Mr. DONOHUE: Committee on the Judiciary. H.R. 9647. A bill for the relief of C. R. Sheaffer & Sons; with amendment (Rept. No. 1870). Referred to the Committee of the Whole House.

Mr. MARTIN of California: Committee on the Judiciary. H.R. 10198. A bill for the relief of Sgt. Donald E. Hurrie, U.S. Marine Corps; with amendment (Rept. No. 1871). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 10242. A bill for the relief of Gerald St. John; with amendment (Rept. No. 1872). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 10725. A bill for the relief of Joseph B. Stevens; with amendment (Rept. No. 1873). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 10879. A bill for the relief of John Henry Taylor; without amendment (Rept. No. 1874). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 1157. Joint resolution for the relief of certain aliens; without amendment (Rept. No. 1875). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 6184. A bill for the relief of Louis St. Laurent; with amendment (Rept. No. 1876). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CURTIS:

H.R. 12505. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 by making it clear that the income, including subscription and advertising income, derived by an organization in carrying on any publication, such as a trade or professional journal, shall not be deemed to be unrelated business taxable income if the publication is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

H.R. 12506. A bill to amend subsection (c) of section 501 of the Internal Revenue Code by making it clear that the tax exemption of a civic league or organization exclusively for the promotion of social welfare shall not be affected because of income, including subscription and advertising income, derived from carrying on any publication, such as a journal, which is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 12507. A bill to amend title 18 of the United States Code to prohibit the solicitation of strikebreakers in interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 12508. A bill to require that postage stamps and postage stamp printings or impressions issued or furnished by the Postmaster General shall bear the words "United States Postage" or "U.S. Postage," and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 12509. A bill to provide for the establishment of the Admiral Henry Forry Picking National Monument; to the Committee on Interior and Insular Affairs.

H.R. 12510. A bill to prohibit the importation into the United States of flags of the United States manufactured in foreign countries; to the Committee on Ways and Means.

By Mr. BECKWORTH:

H.R. 12511. A bill to amend the Railroad Retirement Act of 1937 to reduce from 65 to 62 the age at which a spouse's annuity becomes payable in cases where the employee is retired for disability, and to increase widow's annuities by 10 percent; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 12512. A bill to amend title II of the Social Security Act to increase widow's benefits thereunder; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 12513. A bill to provide for the issuance of a special postage stamp to commemorate the 20th anniversary of the death of Ernie Pyle; to the Committee on Post Office and Civil Service.

By Mr. MONTOYA:

H. Con. Res. 361. Concurrent resolution requesting the President of the United States to bring the Baltic States liberation question before the United Nations; to the Committee on Foreign Affairs.

By Mr. RUMSFELD:

H. Res. 872. Resolution condemning persecution of national and religious minorities in the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MATHIAS:

H. Res. 873. Resolution to provide for a study of weather modification activities, and other purposes; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BROWN of California:

H.R. 12514. A bill for the relief of Benjamin Gonzalez Arriaga; to the Committee on the Judiciary.

H.R. 12515. A bill for the relief of Jose Antonio Chavez Carrillo; to the Committee on the Judiciary.

H.R. 12516. A bill for the relief of Andres Aguirre Cisneros; to the Committee on the Judiciary.

H.R. 12517. A bill for the relief of Jose Jesus Herrera Covarrubias; to the Committee on the Judiciary.

H.R. 12518. A bill for the relief of Jesus Becerra Estrada; to the Committee on the Judiciary.

H.R. 12519. A bill for the relief of Jose Rosario Becerra Estrada; to the Committee on the Judiciary.

H.R. 12520. A bill for the relief of Manuel Miranda Gomez; to the Committee on the Judiciary.

H.R. 12521. A bill for the relief of Salvador Salazar Hernandez; to the Committee on the Judiciary.

H.R. 12522. A bill for the relief of Brigido Montoya Iniguez; to the Committee on the Judiciary.

H.R. 12523. A bill for the relief of Loreto Castro Lares; to the Committee on the Judiciary.

H.R. 12524. A bill for the relief of Tomas Rodarte Mireles; to the Committee on the Judiciary.

H.R. 12525. A bill for the relief of Jaime Pena Pena; to the Committee on the Judiciary.

H.R. 12526. A bill for the relief of Arturo Varela Pesqueira; to the Committee on the Judiciary.

H.R. 12527. A bill for the relief of Roberto Anaya Pulido; to the Committee on the Judiciary.

H.R. 12528. A bill for the relief of Cirilo Gracia Tovar; to the Committee on the Judiciary.

H.R. 12529. A bill for the relief of Francisco Dominguez Valdez; to the Committee on the Judiciary.

H.R. 12530. A bill for the relief of Armando Castillo Valencia; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 12531. A bill for the relief of Magaini Anna Maria Bani; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 12532. A bill for the relief of Mo Tseng Hsu and Cheng Hsing; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 12533. A bill for the relief of Dr. Bhagawandas P. Lathi; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 12534. A bill for the relief of Miss Valentini Pastris; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 12535. A bill for the relief of Seppo R. Saikkonen; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 12536. A bill for the relief of John H. L. Dye; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12537. A bill for the relief of Kock Kong Fong; to the Committee on the Judiciary.

H.R. 12538. A bill for the relief of Mrs. Woo Shee Quon (also known as Chung Oi Woo and Chung Oy Quon); to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 12539. A bill for the relief of Emilia Colacurcio; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 12540. A bill for the relief of Elvira Cammisa-Viggiani; to the Committee on the Judiciary.

PETITIONS, ETC.

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

1025. By Mrs. ST. GEORGE: Petition of the Board of Supervisors of the County of Sullivan, N.Y., on financial aid toward sewage and pollution elimination; to the Committee on Public Works.

1026. Also, petition of the Board of Supervisors of the County of Rockland, N.Y., on financial aid toward sewage and pollution elimination; to the Committee on Public Works.

SENATE

TUESDAY, SEPTEMBER 1, 1964

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The ACTING PRESIDENT pro tempore. In the absence of the Chaplain, we shall recite the Lord's Prayer together:

Our Father which art in heaven,
Hallowed be Thy name.
Thy kingdom come.
Thy will be done
In earth as it is in heaven.
Give us this day our daily bread.
And forgive us our debts,
As we forgive our debtors.
And lead us not into temptation,
But deliver us from evil.
For Thine is the kingdom
And the power and the glory, forever.
Amen.

THE JOURNAL

On request by Mr. WALTERS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 31, 1964, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

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

COMMITTEE MEETING DURING SENATE SESSION

On request by Mr. WALTERS, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON MILITARY CONSTRUCTION CONTRACTS AWARDED WITHOUT COMPETITION

A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the 6-month period ended June 30, 1964 (with an accompanying report); to the Committee on Armed Services.

REPORT ON REVIEW OF VOLUNTARY AGREEMENTS AND PROGRAMS

A letter from the Attorney General, transmitting, pursuant to law, a report on review of voluntary agreements and programs, as of August 9, 1964 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON FOLLOWUP REVIEW OF GOVERNMENT PRODUCTION COMPARED TO PROCUREMENT OF WEAPONS AND RELATED PARTS

A letter from the Comptroller General of the United States, reporting, pursuant to law, on a followup review of Government production compared to procurement of weapons and related parts, Department of the Army, dated August 1964; to the Committee on Government Operations.

AUDIT REPORT OF AMERICAN SYMPHONY ORCHESTRA LEAGUE, INC.

A letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting, pursuant to law, an audit report of the American Symphony Orchestra League, Inc., for the fiscal year ended May 31, 1964 (with an accompanying report); to the Committee on the Judiciary.

CLOSING OF FAA FLIGHT SERVICE STATION AT WATERTOWN, N.Y., MUNICIPAL AIRPORT

Mr. KEATING. Mr. President, I present, for appropriate reference, a resolution of the City Council of Watertown, N.Y., in opposition to plans of the Federal Aviation Agency to close its manned flight service station at Watertown Municipal Airport at the end of fiscal year 1965.

Mr. President, this is the fourth manned flight service station in New York State that the FAA has announced will be closed within the near future. These closings raise serious questions about flight safety. I am glad to see that, as with the other three, the citizens who are affected are not taking it lying down. I have written the FAA Administrator about the Watertown situation and hope that this latest adverse action can be reversed to remove any hazards which may be involved in such action. I ask unanimous consent, Mr. President, that the text of the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Whereas it has been brought to the attention of the City Council of Watertown, N.Y., which on behalf of the people of Watertown owns and operates the Watertown Municipal Airport, that recent testimony of Mr. N. E. Halaby, Administrator of the Federal Aviation Agency, before the Senate Appropriations Subcommittee for Independent Offices, indicates the Federal Aviation Agency has plans to close the manned flight service station at the Watertown Municipal Airport at the end of the present fiscal year 1964–65; and

Whereas this move, if carried out, would materially damage the efficiency of operation of the Watertown Municipal Airport which is the largest and busiest airport north of Syracuse in New York State; and

Whereas the Federal Government and this city have spent large sums of money since the inception of the airport in the mid-1940's to build and improve the airport as a service facility to the public of the north country; and

Whereas with the loss of railroad passenger service in this area, the Watertown Municipal Airport has increased importance for the traveling public: Now, therefore, be it

Resolved, That the City Council of Watertown, N.Y., hereby expresses its opposition to the proposed shutdown of the FAA manned flight service station at Watertown, N.Y., and states that any such closing will undermine the benefits of three decades of expenditures and effort to build the Watertown Municipal Airport into a modern facility and will work toward economic hardship in an area which only recently was able to work itself out of the economically distressed classification of the Federal Government; and be it further

Resolved, That copies of this resolution be sent to the several legislators and officials of the Federal Government with the request that they actively oppose the closing of the manned flight service station of the Watertown Municipal Airport: U.S. Senators Jacob K. Javits and Kenneth B. Keating, Congressmen E. Kilburn, Emanuel Celler, Leo W. O'Brien, and Lawrence F. O'Brien, special assistant to the President, and Mr. N. E. Halaby.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 12342. An act to authorize certain retired and other personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries (Rept. No. 1520).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated August 18, 1964, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in the diplomatic and Foreign Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

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

The nominations are as follows:

Byron B. Snyder, of California, and sundry other persons, for appointment and promotion in the Diplomatic and Foreign Service.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. SYMINGTON:

S. 3164. A bill for the relief of Dr. Sedat M. Ayata; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 3165. A bill for the relief of Anna Mae Foster; to the Committee on the Judiciary.

By Mr. McINTYRE (for Mr. HARTKE):

S. 3166. A bill for the relief of Sakelarios Pilatos; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 3167. A bill for the relief of Tiang H. Ong and Hian Mio Tan Ong; to the Committee on the Judiciary.

By Mr. THURMOND:

S.J. Res. 198. Joint resolution proposing an amendment to the Constitution with respect to the election or appointment of Members of the Senate; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO ELIGIBILITY OF PERSON TO BE A SENATOR

Mr. THURMOND. Mr. President, when the Constitution of the United States was adopted, it prescribed three requirements for eligibility to serve as a Senator from any State. These requirements appear in article I, section 3, clause 3, which states:

> No person shall be a Senator who shall not have attained to the age of 30 years, and been 9 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

Quite obviously, the drafters of the Constitution could not have anticipated the transitory nature of our modern-day population, nor the existing means of communication by which persons can achieve fame and reputation throughout the Nation.

When the drafters of the Constitution included a requirement that a person to be eligible for Senator be an inhabitant of that State from which he shall be chosen, they undoubtedly contemplated that an inhabitant would at least be one who was entitled to vote in the State he sought to represent.

Recent occurrences have negated the clear intention of the Constitution. This circumstance should be remedied.

The Senate was conceived as a body where the States, as such, would be represented. In order to maintain that character of the Senate, it would seem to me that there should be some minimum identification of a Senator and the State which he represents. I, therefore, propose that the Constitution be amended to provide a fourth requirement of eligibility to be a Senator. The new requirement would be:

> No person shall be elected or appointed as a Senator from any State unless at the time of his election or appointment he shall have the qualifications requisite under the law of that State for electors of the most numerous branch of the legislature thereof.

I, therefore, send to the desk a joint resolution proposing that the Constitution be so amended, and ask that the joint resolution be appropriately referred.

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

The joint resolution (S.J. Res. 198) proposing an amendment to the Constitution with respect to the election or appointment of Members of the Senate, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

SOCIAL SECURITY AMENDMENTS OF 1964—AMENDMENTS

AMENDMENT NO. 1257

Mr. SALINGER. Mr. President, I am submitting an amendment to H.R. 11865, the bill to increase and in other ways liberalize the Social Security Act.

This amendment is, I hope, noncontroversial and seeks to adjust a situation which denies many elderly persons the means to meet certain medical expenses and the other expenses of daily life such as food and rent in the same month.

Under my amendment, States would be offered Federal financial participation in both old-age assistance and medical assistance for the aged payments made in the same month to a patient who is entering or leaving a medical institution in that month. Federal law now prohibits a State from receiving Federal financial participation for both programs within the same month.

Thus, if a person over 65 were to receive his monthly benefits under OAA and later during the month had to enter a hospital, in California he would have only what his county allocated for this additional cost to the individual. The State would not be able to supplement his funds with matching State-Federal MAA funds if the man or woman had already received his OAA payment for that month.

If an individual had qualified for MAA in 1 month and was leaving the hospital, he would not be able to receive his OAA payment for that month and would have no funds to pay his rent, buy his groceries and attend to the other necessities of daily living.

This amendment will rectify this situation by making it possible for a State to make an MAA payment to a person who has already received his old-age assistance for that month. This MAA payment would be under the more favorable Federal matching funds program compared to what the county could provide. Similarly, if an individual who is receiving MAA as a patient in a medical institution leaves such an institution after a payment has been made in his behalf for cost of his care, the State could claim matching for an old-age assistance money payment to assist the person in taking care of his other needs such as rent and food for the month.

The enactment of this provision would provide some relief for the States in meeting the cost in certain situations where combined costs of medical care and maintenance are high.

California has about one-quarter of a million persons covered by OAA. There were 24,000 patients in California last month under MAA. About 8,000 of these patients were among those covered by old-age assistance so that for the period in which they were hospitalized they were either losing benefits under old-age assistance or under medical assistance for the aged. Surely for the period of 1 month for these persons we can guarantee them enough funds to cover these medical costs and their basic living costs too.

This provision is estimated to cost the Federal Government only $2 million a year—a small sum it would seem to improve the economic situation of these elderly people.

It is my hope that the distinguished Senator from Louisiana will study the amendment and my statement overnight, and agree to the noncontroversial character of the amendment.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

AMENDMENT NO. 1258

Mr. KEATING (for himself and Mr. PROUTY) submitted amendments, intended to be proposed by them, jointly, to House bill 11865, supra, which were ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1964—ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the order of the Senate of August 31, 1964, the names of Mr. GORE, Mr. GRUENING, Mr. JACKSON, and Mr. MUSKIE were added as additional cosponsors of the amendment (No. 1250) submitted by Mr. DODD, intended to be proposed by them, jointly, to the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. JAVITS. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the amendment (No. 1250) submitted by the Senator from Connecticut [Mr. DODD] on yesterday, to House bill 11865, the social security amendments of 1964.

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

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Ziegel W. Neff, of Missouri, to be a member of the Board of Parole, for the term expiring September 30, 1970, and

Jon O. Newman, of Connecticut, to be U.S. attorney for the district of Connecticut for a term of 4 years, vice Robert C. Zampano, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 8, 1964, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

The message also announced that the House insisted upon its amendment to the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. MORRIS, Mr. TAYLOR, Mr. SAYLOR, and Mr. BURTON of Utah were appointed managers on the part of the House at the conference.

The message further announced that the House disagreed to the amendments of the Senate to the bill (H.R. 10809) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. DENTON, Mr. MAHON, Mr. LAIRD, and Mr. MICHEL were appointed managers on the part of the House at the conference.

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

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

By Mr. THURMOND:

Remarks of Senator BENNETT before Senate Prayer Breakfast group on August 5, 1964.

Excerpts from address entitled "Supreme Court Dictatorship," delivered by Representative WILLIAM JENNINGS BRYAN DORN, of South Carolina, at Atlanta, Ga., on August 15, 1964.

THE 25TH ANNIVERSARY OF NAZI ATTACK ON POLAND

Mr. BOGGS. Mr. President, it was exactly a quarter of a century ago today that the nation of Poland was suddenly attacked by Nazi Germany's legions.

As we recall this shameful incident in the world's history, let us remember also that the past 25 years have been years of constant struggle by the valiant Polish people. Though held physically in check by force of arms, they have never lost the steadfast spirit which unites the Polish people today despite their tremendous burdens.

We can hope that in some not too distant time the Polish nation will again be one, free and independent.

I am sure that the United States will help bring about this day insofar as we are able.

My State has an active organization called the Council of the Polish Societies and Clubs in the State of Delaware, and I salute this group and its president, Adam J. Rosiak, for keeping alive the proud traditions of Poland.

IS PARENTAL GUIDANCE SLACKENING?

Mr. WALTERS. Mr. President, I ask unanimous consent to have printed in the RECORD the excellent editorial on delinquent parents recently published in the Knoxville News Sentinel.

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

DELINQUENT PARENTS

Events progressively are challenging the popular theory that poverty is a main cause of juvenile delinquency. The evidence points to child neglect which may occur in the mansions of the wealthy, as well as in the slums.

In Yonkers, N.Y., the public safety commissioner has reported that out of 900 young dope addicts apprehended over a period of time, 100 were from the fashionable northwest section. One girl from a well-to-do home had engaged in prostitution to finance her dope habit. Parents of these children, he said, "just wouldn't believe it." How could reasonably conscientious parents avoid knowing something was wrong?

Maryland's Montgomery County, in the suburbs of Washington, D.C., has the highest per capita income of any U.S. county. It also has a big juvenile problem.

At a drinking party in Bethesda, Md., juveniles from good addresses did $1,000 worth of damage to a luxury apartment while the owners were away. They smashed furniture and ruined carpets. The judge who sentenced three of the boys to a Maryland training school remarked that while parents showed up for the hearings, there were few fathers among them.

Bernard Russell, executive with the President's Committee on Juvenile Delinquency, notes a growing lack of identification with the community in the suburbs—which recently have been the goal practically of a mass migration among the economically well off.

Stable neighborhoods, he observes, generally have low crime rates—slums as well as middle-class and upper-class neighborhoods. When neighborhoods come apart, through urban renewal, building decay, rezoning, highway construction, etc., juvenile crime soars.

A report of two criminologists from Harvard Law School is interesting in this connection.

To the first International Congress on Social Psychiatry this husband-and-wife team, Sheldon and Eleanor Glueck, discussed results of research over a 40-year period. The mother, they said, plays a determining role in whether a child is to become delinquent.

They stressed as important the amount of supervision the mother is able to give the child, the amount of cohesion existing in the family.

"It is terribly important," they said, "that a mother should remain close to her children. That raises the whole question of working mothers. If mother goes out to work, there has got to be a substitute."

It makes little difference, we suppose, whether mother is away from home working or playing cards. Or whether the home is broken up through divorce. In any case, children may suffer from neglect. All these deal with strong modern trends whose social consequences are as yet little realized.

Mr. WALTERS. Mr. President, the message contained in this editorial, while it reflects the opinion of the writer, certainly provides much food for thought for many American mothers and fathers. Too often, as pointed out in the report, we hear of incidents involving the children of well-to-do parents who do not sufficiently supervise their activities.

It is time for us to do some sober reflecting as to the need for a return to some old fashioned but doubtless effective remedies, not the least of which should be a firm, well-directed hand.

Parental responsibility does not end with providing the material essentials of life. There must also be wise and mature guidance given, if the twigs of the "tree of life" are to grow to be the strong straight limbs we all wish them to be.

FOR THE WELFARE OF FAMILY FARMERS

Mr. YOUNG of Ohio. Mr. President, Ohio has just about everything. Ohio has great scenic beauty. We are also one of the foremost industrial States in the Nation. Ohio is also a leader in agriculture. One out of five Ohio citizens is directly or indirectly connected with farming. The family farmers of Ohio attained greater prosperity last year then in our entire history. Farmers and their wives who have over the years tilled the soil and engaged in backbreaking toil producing crops are thankful to Agriculture Secretary Orville Freeman for his policies. One of the first accomplishments of the Democratic administration was to reverse the downward trend of the farm economy experienced under the Eisenhower administration. No one expects that the farm problem, which has plagued the Nation for 30 years, can be solved overnight. However, great strides have been taken.

Total net income per farm is 18 percent higher in 1963 than in 1960. Grain surpluses are the lowest since 1953. Total farm exports have increased 70 percent. Available farm credit from the Farmers Home Administration has doubled since 1960.

Ohio farmers have shared in this prosperity. They earned $261 million more in gross income—the amount of money they have to spend—during the last 3 years. Realized net income per farm in Ohio was up 13 percent from $2,258 in 1960 to $2,556 in 1963.

These and many other statistics attest to the fact that Democratic farm policies which I have supported have created new hope for rural America. The family farmers of America deserve our highest admiration. We reject the Republican Party attitude of favoring big operators and gigantic farm corporations, and ignoring family farmers. I express my support of those who make their living from the land for themselves and their families. The Democratic Party

will continue to seek solutions to enable our family farmers to enjoy a decent standard of living from their labor.

While farm income was being raised, consumers also benefited. Food prices were stabilized. Gigantic food surpluses stockpiled during the Eisenhower administration costing nearly $1 million a day in storage charges alone have been greatly reduced thereby saving millions of taxpayers' dollars.

This administration has encouraged commodity programs that will enable farmers to reach a goal of parity of income on a par with that of workers in other occupations. Family farmers are entitled to economic freedom and security. When this is attained, their youngsters will not leave the farms for uncertain futures in urban centers. The program of this administration is of basic importance. It recognizes the continuing and significant role of agriculture and rural life. The family-sized farms have received and will receive the recognition they deserve.

There should be an increase in constructive use of the abundant production of our farms through expansion of the food stamp program, school lunch program, food-for-peace program and others. We have used the bounty of American agriculture to feed 10 million hungry children in Latin America and to send more than $4.5 billion worth of surplus food to hungry people under the food-for-peace program. We doubled the quality and quantity of surplus food packages for needy Americans, and passed a food stamp plan to help provide better diets for millions of undernourished Americans.

There must be continuing support of the rural electrification administration, which has brought the blessings of electricity to our farm homes. It is a fact that the REA, more than any other agency of our Government, has done more to remove drudgery from the lives of women who live on our farms. I am glad to report to American farmers and their wives that as Ohio Congressman at Large, I voted to create the Rural Electrification Administration, and on every rollcall, I have voted in support of its activities and accomplishments.

Administrative leaders are studying new low-cost methods and techniques of food distribution. This will help maintain an adequate income for farmers and, at the same time, provide a market for food at reasonable prices to consumers.

This is not a gimmick of "something for everyone." It is a commonsense recognition of the mutual interests of farmers and city people and in keeping with the "covenant of unity" theme of the entire democratic platform.

DEATH OF EDWARD J. HICKEY, JOURNAL CLERK OF THE SENATE

Mr. PASTORE. Mr. President, peacefully, painlessly our Journal clerk, Edward J. Hickey, has passed to his eternal reward. The pen that might have been poised over these very words of mine has ceased its task—one of dedication as we know it—one of pride that Ed Hickey had in his responsibility for the Journal of the Senate.

Because he was from New England and because his sons are of Brown University, he and I seemed to have closer ties of friendship than mere associates in the daily history of the Senate. Gentle, meticulous, helpful, he could inspire in all of us a desire for the accurate, the correct, the enduring.

Ed Hickey's family was notable in Worcester, the place of his birth; and here, where three-fourths of his life has been spent, he founded a family to which he leaves a heritage of genuine patriotism, sometimes spelled in the long hours at his labor of love—that the Journal of our Senate might be prompt and perfect and precise.

Our tribute to our Journal clerk is, in a sense, an expression of our appreciation—too infrequently spoken—of the labors and loyalty of all the Senate staff. May they understand and accept our gratitude for their daily assistance, often beyond the call of duty.

Theirs is the teamwork which gives to the efforts of a hundred Senators the coordination and cooperation that makes ours a Senate history of responsibility in our common service to our country and mankind.

THE LIBRARY OF CONGRESS—10 YEARS OF PROGRESS UNDER DR. L. QUINCY MUMFORD

Mr. JORDAN of North Carolina. Mr. President, I wish to speak concerning 10 years of progress made by the Library of Congress under the direction of my good friend Dr. L. Quincy Mumford, who is a distinguished native of North Carolina.

Welcome, and may good will, good fortune, and good cheer attend you ever.

Ten years ago, September 1, this message was received by the 11th Librarian of Congress to be appointed in the Library's 154-year history from Librarian of Congress Emeritus Herbert Putnam. The occasion, the day L. Quincy Mumford took the oath of office.

The past decade in the Library of Congress has indeed been attended by good will, good fortune, and good cheer. The "Fortress of Freedom," as our National Library has been described in the past, has emerged as a major force in this Nation's quest for peace and prosperity. The cold war is being fought on the battleground of knowledge and our survival has become dependent upon access to that knowledge through materials published all over the world. The monumental increase in book production which has resulted from the so-called information explosion, the publishing efforts of new and emerging nations, the greatly expanded research programs being carried on in the physical and natural sciences, and the increased emphasis on scholarship which has resulted from this country's reexaminations of its educational programs after Sputnik I was launched—all these have presented problems in the service and control of library materials. Coupled with experimentation in and application of technology to library problems, the demand is for vision and leadership. As the National Library, the Library of Congress has been a leader in the struggle to meet these needs.

The 10 millionth book was added to the permanent collections of the Library the same year Dr. Mumford assumed office and the collections then totaled 31 million items. Today there are 13 million books and a total of 44 million items housed in the two buildings occupied by the Library of Congress. This vast repository of knowledge would be useless, however, if there were not adequate staff or funds to make these materials accessible.

Congress, recognizing the role that its Library must undertake in order that this country remain in the forefront of the battle of the mind, has increased the direct appropriation to the Library from $9½ million in fiscal 1954 to over $23 million in fiscal 1965. This increase in funds has not only benefited the Library of Congress but has also allowed for the establishment of programs which have contributed to the overall improvement of the complex of libraries and research institutions in the United States. Gift and trust funds and funds transferred from other Government agencies have risen from $3,845,909 to $8,370,676 in the 10-year period, and a large portion of the transferred funds have been for research vital to the national defense. This has resulted in a 35-percent gain in number of positions on the staff.

Having served alternately as chairman of the Joint Committee on the Library since 1961, I have been fortunate to gain an insight into the problems faced and the progress made by Dr. Mumford and his staff during the past decade. To name only a few of the achievements:

The establishment of a program to microfilm and index the papers of the 23 Presidents of the United States that are in the Library. This program has made it possible for libraries throughout the country to purchase microfilm copies of this valuable original source material.

The establishment of the Public Law 480 book procurement program. Libraries in all 50 States are receiving publications procured from India, the United Arab Republic, Pakistan, Indonesia, and Israel with the use of excess foreign currencies. Since the program was commenced in fiscal 1962, over 2½ million items have been acquired.

The establishment of a program to preserve by converting to safety film rapidly deteriorating early motion pictures. Without this program, this portion of our cultural heritage would have been lost to future generations.

Expansion of services in the field of science and technology, including a greatly expanded staff in the Science and Technology Division to provide reference service and prepare bibliographies, the establishment of the National Referral

Center for Science and Technology, and the establishment of a Science Policy Research Division in the Legislative Reference Service.

The establishment of a Near Eastern and North African Law Division.

The establishment of an African section to aid in the acquisition of materials, and to provide reference and bibliographic service relating to this important geographic area.

The establishment of a children's book section for the preparation of bibliographies and checklists, as well as to provide reference service.

The establishment of the cards-with-books program, whereby publishers who sell to libraries have been enlisted to purchase sets of Library of Congress cards for all the current American trade books they stock in quantity. As a result, when a library orders a book, a set of cards is placed in or with it, and books and cards arrive together at the library, ready for a minimum of processing before the volume is placed in the reader's hands.

The publication of such national bibliographies as "The National Union Catalog," "The Guide to the Study of the United States of America," and "The National Union Catalog of Manuscript Collections."

The completion of an overall study of the feasibility of automating the Library of Congress in particular and research libraries in general, the implementation of which could augment and accelerate the services rendered by large research libraries and profoundly affect their responsiveness to the needs of library users. Also, a program to demonstrate that catalog cards and various other forms of bibliographic information can be reproduced automatically for many uses by means of an initial perforated paper tape from a tape-producing typewriter has been initiated.

A comprehensive bill to revise the U.S. copyright law, which has not been greatly changed since it was enacted in 1909, was introduced in Congress this session after 9 years of work by the Copyright Office.

During the past decade the Library's program of providing standardized catalog cards for a minimal fee to libraries in every township in your State and mine has nearly tripled and as a consequence countless dollars which would have been used for cataloging have been available for the purchase of books and other library materials. The program to provide books in braille, talking books, and tapes to the Nation's blind readers has been greatly extended to meet their growing needs. Exchange agreements with other countries to receive Government publications and other important documents have grown to over 25,000. The program to microfilm deteriorating materials, such as newspapers, as a means of preservation has been inaugurated, and the serious backlogs in the cataloging of items received in the Library which have existed since World War II are gradually diminishing. We are all aware, I am sure, of the excellent service provided by the Legislative Reference Service as well as the many improvements in this operation.

All of this and much more has been accomplished in the last 10 years by the Library administration despite the critical space situation which exists. It is my hope, and that of the Librarian, that Congress will act on legislation to obtain a third building during the next session.

Dr. Mumford, a modest man, would not want to take credit for these major achievements and he would insist that they were made possible because of the understanding and support of the Congress, a dedicated and creative staff, and the encouragement given the Library by its varied publics. It would, however, be remiss for this body not to take note of the anniversary and to congratulate him on his effective service as Librarian of Congress. Despite the growing multitude of responsibilities it bears, the Library of Congress has met the challenges facing it, and I feel confident it will continue to do so.

FUR SEALS OF ALASKA

Mr. BARTLETT. Mr. President, prior to the early part of this century pelagic sealing was widely practiced in the north Pacific by foreign nationals and even by Americans, to such a point that the fur seals in the Pribilof Islands breeding grounds shrank to 143,000 by 1909.

In 1911 the Governments of Canada, Japan, Russia, and the United States entered into a convention which was not broken until 1941 when the Japanese Government abrogated that treaty. Even though there was no formal agreement in effect from 1941 until 1957 the Soviet Union and the United States continued to abstain from killing seals at sea.

In 1957 a new convention was signed and renewed in January of this year. Through these protective actions the seal herd in the Pribilofs has grown tremendously.

The story of the sealskin harvest has been detailed in what I consider a most interesting article in the New York Times of August 27, 1964, written by Lawrence E. Davies.

I ask unanimous consent that the article be printed in the RECORD.

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

SEALSKIN HARVEST DUE TO BEGIN SOON

(By Lawrence E. Davies)

ST. PAUL, ALASKA.—Several hundred million dollars worth of sleek fur coats, based on retail prices, have been on display this summer on the rocky beaches of this windswept Bering Sea island. Their wearers make noises like the snort of a bull, the moo of a cow, the quavering ba-a-a of a sheep and the yelp of a dog.

It may be several years before any of the 1964 models are sold to operagoing Fifth Avenue shoppers. Most of this year's models still encase their original owners, the largest herd of fur seals in the northern Pacific.

This is a herd that, until an international agreement was reached nearly a half-century ago, was threatened with extinction after the taking of millions of pelts by ocean seal hunters. Now, after fluctuating through the years, the herd stands at a figure estimated at 1.5 million. This is calculated by biologists to be an ideal number from the standpoint of productivity and food supply.

It means that on St. Paul and its neighboring island, St. George, here in the Pribilofs 300 miles north of the Aleutian chain, probably 386,000 seal pups were born in June and July. And by the end of the season 60,000 seals 3 and 4 years old will have been harvested for their fur skins.

The United States, the Soviet Union, Japan, and Canada have signed a new 6-year agreement, effective in 1965, for continued protection of the northern Pacific fur seal from indiscriminate killing.

This country looks after the annual seal harvest in the Pribilofs, the fur seals' favorite breeding ground. About 80 percent of all the fur seals in the northern Pacific breed here. The Soviet Union has the responsibility for keeping the herds on the Commander, Robben, and Kurile Islands on a sustained-yield basis. Canada and Japan, which, with Americans and Russians, agreed to abstain from taking fur seals at sea, receive 15 percent each of the seal skins taken commercially by the United States and the Soviet Union.

The Bureau of Commercial Fisheries of the Federal Fish and Wildlife Service, in the Department of the Interior, supervises the Pribilof operation. This year, for the first time, the Aleut villagers living on St. Paul and St. George Islands, 40 miles apart, have conducted the seal harvest virtually without direction from Bureau officials.

"Always before we have had a team of overseers and bosses to tell them what to do," said C. Howard Baltzo, director of the Bureau's marine mammal resources program, who has spent five summers on St. Paul directing the work. "This year is a milestone and the Aleuts are tremendously proud of their achievement."

Mr. Baltzo estimates that 1.25 million seals have appeared on the rookeries of St. Paul Island since the first bull seals began checking in by late April to select areas where they would establish harems of 20 to 100 female seals.

The cows in great numbers forage in distant waters for fish and squid for themselves and then return to their rookeries to nurse their pups, by now grown to 10 to 15 pounds each. The mothers weigh 95 to 100 pounds and the powerful, belligerent bull seals sometimes 600 pounds or more. Each female seal searches out her own pup among the tens or hundreds of thousands and refuses, biologists say, to adopt another. If the mother fails to return, the pup dies.

SOME FEMALES KILLED

By early August teams of Aleut sealers in the Pribilofs had killed and skinned 48,000 seals, mostly bachelors 3 and 4 years old. To prevent the herd from growing beyond 1.5 million, about 12,000 females are taken during the last two weeks of August. Of 50,000 females surviving the age of 4, the remaining 38,000 are left for breeding purposes.

"We had not realized until recently," Mr. Baltzo said, "that their fur is equal in quality to that of the bachelors."

Only about one-fourth of the 386,000 pups born annually survive the killer whale, the hookworm, and other dangers, and live until age 4.

In the sealing operation, selected groups within the herd are driven in the early morning to the sealing ground back from the sea. There skilled Aleuts differentiate between the sexes with split-second decisions based on head shape, color of whiskers, and shape of teeth. Then a seal is dispatched with one blow of a club on the skull. It is stripped of its coat in a few seconds.

This year, for the first time, fur seal carcasses are being ground, quick-frozen, and shipped to Oregon under a 5-year contract to be fed to mink, a rival of the seal in the fashion marts.

The Pribilof sealskins from both the 1963 and 1964 seasons are in cold storage. The Interior Department has canceled a long-time contract with a fur company and is negotiating with others about the future. If the herd's value were based on the price tag of a fur coat, which requires up to eight sealskins and costs as much as $3,000, the total, if it could be sold at retail, would take care of the national budget for 3 or 4 years.

As a matter of practical economics, Mr. Baltzo reported, "we gross about $5 million a year and have gone as high as $7 million."

"This figures out," he said, "to a profit of about $1 million a year, after 15 percent of the skins have been allocated each to Japan and Canada. Seventy percent of the profit goes to Alaska under the Statehood Act and 30 percent to the U.S. Treasury."

FOOD FOR PEACE ASSETS

Mr. McGOVERN. Mr. President, an editorial entitled "Beyond Food for Peace" was published today in the Washington Post. The editorial strongly recommends the constructive use of surplus foreign currencies which have accumulated as a result of sales of our farm commodities under the Food for Peace program.

I hope Congress and the administration will take steps to use the approximately $1 billion in idle currencies which have accumulated in India, and elsewhere, to underwrite noninflationary programs in such fields as education, health, and family planning.

With half the world suffering from malnutrition, we ought to use our food abundance with all the imagination and flexibility we can muster.

I ask unanimous consent that the Washington Post editorial be printed at this point in the RECORD.

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

BEYOND FOOD FOR PEACE

The House of Representatives will have an opportunity today or tomorrow to take a constructive step in the development of U.S. relations to the emerging nations. For some years this country has been shipping surplus food to various countries with acute shortages, under the provisions of Public Law 480. In return the United States has received substantial sums in the currencies of those countries—funds which can be spent only in the country of origin. Now it is proposed that the excess of these funds not needed for other purposes be spent within the countries where they have accumulated for projects designed to improve the resourcefulness of the people.

It is estimated that nearly $1 billion in foreign currencies is now on deposit under Public Law 480 agreements in excess of any foreseeable need. Here is a substantial sum that can be tapped for constructive aid to people in dire poverty. Desirable though it is to use American surplus crops to feed hungry people abroad, the mere relief of hunger does not go far toward amelioration of their plight. The current thinking is that these surplus currencies can well be spent for tools, education, sanitary facilities, and other means of helping people to help themselves.

The House Agriculture Committee's report on the bill to extend and amend Public Law 480 contains this persuasive paragraph:

"These currencies are as truly a part of our surplus as were the commodities which generated them. Like commodity surpluses, they are a liability if we simply store them, but can be an asset if we use them. They are returning to the United States a low rate of interest which may be more than offset by inflation within the country. Like our commodity surpluses, there is no danger of not having enough for our own use, for there is always another crop in prospect."

It is sound policy to make constructive use of these assets where they can be spent and where they will do the most good. The food-for-peace idea has proved to be very popular because it converts an American surplus into good will and higher living standards among the people receiving it. But the end of fruitful utilization is incomplete if the local currencies paid for the food are allowed to accumulate in sterile surpluses of a different sort. We hope that the House will vote to put these "excess currencies" to work in keeping with the spirit of the food-for-peace program.

THE WILDERNESS BILL

Mr. McGOVERN. Mr. President, the Memphis Press-Scimitar published on August 22 an excellent editorial on one of the conservation achievements of the 88th Congress—passage of the wilderness bill.

I understand that the bill will be signed by the President tomorrow or Wednesday, thus completing 8 years of study and effort to bring to reality a Wilderness Preservation System.

The Press-Scimitar editorial appropriately extends thanks and congratulations on the passage of the bill to the Senator from New Mexico [Mr. ANDERSON] and to Representative SAYLOR, the principal authors of the measure, while recognizing that there are others who made great contributions to its success.

Also recognized is Howard Zahnizer, who died recently, when his years-long cause was near success. It is a matter of sorrow to all of us who have worked for the bill, and consequently knew of his zeal and sacrifices, that Mr. Zahnizer could not have lived until the fruition of his efforts, which were carried on for many years as a personal cause, before the formation of the Wilderness Society. It is pleasing to me that his contribution to the achievement of a National Wilderness Preservation System is widely known and recognized, along with the contributions of its legislative sponsors.

I ask unanimous consent that the Memphis Press-Scimitar editorial be printed in the RECORD.

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

CONGRESS PRESERVES OUR WILDERNESS

Congress has acted to make America's heritage of wilderness secure.

The Senate and House have reconciled their differences and sent the wilderness bill to President Johnson, sure that he would promptly approve it, for he had asked them to pass this legislation.

If it is not a perfect bill, certainly it is far better than conservationists had reason to hope for at the beginning of the session and they proudly regard it as a landmark achievement in conservation history.

It means that 9 million acres administered by the U.S. Forest Service and now classified as "wilderness, wild, and canoe" areas must remain such unless some future Congress should change their status, and that is not likely to happen. Until this wilderness act was passed, there was nothing to prevent some Secretary of Agriculture from giving away "with the stroke of a pen" the people's irreplaceable resources of unspoiled nature. It was the purpose of this legislation to make that impossible.

This is just the start of our wilderness preservation system. The law provides that, within the next 10 years, on recommendation of the Secretary of Agriculture and the President, Congress can add to it, tract by tract, national forest lands now classed as "primitive," up to a total of more than 5 million acres.

Similarly, many millions of wilderness acres in the national parks and monuments and wildlife refuges can be given permanence in the system on recommendation of the Secretary of the Interior and the President. Gifts of land from private sources also may be accepted.

When the system is completed we will be assured that 2 percent of the lands of the United States will remain as all of it was when the Indians roamed its vast spaces—a land of green forests, clear streams, blue lakes, and pure air—

Where plants and animals can reproduce themselves unfailingly and no species will be lost.

Unmarred by automobile roads and the litter that cars bring, but open to all to explore by foot trail and horseback.

For hunters of big and small game, for those who would fish in fast water or calm lake, for birders, for the myriads who shoot only with cameras.

As the outdoor laboratories for scientists who must have primitive nature to study if they are to find out how we must live in civilization.

For those who want to "get away from it all," from the neon, the smell of gas and chemicals, the noise and odors of cities, and hear only the sound of the wind, the songs of birds, and the cries of animals, smell only the fragrance of pine and cedar, and be alone with nature, and, as most would add, with nature's God.

The wilderness preserved means much to the stay-at-homes, just to know that it is there, and to see its refreshing scenes in pictures in newspapers and magazines, and in movies and on TV, both in travelog and the background of stirring or romantic drama.

To Senator CLINTON ANDERSON and Representative JOHN SAYLOR, the authors of the bill, and to all, in and out of Congress who had a part in this great conservation victory, our thanks and congratulations.

