date are mostly political. A perceptive editorial appeared in the authoritative Aviation Week and Space Technology magazine of August 3. Under unanimous consent, I ask that it be inserted in the record at the conclusion of my remarks.

Mr. Speaker, a reading of this editorial will make clear to anyone who is interested the attempts that have been made to mislead the American people about the nature of this aircraft. It is amazing how many uses the President has claimed for the A-11. Still another example is the administration's use of this aircraft to pacify those who were pushing for a supersonic transport by implying that the A-11 was a significant step in that direction. And now, in an obvious attempt to stifle criticism by myself and others both in and out of my party, this same aircraft has become a "new strategic aircraft."

An interesting sidelight of this whole spectacle concerns the nomenclature used by the President to designate the aircraft. According to proper nomenclature procedures an aircraft with a prefix S would be classed an antisubmarine aircraft, a function not yet claimed for the A-11. The President called the aircraft a long-range strategic recon-

naissance aircraft, which normally has the prefix R. In the past, the designation of that type of aircraft would have been RS. The S would then stand for "strike" for it normally would have that capability. There has been no official explanation of why normal nomenclature procedures were not used in this case. Some have suggested that the President inadvertently read the letters in reverse and everyone has been afraid to correct him.

Mr. Speaker, the subject of defense and national security is too serious to this Nation and its people to allow anyone, including the President, to engage in attempts to mislead the American people in an election year or any other year. This transparent attempt only substantiates further the charges that have been made against this administration in their approach to defense matters. The safety of this Nation and its people are at stake and no individual or party is above public scrutiny and condemnation when it misleads the people about the national security program of our country.

The editorial, from Aviation Week and Space Technology, referred to above follows:

THE ALL-PURPOSE AIRCRAFT

Defense Secretary Robert S. McNamara has been searching with limited success for an all-purpose aircraft during the 3½ years of his Pentagon stewardship. But it remained for President Lyndon B. Johnson to discover the perfect all-purpose aircraft that can meet technical and political requirements with equal ease. It is the Lockheed A-11, commissioned by the Central Intelligence Agency in 1959. The A-11 was designed during the last years of President Eisenhower's administration, began flight-testing in President Kennedy's administration and became a television star under President Johnson's tutelage.

President Johnson has appeared in nationally televised press conferences twice in the last 6 months to extol the technical virtues of the A-11 and demonstrate its political flexibility, and all of its wonders have not yet been fully revealed. We predict that the A-11 will become a regular performer during the presidential campaign television season, although even some of its closest associates may have difficulty recognizing it in the costumes that may be devised for campaign purposes.

There is no argument among either technical or political experts on the fact that the A-11 is a cleverly bred aerial racehorse and a genuine engineering tour de force by Designer Clarence (Kelly) Johnson and his Lockheed "Skonk Works" team. The area of argument, which seems certain to increase in acrimony and rise in decibels as the presidential campaign progresses, is in the various guises in which the basic A-11 has been presented to the American people by President Johnson and its unusual deployment in a political fire brigade.

At the time of President Johnson's first A-11 announcement, his administration and Defense Secretary McNamara were engaged in a bitter fight with Congress over whether some \$40 million should be appropriated for initial development of a new long-range supersonic interceptor for the air defense system. In his initial announcement, President Johnson said A-11's were then at Edwards AFB, "undergoing extensive tests to determine their capabilities as long-range interceptors." This was substantially correct, since the first A-11 arrived at Edwards

a few hours before President Johnson appeared on television, and eventually some tests were made with rocket armament installed internally and externally on an A-11 designated YF-12A for this purpose.

We predict that the results of these tests will remain forever buried under a security blanket. Young pilots of the Air Defense Command will grow old before an A-11, YF-12A or any similar beast of this design will grace their operational flight lines. However, Defense Secretary McNamara went even further than the President and told his press conference that the A-11 had been developed originally as an interceptor and implied that the \$40 million was not for the start of a new aircraft design but simply for furthering of the A-11 program. Neither of these statements was accurate. This produced sufficient confusion among the legislators for Congress to drop the \$40 million from the budget, thus killing development of any new generation of interceptor aircraft. Skillful piloting of the A-11 scored its first political victory.

At the same time, the U.S. supersonic transport program was in the doldrums. More than a dozen foreign airlines that had made cash deposits for places on a nonexistent production line were wondering whether they had bet on the wrong horse. President Johnson quickly dispelled their gloom by noting that, "the development of supersonic commercial transport aircraft will also be greatly assisted by lessons learned from this A-11 program; for example, one of the most important technological achievements in this project has been the mastery of metallurgy and fabrication of titanium metal. * * *

How the mastery of titanium had been achieved in mach 3 A-11 aircraft already flying, at the same time the perils of titanium were cited by Defense Secretary McNamara as a reason for rejecting the Boeing mach 2 F-111 (TFX) design, has never been clearly explained. Nor is it likely to be. But the A-11 scored another political victory.

Now President Johnson finds himself facing a Republican opponent who holds an Air Force major general's Reserve commission and is an active jet pilot with thousands of hours of flying time in his logbook. This candidate, Senator BARRY GOLDWATER, has severely criticized the administration for its failure to continue development of manned aircraft with strategic capability to supplement ballistic missiles, and has indicated he will make defense policy a major issue.

On July 24, 9 days after Senator GOLDWATER won the Republican nomination, President Johnson "revealed" development of a new manned mach 3 strategic reconnaissance system called the "SR-71." The only mention of the A-11 in this statement was the notation that the "SR-71" used the same type J58 engine as the A-11. Later, Pentagon spokesmen reluctantly admitted that Lockheed built the "SR-71." The "SR-71" was, of course, the A-11 with still another designation pasted on its titanium skin. But many Congressmen were fooled, and unthinking daily newspapermen and wire service reporters failed to catch the deception and spread the news across the Nation of the "new" billion-dollar aircraft program.

The inception of this program also was conveniently shifted from 1959 in the Eisenhower Administration to 1963 in the Kennedy Administration. Anybody familiar with aircraft development cycles knows that if this program were really started in 1963, it would be impossible to deliver operational aircraft to Strategic Air Command in 1965, as President Johnson stated.

But in the confusion that now reigns on what the "SR-71" really is, much of the thrust of Senator GOLDWATER's criticism has

been blunted and the A-11, YF-12A, "SR-71," and supersonic transport research aircraft has scored its third political victory. Only two more to go to become a genuine ace.

We suspect that the next chapter in the checkered career of the A-11 will be the "revelation" at the most opportune political moment that it can be a bomber, too, thus eliminating any further need for development of the B-70, AMSS or any other type of advanced manned striking system.

For a new aircraft that is either 5 or 2 years old, depending on which television program you watched, the A-11 has had an amazingly versatile career. We wonder if Lockheed has the facilities to build as many of them as the Defense Department obviously will request.

APPALACHIAN FACTFINDING TOUR

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

Mr. SCHWENGEL. Mr. Speaker, throughout the hearings of H.R. 11946, a bill to provide for Appalachian regional development, I repeatedly requested that the ad hoc Subcommittee on Appalachian Regional Development of the House Committee on Public Works make a tour of the region to gather firsthand knowledge of the situation and to hear from the people actually experiencing the conditions purported to exist in the testimony presented to us by many officials of the administration.

This is not an unusual request, since many members of the committee and of the Congress do make such trips, for the purpose of conducting hearings on other pieces of vital legislation. Nevertheless, even after continued assurances that the subcommittee leadership was seriously considering the proposal to make the trip, the bill was favorably reported from the committee without any factfinding trip being taken.

Because I believe so strongly in getting firsthand, grassroots information, last week I went to Martinsburg, W. Va., at my own expense to hear testimony from the residents of West Virginia, Maryland, Virginia, and Pennsylvania. I announced that I would be there to hear testimony about the Appalachian area and its problems through the press media, and when my assistants and I arrived there were some 22 people at the hearing room waiting to add their remarks to the knowledge already gathered on the legislation. Some 18 of these people gave testimony that morning. I intend to put this testimony in all or in part into the RECORD later this week or the first of next week.

To make this trip even more worth while, some farm leaders took me on a tour of the actual farming sections of the region during the afternoon. I visited several farms which are considered to be typical of the area.

For years I have been taking such trips throughout counties in my district to gather opinions from my constituents, and I have found such trips to be very beneficial. I knew Charles Toam, representing the Frederick County Fruit

Growers, Winchester, Va., made the following remark:

We have endeavored for a number of years to obtain labor both out of West Virginia and southern parts of Virginia for our harvest. We are large users of Bahaman and Jamaican labor, because we have been unable to supply our needs for labor in this area from our local supply, in spite of the statements that there are many unemployed, and I don't doubt the truth of these statements. We have not been able to induce these people to leave home and to come into this area and pick our fruit. We feel that along with this there are several different items that bear greater consideration than at least we have heard there are considerations in the bill—one of them being a modification of our welfare programs. One that would induce people to work and encourage them to work, rather than to discourage them from working because of their inability to get back on a program or to pick up after work ceases to be available, particularly of a seasonal nature.

He went on to say:

We even had occasions where the public officials have discouraged them from working because they would deplete their rolls, and thereupon more or less put them (the public officials) out of a job.

I was accompanied on this trip by Randall Teague, minority clerk, Watersheds Development Subcommittee, House Committee on Public Works, and Allen Schimmel, legislative assistant, at my office. Both of them were very helpful. I would like to emphasize that this tour was unofficial and not a function of the Public Works Committee. The expenses for the tour came from my own pocket, and my only consideration was to get to the heart of this proposal—the people of Appalachia.

The testimony of the residents of Appalachia points out exactly what has been my original contention—that the blanket coverage of an entire section of the Nation by a bill of this nature is an unsound proposal. There are areas in Appalachia which need assistance, but blanket coverage to the entire region, parts of which are more prosperous than many other areas of the Nation, is not a correct approach. Just because someone at a drawing board outlined the geographical boundaries of the region, and some of the boundaries are very doubtful, does not mean that anyone or any place in that region should be able to receive Federal assistance.

I think that every Member of this body should examine the testimony which I will place in the RECORD later this week. It is indeed thought provoking, that such a trip to Appalachia would also be successful—there is no substitute for first-hand contact with the people. We must learn to hear from the people more often.

The people who came and appeared were indeed interested in the legislation concerning Appalachia. While most everyone was interested in the objectives of the program, not a single one actually endorsed the bill. Most of them expressed serious concern and skepticism over the feasibility and advisability of many proposals in the bill.

In discussing the preparation of the legislation by the President's Appalachian Regional Commission—PARC—and its report, we found that a very prominent authority on conservation matters with the State conservation committee was not even contacted specifically about the pasture improvement section of the bill, nor was he or others in that committee counseled about the other sections of the proposal. This leads us to believe that other State officials did not see the bill until it was already presented to the Congress by PARC. Since this program is supposedly a cooperative measure between the Federal Government and the State governments, this gave me some serious concern over the actual cooperation that existed in the preparation of this legislative proposal. If cooperation was nonexistent or minimal, then the cooperation which the bill envisages as existing between Federal and State authorities in the development and fulfillment of the programs of the Appalachian Regional Commission might also not come to full development. This would present some very serious problems. One thing to remember is that the Federal representative has a veto power over the plans of the Commission.

The people who testified in the Martinsburg hearings had some very good suggestions about the ways to handle the Appalachian problems and also about ways to handle such items there as unemployment, farm improvement, experimental farm stations, soil and water conservation, reducing beef surpluses, proper use of pesticides, ways to create incentive in the people of Appalachia, the exploitation of people of the area, and a host of other items, some germane and others not germane to the Appalachia bill. Some of these will be presented with the testimony placed in the RECORD.

Nevin A. Schall testifying in Martinsburg on behalf of the Pennsylvania State Chamber of Commerce stated:

The chamber believes that the useful portions of the Appalachian program can be implemented by existing Federal agencies. Creation of a new Federal commission, or a new Federal financing corporation, or any additional level of Federal bureaucracy is unnecessary and harmful. Additional governmental structures would not improve existing or proposed programs and would certainly cause Federal domination in essentially State and local affairs. Proper coordination of programs for the Appalachian region could be obtained simply and effectively by a Presidential assistant working with existing agencies.