Like Moses, Howard Zahnizer, executive director of the Wilderness Society, who died fighting for the cause, was not here to enter the promised land of wilderness preserved. We wish he could have seen how we have answered his plea that we project the wild "that has come to use from the eternity of the past into the eternity of the future."

PRESIDENT LYNDON B. JOHNSON ADDRESSES TEXAS STATE AFL–CIO CONVENTION AT BROWNSVILLE, TEX., BY LONG-DISTANCE TELEPHONE

Mr. YARBOROUGH. Mr. President, the Texas State AFL–CIO held its annual convention in Brownsville, Tex., beginning on August 17, 1964. I was invited to address the convention on that day, and was present on the platform when President Lyndon B. Johnson spoke to the convention by long-distance telephone. Mr. H. S. "Hank" Brown,

president of the Texas State AFL–CIO, and Mr. Roy R. Evans, secretary-treasurer of the Texas State AFL–CIO, were on the platform at the time of President Johnson's call.

I ask unanimous consent that the transcript of President Johnson's telephone address be printed at this point in the RECORD.

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

TEXT OF PRESIDENT LYNDON B. JOHNSON'S TELEPHONE ADDRESS TO THE TEXAS STATE AFL–CIO CONVENTION, BROWNSVILLE, TEX., AUGUST 17, 1964

Mr. H. S. BROWN. Ladies and gentlemen, the President of the United States.

President LYNDON B. JOHNSON. President Brown, Secretary Evans, my good friends, my fellow Americans, Hank Brown doesn't have to listen just now. He's been here at the White House, and he knows exactly how I feel. But there are some things that I want to tell you for myself. And I want to say them to all of you. In Texas and in the Nation, you and I, in our lifetime, have seen more progress than any people anywhere have made at any time in all the history of man. America's progress and prosperity at home, America's position in the world, are all attainments of your lifetime and mine. There is one key to what we have wrought, that is, our unity. All of our kids can have more of what really does matter when we quarrel less about what really doesn't matter.

Here, in your White House, I work every day, nearly every hour, for that understanding, for that essential unity. We cannot know what history has in store for us, but I hope that my time here will be remembered as a time when the American people moved toward understanding each other better, moved toward greater unity and thus greater strength, North and South, East and West, labor and management, consumer and producer, without regard to ancestry, or religion, or race, or origin. Every foreign aggression, every adversary has expected to defeat us by dividing us. The same is true of those at home, those who have, through the years, tried to stop the people's progress or turn back the people's economic clock. Our future has never been brighter than it is today, and I don't believe that the American people would chance to risk that future by allowing anyone who specializes in hate or fear to divide us or to divide the people among themselves.

The labor movement in my home State of Texas has come far in a short time. Your position today is measured not by power, but by participation in Texas affairs at every level. You are more than leaders of your local unions; you're leaders of your local communities, leaders of local life, the schools, and the churches, and the business ventures. I want you to know that I look to you for leadership that serves your country and that serves our cause in days like these. So long as I occupy your White House, the doors here will be open to all the people without regard to their affiliations or their affluence, their aspirations or their ancestry. That door will be closed to none, except those who would demand that we shut the door in the face of any other American. We are going to continue working to get this country more prosperous for all.

I just finished a meeting a moment ago with the Secretary of Defense, discussing the increased capital investment that's being made since the tax bill was passed and that's provided additional jobs for additional millions. We're all so proud that we broke through the 5-percent unemployment figure this week for the first time since many, many years. We all want this world to be more peaceful for all human beings. Yes, there are great works to be done, and your generation will do them. We're right now rolling up our sleeves to go to work doing everything we can to eliminate poverty. We've brought down the unemployment rate among young people from 16 point plus to 13 point plus last week. I announced only Saturday that we were immediately opening 22 camps throughout the Nation to help take care of some of our idle young men and young women who are now registered as unemployed with their employment offices. I believe that you'll be leaders in that work just as your leaders helped us to pass this most difficult and farsighted piece of legislation.

Over the last 4 years, both President Kennedy and I have known one thing: When there was an issue for the people, we could count on the man who is on your platform now, RALPH YARBOROUGH. [Applause.]

Senator YARBOROUGH. I'm sitting right here, Mister President.

President JOHNSON. I don't think, RALPH, that you need any help on the platform there today, do you? I think a lot of other people are going to learn that you can give a good account of yourself anywhere, anytime, and that you're going to take care of yourself once again this year. [Applause.]

I do want to tell the delegates one thing about you, and I want to ask each delegate to listen carefully. The place for RALPH YARBOROUGH is in the Senate of the United States. [Much applause.]

Let me say Hello to Senator YARBOROUGH, if he is there.

Senator YARBOROUGH. Mister President.

President JOHNSON. Yes.

Senator YARBOROUGH. Hank Brown has just handed me the phone on this white Presidential line that all of these delegates can see here in this great AFL–CIO statewide convention. And you said I didn't need any help; but the last time you spoke in this hall at this civic center in Brownsville, I was badly in need of help. You and Secretary Stewart Udall came here in the summer of 1961 and spoke for the Padre Island National Seashore; and now it's written into the law, and it was with your help as Vice President of the United States. That was the same day that you had dedicated the great plant at Freeport to take the salt out of sea water. This magic, rich valley here now—if we had enough water—it'd be the richest spot on the face of the earth. And the scenes that are being shown of the poverty could be eradicated if there were water.

Mr. President, I'm proud that you called on me to be a coauthor of your antipoverty bill, that I had the privilege of being a coauthor, serving on the Special Committee in the Senate, and of helping get it passed. I believe in it. I think you have a great program. I'm supporting that program.

President JOHNSON. Thank you, RALPH, and I ——[applause].

Senator YARBOROUGH. I'm supporting you for the Presidency of the United States [much applause] not just because you are my fellow Texan, not just because you're my Democratic nominee, but because you have a program for the people, as against a party that is looking backward, not forward. God bless you, Mr. President, for leading the people forward at this crucial time.

President JOHNSON. Thank you, so much, RALPH; and we're both going to support that program that you speak of, a program for all the people of all the country.

Senator YARBOROUGH. Thank you, Mr. President, thank you.

President JOHNSON. Give my love to Opal.

Senator YARBOROUGH. Well, thank you, Mr. President, and give our love to that wonderful family of yours.

President JOHNSON. Thank you, very much. [Applause.]

Hello, Hank.

Mr. BROWN. Yes, sir; I'm here, sir.

President JOHNSON. Well, I enjoyed it very much. I wish I could be there in person to visit with you, but it's been kind of lonely here over the weekend. Lady Bird was in Utah and Wyoming, and Lynda was in Long Island, N.Y., and Lucy was at * * * out in Wisconsin, so I guess the family's traveling a little bit, and I'll be back in Texas before long.

Will all of you roll up your sleeves, take off your hats, and get out there and let's get busy and elect RALPH YARBOROUGH to the Senate and let's have a good Democratic victory in November. [Applause.]

Mr. BROWN. Thank you, Mr. President.

JOHN F. KENNEDY—A POEM

Mr. MUSKIE. Mr. President, it is rare that I have an opportunity to read poetry; but recently a bit of verse which came to my attention impressed me so favorably that I want to share it with my colleagues.

Much has been written, in both prose and poetry, concerning November 22, 1963, and the tragic weekend that followed. Yet only a man who knew our late beloved President as a fellow student at Harvard College could have penned these lines. The author is at present chairman of the Department of Philosophy, at Bowdoin College, in Brunswick, Maine. He is known in Maine for his authoritative articles in the field of philosophy and for his recently published work, "The Recognition of Reason." I ask unanimous consent that these poignant stanzas be printed in the RECORD.

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

FOR JOHN KENNEDY, OF HARVARD

(By Edward Pols)

A tumult of images insist,
Repeat, repeat, traverse, and re-traverse,
Until the dreadful Sunday's counterpoint—
She with your children pacing to the drum,
While here the prisoner comes, and dies
Under the blind resurge of violent Dallas—
Is on the night screen one more time rehearsed
And we believe at last
What on the Friday we so feared to know.

That Friday night St. Patrick's bells
Came to me in an old Maine house
The while against them spoke—spoke
The banal words each of us finds when moved
And when a public voice exacts reply—
Spoke the various accents of the city.

Some nuance unmanned me yet again
(Or was it the passing of my youth that struck?)
So, lest the children see my tears,
I walked awhile between the arbor and the barn
And thought of you passing once in thirty-seven
In the spring of freshman year and of your life
On the Yard walk past Widener's steps and
Up the slope towards Palmer House that was.

There stood a Norway maple on that hill
Which every spring spread out a cope
Of greeny gold upon the ground, and there we passed,
Treading the bright minuscule blossom down,
In the slant light of morning and of our lives.

Your smile held then—how shall I say?—
a thought
Too much assurance, and your walk a pride
To daunt a green and envious boy who'd
wrought
A manner but no ease for all he tried
To be at home: you seemed to own the place
I loved but did not yet possess. But stay,
There comes to mind the man of forty-five:
A man who wore that humor in his face
Did not let youth or wealth or rank betray
Him to forget this truth: when we arrive
Who come here late, the place we meant to
find
And win and love is altered out of mind.

So, much of worth in what we take is lost—
That Harvard gone of Eliot and of James,
That land of Arcady before the host
Of yours and mine sailed here to stake their
claims.
Provincial places though (your smile con-
fides)
And not perhaps as open to the world
As we with myriad ties of blood and faith
Have made them in your time; and this
abides,
For all the poise that's vanished with your
wraith,
For all that Camelot's banners need be
furled:
They changed to take us in, but we
Transformed them out of all they could
foresee.

The tree is gone that once bestrewed the
ground.
Each springtime with a green-gold grace:
Now buildings flank that place,
While, moved and turned around,
Cropped Palmer House looks strange—
So all things shift and change—
But though your life is gone and my youth
I see you now in truth
Transfigured, resplendent in our ruth.

They say you were still half symbol,
Being given so little time;
Come, let us take you so, but in this sense:
In that region of possibility you fill
There, still, your bright incontinent essence
Inclines to its own completion, still
Shapes almost its own actuality, still con-
trives
Some reason, measure, humor in our lives.

STUDENT FINANCIAL ASSISTANCE

Mr. MUSKIE. Mr. President, on February 4 this year the senior Senator from Indiana [Mr. HARTKE] introduced S. 2490, which provides a "multipurpose program for student financial assistance, flexible enough to meet the diverse requirements of the Nation's post-secondary institutions, and balanced between loans, fellowships, and student employment activities." Other Senators and I subsequently joined in cosponsoring this much-needed college assistance bill.

Like most Americans, I am deeply concerned about the estimated 150,000 young men and young women who each year graduate from our high schools, possessing both the ability and the desire to continue their education, but are unable to do so because they lack the necessary financial resources. This and other important problems are clearly met by Senator HARTKE's proposed legislation. I believe this bill is in the best interest of Maine and the Nation. But the bill's provisions are already being attacked in some mass-circulation newspapers and periodicals.

An editorial entitled "Where Federal Action Is Not Needed," published on June 6 in the Saturday Evening Post, for example, contained a distorted interpretation of the long-term student loan provision of S. 2490. In a commendable effort to set the record straight, Dr. Walter H. Boyce, dean of men at Bates College, at Lewiston, Maine, wrote a letter to the magazine's editorial board, in the hope that it would be included in their "Speaking Out" column. This the editors refused to do.

Dr. Boyce is an able official of my alma mater and has had considerable experience in administering the national defense student loan program. I ask unanimous consent that his reactions to the editorial be printed at this point in the CONGRESSIONAL RECORD.

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

LETTER BY WALTER H. BOYCE

A recent editorial in the Saturday Evening Post ("Where Federal Action Is Not Needed," June 6, 1964) combined with the editorial comment consistently appended to the "Speaking Out" column ("One measure of a democracy's strength is the freedom of its citizens to speak out—to dissent from the popular view. Although the editors often disagree with the opinions expressed in Speaking Out, they dedicate the series to that freedom") have inspired me to comment on the loan programs now available for students in our institutions of higher education.

This editorial, "Where Federal Action Is Not Needed," is, in my judgment, a classic example of a slanted, distorted, biased editorial of half-truths. In the event that the June 6th issue of the Saturday Evening Post is not easily available, let me quote rather liberally from this editorial. It begins: "When should the Federal Government enter an area where the public interest is involved? When private enterprise, State and local governments are unable to do the job, we believe. All too often the question is argued in a vacuum, because no agency except the Federal Government is prepared to act. But the converse of this principle is that when private enterprise or State and local government is doing an effective job, the Federal Government should stay out. Three years ago a private enterprise called United Student Aid Funds went into the business of guaranteeing low-cost loans to needy college students. A nonprofit, tax-exempt corporation, United Student Aid Funds, established a contributed fund to guarantee bank loans to students."

Let us pause for a moment. What facts have now been established by the writer of the editorial? As a starter, it seems that a private enterprise group has been active for 3 years in the field of low-cost loans to college students. There is also the implied conclusion that this is an organization which does not have profit in mind (note the "nonprofit, tax-exempt corporation"). Let's set the record straight on these two points. In the first place, it is quite true that the U.S.A.F. has been active with loans to college students for the past 3 years. It is also equally true that this organization was by no means the first to break into the field. Prior to 1961 several privately financed State loan plans were already in operation and others were being organized—Massachusetts and New York higher education loan plans, for example—and all of these plans operated with basically the same terms for loans as are advertised by the U.S.A.F. It should also be noted that a tremendous boost to the idea of loans for college students, and in this case the qualifying adjective, "low-cost," is appropriate, came from the passage of the National Defense Education Act, title II—national defense student loan program. The date of passage of this legislation is a matter of record in the full title of the act, National Defense Education Act, 1958. So it turns out that the national defense student loan program, with substantial annual increases in amounts available after an initial small allotment reached participating colleges in the spring term of the 1958–59 academic year, has been operating for 5 academic years, beginning in the fall of 1959. The U.S.A.F. is thus in the position of being the Johnny-come-lately, waiting until 1961 to hop on the bandwagon.

Let us next examine the statement "low-cost loans to college students." Although this is not specifically stated, the reader of this editorial is left with the feeling that the U.S.A.F. and the N.D.S.L.P. (the proposed Federal program, which, it turns out, has been a thriving operation since 1959) are basically the same kind of service for college students. Both, it is implied, are dealing with low-cost loans for college students.

Again, a little air clearing is in order. Interest rates on all U.S.A.F. loans are made on at least a 5-percent annual rate and of even more concern and cost to the borrower is the provision that interest is charged from the date of the loan. Compare this, if you will, with the N.D.S.L.P. provision that interest is to be charged at the rate of 3 percent (a true 3 percent), computed on the principal at the end of a payment year rather than being charged in advance—a common and strictly legitimate banking practice which virtually doubles the stated interest rate) and is charged only after the expiration of a number of possible deferment periods. For example, no interest, not even a true 3 percent, is charged on N.D.S.L.P. loans while the student borrower is maintaining normal progress as a full-time student (on either undergraduate or graduate level) in an accredited institution of higher education. The N.D.S.L.P. further provides for an interest-free, no-repayment period of a maximum 3-year period while the ex-student is in military service. The well advertised "year of grace" (12 consecutive months of interest-free, no repayments status following interruption of full-time studies) is a further advantage, in terms of cost cutting, to the student who borrows his funds from the national defense student loan program rather than the united student aid fund.

As a specific example, let us compute the interest costs for two hypothetical students, each borrowing $1,000 a year (the maximum per academic year in either program) in the 1961–62, 1962–63, and 1963–64 academic years. (We will assume that both students were sophomores in the fall of 1961 since the U.S.A.F. generally provides for loans only to those who have completed their first year in college while the N.D.S.L.P. permits the participating colleges to grant loans to needy first-year students.)

I shall simplify the computation by assuming that those computing the interest for the U.S.A.F. program (and they are profit-making bankers, for it is the private enterprise bankers who actually execute the loans under the U.S.A.F.—the U.S.A.F. simply serves as the guarantor in the case of defaults) do so on the basis of interest on the actual amount of principal rather than interest upon interest.

And so to student Roger Macielowicz of Kenmore University. He has borrowed $1,000 from the N.D.S.L.P. in the past 3 academic years and has maintained normal progress, two terms a year, toward his degree. This June he received his degree from Kenmore and at the time of his graduation had a total obligation of $3,000, with not a penny of interest charges. His twin brother, Ralph Macielowicz attended the State University

during the same period and because of limitations on the amount of funds available in the N.D.S.L.P. he had to rely on the U.S.A.F. He too had a total obligation of $3,000 (in principal) on his graduation day, but note that his low-cost loan benefactors have already charged $50 in interest for 1961–62 (5 percent of $1,000), $100 in interest for 1962–63 (5 percent of $2,000) and $150 in interest for 1963–64 (5 percent of $3,000). The same amount ($3,000) has been borrowed in the same period (3 academic years) but Roger of the N.D.S.L.P. has no interest accumulated and Ralph is already $300 in the hole.

At this point I am willing to concede that it would indeed be a load off Ralph's back if he could manage to swing the whole repayment procedure within the 4-year post-graduation period provided by the U.S.A.F. Even without getting too exact about the arithmetic and assuming that he will reduce the amount of the outstanding balance ($3,300) in equal amounts during this period, he will still have substantial interest charges (5 percent of $3,300 for the first payment year, 5 percent of $2,475 for the second year, 5 percent of $1,650 for the third year, and 5 percent of $825 for the fourth year). This works out to $412.50 in additional interest charges, or a total of $712.50 from the date of the first loan in his sophomore year to that day 4 years after graduation when he receives a delightful "paid in full" notice from his banker. This repayment schedule assumes a minimum payment on principal of $825 per year, plus the interest charges, or a total of well over $70 a month, hardly a small, easy payment program for a student just out of college. And woe to the college graduate who wants to continue his program on a graduate level or who wants to take a low-paying but socially useful job, or who finds that his draft board has 2 years of Army service in mind for him. I am told that in such cases the low-cost bankers in this program are willing to defer the start of the payment period, but naturally the 5-percent interest rate goes right on adding to the total cost.

Now let us switch back to brother Roger who received his loan funds from the national defense student loan program. We already know that on his graduation date (June 1964) he still owed only the amount that he had borrowed while an undergraduate ($3,000). To keep things simple, let's assume that he does not enter service (he is 4–F—trick knee) and he does not wish to enter graduate school. He simply goes to work and lets his year of grace expire on June 1, 1965. At that point he still owes exactly $3,000 and if he is a frugal lad he may even have been able to make some payments on the principal in 1964–65 to reduce the amount on which he will actually have to pay interest.

I do not wish to load the dice so I will not make him out to be especially careful with his money. He waits until the repayment period begins in 1965–66. If he has elected the lowest cost repayment plan (there are five options available) his first annual payment on June 1, 1966 will be for $390 and this includes payment on principal as well as the interest for 1965–66. The next year it will be $381, then $372, then $363 and so on down the scale at a reduction of $9 a year until the 10th year payment is made for $309. Interestingly enough, even though poor Roger is saddled with repayments for 11 years after graduation (1 year of grace and 10 payment years) he still ends up paying a maximum of $495 in interest charges as compared to the very conservatively figured $712.50 for happy Ralph with the private enterprise U.S.A.F. Ralph also has a minimum of $825 in annual payments on principal (4 years) as compared to Roger's $300 a year for 10 years.

I have already agreed that it would be nice to be able to pay off this $3,000 debt in 4 years and if this can be managed without an impossible strain on the budget, the N.D.S.L.P. provides that the borrower may elect to pay up his loan in advance of the 10-year schedule. If he does so, he will receive a full proportionate reduction in the amount of his interest payments. To be specific, if Roger is able to pay his national defense loan off at the rate of $750 a year for 4 years following graduation, the financial aid officer of Roger's college will be delighted to have such payments since all payments on this fund go back into the participating college's account for reuse with students enrolled during the academic year when payments are made.

A quick computation reveals that in the first year Roger will pay $750. The entire amount is applied toward reduction of principal (this is the "year of grace"), the second year he pays $750 plus $67.50 in interest (3 percent on $2,250); the third year he pays $750 plus $45 interest, and the fourth year a final $750 plus $22.50 in interest. Add up these interest charges (and bear in mind that this is the equivalent in time—4 years after graduation—that is provided by the U.S.A.F. program) and we find that $0, $67.50, $45 and $22.50 add up to exactly $135. Compare this, if you will, with the absolute minimum figure of $712.50 in interest charges which U.S.A.F. Ralph Macielowicz paid during the life of his $3,000 note.

The conclusion is obvious. The Federal program is a low-cost program while the U.S.A.F. is simply a commercial banking loan program which isn't about to fold up and lose money because there is substantial backing in the U.S.A.F. to cover the small number of defaults anticipated. I will concede that the U.S.A.F. is preferable to borrowing from the local financial loan shark (get your money now, take months to pay) but it is not exactly a benevolent organization when compared to the terms offered under the N.D.S.L.P.

I can make things even more interesting, and I hope not too complicated, by going into the cancellation privileges extended to national defense loan recipients who enter the public school teaching profession at the high school level or below. Such recipients have an opportunity to cancel up to 50 percent of their total principal, at the rate of 10 percent of the principal canceled each year for up to 5 years of full time, full academic year teaching service. All interest charges during the cancellation year (both on the amount canceled and on the balance of the principal) are also canceled. It is at this point that the critics of the N.D.S.L.P.—and I have been in the college administrative end of this program long enough to know that there are many such opponents—throw up their collective hands and cry "giveaway." Certainly, the cancellation privileges do take on the color of a partial giveaway (50 percent of the loan must be repaid regardless of the length of teaching service) but an examination of the salary scales of many of our public school systems show that this program is giving it away in cases of many who have precious little to give back anyway. How, for example, would a public school teacher just starting out manage the "easy" $800 plus annual repayments of the U.S.A.F. which would be in effect if Ralph Macielowicz decided that his bent was for such service? On the other hand, if he were under the N.D.S.L.P. he would be cancelling his obligation at the rate of $300 a year and would have no interest charges to meet for the first 5 years of his teaching career. If he could manage to build up a savings account at the rate of $300 a year and thus have $1,500 ready for a single repayment at the end of his 5th and final cancellation year, he could then send that amount to his college loan officer and discharge his debt in full. He would have accomplished this objective at the manageable rate of $300 a year, without payment of any interest charges whatsoever.

I repeat, the N.D.S.L.P. does have some aspects of a giveaway, but it should be kept in mind that those who wrote this particular piece of legislation in 1958 (the student loan program is only one part of a comprehensive bill—the National Defense Education Act, an act frequently compared favorably in significance to higher education with the Land-Grant Act in the mid-19th century) intended to give encouragement to those who have limited means, who want to obtain a college education and who plan to enter teaching. I submit that the provisions of cancellation credits are certainly going to serve that purpose.

Let me now turn back to the editorial. It continues:

"The Senate Subcommittee on Education, however, is considering a bill (S. 2490) introduced by Senator VANCE HARTKE, of Indiana, that, among other things, would bring the Federal Government into the business of guaranteeing student loans. Under Senator HARTKE's bill, the Federal Government would underwrite loans of up to $2,000 a year with a maximum total of $10,000 a student. The Federal plan gives a student a year's grace after graduation, plus 10 years to repay the loan."

Unless I have missed something very significant about this bill, it is my understanding that this simply is an increase in th maximum amounts that a student may borrow under the existing 6-year-old national defense student loan program, an increase from the current limits of $1,000 per year and a total maximum of $5,000. I agree that it is debatable whether or not college costs and potential salaries (ability to repay is vital in any loan program) have risen since 1959–60 to the point where Congress should give favorable consideration to a doubling of the limits. Obviously, some increase is in order, but perhaps the 100-percent increase is going too far at this time.

This, however, is not the point. The editorial implies that this entire program ($2,000 a year, $10,000 total maximum) is an invasion of a private enterprise function already on the scene. Such, as has already been pointed out, is not the case. Incidentally, much was also made of the fact that under the U.S.A.F. student borrowers were not burying themselves in debt at the maximum annual rate. Any investigation of college figures on N.D.S.L.P. loans would reveal the same thing. By no means are all students in colleges participating in the Federal program applying for and receiving the maximum amount of $1,000 per academic year. In the first place, many are keeping their request at far more modest figures, and in the second place, each college has only a specific allotment of funds for each academic year and once these funds are exhausted, that is the end of the national defense loan activity on that campus for the year, unless additional accelerated payments arrive from students who wish to save something on their interest charges.

Much was also made of the success of the U.S.A.F. in its first years of operation in terms of the total amount of loans made. Figures given were $26,083,562 in endorsed notes. Shortly thereafter the comment is made that "if there were a demonstrable need for Federal activity in this area, we would favor it. But the experience of the U.S. student aid funds indicate that this need does not exist."

In my opinion, the preceding statement is the epitome of distortion. I believe we are entitled to ask what the $47,500,000 author-

ized for N.D.S.L.P. loans in 1959–60, $75 million in 1960–61, $82,500,000 in 1961–62, $90 million in 1962–63, and $90 million plus in 1963–64 represent? Are we to believe that all who have borrowed from this program, a minimum total of $385 million did not need such assistance? This conclusion implies a blanket condemnation of the competence of all financial aid officers, either titled or untitled, in the colleges and universities in the 50 States. I will return to the subject of the competence of college officers in administering this program, but before I do, I would like to comment briefly on the final paragraph of this editorial. It reads: "If the Federal Government moves into this area, the U.S.A.F people believe that they will not be able to compete with loans that are backed by the credit of the Government. Clearly, this is an area where private enterprise has shown its efficacy, and Federal action is unwarranted."

It is perhaps repetitious, but it still needs saying—just what is the complaint of the U.S.A.F. officials? Their growth in endorsed loans from 1961 to 1964 has been achieved at a time when the preexisting Federal program has also been growing rapidly. The growth of the U.S.A.F. has apparently not been impeded by coexistence with the N.D.S.L.P. in 1961–64. Why are we to think that this coexistence is now sounding the death knell of the U.S.A.F.? Is it perhaps that students as a group, along with their parents, are becoming more conscious of the rather significant differences in costs between the two programs and are doing their best to make sure that they exhaust the possibilities of obtaining N.D.S.L.P. funds before they turn to the U.S.A.F.? I cannot answer this question, nor do I feel that it would serve any purpose for me to attempt to do so. The point, I believe, is amply made. Both of these loan programs are serving a purpose and the complaint of the editorial that the Federal Government is moving into a field where private enterprise has "shown its efficacy" simply is not justified. The Federal Government was in this area 3 years before the U.S.A.F. began operations.

Although the editorial does not specifically say that loans under the national defense student loan program are showing a high delinquency rate (how could this point be made when there is no admission of the existence of a program prior to Senate bill 2490?) a bouquet was tossed in the direction of the U.S.A.F. in the statement "there have been very few defaults on loans under the private plan."

In this area—that of collection procedure on national defense student loans—I can speak from the experience of administering this part of the program for all graduates and nongraduates of a small liberal arts college in Maine. In the early years the total amount of loan activity on our campus was relatively small, but it has grown year by year and at this writing our total of original loan accounts comes to nearly $300,000. A substantial number of students have either graduated or completed their educational program and their accounts have moved into the collection phase. Many, of course, have had their payments deferred as a result of military service, Peace Corps service or full-time graduate study, and a number have had cancellations for teaching service, but the number of those having payments coming due, either on an annual, semiannual, quarterly, or monthly basis is growing rapidly, with big jumps occurring each June as another class graduates. Although I know that a number of colleges are having some difficulty in keeping up with their student accounts once the recipients have left college, and the college administrative officers in this program do not have the advantage of long developed and effective tracing means for those who, in banker's parlance, skip, or default on their notes, I also know that a number of colleges are maintaining an excellent record in their collection activities. Since this is a bit off the original subject of criticism of the points made in the "Where Federal Action Is Not Needed" editorial, I will not carry on with a lengthy analysis of the most effective way for a college to run a loan program. I know from experience, however, that it can be done, and it is being done. Two things seem to be involved wherever such success in loan administration is found—first, a systematic approach to all collection procedure, and second, a belief on the part of the financial aid officer involved in the fundamental honesty of the loan recipients. After all, this should come as no surprise to faithful readers of the Saturday Evening Post. It was not too long ago that we were informed that Lloyd's of London had managed to carry on a highly successful business operation for a number of years with the basic belief in the fundamental honesty of people, even though at times they may be a bit careless or even forgetful.

THE SCIENCE POLICY RESEARCH DIVISION, LIBRARY OF CONGRESS

Mr. ANDERSON. Mr. President, I should like to bring to the attention of my colleagues a development at the Library of Congress which I consider to be very significant.

Dr. L. Quincy Mumford, Librarian of Congress, has announced the appointment of Dr. Edward Wenk, Jr., as chief of a newly created Science Policy Research Division in the Legislative Reference Service. Dr. Wenk will also serve as special adviser to the Librarian in Science and Engineering.

The Science Policy Research Division has been created by adding four new positions, made possible by the recent Legislative Appropriations Act, to two previously available positions.

This new division will have an important effect on the efforts by the Members and committees of Congress to obtain better advice on scientific and technical matters. Many legislators, myself included, have become increasingly concerned in the last few years about the vastly increased sums of money being spent by the Federal Government in the area of research and development. Many of my colleagues have expressed apprehension corcerning these large expenditures, which at present come to about 15 percent of the entire Federal budget, and also concerning what they feel to be inadequate or insufficient sources of independent information upon which to make intelligent evaluations of budget requests. Consequently, both in the Senate and in the House there have been a number of proposals, to find better means for handling these problems. I shall not discuss these proposals today, since I have previously done so.

My good friend, the senior Senator from Missouri [Mr. SYMINGTON], was kind enough to have printed in the RECORD, last December 3, a speech entitled, "Congress and the Endless Frontier", that I made on November 20, 1963, before the annual conference of the Atomic Industrial Forum, in New York City. A slightly revised version, entitled "Scientific Advice for Congress," also was published in the April 3, 1964, issue of Science Magazine. I ask unanimous consent that the six recommendations I made, be printed in the RECORD.

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

STATEMENT BY SENATOR ANDERSON

1. We should strengthen the staffing of all committees which deal with science.

2. These committees should make intelligent use of ad hoc groups to give counsel on technical problems.

3. There should be an easier flow of information among the congressional committees themselves so that Congress avoids needless duplication in repetitious hearings and overburdening of witnesses.

4. Representatives of the executive agencies should improve their method of presentation to congressional committees. In discussing purely scientific problems, there is no coloration of executive or legislative science. It is science for the Nation as a whole. There are a limited number of people available with the broad knowledge necessary to give Congress advice on purely scientific questions. Although the Office of Science and Technology is an arm of the President, it would be most helpful if its staff could testify fully and adequately before congressional committees. The separation of legislative and executive powers in this regard can be carried to an extent that does damage to programs in which both branches have a mutual interest.

5. The channels for gathering information through the Legislative Reference Service of the Library of Congress should be expanded, and greater use should be made of such existing organizations as the National Academy of Sciences-National Research Council and the National Science Foundation.

6. Congress should receive an annual report on the state of science and technology. Each year we receive from the President a message on the state of the Union, a budget message, and various other reports. The President transmits to us through the National Aeronautics and Space Council a report on the year-long activities in space and aeronautics. Perhaps the National Academy of Sciences, through its various committees, could prepare a report by itself or in association with others such as the Office of Science and Technology. The report would briefly discuss the major programs in science and technology and would set forth what problems might be on the horizon which would require congressional attention. Separately, but more effectively, in conjunction with the National Academy, the National Society of Professional Engineers might report on the state of engineering since engineering is such a large part of Government research and development programs.

Mr. ANDERSON. I was happy to see a report released just 3 weeks ago by Representative EMILIO Q. DADDARIO, chairman of the Subcommittee on Science, Research, and Development of the House of Representatives Committee on Science and Astronautics. The conclusions set forth in the report are virtually identical to the recommendations I have just listed.

I believe that if it is properly utilized, the newly created division in the Library will go a long way toward implementing my fifth recommendation. Furthermore, it is my understanding that the staff of this new division will be expanded

to a total of 10 positions next year. While this may not be enough to meet all the needs of Congress, I believe it is an excellent beginning. There is a very good possibility that the new division can work with groups such as the National Academy of Science, to provide additional talent on an ad hoc basis.

I also wish to add a word of praise of Dr. Wenk. The Committee on Aeronautical and Space Sciences, of which I am chairman, has had a long and mutually beneficial association with Dr. Wenk ever since his arrival at the Library in the fall of 1959. Some of the most important and widely read staff studies published by this committee were prepared under Dr. Wenk's direction in the period 1959–61. His subsequent experience, in the executive branch, with the President's Science Advisory Committee and the Office of Science and Technology makes him uniquely qualified for this important new Library position. I have every confidence that, under Dr. Wenk's knowledgeable guidance, Congress will receive an improved level of advice on matters of scientific and technical policy.

I ask unanimous consent that the Library release on this matter be printed in the RECORD.

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

EDWARD WENK, JR. TO HEAD NEW SCIENCE POLICY RESEARCH STAFF IN LEGISLATIVE REFERENCE SERVICE AT LIBRARY OF CONGRESS

Librarian of Congress L. Quincy Mumford has appointed Edward Wenk, Jr., to be Chief of a newly created Science Policy Research Division in the Legislative Reference Service at the Library of Congress and to serve as special adviser to the Librarian in science and engineering, effective September 28.

Dr. Wenk, a former Library of Congress staff member, is presently technical assistant to the Director of the Office of Science and Technology in the Executive Office of the President. He has also been serving as executive secretary of the Federal Council for Science and Technology.

In his new post, Dr. Wenk will serve in the Legislative Reference Service as a congressional consultant in scientific and technological developments that affect public policy, and he will also serve the Library as a whole, in his capacity as special adviser to the Librarian and as coordinator of science information services furnished to the Congress.

The Legislative Reference Service, one of six departments in the Library, is specifically charged with providing nonpartisan information bearing on legislation and with advising and assisting in the analysis and evaluation of legislative proposals, upon request from Members or committees of Congress. Until now, it has had two positions specifically assigned to science and technology, in addition to a number of specialists in various related fields. Research assistance to the Congress is also provided by another department of the Library—the Reference Department, which has a Science and Technology Division and a National Referral Center for Science and Technology.

The growing need of the Congress for increased research and consultative assistance in these fields, however, has led to the present strengthening of such service with the creation of the Science Policy Research Division and the appointment of Dr. Wenk in a dual capacity. Four new positions authorized by Congress in the recent Legislative Appropriations Act and two existing posts will be incorporated in the new division. Other specialists in both the Legislative Reference Service and the Reference Department will continue to serve as sources of scientific information and will work closely with the new division.

Dr. Wenk served in the Library's Legislative Reference Service from 1959 to 1961 as senior specialist in science and technology. He resigned in 1961 to join the White House staff as assistant to the President's Science Adviser and moved to the President's Office of Science and Technology when it was established in 1962. In addition to serving also as the Federal Council's executive officer, he served as staff specialist in scientific manpower, long-range planning, and oceanography.

A graduate of the Johns Hopkins University, where he received a bachelor of engineering degree in civil engineering in 1940, Dr. Wenk holds a master of science degree in applied mechanics from Harvard University (1947) and a doctor of engineering degree in civil engineering from Johns Hopkins (1950). He served in the U.S. Navy during World War II and was the recipient of a Navy Civilian Meritorious Service Award. From 1942 to 1956 he was a naval research scientist and research administrator for the David Taylor Model Basin in Washington, and from 1956 until his first appointment to the Library of Congress in 1959 he was chairman of the Department of Engineering Mechanics at the Southwest Research Institute in San Antonio, Tex. Theoretical and experimental research which he undertook during this period laid the groundwork for strength design of modern submarines and for development of deeper diving submarines.

Dr. Wenk has been a special lecturer at the University of Maryland, Harvard University, Massachusetts Institute of Technology, Virginia Polytechnic Institute, Purdue University, Yale University, and the University of Texas. He is the author of a large number of professional articles and government reports in the fields of engineering and science and public policy, holds several patents in the field of experimental stress analysis, and was the originator of concepts for deep-running submarines reflected in the design of the submarine *Aluminaut*. He has served as national president of the Society for Experimental Stress Analysis, as reviewing editor of the journal Experimental Mechanics, as a member of the executive committee of the American Society of Civil Engineers' Engineering Mechanics Division, and as reviewing editor of Engineering Mechanics Journal. A member of the honor societies Tau Beta Pi, Sigma Xi, and Chi Epsilon, he is also a member of the American Society of Mechanical Engineers, the American Association for the Advancement of Science, and the National Society of Professional Engineers. He is a registered professional engineer.

Dr. Wenk is married and has three sons. His home is in Garrett Park, Md.

TELEVISED PRESIDENTIAL CANDIDATE DEBATE

Mr. LONG of Missouri. Mr. President, in the current season of political debate we shall hear arguments of political principle and policy at many levels of government. Regardless of the outcome of this fall's election, we may be certain that the major issues involved will receive the searching attention of both candidates and commentators.

One suggested form of debate has been that of the contenders for the Presidency itself. A public confrontation between the candidates of the major political parties has been widely proposed. Just as widely discussed has been the wisdom of staging such a debate. In an age when a remark by the American President may make headlines not only in U.S. newspapers, but in foreign capitals as well, should the President take the risk of an unfortunate remark in a publicly televised debate?

One of the major metropolitan newspapers of my State recently focused its editorial attention on this question with excellent results. Mr. President, I ask unanimous consent that there be printed in the RECORD an editorial from the Kansas City Star concerning the possibility of a televised presidential candidate debate.

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

THE DEBATE THAT WON'T—AND SHOULDN'T—BE

The Senate vote that ended any possibility of a televised presidential candidate debate was, we believe, in the national interest. But the Senators should have been spared the nasty little task of making such a party-line decision. It seems to us that President Johnson himself ought to have ended the matter forthrightly with an emphatic no to the Republican candidate.

The Presidency is too big an office—and its responsibilities are too grave—for the incumbent to debate anyone at home or abroad. It is a flat rule to which, as we see it, there should be no exceptions.

It is in the nature of our political system that the occupant of the White House, at all times, wears three hats.

He is world leader.

He is national leader—and of all the people even during a campaign.

He is party leader.

It would be impossible for any President to separate these three fuctions simply for the purposes of a television confrontation with his opponent who would wear but one hat—party leader. It is not that we oppose political debate, on or off television. At other levels, the more the better. In every instance, it is a political decision for the candidate to make. To debate or not to debate, that is the question. Each man has to provide his own answer.

But if that man happens also to be the President of the United States, we see only one safe answer. Should he respond to the challenge, he would, on camera and live, be subjected to shotgun questions and for appearance's sake would be forced, in many cases, to give shotgun answers. We shudder to think of the possible worldwide repercussions in the wake of such a confrontation. Any man, in the heat of argument, can misspeak himself or offer a snap judgment. If that man happens to be the President of the United States, the reaction at home and abroad could be frightening.

Probably the best known political debates in history were between Abraham Lincoln and Stephen A. Douglas. But they were candidates for the Senate, not for the White House.

Four years ago, Candidate John F. Kennedy and Candidate Richard M. Nixon tangled on all networks. We were rather dubious about that one, too, and only because Nixon happened also to be the Vice President. Politically, it turned out to be a blunder for Nixon of major proportions, but that is another matter. At any rate, there was some risk in the spectacle of the Vice President—a member of the National Security Council, for example, and close to top-level decisionmaking—thus subjected to the public pressure tank of the debates.

It is of some significance we suggest, that Senator BARRY GOLDWATER himself was critical of Vice President Nixon for taking on Senator Kennedy 4 years ago. The Senator is singing a different tune today, with his repeated challenges to Lyndon Johnson. Four years ago he branded the Nixon acceptance as foolish.

From the political point of view, it was. As Vice President and candidate, Nixon had everything to lose and nothing to gain. It is, after all, an axiom of the game of political debates that the challenger has every advantage over the man in office. The latter of necessity is constantly on the defensive.

More recently—and very properly, from a political point of view—Senator GOLDWATER refused to debate Gov. William Scranton, of Pennsylvania, in the closing days of the battle for the Republican nomination. The Senator, so obviously the front-runner, would have been foolish to have given the challenger any opportunity to gain ground.

The Arizonan's decision was a political decision and a correct one, as we see it. Here we are not concerned with the political strategy but rather with the national interest which could suffer should a President take on any challenge in rough-and-tumble debate. One ill-advised remark by the Chief Executive in such a situation could be heard around the world.

The President of the United States, as candidate or as President, has no business debating anyone. We wish Lyndon Johnson had said that but he didn't. So what Congress did was proper and necessary. We are glad that it was done and if there is the impression that L.B.J. was getting Congress to front for him, that is unfortunate. At least the decision has been made—and a very correct decision it was.

FARM PARITY DOWN TO 74 PERCENT

Mr. MUNDT. Mr. President, this morning throughout rural America, farmers are receiving from the Department of Agriculture the bad news that parity ratio has once again dropped to 74 percent. The report entitled "Agriculture Prices," released yesterday afternoon, brings the farmers the unhappy news that parity is now 4 percent below that of August 1963.

The report states that prices for motor vehicles and farm machinery were higher than in August, 1963; and the index of prices paid by farmers, including interest, taxes, and farm wage rates, rose 1 point during the month. With the prices the farmer paid averaging slightly higher and the farm product prices being lower, the combination has moved the parity ratio down—I repeat, down—to 74 percent.

Mr. President, the farmers of America are caught in a price-cost squeeze not of their own making. At a time when the farmers' parity is at this unconsciously low level, we find the most powerful labor union in the country, the United Auto Workers, led by Walter Reuther, negotiating for higher wages and higher and higher fringe benefits for union members—which, translated to farmers' parity, means higher prices paid and ever decreasing parity ratios for our farmers.

It is time for the administration to focus its attention on the overall economy of our great Nation, and to take the necessary action to bring all segments of the economy into balance, so that agriculture does not remain the whipping boy for the other segments. If the administration will not take action or does not want to take action, for reasons known only to itself, to stop the slide into poverty by the farmers of America, then it is incumbent on Congress to assume the responsibility and to do that which the administration seemingly will not do; namely, strengthen the economy of our farmers.

Just on the basis of the crops produced in my own State of South Dakota, we find the report issued yesterday by the Department of Agriculture most discouraging. It shows that prices for farm products in South Dakota are at parity ratios which are disastrously low, and this comes after 4 years of exhortations that the farmer would not be forgotten. For August 1964, the prices received for the following crops and their respective parity ratios are:

	Percent
Wheat	53
Corn	72
Barley	71
Flaxseed	71
Oats	69
Rye	71
Sorghum	75
Soybeans	78
Beef cattle	74
Calves	69
Chickens	62
Eggs	75
Hogs	72
Lambs	83
Sheep	70
Turkeys	64

These are discouraging figures for the farmers of South Dakota, Mr. President. Farmers need action, not discussion. Without action, their numbers will grow increasingly smaller and their economic status will become increasingly worse.

Mr. President, to demonstrate how steadily and seriously the farm situation in this country is deteriorating, let me call your attention to the following table of farm parity ratios during the past 4 years, including the month of August 1964:

Farm parity ratio (December 1960: 81)

	1961	1962	1963	1964
January	80	80	78	78
February	81	80	78	77
March	80	80	77	77
April	80	79	78	75
May	78	79	77	75
June	78	78	77	74
July	78	79	79	75
August	80	80	78	74
September	80	81	77	------
October	80	80	77	------
November	79	79	77	------
December	79	79	76	------
Annual average	80	79	77	------

Turning now to the yearly averages of our farm parity ratios, and taking June of each year as the testing point, I call attention, by means of the following table, to the fact we started with a farm parity ratio of 88 percent in the first full Republican year, on June 1, 1954; and I call attention to the steady decline under the present policies of our Department of Agriculture under Secretary Freeman:

Parity ratios of past decade

June 1954	88
June 1955	85
June 1956	85
June 1957	81
June 1958	85
June 1959	81
June 1960	78
June 1961	78
June 1962	78
June 1963	77
June 1964	74

Mr. President, there is only one way in which one can judge and compare the effectiveness of Presidential administrations in helping the American farmer: That is by the results they achieve. Politicians may get elected by means of big promises; but promises are of no value to the farmers of America, who thrive or fail on the basis of practical results, not political promises.

Consequently, for the farmer who realizes that he and his family cannot succeed by trying to harvest a political promise, but that they must depend upon the dividends they receive from the actual farm programs and the attitudes projected by a Presidential administration in Washington, the record of the past 4 years is discouraging and disillusioning, indeed. Parity ratios are now at the all-time low of 74 percent, the lowest they have been since the dark days of 1934, according to Wayne Darrow's Washington Farm Letter. Beef, pork, and mutton are caught in a price vice, with prices kept down by the continued importation of red meats. Even the Commodity Credit Corporation has gone into competition with our farmers, by selling its surplus commodities in the marketplace at prices which drive down the price farmers would otherwise receive.

During the Eisenhower era of 8 years, farmers received prices which averaged 84 percent of parity. Under the Kennedy-Johnson-Freeman administration, prices received by farmers have averaged 76 percent of parity. That, Mr. President tells its own sad and serious story. Under this Democratic administration farmers have received prices averaging 8 percent less than those they received under the 8 years of the Republican administration. The farmer must find his answer at the polling place; and a Republican vote in November has become the farmer's best bet to increase his income and his opportunity.

Mr. President, in my South Dakota newsletter for today, I discuss this continual decline in parity ratios since 1960 and the effect it is having on dollar income in South Dakota. My report to my constituents bears out the August 31 report of the Department of Agriculture; and I request that it be printed in the RECORD as a part of my remarks.

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

FOR A FAIR CHANCE FOR A FREE PEOPLE

(Report from KARL MUNDT, Senator from South Dakota)

It shows in dollars, too. This summer, farm parity hit a 25-year low when it dropped

to 74 percent. The parity ratio is the relationship between what the farmer pays for goods and services and what he receives for his products. A ratio of 100 percent means farmers are receiving equitable prices for their products in fair proportion to their costs of operation. The parity ratio has been steadily dropping since the decade of the 1950's when it ranged from 81 to 92 percent. While it is not yet possible to demonstrate on a State basis the impact of the new low in parity hit this summer, 1963 figures have been published by the Department of Agriculture. In 1963, the parity average was 78 percent. The 1963 price and cost figures, therefore, can give some indication of what effect the drop to a 74-percent low will have on farm operations this year.

Realized net farm income (the take-home pay for the farmer) was $204,400,000 in 1963. This marks a drop of $1,700,000 from the 1960 total of $206.1 million. Incidentally, the $204.4 million total realized net farm income in 1963 is $75.4 million less than the 1958 total of $279.8 million, the highest total achieved in the past 15 years. What's happened to farm income during these years in which supply-management was supposed to provide all the answers for agriculture? After all, didn't USDA in 1963 provide a record amount ($60.1 million) in Government payments to our South Dakota farmers, an increase of $31.2 million over 1960? Cash receipts were up, too, some $54.7 million over 1960 and realized gross farm income was up $88 million over 1960. The pitfall comes in the operating expenses for our farmers—the decrease in parity values.

It cost South Dakota farmers $548,600,000 to operate their farms in 1963, an increase of $89,700,000 over 1960 which more than wiped out the gain in gross farm income. Inflation, caused by deficit spending policies which shot our national debt well beyond the $300 billion mark, certainly has been a major factor in increasing costs, and as a result Government fiscal irresponsibility nullified the gains which supposedly were to accrue through other Government actions. For the farmer, 1963 and 1964 are becoming the years when the inflation chickens are coming home to roost. For in this administration's attempt, through excessive spending, to provide something for everyone, the farmer realizes, as he looks at his income report, that such policies end up without anything for anybody.

OBJECTIVES ARE RIGHT BUT THE WEAPONS WRONG IN POVERTY WAR

Administration discussion of the economy is proving to be puzzling to American citizens. In one breath, we are told the United States of America is enjoying great prosperity. In the next breath, however, we hear that more than 30 million persons live under such abject conditions that a war on poverty must be launched. Somewhere between these two extremes can be found the truth.

No one favors poverty. Why, then, opposition which found 34 Senators, including this one, voting against the $947,500,000 Economic Opportunity Act? It was conceived, sent to Congress and passed in such haste that it may be months before its full impact, both good and bad, is truly understood and felt. It has all the earmarks of being politically inspired precampaign legislation.

Another power packed office has been established in the creation of a Federal poverty czar with absolute authority to use public funds in a multitude of ways. Existing program efforts and State and local governments stand to be bypassed. Duplication of purpose and waste of effort are virtually certain to occur. How can one be so certain there will be waste and duplication? One merely has to check through the General Accounting Office reports of other hurryup programs of the past to learn the sorry prospects.

THE 25TH ANNIVERSARY OF THE INVASION OF POLAND BY GERMANY

Mr. WILLIAMS of Delaware. Mr. President, a quarter of a century ago today, the armies of Nazi Germany smashed across the Polish border and ignited a conflagration which was soon to engulf all of Europe and then most of the world. September 1, 1939, will no doubt be regarded by history as one of the blackest days in the long story of man's inhumanity to man.

For this day 25 years ago not only marked the brutal invasion of the peaceful Polish Nation by far superior and vastly stronger armies of neighboring Germany, but it also focused world attention on the cynically brutal and callous contempt which the dictatorships of both Nazi Germany and Soviet Russia had for the forces of decency. It must never be forgotten that the Nazi onslaught against virtually defenseless Poland was made possible, if not actually brought about, by the Nazi-Soviet treaty which had as its goal the dismemberment of Poland.

The Polish people fought valiantly against the overwhelming odds of the onrushing invaders from the west. On the 17th day of September, after half a month of struggle with the advancing Nazis, Poland was stabbed by the Soviet armies unleashed from the east. Despite the prompt assistance of her European neighbors, the entrapped Poles were unable to continue for long. The resistance lasted for 35 days, and then Poland was crushed.

Victims of two brutal dictatorships which sought to destroy their nation, the valiant Poles continued their struggle for freedom wherever the call to battle led them. But these first targets of the aggression which ushered in the Second World War were destined to be denied their freedom even after that war was won. The victims of aggression, they were no less the victims of a postwar appeasement which had its birth in the failure of the free world to recognize the deceit which would form the foundation of any postwar agreements with the Soviet Union.

We in the United States owe much to the courage of the patriots of Poland, both those who resisted Nazi and Communist aggression 25 years ago and those who continue to keep alive in the hearts of the Polish people the burning desire for the liberty and freedom which will one day be theirs again.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. A bill, H.R. 11380, to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be temporarily laid aside and the Senate will proceed with the bill (H.R. 11865), the social security amendments of 1964.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the rule of germaneness be waived, in order that I may speak on a nongermane subject.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield, without losing his right to the floor?

Mr. WILLIAMS of Delaware. I yield.

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

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

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 556 Leg.]

Aiken	Ervin	Pastore
Anderson	Fulbright	Pell
Bartlett	Gore	Prouty
Bayh	Holland	Proxmire
Beall	Hruska	Ribicoff
Boggs	Jordan, N.C.	Salinger
Brewster	Jordan, Idaho	Simpson
Burdick	Long, Mo.	Smathers
Carlson	Long, La.	Symington
Case	Mansfield	Walters
Clark	Mechem	Williams, Del.
Cotton	Metcalf	Yarborough
Dirksen	Morse	Young, Ohio
Dominick	Morton	Young, N. Dak.
Douglas	Nelson	

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alabama [Mr. HILL], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Washington [Mr. MAGNUSON] are absent because of illness.

I further announce that the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Washington [Mr. JACKSON], and the Senator from Utah [Mr. Moss] are necessarily absent.

I also announce that the Senator from Indiana [Mr. HARTKE] is absent because of a death in the family.

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from Iowa [Mr. MILLER], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER (Mr. WALTERS in the chair). A quorum is not present.

Mr. PROXMIRE. Mr. President, I move that the Sergeant at Arms be di-

rected to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BENNETT, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. CHURCH, Mr. COOPER, Mr. CURTIS, Mr. DODD, Mr. EASTLAND, Mr. ELLENDER, Mr. FONG, Mr. GRUENING, Mr. HART, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HUMPHREY, Mr. INOUYE, Mr. JOHNSTON, Mr. KUCHEL, Mr. LAUSCHE, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCNAMARA, Mr. MONRONEY, Mr. MUNDT, Mr. MUSKIE, Mrs. NEUBERGER, Mr. PEARSON, Mr. RANDOLPH, Mr. RUSSELL, Mrs. SMITH, Mr. SPARKMAN, Mr. STENNIS, Mr. THURMOND, and Mr. WILLIAMS of New Jersey entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present. The Senator from Delaware [Mr. WILLIAMS] is recognized.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may yield to the Senator from Ohio [Mr. YOUNG] for a few minutes, without losing my right to the floor.

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

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the rule of germaneness be waived.

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

OUR WATER RESOURCES SHOULD BE FULLY DEVELOPED

Mr. YOUNG of Ohio. Mr. President, the full development and wise use of the Nation's water resources is one of the most challenging and important problems confronting the American people. As a member of the Senate Committee on Public Works and as a Senator from Ohio with its rich natural endowment of water resources from Lake Erie to the Ohio River, this is a subject to which I have given most serious study and thought.

Our needs for water are expanding at an accelerated rate. Competent experts estimate that in only 20 years we shall be running out of water unless we intensify our endeavors for conservation. Lack of water is already a limiting factor in the growth and development of many American communities. It is imperative that our storage reservoir capacity in Ohio and in the Nation be greatly expanded by early completion of projects which are economically justified.

Although commendable progress has been made in recent years in improving our flood control facilities, we must also rapidly accelerate our flood control program. In Ohio 20 flood control reservoirs are in operation, together with seven local protection projects, which have combined to prevent more than $300 million in flood damages since their completion—a remarkable return on the public investment of $131 million in these facilities.

Progress in the past 3 years has been particularly encouraging. For fiscal year 1965 funds have been provided for the commencement of construction of three important reservoirs in Ohio and for continuation of advance engineering and design work on five more reservoirs. The importance of these projects, for which initial construction funds have been provided, is indicated by the fact that had Big Darby, Buck Creek and Deer Creek Reservoirs been in operation last spring, $2¾ million in flood damages would have been prevented. The Caesar Creek and East Fork Reservoir projects in the Little Miami Basin now in the planning stage, would have prevented almost $4 million in damages in the recent flood alone.

However, much remains to be done. Construction work should begin at the earliest possible moment on the Salt Creek, Alum Creek, Paint Creek, and Mill Creek Reservoirs and on the north branch of the Kokosing River, the Caesar Creek, and the East Fork Reservoirs, as well as on the local protection projects for Youngstown, Chillicothe, and Fremont. In my judgment, all of these projects, as elements in the Corps of Engineers' comprehensive flood control programs, are Federal responsibilities and should be constructed by the corps without undue burdens on the local communities. On numerous occasions, I have strongly urged officials of this administration and the previous one to expedite Federal action on these vitally important flood control projects. For the country as a whole a great task challenges us to action since few areas are adequately protected against recurrent and destructive floods such as the recent tragic flood that caused so much damage and human misery to the residents of the Ohio River Valley.

Encouraging progress has been made in recent years in the improvement of our rivers and harbors for navigation. Major work is underway to deepen and modernize the harbors at Cleveland, Conneaut, and Lorain. Other improvements in our Great Lakes harbors to provide greater depth needed to handle ocean traffic moving through the St. Lawrence Seaway have been completed or are underway.

The modernization of the Ohio River, now in progress, is one of the most significant public improvements of our time. This program will replace 46 obsolete and inadequate locks and dams with 19 modern structures. Three of the new facilities are completed; three more will be finished in 1965. Five more are under construction or will be soon started. Of these 11 new locks and dams, 5 have been funded for construction starts since 1961. Two additional replacement projects—Hannibal and Willow Island—should be funded for construction starts in fiscal 1966.

This program will greatly expand the capacity of the Ohio River to handle rapidly increasing traffic volumes. It will reduce the cost and improve the efficiency of transportation of bulk commodities and fuels vital to the production of electric power, steel, aluminum, chemicals, petroleum products, and many others. It will stimulate industrial expansion, increase job opportunities, and reduce the costs of fuels, food, and household appliances to millions of people of my State who live in this region. It is a national program of the highest priority and should be speeded to completion.

Since 1950, the prospects of river modernization and the urgent need for reduced transportation costs and increased supplies of processing water have resulted in the investment of more than $18 billion in new and expanded plant facilities in the counties bordering the Ohio River and its navigable tributaries. In the State of Ohio alone, this investment in the river counties has amounted to some $3.5 billion. This pattern is typical of the entire country. Everywhere low-cost water transportation and ample water supply attract industry and provide hundreds of thousands of new jobs and added opportunities for our people. Also, for their recreation, contentment, and happiness. Since 1952, more than 5,000 new plants have been built at inland waterway locations.

Low-cost water transportation and the national policies which make it possible have been fully justified by experience. We must continue as we have done since the earliest days of the Republic, when the Northwest Ordinance of 1787 was adopted, and the first settlers floated down the Ohio River to improve and maintain our lakes and rivers, harbors, bays, and sounds as common highways forever free to all our people without tolls or taxes or any imposition on their use. As Andrew Jackson said long ago:

> All improvements effected by the general funds of the Nation for general use should be open to the enjoyment of all our fellow citizens, exempt from the payment of tolls or any imposition of that character.

A reversal of that policy pursued without significant interruption since the earliest days of our national life, through the imposition of tolls or user taxes, would discourage waterway use and waste priceless public assets. Imposing such regressive taxes should not even be considered. It would severely dislocate established competitive and community relationships and discourage economic growth, inflicting serious hardships on communities in depressed areas whose future prospects depend directly on full development of their water resources. The use of the waterways of our States and the Nation should always be available and free for all our citizens.

Mr. President, excise or sales taxes are discriminatory. They are regressive and violate every sound principle of just taxation. Taxes should be levied, based on ability to pay. I have always opposed the continuation of obnoxious wartime excise taxes on telephone service, air travel, leather goods, inexpensive jewelry, and other wartime fiscal relics. It would be unconscionable to consider imposing a discriminatory excise tax or any sort of tariff, or tax, on the use of our

waterways. To do so would be contrary to the public interest, against the public welfare, and would hamper our economy. It would mean the loss of their jobs for hundreds of thousands of worthy and industrious men and women and economic depression for many areas of the Nation.

Mr. President, I pledge my full support to a program of accelerated water resource development in accordance with sound principles of efficiency and economy for flood control, water supply, pollution abatement, navigation, recreation, fish and wildlife enhancement, and other beneficial public purposes. Let us expedite, not hamper, the use of our lakes, rivers, and all waterways by our people whether engaged in business or using these waterways for recreation and pleasure.

Ohio bordering on two of the greatest natural inland waterway systems in the world is richly endowed with water resources. Every interest of our State and Nation counsels their development and wise use. I further pledge my full support of our traditional American free waterways policy, as an effective instrument for achieving more rapid economic growth with associated improvement in employment and greater freedom of economic opportunity and recreation for all Americans.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may yield to the Senator from Colorado without losing my right to the floor.

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

RIOTS AND LAWLESSNESS

Mr. DOMINICK. Mr. President, on August 6 of this year my distinguished colleague from Colorado [Mr. ALLOTT] made an eloquent speech on the floor of the Senate condemning lawlessness, which is evident throughout the country.

From reading the newspapers this morning, it seems that the situation is as bad as or worse than it was before.

In the course of his speech, my colleague pointed out the difficult job the police have in trying to restrain rioters and prevent demonstrators from looting stores and harming people.

In connection with this subject, I saw a picture in the newspaper showing a man down on the street with policemen around him, the caption of the picture indicating that the police were thoroughly enjoying beating him up. However, there was nothing to indicate what the man had done to begin with, or anything to give an explanation for the picture itself.

Following the speech my colleague delivered on the floor of the Senate, the Police and Fire Committee of Denver, Colo., went into the subject at some length, and adopted a resolution extending well deserved honor and appreciation to my colleague for his recognition of the problems which policemen and firemen have in trying to handle this kind of demonstrations.

It is not only a pleasure but a privilege for me to ask unanimous consent to have printed in the RECORD at this point the resolution honoring my distinguished colleague.

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

RESOLUTION OF THE POLICE AND FIRE COMMITTEE, DENVER, COLO.

Whereas there is becoming increasingly evident in various sections of this great Nation of ours an ill-concealed campaign to sneer at law and order and to belittle the efforts of those charged with preservation of our everyday freedoms; and

Whereas there appears among several of our citizens, a substantial number of whom are undoubtedly well-meaning, an inexplicable tendency to coddle delinquents—both young and old—while casting aspersions upon those whose duty it is to preserve safety and protect all good citizens from dangerous threats and onslaughts of hoodlums and similar lawbreakers; and

Whereas Colorado's senior U.S. Senator, the Honorable GORDON ALLOTT, had the desire and courage to stand upon the floor of the U.S. Senate and have read into the CONGRESSIONAL RECORD of August 6, 1964, a deserved defense of those who daily risk their lives not in some faraway land, but right here in the United States of America, in defense of our God-given liberty and the law; and

Whereas the Honorable GORDON ALLOTT caused to be published in the CONGRESSIONAL RECORD a Denver Post article in which Bob Wheatley emphasized in "A Case for Policemen" that: "For our money, it takes guts to wade into a riot and attempt to break it up while bottles and rocks are raining down on you from rooftops. And it takes more than guts—it takes patience and understanding—to successfully keep the peace in the first place. We think the Denver Police Department has been doing a pretty fair job of just that"; and

Whereas the CONGRESSIONAL RECORD published an editorial from the Orlando (Fla.) Evening Star commending the senior Senator from Colorado, who looking at the increasing lawlessness in this country, said: "Let us start weeping for the innocent instead of the guilty * * *. It is about time for the average American citizen to begin to realize that the laws and the police are to protect us against the lawless, and that they are not a whipping post for every crackpot who happens to get a few ideas about the protection of the people"; and

Whereas, the senior Senator from our great State of Colorado emphasized that "it is time for the people of this country to realize that it is not for the law enforcement officials, district attorney, or the courts alone to carry the responsibility for peace, law and order. If our individual citizens do not accept their share of the responsibility for law and order in this country, our Constitution and all of our pretentions before the eyes of the world are completely meaningless"; and

Whereas Senator ALLOTT courageously wrote into the RECORD that "it is time we started supporting our police officers. If we do not support them, if they do not have our confidence, if they do not know that the people are behind them in their efforts to sustain the law, what is left between us and anarchy?* * * What does a policeman do? He is confronted by people with switchblade knives. He is confronted by people with Molotov cocktails that can burn him to the extent that he is in danger of losing his life. He is confronted by a broken bottle which can kill him, or if he is lucky, be disfigured for the rest of his life so he will hardly be recognizable. He is confronted by mobs with chains and clubs with barbed wire wrapped around them. The policeman, whose duty it is to enforce the law, by some is expected to stand up and face a crowd like that and docilely lay his hand on somebody and say, "I arrest you." It does not make any commonsense. The sooner the people stop weeping for the bums and crooks and hoodlums who are rampaging on our streets and start looking upon their law enforcement officers as the people who stand between them and anarchy on our streets, the better off our country will be": Therefore, be it

Resolved, That we the members of the Policemen's Protective Association of Denver, Colo., unanimously go on record as expressing the heartfelt thanks of ourselves and our families to the Honorable GORDON ALLOTT, of Colorado, for the dynamic emphasis he placed upon the patriotic obligation of every good citizen to cooperate with those whose duty it is to preserve a free society by enforcing the law against the senseless aggressions of hoodlums and all other criminals. We who have dedicated our lives to the dangerous task of society's protection ask no sympathy for ourselves. The task is ours by choice. We fully know all of its hazards and dangers. So do our loved ones. All that we ask is the understanding and cooperation of all good citizens, such as that espoused by the Honorable GORDON ALLOTT who shall ever have our appreciation for his generous support. And we bespeak similar appreciation of our fellow officers everywhere.

Given under our hand this 28th day of August, A.D. 1964, in the city and county of Denver and the State of Colorado.

EUGENE J. CAVELLO,
President,
AUSTIN J. GIBBONS,
Legislative Representative,
The Policemen's Protective Association.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may yield to the Senator from Montana without losing my right to the floor.

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

INCREASED DEMAND FOR FREE GOVERNMENT LAND THROUGH UNSCRUPULOUS ADVERTISING

Mr. METCALF. Mr. President, unscrupulous advertising has increased the demand for free Government land to proportions equaled only by the great public-land rush in Oklahoma in the 1890's.

Playing on man's ageless quest for free land, while appearing to be official agencies of the Federal Government, land information offices have been announcing the opening of vast, fertile acres of public land at low, giveaway prices, or free. A rash of classified advertisements have appeared in newspapers and magazines across the country. The ads look official, because the words "United States," "Federal," or "public" are added to the company name, to lend a Government aura.

But these ads make fraudulent claims; and they are swindling the American public of small sums of money per victim, that total up to large sums.

The advertisers pretend that vast acres of Government land have just been opened to homesteading, not only in the West, but also in such States as Florida. They proclaim that land can be obtained almost for the asking, if you know whom to ask, where to ask, and what to ask

for. For a small fee, they offer to provide this vital information.

Unknown thousands of people have responded with dollars and dreams, many confident they were dealing with a Federal agency.

But the ads are false and fraudulent. At the very least, people are misinformed. In some cases they do not even get replies for their cash.

But the advertising continues; and it may be spreading. Based on complaints I have received, it seems that the material being sent is often out of date, or simply false. Sometimes a reply will ask for more money for additional detailed maps, or some such thing. Sometimes there is no reply. In any case, all of the vital information about public lands can be obtained free of charge on request from the Bureau of Land Management, here in Washington.

Mr. President, many of my constituents ask what is being done to stop this false, deceptive operation. The Post Office Department advises me that the activities of several of these operations are being given close attention by a postal inspector, with a view to determining whether the postal fraud statute is being violated. But the Post Office Department has no authority to cause refunds or adjustments to be made between patrons of the postal service; so once these advertisers get the public's money, they keep it.

Legally, the company name can resemble the name of governmental agencies. Although reputable firms with such similarity in nomenclature make careful distinctions between their operations and those of the Government, they are under no legal obligation to do so.

Legally, anyone can reprint Government publications without giving credit to the original source. So these companies can obtain free information from the Bureau of Land Management, and then can reprint and sell it to the public. To save time, however, some companies merely make up the information, or send none at all.

The Bureau of Land Management is attempting to make the public more fully aware of today's public land situation; and this knowledge will go a long way toward halting the activities of such land companies that are advertising falsely and, incidentally, are giving legitimate title and land locators a black name.

The hopes and aspirations of thousands of Americans have been dealt harsh blows by these operators. Not only has the public been gyped, but the Federal Government has been given a bad name. The Post Office Department, the Interior Department, real estate associations, better business bureaus, and chambers of commerce must join to educate the public about these swindles, for only when the public is aware of this type of trickery will it be eliminated.

KICKBACK BY MATTHEW McCLOSKEY ON DISTRICT OF COLUMBIA STADIUM CONTRACT

Mr. WILLIAMS of Delaware. Mr. President, today I call the attention of the Senate to some new evidence which has been developed in the Bobby Baker case.

This new evidence involves an additional kickback of over $35,000 which was made by Mr. Matthew McCloskey on the Washington stadium contract.

Of this extra kickback, $25,000 was scheduled through Bobby Baker for the 1960 Democratic campaign fund. The rest represents payments to the individuals handling this transaction. In this conspiracy to channel this additional $35,000 payoff into Washington several laws were violated.

There are many who could not understand why the Democratic membership of the Senate Rules Committee was so determined not to call certain witnesses to testify in the Bobby Baker investigation.

Two of these key witnesses whom the Rules Committee, by a vote of 6 to 3, refused to allow to testify in a public session were Mr. Don B. Reynolds and Mr. Matthew H. McCloskey, Jr.

Mr. Reynolds did testify in executive session, but he was refused an opportunity to testify in public session even though he requested such an opportunity and even though the minority membership of the Rules Committee kept insisting that his testimony would be very important.

Mr. McCloskey was never asked to testify either in executive or in public session, and the Democrat majority of the Rules Committee by a strictly party vote rejected the request that he be called as a witness to explain his arrangements with Bobby Baker in the payoff on the Washington stadium contract.

Perhaps after today's report it can be more readily understood why someone in the high command ordered these hearings closed.

There was an additional $35,000 payoff that was made on the Washington stadium contract by Mr. Matthew McCloskey, of McCloskey & Co., Philadelphia, Pa., which heretofore has not been disclosed.

This $35,000 additional payoff on this stadium contract was arranged for the express purpose of channeling a $25,000 political contribution into the Democratic campaign fund and to charge this $25,000 contribution as a business expense item on a Government contract.

By so doing Mr. McCloskey could first, circumvent the law which prohibits political contributions in excess of $5,000; second, charge this item off on his books as an expense of doing business and thereby deduct it for income-tax purposes; and third, in effect charge it to the American taxpayers by adding this on a cost item of a Government contract.

The approximately $35,000 payoff was in addition to the kickbacks previously discussed in the testimony of Mr. Don Reynolds before the Senate Rules Committee. At that time Mr. Reynolds testified that out of his $10,031.56 commission he had paid Bobby Baker $4,000 and Mr. William McLeod, a clerk of the House District Committee, $1,500 for their services in helping him to get the insurance on the stadium contract. However, in addition to the above-mentioned payoffs developed in Mr. Reynolds' testimony before the Rules Committee, there was another kickback, approximately $35,000, on this contract.

Of this additional payoff, $10,000 went to Mr. Don Reynolds as compensation for his part in acting as the intermediary for the dispensing of the kickbacks. Mr. Reynolds said this $10,000 was also an offset against the commissions he could have earned had he written the bond direct. But, according to Mr. Reynolds, $25,000 of this $35,000 was turned over to Bobby Baker to be used mostly as a contribution to the Johnson-Kennedy campaign fund of 1960.

The method of arranging this payoff was found to be very simple once we located the original check from Mr. McCloskey to Mr. Reynolds.

Mr. McCloskey in paying Mr. Reynolds for the performance bond had simply made the check out for $109,205.60 instead of for the $73,631.28 actually owed.

This represented an overpayment of $35,574.32. According to Mr. Reynolds, this odd figure was used to confuse the auditors.

The question may be asked: Why did Mr. Reynolds not give this information to the Rules Committee during his earlier testimony? I, too, asked that same question, and I shall quote Mr. Reynolds' answer:

> There may be a question asked as to why I had not brought out this information before. The reason is that although I knew the story I was not in a position to prove it and I had to bide my time until others could help me obtain the necessary documentation.
>
> I had hoped that the Senate Rules Committee would have provided this cooperation and assistance. It had been my intention to call this to their attention and ask their assistance in getting certain documents; however, after my official interview with Major McLendon and the ex-FBI agent who tried to intimidate me in his questioning I decided otherwise. For example, when he asked me who discussed the purchase of television advertising space with me and I stated that Walter Jenkins and Walter Jenkins alone had, he, the interrogator, thereupon threw a book on the floor and in a boisterous manner informed me that I did not discuss this with Walter Jenkins, that I had discussed it with Bobby Baker. At this point I became somewhat reluctant to discuss openly anything further, knowing that his attitude was more toward defending certain people than toward ascertaining the real facts of the case. At two subsequent appearances before the Rules Committee I soon learned that the majority of that committee was more interested in discrediting me as a person and as a witness than it was in developing the actual facts of the case.
>
> Having established a personal contact with Senator WILLIAMS and having apprised the Senator of the general circumstances surrounding these irregularities I asked for his help in obtaining such documentation as we could to substantiate my statements regarding excess payment on the stadium bond. In order to do this it was necessary to get a copy of the check issued by Mr. McCloskey. In some manner Senator WILLIAMS was able to obtain a photostatic copy of the $109,205.60 check McCloskey & Co. had issued to me, and with this information I was able to put together the composite picture of this highly irregular transaction. Once I had evidence of this check I then felt free to furnish the

additional information which would show how the money had been distributed.

It was during the latter part of the week ending August 15, 1964, that Senator WILLIAMS called and informed me that he had obtained a photostatic copy of the check issued to me by McCloskey & Co., and an appointment was set for me to meet him in his office on Monday night, August 17. At that time he showed me a copy of the check, and I verified it as being the check and my endorsement on the back of the check.

I shall depart from Mr. Reynolds' statement at this point and confirm that he had advised me of this overpayment some time ago, but in the absence of a copy of the actual check I was unable to proceed. After a series of conferences with Mr. Reynolds, however, we were able to pinpoint more accurately the dates, and I now have a photostatic copy of the $109,205.60 check, dated October 17, 1960, payable to Don Reynolds Associates, Inc., 8485 Fenton Street, Suite 308, Silver Spring, Md. This check, No. 015971, was drawn on the account of McCloskey & Co., builders, 1620 West Thompson Street, Philadelphia, Pa., signed by Mr. T. D. McCloskey, and drawn on their account at the Chase Manhattan Bank, New York City.

To document this transaction more clearly, I shall start from the beginning to outline this highly irregular transaction.

First. I ask unanimous consent to have printed in the RECORD a copy of the letter dated September 13, 1960, signed by Hutchinson, Rivinus & Co., Philadelphia, and addressed to Mr. Don B. Reynolds, president, Don Reynolds Associates, Inc., 8485 Fenton Street, Silver Spring, Md. This letter establishes that the actual cost of the bond was $73,631.28 less a commission of $10,031.56.

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

HUTCHINSON, RIVINUS & Co.,
Public Ledger Building, Independence Square, Philadelphia, September 13, 1960.

Re McCloskey & Co., bond No. 4S-40225, the Aetna Casualty & Surety Co., contract for construction of Columbia Stadium, Washington, D.C.

Mr. DON B. REYNOLDS,
President, Don Reynolds Associates, Inc., 8485 Fenton St., Silver Spring, Md.

DEAR MR. REYNOLDS: In accordance with instructions from Mr. J. B. McHale, Jr., of this office, we enclose herewith our invoice for the premium of $73,631.28 covering performance bond in connection with the above captioned contract, less commission of $10,031.56, or net owing us of $63,599.72.

Yours very truly,
HUTCHINSON, RIVINUS & Co.,
By ATWOOD H. BENT.

Mr. WILLIAMS of Delaware. Mr. President, I read next into the RECORD a letter dated the following day, September 14, 1960, signed by Mr. Don B. Reynolds and addressed to Mr. Matthew H. McCloskey, 1621 Thompson Street, Philadelphia 21, Pa.:

DEAR MATT: Enclosed is invoice as agreed. Please authorize payment at your earliest convenience.

Thank you very much.

Most sincerely,
DON B. REYNOLDS.

On October 17, 1960, Mr. McCloskey, instead of sending a check for the amount of this invoice, forwarded to Mr. Reynolds his check of $109,205.60, representing an overpayment of $35,574.32.

To establish further that the correct cost of this bond was only $73,631.28, I ask unanimous consent to have printed in the RECORD a copy of the performance and payment bond as submitted by Mr. McCloskey to the District of Columbia under date of June 18, 1960.

There being no objection, the performance and payment bond was ordered to be printed in the RECORD, as follows:

JUNE 18, 1960.

PERFORMANCE AND PAYMENT BOND

Know all men by these presents: That we, McCloskey & Co., a corporation organized and existing under the laws of the State of Delaware, as principal, and the Aetna Casualty & Surety Co., a Connecticut corporation, of Hartford, Conn. as surety are held and firmly bound unto the District of Columbia Armory Board, hereinafter called the Board, in the penal sum of $14,247,188, lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

The condition of this obligation is such, that whereas the principal entered into a certain contract, hereto attached, with the Board, dated July 7, 1960, for construction of the District of Columbia Stadium, 22d and East Capitol Streets, Washington, D.C. (invitation No. C-60159-B), as more fully set forth in said contract: Now, therefore,

If the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Board, with or without notice to the surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, and shall save harmless and indemnify the Board from any and all claims, delays, suits, costs, charges, damages, counsel fees, judgments, and decrees to which said Board may be subjected at any time, on account of any infringement by said principal of letters patent or copyrights, unless otherwise specifically stipulated in said contract, or on account of any injuries to persons or damage to property or premises that occur as a result of any act or omission of the principal in connection with the prosecution of the work, and pay the same, and if said contract is for work, material, or supplies, within the meaning of the act of September 1, 1916 (39 Stat. 676, 688), or for the construction, alteration, or repair of a public building or public work, within the meaning of the act of July 7, 1932 (47 Stat. 608), shall promptly make payment to all persons supplying the principal with labor and materials in the prosecution of the work provided for in said contract and any such authorized extension or modification thereof, and shall keep the work so performed under said contract in repair for such period as said contract may provide, then this obligation to be void; otherwise to remain in full force and virtue.

In witness whereof, the above-bounden parties have executed this instrument under their several seals this seventh day of July 1960, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Signed and sealed in the presence of Chester H. Gray.

DISTRICT OF COLUMBIA
ARMORY BOARD,
FLOYD D. AKERS,
Chairman.
ROBERT E. MCLAUGHLIN,
Member.
W. H. ABENDROTH,
Member.

[Corporate seal]
Attest:

MCCLOSKEY & Co.,
T. D. MCCLOSKEY,
Vice President, Principal.
J. DRESS PANNELL,
Secretary.

[Corporate seal]
Attest:

THE AETNA CASUALTY & SURETY CO.,
Hartford, Conn.
W. J. RYAN,
EUGENE FIELDS,
Attorney-in-fact.

The rate of premium on this bond is $10 per thousand, first $100,000; $6.50 per thousand, next $2,500,000; $5.25 per thousand, next $2,500,000; $5 per thousand, next $2,500,000; $4.90 per thousand, over $7,500,000.

Total amount of premium charged, $73,631.28.

Authority of attorney-in-fact on file:
WILBUR H. LAWYER,
Supervisor, Bid & Contract Division, Procurement Office, D.C.,

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, J. Dress Pannell, certify that I am the secretary of the corporation named as principal in the within bond; that T. D. McCloskey, who signed the said bond on behalf of the principal, was then vice president of said corporation; that I know his signature, and his signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority of its governing body.

J. DRESS PANNELL,
Secretary.

Mr. WILLIAMS of Delaware. Mr. President, this document, which was filed with the Government of the District of Columbia, clearly establishes the total amount of the premium charged on this bond as being only $73,631.28.

Since preparing the speech I have found a copy of the original invoice, which further shows that $73,631.28 was the total of the invoice on the stationery of Hutchinson, Rivinus & Co. less the commission $10,031.56.

I ask unanimous consent that a copy of the original invoice be printed at this point in the RECORD.

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

STATEMENT OF HUTCHINSON, RIVINUS & Co., INSURANCE, PUBLIC LEDGER BUILDING, INDEPENDENCE SQUARE

PHILADELPHIA, PA.,
September 13, 1960.

Account McCloskey & Co.

Mr. DON B. REYNOLDS,
President, Don Reynolds Associates, Inc., 8485 Fenton Street, Silver Spring, Md.

July 7, 1960, policy No. 4S40225, Aetna Casualty & Surety Co.; bond to District of Columbia in support of contract for construction of Columbia Stadium, Washington, D.C., $14,182,187.50; premium, $73,631.28; less commission, $10,031.56: $63,599.72.

Mr. WILLIAMS of Delaware. Mr. President, as evidence that Mr. McCloskey not only charged off this larger amount as a business expense item on

this Government contract and that he actually collected this additional amount from the Government to cover the cost of this $73,000 bond, I ask unanimous consent to have printed in the RECORD an invoice submitted by McCloskey & Co., Philadelphia, to the government of the District of Columbia, in which he lists the cost of the performance bond as having been $100,000 and which was paid on that basis.

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

McCLOSKEY & CO.,
Philadelphia, August 9, 1960.

Re D.C. Stadium, C–403–60, requisition No. 1
Mr. J. A. BLASER,
D.C. Armory Section,
Washington, D.C.

DEAR SIR: We request payment for work performed at the above project for the period July 14, 1960 to July 31, 1960 inclusive, detailed as follows:

No. 1, bond, 100 percent complete; amount payable, $100,000; excavation 10 percent complete, amount payable, $57,500.

Material stored on site: H. beam piles, 15,094 L.F., at $3.75: $56,600; L.F. $214,100; less 10 percent, $21,410; total amount due this payment: $192,690.

I certify that all items of work and material shown in the requisition are correct to the best of my knowledge and belief.

Very truly yours,
McCLOSKEY & CO.,
F. K. COLBORN, Jr.,
Project Manager.

Approved for payment:
W. A. CURTIS,
Alternate Contracting Officer
for D.C. Armory Board.

August 26, 1960.

Please address reply to F. K. Colborn, Jr., contract No. 403–60.

DAHL, EWIN, OSBORN,
ARCHITECTS AND ENGINEERS,
Washington, D.C., August 23, 1960.

Mr. J. A. BLASER,
Contracting Officer for D.C. Armory Board,
Government of the District of Columbia,
Washington, D.C.

DEAR MR. BLASER: I am returning a copy of request for payment from McCloskey & Co. as forwarded with your letter of August 12, 1960.

I have checked the items as listed and discussed them with Mr. Staker, project inspector, and recommend approval of this payment request.

Associated for D.C. Stadium. Refer reply to the Osborn Co., 7016 Euclid Avenue, Cleveland, Ohio.

Very truly yours,
NOBLE W. HERZBERG,
Project Manager.

AUGUST 26, 1960.

To: Manager, D.C. Armory Board.
Subject: Contract ABFC No. 1, construction of D.C. Stadium, partial payment No. 1.

Enclosed herewith is a request in triplicate for partial payment from McCloskey & Co., construction contractor, for services rendered in connection with the construction of the D.C. Stadium.

Payment in the amount of $192,690 is approved.

W. A. CURTIS,
Alternate Contracting Officer for D.C.
Armory Board.

Mr. WILLIAMS of Delaware. Mr. President, these documents show that on August 9, 1960, McCloskey claimed to the District government that this bond had cost $100,000 and that he received an advance payment under his contract based on this amount.