He further stated:

The proposed agriculture program unwisely provides a substantial possibility of Federal subsidization of uneconomic land use and of perpetuation of the conditions intended to be remedied. The proposed Timber Development Organizations are objectionable because they are unnecessary and would create federally-subsidized competition with existing private organizations. * * * With reference to the mineral portions of the report, the chamber believes that technological advances creating a po-

tential increase in the economic use of coal, by means of large-scale mine-mouth electric generating plants and extra-high voltage long-distance transmission lines, are already being fully utilized by the investor-owned electric companies. Hence, it believes that Government-owned or financed power facilities are neither necessary or desirable.

When questioned about the conversion of land into pasture as envisaged in this proposal, one cattleman almost laughed. His most appropriate comment was, "What are you going to do with the beef? We already have more than we can use. Our prices are already going down because of too much meat." Other people testified that the land which would probably be brought into production under the provisions of this bill are lands which would need constant attention. The Appalachian area is a peculiar one when it comes to farms. Either you have a valley farm or you have a hillside farm. In essence you either have a good farm or you have a bad farm; 10 acres in the valley may produce more than 100 acres on the mountain. As a result the farmer with the poor farm probably could not even raise the necessary capital to meet his 20 percent of the funds required for pasture improvement under the sections of this bill, and the farmer with good land already has sufficient capital to do pasture improvement of his own without Federal assistance.

MAKING COLUMBUS DAY, OCTOBER 12, A NATIONAL HOLIDAY

THE SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from New York [Mr. ROONEY] is recognized for 15 minutes.

Mr. ROONEY of New York. Mr. Speaker, this morning I had the privilege of appearing before the Senate Subcommittee on Charters, Holidays, and Celebrations of the Committee on the Judiciary on proposed legislation making Columbus Day, October 12, a national holiday. The following is the statement I submitted to the subcommittee this morning:

Mr. ROONEY of New York. Mr. Chairman, members of this distinguished committee of the Senate, I am pleased to have this opportunity to submit for your consideration my views relative to the importance of making Columbus Day, October 12, a national holiday.

The proposal to give honor on a national basis to the intrepid Italian, Christopher Columbus, who was the first from across the sea to set foot on the shores of this continent, is completely justified as a reminder of the debt we owe this great navigator. As Americans, we cannot recall the historic voyages of Columbus without also recalling the deeds of scores of other great explorers and early pioneers and the debt we owe each of them.

We are reminded of great heroes who came here before our Nation came into being—the men of many nationalities who braved the wilderness in their explorations. When we think of Columbus we think of Vespucci, of Raleigh and Drake, of De Gama and Cortez, of Champlain and Frontenac, of Hudson and De Soto, of Magellan and scores of others. We think, too, of the veritable parade of

heroes from other lands who march across the pages of our history—Lafayette and Steuben, L'Enfant and Shurz, Pulaski, Fermi, Sikorsky, Einstein and the hundreds of other great people to whom this country owes so much.

Although Christopher Columbus did not find it possible to remain on these shores in the true sense of a migrant, even in spite of three bold visits, he is responsible for initiating the steady flow of migrants from Europe. His charting the seaway to America permitted and stimulated the wave of explorers of many nationalities, English, French, Portuguese, Dutch, Spanish, and Italian. On the heels of the explorers came the settlers. With the arrival of these colonists the pattern for American citizenship was established—a nation of many nationalities, of many traits, and of many beliefs—yet a people dedicated to the principle of one nation, independent, indivisible, with liberty and justice for all.

Among these settlers—the farmers, the merchants, the printers, the preachers, the bankers, the fishermen, and the craftsmen of all kinds came the men who became in America's hour of need the great soldiers and the great statesmen who fought for her independence and planned for her survival as a nation.

The debt we owe these outstanding men of history, and the saga of their deeds should be kept constantly before us and preserved for posterity.

I suggest, Mr. Chairman, that without in any way minimizing the honor which we seek to do to the memory of Columbus and without in any way deprecating the honor we pay him as an Italian, but because of him and because he was Italian we consider Columbus Day as National Immigrant Day.

What greater honor could we pay to the discoverer of our country than to pause each October 12 as we commemorate his birth date and think, too, of our other forebearers for whom he opened the door of America.

Columbus Day has long been proclaimed a holiday in some States and in many localities. I believe the time has come when all Americans in every State and in every locality—Americans of all faiths and descendants of all nationalities should observe Columbus Day as a national holiday to be observed with fitting ceremonies.

Americans—native born and adopted—all have reason to be reminded of the historic deeds and actions of our immigrant forefathers. All of us need to be reminded of Christopher Columbus' bravery, his tenacity, and his courage of convictions which established him as an example for all the multitude of not only his fellow countrymen but the men and women of other nations who would follow him to these shores.

We speak reverently of George Washington as the "Father of our Country." We may speak equally as reverently of Christopher Columbus as the "Father of our Continent."

It is my hope, Mr. Chairman, that your committee will adopt my suggestion and that favorable action will be taken by the Congress to enact the necessary legislation to give all Americans an official national holiday to commemorate the birth date and pay homage to Christopher Columbus and to honor the succession of great foreign-born heroes who because of his explorations and discoveries could add their noble deeds to his.

LYNDON'S PALS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, more and more Americans are starting to take a good look at President Johnson's cronies. Sometimes we are prone to be alarmed by only the radical ADA element which surrounds the Chief Executive at the philosophical and advisory levels. The Bobby Baker types are also there and the President must answer for them.

Of course, he has artfully dodged the Bobby Baker association now that the wrongdoings of his former protégé have become a matter of public knowledge. Simply because he is President, Mr. Johnson cannot wave a magic wand and say "My friends are OK—ask no further." These relationships are subject to public scrutiny and we not only have a right to ask questions, we have a duty to do so.

We all recall that President Johnson quite piously glossed over his close relationship with Bobby Baker in his March 1, 1964, 1-hour TV interview. He implied that he did not know the former Senate wheeler and dealer that well. The record indicates that this is not the case—there was a close personal relationship between the two men. The press may be generally mesmerized but one thing the President can not do is to change the bound volumes of the CONGRESSIONAL RECORD. They speak out loud and clear. Note just a few excerpts:

On July 27, 1956, during the last hours of the 84th Congress, Senator Lyndon B. Johnson—see CONGRESSIONAL RECORD, volume 102, part 11, pages 1511–15113—said:

Mr. President, the last hour of the 84th Congress is here * * * but in the final hour it is time to speak of one emotion which at such a time as this lies close to the hearts of all. It is fitting to speak of it now * * * I speak of friendship, the warm friendships that have been forged together in our days here on the floor. * * * And now * * * Bobby Baker. I know I should refer to him formally as secretary to the majority, but my tongue even as my heart, says "Bobby" instead. His quick intelligence, his tremendous fund of knowledge about the Senate, which is almost appalling in one so young has kept the machinery on this side of the aisle working with smooth precision. Always present, always alert, and more than anything else, always understanding and persuasive with his wise counsel. I say to all of you here tonight that here, indeed, is a young man of rare and real promise.

At the close of the 85th Congress—see CONGRESSIONAL RECORD, volume 103, part 12, page 16722—Senator Johnson again speaking of Bobby Baker said:

The secretary to the majority is the most tireless and indefatigable man on this floor. Bobby Baker is a young man who already has gone much further in life than many others of far greater years. And Mr. President, it is my personal opinion that he is just getting started. There is a very simple formula that explains Bobby's success. He gives of himself unsparingly, and without regard to what he will get in return. He usually gets from me some perhaps intemperate words, for which I am sorry the next morning. But, Mr. President, his first thought is always of those of us he serves. And every one of us knows that we can call upon him at any

hour of the day or the night, and he will not be found wanting. He is a man who truly serves his country, and I consider him one of my most trusted, most loyal, and most competent friends.

How did Senator Johnson's colleagues view the relationship of Senator Johnson and Bobby Baker?

In a tribute to the majority leader, Lyndon B. Johnson, August 23, 1958—see CONGRESSIONAL RECORD, volume 104, part 15, page 19445, 85th Congress—Senator ALAN BIBLE, of Nevada, said:

Mr. President, very soon we will have finished up our work and the Senate can adjourn * * * among these outstanding Americans on both sides of the aisle, Lyndon Johnson stands out as one of the most effective leaders of our era. * * * Mr. President, no leader can operate effectively without a loyal and conscientious staff. It is doubly fortunate, Mr. President, that in having an outstanding leader we also have the benefit of his fine staff. I have particular reference to Bobby Baker, the secretary for the majority, a young man who has that rare gift of getting things done with a minimum of time and a maximum of efficiency. I like to refer to Bobby Baker as "Lyndon, Junior," an accolade he well deserves.

Senator Lyndon Johnson demonstrated his ability to gaze into the crystal ball and predict the future when he addressed the Senate—CONGRESSIONAL RECORD, 85th Congress, volume 104, part 15, page 19573—on August 23, 1958, saying:

There is a group of people in the Capitol who are fully as responsible for the success of these deliberations as are the Members of the Senate themselves, and I am referring to the hard-working, loyal Senate staffs. * * * There is Bobby Baker, the energetic, persevering secretary for the majority. I wish to take a minute to talk about Bobby, because there have been few times in my life that I have ever seen a young man who combined so much wisdom and maturity with such youthful vigor and enthusiasm as Bobby Baker. I think it is fair to say that a great deal of the success of this Congress has been due to Bobby Baker's alertness, his diligence, his devotion, his dedication, and his insistence that things be done right. He is a young man who has already gone very far and who is going much further. I believe he will reach much greater heights.

"One of my most trusted, most loyal and most competent friends—a young man who has already gone very far and who is going much further," referred to by a fellow Senator as "Lyndon, Junior."

No, Mr. President, Bobby Baker would not go away just because you say you do not want to speak out on the subject. The American people will continue to study and wonder. Rightfully so.

Now, there are a few more pals hanging around who bear some scrutiny. In the highest tradition of American journalism, Wall Street Journal reporters Louis M. Kohlmeier, Ray Shaw, and Ed Cony collaborated on an article which appeared in that newspaper on Tuesday, August 11, 1964. It raises some serious questions about the wheeling and dealing aspects of the Texas friends of L.B.J. which should be answered. Speak out, Mr. President, and explain your friends to us—or, do you still think we do not have any right to know?

The article follows:

[From the Wall Street Journal, Aug. 11, 1964]

LYNDON'S PALS: HIS HOMETOWN COTERIE WHEELS AND DEALS IN LAND AND BROADCASTING—THEY BUY INTO AUSTIN BANKS, TRADE PROPERTY WITH L.B.J. AND PLAY SOME POLITICS TOO—DIRECT LINE TO THE WHITE HOUSE

(Wall Street Journal Reporters Louis M. Kohlmeier, Ray Shaw, and Ed Cony collaborated in the reporting for this article)

JOHNSON CITY, TEX.—His visitors had almost given up hope of seeing A. W. Moursund, "the judge."

But then a bronze-tinted Lincoln blazed into this hamlet at high speed. Its driver pulled to a stop, strode into his office in the trim, one-story tan brick building. His dignity of figure and face, accentuated by rimless spectacles, was soon relieved by some salty language brushing aside curiosity about his career. Nobody could be interested, Judge Moursund insisted. "I was born and raised here. * * * I'm just a country lawyer."

In a law office of the nearest city, Austin, the strangers heard similar words from a stocky fellow in slacks and a blue jacket. Said Don Thomas: "I'm just a poor boy, born and raised in east Texas, trying to make an honest buck."

In Austin they listened to a third lawyer, Ed Clark. He has been halled by the East Texas Chamber of Commerce for wrapping "his 200-pound-plus frame in loud checked suits, coats that would put Joseph's to shame, and rainbow-hued shirts." He once moved a local newspaper to marvel that "his piny woods drawl under duress is a cross between a caterwaul and Rochester practicing one of his more troublesome scenes." But Mr. Clark, too, spoke to the outlanders with humility: "Spell my name right—I need the business."

Such men are bound to be interesting, as authentic human products of the Texas hill country—this semiarid, undulating terrain sprinkled with mesquite, scrub oak, and occasional cactus, which stretches out to the west of the State capital. Though lots of it must look much as it did in 1864, it catches the eye today because this is Lyndon's land. Here is the original base of President Johnson's vast political power. Here is the soil which nurtured the Johnson family's multi-million-dollar economic interests. By now thousands of acres, literally and legally, are Lyndon's land.