As further evidence that McCloskey & Co. never made any correction on this overcharge in its subsequent invoices in this stadium contract I ask unanimous consent to have printed in the RECORD an invoice dated June 30, 1961, for work performed on the stadium. The first item appearing in this request submitted by McCloskey & Co. on June 30, 1961, shows $100,000 having been paid for the performance bond.

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

DISTRICT OF COLUMBIA ARMORY BOARD
2001 East Capitol Street, Washington 3, D.C.
Payment request for work performed

[Project name: D.C. Stadium. Period ending June 30, 1961. Contract No.: A.B.F.C. No. 1. Contractor: McCloskey & Co.]

Item	Contract amount	Percent		Value	Material on site
		Last report	This report		
1. Bond	$100,000.00	100.0	100.0	$100,000.00	
2. Excavation	575,000.00	89.0	90.0	517,500.00	
3. Formwork	1,740,000.00	84.0	90.0	1,566,000.00	$87,000
4. Reinforcing steel	1,398,000.00	83.0	89.0	1,244,220.00	128,000
5. Concrete work	900,000.00	78.0	86.0	774,000.00	
6. Structural steel and trackwork	3,400,000.00	57.6	77.2	2,624,800.00	171,550
7. Masonry	550,000.00	30.0	40.0	220,000.00	12,600
8. Precast concrete	500,000.00	10.0	30.0	150,000.00	
9. Cut granite	270,000.00	10.0	20.0	54,000.00	35,000
10. Precast mosaic facing	55,000.00	65.0	85.0	46,750.00	1,000
11. Miscellaneous iron and metalwork	283,000.00	40.0	45.0	127,350.00	24,800
12. Aluminum windows	75,000.00	0	10.0	7,500.00	39,000
13. Aluminum fins and grills	275,000.00	.5	.6	1,650.00	5,200
14. Ornamental metal and aluminum work	21,000.00				2,000
15. Glass, glazing, and aluminum doors	52,000.00				
16. Plastering and acoustical work	102,000.00	6.0	15.0	15,300.00	
17. Tile work	11,000.00				
18. Hollow metal work	41,000.00	10.0	15.0	6,150.00	19,800
19. Rolling screens—Grills	65,000.00	5.0	5.0	3,250.00	9,000
20. Millwork and erection	95,000.00	0	1.0	950.00	
21. Overhead wood doors	1,000.00				
22. Accordion doors	3,000.00				
23. Metal toilet partitions	24,000.00				20,000
24. Toilet accessories	4,000.00				
25. Movable metal partitions	8,000.00				
26. Turnstiles	21,000.00				
27. Hardware	16,000.00	0	5.0	800.00	15,200
28. Roofing and insulation	120,000.00	3.0	11.0	13,200.00	8,100
29. Painting and wall covering	200,000.00	0	4.0	8,000.00	2,500
30. Elevators	93,000.00	15.0	25.0	23,250.00	
31. Temporary seating	120,000.00				
32. Auto-Transitube system	75,000.00	58.0	65.0	48,750.00	16,000
33. Trash chute	2,000.00	75.0	75.0	1,500.00	400
35. Steel lockers	1,000.00				
34. Metal roof deck	42,000.00	5.0	50.0	21,000.00	18,500
36. Signs	3,000.00				
37. Bituminous paving	18,000.00	15.0	15.0	2,700.00	
38. Seeding	20,000.00				
39. Chain link fence	11,000.00				
40. Flag poles	6,000.00				100
41. Composition flooring	9,000.00				
42. Vault doors	1,000.00				900
43. Mechanical work	1,080,000.00	45.2	50.7	547,560.00	221,800
44. Electrical work	800,000.00	25.5	33.3	266,400.00	304,400
45. H piling, 214,580 linear feet at $4.95	1,062,171.00	100.0	100.0	1,062,171.00	
46. AH. No. 1 floodlighting	65,000.00				
Contract total	14,313,171.00			9,454,751.00	1,142,850
Change order total	578,248.50			251,678.13	48,975
Grand total	14,891,419.50			9,706,429.13	1,191,825

Mr. WILLIAMS of Delaware. According to Mr. Reynolds this scheme was devised to get a $25,000 contribution into the Democratic campaign fund and thereby circumvent, first, the law which prohibits political contributions in excess of $5,000; second, the law which prohibits corporations from making any political contributions; and third, the law which prohibits any corporation or individual from taking campaign contributions as business expenses, and also to charge the contribution as a cost item on a Government contract and thereby get his money back from the taxpayers.

At this point, I should like to read further from the statement which was given on August 18, 1964, by Mr. Don B. Reynolds. Mr. Reynolds was one of the participants in this conspiracy and in this statement outlines the arrangements:

This is a statement regarding the bonding transaction on the District of Columbia Stadium. The following information is furnished freely and without any fear of coercion or promise of any special consideration but in the hope of helping in some small way to point toward the irregular financial transactions that have taken place with my knowledge.

The original agreement was for excess money to be paid to me which would be directed part toward the Democratic campaign fund, part toward Mr. Baker, part for Bill McLeod, and an additional part for me.

It was at a breakfast meeting in the Mayflower Hotel in the late spring of 1959 to which Bobby Baker invited me, along with Mr. McCloskey that I had my first contact with Mr. McCloskey.

After the breakfast Bobby called Matt McCloskey aside along with me and made

a statement to the effect that he, Bobby, could insure passage of the stadium bill in the Senate and that I, Don, should be useful in working with Bill McLeod to insure its passing on the House side.

In this conversation no specific amount was mentioned, but Bobby and Matt discussed the question of overpayment above that of the premium charged and the fact that by using me as a bonding agent the amounts could be directed to other persons or funds and could be made as a legitimate business expense to McCloskey & Co. It was discussed that, I believe, the sum of $5,000 was the maximum political contribution that any person could make and that any such contribution could not normally be taken as a business expense but by directing the overpayment through me it could be taken as a business expense by McCloskey & Co. and there would be no record indicating any excess payment above the $5,000 stipulated amount. In consideration for my being the media for passing these funds I was to receive the full amount of the normal commission on such a bond, including the contingency reserve loss, ratio earned premium return.

Due to the fact that Mr. McCloskey had always placed his business through his own son-in-law, Mr. James B. McHale, Jr., I was informed that Mr. McHale would write the bond naming me as the broker of record for the transaction and the normal commissions would be permitted by the Hutchinson, Rivinus & Co. and that the additional funds that I would be permitted to keep would equal or be greater than the total earned commission which would have been received had the bond been placed through one of the surety companies my agency represented.

Sometime subsequent to this breakfast meeting which Bobby had arranged with Mr. McCloskey, Bobby telephoned me and told me that I should personally bill Mr. McCloskey, and Bobby gave me instructions as to the amount. He said that I should direct the communication marked "personal and confidential" to Mr. Matthew McCloskey. The amount given to me by Bobby was $109,205.60. I complied with the instructions that Bobby gave me. Along with the statement submitted to Matt McCloskey I enclosed a note stating that I was enclosing invoice as agreed.

Sometime during September 1960 I received an invoice from the Hutchinson, Rivinus & Co. indicating the gross cost of bond release commissions and a net due to the Hutchinson, Rivinus & Co. After receiving a check from McCloskey & Co. for the $109,205.60 I forwarded my check to the Hutchinson, Rivinus & Co. for the $63,599.72. In compliance with the previous agreement with Bobby I transferred $5,000 to Bobby Baker on three separate occasions, each time consisting of fifty $100 bills. Bobby had informed me that I could not issue checks for the campaign contribution. I was told that these funds were to be directed for use in Mr. Johnson's campaign, and they came from the excess funds submitted to me by McCloskey & Co.

Bobby had advised me that this $15,000, which was turned over in cash, was to be directed to Mr. Johnson's campaign fund; however, I have no knowledge whatsoever as to what happened to these moneys subsequent to my transferring them to Mr. Baker. However, discussion of the direction of these to campaign funds was made in my presence by Mr. McCloskey and Mr. Baker. There were other discussions as to political candidates of whom I had heard, but the only person's name I remember is a Bill Green, of Philadelphia.

The other $14,000-plus that has appeared in testimony regarding Robert G. Baker has nothing whatsoever to do with the foregoing $15,000 as those additional moneys are evidenced by checks to Mr. Baker and by notes given to me by Bobby Baker at his own insistence with full knowledge and understanding that they were worthless and that no effort at any time would be made or expected as far as collections were concerned on them. These moneys referred to in committee hearings were Bobby's payoff for having engineered the stadium bill and having negotiated with Mr. McCloskey a method which permitted Mr. McCloskey to siphon moneys toward the campaign fund of Mr. Johnson in excess of the amount permitted and permitting a deduction as a legitimate business expense for said political contribution.

Next, I quote from the Rules Committee report concerning Mr. McCloskey's version of the bond transaction. It should be noted that at that time we had not discovered this extra $35,000 payoff. I quote from pages 39 and 40 of Senate Report No. 1175:

Mr. Matthew H. McCloskey, Jr., until recently Ambassador to Ireland, was interviewed by transatlantic telephone.

He recalled that, on one occasion in late 1959 or early 1960, he was in Washington and called at Baker's office in the Capitol. He know Baker well in connection with his (McCloskey's) position as chairman of the finance committee of the Democratic National Committee. He frequently visited Baker at his Capitol office. He remembered that Don B. Reynolds was present because Baker introduced him and said that Reynolds was in the insurance business and that he, Baker, had an interest in the business. Baker said he knew McCloskey was going to bid on the job and that in the event he was the low bidder and obtained the contract, Baker asked that he consider Reynolds as the insurance broker when it came time to purchase the performance bond.

After the contract was awarded to McCloskey as the low bidder, he recalled the conversation with Baker and did purchase the bond through Reynolds as broker. He said the purchase of the bond was his own exclusive responsibility as a private businessman and that he could purchase it from anyone he wished to, since the rates and commission were the same, no matter who the broker was. Thus, selection of the broker did not in any way affect the cost of the project.

Here we have a statement attributed to Mr. McCloskey confirming that the cost of this bond would have been $73,631.28 regardless of where it had been purchased. Yet we now find he paid Mr. Reynolds $109,205.60.

How can anyone refuse to call Mr. McCloskey as a witness before a congressional committee now?

As stated earlier, I asked Mr. Reynolds why this extra payment was not exactly $35,000 instead of $35,574.32, and his explanation was that the odd figures were used to confuse anyone who might later try to audit the transaction. It did delay us some, but we still got the answer.

As further evidence that this $35,000 was not to cover any other obligation owed to Mr. Reynolds I quote from Mr. Reynolds' statement in answer to that question:

I can certify that this is the one and only transaction directly or indirectly which I have ever had with Mr. Matthew McCloskey or McCloskey & Co., and that the correct amount due on the insurance bond should have been $73,631.28. The difference between the $73,000 figure and the $109,000 figure represented the overpayments which were to be directed and diverted to other people as campaign contributions and payoffs.

Mr. President, at this point, I want to express my appreciation to Mr. Don Reynolds for his cooperation in developing these additional important facts surrounding the payoffs on the stadium contract. Mr. Reynolds frankly admits that his part in this transaction was wrong, but he now recognizes his error and is cooperating in helping to develop the necessary information and documents to establish what really happened. Mr. Reynolds has again asked that he be called to testify under oath before any congressional committee which is interested in developing all the facts.

In the light of this new evidence which is being presented here today of an additional $35,000 payoff, $10,000 of which was a payment to Mr. Reynolds and $25,000 representing an illegal method of making a political contribution and of charging it to the cost of a Government contract, I feel that the U.S. Senate has no alternative but to reopen the Bobby Baker investigation and call as its first three witnesses Mr. Matthew McCloskey, Mr. Bobby Baker, and Mr. Don Reynolds.

This could very appropriately be the first order of business of the select committee which was established by the Senate a few weeks ago, and I am again requesting that the leadership on both sides of the aisle promptly consult with the President pro tempore of the Senate and give him their recommendations for membership on this committee.

The U.S. Senate has no choice except to reopen the Baker investigation and show the American people that the U.S. Senate does have the courage and the integrity to expose any case of wrongdoing regardless of how close the culprit may be to the administration in power.

Mr. President, I repeat, the U.S. Senate has no choice now but to reopen the Baker investigation and call Mr. McCloskey, Mr. Baker, and Mr. Reynolds as its first witnesses.

I recognize that in presenting this charge here today I have relied on the testimony of only one of the participants in this conspiracy, and I fully recognize that a final decision as to exactly what happened should be reserved until both Mr. McCloskey and Mr. Baker have had an opportunity to testify under oath as to their versions of this transaction.

However, this case is not based entirely upon the testimony of any one witness. I have definitely established here today that Mr. McCloskey did give Mr. Reynolds his check for $109,205.60 as payment for a performance bond, the total cost of which was only $73,631.28. This definitely represents an overpayment of $35,574.32. Certainly a proper question is—who got the money?

Mr. Reynolds has stated his version as to what happened with this $35,000 and if anyone wishes to question his testimony it is time for them to start talking.

Another point which cannot be overlooked is this. Mr. McCloskey was the finance chairman of the Democratic National Committee; was this overpaying a subcontractor on a Government contract an isolated case or is this a pattern for

siphoning money into the Democratic campaign fund and charging it off as a business expense for income tax purposes as well as collecting the overpayment from the taxpayers?

Mr. McCloskey is one of the largest contractors with the U.S. Government. His contracts run into the millions, many of which are negotiated, and in the light of what has happened in this particular case the American taxpayers are entitled to a complete investigation and explanation.

The Johnson administration in Atlantic City last week said that it believes in integrity in Government. Here is a chance to demonstrate whether they mean it.

I am hereby asking the President and the leadership of the U.S. Senate to join me in demanding that this investigation be reopened and pursued to its ultimate end regardless of who may be involved.

The choice lies between full disclosure or political whitewash, and the U.S. Senate and the Johnson administration will be judged by their decision.

Mr. President, I ask unanimous consent that sections 608 and 610 of title 18 of the United States Code, which limit political contributions and which prohibit political contributions by corporations, be printed at this point in the RECORD.

There being no objection, sections 608 and 610 of title 18 were ordered to be copied in the RECORD, as follows:

§ 608. Limitations on political contributions and purchases.

(a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

This subsection shall not apply to contributions made to or by a State or local committee or other State or local organizations or to similar committees or organizations in the District of Columbia or in any Territory or Possession of the United States.

§ 610. Contributions or expenditures by national banks, corporations or labor organizations.

It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.

Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, and any person who accepts or receives any contribution, in violation of this section, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

For the purposes of this section "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Mr. WILLIAMS of Delaware. Mr. President, I shall read one of these sections to show that this is a rather serious penalty. I refer to section 608 of title 18 of the United States Code.

Section 608(a) reads as follows:

§ 608. Limitations on political contributions and purchases.

(a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

I again call attention to the fact that the charge is that these contributions were made to a national political campaign and therefore they are covered by this Federal law.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. CASE. Mr. President, I know that every Member of this body and all other Americans are grateful to the Senator from Delaware [Mr. WILLIAMS] for his persistence in a very unpleasant task. He has brought before us something which we cannot push under the rug. He has proof that a contractor, on a contract with a public body, overbid a premium on a bond. He has placed upon the Senate and upon the Attorney General an immediate obligation to get to the bottom of this matter.

With his characteristic fairness, the Senator has made no final charges. But, with his characteristic persistence and hard work, he has brought matters to the point where we cannot ignore them.

I hope very much that instead of cries of "demagog," which we have heard before on somewhat similar occasions, we shall have a word or two of appreciation and a promise to get on with the job.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator from New Jersey. I point out again that in previous discussions of this contract great emphasis was placed on the fact that this was a competitive bid contract and that Mr. McCloskey was the low bidder. That is true. According to committee records the bid of Mr. McCloskey on the stadium contract was $14,182,187.50. The next lowest bid was $14,427,937.50. This meant that Mr. McCloskey's bid was $245,750 lower than the next lowest bid. But that is not all of the story. There is another story connected with this operation. Immediately after the bid was awarded they began thinking of many changes to be made in the contract.

We find that the total amount of such changes and additions to the contract after the award of the contract came to $2,986,796.72. So, in effect, the ultimate cost of the contract, instead of being lower, was around $2.7 million higher than the second lowest bid.

Perhaps some of the changes could not have been avoided; however, I am not unmindful of the fact that some of them should have been in the original contract. I call particular attention to one addition. It was decided to add 14 toilets to the stadium. Let us assume that that item might have been overlooked in the beginning. But we find that the first addition is for the electrical changes for these 14 additional toilet rooms, and so forth. This change was in the amount of $31,477.86. On April 28, 1961, $7,027.74 was added for lathing and plastering the ceiling and $77,035.27 was added for electrical work on these rooms. About 3 months later it was discovered that some doors and hardware on the doors were needed for those 14 new toilet rooms, and there was an additional charge of $9,231.38.

Why they did not know they needed doors or hardware on the doors I do not understand. But that is only the beginning.

Some time later it was decided that they would have to paint the 14 additional toilet rooms plus ramp enclosures at level 2. This cost $18,118.79. They were still working on those same 14 toilets and rooms.

But they were not done then. Later they found that they needed additional masonry work for the additional 14 toilet rooms, and this time $58,521.29 was added to the contract.

Mr. President, I have not seen these toilet rooms, but someone has suggested that they may be gold plated. I do not understand why they did not know that the rooms were needed when the contract was awarded or why so many contract changes were necessary.

I cite that instance as only one example.

Certainly when they found that they needed the rooms they should have realized that doors would be needed.

And doors need hardware by which to hang. They should have known also that the painting and masonry work would all have to be taken care of.

Those are some of the items that go to make up the additional $2.7 million payment to which I have referred. While some of the items might be justified, the question still can be asked, "To what extent has there been favoritism, and to what extent has the extra expense come out of the taxpayers' pockets?"

I repeat—I have no evidence whatsoever that this is anything other than an isolated case. It may be the only instance in which an overpayment to a subcontractor was involved with the understanding that such overpayment would be channeled into political contributions. But we have to be sure, and we should not stop at that point. Having established that such an arrangement happened once it is necessary now to explore the question of whether or not there was a pattern of such overpayments. We can all see the real danger that such a procedure could be to our form of government.

As Senators we have an equal responsibility with the administration to make sure that the American people get all the facts surrounding not only this phase of the case but all other phases of Mr. Baker's operations. I hope that either a standing committee or the select committee will start pursuing this case and follow it to its ultimate end.

Let us get all of the facts. Thus far only the surface has been scratched.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. The Senator from Nebraska has noticed that the partial payment request dated August 9 bears item No. 1 as a "bond, percentage complete, 100 percent; amount payable, $100,000." At that time, presumably, the performance and payment bond, which is insert No. 2 in the Senator's statement, indicates and itemizes the total amount of premium charged to be $73,631.28.

Turning to insert No. 4, I observe a letter addressed to the contracting officer for the District of Columbia Armory Board signed by Noble W. Herzberg, who is the project manager for the architects and engineers. Among other things he said:

> I have checked the items as listed and discussed them with Mr. Staker, project inspector, and recommend approval of this payment request.

On the face of things it would appear that a check was made, and, notwithstanding the fact that the amount of the premium was listed as $73,631.28, after careful check, the payment of $100,000 was approved. Did the Senator from Delaware make inquiry as to the discrepancy that seems to inhere in that situation?

Mr. WILLIAMS of Delaware. Yes; the payment was made on the basis of $100,000. In making these payments 90 percent was advanced and 10 percent was held back, until the final payment.

On August 9 Mr. McCloskey, or McCloskey & Co., submitted to Mr. J. A. Blaser, of the District of Columbia Armory section in Washington, an invoice. The No. 1 item on that invoice was for a bond, 100 percent complete, $100,000. The $90,000 was advanced on August 23. The 10 percent was paid at a later date. I have checked those items with the District government, and their report is in the RECORD.

Mr. Blaser was most cooperative in making this information available and I appreciate his assistance. Insertion No. 2 is a copy of the bond which was submitted by McCloskey & Co. dated June 18, 1960. It was submitted to the District of Columbia government and accepted on the date of July 7, 1960, by the Commissioners. McCloskey & Co., under date of August 9, submitted an invoice on which the first item was $100,000 for the bond, which had cost only $73,000. On August 26—insertion No. 5—a payment in the amount of $192,690 was approved and included in this item was $90,000, or 90 percent of the $100,000 claimed as the cost of the bond.

To determine whether or not the overpayment was subsequently corrected, I examined a later invoice dated June 30, 1961. At that time a total of around $9 million was billed as work having been performed on the contract. The first item on this invoice was still $100,000 for the bond. So no correction was made on that item. I checked the bond requirements with the District Commissioners. They too said that this was the only bond required, which confirmed what Mr. Reynolds said. That is the only bond which was necessary and the only bond which was submitted to the District Commissioners, which clearly shows $73,631.28 as the cost.

Mr. HRUSKA. Mr. President, will the Senator yield for another question?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. The Senator recommends that the subject be looked into thoroughly. I remind the Senator that we are in a practical parliamentary situation. We are debating a very important social security bill. The foreign aid bill and certain appropriation bills are to be considered. November 3 is approaching. Some of us are standing for election to public office and would like to go out and campaign. I ask the Senator from Delaware what he has in mind by way of having the select committee or some other committee convene for the purpose of making inquiry into the subject, and what timetable we might expect? Would the investigation occur before November 3, or should it be afterward, when there will be more time to go into the question? Has the Senator given any thought to that subject?

Mr. WILLIAMS of Delaware. Yes. I do not think there is any time like the present. Why should we postpone it? One reason the Senate is in this position at this late hour is that it paid no attention to its duty to investigate thoroughly the subject when it was called to the attention of the Senate nearly a year ago. The Senate has been negligent in not having seen that all the witnesses were called before the committee. Had they been called and put under oath I believe that the subject discussed here today could have been developed. At any rate, it has been developed today. I believe that in fairness to the participants involved, Mr. McCloskey and all others, they should be given an opportunity at a public session to explain under oath their versions. The explanation ought not to be merely some snap answer that might be made to the press. They should be given an opportunity to make their statements under oath. Mr. Reynolds, Mr. Baker, and Mr. McCloskey could be put under oath. We have a definite responsibility. The investigation could proceed simultaneously with discussions of the pending bills. It should be made at the present time by all means. To delay the inquiry until after the election will invite the charge of whitewash.

Mr. HRUSKA. The Senator from Nebraska joins the Senator from New Jersey in commending the Senator from Delaware on setting forth the information that he has made available. I admire very much the spirit in which it is done, in that no final conclusion has been drawn by the Senator from Delaware. He has said, "Here are certain facts that require and demand further explanation." Certainly that is true. When there is submitted to the Government a billing in the amount of $100,000 which, based on the files on record, should be in the amount of only $73,631.28, a prima facie case is made of a violation of law that would justify criminal prosecution. Any prosecutor in a district attorney's office or a U.S. attorney's office, on the basis of such evidence as is in the record, who could not get a conviction would not be very much of a prosecutor.

It may be that there is some explanation. There may be evidence that the $100,000 really means $73,000. But the burden would be on those involved insofar as prosecution is concerned.

Mr. WILLIAMS of Delaware. There is no question about it. I, as a candidate, would also like to get out of Washington and campaign. But how can any of us, no matter which side of the aisle we are on, campaign on the basis that we are for clean government and integrity in government, and at the same time let the American people think that we have a potato that is too hot to handle and that we are going to sweep it under the political rug?

I am in favor of a full and thorough investigation being conducted immediately. Let the chips fall where they may. Rather than merely make speeches about integrity in government we have an opportunity to show that we mean what we say. We are not trying to persecute anyone. Let us bring out all the facts, and let the facts speak for themselves. Let the American people know that we as Senators do not consider anyone above the law, no matter how high he may be in the administration.

Mr. MORTON. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. MORTON. I do not know whether the Senator has any information before him on this point. The Senator says that $109,000 was paid to the Reynolds firm?

Mr. WILLIAMS of Delaware. Yes.

Mr. MORTON. Then the District of Columbia government was billed for $100,000.

Mr. WILLIAMS of Delaware. Yes.

Mr. MORTON. Does the Senator have any explanation for the difference of $9,000?

Mr. WILLIAMS of Delaware. Yes. That matter is answered in insertion

No. 6. This was an overall bid by the contractor. On that basis he does not have to submit exact bids on each item. The amounts submitted as a breakdown must be reasonably accurate, however.

If the Senator will look at insertion No. 6, I will read a few of these items. The first item is bond in the amount of $100,000. Then there is an item for excavation, $575,000. This is a rough estimate, it would not be exactly that much. The figures are rounded out, but they are supposed to be reasonably close to the actual figures. The next item is formwork, $1,740,000. There is an item of $900,000 for concrete work.

These items are submitted on the basis of rounded figures and not as exact figures of the cost. However, they were supposed to be rounded reasonably accurately.

The same is true of the bond, but in this instance there was a variation of nearly 35 percent.

Mr. MORTON. Did the McCloskey firm in the end get the entire $109,000 from the District?

Mr. WILLIAMS of Delaware. It received payment for the amount of $14,182,187.50, which was the original bid, plus the extra payments of $2,986,796.72 for the changes. Included in these totals was the cost of the performance bond, contributions to the Democratic committee, the payoffs, and everything else.

Mr. MORTON. I thank the Senator for yielding, and commend him for his statement.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. CLARK. Obviously the Senator has made grave charges which, quite clearly, must be carefully looked into. I rise only to ask a couple of questions to develop the facts more fully. May I ask whether the McCloskey Co. was paid on the basis of the bid it submitted plus the extras which were allowed?

Mr. WILLIAMS of Delaware. That is what I said.

Mr. CLARK. Included in the extras was there an amount of $9,205.60, which is the difference between the item of $100,000 and $109,205.60?

Mr. WILLIAMS of Delaware. Not that I know of, except as it may have been included in other items.

Mr. CLARK. So far as the Senator knows, the rounded-off figures which the Senator stated are the full explanation for the difference between the $109,205.60 and $100,000?

Mr. WILLIAMS of Delaware. They are the only explanation I know of.

Mr. CLARK. The Senator from Delaware was very helpful during the investigation of the Rules Committee in giving leads which, I say as a member of the full committee, we conscientiously followed through. May I ask the Senator when he obtained the statement from Mr. Reynolds which is the basis for this statement?

Mr. WILLIAMS of Delaware. I placed the date in the RECORD. It was about a couple of weeks ago. I think one of the dates was August 17. It was just prior to the Democratic National Convention. I know I was working on the case that week, trying to get it in shape so that I would not have to make more than one trip back to Washington during the week of the Democratic Convention.

Mr. CLARK. So the Senator did not have the information available at the time the Rules Committee determined to terminate the investigation of the Bobby Baker case?

Mr. WILLIAMS of Delaware. I said that.

Mr. CLARK. I was not on the floor at the time.

Mr. WILLIAMS of Delaware. I said I did not have it. I do not know what the committee had. I repeated Mr. Reynolds' statement as to why he had not called it to the attention of the Rules Committee when he was before the committee. I could understand his reasoning.

Mr. CLARK. That statement will be in the CONGRESSIONAL RECORD tomorrow.

Mr. WILLIAMS of Delaware. Yes.

Mr. CLARK. I realize that the Senator from Delaware is not a lawyer; but does it not seem to the Senator that Mr. Reynolds has been a participant in the conspiracy to violate criminal law, if the statement which he has given to the Senator from Delaware is correct?

Mr. WILLIAMS of Delaware. Mr. Reynolds frankly admitted that he was wrong, and he is trying to clear up the matter. There is no question about it.

Mr. CLARK. Would it not also be criminal?

Mr. WILLIAMS of Delaware. According to the statutes which I placed in the RECORD, in my opinion criminal charges could be brought against those involved, including Mr. McCloskey and Mr. Baker.

Mr. CLARK. Has the Senator any information that Mr. Reynolds would be willing not to invoke the fifth amendment if he were called before the committee?

Mr. WILLIAMS of Delaware. Yes; we have such information. He has never taken the fifth amendment. In fact, he pleaded for the opportunity to testify in public session. He is asking for it again. I am presenting his request here today that he be permitted to testify in public session. He has said he did not want to testify before any committee which had as its primary objective the purpose of discrediting him.

From his previous appearance, he felt some members of the Senate Rules Committee had that purpose. Mr. Reynolds conscientiously wants to try to develop the facts as they happened. Sure he would cooperate with the committee. He wants the opportunity to testify in public session, but he wants other witnesses called also. Mr. Reynolds has appealed for an opportunity to testify in public session under oath. He has never given any indication that he would take the fifth amendment, and I think the Senator's question was uncalled for. Mr. Baker took the fifth amendment, as the Senator recalls, and the committee refused to call Mr. McCloskey.

Mr. CLARK. So the Senator gives us assurance that if this investigation is conducted Mr. Reynolds will appear and will not take the fifth amendment?

Mr. WILLIAMS of Delaware. Yes, so far as his statement is concerned. Mr. Reynolds will be glad to appear.

Mr. CLARK. He has said that?

Mr. WILLIAMS of Delaware. Yes, and he has told the Senator from Pennsylvania that. He told the full Rules Committee he wanted to testify in public session. He is on record.

Mr. CLARK. If the Senator will yield for what I think he will agree is a fair correction, the matter which the Senator has brought to the attention of the Senate was not known until after the investigation ended.

Mr. WILLIAMS of Delaware. Mr. Reynolds said it was his intention, when he testified before the committee, to call this overpayment to the attention of the committee, but he got the impression that the committee was not too interested. He did not have the canceled checks to prove the exact amounts. He would have to testify to approximate figures. It was only after we were able to establish the exact amounts that he felt he could proceed.

Had the committee desired, however, it could have subpenaed the records.

I talked with Mr. Reynolds several weeks ago—I do not know how long ago it was or whether it was before the committee had closed its hearings, although I would say it was. I was not willing to proceed until I could definitely establish the amount of the payment so that if there were a contradiction, I could prove it.

I now have what I consider to be sufficient evidence to establish that more than $109,000 was paid for a bill which only amounted to $73,000.

That having been established I called Mr. Reynolds and told him that I had a copy of the check.

Mr. Reynolds came in to see me in my office on Monday night, August 17.

This was one of the points in which I have been very much interested.

Mr. CLARK. Mr. President, I thank the Senator from Delaware for yielding. I only regret that Mr. Reynolds, who was given ample opportunity by the Committee on Rules and Administration to state the whole story, did not see fit to do so until after the hearings had been closed.

I also regret that the Senator from Delaware, who I know would have brought this matter to the attention of the Rules Committee, had he known of it at the time, was not able to do so.

Mr. WILLIAMS of Delaware. Mr. President, I join the Senator from Pennsylvania in regretting that I did not know about it before, because I assure the Senator that had I known about it I would have brought it to the attention of the committee.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. If the Senator from Pennsylvania had read the statement which the Senator from Delaware read with respect to why Mr. Reynolds did not make this disclosure earlier, perhaps his questions and his observations would not have been in the form in which they were made by him. I read from the statement

of Mr. Reynolds, as it was read earlier today by the Senator from Delaware:

I had hoped that the Senate Rules Committee would have provided this cooperation and assistance. It had been my intention to call this to their attention and ask their assistance in getting certain documents; however, after my official interview with Major McLendon and the ex-FBI agent who tried to intimidate me in his questioning I decided otherwise. For example, when he asked me who discussed the purchase of television advertising space with me and I stated that Walter Jenkins and Walter Jenkins alone had, he, the interrogator, thereupon threw a book on the floor and in a boisterous manner informed me that I did not discuss this with Walter Jenkins, that I had discussed it with Bobby Baker. At this point I became somewhat reluctant to discuss openly anything further, knowing that his attitude was more toward defending certain people than toward ascertaining the real facts of the case. At two subsequent appearances before the Rules Committee I soon learned that the majority of that committee was more interested in discrediting me as a person and as a witness than it was in developing the actual facts of the case.

In connection with Mr. Reynolds being asked whether he would appear and agree to waive the fifth amendment, there are enough lawyers on the Committee on Rules and Administration to know that a corporation cannot take refuge in the fifth amendment if it is asked to produce documents and records of the corporation.

That course was open. It is still open. I have an idea that if we got into the books and were able to find the $109,000 check, which is being charged to business expense, and if then inquiry were made as to why it was done, we might well find an explanation which would be totally satisfactory. No one would be more pleased than the Senator from Nebraska if that were found to be the case. However, as the record stands now, it taxes one's imagination beyond the point of toleration to believe that that is what would happen.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. CASE. Is it not true that Mr. Reynolds was the subject of some information released from either Army or Defense Department files, in a way which was at least irregular, if not a violation of the law, and under circumstances which would suggest that he was being intimidated, or that an attempt was being made to intimidate him by the release, on the order of someone—perhaps on the order of someone in very high authority—of information which was supposed to be kept confidential?

Mr. WILLIAMS of Delaware. There is no question that an organized effort has been made to discredit Mr. Reynolds. There has never been any suggestion that he has not been willing to testify. He has always been perfectly willing to testify. The question of whether he would take the fifth amendment is nothing but a smokescreen. He has repeatedly asked for the opportunity to be heard and to be heard publicly before a committee. He is more than willing to be heard.

I have on many occasions expressed my appreciation to him for his cooperation.

I regret that some persons in the administration saw fit to leak what they alleged was some derogatory material as contained in confidential military files.

Whether such material is there or not, I do not know, but I do know that such material was leaked through a national columnist in what I consider to be an organized effort to discredit Mr. Reynolds.

I said before that I never knew Mr. Reynolds until the Bobby Baker case developed. I found that he knew something about it, and I began talking with him; and frankly I appreciate his cooperation. I respect the sacrifice he is making.

I have checked Mr. Reynolds' records as best I could. I found that he went into the military service during World War II as a buck private and came out as a captain. He served his country with honor. He was honorably discharged. After he was honorably discharged he went to work for the State Department. He worked there for 2 or 3 years. Then he resigned, voluntarily, with honors, and with a good record.

In addition, no question was ever raised as to his integrity until after he began to tell committees and some of us about some of the skulduggery that was going on in Washington. Those who are now trying to discredit him are the same ones who considered him honorable enough—and that includes a Member of the Senate who at that time was acting as the majority leader of the Senate—to accept from him the gift of a stereo; and Bobby Baker also accepted a stereo gift from him. They accepted those gifts; I did not. Having accepted these gifts I would not try to discredit Mr. Reynolds now. I do not think it speaks very well for those who are trying to discredit him, and in my mind their actions raise a question as to what they are trying to cover up.

Yes, there has been an apparent organized effort to discredit Mr. Reynolds. It was wholly uncalled for. I believe he should now be given an opportunity to testify in a public session, and I believe other witnesses should be called also.

With all due respect to Mr. Reynolds, this is only his version as one of the participants of what happened. We should reserve our decision until both Mr. McCloskey, with the McCloskey Co., and Mr. Baker have given their testimonies. They should be given an opportunity to testify under oath. It is time they started talking.

Mr. CASE. Mr. President, I do not know Mr. Reynolds. However, I do know the Senator from Delaware. I am glad many people know him well enough to trust him, because in this instance, as in many other cases, he has been the source of justice where justice could not be found otherwise.

Mr. WILLIAMS of Delaware. In conclusion, to the extent that it can be placed in the RECORD, I ask unanimous consent that the check be printed in the RECORD as a part of my remarks.

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

No. 015971

McCLOSKEY & Co. BUILDERS
1620 West Thompson St., Philadelphia 21, Pa.

October 17, 1960 13871 $109,205.60

Don Reynolds Associates, Inc.
6485 Fenton St.
Suite 200
Silver Spring, Md.

McCLOSKEY & Co.
T. D. McCLOSKEY.

Chase Manhattan Bank
New York

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

Mr. WILLIAMS of Delaware. I yield.

Mr. SIMPSON. I join the Senator from New Jersey in complimenting the Senator from Delaware on what he is doing for the American people and the Senate.

I say to the Senator from Delaware that had it not been for his bulldog tenacity and his willingness to submit himself to all types of criticism, he would not have been able to bring to the attention of the American people what the American people wish to know; namely, facts concerning Bobby Baker, who was the former secretary to the majority party in the Senate.

I should like to ask the Senator from Delaware a question or two. I am not so much interested in whether or not Mr. Reynolds will testify without taking the fifth amendment. I think he has evidenced a desire and a request that he be permitted to testify without taking the fifth amendment.

I am more concerned as to whether Mr. McCloskey would take the fifth amendment, in the light of evidence that has been adduced by the Senator from Delaware. Is this the Mr. McCloskey who has been sued by the U.S. Government for faulty construction of a veterans' facility in Boston, Mass.?

Mr. WILLIAMS of Delaware. That is correct.

Mr. SIMPSON. Does the Senator from Delaware know the present status of that particular suit?

Mr. WILLIAMS of Delaware. The case is still pending in the courts. The Government is asking for several million dollars damages in that suit. I do not have the figures before me.

Mr. SIMPSON. The Senator from Delaware promised to keep track of that suit. I was wondering whether he had received any further information about it.

Mr. WILLIAMS of Delaware. No; that case is pending in the courts.

Mr. SIMPSON. I compliment the Senator from Delaware for his service to the country.

Mr. WILLIAMS of Delaware. I thank the Senator from Wyoming.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. First, I must apologize for not being in the Chamber during the course of the Senator's speech; and furthermore, for not reading his re-

marks, because I just obtained a copy of them.

Did I correctly understand the Senator from Delaware to say, in response to a question asked by the Senator from Pennsylvania [Mr. CLARK] that this information came to his attention about August 17?

Mr. WILLIAMS of Delaware. That was when I had my principal interview with Mr. Reynolds. I called Mr. Reynolds. I am checking for the exact dates; I placed them in the RECORD earlier. I shall quote from the Reynold's statement, because I have no independent recollection:

> It was during the latter part of the week ending August 15, 1964, that Senator WILLIAMS called and informed me that he had obtained a photostatic copy of the check issued to me by McCloskey & Co., and an appointment was set for me to meet him in his office on Monday night, August 17.

I am quoting from Mr. Reynolds' statement.

Mr. MANSFIELD. Is this information which has recently become available to the Senator from Delaware?

Mr. WILLIAMS of Delaware. That is correct.

Mr. MANSFIELD. Has the Senator forwarded this information to the Department of Justice?

Mr. WILLIAMS of Delaware. No; but it will be available to the Department now.

Mr. MANSFIELD. I assume that the Senator intends to make it available.

Mr. WILLIAMS of Delaware. Oh, yes.

Mr. MANSFIELD. I would hope that he would.

Mr. WILLIAMS of Delaware. It will be forwarded to the Department of Justice, besides being called to the attention of the Senate.

In the light of this situation, we should call Mr. McCloskey as a witness. As Senators we have a responsibility to call Mr. McCloskey as well as Mr. Baker to get their versions of this transaction. While laws have been violated, the question goes beyond the amount of money involved. Is this a pattern? Is it an isolated case? I wish to make it clear that I have no evidence that this is other than an isolated case. I am not suggesting for a moment that it is not. But I feel that we should satisfy ourselves and be sure, so that if we are asked the question, "Is this an isolated case?" we can say, "We have checked, and to the best of our knowledge it is." A large sum of money has been paid through these Government contracts. We cannot allow such questions of propriety to remain unanswered. That is why I feel that the Senate has a responsibility to resume the inquiry as it has in many other investigations. We should bring this case before the American people, just as we expose other instances of wrongdoing. When we do so, it will serve as a warnings to others that they cannot get away with such practices.

I appreciate the cooperation which I have received from the present majority leader. He cooperated when we submitted the first resolution to start this investigation last October. As I said earlier, this is new evidence which must be further developed. A few days before I called Mr. Reynolds I obtained a copy of the check. Once I obtained a copy I was able to proceed.

Mr. MANSFIELD. I appreciate the fact that this is new evidence. I also appreciate the statement by the distinguished Senator from Delaware to the effect that all parties should be heard.

Has this information been brought to the attention of the Committee on Government Operations or to the Subcommittee on Privileges and Elections of the Committee on Rules and Administration?

Mr. WILLIAMS of Delaware. Only by my statement here today has it been called to the attention of any committee. We are in this position: The Committee on Rules and Administration has served notice that it has concluded its investigation. I made a suggestion—I am not trying to take over the leadership of the Senate—that consideration should be given by the majority leader and the minority leader to conferring with the President pro tempore to have the appointments to the select committee made as promptly as possible; then this information might be turned over to that committee. The Senate has already established this new committee; why not let it make the decision as to how it wants to handle this subject? This could be the appropriate instance in which to start to make use of such a committee.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. The reason why I mentioned the Committee on Government Operations is that its jurisdiction is all-inclusive. The reason why I mentioned the Subcommittee on Privileges and Elections of the Committee on Rules and Administration is that its jurisdiction extends to allegations such as those made on the floor of the Senate today.

So far as the suggestion of the Senator from Delaware is concerned, frankly I was under the impression, until a few moments ago, that the so-called Cooper amendment was incorporated in the proposal of the distinguished Senator from Illinois, the minority leader [Mr. DIRKSEN]. I find, upon reference, that such is not the case. So far as the Senate is concerned, the Cooper amendment has been adopted; and I would be delighted to take up with the minority leader at a very early time the suggestion made by the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. I appreciate that statement. I say again that I have made the proposal as a suggestion. If the chairman of the Committee on Government Operations, the distinguished Senator from Arkansas [Mr. MCCLELLAN], wishes to go into this question, I am agreeable. There is no more able Member of the Senate. I am not trying to designate the committee that should conduct the investigation; I merely suggest that there is a task to be done and we should direct our attention to it. Whether it is to be considered by this or that committee is something that can be determined by the Senate. I have made my suggestion since the Senate has already established the Select Committee. The point I am emphasizing the most is that this is a job that needs to be done. The sooner we get to the job and clear it up, the better it will be for all concerned. I am sure the majority leader will cooperate in that respect.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Are any Senators involved in the particular matter to which the distinguished Senator from Delaware has called the attention of the Senate today?

Mr. WILLIAMS of Delaware. I am sorry; I did not hear the question.

Mr. MANSFIELD. Are any Senators involved?

Mr. WILLIAMS of Delaware. Not to my knowledge. I have outlined all that I know about this case. There is no mention of any Member of the Senate.

In reading Mr. Reynolds' statement, one might observe the deletion of a few words. Someone may ask, "Why the deletion?" Mr. Reynolds mentioned someone else in the conversation but said that that person knew nothing about the case; he was not present during the actual discussion. So I thought it was improper to include his name in the record. He was not a Senator.

Mr. MANSFIELD. The reason why I have raised the question is, first, to make it very plain that no Senator is involved, to the best of the knowledge of the Senator from Delaware, on the basis of the statement he has made on the floor of the Senate today.

Mr. WILLIAMS of Delaware. None at all as far as this case is concerned.

Mr. MANSFIELD. Second—and I am delving back into memory now—if I correctly recall the Cooper amendment, which was adopted by this body, it has to do—and I am willing to stand corrected if I am in error—with the ethics of Senators. Is that correct?

Mr. CASE. And members of the staff, if I may be pardoned the interjection.

Mr. WILLIAMS of Delaware. And members of the staff. It was on that basis that I felt, since Mr. Baker was a member of the Senate staff, that the select committee would have jurisdiction. A staff member is involved because Bobby Baker is specificially mentioned.

Mr. MANSFIELD. I must apologize for being lax, so far as the Cooper amendment is concerned, because I was apparently under a misunderstanding. That misunderstanding has been cleared up.

Again, I assure the distinguished Senator from Delaware that I shall be most happy to meet with the distinguished minority leader [Mr. DIRKSEN] at an early time to see what can be done.

Mr. WILLIAMS of Delaware. I appreciate that statement. Again, I express appreciation to the majority leader for his cooperation beginning with the time, about a year ago, when I first submitted the resolution to authorize this

investigation. I feel now that new evidence is available which we did not have before, evidence which certainly cannot be overlooked.

I concur completely in the Senator's viewpoint that it is not so important as to how the job shall be done as it is that it be done. I thank the Senator from Montana.

Mr. MANSFIELD. I thank the Senator from Delaware.

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

The PRESIDING OFFICER (Mr. SALINGER in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On August 22, 1964:

S. 927. An act 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

S. 1046. An act to provide hospital, domiciliary, and medical care for non-service-connected disabilities to recipients of the Medal of Honor.

On August 26, 1964:

S. 3075. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; and

S. 1451. An act to amend section 41(a) of the Trading with the Enemy Act.

On August 27, 1964:

S. 16. An act to provide for the establishment of the Ozark National Scenic Riverways in the State of Missouri, and for other purposes;

S. 51. An act to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District;

S. 502. An act to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam;

S. 1917. An act to provide authority to protect heads of foreign states and other officials;

S. 2419. An act to authorize the Secretary of the Interior to condemn certain property in the city of Saint Augustine, Florida, with the boundary of the Castillo de San Marcos National Monument, and for other purposes; and

S.J. Res. 162. Joint resolution extending recognition to the International Exposition for Southern California in the year 1968 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition.

On August 30, 1964:

S. 284. An act for the relief of Ethel R. Loop, the widow of Carl R. Loop;

S. 1006. An act to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes;

S. 1363. An act to increase the participation by counties in revenues from the National Wildlife Refuge System by amending the act of June 15, 1935, relating to such participation, and for other purposes;

S. 1664. An act 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;

S. 2288. An act for the relief of John J. Feeney;

S. 2369. An act to retrocede to the State of Kansas exclusive jurisdiction over certain State highways bordering Fort Leavenworth Military Reservation and the U.S. penitentiary at Leavenworth; and

S. 2944. An act for the relief of the Greater Southeast Community Hospital Foundation, Inc.

On August 31, 1964:

S. 1007. An act 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; and

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT TO THE MINERAL LEASING ACT REGARDING TIMELY PAYMENT OF RENTALS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar Order No. 1457, S. 1984.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1984) to amend the Mineral Leasing Act regarding the timely payment of rentals, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 5, after the word "lease,", to strike out "or such further period as the Secretary of the Interior may allow,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 31(b) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 188(b)), is further amended by changing the final period therein to a colon and inserting thereafter the following: *"And provided further,* That the deposit with the Post Office Department on or before the anniversary date of the lease, as determined by the postmark on the envelope, of a correctly addressed and sealed envelope containing a check, money order, or bank draft in the correct amount of the rental and made payable to the proper payee shall, for the purposes of this section, constitute timely payment of rental to the United States if (1) the envelope is actually received by the proper office within ten official working days after the anniversary date of the lease, and (2) the check, money order, or bank draft is honored."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1984) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1518), explaining the purposes of the bill.

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

PURPOSE

Purpose of S. 1984, which is sponsored by Senator GRUENING, is to liberalize the requirements for timely payment of rentals on Federal oil and gas leases. The proposed legislation would be of especial benefit to small, independent lessees and operators who do not maintain office staffs.

The bill would accomplish this purpose by amending section 31(b) of the Mineral Leasing Act as amended (found in 30 U.S.C. 188 (b)). The Department of the Interior in administrative decisions has interpreted the provisions of this section to mean that in order for rental payments to be timely, such payments must be physically received in the land office during business hours (10 a.m. to 3 p.m.) on or before the anniversary date of the lease. (See Duncan Miller, A-28184, Mar. 21, 1960.)

S. 1984 would amend the section, and hence vitiate the above-described interpretation of it, to provide that mailing the rental payment in a sealed envelope on or before the anniversary date, as determined by the postmark on the envelope, shall constitute timely payment if the envelope is actually received within 10 days of the anniversary date.

The principle of such a procedure is generally accepted in payment of income tax, mortgage installments, insurance premiums, and the like. Thus, S. 1984 would place rental payments on Federal oil and gas leases in the same category.

NEED FOR LEGISLATION

Section 31(b) of the Mineral Leasing Act, as amended, cited above, provides in pertinent part: "* * * upon failure of a lessee to pay rental on or before the anniversary

date of the lease, for any lease on which there is no well capable of producing oil or gas in paying quantities, the lease shall automatically terminate by operation of law * * *."

In 1962 an effort was made to soften this inflexible, automatic termination provision by authorizing the Secretary to reinstate, under certain conditions, leases which had terminated for nonpayment if, in his judgment, the failure to make timely payment was not the result of a lack of reasonable diligence. However, as the bill passed (Public Law 87-822; 30 U.S.C. 188) it limited the Secretary's discretionary authority to reinstate only those leases which had terminated prior to the effective date of the act, which was October 15, 1962.

In the first session of this Congress, the committee held hearings on a private relief bill, S. 1066, sponsored by Senator McGEE, which authorized the Secretary of the Interior to receive a petition for reinstatement of a lease held by the E. L. K. Oil Co., a small independent, to consider it and act upon it subject to the provisions of the Mineral Leasing Act. Briefly stated, the E. L. K. Oil Co. posted in the Cheyenne, Wyo., post office on Thursday, January 31, its payment in full for rental of leased property. The anniversary date when payment was due was February 1. However, the payment was not delivered in the office of the Bureau of Land Management in the same city until Monday, February 4, 1963, although the envelope was properly addressed and sealed. In view of Interior's interpretation of what constitutes timely payment, as stated above, and consistent with previous departmental decisions, the Department held that the lease had been terminated automatically.

At the committee's hearings, it was established that the lessees had in fact acted in good faith, that they had invested all of the money they had in developing the lease, and had discovered oil. If the cancellation were allowed to stand, the lease would be put up for competitive bidding, since oil had been discovered on it, and the young veterans whose enterprise had resulted in the discovery would lose the lease.

Senator McGEE's bill became law, and S. 1984 was introduced to prevent similar inequities. The E. L. K. Oil Co. case is by no means the first of its kind to come to the committee's attention.

COST

No additional expenditures of Federal funds are authorized nor contemplated under S. 1984.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal Old-Age Survivors, and Disability Insurance System, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

REQUEST FOR THE PRIVILEGE OF THE FLOOR

Mr. ANDERSON. Mr. President, I ask unanimous consent that Irvin Wolkstein, of the Social Security Adminstration, be permitted to be present on the floor of the Senate during the debate on the pending bill.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, perhaps we would be willing to agree to the presence of someone from the executive branch to help those who are opposing the amendment. But I have not had an opportunity to discuss that subject with the distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD]. He is not in the city at the present time. He will be in the Chamber some time later today. I may be able to agree after I have discussed the subject with the chairman of the committee. At the present time I feel I must object.

Mr. ANDERSON. This is an extremely unusual situation.

At the time the King-Anderson bill was previously considered, the Senator from Oklahoma was permitted to have with him three members of the social security staff, not merely one. Two additional members of the Social Security staff were permitted to sit with the Senator from New Mexico. I am willing to accept the verdict but it is an unusual procedure. I have seen with my own eyes, and so has the Senator from Louisiana, members of the staff of the Finance Committee and the Joint Economic Committee sitting over there beside the Senator.

Mr. LONG of Louisiana. I hope the Senator will remain long enough to get my response to his statement. I managed the most significant revenue bill that we have had in the history of this country. That was the Revenue Act of 1964. I had the help of the distinguished Senator from New Mexico at that time. We did not ask to have anyone from the Treasury sit with us in the Chamber at that time. They were available to us off the floor, but we did not ask that any of them be permitted to come to the floor of the Senate. I do not plan to object to the Senator bringing someone to the floor of the Senate after I have had an opportunity to discuss the subject with other members of the committee.

I know what it is to be pilloried before this body when someone supporting my side asked unanimous consent to bring an expert to the floor of the Senate to help him explain his bill or his amendment. Some of the sponsors of the amendment would stand up and pillory those of use who supported, for example, the tidelands bill because we brought someone to the floor who had some technical knowledge of some of the problems.

Furthermore, while I am on the subject, I should like to say that while those sponsoring amendments had every right to do so, on occasion they have objected to representatives of the executive branch even sitting inside the Finance Committee while we discussed technical subjects in connection with tax bills. Senators have a right to make such an objection. That is a problem with which we have had to deal. I am being no more difficult about this subject than other Senators, some of whom are sponsoring amendments to the pending bill. I have a regard for that position. The distinguished chairman of the Finance Committee has a right to object if he wishes to do so. The Senator from New Mexico is making his request prematurely. I do not plan to object if the distinguished chairman of the committee does not wish to object.

If the Senator wishes to have a record of having made the request and having the request objected to, that is his privilege.

Mr. ANDERSON. May I ask the Senator if he has anyone in the Chamber from the Library of Congress?

Mr. LONG of Louisiana. I believe so.

Mr. ANDERSON. I believe so, too. What is the difference between having personnel from the Library of Congress and personnel from the social security agency when the Senate is considering a social security matter?

Mr. LONG of Louisiana. They are available to the Senator.

Mr. ANDERSON. I do not want them. I want personnel from the social security agency.

Mr. LONG of Louisiana. I have permission to have present those who are here. The Senator from New Mexico can obtain permission in due course. I do not plan to object to his request, but I intend to discuss the decision with certain Senators who are not now present.

Mr. ANDERSON. This is a somewhat technical bill. I believe the Senator will find that this is the first time that a request for help on a social security bill has been refused.

Mr. LONG of Louisiana. I would be surprised if this were the first objection to having someone come on the floor to help as an adviser. I have brought persons on the floor, and objections have been entered. I have been as willing as any other Senator to have staff members present to assist Senators, and to hear what is going on and advise Senators, but I am not ready to agree to the request now. Perhaps I shall do so later.

I urge the Senator, who is an able parliamentarian, and who is one of the most honorable gentlemen I have ever known, to give us an opportunity to discuss this request with the chairman of the committee. I am not sure that I am even in charge of the bill. It depends on what the chairman of the committee wishes to do. The Senator knows that the Senator from Virginia [Mr. BYRD] suffered a tragic event this past week and has not been present. He will be here today. After I consult with him I shall give the Senator the answer. I am sure the answer will be to give permission. But I hope the Senator will not put pressure on me now.

Mr. ANDERSON. I do not intend to put any pressure on the Senator, but I will add one thing. When the Senator

from Louisiana asked for help on the floor, he received it. Now, when a Senator who is proposing the Anderson-King measure requests help, he cannot get it.

Mr. President, we again are engaged in debate over how best to provide a way of paying the cost of health care for the aged. We debated this subject in this Chamber in 1960, and again in 1962. Over the years the studies and statistics and surveys have piled up showing that the elderly are the age group most desperately in need of an adequate means of paying for health and hospital services. And while the evidence has mounted that the need is urgent, the numbers of aged have increased, the cost of care has increased, and a variety of attempts—both public and private—to relieve the problem have met with, at best, quite narrow results.

There are no really new facts to substantiate our case for effectively coping with this national need by inaugurating a program of health insurance for the aged through social security. Statistics have been brought up to date. Surveys have been made current. Both the House Ways and Means Committee and the Senate Finance Committee have held hearings in this Congress on the matter. The Senate Select Committee on Aging has thoroughly examined the capacity, the willingness, and the performance of private insurance to provide adequate insurance protection at premiums the aged can afford.

The committee found that only a little over half of the elderly have any kind of health insurance protection despite intensive efforts during recent years to supply the needed protection. The number of older people without any protection today is nearly as large as it was 5 years ago; over 8 million aged persons have no health insurance at all. An additional 3 million aged have commercial health insurance policies that pay $10 a day or less toward hospital daily room charges which now average more than $20.

These policies, Mr. President, were inadequate to begin with; rising hospital charges compound their inadequacy.

Mr. President, six members of the Senate Finance Committee—Senators DOUGLAS, GORE, MCCARTHY, HARTKE, RIBICOFF, and the senior Senator from New Mexico—signed minority views in the committee report on H.R. 11865. We stated further on the subject of private insurance:

> The guarantee that a policy is renewable is not too meaningful if the policy does not meet current hospital charges and if the premiums are constantly being increased. Probably less than a million—5 to 6 percent of the aged—have health insurance protection covering as much as 40 percent of today's average medical costs. Such protection, when available, costs over $400 a year for a couple, and in some cases as much as $550 a year, one-fifth of the average aged couple's income.
>
> Private insurance by itself cannot meet the needs of the overwhelming majority of older people for a program providing adequate protection at acceptable costs. With a social security hospital insurance program in effect, private insurance would have a vital and major role to play. Relieved of the impossible strain of somehow having to pay for the most expensive insurance—hospital coverage—many older people would be in a position to purchase private insurance protection against other health costs. Many, for example, would be able to purchase major medical-expense policies now available, which could serve to compliment the basic social security protection.

In 1960 we enacted a program—Kerr-Mills—to provide medical assistance for the aged who were not necessarily impoverished. This assistance, largely with Federal funds matched by State contributions, was supposed to aid those persons 65 or over who were medically indigent; that is, persons who were not on relief rolls, but who did not have the resources to meet hospital and medical expenses.

I remember the late Senator Kerr's forecast that 10 million aged persons would be eligible for assistance under the Kerr-Mills law. The opponents of a social security health insurance program are the most vigorous ardent backers of Kerr-Mills. They claim a host of virtues for this program. It avoids Federal control. It does not burden the social security taxpayer because financing is through general Treasury funds and the States. It avoids the spectre of socialized medicine. It gives the aged the kind of medical and hospital care they need.

The 4 intervening years since the enactment of Kerr-Mills has not borne out any of these claims.

The protection under the Kerr-Mills programs is exceedingly spotty; it varies from State to State and seems to depend not on the needs of the elderly people in the State but on entirely unrelated factors—the resources of the States, the political views of its legislators, the pressures in the State to keep taxes as low or lower than elsewhere so as to attract industry.

There are, for example, 10 States that have no program at all as yet, and in 11 others the programs have been authorized but not implemented. In the States that have going programs, generally these programs are greatly limited in the scope of the benefits they provide and restrictive in their eligibility requirements. For example, in some States hospital care is limited to acute illness or injury or to conditions which are life endangering or which threaten sight. Under almost all States with Kerr-Mills laws, only persons who are substantially without resources are eligible. Usually, where the individual has assets amounting to more than stipulated amounts, he would either be disqualified or be forced to use the excess to meet the costs of the services furnished him. The asset limitations are as low as $500 in the District of Columbia. If assets are brought down to the specified levels, the small interest and dividends formerly expected are lost forever and the person may become a permanent charge on the community.

Let me illustrate with a fairly representative case—a single person with an annual income of $1,850 and with assets in addition to his house valued at $1,000 and life insurance with a cash surrender value of $500, who needs hospital care costing $375 and physicians' care costing $125. According to the most recent data available, his costs for these services would be paid in full under the Kerr-Mills programs in one one State in the United States—Idaho. In five other States—Louisiana, New York, New Jersey, Massachusetts, and Pennsylvania—he would be eligible to receive part but not all of these services. In only six States would he have received any aid at all.

Now, the case of an aged couple with an annual income amounting to $3,000, total liquid assets valued at $1,000 and life insurance with a cash surrender value of $500, who need hospital care costing $375 and physicians' services costing $125. They would be eligible to receive payment for these services in full under the Kerr-Mills programs in only four States—New Hampshire, New Jersey, Oklahoma, and West Virginia. In only five other States—Florida, Louisiana, Massachusetts, New York, and Pennsylvania—would part of their costs have been paid. In 41 States no aid would be provided.

The glaring inadequacies in the Kerr-Mills programs as they stand today, 4 years after the Federal legislation was passed, show beyond any doubt that these programs are not doing the job they were intended to do. Most of the States simply do not have the funds to put up in order to obtain money from the Federal Treasury to finance adequate programs.

But what would happen if we do not allow social security to deal with the problem of high health-care costs of the aged? Then the responsibility would go by default to the Kerr-Mills programs. And that is where lies the great danger.

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

Mr. ANDERSON. I am happy to yield to the Senator from Tennessee.

Mr. GORE. Is it not a fact that the Kerr-Mills law is intended to cover those who are determined to be indigent?

Mr. ANDERSON. The expression "the medically indigent," has been used constantly. Apparently there is some pride in that classification. On the other hand, those who desire to retain their dignity and self-respect are barred from that program. Many of us discussed this point at the time. Among them were the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. GORE], and I. We were present when the bill was presented. We did not object to what the proponents were trying to do. We knew that they were trying to do something. We merely objected to the way it was being done. We thought it should be done more favorably. However, we refused to say to Senator Kerr that we objected to what he was trying to do.

Mr. GORE. The proposal before the Senate now would not take from any medically indigent person the benefits available to him under the Kerr-Mills law, would it?

Mr. ANDERSON. Not at all.

Mr. GORE. The current proposal seeks to provide a system of health insurance through the social security program to those who are neither medically indigent nor wish so to become. Is that correct?

Mr. ANDERSON. Yes. I believe that the most significant thing that has happended in a long time, so far as I am

concerned, was what happened when the able Senator from New York [Mr. JAVITS] organized a group to study the social security program along with his health program. Senator JAVITS and some of us did not agree as to how the program should be administered. In general he supports health care for the aged, and did then, but he had not quite yet come to the point where he thought it should be handled only through social security.

However, he did do something for which I commend him, and which all Senators might well follow. He tried to obtain the best panel possible to study the problem. He put on that panel such distinguished people as Marion Folsom, of the Eastman Kodak Co., a former Secretary of Health, Education, and Welfare in the Eisenhower administration. He also placed on that panel Arthur Larson, a high official in that administration.

It was not a packed jury. It was a fair jury. It reported that the basic program should be conducted through the social security system. The great business genius who was guiding the Eastman Kodak Co. was smart enough to know that the basic program could be best administered and administered in the cheapest way by handling it through the social security system.

The group of doctors and statesmen whom the Senator from New York got together came to that conclusion. Of course, it is the only conclusion that could be reached by any person who looked at the subject carefully.

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

Mr. ANDERSON. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, first I should like to state that I have a very high regard for the distinguished senior Senator from New Mexico in dealing in this field. Therefore I appreciate his statement. I have listened to the colloquy between the Senator from Tennessee [Mr. GORE] and the Senator from New Mexico. Do I correctly understand that the Senator from New Mexico would not repeal the Kerr-Mills law even if additional legislation were passed?

Mr. ANDERSON. Yes, indeed. We would not repeal the Kerr-Mills law. In 1960 the Kerr-Mills bill never had what really could be regarded as 1 minute of hearing by the Committee on Finance, when the committee was meeting in the Old Supreme Court Chamber, because a health care bill was to be presented, and other bills were before the committee. Three of those bills were before the committee when Senator Kerr, of Oklahoma, brought forward his proposal. Nothing was said before the committee in executive session. Nothing could be said. The Senator from Kansas knows that to be true, because he was present. We said it looked like a device to cut down the bill that was pending.

The Senator from Oklahoma said, "Oh, no. This is to take care of people who are indigent." All of us voted for it.

The Senator from Illinois and the Senator from New Mexico sat side by side, as they do now, in the Committee on Finance, and discussed what our attitude should be. We decided that we could not oppose that sort of program, but we did not believe it should be used as a substitute for what we all know to be a dignified way of handling the problem, and which so many people believe to be the only way to handle it; namely, the social security system, not only for the benefit of those who are medically indigent, but for all who are aged.

Recently I spent a few days in the hospital and, therefore, I speak from experience. I found that the charges were not running at $20 or $25 a day, but, on the contrary, my first 5 days in the hospital ran to something like $200 a day in all. I found that it was a great deal more costly than had been anticipated.

Fortunately I have insurance which covers the cost. Even if I did not have the insurance, I have reached the stage in life where I am past 65, and I can deduct the entire amount of my medical bills in my income tax return. However, what would happen to a person who did not have such insurance? I shall never be in favor of repealing the basic provisions for helping people who are indigent and who need help.

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

Mr. ANDERSON. Yes; I yield to the Senator, and I apologize for making my reply so long.

Mr. CARLSON. I believe that yesterday the distinguished Senator from Tennessee [Mr. GORE] offered a new proposal, so to speak, on medicare, to care for people under the social security program. I have not had time to study his proposal or to analyze it. I have tried to read through it. I do not wish to speak in a critical way, but here, too, is a proposal on which no hearings had been held. Is that not correct?

Mr. ANDERSON. With one exception. We have been trying to hold hearings on it. This proposal is largely the King-Anderson bill. In 1962 I made a motion in the Committee on Finance to have hearings on the bill. As the Senator from Kansas knows, that motion was voted down. Therefore we could not have hearings. The Senator from Kansas participated in voting down that motion. Other Senators in the committee also voted it down.

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

Mr. ANDERSON. I yield.

Mr. GORE. Mr. President, during the illness of the distinguished Senator from New Mexico, I offered the King-Anderson bill in committee. I moved that the committee proceed to hold public hearings. That motion was agreed to without objection, and hearings were held on the whole program of social security and the King-Anderson bill. One witness after another appeared before the committee. A number of hearings were held on it, and 728 pages of testimony were taken on the subject.

Mr. ANDERSON. Not only on the King-Anderson bill, but on other matters that were before the Committee on Finance.

Mr. GORE. Yes; but much of it was on the King-Anderson bill.

Mr. ANDERSON. Yes. I say again to the Senator from Tennessee, as I said before, that I appreciate very much his energy and drive in trying to obtain hearings on the bill.

In 1962, when the social security health insurance proposal went to the floor of the Senate, and we were very close to passing it, the only argument that was raised over and over again was that no hearings had been held on the bill in the Committee on Finance.

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

Mr. ANDERSON. I yield.

Mr. CARLSON. Am I to understand that the proposal which was offered as an amendment by the Senator from Tennessee is the King-Anderson bill?

Mr. ANDERSON. I hope I remember the changes that were made in it. I do not guarantee that I do. Two or three significant changes have been made in it. One is the addition of a cost-sharing provision, which was involved in the Ribicoff proposal. I go on the theory of the proverb that "A light is good in whatever lamp it is burning."

The Senator from Connecticut [Mr RIBICOFF], out of his experience, brought in a proposal which I thought was good. The Senator from Tennessee [Mr. GORE] thought it was good to add it to his proposal. Also, there was a change made in the nursing home provision, from 180 days down to 60 days.

But the basic features are the essential features involved originally in the King-Anderson bill. I therefore feel that it is perfectly fair to say to this group what while it is not letter and verse with the original quotation, page after page is merely the King-Anderson bill with some changes that were necessary because of the amendment offered by the Senator from Louisiana [Mr. LONG].

M. DOUGLAS. Mr. President, will the Senator yield, to permit me to reply to my good friend from Kansas?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. My heart is really wrung by the squeamishness expressed by the Senator from Kansas toward the amendment proposed by the Senator from Tennessee. The Senator from Kansas alleges that no hearings were held on the Gore amendment, and appears to lament this, even though the Finance Committee held hearings on a nearly identical proposal. But the Senator from Kansas yesterday became a sponsor of the Long amendment, which was sprung upon us suddenly at the conclusion of the Senator's speech. It came as a bolt out of the blue. No hearings were held on the Senator's amendment, and it was not proposed in the Committee on Finance.

The Senator from Tennessee made some changes in the King-Anderson bill, when he proposed it as an amendment to the Long amendment, largely to meet questions raised by the amendment of the Senator from Louisiana, the Senator from Indiana, and the Senator from Kansas. It ill behooves my dear friend from Kansas to reproach us for submitting an amendment upon which he alleges no hearings have been held in the

Committee on Finance and, of course, the fact is that hearings were held.

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

Mr. DOUGLAS. The Senator from New Mexico has the floor.

Mr. ANDERSON. I yield to the Senator from Kansas.

Mr. CARLSON. I merely wish to comment that I was not reproaching the Senator for not holding hearings on the bill. I said nothing about the amendment offered yesterday, of which I am a cosponsor, on which no hearings have been held. As a matter of fact, it was a new proposal.

Mr. DOUGLAS. I thought there was a slightly derogatory overtone or undertone to the comments of my good friend from Kansas.

Mr. CARLSON. The Senator from Illinois should not be so suspicious of them.

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

Mr. ANDERSON. I yield.

Mr. GORE. I should like to read from a statement made by the able, lovable, beloved chairman of the Committee on Finance, the gentleman from Virginia [Mr. BYRD] at the beginning of the hearings on August 6, 1964:

> The CHAIRMAN. The committee will come to order.
>
> The hearing today is on the social security bill, H.R. 11865, and amendments proposed thereto relating to medical care for the aged. Two amendments on this subject have been introduced thus far. They are amendment 1163, by Senator JAVITS, which is a modified version of his bill, S. 2431, and amendment 1178, by Senator GORE, which is identical to the so-called King-Anderson proposal, S. 880, except as to rate schedules and maximum taxable wage base. I place in the record a copy of the bill, the amendments, and a committee print comparing the provisions in amendments 1163 and 1178. If additional medical care for the aged amendments are introduced in the Senate before the completion of these hearings, copies thereof will be inserted in the record also.

So it is quite clear that not only the specific subject matter of the amendment which I submitted yesterday was the subject of the hearings, but the general subject of health insurance also was the subject of hearings. I believe that this is a moot question in view of the 728 pages of printed hearings, during much of which time both the Senator from Kansas [Mr. CARLSON] and the senior Senator from Tennessee were present.

Mr. President, will the Senator from New Mexico yield for one further moment?

Mr. ANDERSON. I am glad to yield further.

Mr. GORE. With respect to the effect of the pending amendment on the Kerr-Mills program, I point out that the enactment of the pending amendment would relieve the States of a considerable burden that they now have of not only determining the medical indigency of many of their old people, but also providing the matching funds. The pending bill, as the Senator from New Mexico knows even better than I, provides an actuarial balanced program by which contributions will be made that will base such health care aid on an insurance principle and on a pay-as-you-go basis.

Mr. ANDERSON. The Senator from Tennessee is correct. One thing that this proposal would do would be to provide that those needing aid be not further investigated to prove that they are indigent. That would not be necessary if they had passed the age of 65. That would be as far as it would be necessary to go with the investigation.

Mr. GORE. It has been estimated by experts that the enactment of the King-Anderson proposal or the pending amendment would relieve the States of approximately 40 percent of the burden they now bear for health care for the indigent.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico yield, to permit me to amplify that statement?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. It would relieve the States of 40 percent of their total costs under the Kerr-Mills Act which are costs now being expended for hospital and nursing care. It would release those funds, which could then be used by the indigent for doctors fees and surgical services. Thus, by enacting a health care plan financed under the social security system we would increase the protection which the States can provide through the public assistance phase of medical care.

Mr. ANDERSON. That is true. That is one of the strong, attractive features of the proposal. It would do exactly that and permit a wiser use of the money. That is what many of us have been seeking to accomplish.

What would happen if we allowed this responsibility to go by default under the Kerr-Mills program? Once it became clear that we had saddled the Kerr-Mills programs with this burden, the pressures for increasing the Federal share of Kerr-Mills expenditures would soon become irresistible. The amount we would have to write into the blank check that the Kerr-Mills program gave the States would be staggering and without any predictable limits.

There are other inadequacies in the Kerr-Mills Act. As of June of this year, five States—New York, California, Massachusetts, Michigan, and Pennsylvania—were making 73 percent of all payments under the Kerr-Mills programs for medical assistance to the aged. They received 70 percent of all Federal funds; they had more than half of all the recipients; but they had less than one-third of all the aged in the country. Yet even with this imbalance in their favor, those five States aided only 1.8 percent of their aged.

I have wondered why we have not spent more time discussing those States and how they got into this situation. New York is a rich State. New York is a progressive State when it comes to looking after the aged. New York had a great many patients who received old-age assistance in nursing homes. When the Kerr-Mills Act was passed, New York did the simple thing. It merely took advantage of the situation. I do not mean that it did so improperly, but it shifted all the patients it could directly under the Kerr-Mills Act. The result was that New York paid out substantially more Federal money than its own money. Thus the cost to New York was less. The Federal Treasury was used to supplement the situation in the State of New York.

The table I have before me extends only through June 1964. It shows that New York had paid out $10,732,462, 29.1 percent of all the money being paid out. That was not quite as bad as it had been a short time before.

For the calendar year 1963, which is a full year, one we can measure easily, the State of New York paid out $112 million to its people, which was 34.1 percent of all the money paid out in the Nation.

I have no quarrel with the State of New York; but I do not see why New York should transfer its welfare burden to the rest of the country and make it impossible for some other States to take advantage of the Federal money. We would like to see many other States receive the benefits of this program; but it has been found impossible to bring this about.

In the last full year, New York, California, Pennsylvania, Massachusetts, and Michigan received 80.5 percent of all the money paid out on this coverage. While I do not regret that they received this money, I think it would be fine if we had programs that did not benefit so greatly the States that are rich.

I know how easy it is to say that we ought to do something else besides what we are doing.

Why are some of the States so interested in this question? A report has been prepared by the Public Affairs Research Council of Louisiana which shows the situation in Louisiana. The State is making cash gains from Kerr-Mills from hospitalization in charity hospitals. Prior to Kerr-Mills, those 65 and over were given treatment in charity hospitals, and the cost was paid by the State. Under the medical assistance for the aged program, reimbursement is made to the charity hospitals for the treatment of Kerr-Mills patients. This reimbursement includes Federal assistance. In 1961 and 1962 the State gained approximately $914,878 in Federal money.

Mr. DOUGLAS. This is from the Louisiana report itself?

Mr. ANDERSON. Oh, yes.

Mr. DOUGLAS. Louisiana is thus boasting that Federal aid under Kerr-Mills has helped to cut down the amount which it directly gives the aged in the form of hospital and nursing care.

Mr. ANDERSON. The Senator is correct. This is an analysis published by the Public Affairs Research Council of Louisiana, No. 109, February 1963, which is an analysis of the Kerr-Mills Act in Louisiana. We can understand why that appeals to the people of Louisiana. They have more royalties and various other things that make it easier to get along than do other States. States which are normally poor and have been poor for a long time are not able to do this. In a State like my own, we should like to have a program under the Kerr-Mills Act, but

we have other demands for State revenue. That is why many States do not have the program. Those States find it extremely difficult to adopt the program.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I am happy to yield.

Mr. GORE. The Senator has illustrated in a provocative way one of the basic faults and shortcomings of the present Kerr-Mills program. It is operating to bring maximum benefits to the old people in the richest States, which have the best means to care for their own, and it operates to bring the least benefits to the old people in States which have the least resources upon which to depend to bring relief to their older people.

Mr. ANDERSON. I agree with the Senator from Tennessee. I do not object to the people in New York doing so well. I do not mind at all that people in any of the States are receiving special benefits from the help which the State is able to extend. They are fortunate in having such resources.

At one time a great library came on the market, and the question arose as to whether Yale, Harvard, or Princeton would get it. They did not have to worry because there was only one State that could bid for it and that was the State of Texas, which bought it. It could buy anything it wished. I do not regret that. I wish my State could have afforded it, or some other Senator's State could have had it. When it comes to dealing with the poor and sick people of this land, we should try to provide some program under which all will benefit.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. In the interests of fairness, should we not say that the severance tax imposed on the oil yields in the State of Louisiana was the result of the efforts of the late Huey P. Long, who was abused in many ways, but who really did tax the oil companies for the first time. His distinguished son is now a Member of the Senate. I believe that in justice to the Long family, this point should be emphasized.

Mr. ANDERSON. I do not question that. I know that it is so. I am glad that it is so. I have previously stated that the Senator from Louisiana has tried hard in the welfare field. But I also point out that this is a situation which is rather tough on States that do not have such advantages. If we placed a severance tax on the State of Arizona, for example, we would receive little in the way of royalties.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. GORE. I should like to emphasize that though the benefits from the present program flow unevenly, or flow not at all, to the old people in a great many States, we do not seek to take one single benefit away from any old person in any State.

Mr. ANDERSON. I am happy that the Senator from Tennessee has again stressed that point, because it is absolutely correct.

In 1962, when the battle was on, the Senator from Oklahoma tried to point out that the Senator from New Mexico had opposed enactment of the bill. Unfortunately, the record was against him. No one tried to cut down the Kerr-Mills program. We did not try to do so in the presentation made in 1962. We did not seek to eliminate the Kerr-Mills program. We are not trying to do so now. We left it strictly alone in States which were fortunate enough to be able to take advantage of it. However, the rest of the country has some rights.

Mr. GORE. To state it in a little different light, no matter how vigorously we seek to bring into being the insurance principle of health care, there are—and I am sorry to say, perhaps there always will be—a considerable number of people who have not been in so-called covered employment, people who do not qualify on a contributory basis and who, therefore, at least to some extent, may remain indigent. In cases in which charity is the only way to reach a needy old person, we do not condemn charity. What we condemn is depriving millions of our old people and millions of people who someday will be old, who are self-supporting and self-respecting, and who wish to participate in a sound, insurance-type program of health care, of the opportunity to do so.

Mr. ANDERSON. I believe that is the whole story. No one minds what the people of New York are trying to do. It is in a fine financial situation. We are very glad that that is so. But we do object to the fact that some old people have to say, "We are indigent."

Not long ago I heard an address by the president of the American Medical Association, who brought out certain facts, but did not bring out the fact that only 18 percent of the aged people of Kentucky hospitalized under Kerr-Mills medical assistance for the aged stayed longer than 10 days in the hospital because the Kerr-Mills law in that State covers only 10 days of hospital care. Yet nationally about half of the aged who go to the hospital stay longer than 10 days.

Mr. GORE. Mr. President, will the Senator from New Mexico yield further?

Mr. ANDERSON. I am happy to yield to the Senator from Tennessee.

Mr. GORE. I should like to point out one additional provision of the King-Anderson bill, namely, an extension of benefits to people who are already 65 or who, during the next 2 years, will reach the age of 65. This is not a cold-hearted proposal. We recognize the need for the U.S. Government to be compassionate and considerate, but in the long run we wish to place this program on a sound and fiscally responsible basis.

Mr. ANDERSON. The Senator is correct. That very question shows the direction in which we are moving. We recognize that if we left out all those people at the present time, a great hardship would be imposed upon them. In a few years from now, most of them would be in covered employment and would have no trouble. Therefore, temporarily, to bridge that gap, for a short time, the cost would be paid out of the Federal Treasury.

That does not violate any principle, because the Kerr-Mills program is operated on the same basis. Therefore, these costs should be paid from the Federal Treasury for those who become sick and need help.

In the long run, the goal is to get people to make their own contributions. As a result they would be able to receive benefits of their own election. There is a feeling of satisfaction and comfort involved in that sort of program. The people would be taking care of themselves. The average person does not want to be a drain on society. He wants to feel that he has a right to receive certain benefits as a result of his labor over the years.

I do not know how many people have written me and stated that the one thing they like best about the King-Anderson bill is that it would give them an opportunity to make their own contributions and to receive medical care after the age of 65. I was amazed at the number of people who said they wanted to make their own contribution. I thought that people might be happy to get something for a very modest amount or nothing at all. But the situation is quite the reverse. Very few people said, "I am happy to have the benefit of the Kerr-Mills program." The bulk of the mail that I received read to the effect that, "I would be glad to pay my way. I want to start contributing now. I do not want to be a burden on my children and friends when I reach the age of 65. Therefore, I favor what you are trying to do."

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

Mr. ANDERSON. I yield.

Mr. DOUGLAS. Is not that exactly the same experience as the Senator from New York [Mr. JAVITS] had when he proposed a governmental-support system? Under this plan he proposed and I think quite properly—that the revenues would be collected on an authentically progressive basis, and distributed on a need basis. But the Senator from New York discovered that this system was not what the people concerned wanted. They wanted a program which would allow them to contribute their own funds. Therefore, the Senator from New York withdrew his federally financed proposal and substituted one which provided for contributions by employers and employees.

Mr. ANDERSON. That is one thing that I appreciate about the position of the Senator from New York. He faced the situation and found out what the facts were. He then came forward with a program to meet the facts. In connection with the previous program, he surveyed the situation through a panel. It was found that the people wanted to be financed through social security. Able and skilled hospital administrators found that it could best be done through social security. He changed his program accordingly. In my opinion, that

is the mark of a man who is willing to face facts and not theories.

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

Mr. ANDERSON. I yield.

Mr. McNAMARA. It has been stressed in the colloquy that people must be indigent in order to receive any benefits under the Kerr-Mills law.

In a great many States, not only must the applicant prove that he is indigent, but he must also prove that his children, his son-in-law, and others are indigent. That requirement goes a long way toward removing any dignity that an older person might have. In most cases, the older person will not take anything from the children of their children. They will not take anything from their grandchildren for their benefit. This is the last thing that they would do. That is also a dignity destroyer. I believe that the maintenance of dignity is extremely important, as the Senator from New Mexico has stressed.

Mr. ANDERSON. Mr. President, I thank the Senator from Michigan for his observation. I also thank him for the work that his committee has done. The committee has worked most diligently and produced more significant information than any committee I have ever observed. I thank the Senator from Michigan for the work done by his committee. Nevertheless, I believe it might be useful to have printed at this point in the RECORD a list of the States with "relative responsibility" provisions in MAA as of June 1964.

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

STATES WITH "RELATIVE RESPONSIBILITY" PROVISIONS IN MAA—JUNE 1964

Sixteen of the thirty-seven jurisdictions with MAA programs operating in June 1964 consider ability of relatives to pay for medical care needs in determining eligibility of applicants. These 16 made 63.2 percent of total MAA vendor payments in May 1964—$22.2 million out of the total of $35 million.

State	Provision	Vendor payments, May 1964		
		Rank among all States	Amount	Percent of total
New York	Spouse, parents, and children, required to pay for care to full extent of ability.	1	$10,704,049	30.5
Massachusetts	Adult children must contribute within their ability.	3	4,177,570	11.9
Michigan	Contributions, including those not made but assumed available, considered as applicant's income, except during first 30 days of hospitalization.	4	1,937,462	5.5
Pennsylvania	Legally liable relatives must contribute to costs of recipient's medical care.	5	1,889,240	5.4
Connecticut	Contributions from spouse and adult children, including those not made but assumed available, considered as applicant's income.	7	1,092,337	3.1
New Jersey	State may seek recovery of MAA payments from recipient's relatives.	8	1,044.112	3.0
Iowa	Spouse and adult children must contribute within their ability.	10	379,640	1.1
North Dakota	Adult children must contribute within their ability.	15	254,129	.7
Utah	Relatives must contribute toward costs of medical care.[1]	18	234,160	.7
Illinois	Spouse and adult children required to contribute.	23	169,988	.5
Hawaii	Adult children generally required to contribute according to a schedule.	24	157,654	.4
New Hampshire	Spouse and adult children must contribute.	30	72,497	.2
Vermont	Adult children are expected to contribute to extent they are able.[1]	32	30,245	.1
Wyoming	Adult children must contribute to costs of medical care within their ability.[1]	33	8,291	(2)
Nebraska	Spouse, parents, and adult children must pay for care to full extent of their ability.	----------	(3)	----------
South Dakota	Adult children must contribute within their ability.[1]	----------	(3)	----------

[1] However, failure of relatives to comply does not affect applicant's eligibility.
[2] Less than 0.05 percent.
[3] No payments yet reported as of May 1964.