Still, these three—Ed, Don, and "the Judge"—are even more interesting because they are not quite what they say they are.

Edward Clark does not need to scratch for business; he heads the thriving law firm of Clark, Thomas, Harris, Dentus & Winters, patronized by giant national corporations. One testament to his success is his status as board chairman of Capital National Bank, a proud Austin institution in which he holds more than \$1 million of stock.

Donald Thomas is not a poor boy; he is a law partner of Mr. Clark and among other things he put up \$150,000 5 years ago to take over Brazos-Tenth Street Corp. Though the rocketing rise of this Austin enterprise has centered on ranch land and urban real estate, Brazos-Tenth has likewise picked up more than \$1 million of bank stock, scattered in half a dozen institutions of three towns.

A PHONE TO THE WHITE HOUSE

Judge Moursund is not just a country lawyer; he is land baron, insurance man, banker—and currently reigns as regent over a major broadcasting empire. More than that, he is the only country lawyer in the Nation who is linked by private telephone circuit to the LBJ Ranch and the White

House. He can pick up his phone and almost instantaneously talk with the President.

Which brings up the most interesting point of all. Don, Ed, and "the Judge" are not merely poor boys who've become well-heeled Texans—there are plenty of those—but are in a special inner circle orbiting around Lyndon Johnson.

Associates of any President can be intriguing, for they offer clues to the kind of man the Chief Executive may be. Yet except for John Connally, the Governor of Texas, who was wounded by the Kennedy assassin, the men who've spun in this Johnsonian circle are not well known nationally—maybe simply because the Nation has not been paying proper attention. Any effort to paint the group portrait they deserve should perhaps begin by sketching a few generalizations:

This coterie operates with an intimacy which more than makes up for its informality. Membership requires long-rooted Johnsonian friendship but is open only to friends of razor-sharp competence. These men agree, as Ed Clark puts it, that Lyndon "is always trying to do more for everybody than they can do for him," yet they compete in doing things for Lyndon and for each other. They differ from the President's Washington allies in that business deals build their bonds; nevertheless their own magnetic motion creates political as well as economic power.

THE PRESIDENTIAL PERSONALITY

Students of the presidential personality may even see a certain significance in the mystery or confusion which surrounds certain aspects of this inner circle's operations. At one moment a circle member may appear as a Johnson partner, or serve as a Johnson agent. At another time he may be operating independently, or be on the opposing side of a transaction which involves Johnson business interests, or even appear as an active Johnson competitor. Often it is not obvious which role is being played. In detail, the clues are sometimes as murky or downright misleading as those of a good detective yarn.

For example, records in the Llano County Courthouse seem to show plainly that Donald Thomas bought the 2,785-acre Nicholson ranch last year for \$373,000, and still holds it. But the 44-year-old Mr. Thomas himself declines to define this big tract as a definite part of his own current possessions. He limits himself to a single enigmatic comment: "You're getting into LBJ Co. business there."

The LBJ Co., of course, is the Johnson family's TV and radio concern, which changed its name to Texas Broadcasting Corp. when Lyndon became President and Lady Bird put her controlling stock under the trusteeship of Judge Moursund.

The studio, offices, and executive suites of the Johnson Broadcasting Co. occupy fully a windowless modern edifice at the corner of 10th and Brazos Streets in downtown Austin. The popular impression that this belongs to the Johnsons is seemingly supported by friends' testimony that Lady Bird personally chose its buff and turquoise bricks and designed its penthouse and roof garden. Mrs. Johnson herself is on record as calling this "a building of our own," contrasting it with the "rented" quarters her broadcasting firm occupied prior to 1960. Yet legal files show the property is owned by the burgeoning Brazos-Tenth Street Corp., whose name comes from the address. And Don Thomas declares the Johnsons own not a single share of Brazos-Tenth stock.

"A lot of people here think I'm just a front man for Lyndon Johnson—and I'm not," Mr. Thomas has complained. "There

are no facts to suggest the company (Brazos-Tenth) is owned by anyone but me; I'd make that statement on a soapbox."

Thus by his own account Mr. Thomas is operating in this instance as the hardheaded landlord dealing at arm's length with some tenants named Johnson. When Mr. Thomas enters the building, he need not always come in this chilly role, however, for he also has two warm positions within the Johnson broadcasting firm, as its corporate secretary and as a director. And besides that, he is a trustee of the LBJ Co. profit-sharing and incentive plan, which rewards loyal executives and employees of the Johnson broadcasting concern. And he's a trustee of the Johnson's charitable foundation. And over the years he has been both a friend and a personal attorney for Lyndon. So assuredly he is not just a front man for the Johnsons. He has got them surrounded from every direction.

DECLARATION OF INDEPENDENCE

Though Mr. Thomas' Brazos-Tenth firm can assert its independence of both Mr. Johnson and the Johnson broadcasting enterprise, it often gets associated with them, sometimes in deals of dizzying velocity. Consider what happened on February 1, 1962. Courthouse records show on that date the LBJ Co. sold a parcel of Austin real estate, with the signature of Donald Thomas appearing on the sales document as its corporate secretary. The purchaser was Brazos-Tenth, so of course Mr. Thomas was even more firmly established on the buying side of this transaction. Then, on the very same day, Brazos-Tenth resold the property to a Thomas friend—Lyndon B. Johnson.

At the same time, records show, Brazos-Tenth bought more than 40 other lots and 3 tracts, in Travis and Llano Counties, from the LBJ Co. and before the day was out sold most of this real estate to the then Vice President. What belonged to Mrs. Johnson's company at daybreak was Mr. Johnson's by nightfall, at undisclosed prices, but only after the Thomas company served as middleman. Mr. Thomas declines to discuss the reasons for all this, saying merely: "As far as I'm concerned, they were perfectly legitimate deals. My affairs are my own business."

A New York real estate man does offer a possible explanation as to why a woman would sell her husband property through a third person: "There's a tax reason basically. If Mrs. Jones bought the property at \$1,000 a lot, 6 months or more ago, and it is now worth \$2,000 a lot, she may want to sell it to get a capital gain. If she should sell it directly to her husband, the tax people wouldn't allow her to take the lower capital gains tax on it, because it would not be an arm's-length transaction. But if you can get a third party involved, then you get two legitimate deals in the eyes of the tax people. In the trade we call it a conduit agency."

KEEPING IT IN THE FAMILY

Why would a woman choose to sell at a profit to her husband instead of to an outsider? The New York real estate man says this happens when the lady wants to realize an immediate profit, but at the same time figures the lot will appreciate further in value as time goes by. So she sells it to her husband, takes the immediate profit and still keeps it in the family for possible future profits.

A closer look at another one of the lots involved in the set of sales on February 1, 1962, shows how circular Mr. Thomas' business can be.

Donald Thomas in 1958 sold a residential lot in Travis County (which includes Austin) to the LBJ Co. In February of 1962 the triple play carried it, of course, from the

LBJ Co. to Brazos-Tenth to Lyndon. Then somehow it quickly returned to LBJ Co. hands, for the next recorded document shows the broadcasting company selling it on June 1, 1962, to Mary Margaret Wiley, who was Mr. Johnson's personable personal secretary and who later became Mrs. Jack Valenti, wife of the White House aid. Finally, in February of this year (1964), the Valentis sold the lot—to Donald Thomas, who had owned it back in 1958 when the circle began.

"I am a person with speculative investments," observes Don Thomas, sitting in his elegant office with bright red wall-to-wall carpeting, 12 stories above the streets of Austin. "The only way a poor boy can make it is to go for broke." In the last few months his Brazos-Tenth concern has acquired 25 pieces of property in the Austin area—two from Lyndon and 23 from the Johnson Broadcasting Co.

LOOK AT MY LIABILITIES

Ask Mr. Thomas about the rapid rise of his firm and he replies: "You can't just look at the lefthand side of the balance sheet; you have got to look at my liabilities, too." Where has the borrowed money come from? Some of it from banks in which members of the Johnson inner circle have an interest and a voice, by his own account. But Mr. Thomas is not disclosing all his sources of financial strength.

Another major investor and trader in land is Judge Moursund. (His title dates back to a term on the Blanco County bench in the 1950's.) In 1961, for instance, he put a quarter-million dollars into purchase of a half interest in a 4,561-acre ranch bordering Granite Shoals Lake. The urban land boom of Austin in recent years has extended up into this sparsely settled lake country as water backed up behind federally built dams intended to tame floods and produce hydroelectric power. The man chiefly responsible for the Government dambuilding, by his own boast and the acknowledgment of his biographers, was Congressman Lyndon Johnson.

When Judge Moursund bought into this particular ranch, the LBJ Co. picked up the other 50-percent interest. Within a week, though, he had a new partner: Lyndon Johnson. Mr. Moursund explains this was the intention from the beginning, but the then Vice President was "over in Laos or one of those places" at the time the sale was closed so the LBJ Co. stepped in temporarily just as a convenience. It is from the shores of this ranch that the President now goes boating on his new cruiser.

LYNDON AND THE JUDGE

The partnership principle has since been applied by Lyndon and Judge Moursund to other properties. In 1962 they bought 45 lots in a Llano County subdivision called Lakewood Forest. But in addition, since Mr. Johnson entered the White House, Judge Moursund has managed the bulk of Lyndon's land as trustee. Just how much of what sort of acreage the President owns has been somewhat obscured. Mr. Johnson himself told his April 16 press conference that "I own a little ranch land, something in excess of 2,000 acres."

Donald Thomas says Mr. Johnson owns about 5,000 acres. Most of this can be described as "ranch land," he agrees, but 27 acres purchased back in the thirties for about \$300 per acre now are worth about \$20,000 per acre, for they stand in an uppercrust Austin residential section.

Serving also as a trustee of broadcasting company stock owned by Lady Bird, Lynda Bird, and Luci Baines Johnson, and as a trustee of the Johnson charitable foundation, the 45-year-old Mr. Moursund unquestionably devotes much of his vigor to representing the interests of the family who

so often enjoy his company. (Says he: "It's not at all tough for me to do what I'm supposed to do—which is to see to it the Johnsons don't know what is going on.")

No one has doubted, either, that Mr. Moursund represented the President when he served as temporary chairman of the recent Democratic State convention in Houston, or that he will go down the line for Johnsonian desires as a delegate to the national convention in Atlantic City.

Nevertheless Judge Moursund is as heated as Don Thomas in declaring that certain business operations are entirely independent of any Johnson interest—and never mind confusing "clues" to the contrary. Witness the case of the Moore State Bank.

ONE FINE DAY

One fine spring day last year Vice President Johnson and Judge Moursund dropped into Llano and visited the offices of this bank, just off the town square. A couple of months later control of the institution changed hands, and now prominent local folk like to suggest the President of the United States has a stake in the town's only bank. Even Tom Moore, who stayed on as bank president, just says vaguely: "I don't know. There's no stock in his name."

A check at the courthouse confirms that no Johnson shows as a stockholder. Control was purchased by Mr. Moursund, his mother, and his law partner, and by Donald Thomas individually and through Brazos-Tenth. Altogether, they put up more than \$800,000. The five-man board of directors is now dominated by Mr. Thomas, Mr. Moursund and the Judge's law partner, Thomas Ferguson, former Texas insurance commissioner.

Mr. Moursund stoutly insists that Lyndon Johnson has no concealed interest in the bank. Which is perhaps just as well, if the Chief Executive values his popularity among some minority stockholders of the institution. Their complaint is that dividends which had been paid twice yearly for more than three decades were abruptly cut off when the new group took control, with the explanation that the bank should build up its capital—yet at the same time the new directors decided the bank could afford to pay Judge Moursund a \$1,000 monthly retainer fee as attorney.

The new group offered to buy out any minority stockholders displeased with the cutoff in dividends, which had been running \$10 per share per year. "But they only offered to give us book value for our stock," laments one. In contrast, the \$600 a share which had been paid for the controlling stock was almost twice book value.

"If any stockholders are unhappy, I don't know about it," comments Mr. Moursund. "They have no cause to be unhappy." As for his retainer, he says: "I make a living practicing law, and I give full value for the dollar." Has he financed any of his other ventures by borrowing from the bank? His reply: "That's no one's business but my own."