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

Mr. ANDERSON. I yield.

Mr. BURDICK. It was stated that the proposed legislation would in no way affect the Kerr-Mills program in States in which it is in operation.

Mr. ANDERSON. That is correct.

Mr. BURDICK. Would it be possible for a recipient to receive benefits under both programs?

Mr. ANDERSON. Common practice would take care of that. Thus far, there has been no difficulty in the administration of the program. Even though a person who received Kerr-Mills funds might be indigent and completely in need of funds, he would not receive benefits from the case aid worker, and further benefits from the State. He would select the way in which to travel, and he would travel that way.

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

Mr. ANDERSON. I yield.

Mr. DOUGLAS. The King-Anderson bill and the Gore amendment would provide for hospital and nursing care. It would not provide for medical services or surgical services. If an aged person is indigent, he can receive the benefits he is entitled to receive under the King-Anderson or Gore proposals. Thus, through the social security health care program he will receive payment for hospital and nursing services. In addition, however, an aged person who is indigent could also receive payments under Kerr-Mills for medical and surgical services. In other words, under certain circumstances, the two could be blended just as old-age assistance is blended with old age security. But the Senator from New Mexico is completely correct in saying that there would be no duplication of benefits. But if a person used up his eligibility for hospital and nursing care under the King-Anderson or Gore proposal and was still sick, supplementary care in hospital and nursing homes could be provided under the Kerr-Mills law.

Mr. BURDICK. Would it be a fair statement to say that there would be no conflict, and that one program might supplement the other?

Mr. DOUGLAS. That is correct.

Mr. ANDERSON. To emphasize the point made a while ago by the Senator from Tennessee [Mr. GORE], if this measure were to pass, it would relieve many States of some of the obligations they now have under the Kerr-Mills law. It would be possible to place that money where it was most needed. The real problem is how to eliminate a part of the load and spend the money more properly on other cases.

One thing that I learned when I tried to administer the relief program under Harry Hopkins was that we were always short of money. The only way to obviate the difficulty was adequately to take care of the people who were really in need, to the exclusion of the remainder of the people.

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

Mr. ANDERSON. I yield.

Mr. CARLSON. It might be interesting to read for the RECORD, in view of the question asked by the Senator from North Dakota [Mr. BURDICK], from page 476 of the transcript of the hearings. It reads:

BENEFITS PROVIDED

During the fiscal year ended June 30, 1962, according to the Department of Health, Education, and Welfare, $350.7 million in OAA funds and $194.8 million in MAA funds—over half a billion dollars—were spent in vendor payments for health care.

About $210 million went for in-patient hospital care, $207 million for nursing home care, $49 million for physicians' services, $47 million for prescribed drugs, $6.3 million for dental care, $17 million for other services, and some $4 million was not identified as to type of service.

I believe that is an interesting statement to have printed at this point in the RECORD. Many people believe that under the King-Anderson bill, all services would be taken care of—drugs, hospital care, and nursing care. It is unfortunate, but it is true, that many people have been led to believe that they would receive such services under the bill.

Mr. ANDERSON. I recognize that people believe that. But we pointed out in the discussions in 1962, as we shall have to do again, that under the King-Anderson proposal recipients would not receive payments for physicians charges. Under Kerr-Mills, they can have dental work done and get eyeglasses. It is said that one could get a new toupee. But that could not be done under the King-Anderson bill. One could obtain nursing and hospital care, and things of that

nature. That is why I want to get that much provided for.

I do not believe that anyone who lives in my home community thinks that I am hostile to the doctors of that community. I do not believe I am. The doctors in my home community asked me to discuss the issue of health insurance for the aged with them. They then took a secret ballot to see how many of them favored the proposal. I was surprised at how many of those who participated in that secret ballot favored the program.

There is nothing in the bill which would strike at the medical profession. The bill would make it possible for aged people to pay for hospital care. If people had hospital care on a basis for which they have previously arranged, they would then have sufficient funds available for other purposes.

I have tried to say to doctors all across the land that the greatest blessing that could come to them would be the passage of the King-Anderson bill, for hospital bills would be out of the way, and doctors would have an opportunity to collect their bills. I would hope that they would. When people leave hospitals, they are presented with bills. In most cases, the hospital requires payment in full or a substantial portion of such bills. When the aged patient is through with that payment, he may find it difficult to pay the doctor the following week.

While I do not know what the general practice is, I know that when I left the hospital I received a bill and paid it. I did not receive a medical bill, but I shall pay it when it comes. The average person might find it difficult to pay a hospital bill and then face the possibility of paying a substantial medical bill.

The doctors would be best served by having established a system for meeting the cost of hospital care for aged patients. That cost has become frightfully high.

Forty-six or forty-seven years ago I went into a tuberculosis sanitarium. I remained there for $60 a month—not a day or week—but a month. It was a hospital operated by the Methodist Church.

I suggest to Senators that they try to find hospital care anywhere in the United States at the present time for $60 a month. We can find it for $35 a day or $38 a day. The hospitals in many communities have had to change their whole scale of charges. The charges have reached fantastically high figures, but hospitals have had to make those charges because of increasing costs. The increasing costs are borne by people who go into hospitals. There is no grab bag out of which such costs can be taken. There is no magic fund into which hospitals can reach in order to meet their costs. The only way a hospital can meet its costs is by charging for the care given.

For that reason we have tried in the amendment to make sure that a person would not be bankrupted, if he should go to a hospital, because of higher costs. While there is a provision for sharing additional costs, I do not think such a provision would be necessary. I agree with the able economist who represents the State of Illinois, the senior Senator from Illinois [Mr. DOUGLAS], when he says that the level of wages also rises, and when that happens sufficient money comes into the fund. How right he has been.

Those people who cannot remember what it was like to get the social security program underway need but recall what the Senator from Illinois frequently has said. When the social security program was started, I was one of those who was present at its launching. There was grave doubt as to how it would work. Constant predictions were made about how the fund would be bankrupt in a short time.

We have lived to see all of that changed. We have lived to see the social security program removed as a cause of controversy in elections. It is only in this final effort to try to add some health care and hospital care that we get into difficulty.

What happened when the provision for disability payments came up in 1956? We had the same sort of testimony from the medical people. We were told that it would be horrible to put a disability provision into the law. We were told that it would be the wrong thing to do. The very able and distinguished chairman of the committee, Walter George, was extremely reluctant to look at it for a long time. I gave him great credit, for he reversed his position and decided that a provision for disability could safely be put into the law. But he did not make the statement for a long time. Those of us who were members of the Committee on Finance at the time were trying our very best to get through a provision for disability past the age of 50. We had a hard time persuading Walter George that that was a sound thing to do, because he thought that it might bankrupt the fund. It was only when a special provision to put the program in a special fund was made that Walter George could be induced to throw the influence of his long tenure and high standing in the Senate behind the bill on the floor of the Senate.

What has happened? Has any Senator heard recently of anyone suggesting that we must get rid of the disability provisions of the law? They have operated about as predicted. It is true that the Congress in a moment of generosity took off the 50-year limitation. I did not quite agree with that action then. I do not quite agree with it now. But unfortunately for me, I suppose, the work goes ahead and people forget that there was any objection to it. In a short time I forget it myself, because the general sentiment stays with that sort of program.

I say to the Senate today that if the amendment offered by the able Senator from Tennessee [Mr. GORE] and his associates is adopted as an amendment to the Long amendment, we shall find in the intervening years that we shall be proud of our handiwork. It will require some time. The program will not work well immediately. Many questions will arise, and we shall have to work at the problem steadily. We have even the problem of a conference with the House to arrive at a final bill. We do not know what will happen there. But the Senate will have an opportunity to act on the bill. I hope that the Gore amendment will be accepted by the Senate, will be accepted by the conferees, and will become law. But if it does not, I know that the Senate will have taken the right step if it votes for the amendment.

Mr. BEALL. Mr. President, when Congress enacted the Kerr-Mills program in 1960, we settled the question of whether the Federal Government should assist our elderly citizens in meeting the costs of health care. The question before us today, therefore, is not "Shall we provide medical care for the aged?", but rather, "How can we improve and build upon those programs already in existence?"

Instead we are being asked to abandon all that has been done thus far and embark on a totally different approach to the problem of helping elderly citizens obtain medical care. This different approach contemplates financing medical care under the social security system. In this way, we are told, every citizen upon reaching age 65 will be guaranteed access to necessary medical services. This is a noble goal and one to which I fully subscribe. But, I question the ability of the social security approach to achieve this goal.

This question of medical care for the aged has been before us for several years. Volumes have been compiled purporting to define the problem and devise a solution.

We know there are 17 million people over 65 years of age. Those over 65 account for 9 percent of our population and receive 8 percent of personal income. More than half of these people have some form of medical insurance. We know much more which we have included in our statistical description of the aged. But, in our haste, we have forgotten that the beneficiaries of our labors are not statistics, but people. We seem to have forgotten that each individual has separate and different needs demanding separate and different remedies. In brief, Mr. President, I believe we have lost sight of the human element.

This is especially true with respect to the proposals which would enlist the social security system as a means of providing medical care for the elderly. The King-Anderson bill would lump together into one mass every individual over 65 regardless of financial ability, medical needs, or the desire to participate in the program. This program requires compulsion for its existence and therein lies its greatest weakness. From American labor we will take increasing payroll taxes to finance the health needs of millions who are fully able to provide for themselves. At the same time, we must reduce the services available to those most in need so that we will not deplete the funds available.

A second proposal suggested by the distinguished Senator from Connecticut offers an option of higher cash benefits or a health care package. This would imply a voluntary program. But, I do not think any Senator here today believes for a minute that we will not be asked next year to complete the cycle and

adopt the full package of a compulsory program.

Both King-Anderson and the Ribicoff amendment are advertised as solutions to the problem of assisting individuals who are not financially able to provide for their own needs. The fact is that both provide only a fraction of actual medical costs. To the individual in need, a 25-percent discount is hardly indicative of guaranteed health care. The medically indigent will find little solace in the fact that they will only have to pay 75 percent of the medical bill. Remember, these proposals do not cover doctor's bills, diagnostic examinations, drugs, and other basic costs.

Mr. President, I am prepared today to support measures which will truly meet the needs of our elderly citizens. I am not prepared to endorse a program which will place an undue financial burden on young workers in order to provide inadequate medical protection for those who need it and for those who do not.

An effective program must take into consideration three important factors.

First, we must guarantee that there will be sufficient doctors, nurses, and medical facilities to meet the needs of all citizens. We have already started by enacting the Health Professions Education Assistance Act and the hospital and medical facilities amendments. I supported these measures because I believe they represent a legitimate use of the taxpayers' funds to improve our Nation's medical services.

Second, an effective medical care program must meet as nearly as possible the total needs of the medically indigent while providing some assistance to those who can take care of normal health care, but cannot withstand a catastrophic illness. This is impossible under social security. It is possible through the Kerr-Mills program. If we really want to do the job right, let us adopt amendments to the Kerr-Mills program modifying the eligibility requirements with respect to income. Let us meet the problems facing our elderly citizens who are able to take care of their normal medical expenses, but who need assistance when serious long-term illness strikes. Under social security, we will meet only a fraction of the costs of medical care. Under Kerr-Mills we can provide greater coverage without distorting the time-tested structure of our Nation's medical services.

Third, an effective program must be financially sound. It must provide adequate funds to finance medical care without placing an undue burden on those who must pay the taxes to support such a program. The social security approach places the entire financial burden on our young workers who already are faced with the increasing expenses of raising a family, buying a home, and providing for the future. The medical needs of our elderly citizens reflect a national problem, and every citizen should be given a role in the efforts to reach a solution to that problem. Under any program, the costs will be high and should be spread across the broadest base. For this reason, Mr. President, I support the approach which asks all taxpayers to assist their less fortunate countrymen. I have no illusions about the future of health care programs in the United States. Costs will increase and coverage will be expanded. This will require tax increases, and I fear we will find ourselves killing the goose that lays the golden egg—the American laborer.

Finally, Mr. President, we ought to face up to the fact that we are making it increasingly difficult for even the upper middle income groups to provide for their own needs. As we add new taxes, we reduce the buying power of the wage earner. At the same time, we raise new risks of inflation, which is the most destructive thief of purchasing power.

Much has been said about the dignity of the individual, but little has been done to assure that these individuals will be able to approach the twilight of their lives with dignity. There is a demonstrated need for increasing social security benefits, and I shall support appropriate amendments to accomplish this end. But, we ought to go further. We ought to adopt amendments which will help our aged citizens meet their own needs in a dignified manner. Along these lines, I favor a further increase in the amount of outside income an individual can earn without losing social security benefits.

Finally, I believe consideration should be given to amending the Internal Revenue Code to permit greater deductions for medical expenses. We might also explore the feasibility of giving doctors the privilege of a charitable tax deduction for services performed free of charge. These are the means by which we can guarantee dignity to all individuals. These are the means by which we can preserve the system which has made us the world leader in medical services.

To the extent that we can make more individuals self-sufficient, we can better help those who cannot provide for themselves.

Mr. President, we must take action to improve the existing programs which assist our elderly citizens in obtaining adaquate medical care. I shall fully support those proposals which meet the criteria I have outlined. At the same time, I intend to support amendments designed to provide a significant increase in cash benefits to our social security beneficiaries.

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

Mr. BEALL. I yield to the Senator from Kansas.

Mr. CARLSON. I commend the distinguished senior Senator from Maryland [Mr. BEALL] for an excellent analysis of the problem concerning our aged citizens who are in need of medical care and hospitalization. I know of no Member of the Senate who has been more concerned and interested in the welfare of that great group of American citizens than has the Senator from Maryland, as demonstrated by the very excellent speech he has just made.

Personally, I was pleased that the Senator mentioned the fact that under what is known as the King-Anderson bill our aged citizens would receive, principally, more hospital care and nursing home care, when, as everyone knows, our elderly people need not only hospital and nursing home care, but the services of physicians, drugs, attention from dentists, X-rays, and many other kinds of treatment.

I was pleased to hear the Senator from Maryland state that these are items which should be given consideration, and that amendments should be proposed to the Kerr-Mills law which would provide these additional benefits.

I assure the Senator that I shall cooperate in trying to bring about amendments to the Kerr-Mills bill which are necessary to greatly improve the program.

I thank the Senator for yielding.

Mr. BEALL. I thank the Senator for his kind remarks.

I am sorry the Senator from New Mexico has left the Chamber, but I can say for the RECORD that I have spent more than 2 years in hospitals. I was the third patient in America to receive the Pasteur treatment. When I was a little boy my mother took me to the Mercy Hospital in Baltimore. Then I spent 2 years in orthopedic hospitals. So I think I know something about medical care and the need for protection against long-term illness. Extended hospitalization depletes the financial resources of the patient and his family. This is what we must protect against. This is what we ought to be talking about.

Mr. MCNAMARA. Mr. President, for the past 6 years the problems of our older citizens have been the subject of intensive and continuing study by the Congress.

Although my interest in this subject predates by many years my service in the Senate, it has been my privilege since 1959 to be deeply involved in this effort.

During the 87th Congress, I was privileged to serve as chairman of the Senate Special Committee on Aging. For 2 years prior to that, I was chairman of the Subcommittee on Problems of the Aged and Aging of the Labor and Public Welfare Committee. Currently I am chairman of the Subcommitee on Health of the Elderly of the Special Committee on Aging.

During the past 6 years, under a mandate from the Senate, we have investigated and evaluated the status of the 18 million Americans who are 65 years of age and over.

We have consulted with the acknowledged experts in the field of aging and have benefited from their extensive research.

We have held public hearings throughout the country to learn first-hand the difficulties and the unique problems facing our older citizens. A long list of committee reports attest to the scope and the depth of this fact-finding effort.

And from these years of work, Mr. President, two basic conclusions emerge:

First, the older people of this country have a deep and abiding desire to live their retirement years in independence and dignity.

Second, the greatest threat to this desire for an independent and dignified existence is the inability of our older

citizens to cope with the high cost of hospital and related care.

Other problems, to be sure, trouble people in their retirement years. But overshadowing everything else is the haunting fear of financial catastrophe resulting from serious illness.

We cannot, of course, eliminate the likelihood of serious illness among the elderly.

But we can extend to them the hope that when illness does strike, it will not leave them financially destitute.

The legislation we are considering today, a program of hospital insurance through social security, would offer them that hope.

As the late President John F. Kennedy said in a message to the Congress on February 21, 1963:

> A proud and resourceful nation can no longer ask its older people to live in constant fear of a serious illness for which adequate funds are not available. We owe them the right of dignity in sickness as well as in health. We can achieve this by adding health insurance—primarily hospitalization insurance—to our successful social security system.

As recently as last week, President Johnson in accepting the Democratic nomination for President, reaffirmed his support of this program. He said:

> Most Americans want medical care for older citizens—and so do I.

Mr. President, the issue of hospital insurance for the elderly under social security is not new. It has been before the Congress for almost a generation.

It was recommended back in the 1940's by President Truman. It was the first bill introduced by the distinguished Senator from Minnesota, and our new vice presidential candidate, HUBERT HUMPHREY, when he first entered the Senate in 1949.

For far too long, we have debated, discussed, dissected, and analyzed this proposal, without acting upon it one way or another.

It should be a source of shame to all of us that the United States of America is the only industrial nation in the Western World that does not have a program of hospital insurance for its senior citizens.

I believe we owe it to the 18 million older Americans, whose numbers increase by 1,000 per day, to take positive action on this issue now. They have waited patiently for years. And they deserve an answer—now.

All too often, in our concern with statistics, charts and tables, and our legalistic arguments, we tend to lose sight of the fact that hospital care is an intensely personal problem with deep emotional significance to millions of people.

Because I am so prominently identified with this issue, I have received thousands of letters from older people in every part of the country telling about their desperate experiences with illness and describing the financial impact of hospital care upon their meager budgets.

Because I think it may help give us a more human perspective to this issue before us, I ask unanimous consent that a representative sampling of this mail that I have received on medicare be inserted in the RECORD at this point.

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

ANN ARBOR, MICH.,
March 13, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: I am writing to set forward my views on the King-Anderson bill (H.R. 3920).

In my opinion, as a physician concerned about the increasing inability of more and more of our patients to pay for adequate contemporary medical care with its constantly rising costs, this is valuable legislation and I strongly urge its passage. I agree with many of my professional colleagues who feel that this bill does not include many groups who most urgently need its assistance but it will reach many who are presently unable to financially meet the costs of adequate medical care. I envision this measure as the first of several needed to permit all Americans to receive the increasing benefits of modern medicine without fear of staggering financial loss.

The passage of H.R. 3920 will improve the availability and raise the standard of American medicine. I wish to give this measure my unequivocal professional support.

Yours truly,

——— ———.

GRAND RAPIDS, MICH.,
January 25, 1964.

Senator PATRICK MCNAMARA,
Washington, D.C.

DEAR SENATOR: Recently, both my father and mother had to go to the hospital. My mother had a stroke, and my father had pneumonia. My father is 78 years old, and my mother is 69 years old.

They were both in the hospital at the same time, and the total bill came to $1,115.04. They were there about 3 weeks.

I am writing to you to ask you to put forth every effort to help get a medical aid bill through, to help those people on social security.

The total amount of the doctors' bill was $181.46 (three doctors). The doctors were easy on them, but the hospitals seem to have no mercy.

My father was just a common factory worker, and as such did not have much of an opportunity to save much money. My parents raised four children, and did manage to get a modest home paid for.

If my parents had two more visits to the hosptial, that were as costly as the first one, they would be broke, with the exception of their social security checks, and a $29-per-month pension that my father gets from the factory where he used to work.

I know you are for medicare, and I hope that you will continue to push for it, and if there is anything that I can do, as an individual, please write and let me know, because I know from firsthand experience that a lot of our senior citizens are not getting the medical care that they need, because they are afraid of the exorbitant costs.

Yours truly,

——— ———.

BELLAIRE, MICH.,
March 5, 1964.

Senator PATRICK V. MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: In 1945 we paid about $65 for Blue Cross coverage for 1 year, then I was young enough to be on salary. Now I am 70 years old and get social security check of $136.50 per month for both wife and I. It takes 2¼ checks or $314 for a years' coverage of Blue Cross and Blue Shield.

In November 1963 I was in the hospital for 21 days. The cost to me for doctor, ambulance, X-rays, and drugs the day I came home was $93 and about $20 for drugs each month. These expenses are above what was covered through our insurance.

Blue Cross and Blue Shield are raising frequently until they can scarcely be met.

We feel there is an urgent need for insurance for senior citizens attached to social security.

Please support this measure.

Respectfully,

——— ———.

EAST CLEVELAND, OHIO,
April 7, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR: I am writing you on the subject of medicare. I am an average retired factory worker, raised 5 children during the depression and was 55 years of age before we could accumulate a few nickles for retirement. I had to work to age of 68 because we needed the money. After leaving the company our hospitalization was cut off and we were on our own, listed as nongroup and our Blue Cross rates doubled. I am 71 and my wife 62. Our combined social security check is $163 a month. This is our only income. Out of this we have to pay Blue Cross about $48 per every 2 months or $24 a month. This is over 50 percent of my wife's share of the social security check.

We had $2,000 in a small nest egg which is rapidly being depleted by hospital protection. We cannot afford any pleasures or vacations on account of this expense. The American Medical Association tries to show how many seniors are insured but they say nothing of the deprivations we go through to keep covered. This is the oldest bill before Congress and in all fairness the Congress should be given a chance to vote on it.

Cordially yours,

——— ———.

TRUMBULL, CONN.,
May 4, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: Because you seem to be giving so much of yourself to help the medicare bill I am writing to thank you for what you are trying to do.

My husband and I are almost 70 and we are paying all these health insurance bills yet if we need a doctor we find it so hard to pay him and then pay for the expensive medicine. These insurances are mostly because of the constant fear we have of ever having to go into a hospital. I was in five times in 4 years and know what has to be paid along with the insurance.

Please help us.

Sincerely,

——— ———.

ALGONAC, MICH.,
May 11, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SIR: As you are chairman of the health of the elderly I would like to write to you about my experience with a private company in which I carry hospital insurance.

I spent 32 days in Mount Clemens General Hospital and the total bill was $1,883.08. My insurance company paid $835.

My premium is $194.70. This covers the wife and myself. I can't do any better with any other company as when one gets past 65 years the premium really goes up and they just pay a part of the costs.

I was fortunate to have the money to pay the extra costs but I know a lot of elderly folks that don't have hardly enough to live from day to day.

I think something should be done to assist these elderly folks.

Sincerely yours,

——— ———.

ST. CLAIR SHORES, MICH.,
May 13, 1964.

Re medical care for the aged.
Senator PATRICK MCNAMARA,
Washington, D.C.

DEAR SENATOR: My wife and I are retired and we find that we can live very well on our social security and some interest.

Our big worry is hospital care. If we would have to use some of our capital to pay high hospital bills it would cut down our living standards.

In the past 10 years we have had six hospital bills of about $1,000 each. The bills were mostly taken care of by covered employment. We do not have it now.

Yours truly,

——— ———.

MIAMI, FLA.,
April 27, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SIR: I am 100 percent behind you in your fight for medicare, or some plan for relieving the high cost of medical and hospital care for the senior citizens.

I am 71 years old and my wife and I live on a very small income from social security of $91.30 per month, plus $72 civil service pension, and very small savings.

If we would have a major sickness we would have to take a pauper oath under the Kerr-Mills bill or go broke.

For 45 years I carried policies of health and accident, cost me nearly $15,000. At 65 they canceled; now I have nothing.

The new hospital and medical insurance sold to the aged at present is too costly and if purchased at reasonable rates they are very inadequate. Something has to be done as there are millions besides myself that are in the same fix as I am.

Sincerely,

——— ———.

LANSING, MICH.,
February 3, 1964.

Hon. PATRICK V. MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: We are senior citizens from Lansing, Mich. I have been in and out of hospitals; Sparrow in Lansing and Butterworth in Grand Rapids for the past year from December 1962 to December 1963. I am not through yet. Have spent over $8,000 plus doctor bills for two operations and still go in for X-rays, blood tests, etc., every month or two.

We have spent all our savings and are at the end of the rope, so to speak. I am 72 years old in April. Have not been able to do any work for the past year. I took out Blue Cross, senior citizens plan, when it opened last summer, in July. Also took out "65 plus" plan with the Continental Casualty Co. Neither one have paid 1 cent to date. Continental Casualty Co. raised their premium February 1 from $6.50 per month to $8. Agree with you, something should be done to protect our senior citizens. We try to be independent, but how long can we go on? They claim "preexisting condition." Glad you are investigating for us. We sure need it.

Sincerely,

——— ———.

GREENSBURG, PA.,
July 30, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR: I wrote you some time ago about my experience with Blue Cross and received a nice reply for same.

I am writing this in regards to a piece I read in the Pittsburgh Press about "GOLDWATER clashes about medicare need." I can say this, he is all wet in his statement. I have had the experience with my wife being ill for over 3 years, when she died March 30 this year.

I spent every cent I had saved and I had to sell my home. I am 70 years old and my wife was the same. I can tell you what it means with hospital, doctors, and nursing homes, plus housekeeper expenses before putting her in a nursing home. All this when you are on social security and a small pension.

Yours truly,

——— ———.

SANTA BARBARA, CALIF.,
July 23, 1964.

Hon. PATRICK V. MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: We do thank you for your courageous stand, and we know that millions of others do the same. Our case (the same as many others) is that both my wife and myself had operations and hospital care about 2 years ago and spent most of our savings.

Now we need more and no more surplus to take care of us.

We have social security but will have to go on county welfare to keep going. We don't like it but there is no alternative at present.

Sincerely,

——— ———.

LUDINGTON, MICH.,
March 10, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: I wish to inform you that I am a practicing physician, a member of the Michigan State Medical Society, and the American Medical Association.

I am strongly in favor of the King-Anderson bill and wish to inform you that I am one of the members of the Michigan State Medical Society not opposed to legislation for medical care for the aged.

As you well know, the present system in Michigan is inadequate in meeting the needs of our older citizens.

I hope you will give the King-Anderson bill your support.

Sincerely,

——— ———.

Mr. MCNAMARA. Mr. President, during the continuing debate over the proposals to add hospital insurance to the social security program, the opponents have argued that the Kerr-Mills MAA program, plus private health insurance, makes any new program unnecessary.

The Subcommittee on Health of the Elderly of the Special Committee on Aging has devoted a substantial amount of attention to both the Kerr-Mills program and the role of commercial health insurance.

The information we have developed makes it abundantly clear that Kerr-Mills and private health insurance, by themselves, simply are unable to do the job which must be done.

I believe that both Kerr-Mills and the commercial insurance companies have important roles to perform in meeting the health needs of the elderly.

I believe further that they will function much more effectively as a supplement to, rather than a substitute for, a program of hospital insurance financed through social security.

The deficiencies of Kerr-Mills as a principal Federal answer to meeting the health needs of the elderly have been thoroughly documented in three reports issued by the Special Committee on Aging. The basic shortcomings of Kerr-Mills are as follows:

First. Since it must be implemented by State action, it is not a national answer to what is obviously a national problem. After 4 years of operation, only 33 States have Kerr-Mills programs in operation, which means it is not available at all in 17 States.

And in those States that have acted there is a wide variation in eligibility requirements and the types and duration of benefits. Geography, not need, determines whether or not an ailing elderly person shall be helped.

Second. The most serious failing of the Kerr-Mills program is the fact that it employs a "means test" to determine eligibility. This is a fatal flaw because it only offers some help after the irreplaceable assets of an older person have been depleted to the point where he is dependent.

What we need is a program which offers help as soon as health costs are incurred, as a matter of earned right.

Third. Under Kerr-Mills, the wealthier States most able to raise the matching funds required have received the "lion's share" of the Federal money spent on the program. They have done this despite the fact that they are required to put up a higher percentage of matching funds than the poorer States.

The poorer States, where the need is the greatest, have been unable to offer much more than token programs, even with Kerr-Mills Federal money.

Fourth. Kerr-Mills MAA has, in large part, been used by the States as a vehicle to secure greater Federal matching funds for the cost of caring for persons previously eligible for other Federal programs in existence prior to Kerr-Mills.

Some 100,000 persons have been transferred from other programs to Kerr-Mills. Thus, to a great extent, Kerr-Mills MAA has not been a new program for a new group of people, the so-called medically indigent, as it was intended to be.

The inability of Blue Cross and the private health insurance industry to meet the health needs of the elderly has been convincingly documented in the recent report of the Subcommittee on Health of the Elderly.

Our subcommittee report is based on an extensive study over a period of many months—of Blue Cross and the private health insurance industry.

The summary of this report, which was issued in July 1964, details the findings of the subcommittee and I ask unanimous consent that it be inserted in the RECORD at this point in my remarks.

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

SUMMARY

Private health insurance is unable to provide the large majority of our 18 million older Americans with adequate hospital protection at reasonable premium cost.

The Subcommittee on Health of the Elderly of the Special Committee on Aging has arrived at that conclusion following many months of intensive study of the health insurance needs and problems of the elderly.

The investigation by the subcommittee developed a substantial body of information heretofore not compiled or available. In large part, these new data (included in the body and appendix of this report) lead to the following findings concerning the inability of private health insurance to meet the needs of the aged:

1. Only 9 million of the Nation's elderly—one-half of the total—held hospital insurance policies at the end of 1962. The other half—predominately the very old, those in poor health, the unemployed, and those with the lowest incomes—were without hospital insurance coverage of any kind. They are the most difficult to insure—even in terms of acquiring the cheapest and most inadequate of policies, and, additionally, are the very ones who need the protection the most.

2. The health insurance industry has reported a substantially greater number as insured—10.3 million. The subcommittee is convinced that this is an inflated figure, concocted to creat an illusion of great strides by private health insurance in extending coverage to the aged. In reality, however, the "stride" was no more than a "limp." Based on our hearings and investigation we are convinced that facts were distorted and manipulated in an effort to create an impression that Congress need consider no further action to meet the hospital insurance needs of the elderly.

For example, the Health Insurance Association of America told the Ways and Means Committee of the House of Representatives in November 1963 that "more than 2 million" aged were covered by individual company mass enrollment programs. The source they cited was their own publication which upon inspection was revealed to state "well over 1 million"—not the same as "more than 2 million." But reports to this subcommittee from the companies concerned show that at most not more than 750,000 people are covered under the individual company mass enrollment programs.

The inaccurate data furnished by the health insurance industry was used to support the minority views included in our subcommittee report of Otcober 1963 on the Kerr-Mills program which contained the following statement:

"* * * there has been an intensive development and sale of new health insurance plans for older people. These have included mass enrollment plans requiring no physical examination. Several companies have sold over 1 million each of such plans."

Again, reports to the subcommittee from the companies involved, indicate that all of the individual company mass enrollment plans put together insure not "several million" but less than 750,000 different people.

3. Only one in four older people holds adequate hospital insurance under the definition of adequacy established by the American Hospital Association. Well over one-half of all commercial hospital insurance policies pay only $10 or less a day toward hospital room and board charges which now cost an average of $20. Commercial insurance coverage of hospital "extras"—drugs, laboratory fees, X-rays, etc.—is equally poor. This is significant because these services cost about as much as the room and board bill.

4. For many years Blue Cross has come closest to providing adequate hospital insurance for the aged. But now Blue Cross, under competitive and cost pressures, is employing a variety of devices—deductibles, coinsurance, and dollar limits on benefits—which reduce the extent of protection. Those aged who have been adequately covered in the past will find their hospital insurance covering smaller and smaller proportions of their bills in the future.

5. The older Blue Cross subscriber is being subjected to double barreled pressure. Not only are his benefits being cut, but his premium charges are being increased with painful regularity. The cost problem is further aggravated by another development to the point where the older Blue Cross member is virtually being priced out of the market. Blue Cross plans have or are seeking to abandon the concept of "community rating" in favor of "experience rating." "Experience rating" bases premium charges on the extent of use of insurance benefits. The aged, who use far more hospital services than other subscribers, will be particularly affected. As an example of the impact of "experience rating," the chairman of the New York State Joint Legislative Committee on Health Insurance Plans told the subcommittee that premium charges to the elderly might rise as much as 100 percent within 3 years under the "experience rating" system proposed by the New York City Blue Cross Plan—the largest in the country.

6. The best of the commercial health insurance plans—the so-called "blue ribbon" policies—are so expensive that they are beyond the economic reach of most elderly persons. Although they offer only partial protection, such policies now cost an elderly couple from $500 to $600 a year, with the strong probability that further premium increases will be forthcoming.

Since the median income of aged couples in 1962 was only $2,875, it is obvious that the vast majority of them cannot afford this kind of protection.

7. The so-called "State 65" programs, where several insurance companies combine to operate a pooled-risk plan, have made virtually no progress in meeting the needs of the aged. They are costly now and will cost even more in the future. They have built-in factors—such as lack of growth in numbers covered and the increasing age of participants—which raise serious questions concerning their long-term stability.

In summary, the extensive data and testimony presented to the subcommittee led us to the firm conclusion that private health insurance—with respect to the aged—is losing ground, not making progress. The elderly who now hold private health insurance are having great difficulty keeping even an inadequate level of protection. They find themselves squeezed between higher premiums and shrinking benefits, as hospital and medical costs continue to climb.

As a result, increasing numbers of our older people are confronted with financial castastrophe brought on by illness.

It is quite clear that the Congress has the responsibility and the obligation to act, and act quickly.

It is equally apparent that enactment of a program of hospital insurance financed through social security is the logical course for us to follow.

Mr. McNAMARA. Mr. President, I also ask unanimous consent that an editorial from the Fresno, Calif., Bee, discussing the report, be placed in the RECORD at this point.

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

[From the Fresno (Calif.) Bee, Aug. 5, 1964]

HEALTH CARE FOR AGING SHOULD BE IMPROVED

A majority of the members of a special U.S. Senate subcommittee studying the health problems of America's 18 million elderly people filed a report recently which should leave no doubt as to the need for improved health care for those over 65.

Of these 18 million Americans, the subcommittee stated, only one-half have hospital insurance policies of any kind and only one-half of the policies meet the definition of adequacy established by the American Hospital Association.

The 9 million persons over 65 who are without insurance are predominantly very old, unemployed or with low incomes, the very people in fact who need protection the most. They are extremely poor prospects for private insurance and yet are reluctant to declare themselves indigents, which is necessary to get the Kerr-Mills aid.

These statistics make a mockery of the callous declaration of the Republican members of the subcommittee, including Senator BARRY GOLDWATER, of Arizona, that the report "appears to be aimed at discrediting and undermining confidence in Blue Cross and the health insurance industry."

If this is the best the Republican minority could come up with, it certainly offers little comfort to the 13 million or more Americans who have no health insurance at all or whose policies fall far short of covering their hospital expenses.

It is a case of missing the point entirely for GOLDWATER and the subcommittee minority to say the report aims to discredit legitimate private health insurance.

The report does not criticize the insurance companies for what they are doing, nor should it. As the subcommittee states, these companies are operating under increasing cost pressures and find it necessary in many cases to raise rates and reduce benefits.

Under social security people would pay through their working years for hospital care when they retire and then cannot finance health insurance out of their greatly reduced incomes. What is so wrong with that? And it is completely wrong to say those who are trying to meet the problem in this manner are trying to discredit private health insurance.

Nonsense. That is like trying to cure a headache by shooting the doctor.

Mr. McNAMARA. In conclusion, I point out that the American people want this program of hospital insurance through social security.

It is desired not only by the older people who are in immediate need, but by their children and grandchildren, as well.

Younger people see this program as a means of aiding their parents and grandparents without a catastrophic impact upon their family finances. They also see it as a means of providing for a good part of their own health needs when they reach retirement age.

In each of four Gallup polls on this question, a majority of all those expressing an opinion stated their support of a social security financed hospital insurance program.

Mr. President, the time for action on this program is now. We have studied and debated this issue for years. All the information needed for us to make up our minds is available.

Our older Americans have waited for years. The longer they wait, the worse their situation becomes.

Further delay is intolerable.

We must act—and act now.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 557 Leg.]

Aiken	Bible	Church
Allott	Boggs	Clark
Anderson	Brewster	Cooper
Bartlett	Burdick	Cotton
Bayh	Byrd, W. Va.	Curtis
Beall	Carlson	Dirksen
Bennett	Case	Dodd

Dominick	Lausche	Prouty
Douglas	Long, Mo.	Proxmire
Eastland	Long, La.	Randolph
Ellender	Mansfield	Ribicoff
Ervin	McCarthy	Russell
Fong	McClellan	Salinger
Fulbright	McGee	Scott
Gore	McGovern	Simpson
Gruening	McIntyre	Smathers
Hart	McNamara	Smith
Hayden	Mechem	Sparkman
Hickenlooper	Metcalf	Stennis
Holland	Monroney	Symington
Hruska	Morse	Thurmond
Humphrey	Morton	Walters
Inouye	Mundt	Williams, N.J.
Javits	Muskie	Williams, Del.
Johnston	Nelson	Yarborough
Jordan, N.C.	Neuberger	Young, N. Dak.
Jordan, Idaho	Pastore	Young, Ohio
Keating	Pearson	
Kuchel	Pell	

The PRESIDING OFFICER (Mr. BAYH in the chair). A quorum is present.

The question is on agreeing to the amendment of the Senator from Tennessee [Mr. GORE] to the amendment of the Senator from Louisiana [Mr. LONG].

Mr. JAVITS. Mr. President, I should like to ask some questions of the Senator from Tennessee.

The Senator from Tennessee knows that, together with the Senator from New Jersey [Mr. CASE], the Senator from California [Mr. KUCHEL], the Senator from New York [Mr. KEATING], the Senator from Kentucky [Mr. COOPER], and the Senator from Maine [Mrs. SMITH], I sponsored a comprehensive bill dealing with the question of medical care for the aged. The bill that we have sponsored, and submitted as amendment No. 1240 to the pending bill, has two major sections. One section deals with hospitalization and other benefits very similar to those included in amendment No. 1256 of the Senator from Tennessee. The other section, which, for all practical purposes, is a separate title, occurs in our amendment at page No. 63. It is entitled, "Complementary Private Health Insurance for Individuals Aged 65, or Over."

Our bill provides an opportunity for both private enterprise insurance and minimum, basic, fundamental hospital coverage based on social security financing to the aged person.

The amendment which the Senator from Tennessee has already offered does, for most practical purposes, what the first part of our proposal would accomplish.

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

Mr. JAVITS. I yield.

Mr. GORE. The Senator speaks correctly. If he and other Senators who desire to compare the two will examine the committee print of August 21, 1964, they will see that the amendment which I have offered—which is, in essence, the King-Anderson bill—is compared with the amendment introduced by the distinguished senior Senator from New York and five of his colleagues. There are statistics and analyses on pages 1 and 2 which bear out the accuracy of the statement that the distinguished senior Senator from New York has made with respect to the health benefits through social security.

Mr. JAVITS. There are some variations between the health benefits under our amendment and the health benefits under what I think it would be fair to call the considerably revised King-Anderson bill which the Senator has introduced.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. GORE. The bill which I originally introduced was revised only to the extent necessary to offer it as an amendment to the House passed bill, with some relatively minor exceptions.

After the introduction and presentation yesterday of the amendment by the able junior Senator from Louisiana [Mr. LONG], it became necessary to offer my amendment as an amendment to the Long amendment, rather than as an amendment to the House bill.

Mr. JAVITS. I understand.

Mr. GORE. This required a good many parliamentary changes to make it fit as an amendment germane to the Long amendment.

Mr. JAVITS. I understand. I am now coming to the fundamental question which I should like to put to the Senator. The Senator may recall that in 1962 the King-Anderson bill underwent very considerable revision when the Senator from New Mexico [Mr. ANDERSON] and I agreed upon a bill which we sponsored jointly, together with others of my colleagues—including, I believe, all but one of the sponsors of the amendment which I have now proposed to the Senate, and which at that time was defeated by a narrow vote. The agreement between the Senator from New Mexico [Mr. ANDERSON], my colleagues, and myself resulted in a number of fundamental changes in the original administration concept. What I should like to do now, if the Senator will bear with me, is to check over those basic concepts for the RECORD—and I think it will be rather important in respect to what happens to the Senator's amendment—in order to see whether it is that version of the program which is before us rather than the version which antedated it; namely, the one that was voted on, the Senator will recall, in 1960, and was subsequently discussed.

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

Mr. JAVITS. I yield.

Mr. GORE. The able and distinguished senior Senator from New Mexico [Mr. ANDERSON] is present in the Chamber. I am sure that he will be able to provide answers from his knowledge of the teamwork and negotiations in which he and the senior Senator from New York were involved to a greater extent perhaps than I would be able to do.

Mr. JAVITS. That is true in terms of history, but it is not in terms of what is contained in the Senator's amendment, on which the Senator is the best authority.

I now pose to the Senator my questions. In 1962, we contended very strongly for four principles in respect of the revision of the administration's plan as it looked in 1960. One involved the question of a health insurance trust fund. The second related to the question of the use, for purposes of administration, of voluntary organizations and associations of voluntary organizations. The third dealt with the use of State agencies. The fourth was some approach—so far as it could be managed actuarially—to universal eligibility, bearing in mind that the social security system was growing, and that many of those over 65 might not be covered at present. We had in mind an estimate of something like two to four million, but as time went on, the social security system would catch up with practically all over 65.

I therefore would like to ask the Senator, if I may, upon that basis of fact, the following questions:

Does the Senator's amendment now include a provision for a health insurance trust fund—it does not have to be word for word the same—which was found in the bill known as the Anderson-Javits bill?

Mr. GORE. It does.

Mr. JAVITS. Next, does it also include in the same way the provisions for administration by contract with the Secretary by voluntary organizations on a regional basis?

Mr. GORE. More than a "yes" or "no" answer is required. Any group of hospitals—or group of other providers of covered services—could designate a private organization of their own choice, such as Blue Cross, to receive bills for services and to pay such bills for their members who prefer such an arrangement. The Secretary would be able to delegate certain administrative functions of the program to such designated organizations. Those administrative functions could include reviewing hospital fiscal records as a part of the determination of the cost of services and acting as a center for communicating and interpreting payment procedures to hospitals.

In a general way, this constitutes an affirmative answer to the question of the able Senator, although it is not exactly the same. In light of the fact that I do not have full knowledge of the background of the negotiations and agreements between the Senator from New York and the Senator from New Mexico, I thought it best to make this explanation.

Mr. JAVITS. I believe it is fair to say that it is a version of the same proposal that is contained in section 1815 of the Senator's amendment and in section 1845 of our amendment.

Mr. GORE. I agree.

Mr. JAVITS. Next—and I do not expect the Senator to say word for word; he could not, and neither could I.

Mr. GORE. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I yield.

Mr. GORE. As the Senator knows, the question we are discussing is one of the extremely technical subjects with which the Senate is called upon to deal. The actuarial analyses constitute a problem a bit beyond the mental arithmetic ability of the senior Senator from

Tennessee. But we have had the aid of the Social Security Board, the Legislative Drafting Service, the Library of Congress, and experts from as many sources as we were able to draw from.

Mr. JAVITS. We, too, had the same aid, and therefore I think there is probably great similarity in the results.

Is it not a fact that almost anyone who attempts to deal responsibly and subjectively with this subject must turn to those technicians?

Mr. GORE. Without question; and, I must say, they have been honest in the way in which they have applied our respective instructions.

Mr. JAVITS. Completely professional and nonpartisan.

Mr. GORE. Exactly.

Mr. JAVITS. Also I gather that the Senator would make the same answer with respect to the utilization of State agencies, as provided in our amendment at page 25, section 1807, which provision is also included in the Senator's amendment.

Mr. GORE. Responsibility for administration of the program—except for railroad retirement annuitants and pensioners—would rest with the Secretary. Considerable reliance would be placed upon the States to assure that local conditions would be taken into account. The Secretary would consult with appropriate State agencies and recognized national accrediting bodies in formulating the conditions for participation by providers of service. Provision would be made for the establishment of an advisory council which would advise the Secretary on policy matters in connection with administration. In order to be eligible to participate in the program, providers of service would have to meet specified conditions to assure the health and safety of the beneficiaries, but the conditions for hospitals could not be more strict than those required for accreditation by the Joint Commission on Accreditation of Hospitals.

Accreditation by the Joint Commission would be accepted as meeting all requirements for hospital participation save the requirement that there be a utilization review plan.

Mr. JAVITS. I point out that the section numbers are the same in both measures—1807, and those that follow.

Finally may I ask the Senator—and at this point I refer the Senator to the blue sheet analysis—whether the arrangements for transitional universality of coverage in his amendment and in the amendment which my colleagues and I are sponsoring are the same with respect to people who are not now covered by social security?

Mr. GORE. I believe the terms of the amendment that I have offered and the amendment to which the Senator refers are identical in this regard.

Mr. JAVITS. Therefore, if the Senator will bear with me, I wish to lay a basis for what I am about to say.

Mr. GORE. It is not a question of bearing with the Senator. He has been one of the most astute laborers in this field, and his heart has been in the work. He has sought a genuine and equitable solution to the problem, which, I am sure he agrees with me, constitutes one of the gravest and most pressing unmet problems of our society.

Mr. JAVITS. I thoroughly agree with the Senator. Many times I have said that it is probably the greatest "sleeper" issue in the United States, which will be awakened as soon as we really get into it, as we are doing now.

I came to the conclusion that, for all practical purposes the Senator has presented a proposal which would in effect replace the amendment which my colleagues and I have presented up to the point where we reach the provision for complementary private insurance for individuals aged 65 and over, which is, for purposes of discussion here, the private enterprise aspect of our plan.

Mr. GORE. This provision is not included in the amendment I have offered, nor was it included in the King-Anderson bill.

Mr. JAVITS. I thank the Senator for his cooperation.

If I may, I should like to direct some parliamentary inquiries to the Chair. I ask the attention of the Senator from Tennessee, because they relate to the amendment of the Senator from Tennessee.

Mr. President, as a parliamentary inquiry, do I correctly understand that it would not be in order to offer amendment No. 1240, the amendment sponsored by myself and my colleagues, as a substitute for the Gore amendment?

The PRESIDING OFFICER. The Senator is correct. It would not be proper to do that at this time, because the Gore amendment is an amendment in the second degree.

Mr. JAVITS. It is already in the second degree?

The PRESIDING OFFICER. It is already in the second degree; that is correct.

Mr. JAVITS. If the Gore amendment were rejected, would it then be in order to offer amendment No. 1240 in the same way that the Senator from Tennessee has offered his amendment—as a perfecting amendment to the Long amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. If the Gore amendment were approved, would it be in order to offer a part of amendment No. 1240, which would be the part not covered by the Gore amendment, as a perfecting amendment to the Long amendment as amended by the Gore amendment?

The PRESIDING OFFICER. An amendment could be offered to the Long amendment.

Mr. JAVITS. The vote would have been taken on the Gore amendment. It would have been adopted, and the vote would come on our amendment to the Long amendment which would have had tacked on to it the Gore amendment already adopted. The final vote, unless there were intervening perfecting amendments, would come on the Long amendment as amended. Is that correct?

The PRESIDING OFFICER. On the Long amendment as amended.

Mr. JAVITS. All these actions would be affected by the rule of germaneness, should the rule of germaneness be made applicable. Is that correct? In other words, the rulings of the Chair would have to determine whether there was in fact germaneness if the rule of germaneness should be made applicable, as, for example, by unanimous consent. Is that correct?

The PRESIDING OFFICER. No rule of germaneness is applicable unless unanimous consent to that effect is reached by the Senate.

Mr. JAVITS. I thank the Chair.

I conclude my statement as follows:

The Senate faces a crucial and basic decision. It is very well known and very widely advertised that, no matter what we do here, the other body will not follow suit. I do not believe we should legislate in that way, especially on an issue of such great importance, and, from the point of view of this body, of first impression. We have not passed a medical care for the aged bill in this Congress. We did in the previous Congress, but not in this one.

I deeply believe—and I shall deal with the subject in great detail on another appropriate occasion during the course of this debate—that there is great need for this program. Just as I am convinced that the overhelming majority of our older citizens need medical care for the aged and that our society can afford to allow them to have it. I finally came to the conclusion that we should proceed under the social security system, though I consider it as regressive. I considered it just as regressive in 1960, when I argued against it, in the sense that, it is a welfare tax on those of lower income levels, rather than a tax on the capacity to pay, the basis on which the income tax is fixed. It would have been much more equitable to pay for the care out of general revenues.

However, I came to the conclusion that the very people who would bear the heaviest burden of the tax, the younger Americans, who would pay for the longest period of time, are in favor of it. It is a rather interesting sociological development in our society that the younger worker—the worker of 30 or 35, or even of 25—is happy to pay a social security tax that will provide medical care for his father or mother, uncle or aunt, and from which he himself will eventually benefit.

I came to the conclusion that if that were the case, and if we could not achieve a consensus on a medical aid program without social security financing, I had to favor social security financing.

There is one matter of importance which should be brought to the attention of my colleagues, who worked as hard on this subject as they have on anything else. If we followed the administration's line, we would be responsible for a process, with respect to which the opponents had made the point that could be built up as time went on, whether it was actuarially sound or not.

We came to the conclusion which was affirmed by one of the most distinguished groups that ever considered the matter; namely, the National Committee on Health Care for the Aged, that the built-in governor which should be established in respect of the whole program is the private enterprise sector, which would take the risks and provide the benefits above the minimum hospitalization which could be expected from the Federal Government.

That is the essence of our proposal, which is omitted in the proposal of the Senator from Tennessee [Mr. GORE].

For present purposes, I advise the Senate that I shall urge my colleagues—and we are a completely cooperative partnership in this respect—who were associated with me in this amendment, that if they consider it wise, as I do, we should attach part B, or at least offer that part of our plan as an amendment to the Long amendment, if the Gore amendment is agreed to.

I shall support the Gore amendment because I see it as the way in which the door can be opened to a really comprehensive plan of medical care for the aged.

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

Mr. JAVITS. I yield to the Senator from Tennessee.

Mr. GORE. I am grateful to the Senator from New York. I am greatly encouraged by the position stated so eloquently by the senior Senator from New York. His support is a vital and necessary force, in my view, in bringing this bill to enactment. I thank him. I express gratitude for the study he has devoted to this subject. Because of that study, to which the distinguished senior Senator from New Mexico [Mr. ANDERSON] referred this morning in most praiseworthy terms in the absence of the Senator from New York, he has acknowledged that he has come to accept it as the only practical manner of achievement of a broadly based health insurance program—the social security approach. I was impressed by his reference to his finding that the youth of today would be happy to make contributions and thus participate in the program.

Is this not a praiseworthy social consciousness of which all of us can be extremely proud?

Mr. JAVITS. It is interesting. When the Senator says "praiseworthy," personally I think that these young people are taxing themselves more than they need to tax themselves and more than they should in fairness to themselves. However, I say to the Senator that in all my work on this subject—of course, one cannot speak on public question in any terms of 100 percent, because there are bound to be young persons who will be unhappy about it—based upon my own campaign in 1962, when I toured my State forward and backward, and in all my work since that time, in 1961 and 1962, and thereafter, I must say in all honesty and candor and conscience that I have come to the conclusion that if the young worker is perfectly willing to accept this burden and this policy, and is willing to take it on, then no one can say that a pay-as-you-go plan is not a good thing. It is a good thing. If the people who are going to pay for it, even though it is uneven as far as they are concerned, in terms of the burden put upon them, instead of having the burden put upon all members of society, if they wish to carry that burden, I do not believe a legislator can say "nay" to them. That is why I have felt that I had to make the intellectual and policy turn which I made.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. GORE. The Senator has referred to one other point to which I should like to advert, and that is the defeatism which says that no matter how good or how sound the bill may be as it passes the Senate, one Member of the other body can prevent its becoming law. The able senior Senator from New York has served, as I have, in the other body for a number of years. Like me, he has retained the friendship and acquaintance of a great many Members of the other body. Does not the Senator believe that the American people, concerned with this pressing and unmet problem, deserve to have the other body vote on this subject?

Mr. JAVITS. In response to that statement, the particular Member of the other body to whom the Senator from Tennessee refers is a very important Member, and I count him as a friend.

Mr. GORE. Oh, yes.

Mr. JAVITS. So does the Senator from Tennessee, I am sure.

Mr. GORE. But I am referring to the votes of 435 Members of the other body.

Mr. JAVITS. I was about to add that. I believe there is a very sincere and deeply held view on this subject in the quarter we are discussing. It is not so much a question of taking one view, as compared with the view of the other 434. I am counting on the fact that often, when something is actually happening, and there is really an outstanding public reception for it, and a public demand for it, the climate becomes quite different; and a man might well—as I was convinced as to the social security approach—be convinced that perhaps this, rather than some future time, is the time to act.

That man can be just as sincere in his view today as he can be tomorrow in the then prevailing frame of reference of events.

Therefore, without in the remotest degree derogating the sincerity and conviction of our friend, I express the feeling that if we act affirmatively in the Senate—and affirmative action is long overdue—the practicalities will prevail in the light of public reception, over what may be today a sincerely held conviction.

Mr. GORE. Without making a personal reference, though we are very near to the point of personal reference, the distinguished Member of the other body, who is the chairman of a powerful committee there, is a man of enlightenment and good conscience. Just as the pressing needs of the people and the actuarial facts caused the senior Senator from New York to alter his view and accept the social security approach to this problem as the feasible and practical way, we have a right to hope that any Member of the other body may likewise view this problem now, after the Senate acts.

Mr. JAVITS. I thank the Senator. Before I yield the floor, I should like to address myself to my distinguished friend and colleague from Connecticut [Mr. RIBICOFF]. I believe the Senator from Connecticut has given the aspect of this situation considered attention, and has come forth with a provocative and very interesting plan.

I say to the Senator that probably my feeling about the basis for proceeding further with his plan, if his plan were before us rather than the plan of the Senator from Tennessee, would involve many similarities of relationship.

I know the plan is somewhat different, but, essentially, it goes to what I think is the first needed step in any really, comprehensive plan of medical help for the aging; namely, essential hospitalization under social security financing.

I say that, because I do not wish my friend from Connecticut to assume for a moment that in discussing the question with the Senator from Tennessee I was excluding the same deference to the proposal which the Senator from Connecticut has made, which at the moment is not before us, as I had extended to the proposal made by the Senator from Tennessee [Mr. GORE].

Mr. RIBICOFF. Mr. President, we are basically interested in proposals to help meet the medical costs of the aging under the social security system.

Without question, the Senator from New Mexico [Mr. ANDERSON] has been in the lead for many years on this subject. He has been joined by the senior Senator from New York and the senior Senator from Tennessee and myself. I am a junior in the Senate, but, by reason of my experience in the Department of Health, Education, and Welfare, I am deeply interested in this proposal as a basic "must."

I foresee great problems arising in the future in the enactment of health care for the aging should the amendment put forward by the distinguished and able junior Senator from Louisiana [Mr. LONG] be adopted.

Although I have a proposal which I believe eventually will be the proposal that will be adopted—and I would be less than candid if I did not recognize that if the measure went to conference, probably what would eventually come out of conference would be, the proposal that I have advanced—yet, I have great respect and admiration for the work which has been done by the senior Senator from Tennessee [Mr. GORE].

The senior Senator from Tennessee has put forward his amendment as a perfecting amendment to the amendment offered by the junior Senator from Louisiana [Mr. LONG]. I have joined as a cosponsor of the amendment, and so has the senior Senator from New Mexico [Mr. ANDERSON]. I shall vote for the perfecting amendment proposed by the

senior Senator from Tennessee. I hope that his proposal will prevail.

If by any chance—and of course no one knows what the vote will be—the substitute being offered by the Senator from Tennessee is turned down, I shall offer the proposal that I have advanced, which is now at the desk.

I should like to see the Senate vote for the proposal advanced by the senior Senator from Tennessee, because all of us realize the basic necessity of establishing health care for the aging under social security. My great fear is that if we fail to pass such a measure in the Senate, and pass only an increase in social security cash benefits, without making any provision whatsoever for health insurance at this time, it will be many a winter before this Nation ever has a health care program for the aging under social security.

I have foreseen, as I said at the beginning, that once the other body passed its proposal for social security benefits, it practically spelled doom for any hope of providing health care for our aging citizens unless the Senate passed a program which included health care for the aging under social security and then went to conference with it.

Should the Senate come forward with a program encompassing health care for the aging under social security, I would hope that we would stand fast and insist that the health care program be retained in conference. If we fail to do so, we shall be breaking faith with 18 million people in America who are over 65, and whose great need is for a health care program

Mr. JAVITS. I am grateful to the Senator from Connecticut for his statement. I addressed myself to him, and, I am glad to say, to the position of the distinguished Senator from New Mexico [Mr. ANDERSON] on this subject, because, I, too, face something of a dilemma in this connection.

I have a deep conviction about what I call the need for a governor on the private enterprise system. Yet it would be easy to fall between two stools and vote against the Gore and Ribicoff proposals, because they do not include a private enterprise title; and then have Senators vote against my proposal for whatever reason they might feel they had to vote against it. So obviously, constructively, we ought to deal with that subject; and the parliamentary situation, as I have developed it with the Chair, would permit us to deal with the other aspect, the strictly private enterprise aspect. In that way, we may hopefully emerge, at least from this body, with a well considered plan; whereas if each of us takes the bit in his teeth and does nothing about the other, we might all fail and have nothing. It was for that reason that I said, speaking for myself, rather early in the debate, that I would do as I have suggested.

Mr. RIBICOFF. I may say to the distinguished Senator from New York that when the bill came from the other body, the distinguished Senator from New Mexico [Mr. ANDERSON] was indisposed and was not in Washington. I was most careful, before I advanced any proposal, to keep in touch with the administrative assistant of the Senator from New Mexico. At all times I deferred to the judgment of the Senator from New Mexico, because I had recognized, by reason of my duties as Secretary of Health, Education, and Welfare, that no person in this country had taken a firmer, more consistent, and more imaginative attitude in this whole field than did the distinguished Senator from New Mexico. I recognized him then, as I still recognize him, as the leader of this fight.

There have been many conferences between my staff and the staff of the Senator from New Mexico, and between the Senator from New Mexico and me.

All of us are most zealous—the senior Senator from New Mexico, the senior Senator from Tennessee, and I; and I am pleased to see the same attitude adopted by the senior Senator from New York, because I, too, recognize his leadership in the field—to make sure that none of us is so much concerned about credit, that none of us is so much concerned about kudos, that we involve ourselves in a situation which would result in none of our measures receiving a majority.

So far as I am concerned, I have said before, and I say again, that I shall cast my vote, and urge other Senators to cast their votes, for the proposal put forward by the senior Senator from Tennessee. I hope it will prevail. In the event the Senate decides otherwise, I shall advance my proposal and hope that it will prevail. But I would hope that one of the proposals would prevail, each of us helping the other to the end that a sound program may be devised.

Mr. JAVITS. I thank the Senator from Connecticut.

Before I yield to the Senator from New Mexico, I wish to say that I have done many things in Congress in 18 years, but I have never had as much personal gratification in developing a piece of legislation, even though it failed, than I did when, in company with the senior Senator from New Mexico, we developed the bill presented to the Senate in 1962.

Mr. ANDERSON. I thank the Senator from New York for his compliment. I regret that he was not in the Chamber earlier today, when I paid tribute to him for the work which he had done, and then went beyond that point and paid tribute to him for the panel he organized. I would have enjoyed being present with it more than I was. However, I had a representative there at all times. I know that the Senator from New York and his panel were interested in only one thing; namely, to try to ascertain the best way to solve the question of health care for the aged. I cannot compliment him too highly. The panel did a very fine piece of work.

Beyond that, I would say that when we were trying, in 1962, to pass a bill in the Senate, the Senator from New York was extremely helpful. At all times he was most cooperative.

I am glad to hear these exchanges, because they indicate that Senators are trying to work together, even though they may not agree in every detail. The parliamentary situation did not permit a determination as to whether everyone would agree. Therefore, we had to do the best we could.

I compliment the Senator from Tennessee for his energy, and the Senator from Connecticut for the fact that he has stood foursquare and said what he would do without any hesitation whatever, and without any concealment of his thoughts.

I was greatly encouraged to hear the Senator from New York express his concern for the people. It is typical of him.

Mr. JAVITS. I thank the Senator from New Mexico. His leadership is so much acknowledged that the Senator from Tennessee [Mr. GORE], who has just allowed me to make this personal reference, came to me before I introduced the bill and said that he felt, in view of the indisposition of the senior Senator from New Mexico, some Senator had to present what he fought for, for so long, that if no one else would do it, he would; and he did.

Mr. CARLSON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CARLSON. The colloquy that has just taken place indicates that further study of these proposals is needed before a definite conclusion is reached. I said in the Committee on Finance that this problem ought to be met. I firmly believe that. Something needs to be done in this field or area; but I do not believe we are ready to take action yet. The colloquy that has just taken place among the sponsors of three or four bills indicates that further time is needed to tie the proposals together and try to weave into one bill the features of all the bills. That cannot be done on the floor of the Senate. I suggested at that time that I would be willing to try to help to draft a satisfactory proposal. It ought to be done in the Committee on Finance or the Committee on Ways and Means; but, in my opinion, this type of legislation cannot be written on the floor of the Senate.

Mr. RIBICOFF. Mr. President, will the Senator from Kansas yield?

Mr. JAVITS. I have the floor. I shall yield in a moment.

I appreciate what the Senator from Kansas has said. I confirm his attitude. It has been of long standing. I know of no ally whom I welcome more on the floor of the Senate than the Senator from Kansas.

Notwithstanding the past efforts of other Senators and myself, the time has come for us to take action to provide health care benefits for the aged. I believe the Senator from Kansas will agree that we have tried for a long time to achieve some maturity in this field and to bring about some bipartisan unity. We came closest to achieving it when the Senator from New Mexico and I got together. Since that time we have literally gotten nowhere. So I hope that the Senator from Kansas will understand us, because some of us, at least, have the feeling that the way to resume is to resume. It is necessary to start some time; and the time is now.

Mr. RIBICOFF. I thank the Senator from New York. Let me reply to the

able Senator from Kansas, for whose ability and sincerity in this field I have the highest respect. The fear that I have, in following the suggestion made by the Senator from Kansas, is that if we allow Congress to go home without having acted on health care for the aged, if Congress instead acts only upon the bill that came over from the other body, or if we adopt the amendment offered by the Senator from Louisiana, we shall have painted the aged into a corner from which there is no escape.

I recognize the cogency of what has been said by the Senator from Kansas. We should recognize that for many years—especially during the past 4 years—there has been exhaustive study and research, and many constructive proposals have been put forward by the Senator from New York, the Senator from New Mexico, and the Senator from Tennessee. The proposal that I have put forth as a workable substitute, seeks a way out of the dilemma posed to us by the House bill.

To delay another session means a delay of a decade. I believe that the 100 men and women who constitute this body have a sufficient awareness of the problem. The men and women who have worked on this problem have a sufficient awareness of very nuance, every in and out of the whole proposal. We have competence on the floor; we have competence through these debates; we have competence through various analyses, the results of which have been placed on the desks of every Senator, analyzing the differences between the various proposals. I believe that we have the necessary knowledge, skill, and ability to pass, in the next few days, a good social security bill that will take care of the money needs of our elderly citizens under social security; and at the same time, take care of their basic health needs. This can be done. I believe that the Senate, following discussions and votes, will work its will and send over to the other body a bill which will assert that now is the time—this year—to begin once and for all to provide, under social security, for the health care of the needy over 65 years of age.

I believe it would be tragic, because it would spell doom, if the Senate adopted the ingenuous proposal put forward by the Senator from Louisiana.

Mr. JAVITS. Mr. President, in conclusion——

Mr. LONG of Louisiana. Mr. President, will the Senator from New York yield, in order that I may reply to the Senator from Connecticut?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. As Senators well know, I do not plan to vote on health insurance, nor do I plan at this time to vote to put the Government in the business of insuring the health of anyone.

Nevertheless, I feel that I should respond to the Senator from Connecticut with regard to his statement that the simple provisions contained in my amendment—which I believe commands the support of the majority of the committee—precludes any possibility of a medical insurance program.

I believe the logic of the Senator from Connecticut comes from the days when he was Secretary of Health, Education, and Welfare. The distinguished chairman of the committee, the Senator from Virginia [Mr. BYRD] asked the Secretary at that time, "How much of an increase would you be willing to recommend in the social security tax?"

I believe that at that time the distinguished Secretary of Health, Education, and Welfare, who is now the able Senator from Connecticut [Mr. RIBICOFF], said, "10 percent."

As a practical matter, anyone who wishes to vote for a medical insurance program for the aged, whether it be the Gore amendment or any other, should in good conscience prepare himself not to delude the public, but to admit and concede that he would be voting for a social security program, the cost of which would go far beyond 10 percent. The cost would probably be 15 percent within 15 years.

The amendment itself has been arrived at by examining all sorts of proposals which would be desirable things against which to insure these people—putting some in and taking some out. The record shows that many ideas and concepts were considered, if one had enough money. Even while the amendment has been pending—unless I misunderstand what has been said in the Chamber so far—modifications have been made, even while the Senator has brought about the offering of the amendment—such as reducing the amount of nursing care from 180 days to 60 days, and juggling around other figures.

If the Gore amendment is to become law, it will mean that a man 65 years old, making $10,000 a year, who has not retired, can have his hospital bill taken care of by the Federal Government at the expense of a tax on someone who is blind and eking out a living selling pencils, soft drinks and candy, at the courthouse or at the expense of the workingman who cannot even provide sufficient protein on the table for his family, but who will have to provide health insurance for a man who has not even retired and is making $10,000 a year.

If we are to provide medical insurance benefits for people who have not retired, people who do not expect it, people who have taken out their own private insurance policies, or their own group insurance plans, people who are well secure and well protected, if we are to tax everyone in this country, rich and poor alike—and I put emphasis on the word "poor" in this connection—to provide this kind of benefit to those who do not need it, to those who do not expect it, to those who would be surprised if anyone should be so foolish as to do it, how are we going to turn down someone who is disabled, who needs some help? He is 65 years of age, but he cannot work, because he is disabled. We shall have to provide him with medical insurance, if we have any heart. We shall have to provide the same benefits to take care of a widow whose child has a catastrophic illness. If we have a heart and a sense of fairness, we shall have to do that as well.

Then we shall have to do something about doctors' bills.

What kind of sense does it make to go into my State, for example, where anyone who is needy, anyone who is poor or has a problem paying his medical bills, can go into our magnificent State hospitals and be treated entirely at State expense? What sense does it make to provide them with a situation in which they can go to a private hospital and climb into a hospital bed, with no doctor in attendance, when they cannot afford to pay for a doctor?

It will mean that we shall have to increase the tax to include doctors in the plan. We shall wind up with a program of insuring anyone who has any sentimental claim for aid. What we have done for Federal employees, as well as other people, we would be compelled to provide for everyone. So instead of 0.4 percent of the payroll the figure would be 4 percent of the payroll. We cannot honestly resist amendments which would put into the program the element of prime need after voting to include people who have no need for such benefits, who do not expect them, and who would be amazed if we provided them.

Some years ago, I cosponsored the amendment to pay social security benefits to the disabled. It carried by a yea-and-nay vote of 49 to 47. I was one of its sponsors. We wished to include disabled people at the age of 50, if they were fully insured. We had no sooner done that when the next question arose. If we can do that, would it not be appropriate to bring in an amendment to extend assistance to the disabled, regardless of age, if such persons were fully covered? That is the present situation. All we have to do, if we wish to sponsor an amendment that will be popular, is to offer an amendment to take care of disabled people who do not have full coverage today, but who have been working for 6 months or longer. My guess is that we would find a considerable appeal in the Senate for such a proposal, because it would make sense. But when we embark on this kind of program, we should recognize that it does require an increased cost.

The amendment, if I understand it correctly, offers a bill with benefits which would make the social security tax 10.4 percent in 1971. With respect to the 10-percent figure. Members of the Senate and House could vote a tax bill that would provide benefits which could require a 10.4-percent tax—and, of course, that is what the taxpayers will have to pay.

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

Mr. JAVITS. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. Mr. President, I hope the Senator will very carefully examine these proposals. After the transitional period for those not under social security is reached, which is 1968, one must be retired in order to receive benefits. That is point No. 1. The transitional period is merely intended to include the period not now covered. The social security system is catching up with this age level. Of course, some people who

are earning $10,000 a year or more may receive benefits. But, this is inevitable in a system under which we try to devise some form of universal applicability with some measure of fairness. But what is more important about the argument of the Senator is that a retired person receives social security benefits whether he wants them or not. A retired person receives social security benefits even if he receives $1 million a year income from investments. He has paid for social security all his life; and he receives the benefits. It is the same with this measure, except that we would provide a few years in which to bridge over the gap in the coverage of the social security system.

I agree with the junior Senator from Louisiana on one point. That is the point that has always worried me, as to the political building up process of trying to keep the social security tax at "X" figure while the pressure is constantly on to widen the benefits.

I do not want to be a special pleader, but we have a built-in limiting system. We have a private enterprise system for 80 percent of the people who can afford it and who can undertake this plan of obtaining health insurance coverage for everything that is needed other than hospitalization. This takes the pressure off the Federal Government for the building up of benefits. For the remained 20 percent, we have the Kerr-Mills program. No one wants to repeal the Kerr-Mills program. We have a total medical care plan for the aged. And we avoid what I agree is a built-in danger; namely, the building up process.

Mr. LONG of Louisiana. The Senator from New York speaks of the social security program providing certain benefits. I believe it is important to point out that, under the social security program, people paid for retirement benefits while they were young. They earned the payments before they received them.

The Gore amendment, as I understand, assumes that the cost would be the same or about the same as the estimated cost for the Javits-Anderson amendment of approximately 2 years ago. That would impose on the young workers of today and their families an additional liability of $35 billion for medical care for people who have not contributed 1 cent toward that $35 billion of medical care. That is based on existing costs.

I have always contended that the costs would come nearer to $55 billion. Our experience in Louisiana, where 55 percent of all days spent in State hospitals is at the expense of the State, is that the length of hospitalization is about 50 percent greater when the public is paying for the hospitalization than when the individual is paying for it. It is natural, when a person sees the hospital bills accumulating, for him to ask the doctor, "Can I go home today?" However, if the individual does not have any expense involved, it is the human thing to say, "Doctor, do you not think I might be better if I were to stay a while longer?"

Our experience has been that it is a matter of human inertia. A person who is not paying for the cost prefers to stay longer. Thus, the cost is 50 percent higher.

The Senator is talking about adding a $35 billion liability for which nothing has yet been paid. It is proposed to impose this charge on one person to benefit another. With regard to these proposed beneficiaries, my understanding is that the Health, Education, and Welfare studies indicate that 54 percent of these people already have medical insurance at their own expense. They have entered into private plans covered by group insurance and other plans. So half of them have already provided for themselves. If this amendment is agreed to, it will become a big windfall to the State budget in Louisiana. In Louisiana, we spend a large amount of money to provide this kind of health benefit for those who need help. While I have not studied the Javits plan I shall study it when it is offered. I try to study the amendments as they are reached. I have studied the amendments that have been debated in the field in which the Government would undertake to provide this care.

The proposed legislation has a parallel in the kind of thing that I have worked for, advocated, and fought for, such as insurance disability, well knowing that when the movement started, we would move, in subsequent years, to place additional benefits in the bill. This would not benefit anyone in Louisiana who is now drawing welfare assistance. That includes 58 percent of the people in my State. Those people are automatically eligible to go to a hospital and have a doctor, as well as hospital care. Why should anyone who needs the care of a doctor and hospital go to a hospital where a doctor is not provided free, when he would otherwise have a doctor and hospital available at State expense?

That being the case, there might be some effort in Louisiana to attempt to change the State program around and thus try to attract the Federal money into the State till since the health care provided at Federal expense would overlap existing State services. That, in turn, could be used to help fulfill other commitments that the State government and the State legislators might have made, for which they have had difficulty in finding money, as every State does.

Senators should not vote for this measure. Even those who have been advocating a program that would cost the equivalent of $7 a month of medical insurance say that it would require at least $12 to provide an adequate policy. If one were to examine the Federal policy that the Federal Government buys for its own Federal employees, he would find that the cost of it is far more than $12. I think it is $19 for each individual. That does not cover everything. The companies that handle this insurance—Aetna or Blue Cross, whichever may be handling the program in this particular instance—works for about a 1-percent fee. I believe they provide the insurance as cheaply as the Government could provide it. Even so, the cost of a basic policy is about $7. A major medical policy is in addition to that. And when the two are combined, that does not include all the medical expense. But I believe the cost of the two programs totals about $19. That would provide a medical program to cover almost everything. But I am sure the Senator knows that a man can obtain treatment in the hospital if he cannot afford to pay the hospital bill.

Mr. JAVITS. I shall not argue with the Senator about the welfare concept. We shall reach that later. Will the Senator furnish now, or place in the RECORD later, the basis for his estimate of $35 billion cost to the younger workers today? That was in the testimony. But perhaps the Senator has the information fresh in his mind, or can obtain it from an analysis. I would like to see how the Senator arrives at that figure.

Mr. LONG of Louisiana. It is very simple. Look back to the debates of 2 years ago when the late Senator Kerr stood here as the committee spokesman and explained the Javits-Anderson amendment. The Senator was a cosponsor of that amendment. He did not argue with the figure that was given as the cost necessary to provide coverage for those who had paid nothing whatever for medical benefits, but who would be in a position to draw benefits. The cost was estimated to be approximately $35 billion at that point.

Mr. JAVITS. Mr. President, will the Senator from Nebraska allow me to yield to the Senator from Connecticut?

Mr. CURTIS. I yield for that purpose.

Mr. JAVITS. I yield to the Senator from Connecticut.

Mr. RIBICOFF. I believe it is important to put the question into proper perspective. I hope that the Senator from Louisiana will remain in the Chamber, because he was the one who raised the point. I should like to have his attention.

What concerns the distinguished Senator from Louisiana is that we would bring into the plan people who are now over 65, and who have not paid anything into the special health insurance trust fund. But under the proposal put forward by the Senator from Louisiana, he would bring the contribution rate up to 10 percent and increase the cash benefits to people now over 65, who have not put in the necessary money to pay for their increased benefits. So the Senator from Louisiana is in no different position than are those who are advancing the present health insurance proposal. All we are saying is that there should be a different allocation of the 10 percent. We say that when the cash benefit is increased from 5 percent to 7 percent, 10 percent is used up on the tax rate, and there is exactly the same tax as is being proposed, or practically proposed by the Senator from New York, the Senator from Tennessee, and myself. The difference is that we believe that those extra pennies can be better utilized. It would have much more meaning to have a health insurance policy than to give cash, as the Senator from Louisiana seeks to accomplish by his proposal.

Concerning the 10 percent, I agree that it is impractical at the present time to go above 10 percent. I am under no

illusion that should the Senate adopt the Gore amendment, one of the leading conferees on the part of the Senate will be the same Senator from Louisiana; and I cannot see the Senator from Louisiana coming back from a conference with a tax rate above 10 percent. We would find that any program which would come out of such a conference would be whittled down so that it would not exceed 10 percent.

When it comes to the problem of taking care of the rich, I point out that I do not know a greater tax expert than the Senator from Louisiana. Under our present tax laws, the rich are being taken care of; their health care needs are paid for, because the Senator from Louisiana knows that if a person is over 65, he has a right to deduct all of his hospital and medical bills from his income tax. Therefore, if one is a millionaire, is in the 80-percent tax bracket, is over 65, and has a $1,000 hospital or medical bill, he merely puts that on his income tax return, deducts $1,000 and saves $800. So basically all the taxpayers are taking care of the wealthy now.

What we are trying to do is to take care of the other people who are not in the higher tax brackets and who are using up all their savings. They do not have the advantage of tax deductions. It is important to try to understand that what we are fighting for is the better utilization of the increased taxes that the distinguished Senator from Louisiana seeks to raise under his proposal. The basic difference is that the Senator from Louisiana seeks to do it by giving cash increases. We seek to do it by giving hospital benefit increases as well as cash.

Mr. JAVITS. Mr. President, will the Senator allow me to yield to the Senator from New Mexico [Mr. ANDERSON], who wishes to speak?

Mr. LONG of Louisiana. May I respond to what has been said by the Senator from Connecticut?

Mr. JAVITS. I should like you to yield first to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I wish only to point out to the Senator from New York that we do not have to read the discussion this afternoon. We can go back to 1935 and find that the same points were made. We were told, "You are going to pass a social security law; and many people will profit from it who never paid in a penny." We were told that nothing would be paid in by those people. The same argument is being made now that was made in 1935. Thank God, we lived to overcome that attitude, and we shall live to overcome the present opposition.

Mr. LONG of Louisiana. Mr. President, I regret to say that I observed in the Washington Post this morning one of the most biased and prejudiced pieces of newspaper reporting I have seen appear in any newspaper for some time. If the information appeared in an editorial, it would not have seemed so bad. Senators who have not been on the floor and who have not had better information than what they have read in the newspapers will read that story and be misled. The article described my amendment as one which would give only half of the benefits that it really provides, and set forth arguments for one side without considering arguments for the other side. The article was written by a newspaperman by the name of Richard L. Lyons. Perhaps I have met him, though I do not remember his face. He wrote the article, in which he said:

> You are going to pay for this in any event, but let us look at the difference.

What I am proposing is more than a cost-of-living increase to give a 7-percent increase to make good to those people who had a social security retirement benefit coming to them in 1958 the amount of money which is represented by the erosion of the purchasing power of their dollar by virtue of policies for which Senators voted when the Senate voted to reduce the purchasing power of their money by various fiscal and monetary measures which would fail to maintain a stable dollar, including Government deficits.

Purchasing power has been eroded, and the people covered must be given a 7-percent increase in order that the social security checks may have the same value as that for which they paid when they were paying those taxes. We have built up a fund of $22 billion, so the Federal Government manages at best a fund for the public good of this Government. The people have paid for those benefits.

We have heard Senators rise and state that they cannot vote for this or that proposal because to do so would erode the purchasing power of the dollar. If Congress does it anyway, the least it can do is to make good to those people who have paid into the fund what they have lost in their social security benefits, because of the failure of the Federal Government to maintain a balanced budget and a stable currency.

So the 1962 amendment provides a 7-percent increase in payments, but that is only half the benefit provided in the proposed amendment. The other half is the result of something for which the Senate voted by an overwhelming vote.

Some years ago the Senate voted to say to a man who was drawing social security benefits, for which he paid, that he could, with his own efforts, earn $1,800, and when he earned the $1,800, he could keep it instead of having the Government withhold his social security check. Most of that proposal was lost in conference.

My amendment provides that in addition to the cost-of-living increase, if that man wishes to work and earn something, he can keep $1,500 of it, and of the next $1,500 he can keep half of that which he earns by his own sweat and toil.

What does that mean for a man who is trying to supplement his social security income? If he is drawing the maximum benefit of $127, that is worth more than $800 to him.

My friend the Senator from Tennessee [Mr. GORE] found a situation in which, under my amendment, a person receiving the 2 percent—not counting the 5 percent which would be added—might receive only 90 cents. Consider the overall picture. If the amendment is agreed to, it will mean billions of dollars of additional help to those who need it. It would provide as much as $800 annually in additional earnings that a person could keep from his earnings.

While I do not believe that the costs of medical insurance prejudices those who wish the program, it tends to prejudice them in the following way: It is a part of a trend in which history is moving on and leaving them. Why? Because people are taking out their own medical insurance. They are subscribing to their own group hospitalization programs. They are arranging for their own medical care. States are having their own programs and providing for anyone who fails to provide for himself. When the Senate provides the kind of thing that I am asking it to provide, the people will have sufficient income so that they will be able to provide a decent retirement for themselves and, in addition to that retirement, they will be able to live comfortably and happily, and accumulate assets at the same time. They will not need Uncle Sam to run their lives for them. That is where history is walking off from those who favor the proposed compulsory Federal medical care plans.

People are providing for their own needs instead of looking to Uncle Sam to provide for them. Some people think that that is a good trend. I am inclined to think so.

In my State and others, some of the things which proponents are talking about providing would be illusory benefits. Who will get anyone to come to a hospital in his State if the services of a doctor are not also provided? We have hospitals and also doctors for those who cannot afford the service. A needy person is automatically eligible. He goes into a hospital and receives treatment from the doctor. If a man has a choice, will he go to a hospital with a doctor or one without a doctor? He chooses the one with the doctor. Under the proposed plan some States would have an incentive to withdraw people services which are now available to people. They will try to find some way to catch the big flow of Federal funds into a large funnel and save for State finances what States are providing presently to assist those who cannot pay. So that a tax is put on to raise $19 million in taxes to be hauled out of my State, and a State government is given a windfall if the officials can find a way to adjust the State expenditures to recoup the windfall resulting from overlapping services.

The Senator made the point that we already provide hospital care at the expense of the poor by allowing deductions of medical expenses. I am willing for people to deduct their medical expenses from their income tax payments. If a person has a heavy medical bill for the year, he can deduct those medical expenses and is entitled to an adjustment of his income tax as a result of the heavy medical expenses.

The argument is made that because we allow him to spend his own money to help provide his own medical care and allow him to deduct that expense from

his income tax, it is a gratuity from the Government. I do not support that argument. If a taxpayer is making only $600 or $700 a year, he is not charged an income tax. If a man has a large family and is not making too large an income, he is not charged with an income tax. That is the idea of a tax on ability to pay. So, while a rich man is taxed, if he had heavy medical expenses, instead of having him pay his full tax, we let him deduct from his tax, perhaps dollar for dollar, the amount he actually paid in medical expenses. After all, it is his own income.