GROWING APPETITE

Many businessmen in and around Austin are aware of the Johnson circle's growing appetite for bank stocks—and some even seem a little nervous about it. Lyndon's associates own or manage stock in all eight of Austin's banks. Here in Johnson City, at about the time Lyndon Johnson was being inaugurated as Vice President, Brazos-Tenth acquired four-fifths of the stock of the town's only bank, Citizens State (resources: About \$3 million). On the board sit Mr. Thomas, Mr. Moursund, and another key member of the inner circle, Jesse Kellam, president of the Johnson Broadcasting Co.

Jesse is publicity shy nowadays, but as a youth at Southwest Texas State College he

was the extrovert leader of the White Stars, mostly athletes like himself, who controlled campus politics. A schoolmate, Lyndon Johnson, organized the Black Stars and tried to take over; when the groups made peace the two became buddies.

Jesse later helped Lyndon win a seat in Congress, whereupon he succeeded Mr. Johnson as State director of the National Youth Administration. During later years he has been top resident executive of the Johnson broadcasting enterprises. Though his personal investments in four Austin banks are modest, this year he became a director of one of the big three, Capital National Bank.

But the big man at Capital National (resources: \$122 million) is its board chairman, 58-year-old Ed Clark. A former Texas Secretary of State, Mr. Clark has loyally devoted his legal talents to defending the interests of friend Lyndon Johnson. When Congressman Johnson sought a Senate seat in 1948 it looked as if he had lost narrowly to Gov. Coke Stevenson; then discovery of 202 overlooked ballots in Jim Wells County put him over the top by 87 votes. It was Ed Clark who fought the ensuing bitter court battle over the validity of this victory.

Again, in 1960, it was Mr. Clark who went to court to obtain for Lyndon the right to run simultaneously for the Senate and the Vice Presidency. He has also represented the Johnson Broadcasting Co. He spent years as an efficient lobbyist for utility, insurance, and other interests in the State capital, but remarks that more recently he has lacked time for lobbying because of his other activities, particularly banking.

MR. CLARK'S BANK STOCK

As of last December 31, Mr. Clark personally owned 14,405 shares of Capital National stock, worth about \$1.1 million at current prices. In addition, his law firm, which, of course, has other members, including Mr. Thomas, was listed as owner of 4,348 shares, currently worth some \$335,000. According to experts of the American Bar Association it is unusual for law firms to invest substantially in bank stocks, but perfectly legitimate. Mr. Thomas' Brazos-Tenth shows up as another stockholder of this bank, as it does of three others in Austin.

At another of the big three banks, American National (resources: \$117 million), Judge Moursund appeared on the board early this year. Among its stockholders are two peripheral Johnson institutions. One is the LBJ Co. profit-sharing plan, of which Messrs. Thomas and Kellam are trustees; it holds American National stock worth about \$67,000, and a few shares also in one other Austin bank. The other is the Johnson philanthropic foundation, whose trustees are the Messrs. Thomas, Kellam, and Moursund plus two other Johnson friends, Melvin Winters and R. E. Stubbs Jr., all of whom happen to be directors of the Citizens State Bank which Brazos-Tenth took over in Johnson City. The Johnson foundation also has holdings in three other Austin banks; its total of bank stock comes to roughly \$137,000.

The two satellite Johnson institutions, it should be noted, are gaining a measure of financial power not only by buying bank stock but by making direct loans or investments. The 1956 trust agreement setting up the profit-sharing plan spelled out this capacity, including "expressly the power to invest in producing or nonproducing oil, gas, or other mineral properties."

The charitable foundation established in the same year has been accumulating far more funds than it gives away; in fiscal 1963, for instance, its philanthropic distributions came to less than \$8,000 while its income from investments totaled \$11,000 and its assets increased by some \$89,000. One

of the few known investments of the foundation was an early purchase of stock in Austex Chill Co., an Austin food canner. Presumably one assurance of the soundness of this investment was the presence of Ed Clark on the Austex board; this concern has since been merged into Frito-Lay, Inc., of Dallas.

A CERTAIN UNEASINESS

Some of the area's businessmen feel a certain uneasiness about the growing financial strength of the Johnson circle; a few have admitted privately that they were opening accounts in banks where the Johnson group's influence has been least noticeable, to assure they will retain ready access to borrowing sources. "Lyndon has a lot of friends here, but he has made a lot of enemies, too," comments a prominent Austin businessman.

Actually, of course, the circle seems far from having a stranglehold on area lending power, even if it should conceivably wish one. Bank investments do perhaps bolster the group's own borrowing capacity. Mr. Thomas, for instance, remarks that he has obtained financing from both Capital National and American National. Mr. Mourund emphasizes that his own bank stock purchases have been with the simple idea that they were sound investments.

Until this year, the biggest bank in the area, Austin National (resources: \$131 million), had remained entirely outside the circle's orbit. When Brazos-Tenth bought stock recently, it constituted only about a \$3,000 toehold—yet was considered perhaps a significant first step. According to one responsible banking source, Mr. Johnson himself—before becoming President—had asked for an opportunity to buy stock in the bank.

The concept that the Johnson circle somehow seeks "monopoly" power may have fed upon the circumstance that the Johnson company has in fact been Austin's solitary television broadcaster. But if one turns attention instead to radio broadcasting it is easy to argue the opposite concept. That the Johnsons have shown astonishing eagerness to foster competition.

It's an old but little known story, so is worth telling, and it can be entitled "The Crowded House at 1901 Dillman Street."

THE CONGRESSMAN BUYS IT

Lyndon bought this corner Dillman Street duplex in Austin's pleasant westside residential section in 1943, when he was a young Congressman. It was in the same year that Lady Bird bought radio station KTBC. One of Mrs. Johnson's biographers relates that the family lived in the upstairs unit when they were not in Washington, and it was there and in the yard outside that Lady Bird "did much of her radio * * * station work"—making much use of "a telephone attached to a tree."

The Federal Communications Commission knew from its files that this was the address of broadcaster Lady Bird, yet there is no record that the agency was taken aback when in 1945 an application to create another radio station, KVET, arrived listing 1901 Dillman as corporate headquarters. In early filings this was likewise listed as the home address of four men who got the KVET station underway: John Connally, his brother Merrill, Walter Jenkins, and Willard Deason.

If the FCC noticed the coincidence at all, it could not have assumed that the Johnsons were trying to obtain a second Austin radio outlet, for it was and is illegal for the owner of an AM station to own even a minority share in a second one in the same town. Mr. Deason confirms the Johnsons never did invest money in KVET; what they did was give "moral support." And that was stretched pretty far. For no fewer than five of the KVET stockholders who created this new sta-

tion were simultaneously on Mrs. Johnson's payroll at KTBC. Construction of KVET was begun in February and completed in September 1946; Mrs. Johnson, in a routine application for renewal of her license, listed the five among her KTBC station personnel as of March 11, 1946.

A LADY BIRD EMPLOYEE

President of the new outfit was John Connally, who at the same time headed Lady Bird's official list of employees, as "owner's representative" in charge of KTBC "policies on personnel and programing." This is the Mr. Connally, of course, who had been pre-war secretary to Representative Johnson, who was to serve in 1949 as secretary to Senator Johnson, who was to be manager of the presidential bid of Candidate Johnson in 1960 and who now, as Governor of Lyndon's home State, will be a nominator of Mr. Johnson for the Presidency at the Atlantic City convention. He started out subscribing to half of the new station's stock, for \$25,000—all of it borrowed from Capital National Bank, where Ed Clark was a stockholder even then, Mr. Clark, as it happened, became another KVET founder himself.

Another who lived in Lyndon's house and worked as sales representative for Lady Bird's radio station while he set out to give the Johnsons competition was Willard Deason. He had been Lyndon's college roommate. He started as a stockholder and director of the new station, then at the end of 1948 he quit as Lady Bird's KTBC sales manager to devote full time to KVET as general manager.

That other college chum, Jesse Kellam, served as a KVET director during its crucial first year and as stockholder for 2 more years, at a time when he was general manager of Lady Bird's competing KTBC.

Two more KVET founders and directors were KTBC employees: Continuity Director W. E. Syers and Sales Representative "JAKE" PICKLE. The latter now sits in Lyndon's old seat in Congress.

MR. JENKINS ALSO SERVED

Another resident of 1901 Dillman, Walter Jenkins, veteran administrative aid to Lyndon on Capitol Hill and in the White House, was an early stockholder in KVET and in 1949 served briefly as secretary-treasurer; it was not until 1953 that he became Lady Bird's corporate treasurer and director, posts which he relinquished after Mr. Johnson became President.

Among others who helped found or built the radio station which was to compete with the Johnson Broadcasting Co. were: Melvin Winters, the Johnson City contractor who now serves as trustee of the Johnson charitable foundation, and Robert L. Phinney, another old friend, who later secured a position as Austin's postmaster. Nowadays, as Internal Revenue Service Director for the South Texas District, Mr. Phinney is charged with keeping an eagle eye on such matters as the Johnson foundation's tax-exempt status.

As they got going, this group cleared seemingly high hurdles with ease. When they first applied to the FCC to broadcast on the 1300 kilocycle wavelength, the agency had already awarded this to a station in San Antonio, 70 miles to the southwest. But rapidly the FCC induced the reluctant rival to accept "voluntarily" another wavelength, clearing 1300 for KVET. Then the Civil Aeronautics Administration complained erection of the 210-foot broadcasting tower would "present an undue hazard for the safe operation of aircraft." But 2 weeks later it changed its mind.

ANOTHER NETWORK OUTLET

KVET, like Lady Bird's KTBC, had no trouble getting network affiliation, signing up with Mutual. To this day these two remain

the only network outlets in Austin, though the city now has seven radio stations.

Lyndon Johnson owned stock in neither his wife's KTBC nor its competitor, KVET, yet there were those who assumed he was interested in the welfare of at least the latter. At any rate, Leonard Marks, the Washington lawyer who for years has handled FCC matters for both stations, took care to mark a carbon for "Lyndon Johnson" when he wrote the agency in 1947 to inquire about FCC approval of the transfer of KVET stock to John Connally, who had begun buying out some of his colleagues.

John Connally may have had grateful memories of 1901 Dillman Street. In 1950 he enlarged that property by selling the Senator two adjoining lots, and the tax stamps indicated a price of \$500. He had bought them 5 years earlier, at an indicated cost of \$3,000.

In 1955, having launched another career as attorney for Fort Worth Oilman Sid Richardson, Mr. Connally gave up his presidency of KVET and sold control to Willard Deason, who now is listed as sole owner.

Those who drop in to visit Station President Deason nowadays can hear his cheerful view of competing with the Johnsons and his cozy recollections of how it all came about. They can see two pictures adorning his office. One is a brown-tone photo taken in 1932, of schoolmate Lyndon. The other is a large autographed portrait of the President of the United States.

WELCOME NEWS—DELAWAREANS WILL ONCE AGAIN HAVE THEIR OWN SUNDAY NEWSPAPER

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

MR. McDOWELL. Mr. Speaker, I am pleased to note that a new Sunday newspaper will be published and distributed throughout Delaware by the Delaware State News, of Dover, Del. Delawareans last read and enjoyed their own Sunday newspaper, the Wilmington Sunday Star, more than 10 years ago.

The announcement was revealed on the front page of the annual progress edition of the Delaware State News published on August 11, 1964.

I know that Delawareans look forward with anticipation and enthusiasm to the first edition of the new Delmarva Sunday News under the editorship of Mr. Joe Smyth. I agree with him that "no area, especially one including the entire State of Delaware and parts of Maryland and Virginia, which have common interests, should be without a published news media on Sunday."

I congratulate Jack Smyth, editor and publisher of the Delaware State News, for his courage and his enterprise and I commend his entire organization for its desire to keep in step with a prospering Delaware.

I include the following items from the Delaware State News, published on August 11, 1964, and particularly commend the following editorial to my colleagues:

[From the Delaware State News, Dover, Del., Aug. 11, 1964]

EDITORIAL

(By Joe Smyth)

The creation of a Sunday newspaper for the Delmarva Peninsula is an ambitious undertaking, but a worthwhile one.

No area—especially one including the entire State of Delaware and parts of Maryland and Virginia which have common interests—should be without a published news media on Sunday.

The chance that the Delmarva Sunday News will work—that it will become a successful, well-read newspaper—far outweighs the obvious financial risk involved. Risks must be taken when the goal is worthwhile.

The Delmarva Peninsula needs a Sunday newspaper that will provide fair, in depth, news coverage: The Delmarva Sunday News will aim to provide for that need.

The peninsula needs a good, areawide advertising media: The Delmarva Sunday News will aim to provide for that need.

The peninsula needs a large newspaper with a fair and open editorial policy: The Delmarva Sunday News will aim to provide for that need.

It will offer an unrestrained editorial policy designed to give maximum freedom for the flow of thought. Room will be found—or made—for all sides of all issues.

Our goals are high ones, and they won't be attained easily or quickly.

But they will be attained.

[From the Delaware State News, Dover, Del., Aug. 11, 1964]

DELMARVA TO GET SUNDAY PAPER—NEW PUBLICATION WITH 35,000 DISTRIBUTION SCHEDULED FOR OCTOBER 4

Delaware, without its own Sunday newspaper for more than 10 years, will get one October 4.

The announcement came today with publication of the annual Delaware State News "progress edition" from Jack Smyth, editor and publisher.

Smyth said the new Sunday newspaper, which will serve all of Delaware and the Eastern Shore of Maryland, will be called the Delmarva Sunday News.

The State has been without a Sunday newspaper since April 18, 1954, when Alexis I. du Pont Bayard and Edwin M. Budner discontinued publication of the 73-year-old Wilmington Sunday Star.

Smyth said he believes Delaware offers a better economic base for a Sunday newspaper than it did when the Star went out of business.

He also said the Star's failure was partly due to the fact that it was published in a plant which printed no daily newspaper.

The Delmarva Sunday News will be published in the Delaware State News plant in Dover. The combined mechanical operation will keep costs down, Smyth pointed out.

The beginning distribution of the new newspaper will be about 35,000.

The Delaware State News circulation department, headed by John B. Manahan, will handle all sales, and make deliveries in Kent and Sussex Counties and the Eastern Shore.

The Delmar News Agency, of Wilmington, will handle distribution in New Castle County. Stanley Budner, son of the old Star's Edwin M. Budner, heads the agency.

Paul Stanyard, advertising director of this year's progress edition, was named advertising director of both the Delaware State News and the Delmarva Sunday News.

George Kaehn will be advertising manager of the Sunday paper.

Jack Beach, assistant publisher and promotion manager of the State News, and George L. Sweeney, Jr., mechanical superintendent of the weekday paper, will also hold those posts on the Sunday News.

Joe Smyth, now news editor of the Delaware State News, will be editor of the Sunday paper.

Ron Stevens, sports editor of the State News, will also head the sports department of the Sunday News.

The news staff of the weekday newspaper will be expanded and members will also contribute to the Sunday paper.

The Sunday News will concentrate on Wilmington and Delaware news, and will offer coverage and pictures of high school and college sports on the Delmarva Peninsula.

The Sunday newspaper, the State News, will be politically independent.

Smyth is the sole owner of stock in both the State News and the new Sunday newspaper.

LEGAL COUNSEL FOR INDIGENT DEFENDANTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Connecticut [Mr. GIAIMO] is recognized for 15 minutes.

Mr. GIAIMO. Mr. Speaker, a bill to provide legal counsel for indigent defendants in the Federal courts has been sought for more than a quarter of a century by jurists within the Federal system and without. This long-awaited legislation has been approved by both Houses and is now awaiting the President's signature.

From a slow, grinding start in 1937 the move for enactment of this legislation has gained momentum and supporters, including, as this Congress knows, the Department of Justice, the American Bar Association, the Judicial Conference of the United States, as well as distinguished members of the Federal court system speaking as individuals.

These voices raised in concert gave meaningful support for the bill to provide protection for the poor in our Federal courts. No less praiseworthy was the role of the press in arousing the interest of the public in this cause. I have specific reference to a monumental job of research and informed, clear writing on this subject by Mr. Jon Owen, a reporter who covers the Federal courts in New Haven for the New Haven Register.

Mr. Owen's articles, covering two full pages in the Sunday Register of February 9, 1964, zeroed in on the problem expertly and completely. It is one of the best presentations I have seen on the question of Federal public defenders. Mr. Speaker, I offer this series of articles to the RECORD and commend its contents to all Members of Congress:

A FEDERAL PUBLIC DEFENDER SYSTEM?

("Thou shalt not ration justice," said the late Judge Learned Hand, one of the most distinguished jurists in U.S. history. The material on these pages examines the meaning of this commandment in terms of proposals for a public defender system in the Federal courts. The material on these pages was compiled by Register Staff Reporter Jon Owen.)

"I know Robert Brown better than anyone else," said Robert Brown in U.S. district court on January 22, 1962.

Brown, convicted of "pushing" narcotics in Hartford, made his statement before U.S. District Judge Robert P. Anderson, who gave Brown considerable leeway in his various appeals from his narcotics conviction.

Brown's statement, which continued, "I'm innocent. I'm willing to go to any extreme to prove my innocence," was indicative of his dissatisfaction with his court-appointed attorney.

It often happens that defendants turn against their appointed counsel. And if a

public defender system were instituted in the U.S. Federal court system, it is probable that defendants would occasionally be unhappy with their defenders.

Brown's statement, however, points up a problem that has become the subject of increased interest in this country, including the U.S. Congress as well as lawyers, judges, prosecutors, and others.

The problem, in a nutshell, is this:

You're in Federal court, accused of a crime, heinous or minor. You're broke. What do you do?

The present system provides that the Federal judge will appoint a counsel to defend you. However, since a court-appointed counsel is not paid, many people contend that the representation provided the defendant can be desultory or worse.

According to bills passed in the U.S. Senate and House of Representatives, this situation would be corrected in part by the creation of a public defender system, similar in some respects to the system in Connecticut, and paying court-appointed costs.

Although the bills, which have been reported out of committee in both Houses, differ in some respects, it is probable that they will be compromised into a form which will be acceptable to President Lyndon B. Johnson.

President Johnson has indicated his concern with poverty, an important factor in consideration of the bills. His declared "war on poverty" will, in all likelihood, cause him to be interested in the public defender proposals.

One of those involved in the creation of the bill in the Senate is Senator THOMAS J. DONN, of Connecticut. He said of the problem in a statement to the Register:

"One of the most serious problems in the Federal courts from the standpoint of the administration of criminal law is the representations of the indigent.

"Over the past 20 years or so, as a consequence of broadening criminal legislation by the Congress of the United States, the number of criminal cases has increased tremendously. This, of course, is particularly true in State courts and also in Federal courts in the large metropolitan city areas.

"I supported this bill," Senator DONN continued, "to provide a Federal court public defender system because I believe that every accused person, regardless of status or financial position in the community is entitled to be effectively represented by competent counsel."

Senator DONN is a member of the Senate Judiciary Committee and was thus involved in the preparation of the Senate bill.

The Senate bill would provide for the creation of a full-time public defender, similar to the office held in New Haven County by Richard Sperandio.

The bill in the House would continue the present system of appointment of counsel by the court, but would provide for payment. The attorney under this bill would receive \$500 per case for defending someone accused of a felony, and \$300 for a misdemeanor.

The Senate bill also provides that the full-time public defender system would apply only to districts where more than 150 persons per year require court-appointed counsel.

U.S. Attorney Robert C. Zampano said the Connecticut district would qualify under the Senate bill, having more than 150 criminal cases annually where a court-appointed counsel is required.

The importance of the problem is illustrated by the fact that a majority of criminal cases that come into the Federal court system require the appointment of counsel for indigents.

The cost of such a system on the basis of the proposals contained in the House bill was discussed on January 15 by Representative EMANUEL CELLER of New York, chairman of the House Judiciary Committee. He said:

"The cost, in the final analysis, will be infinitesimal. I have estimated myself the cost, and it could not possibly be beyond \$2.5 million for the whole of the United States."

And, according to other representatives, there are other aspects of a public defender program for the Federal court system which would save money as well as the valuable time of judges and court personnel.

This saving involves the number of habeas corpus proceedings initiated by convicts who feel that their court-appointed attorneys did not do right by them.

There is no doubt there are a number of dissatisfied convicts who feel, rightly or wrongly, that they were misrepresented in court. However, whether they are right is questioned by U.S. District Judge William H. Timbers here, who said:

"I have yet to see, in the 4 years I've been on the bench, a case where an indigent has not been adequately defended by a court-appointed attorney."

The fact that Judge Timbers is appreciative of the efforts of court-appointed counsel was evident in a comment he made in court on January 6, 1961.

He said of Gary R. Ginsberg, who represented Joseph A. Semohano, who was accused of selling heroin:

"The court is grateful to Gary R. Ginsberg, court-appointed counsel, who represented defendant Semohano ably and in accordance with the highest standards of the profession."

One of the problems, in the present system of court-appointed attorneys, according to Representative CELLER, is their tendency to be inexperienced.

He said, "That is about the situation as it occurs in our Federal court. These lawyers have yet to cut their eye teeth, so to speak, when they try these cases, to the woeful disadvantage of the defendant."

"This bill, I think, will fill a gap, will fill a vacuum and do that which is just and proper and honest. A great democracy such as ours should do no less."

Thus, there are varying points of view regarding the present system of appointing attorneys for indigents.

Senator Dobb summed up his feelings on the problem:

"The right to have the assistance of counsel for one's defense in a Federal criminal trial is meaningless unless there is representation by competent counsel throughout all stages of the criminal proceeding. Likewise, to have complete justice a fair system of compensation for that counsel must be provided."

"No person accused of crime should be placed in a position because of his economic status of seeking free service. The ends of justice are better served when the defendant is represented by counsel who is being paid a fair and reasonable fee. The public defender system envisioned by this bill and the court administration fee system will aid the cause of justice in our Federal courts."

H.R. 7457

A bill to provide legal assistance for indigent defendants in criminal cases in United States courts

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

(a) In every criminal case arising under laws of the United States in which the de-

fendant appears without counsel, the United States commissioner or the court shall advise the defendant that he has the right to be represented by counsel and that counsel will be appointed or assigned to represent him if he is financially unable to obtain counsel. Unless the defendant waives the appointment or assignment of counsel, the United States commissioner or the court, if satisfied after appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him or, in the alternative, shall assign a counsel who is made available by a bar association or legal aid society. The United States commissioner or the court shall appoint or assign separate counsel for defendants who have such conflicting interests that they cannot properly be represented by the same counsel, or when other good cause is shown.

(b) A defendant for whom counsel is appointed or assigned under this section shall be represented at every stage of the proceedings from his initial appearance before the United States commissioner or court, or from any subsequent stage at which counsel is appointed or assigned, through appeal.

(c) An attorney appointed or an organization which made an attorney available for assignment pursuant to this section shall at the conclusion of the representation of any segment thereof be compensated at a rate not exceeding \$15 per hour for time expended in court and \$10 per hour for time reasonably expended outside of court.

The court shall, in each instance, fix the compensation and reimbursement to be paid to the attorney provided, however, that the total compensation to be paid to the attorney for such representation shall not exceed \$500 in case of a felony and \$300 in case of a misdemeanor.

(d) The court * * * may authorize the appointed or assigned counsel to obtain investigative, expert, or other services necessary to an adequate defense to each defendant determined by the court to be financially unable to obtain them. The court which authorized the services shall direct the payment of reasonable compensation to the person who rendered the services.

(e) Whenever the court is satisfied that funds are available for payment from or on behalf of a defendant, the court may authorize or direct that such funds be paid to appointed counsel, to an organization which made an attorney available for assignment, or to any person authorized to assist in the representation. Except as so authorized or directed, no such person or organization may request or accept any payment or promise of payment for assisting in the representation of a defendant.

(g) There are authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, sums necessary to carry out the provisions of this section.

HOUSE DEBATE SHOWS MANY STILL GET RAW DEAL

The concept of a public defender system for the U.S. Federal court system has been a concern of the U.S. House of Representatives during several sessions of that body, and what was probably the most cogent discussion of the matter took place in the House just two weeks ago.

Under discussion was H.R. 7457, "A bill to provide legal assistance for indigent defendants in criminal cases in United States courts."

One Representative from Maryland summed up the importance of the bill rather aptly:

"Mr. Chairman, the concept that all men are equal before the law has been an aspira-

tion of the American people since 1776. We have moved toward the practical achievement of that goal at a somewhat irregular rate; but this bill is one more indication that we are making progress."

It has long been common knowledge in legal circles that present procedures for the defense of persons without funds leave much to be desired. Even granting the normally present good intentions of lawyers, judges, and prosecutors, it is possible for a man charged with a crime to get a "raw deal."

An example of just how such a "raw deal" might inadvertently occur was cited by New York's Representative EMANUEL CELLER, chairman of the House Judiciary Committee. Here is what he said during the January 15 debate:

"To give you an illustration of how haphazard and how inadequate that service (attorneys appointed by the court) is, let me give you a case from my own experience."

"When I first got out of law school I went to old Judge Chatfield in Brooklyn and said I wanted a case. In a few days he assigned me a case. Well, I did not know much about the law; I was quite inexperienced."

"I was assigned an immigration case. The defendant was a lowly Italian. I was seated at the table with this Italian defendant of mine, on one side. On the other side was the U.S. attorney with his assistant. The Italian said to me:

"Mr. CELLER, why haven't we got another attorney? You are only one."

"I said:

"You cannot afford to have even one attorney, much less another, and the court has appointed me."

"I said to him:

"Why do you want another attorney?"

"He said:

"The district attorney has a man with him. When Mr. District Attorney stands up and speaks to the court the other man thinks. When you stand up nobody thinks."

While Representative CELLER may have inadvertently told a slight joke on himself, what he had to say about his "lowly Italian" has a great deal of pertinence as far as the administration of justice in the United States is concerned.

Other excerpts from the debate in the House follow:

Representative ANDREWS of Alabama: "The right of representation by counsel is fundamental in our judicial system. Many States have some form of public defender systems, and others have a system of individual assignment to indigent defendants. The Supreme Court of the United States some time ago, in 1938, in fact, set aside convictions where men were not represented in court. This has developed a problem that must be met if we are to carry out our judicial system. The present Federal system does not permit the payment of counsel assigned by the judge to represent the defendant. This has worked a hardship on both the legal profession and those charged with crime."

Representative MOORE, of West Virginia: "Beyond question, the primary objection to the creation of a Federal public defender office is the fear that it will undermine the Anglo-Saxon tradition in America of combative trial proceedings where the lawyer for the defendant is free of state control and thereby free to render the best defense he is capable of making. The Federal judicial system is appointed by the Government and paid by the Government. The Federal prosecutor and the Federal investigator and the Federal marshal are appointed by the Government and paid by the Government. Do we now want the attorneys who represent individuals charged with a crime to be appointed by the Government?"

"In fact, the most surprising aspect of the House Judiciary Subcommittee hearings on this matter was that each witness who appeared before the subcommittee to testify in support of Federal public defenders indicated that they were only interested in the concept for someone else's district and not their own. The chairman of the Special Committee on Defense of Indigent Persons Accused of Crime, American Bar Association; the president of the Ohio Bar Association; the president of the American Bar Association; and the chairman of the Standing Committee on Legal Aid Work, American Bar Association, each in their turn, expressed support of the public defender system on the Federal level, but did not wish to see a defender office established in their respective districts—thereby damaging the vitality of their local organizations. When it was pointed out to some of these witnesses that a Federal defender office was intended for their district, the witnesses expressed a hope that such an event would not occur."

Representative GRIFFITHS, of Michigan: "Mr. Chairman, I rise in opposition to this bill. I am not opposed to every defendant having counsel, but in my judgment the bill will not produce any better counsel for \$500 than any Federal judge could provide for nothing now for a defendant. Therefore, I am opposed to the bill."

Representative CELLER, of New York: "The practice that we have now is very haphazard. It is informal and most irregular. It differs in every possible jurisdiction. There is no compensation provided for counsel. Young attorneys seeking experience covet these assignments in the Federal court."

Representative CAHILL, of New Jersey: "I would just point out that the most important time for any defendant to be assigned counsel is at the beginning of the legal proceedings."

Representative MATHIAS, of Maryland: "Mr. Chairman, the concept that all men are equal before the law has been an aspiration of the American people since 1776. We have moved toward the practical achievement of that goal at a somewhat irregular rate; but this bill is one more indication that we are making progress."

JUDGE TIMBERS A PIONEER IN DEFENSE OF NEEDY—THE PRESENT METHOD INCOMPATIBLE WITH THE STANDARDS OF FEDERAL JUSTICE

The question of public defenders in Federal courts, in one form or another, is one that has concerned U.S. legislators for several years. U.S. District Judge William H. Timbers, who sits on the Federal bench in New Haven, was one of the pioneers in the field of representation for poor persons.

Judge Timbers, who has been a Federal judge here for the past 4 years, RPA was himself a court-appointed counsel for a man named George Johnson, who was convicted in the eastern district of New York on charges of mail theft and conspiracy.

Judge Timbers, a resident of Darien, handled the case involving Johnson in the U.S. Court of Appeals for the Second Circuit and the U.S. Supreme Court.

It was the highest Court, in 1957, which ruled in the Johnson case that an indigent defendant is entitled to representation by an attorney as well as access to transcripts of testimony of lower court trials during appeals.

The highest Court in the Nation said in its opinion:

"Since here [the Johnson case] the court of appeals did not assign counsel to assist

petitioner [Johnson] in prosecuting his application for leave to appeal 'in forma pauperis' and since it does not appear that the court of appeals assured petitioner adequate means of presenting it with a fair basis for determining whether the district court's certification was warranted, the judgment below must be vacated and the case remanded to the court of appeals for proceedings not inconsistent with this opinion."

Judge Timbers was not the only local judge who was involved in the historic *United States v. Johnson* case. During the history of the case, the late Charles E. Clark, of Hamden, former chief judge of the U.S. Court of Appeals for the Second Circuit, and Judge Carroll C. Hincks of Cheshire and a member of the same court, were involved in opinions regarding the case.

Judge Clark, who died this past December, had high praise for Judge Timbers' conduct of the defense of Johnson.

"We are particularly indebted," Judge Clark wrote in 1958, "to court-assigned counsel [Judge Timbers] for loyal assistance to the court and brilliant presentation of the case, both in the former proceedings and here. Defendant has had the benefit of able advocacy of the highest order. The meticulous care which his case has had should carry assurance that his conviction is just."

In bringing the Johnson case before the U.S. Supreme Court, Judge Timbers, who was then an attorney practicing in New York City, made an eloquent presentation of the necessity for defense of poor defendants.

In his brief before the Court, he said a prime question was: "Whether the refusal to provide an indigent defendant in a criminal case in the Federal courts with a transcript of the trial proceedings, or its equivalent, in order that he may show that the trial court was in error * * * denies to such person due process of law as guaranteed by the fifth amendment."

The Supreme Court answered this question posed by Judge Timbers in the affirmative.

"Furthermore," Judge Timbers argued before the Supreme Court "denial to petitioner [Johnson] of the means of showing to the appellate court error in the trial judge's certification that the appeal is frivolous and not taken in good faith, in effect makes the trial court the court of last resort for an indigent defendant."

"To vest in the trial judge what amounts to unreviewable discretion to determine, in the case of an indigent defendant whether errors have been committed by such trial judge in the conduct of the trial, appears somewhat less than realistic."

"Certainly," Judge Timbers added, "it is incompatible with the high standards of Federal criminal justice over the administration of which this court has direct supervisory power."

If indigent defendants in Federal court proceedings are denied appellate representation and access to transcripts, Judge Timbers told the Supreme Court, the following situation would arise:

"Otherwise there will arise the anomalous situation in courthouse squares throughout the land where indigent defendants convicted in the county courthouse will be assured of adequate appellate review * * * ."

"But defendants convicted in the U.S. courthouse across the square will be shut off from effective appellate review because of inability to pay for the transcript."

Judge Hincks, in a ruling on a motion brought by Judge Timbers to allow Johnson to make his appeal "in forma pauperis," or without funds, said:

"We do not view the instant case as one of a person who is punished because he is

guilty of the crime of being poor. He is punished because a jury in a court of unquestioned jurisdiction found him guilty of a serious crime beyond a reasonable doubt.

"And he is not entitled to the assistance which law provides for a poor person in the prosecution of an appeal because Congress * * * has directed that such assistance shall be withheld if the trial judge shall certify that the appeal is not taken in good faith."

"Certainly the deprivation of aid to prosecute a frivolous appeal is not 'punishment'. And it laid well within the congressional power to designate the trial judge as the authority to determine whether a given appeal is frivolous."

"Such a determination is final, absent a showing that the trial judge acted 'without warrant or not in good faith.'"

Thus the appeals court ruled that the trial judge is the arbiter of good faith in the matter of an appeal. The Supreme Court disagreed.

Judge Jerome Frank, who heard the Johnson motion along with Judge Hincks and Judge Harold Medina, dissented in the opinion.

"As my colleagues say," Judge Frank said, "the courts should discourage frivolous appeals. However, judicial denials of forma pauperis appeals cannot discourage appeals by defendants who are financially well off; and the fact that a defendant—e.g., a wealthy professional criminal or a member of a wealthy criminal gang—can afford to pay for his appeal is no assurance that it is not frivolous."

"But let us arbitrarily assume * * * that the appeals of poor men in prison are much more likely to be frivolous than those of the well heeled. Even so, the fact remains that usually, without a transcript or the equivalent, an appellate court cannot tell whether or not a particular poor man's appeal has substance."

AN ACTUAL CASE WITH TESTIMONY FROM THE OFFICIAL COURT TRANSCRIPT: "I'D INVEST ANYTHING I COULD SELL OR PAWN TO PAY FOR AN ATTORNEY"

"I didn't live too well. I mostly existed." In these words an allegedly indigent defendant told a Federal judge he required the services of a court-appointed attorney.

Speaking to U.S. District Judge Robert P. Anderson in a hearing January 8, 1962, was Clifford B. Hill, 28, of Bridgeport, who had been arrested a week before on a charge of selling narcotics.

He was arrested in a Federal raid along with Mrs. Margaret Monachelli, 26, also of Bridgeport.

The subject of the hearing before Judge Anderson was whether Mrs. Monachelli and Hill had the financial resources to hire an attorney to represent them.

Their testimony before the judge is certainly an indication that Federal judges explore every avenue in an attempt to determine whether or not a defendant in a criminal case is indigent.

Although Hill told the judge he made his rent money by gambling, and Mrs. Monachelli said a description of her occupation might result in another charge being placed against her, both defendants were granted a court-appointed counsel.

In his attempt to find out the nature of the financial resources of Mrs. Monachelli and Hill, Judge Anderson delved in considerable detail into the lives of the two defendants.

In this attempt, in an unusual action, he put Hill and Mrs. Monachelli under oath. They could have been charged with perjury had they lied during this testimony.

Excerpts from this unusual hearing follow:

JANUARY 8, 1962, 11:21 A.M.

"MARKLE. If the court please, I would next present United States against Margaret Monachelli and United States against Clifford Hill.

"If the court please, these persons had appeared before the court on a prior date and there had been a thought to appoint counsel for them.

"COURT. Well, information has come to me that you people have money, resources.

"Mrs. MONACHELLI. Well, naturally. We are supposed to be big dope sellers. We are not.

"COURT. That wasn't the question. The question was whether you have resources with which you could hire your own attorney.

"Mrs. MONACHELLI. I certainly would be only too glad to invest anything I could sell or pawn to pay for an attorney.

"COURT. What about you?

"HILL. I don't have anything.

"Mrs. MONACHELLI. And this is our life. I mean if we had any money we certainly would go to it.

"They are misinformed because of what they think and what they have read, that we were the big this and that.

"COURT. Well, you have hired counsel before, have you not?

"Mrs. MONACHELLI. With the term that we go out and make—that we were allowed out so that we could work and make some money to pay the lawyer. We hadn't given him five—we hadn't given him any money * * *.

"COURT. Well, put these people under oath, please, Mr. Clerk.

"Examination by the court:

"COURT. Now the purpose of this is to go on the record simply on the issue of whether you should have court appointed counsel or not. If you lie to me it can be perjury, which is a very serious offense. You understand that.

"I will first address myself to Mr. Hill—and you keep quiet, Mrs. Monachelli, meanwhile. I am only talking to him and he has got to answer his questions, and you will have a chance to answer yours.

"Question. Do you own any property at all at the present time?

"Answer (by Defendant Hill). No, sir.

"Question. Do you have any money with you?

"Answer. \$25.80.

"Question. Where did you get it?

"Answer. I had it when I was arrested.

"Question. You still have it?

"Answer. Yes, sir.

"Question. Where did you get it?

"Answer. It was mine from the time that I was arrested. I won it in a game.

"Question. How much money has come into your hands in the past year?

"Answer. I couldn't tell you, Your Honor. I'm sorry.

"Question. Have you worked at all?

"Answer. No, sir.

"Question. How did you live?

"Answer. I didn't live too well. I mostly existed.

"Question. I didn't ask you how well you lived. How do you live at all?

"Answer. Well, I mostly gamble.

"Question. And you always win; is that right?

"Answer. No, sir. I have bad times, too.

"Question. How much have you won in the past year?

"Answer. I won enough to be up in my rent.

"Question. I am asking you in dollars, how much.

"Answer. I wouldn't know, sir.

"Question. And you have always paid that out of gambling; is that right?

"Answer. Well, yes, sir, gambling and—

"Question. What else?

"Answer. It was mostly at gambling.

"Question. Do you have any family?

"Answer. Yes, sir.

"Question. What?

"Answer. Wife and three kids.

"Question. And you support them?

"Answer. No, sir.

"Question. Who does?

"Answer. The State.

"Question. You don't contribute anything to them?

"Answer. No more than holidays and Christmas and things like that.

"Question. I take it you don't live with your wife; is that right?

"Answer. No, sir.

"Question. And you have no means whatever, no way to get any money to hire a lawyer?

"Answer. No, sir, none of my honest—none of my knowledge.

"Question. Do you have any property in anybody else's name?

"Answer. No, sir.

"The Court:

"Question. Mrs. Monachelli, how much money do you have?

"Answer. I think I have \$13 in all.

"Question. Where did you get it?

"Answer. Clifford.

"COURT. All right. Well, now I will turn back to Clifford. Where did you get that money?

"Answer. That was the same money I won in a game that night.

"Question. I thought you told me you had never given anybody any money here, in the past year. Now she says you did.

"Answer. That was the time we were going to jail.

"Question. It doesn't make any difference what time it was. I said any time within a year. Do you get that through your head?

"Answer. Yes, sir.

"Question. All right. Why did you tell me you didn't?

"Answer. I didn't understand that you meant little small money like that.

"Question. I mean any kind of money. I didn't say little, small or big money. You did give it to her; right?

"Answer. Yes, sir.

"Question. Where did you get that?

"Answer. Won it at the game.

"Question. Does anybody hold any property for you, any money or other property, Mrs. Monachelli?

"Answer. No, sir * * * I have never owned any property in my life.

"Question. How do you live?

"Answer. Dominick gives me some money.

"Question. Who is he?

"Answer. My husband.

"Question. Oh, your husband. How much has he given you in the past year?

"Answer. Sometimes if I need rent money he gives it to me.

"Question. I didn't ask you that. I asked how much in dollars. Approximately how much in dollars has he given you in, say, 1961?

"Answer. Well, \$25—well, no more than \$200.

"Question. Well, how did you live the rest of the time?

"Answer. Any way I could get some money.

"Question. And how was that?

"Answer. I refuse to answer that. I might incriminate myself and have another charge.

"Question. All right. Did this Clifford Hill give you any more than the \$13? Did he give you any money during the year?

"Answer. No, sir.

"Question. Not a dollar?

"Answer. Well—

"Question. Answer up.

"Answer. No. The only reason he gave it to me was I was going to jail.

"Question. But in 1961 he never gave you a penny?

"Answer. No.

"Question. Well, answer up.

"Answer. No.

"Question. He never did?

"Answer. No.

"Question. You don't own an automobile and never have; right?

"Answer. No.

"Question. And you don't work at all?

"Answer. No. No.

"Question. You have no property at all with which to hire an attorney; is that right?

"Answer. No, sir. I'm sorry to say I don't.

"The COURT. All right. I will pass this for the moment, and then I will appoint counsel for you."

How J.F.K. FELT

THE WHITE HOUSE,
Washington, D.C., March 8, 1963.

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

DEAR MR. PRESIDENT: To diminish the role which poverty plays in our Federal system of criminal justice, I am transmitting for consideration by the Congress proposed legislation to assure effective legal representation for every man whose limited means would otherwise deprive him of an adequate defense against criminal charges. The need to protect this basic right makes enactment of this measure imperative.

In the typical criminal case the resources of Government are pitted against those of the individual. To guarantee a fair trial under such circumstances requires that each accused person have ample opportunity to gather evidence, and prepare and present his cause. Whenever the lack of money prevents a defendant from securing an experienced lawyer, trained investigator, or technical expert, an unjust conviction may follow.

The Attorney General's accompanying letter describes the deficiencies in the present system. These defects have prevailed for many years despite persistent pleas for legislation by the judicial and executive branches and the organized bar. Fairness dictates that we delay no longer.

I commend the proposed Criminal Justice Act of 1963 for prompt and favorable action by the Congress. Its passage will be a giant stride forward in removing the factor of financial resources from the balance of justice.

Sincerely,

JOHN F. KENNEDY.

SCANDINAVIANS PIONEERS IN LEGAL AID

The concept of government assistance for indigent persons involved in court cases, while it is a topic of current interest in the United States, is not new.

Countries in Scandinavia for more than 70 years have instituted various forms of government assistance for persons accused of crimes who are without funds.

Even more significant is the fact that Scandinavian court assistance extends not only to indigent criminals, but also to poor persons involved in civil litigation. This assistance even extends to pretrial investigation.

In a case in which New Haven's U.S. District Judge William H. Timbers was involved as a court-appointed counsel, the late Judge Jerome Frank of the U.S. Court of Appeals for the second Circuit said:

"Such are the coercions of poverty that a decent sensible lawyer may well advise an innocent man, too poor to obtain essential defense evidence, to bargain with the prosecutor to accept a plea of guilty to a lesser crime than that with which the defendant is charged.

"For 13 years, I have been calling attention to this problem and urging a solution.

"I was most agreeably surprised, therefore, to learn * * * that in Scandinavia it has been the practice, for upward of 70 years, not only to allow every (indigent) accused a defense counsel of his choice at government expense, but to place the police de-

partment and the office of the prosecutor equally at the service of the defense and the prosecution;

"Defense counsel may have these agencies, at government expense, make all necessary investigations, including searches for witnesses and documents and analysis by handwriting, medical or chemical experts;

"And the prosecution is responsible for producing at trial the witnesses called by the accused as well as all other evidence he wishes introduced—again at government expense."

Judge Frank wrote about Scandinavian justice on November 9, 1956.

"The Federal Government and all the States in this country, the richest on the globe, will, I hope, soon emulate the less opulent Scandinavian countries."

In the same opinion, in which he was a dissenting judge, he noted that "Sixteen centuries ago, Lactantius wrote, 'Nobody is poor unless he stands in need of justice.'"

CONNECTICUT PLAN MODEL FOR NATION

The Connecticut public defender system as a possible model for a similar system for Federal courts was suggested last week by a Federal judge and an assistant U.S. attorney.

Citing the State system as one of the best in the United States were U.S. District Judge William H. Timbers and Arnold Markle, who announced today his resignation as an assistant U.S. attorney.

Judge Timbers said the Connecticut system is ideal as far as such arrangements among various States go.

Markle said of the system: "I consider it one of the finest systems in the country."

Markle, who resigned his Federal post to resume private practice, continued, "I think that the fact that the public defender (Richard P. Sperandeo) has been given an assistant (Gordon Raynor) is a great step forward, because of the number of cases they handle per year.

"I think that men such as Richard Sperandeo are a credit to the office and are in keeping with the tradition of the appointment of outstanding men to the office.

"The history of the office of the public defender * * * would show that outstanding lawyers have always been appointed, and I have in mind the late Thomas R. Robinson, the late Lawrence Dooley and John Murphy."

Markle also said that if a public defender system is introduced in Federal courts, he would also like to see some form of arrangement which would provide pretrial investigatory service.

COURT OFFICIALS AGREE IMPROVEMENTS BADLY NEEDED IN SYSTEM

"I have yet to see an instance where an indigent defendant has been inadequately defended," a Federal judge said of the present system of court-appointed lawyers.

However, according to U.S. District Judge William H. Timbers, the fact that the system of appointing lawyers to defend needy defendants has worked in his court does not mean that proposal pending in Congress should not be made law.

"There is a critical point," Judge Timbers said, "at which assigned counsel should enter a case.

"In many cases the damage is done by the time a counsel steps in."

Judge Timbers has had extensive experience, not only as a court-appointed attorney himself, but as a judge who has appointed lawyers to defend indigent clients in his own court.

Others questioned about the proposed system of public defenders in Federal courts have included U.S. Judge Robert P. Anderson, chief judge of the District of Connecticut, and Robert C. Zampano, U.S. attorney for the State of Connecticut.

Judge Anderson said:

"There's a real need for a public defender system for the Federal courts. I think these

appointments should be made by the judicial branch, as they are in the State of Connecticut.

"There should be sufficient personnel to provide aid for impecunious and unpopular defendants. They should be given as adequate representation as anyone else."

Zampano would be in line for the Connecticut District judgeship which would be vacated by Judge Anderson if he moves to the U.S. Court of Appeals for the Second Circuit to fill the vacancy created by the death of Judge Charles E. Clark. He said:

"All are entitled" to a defense in Federal court. Indigents, according to Zampano, "should not be deprived" of legal representation.

"I certainly think the proposed bill is an excellent idea," the 35-year-old U.S. attorney commented.

Judge Anderson also indicated that peniless persons are not the only defendants who present problems in the pursuit of justice.

There are, for instance, the judge said, responsible family men who do not have the financial resources to hire attorneys should they get into trouble.

"They're out of luck if they get into trouble with the law," Judge Anderson said. "They are worthy of assistance, but there are no provisions for such assistance."

Judge Anderson also expressed his philosophy in the appointment of attorneys in his court under the present system.

"I try," he said, "to get someone with experience if possible. Also, if there is no conflict of interest between defendants, I try to obtain one attorney to represent them all.

"Also taken into consideration is the location of the defendant—I try to get a lawyer from the same locality as the defendant," Judge Anderson concluded.

Another consideration in the allocation of business involving indigent Federal court defendants is the desire to spread the business out among the greatest possible number of lawyers. Normally young attorneys are chosen to represent indigent Federal court clients.

Arnold Markle, assistant U.S. attorney for the Connecticut district, who announced his resignation from the post today, said of the proposed Federal public defender system:

"I hope that someday a public defender office will be created in the Federal judiciary modeled on the Connecticut system."

Markle echoed a respect for the Connecticut public defender system also expressed by Judge Timbers.

JUDGE LEARNED HAND'S PRAYER

One of the most eloquent statements concerning the value of the public defender in the administration of justice was made by the late Judge Learned Hand of the U.S. Court of Appeals for the Second Circuit, who composed the following prayer:

"Let me but be the lawyer to the poor;
To defend the defenseless, befriend the friendless,
Redeem the outcast and through my plea
Bring protection to those having no protector.
Give me strength and understanding
That my services may be good;
My counsel true;
And my advocacy fair.
And may my reward be
That good report of my fellowman
And the blessing of my God."

COORDINATE MOTOR VEHICLE LAWS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I have long been concerned with the effort to enact more strict and better coordinated motor vehicle laws for the protection of all citizens, both motorists and non-drivers.

The automobile is the symbol of American economic growth. It has afforded everyone great accessibility and the opportunity for enrichment of leisure time. Spectacular highway systems criss-cross the land, a complex of routes allowing people to visit every corner of the Nation in unprecedented time periods.

And the annual toll of traffic deaths continues to rise in alarming fashion. Sales of automobiles have reached unprecedented heights, and they will rise still higher as disposable income increases and as our population grows.

The highway has become the greatest safety hazard in America.

It is incumbent upon us that we attempt to deal with this matter responsibly and wisely. In the final analysis, most accidents occur because of carelessness and lack of foresight. No law can regulate the drivers' instinctive inclination, his disposition toward irresponsibility, his sense of judgment. These are inherent characteristics.

But we can insure that all possible precautions and preventive measures have been taken in order to minimize mistakes and the potential dangers of poor judgment. We can encourage the several States to pool their knowledge and assimilate their traffic codes. We can protect the innocent by applying greater control over those who repeatedly violate traffic laws and constitute a permanent danger on the road.

In this connection, I draw attention to legislation I have introduced aimed at this objective. I would want to have the Interstate Commerce Commission encourage the several States to adopt the uniform vehicle code as published by the National Committee on Uniform Traffic Laws and Ordinances. It is evident that greater regulation of traffic practices can be obtained if we can achieve nationwide coordination.

At the same time, more stringent control must be established over serious offenders. For this purpose I seek a broadening of the registry of names maintained by the Department of Commerce. Under present law this listing covers only those convicted for driving under the influence of intoxicants and for manslaughter. This is a commendable step, but it is hardly sufficient to effectively eliminate the majority of treacherous drivers from our highways. My legislation will widen the law to include those convicted of reckless driving, negligent homicide and those who have had their licenses revoked or withdrawn in one State. It will also apply to those who commit perjury in connection with the ownership or operation of a motor vehicle.

It happens frequently that a driver whose license has been revoked in one State obtains a new one in another. This legislation is aimed at tackling this practice.

It is time that we recognize the automobile as an interstate instrument. People drive from one State to another

freely every day of the year, and our modern highway system is facilitating this countrywide travel. The time has come when we must recognize that interstate travel by private vehicle is a province of Federal concern and guidance where government can effect better control and coordination for the protection of all. I urge that the Congress adopt these measures. They are aimed squarely and sensibly at one of the growing menaces of modern America.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. McDOWELL (at the request of Mr. WELTNER), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. ROONEY of New York (at the request of Mr. WELTNER), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. GRIMO (at the request of Mr. WELTNER), for 15 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. FULTON of Tennessee (at the request of Mr. WELTNER), for 60 minutes, on Wednesday, August 19; and to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK (at the request of Mr. SCHWEIKER), for 15 minutes, today.

Mr. ROONEY of New York, for 15 minutes, today; and to revise and extend his remarks.

Mr. HALPERN (at the request of Mr. SCHWENDEL), for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. SCHWEIKER) and to include extraneous matter:)

Mr. JOHANSEN.

Mr. BELL.

Mr. McCLORY.

Mr. CLEVELAND.

(The following Members (at the request of Mr. WELTNER) and to include extraneous matter:)

Mr. BURTON of California.

Mr. EVINS.

Mr. PUCINSKI.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2642. An act to mobilize the human and financial resources of the Nation to combat poverty in the United States.

ADJOURNMENT

Mr. WELTNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p.m.) the House adjourned until tomorrow, Thursday, August 13, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2398. A letter from the Deputy Administrator, Veterans' Administration, relative to reporting a violation of subsection (h) relating to an overobligation of expenditure, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(1)(2)); to the Committee on Appropriations.

2399. A letter from the Assistant Secretary of the Interior, relative to reporting that an adequate soil survey and land classification of the lands in the Broadview Water District, California, has been completed, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

2400. A letter from the Comptroller General of the United States, transmitting a report on a review of financial claims for logistic support of United Nations forces in Korea, Department of the Army; to the Committee on Government Operations.

2401. A letter from the Comptroller General of the United States, transmitting a report relating to improper procurement actions resulting from overstatement of requirements for wooden pallets, Department of the Navy; to the Committee on Government Operations.

2402. A letter from the Comptroller General of the United States, transmitting a report and recommendation to the Congress concerning the claim of Vermont Maple Orchards, Inc., Burlington, Vt., pursuant to the act of April 10, 1928 (45 Stat. 413; 31 U.S.C. 236); to the Committee on the Judiciary.

2403. A letter from the Secretary of Commerce, relative to providing war risk insurance and certain marine and liability insurance for the American public and, upon request, for any department or agency of the United States for the period as of June 30, 1964, pursuant to title XII of the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

2404. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Post Office and Civil Service and to the Committee on Appropriations of the House of Representatives pursuant to section 1310 of the Supplemental Appropriation Act of 1952 (65 Stat. 736, 758); to the Committee on Post Office and Civil Service.

2405. A communication from the President of the United States, transmitting a proposed appropriation for the fiscal year 1965 in the amount of \$947,500,000 to finance the programs authorized by the Economic Opportunity Act of 1964 (H. Doc. No. 337); to the Committee on Appropriations and ordered to be printed.

2406. A communication from the President of the United States, transmitting for consideration proposed appropriations and language provisions as follows:

Executive branch: Language provisions and supplemental appropriations in the amount of \$95,341,553 for fiscal year 1965 and an appropriation in the amount of \$150,000,000 for fiscal year 1966;

District of Columbia: Supplemental appropriations in the amount of \$324,828 for fiscal year 1965 (H. Doc. No. 338); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FINDLEY: Committee on Agriculture. Additional views on H.R. 12298, a bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; without amendment (Rept. No. 1767, pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 2392. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; with amendment (Rept. No. 1768). Referred to the Committee of the Whole House on the State of the Union.

Mr. PICKLE: Committee on Interstate and Foreign Commerce. H.R. 8546. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; without amendment (Rept. No. 1769). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS of Alabama: Committee on Interstate and Foreign Commerce. H.R. 12033. A bill to further amend the transitional provisions of the act approved September 6, 1958, entitled "An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety," and for other purposes; without amendment (Rept. No. 1770). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on House Administration. H.R. 12318. A bill to provide an equitable system for the classification of certain positions under the House of Representatives, and for other purposes; without amendment (Rept. No. 1771). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL: Committee on Rules. House Resolution 843. A resolution providing for the consideration of H.R. 11893, a bill to authorize the mint to inscribe the figure "1964" on all coins minted until adequate supplies of coins are available; without amendment (Rept. No. 1772). Referred to the House Calendar.

Mr. JONES of Missouri. Committee on House Administration. H.R. 10178. A bill to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity; without amendment (Rept. No. 1773). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Missouri. Committee on House Administration. House Joint Resolution 793. Joint resolution authorizing the United Spanish War Veterans to erect a memorial in the District of Columbia; with amendment (Rept. No. 1774). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Missouri. Committee on House Administration. House Concurrent Resolution 273. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of Father Eusebio Francisco Kino, and to hold ceremonies on such occasion; without amendment (Rept. No. 1775). Referred to the House Calendar.

Mr. JONES of Missouri. Committee on House Administration. House Concurrent Resolution 274. Concurrent resolution accepting the statue of Father Eusebio Francisco Kino, of Arizona, presented by the State

of Arizona, to be placed in Statuary Hall; with amendment (Rept. No. 1776). Referred to the House Calendar.

Mr. JONES of Missouri. Committee on House Administration. House Resolution 530. Resolution to provide for the placement of a memorial tablet in the U.S. Capitol in honor of the troops quartered in the Capitol during the Civil War; with amendment (Rept. No. 1777). Referred to the House Calendar.

Mr. ROGERS of Texas. Committee on Interior and Insular Affairs. H.R. 1712. A bill to amend the act authorizing the Crooked River Federal reclamation project to provide for the irrigation of additional lands; with amendment (Rept. No. 1778). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRIS. Committee on Interior and Insular Affairs. S. 2419. An act to authorize the Secretary of the Interior to condemn certain property in the city of St. Augustine, Fla., within the boundary of the Castillo de San Marcos National Monument, and for other purposes; without amendment (Rept. No. 1779). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON. Committee on Interior and Insular Affairs. H.R. 9638. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain; with amendment (Rept. No. 1780). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS. Committee of conference. H.R. 11296. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1965, and for other purposes; without amendment (Rept. No. 1781). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H.R. 12347. A bill to facilitate the obtaining of employment by older workers; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.R. 12348. A bill to authorize investigations and reports on the water resources and requirements of the Colorado River Basin and to protect existing economies in the course of development of such resources; to the Committee on Interior and Insular Affairs.

By Mr. BURKHALTER:

H.R. 12349. A bill to authorize investigations and reports on the water resources and requirements of the Colorado River Basin and to protect existing economies in the course of development of such resources; to the Committee on Interior and Insular Affairs.

By Mr. BURTON of California:

H.R. 12350. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CAMERON:

H.R. 12351. A bill to authorize investigations and reports on the water resources and requirements of the Colorado River Basin and to protect existing economies in the course of development of such resources; to the Committee on Interior and Insular Affairs.

By Mr. OLSON of Minnesota:

H.R. 12352. A bill to provide additional drought disaster relief to farmers and stockmen in connection with the transportation of hay, and for other purposes; to the Committee on Agriculture.

By Mr. PIRNIE:

H.R. 12353. A bill to amend title 37, United States Code, to equalize service creditable in the computation of basic pay for certain professionally trained officers of the uniformed services; to the Committee on Armed Services.

By Mr. ST. ONGE:

H.R. 12354. A bill for the general revision of the copyright law, title 17 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H.R. 12355. A bill to authorize investigations and reports on the water resources and requirements of the Colorado River Basin and to protect existing economies in the course of development of such resources; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 12356. A bill to authorize investigations and reports on the water resources and requirements of the Colorado River Basin and to protect existing economies in the course of development of such resources, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 12357. A bill to amend the Internal Revenue Code of 1954 to allow an individual a deduction from gross income for the cost of employing full-time household help; to the Committee on Ways and Means.

By Mr. TUPPER:

H.R. 12358. A bill to provide for the reimbursement of the State of Maine for the expense of constructing a road required by the expansion of the U.S. Naval Air Station, Brunswick, Maine; to the Committee on Armed Services.

By Mr. SMITH of California:

H.R. 12359. A bill to authorize investigations and reports on the water resources and requirements of the Colorado River Basin and to protect existing economies in the course of development of such resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON:

H.R. 12360. A bill to amend chapter 73 of title 10, United States Code, with respect to

the retired serviceman's family protection plan; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 12361. A bill to authorize the U.S. Secret Service to protect the persons of the nominees of the two major political parties for President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 12362. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act; to the Committee on Interstate and Foreign Commerce.

By Mrs. GREEN of Oregon:

H.R. 12363. A bill to extend Public Laws 815 and 874, 81st Congress (federally affected areas) for 1 year, until June 30, 1966; to the Committee on Education and Labor.

By Mr. GURNEY:

H.R. 12364. A bill to provide for the conveyance of certain real property of the United States to the State of Florida; to the Committee on Armed Services.

By Mr. RYAN of New York:

H.R. 12365. A bill to amend part B of title VII of the Public Health Service Act to provide relocation payments for persons displaced from their places of residence or business as a result of construction thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS:

H. Res. 842. Resolution to provide for the expenses of an investigation authorized by House Resolution 103; to the Committee on House Administration.

By Mr. PATMAN:

H. Res. 844. Resolution authorizing certain foreign travel by members of the Banking and Currency Committee, and for other purposes; to the Committee on Rules.

By Mr. TUCK:

H. Res. 845. Resolution providing for consideration of H.R. 11926, a bill to limit jurisdiction of Federal courts in reapportionment cases; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DAVIS of Tennessee:

H.R. 12366. A bill for the relief of Marble International, Inc.-Alexander Marble & Tile Co.; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 12367. A bill for the relief of Peter Vidoje Bjelica; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 12368. A bill for the relief of Demetrios Stratigeas; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Results of Public Opinion Poll

EXTENSION OF REMARKS OF

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1964

Mr. CLEVELAND. Mr. Speaker, for the past several months, I have been polling my constituents to determine

their views on a selected number of important national issues. The results of my poll have now been tabulated. In forwarding the results of my current questionnaire to my constituents, I have written to them as follows:

AUGUST 1964.

DEAR FRIEND: Congress has been in almost continuous session since I arrived here in January 1963, 20 months ago. Thus, my duties as your representative in Washington have prevented me from personally discussing issues and problems with many of you.

The questionnaires have been useful in bridging the gap between New Hampshire and Washington. Your views are valued guides for my thinking, although I must and do accept full and final responsibility for my votes on the floor of the House. Inside, you will find the tabulated results of my 1964 questionnaire.

It is interesting to note how quickly some issues change. For example, when my questionnaire was prepared last spring, no one could have guessed that the Supreme Court would hand down such a far-reaching decision as it did when it required that both