Mr. ANDERSON. Mr. President, if the Senator will yield, the Federal Government has withheld that money in the first place, so it is not always his money. A man who makes $125,000 a year owes $80,000 in taxes, so it is not his money. When it comes to deducting medical expenses, he has an opportunity to deduct some of the tax because of medical expenses. But the person making a huge salary does not own all that money. He owes a portion of it to the Government.

Mr. LONG of Louisiana. He may owe a part of it, but it is not the Senator's money; it is the other person's money. If we do not provide by law that he owes that tax, it is his money. In the absence of a law that provides that he owes it, it is his money.

Mr. ANDERSON. The penitentiaries are full of people who thought it was their money, who said that Uncle Sam would not get any part of it, because it belonged to them.

Mr. LONG of Louisiana. I hope the Senator is not making the argument I have heard others make, to the effect that when a man makes a certain income, it does not belong to him. If the law does not provide that he owes a tax, then his money belongs to him.

Mr. JAVITS. Mr. President, to complete my argument, I ask unanimous consent that the report of the National Committee on Health Care for the Aged, with a list of its members, the Chairman of which is Arthur Flemming, of the University of Oregon, and that part which deals with the problem, and a proposed solution with a dual public-private health insurance program, may be made a part of my remarks.

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

NATIONAL COMMITTEE ON HEALTH CARE OF THE AGED

Arthur S. Flemming, Chairman, president, University of Oregon.

Russell Nelson, M.D., Vice Chairman, president, Johns Hopkins Hospital.

James Dixon, M.D., president, Antioch College.

Marion B. Folsom, director and former treasurer, Eastman Kodak Co.

Arthur Larson, Ph. D., director, World Rule of Law Center, Duke University.

Russel V. Lee, M.D., founder, Palo Alto Clinic.

John C. Leslie, chairman, committee on aging, Community Service Society of New York.

Winslow Carlton, secretary of the board, chairman, Group Health Insurance, Inc.

Vernon W. Lippard, M.D., dean, Yale Medical School.

Dickinson W. Richards, M.D., Lambert professor of medicine emeritus, College of Physicians and Surgeons, Columbia University.

Thomas M. Tierney, director, Colorado Hospital Service.

Hubert W. Yount, former executive vice president, Liberty Mutual Insurance Cos.

Howard L. Bost, Ph. D., study director.

Prof. Henry H. Foster, Jr., legal consultant.

PROPOSED SOLUTION: A DUAL PUBLIC-PRIVATE HEALTH INSURANCE PROGRAM—II

The central purpose of an American solution to the problem of financing the health care of present and future generations of the aged must be to encourage and protect the independence and dignity of the individual. In its basic approach to this problem, our Nation must aim at preventing dependency as a concomitant of the deterioration of health in the declining years of life.

This requires a shift in public policy from placing major reliance upon charity and welfare assistance measures to placing emphasis upon the development within the Nation of health insurance for the aged. Public assistance programs present the prospect of great increases in requirements for public funds without accomplishing the objective of preserving the independence of elderly people or of reducing the economic hazard of illness as a threat to their independence. By their nature, such programs, including the Kerr-Mills program, deal with dependency after it occurs; health insurance, by reducing the cost which must be met at the time of illness to a level that is manageable, can prevent dependency and encourage self-reliance.

Clearly, the solution required in America today and for the future lies in actions which will achieve the health insurance coverage called for by the risk of illness in old age.

To accomplish the necessary development of health insurance for the aged, the committee proposes a dual public-private program, consisting of separate and distinct plans in the respective sectors of the economy. These plans are equally essential and should be complementary. Together they should provide balanced and effective basic protection covering roughly two-thirds of the aggregate health care costs incurred by the aged, leaving the remaining costs to be met by the individual on an out-of-pocket basis or through supplementary private insurance.

The public plan, in the committee's view, should utilize the principle of contributory social insurance to cover all persons 65 years of age and over, with payments collected during the working years of all employed and self-employed persons. The most appropriate area of protection to be provided by the public plan is institutional care, which is the most frequent cause of financial shock-loss to the aged. The extent of this protection under the proposed plan would represent approximately one-third of the aggregate health care costs of the aged.

Another third of these costs, the committee believes, should be the subject of special private insurance covering the largest noninstitutional costs that occur most frequently among the aged. Special efforts are called for in order to bring the cost of such basic, complementary private coverage within reach of most of the aged, to whom the most economical and efficient forms of insurance are not ordinarily available. The committee sees a need for congressional action to permit insurance organizations to join together in concerted efforts to provide low-cost protection on a mass-enrollment basis.

These components of the proposed dual program for the aged are both mutualy reinforcing and mutually dependent. The committee urges that one aspect not be considered out of the context of the other; rather, they should be considered together. To this end, the committee recommends the establishment of a National Council on Health Care of the Aged, which would keep both the public and private components of the program under continuing review.

Under the proposed program, the health services that are to be financed will be obtained and rendered within the American system of medical care, the same system which serves the general population of the Nation. The financing of health care costs by the program will be supportive of the patient-physician relationship requisite for good medical care. The program will strengthen the economic base supporting the operation and improvement of the health care establishment throughout the Nation, helping to stimulate expansion of needed health care resources to serve all groups.

To provide guidelines for developing health insurance for the aged under broad national policy, the committee has formulated a number of principles. These are set forth below and are discussed in the sections of the report which follow. We believe that through combined public and private action embodying these principles, a solution to the problem of financing the health care of the aged will be attainable in a way that is compatible with, and in fact will strengthen and reinforce, American traditions and values.

GUIDING PRINCIPLES FOR PUBLIC INSURANCE

1. A long-range public plan should be established, based on the principle of contributory insurance and calling for all employed and self-employed persons to participate during their working years, so that upon reaching age 65 all will have the protection provided under the plan without further payment.

2. The long-range public plan should be self-financed by a separately designated payroll tax, collected as a part of the social security tax and equally shared by employees and their employers (or paid by the self-employed), with the benefit level under the plan tied to the proceeds from this source. Contributions should be placed in a special trust fund committed to provide stipulated benefits after age 65 to those under the plan.

3. The extent of health insurance protection provided by the public plan should be designed to offset substantially the abnormal burden resulting from greater use and higher cost of health services required in old age, so as to give the aged a fair chance of maintaining their independence and providing for themselves.

4. The public plan should be designed to encourage and facilitate coverage of the aged under private health insurance for additional protection. It is essential that health insurance coverage provided under the public and private plans be conplementary and that the roles of the public and private sectors in providing protection be mutually reinforcing.

5. The benefit structure of the public insurance plan should be focused upon health services, the cost of which tends to have the greatest and sharpest impact, rather than upon services involving routine costs or costs which tend to fall in a less concentrated fashion.

6. The public insurance plan for the aged should fit into the current system of health facilities and medical care in the Nation, with maximum free choice among providers of services, and it should contribute to the improvement and expansion of needed health resources in the communities of the Nation.

7. A fundamental long-range objective of the public insurance plan for the aged should be progressive improvement in the quality of the services financed through the plan.

8. Responsibility for the administration of the public insurance plan for the aged should be assigned to the Secretary of Health, Education, and Welfare, with the assistance of an Advisory Council on Health Insurance for the Aged. In administering the plan, the

Secretary should be authorized to contract for services of voluntary organizations and required to invite proposals from such organizations for consideration. Direct administration of benefits should be undertaken by the Federal agency only if proposals from voluntary agencies are not adequate.

GUIDING PRINCIPLES OF COMPLEMENTARY PRIVATE INSURANCE

1. As a corollary action to the establishment in the public sector of a plan for the aged limited to basic institutional services, national policy should assign to private insurance the complementary role of establishing protection to cover other health care requirements of aged persons.

2. Private health insurance should concentrate primarily on covering the major clusters of expense for physician care and other noninstitutional services, so that, together with the institutional care covered by the public plan, the aged will have a well-balanced package of basic protection.

3. Basic complementary protection under private insurance should be made available to all persons in the aged population without disqualifications, reductions in benefits, or increases in premiums because of advanced age or condition of health.

4. Private insurance organizations should devote intensive efforts to extending basic complementary protection to the aged population, with concentration on developing marketing methods designed to produce high volume, low-cost mass coverage.

5. Congress should take action which would make it possible for insurance companies and nonprofit health plans to join in concerted nationwide efforts to extend to the aged population basic protection, complementary to that established under the public insurance plan for the aged.

6. To increase the proportion of the aged covered in the future under complementary protection, private insurance organizations should develop methods for prepaying during the years of active employment the cost of health insurance in old age. Employed groups also should be encouraged to continue retirees under group insurance plans.

NATIONAL ADVISORY COUNCIL

A National Advisory Council on Health Insurance for the Aged should be created and charged with advising the Secretary in administering the public insurance plan for the aged and with making periodic reports to the Congress through the President on the status, in both the private and public sectors, of implementation of national policy for health care of the aged.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield to the Senator from Idaho to bring up a preferred matter, and that when consideration of the matter is completed, I may resume the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

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

S. 277. An act to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year; and

S. 2995. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

The message also announced that the House had passed the bill (S. 935) to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

LAND AND WATER CONSERVATION FUND—CONFERENCE REPORT

Mr. CHURCH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For the conference report, see House proceedings of September 1, 1964, pp. 21165–21166, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. DOMINICK. Mr. President——

The PRESIDING OFFICER. The Chair advises the Senator that the question of proceeding to consider the conference report which has been submitted to the Senate is not debatable.

Mr. DOMINICK. I have no objection to taking it up.

The PRESIDING OFFICER. The Chair hears no objection to the present consideration of the report.

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The Senator from Idaho [Mr. CHURCH] has the floor.

Mr. CHURCH. Mr. President, I have some remarks to make in connection with the conference report, but I would be willing to defer at this time to the distinguished Senator from Colorado [Mr. DOMINICK], who has some objection to voice, in order that he may proceed with the presentation of his case.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I thank the Senator from Idaho. It is time to spread on the RECORD a little about this particular bill. It has been touted as a great bill in promotion of outdoor recreation. It has been said that it is perfectly wonderful for the States because it will help them provide facilities for the ever-growing population.

The truth is that it does not do anything of the kind. As it comes from conference, it is in far worse shape that it was when it went into conference. I shall detail my points.

I emphasize that this bill was promoted as a means and a mechanism for increasing outdoor recreational facilities.

The Outdoor Recreation Resources Review Commission, in its own report on the original administration bill, stated that it did not provide any mechanism for providing new outdoor recreation facilities.

The bill as it comes from the conference committee does two things.

First. It takes wholly unrelated Federal Treasury sums received from surplus property sales and earmarks such funds for this purpose. Those amounts varied from $12 million a year in one year to $80 million a year in another year. The amount varies greatly. As a result, we shall never know from one year to another how much money will be available for that purpose.

Second. It establishes the principle of robbing Peter to pay Paul, because it takes the money out of the General Treasury and earmarks it for a specific purpose, thereby increasing the deficit in the General Treasury.

The bill does not provide one bit of new authority for outdoor recreation facilities. It is a land acquisition bill. The undisputed testimony is that every bit of authority that is supposed to be provided for in the bill is already in existence in the Federal Government.

So all the bill does is supply money for the Executive to do certain things. What is the executive branch to do with it? It will take 60 percent, with a 15-percent variation, and distribute the money among the States equally for acquisition of land. The States must provide matching funds in order to develop lands to provide State parks.

To the extent that one can say that Treasury money comes floating out of the clouds like a mist and does not represent the taxpayers' money, I suppose one could say it aids the States. If we ever try to have a balanced budget—and we do not seem to be trying to have one—it will cost just as much in taxes as if the States did it for themselves.

The other 40 percent of the money goes into a Federal fund. What is done with that money? There are no means for developing existing lands for outdoor recreational facilities. It is a land acquisition bill purely and simply.

The West, and some portions of the East, have tremendous holdings of Federal lands already within State boundaries. For example, more than 35 percent of the total acreage of my State is owned by the Government. The percentage for California is over 46. In Alaska 98 percent of the total acreage is already owned by the Federal Government. Here we are authorizing $480 million in advance appropriations, plus surplus property funds, which would be put up for the purpose of acquiring additional property.

It will not do anything for outdoor recreation from the point of view of making recreational facilities available to the average person. It is merely putting more property under the control of the Department of the Interior.

The bill has some other facets, which I believe are important. I now refer to the fee situation. In the bill we are authorizing the Secretary of the Interior and the Secretary of Agriculture to go into our national forests and national

parks and set fees which must be paid by the general public before it can use the facilities. Some of our national parks now charge entrance fees. Yellowstone National Park is one example. On the other hand, some of them do not charge fees. The bill authorizes the executive department to determine in what areas fees may be charged. It is prohibited only from charging fees for the use of water for fishing, water skiing, and for whatever other purposes it may determine. That it cannot do.

What does that mean? It means that we are imposing a form of taxation, in the form of fees, on the general public, by edict of the executive department and in the amount established by it.

The conference report eliminates one provision that I thought could have given us some protection in this regard. That was the requirement that a hearing would have to be held in the area before any fees could be imposed, so that the general public could set forth its opposition with regard to such fees. This provision has been completely eliminated from the bill, leaving us in the position where two people can go in and determine whatever fees they wish to charge. It is a difficult kind of bill to support in the interest of the general public.

We have a situation in which we are taking money from States which have drawn upon their tax resources to provide recreational areas and park areas for their people, and we are saying to them, "Tough luck. You have paid your money to do that, but you will have to assume a double burden now and take care of the States which have not bothered to do what you have done. You will have to assume that burden also."

How do I arrive at that conclusion? Consider the State of New Jersey, as an example. The State of New Jersey has a small amount of Federal lands, and has a very small park system. It does not impose an income tax. The State of Nebraska does not impose an income tax or a sales tax. If the people of those States want a State park system, there is no reason why they should not submit the matter to their own people to determine whether they want to increase their taxes in order to provide a State park system.

Under the conference report, those States would now be required not only to provide for their State park system, but also for some other States as well.

There is one other provision which now becomes of real significance so far as the West is concerned.

I have already said that one of the major purposes of the propaganda in favor of the bill was that it was to provide outdoor recreation for the citizens of this country. There was nothing of that kind in the bill when it came from the House. The Senate added a provision which would permit the Federal portion of the fund to be used for the development of existing Federal lands for outdoor recreation. This provision has been taken out of the bill, and what is left is a wholesale land acquisition program. What was left in was a prohibition against more than 15 percent of the funds being used for acquiring land in the national parks and national forests west of the 100th meridian. This means that 85 percent of the Federal funds would be used in the East, not in the West. Therefore, the money derived from fees paid by visitors to the national parks and national forests in the West would be taken out of that area and put into a fund, 85 percent of which would be used in the East. It involves a diversion of money, resources, and economy of the West for the benefit of the East. That is as plain as it can be.

I completely agree that we do not want additional land acquisition in our western area. There is too much of it already. We want some development of it. However, the very provision which would have authorized it, and which was sponsored by the Senator from Wyoming [Mr. SIMPSON] and me, and which had been agreed to by the majority of the committee, has been removed in conference, because the House, apparently, would not agree to it.

Again I wish to make it plain that in the bill as it now reads there is no provision for the development of outdoor recreational facilities of any kind. It cannot be done with Federal funds, and it cannot be done with any of the portion that is in the State fund. The State must provide its own fund so far as a State park system is concerned.

Unless one can say that the acquisition of additional property comprises outdoor recreation by itself, entirely apart from any other facilities, the bill would do nothing to solve the problem so emphatically pointed out by the Outdoor Recreation Resources Review Commission.

I have no illusion that there is any possibility of stopping the conference report from being adopted. I am not that idealistic, and I do not indulge in wishful thinking. However, I wish to make it clear for the RECORD that it will not be very long after the law is in operation before we shall hear a most horrible howl from the American people when they try to use this land and cannot do so without paying a fee.

The bill would initiate a new system with respect to the imposition of fees in national parks and national forests, without accomplishing the very thing which we originally set out to do; namely, the development of facilities for outdoor recreation.

We shall also hear a great howl from other groups which will want particular provisions to be inserted in the law. I refer now to the earmarking of funds for particular purposes. Now that we have added the proceeds from surplus property sales and the diesel fuel tax to the fund—they have been going into the highway fund, but we are taking them out of that fund and putting them into this new fund—it will not be very long before other groups will come along, as has happened in every State that I know of, and say, "There is some money going into the Treasury from a particular source. We want to change that, so that the money will not be subject to priority use by Congress, but put into a special fund, where we can use it for our own purposes."

If we adopt the conference report, we shall be setting a precedent for that sort of thing for the first time in a long time.

The only other earmarked fund that I can think of at the moment is the highway trust fund. In that case, taxes on gasoline go into a fund which provides money for the construction of highways.

It seems to me that we are jumping into something which will backfire on many Members of Congress. I emphatically protest against the fact that the bill is being shoved through without accomplishing the very purpose for which it was originally introduced; namely, the development of outdoor recreational facilities.

Mr. CHURCH. Mr. President, I have not learned to do the contemporary dance known as the twist, so I shall not undertake to answer each of the objections raised by the distinguished junior Senator from Colorado. Some of them seem to me to contradict one another. In any case, the merits of the bill have been fully examined by the Committees on Interior and Insular Affairs, and extensive hearings have been held in both Houses. The bill has been fully and completely debated on the floor of the Senate. The case for it has been made too clear for further argument now. However, the Senator from Colorado has made one or two statements which I think require an answer.

He has said, for example, that none of the money in the bill can be used for the development of outdoor recreational facilities, which is supposed to be the object of the bill. With that statement, I emphatically disagree. The bill is perfectly clear. The fund created is divided between the States and the Federal Government. Sixty percent of the money, in a typical year, is to be made available as matching money for the use of the various States, both for the purpose of acquiring land needed for recreational purposes and for financing the development of recreational facilities.

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

Mr. CHURCH. It makes no sense at all to say that matching funds made available to the States for development cannot be used for this purpose. Surely, the fact that the State itself must contribute its share of the money is not a proper basis for saying that the money thus pooled cannot be used for the development of recreational facilities.

So I say that, on the facts, the Senator from Colorado is in error when he makes this charge.

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

Mr. CHURCH. I yield.

Mr. DOMINICK. Is it not a fact that Federal funds cannot be used in the States for development purposes?

Mr. CHURCH. It is not a fact.

Mr. DOMINICK. In what way?

Mr. CHURCH. Federal funds that are made available on a matching basis can be used by the States for development as well as for acquisition. The only ban in the bill relates to the use of Federal

funds by Federal agencies; and in that regard, the use of this money for development is prohibited.

Mr. DOMINICK. Mr. President, will the Senator further yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I do not have the House report before me, but I am sure the staff has. I feel certain that the House report makes it specific and plain that the funds which are made available to the States for State purposes are for the acquisition of land, and that any development program must be carried out by the States, not by the Federal Government in any way.

Mr. CHURCH. This question can be settled by referring to the law itself. Section 5 is perfectly clear. It deals with the general authority and purposes of financial assistance to the States. The language reads:

The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

I do not know how language in a bill could make it any plainer that the matching funds made available to the States can be used for the development of recreation facilities, as well as for the acquisition of land.

It is true that the conferees were unable to agree on the amendment adopted in the Senate, which would have authorized the use of Federal funds by Federal agencies for development as well as for land acquisition purposes.

As the Senator from Colorado has said, one of the primary purposes of the legislation is to provide a fund to enable both the States and the Federal Government to acquire land needed for public recreation. We have taken steps to assure that most of the land will be acquired in the eastern half of the country, because here is the area of congested population, and here is the section of the country where land is most desperately needed for recreational purposes.

So the bill contains a formula which sets aside 85 percent of the money, which the Federal Government may use for land acquisition, and earmarks it for use in that part of the country east of the 100th meridian; whereas 15 percent is earmarked for use in the western areas, where there are already large landholdings of the Federal Government and of the various States. This formula was included in order that the bill might not become a vehicle for some kind of Federal land grab in the West. Still, we recognize that there are certain private inholdings in the Western States, in the wilderness areas, in the national parks, and elsewhere, which it may become necessary to acquire in order to promote or protect good public recreational use. So 15 percent of the money has been set aside for this purpose. This assures us that the recreational objective can go forward in the West as well as in the East, without the bill ever becoming a vehicle for some kind of land grab in those parts of the country where the Federal Government already owns large tracts of land.

But, rather than speaking at length this afternoon on this particular provision of the bill, I shall ask unanimous consent instead to have printed at this point in the RECORD a statement explaining why the conferees struck from the bill the Senate amendment which would have authorized the use of Federal money by Federal agencies for development purposes.

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

STATEMENT IN SUPPORT OF CONFEREES' DECISION TO DELETE THE PROVISION FOR DEVELOPMENT ON FEDERAL LANDS

The question as to whether H.R. 3846 should provide for development of outdoor recreation facilities on Federal areas as well as for land acquisition was thoroughly considered during the various stages of the legislative process. It was considered first by the administration itself before it submitted the draft legislation to Congress, then by the House committee and by the whole House during debate on the bill, and again by the conference committee. Each time, it was decided, and on a number of occasions by a strong vote that, for the time being at least, development would be left to the States and the local communities.

This measure was designed with primary emphasis on acquisition. It provides for a land and water conservation fund, with the larger percentage available to the States in the form of matching grants and the smaller percentage available to the Federal agencies that have the bulk of the Federal recreation responsibilities.

Discretion should not be left to the administrators of this program as to whether moneys appropriated from the fund for Federal purposes should be used for acquisition or development. In the opinion of the conferees the Congress should determine, at least for the time being, that moneys available to the Federal agencies from the fund should be used for acquisition by making the language of the act applicable only to acquisition, rather than permissive for development as well as for acquisition.

Let us not forget that one of the basic principles underlying this legislation is that a substantial acreage of land and water areas needs to be acquired by public agencies in order to make it possible to meet future recreation needs, and that acquisition must take place promptly before such areas become either unavailable for recreation because of commitments to other uses or prohibitively expensive.

One of the most important findings of the Outdoor Recreation Resources Review Commission, following 3 years of study of the outdoor recreation needs of America, was that despite the large total Federal land holdings, most of such land available for outdoor recreation purposes is where people are not, and that we need to acquire lands for such purposes near centers of population. This is why the legislation requires that the great bulk (85 percent) of the areas to be acquired within the national forest system must be east of the 100th meridian.

The decision had to be made whether we have the foresight and the courage to plan for our grandchildren and those who will live in this country in the years to come or whether we are so narrow in our scope concerning the recreational needs of the people of this country that we can only look at those who are here today.

The decision has been made that we will take the long-range view. So, for the present, and particularly until experience has fully demonstrated how much money will actually be available to the Federal agencies under the provisions of the act and until such problems as those of inholdings are cleared up, it will be well to concentrate on land and water acquisition and to depend on the established procedure of appropriations from the general fund of the Treasury to meet the Federal development needs.

Let us keep in mind that we have had no questions raised for the development of the presently established areas as far as our Appropriations Committees are concerned. They have always been willing to recommend appropriations for development purposes. Moneys have been furnished for development purposes in the national parks—for Mission 66—and for areas in the national forests which have been set aside for recreation purposes.

The development provision, if left in, has the potential to gut the Federal acquisition part of the bill. It strikes at the very heart of the legislation. Adoption of that provision could have a very crippling effect upon the Federal agencies because it could in effect wipe out any moneys for acquisition that would otherwise be available.

Federal development moneys appropriated in the regular process now already exceed the estimate of Federal moneys that would be available from the land and water conservation fund for Federal purposes. For example, the Federal share of the estimated average annual revenue to the fund during the first 3 years is $70 million.

Appropriations for recreation development to the Forest Service and the National Park Service combined averaged during the past 3 years about $85 million annually. This amount alone exceeds the estimated total Federal share of moneys that would be available from the land and water conservation fund. It does not include any recreation development expenditures at fish and wildlife areas, nor does it include an amount as an offset to capital expenditures at water resource development projects for recreation and enhancement of fish and wildlife. Thus, total moneys available to the Federal agencies from the fund obviously will not be sufficient for both acquisition and development.

Just to make the record clear, the actual figures on appropriations for outdoor recreation purposes, other than for acquisition, for the National Park Service and the Forest Service separately during each of the past 3 fiscal years are as follows:

Fiscal years:	
1963:	
National Park Service	$61,110,500
Forest Service	26,373,000
Total	87,483,500
1964:	
National Park Service	56,527,000
Forest Service	25,016,000
Total	81,543,000
1965:	
National Park Service	60,893,600
Forest Service	26,105,000
Total	86,998,600

In contrast to this, the estimated share of the land and water conservation fund that will be available, if appropriated, for all Federal purposes (not just for the National Park Service and the Forest Service) will be as follows: fiscal year 1965, $50 million; fiscal year 1966, $80 million; and fiscal year 1967, $80 million.

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

Mr. CHURCH. I yield.

Mr. GORE. In view of the fact that there are so many lakes in our region, of which I and my fellow Tennesseans are justly proud, I wonder if the Senator from Idaho feels that the conference report adequately safeguards the right of a citizen to use, to fish from the bank, or to enter upon, a lake owned by the U.S. Government with a boat of his own.

Mr. CHURCH. First, I should say to the Senator that the bill is perfectly clear as to any body of water, whether it be a reservoir constructed by the Corps of Engineers or the Bureau of Reclamation, or a natural lake, or a river, or a canal, no charge may be made for the use of the water. Language was offered, as a matter of fact, by an amendment I proposed in the Committee on Interior and Insular Affairs, which was adopted by the committee, and confirmed by the Senate.

Mr. GORE. My colleague, the Senator from Tennessee [Mr. WALTERS] worked with the able Senator from Idaho in that regard.

Mr. CHURCH. He did, indeed. He was much concerned, as was the senior Senator from Tennessee, about the TVA reservoirs in his section of the country. The particular provision of the bill, as finally approved by the conferees, reads as follows:

> No entrance or admission fee shall be charged except at such areas or portions thereof administered by the Federal agency where recreational facilities or services are provided at Federal expense. No fee of any kind shall be charged under any provision of this act for the use of any waters.

Now, the obvious intent of the bill would be subverted if the administrators were to attempt to charge for ordinary access to the shoreline, for obviously this would be a device, the only purpose of which would be to obstruct the clear objective of the law, that the use of the waters should be free.

Of course, this is not meant to exclude certain kinds of user fees for facilities or services furnished at Federal expense.

Let us suppose a developed campground furnished at Federal expense where definite services were provided—parking lots for trailers, electric plug-ins, sanitary facilities, garbage disposal units—it would be quite within the purpose and intent of the bill that a reasonable fee be charged for the use of that campground. If the campground were located on a lake and embraced a certain part of the lakeshore, then those using the campground area, including its shoreline, might be expected to pay a reasonable fee.

But beyond the boundaries of that developed campground, any other ordinary access to the lake would remain free of charge, because it would not involve the use of a developed facility or special service furnished at Federal expense.

During the debate on the bill 2 weeks ago, the distinguished Senator from Oklahoma sought to add some additional language, and we accepted it on the floor.

His amendment would have added to the sentence I have just read; namely, "No fee of any kind shall be charged under any provisions of this act for the use of any waters"—the three words "or access thereto."

I say to the Senator that we sought in conference to retain that amendment, but there were difficulties with it. Take, for example, the case of the Yellowstone National Park where an admission fee has been traditionally charged for entry into the park—I believe that today the fee is $6.

With the language added by the Monroney amendment, a serious question arose as to whether that admission fee could be charged to a person who claimed that his purpose for entering the park was only to use the waters of Yellowstone Lake. Clearly an ambiguity was present, by virtue of the adoption of the Monroney amendment, which led the conferees to conclude that these three words should be stricken.

Mr. President, I believe that concludes all that I wish to say at this time in connection with the bill and the conference report. I conclude my statement by emphasizing that many of us might have preferred to have financed public recreation out of the General Treasury, without the need to earmark revenues and establish a special land and water conservation fund.

But, let us not fool ourselves. For years and years it has been open to succeeding administrations and succeeding sessions of Congress to appropriate adequate money from general revenues to keep up with the pressing need.

But for all these years we have failed to do it. This bill recognizes that failure, and the fact that we must have a fund of earmarked money if State programs are to be stimulated, and increased Federal activity in this vital area is to occur.

The bill is designed to do that job. It is based upon a well-calculated appraisal of what money will be required. The earmarked funds—the objection of the distinguished Senator from Colorado notwithstanding—have a definite relationship to the object and purpose of the bill. Some of the money will come from the users of the campgrounds, of the ski facilities, of the boating docks, wherever they might be, with the users paying directly for the services provided. Some of the money will come from the sale of surplus Government lands, from the net proceeds of land which the Federal Government owns and does not need, for the purchase of other lands which are needed for recreational use.

I cannot conceive of a more logical relationship than this; or, as to the money that will come from the present tax on motorboat fuels which now goes into the highway trust fund, but is derived from the use by so many hundreds of thousands of people of lakes and rivers for recreational purposes. As to the money in the fund to be advanced by appropriation, this will be repaid in due course from these sources that have a direct tie with the recreational purposes sought to be served by this proposed legislation.

I therefore disagree with what the distinguished Senator from Colorado has said. I believe that this is landmark legislation. It is urgently needed, if this country is to keep up with the requirements of the public for wholesome outdoor recreation. We have failed to do so up to now. That is why this bill is needed. That is why so large a majority on both sides of the aisle, in the Senate and in the House of Representatives, have given the bill their approval.

I commend it to the Senate; and I hope that the Senate will now approve the conference report.

Mr. DOMINICK. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I know how hard the Senator from Idaho has worked on the bill. I also know how hard the other members of the committee have worked on it. A great many amendments in the consideration of the original House bill have been adopted by the Senate which I believe are helpful. None of them restricts the amount of land which can be acquired into the fund in the Western States where already the Federal Government owns so much land. All this has been good, and I congratulate the Senator from Idaho and members of the committee for their work in this connection.

The point that bothers me, and bothers me very much, is that the testimony given to us by the Outdoor Recreation Review Committee from the very beginning was that the bill did not comply with the recommendations they had given for the development of outdoor recreation. It did not fulfill them.

The bill in its present form would eliminate the possible development of existing Federal lands under the Federal share of the fund. Having eliminated that, we have not done anything to provide facilities. All we have done is to provide more land for people to walk through, or for people to view, all of which is great in some ways, but it is not the specific problem pointed out by the committee.

Mr. CHURCH. The members of the Outdoor Recreational Review Committee, to my knowledge, are all strongly behind this proposed legislation. It has their endorsement and support, so far as I know.

I believe it is consistent with the recommendations that have been made. As I have previously pointed out, money from this fund will be available for financing the development of recreational facilities as well as the acquisition of more land.

Mr. MONRONEY. Mr. President, we are about to launch into a program that will rise up to haunt us. We are taking away from the people a privilege that has been theirs to enjoy for many years.

By tradition, by enactments of Congress, and by practice we have made the public water available to the people—the public—without charge either for the use of it or for access thereto. The Senate committee, when this bill was before it, amended the House bill, and when it reported the bill, added a provision which stated:

> No fee of any kind shall be charged under any provision of this Act for use of any water.

By an amendment offered by Senator MUNDT and myself, we added to that

language "or access thereto." Thus it read:

No fee of any kind shall be charged under any provision of this Act for use of any water or access thereto.

The sole purpose of this amendment was to make it crystal clear that it was the intention of the Senate of the United States that no fee should be charged to the public for the use of any water or access to it. This did not change what the sponsors of the bill said they intended. The history made here on this floor is certainly clear on that point. I am certain that the unanimous vote by which the amended bill passed the Senate was influenced by those three words, "or access thereto."

In fact, if Senators will read the colloquy on the floor they will find more discussion on the three-word amendment and the need for it in order to clarify the committee text than on any other single feature of the bill. I am persuaded that the reading of the RECORD will convince anyone that it was the full intention of the Senate that the use of water by the public would be without charge and that they would have free access to it. It simply made the bill state that the use of any water and the access to it would be free to the public, to whom that water belongs. Mr. President, I ask that parts of that colloquy be reprinted at this point in the RECORD.

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

Mr. MUNDT. I should like to interrogate the distinguished Senator from Washington, the Senator in charge of the bill, in connection with some questions brought up earlier in connection with recreational areas in the Missouri River development program. The Senator will recall that the Missouri River dams and reservoirs were created by special act of Congress.

I read the pertinent section of the act of 1944 dealing with this particular area: "The water areas of all such reservoirs"—meaning the Missouri River reservoirs now—"shall be open to public use generally without charge for boating, swimming, bathing, fishing, and other recreational purposes, ready access to and exit from.

"Such water areas along with the portions of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, and all other such rules and regulations as the Secretary of War may deem necessary."

In the bill we are now considering, section 4, on page 7, line 17 through page 8, line 4 provides as follows:

"Section 4 of the act entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes', approved December 24, 1944 (16 U.S.C. 460d), as amended by the Flood Control Act of 1962 (76 Stat. 1195) is further amended by deleting ', without charge,' in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission, or other recreation user fees or charges authorized by this Act or that restrict the expenditure of funds if such fees or charges are collected are hereby also repealed:".

I have taken up with the authorities involved, and have discussed with members of the committee, the meaning of the new language as it involves the people of South Dakota, Nebraska, North Dakota, Montana, and elsewhere, who have enjoyed the recreational benefits of the Missouri River reservoirs under the terms of the act of 1944.

I should like to ask the Senator from Washington some questions, so that we can establish the legislative history and button down what I deem to be the actual conditions which will prevail.

First, will the provisions of the 1944 act, guaranteeing ready access to these waters, remain in force?

Mr. JACKSON. There will be the right to ready access to the waters the Senator has mentioned. The committee, at the instance of the Senator from Idaho [Mr. CHURCH], amended the bill, starting on line 25, page 4, which stipulated that:

"Entrance and admission fees may be charged at areas administered primarily for scenic, scientific, historical, cultural, or recreational purposes."

Then it continues:

"No entrance or admission fee shall be charged at such areas or portions thereof administered by a Federal Agency where recreational facilities or services are provided at Federal expense. No fee of any kind shall be charged under any provision of this act for use of any water."

Mr. MUNDT. That leads to the next question. "Waters" is a rather ambiguous term unless we define it more specifically.

Mr. JACKSON. This includes the right of access.

Mr. MUNDT. If it includes the right to boat and swim in the lake, I want to be sure it includes the right of a farm boy in South Dakota to take his boat down to the lake on his own trailer and scoot it into the water without the benefit of use of a Federal facility, and bring it back without charge.

Mr. JACKSON. It does include that. What would not be included would be a request for Federal funds to build a boat ramp and a special facility for which a fee could be charged. Of course, money will be available under the State program, as the Senator is aware. And that would be up to the States. The Federal Government would not control any of the fees that a State might levy. But if it is merely a question of access to the water itself, under the amendment of the Senator from Idaho [Mr. CHURCH], as I understand the position of the Senator from Idaho, no fee would be charged. The water would be avalaible for use by individuals, as the Senator has illustrated, without payment of a fee. There would be the right of access.

Mr. CHURCH. Mr. President, I wish to add a further word of clarification to what the distinguished chairman has said. Earlier in the day, the senior Senator from Oklahoma [Mr. MONRONEY] raised the very point that the able Senator from South Dakota [Mr. MUNDT] has postulated. Because there is possible ambiguity in the language of the bill, which we previously had not realized might exist, the senior Senator from Oklahoma has proposed that we add after "waters" the phrase "or access thereto." That pins it down beyond any shadow of a doubt. I believe we can accept that amendment. I believe it would eliminate this possible ambiguity. We would be happy to accept it.

Mr. MUNDT. It would be an improvement. It would meet the particular problem which I am sure the committee intended to meet. It is language which is subject to various interpretations from different people.

We have established in the bill that the user who takes his boat with his family to the water's edge for a picnic or a fishing trip can have access to the lake, so far as the access from the roadway into the water is concerned, without charge so long as he is not using some special ramp facility which has been built with public funds.

Mr. CHURCH. That is the object of the language that the committee has inserted in the bill.

* * * * *

Mr. MONRONEY. Mr. President, this is a corrective and clarifying amendment, which I am sure is needed further to strengthen the position of the Senate that we are not to charge admission fees, as such, to our publicly built bodies of water. We most certainly should not pass this bill without including this amendment. The Senate committee adopted a number of clarifying and declarative amendments to the House bill, all of which are major improvements. The committee, as it states in its report, made changes in the bill to prevent any charge for the use of waters for recreational purposes. On page 5, lines 6 and 7, the bill states:

"No fee of any kind shall be charged under any provision of this act for use of any waters."

My amendment adds but three words to line 7—"or access thereto."

This amendment reinforces the committee's very worthwhile language to make the sentence on lines 6 and 7 of page 5 read:

"No fee of any kind shall be charged under any provision of this act for use of any waters or access thereto."

It may be argued that these three words are unnecessary, that any court of appeals would say that in order for the use of any waters to be free, free access to the waters should be required. However, we cannot afford to rely carelessly on a court interpretation. We should make this technical correction here and now. It is simply obvious that if the use of waters is to be available to the people without fees, the people must have free access to the shoreline of any reservoir or other body of water.

This amendment will not interfere in any way with the collection of entrance or admission fees at areas that are adjacent to bodies of water and that are administered primarily for scenic, scientific, historical, cultural or recreational purposes. The bill provides for the collection of fees for the use of facilities such as boat ramps, moorings, boathouses, improved campsites, bathhouses, or other improvements which add safety and convenience for the user. Such fees already are charged in many of our State and Federal parks and recreational areas. Although I feel this bill delegates power in an undesirable fashion for the levying of additional fees of this kind, the Senate committee removed one of the most objectionable features when it added the provision that no fee of any kind shall be charged for the use of any waters.

The difficulty which my amendment is designed to avoid is an obvious possibility. Somewhere, somehow in years to come some bureaucrat might seek to circumvent our purpose by fencing off a body of water in such a way that even though the use of the water itself was free, no one could make use of the water without first paying a toll fee to reach the shoreline. My amendment, adding the words "or access thereto," rules out such a possibility. It will eliminate the need for some court to assume at some future date the responsibility of telling the people of this country what we meant when we said that no fee would be charged for the use of any water. I am sure that all of us would agree that any steps we can take here to make court interpretations of our actions unnecessary in the future will be warmly welcomed by the American people.

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

Mr. MONRONEY. I yield.

Mr. MUNDT. Inasmuch as the Senator from Oklahoma and I have been concerned with the same problem, and in view of the fact that I had prepared a much more awkward and cumbersome amendment, I should like to be included as a cosponsor of his amendment, and then I shall not offer mine.

Mr. MONRONEY. I would very much appreciate having the distinguished Senator

from South Dakota join me in the amendment.

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

Mr. JACKSON. Mr. President, I believe the amendment offered by the Senator from Oklahoma and cosponsored by the Senator from South Dakota will be helpful in clarifying what the committee definitely intended to make very clear, namely, the right of accessibility to waters, without charge. Therefore, on behalf of the committee, I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. MONRONEY. This body of legislators has on at least seven separate occasions stated the principle of free use of the public waters for the public. And as late as 1960, the Democratic Party, of which I am a proud member, enacted the same principle in its platform. We further have adopted the principle in the multiple-use development of forests, fish and wildlife refuges, and reservoirs.

Our present system of financing recreation facilities has worked well. It has provided excellent facilities throughout all parts of the country. The Congress has retained the control over financing which is its responsibility and prerogative. Of course, more could have been done if more money had been provided. In recent years the Congress has recognized the need for these facilities. Having recognized the need, I believe the Congress will provide the necessary funds.

I am advised by the Corps of Engineers that they have more than 300 completed projects with recreation facilities throughout the United States. In 1963 there were 130 million visitor-days attendance at these reservoir projects. There is no fee charged for the use of the impounded water or for access to it. The corps has contracts with 540 private concessionnaires who furnish such things as overnight and vacation accommodations, boat rental and service, snackbars and stores, fish tackle and bait, and other needed services for which fees are charged. But there is no entrance fee to any of these projects. There is no charge for the minimal service and facilities furnished by the corps, such as boat launching ramps, camp tables, drinking fountains, and things of that nature. There should be no fee charged for this type of facility or service, nor should any fee be imposed for access to the water areas. Certainly a citizen should be able to expect from his Government this nominal benefit from the expenditure of tax money to develop natural resources. Is there some fault with what we have been doing since the enactment of the Northwest Ordinance of 1787 or with what we have reenacted as late as the Rivers and Harbors and Flood Control Act of 1962?

Oklahoma has been a leader in developing recreational facilities. It has developed 18 State parks and recreational areas on and around the Federal reservoirs in Oklahoma. Seventy-five million dollars in State funds have been invested in our park system, $25 million of which is in revenue bonds. We have a total of 17 State parks and 15 State recreation areas. There were over 28 million visitor-days attendance last year at recreation areas in Oklahoma. About 16 million of these visitor-days were at Corps of Engineers projects. The system of financing in Oklahoma which is a combination of direct appropriations and revenue bonds has worked satisfactorily.

The State has never found it necessary to resort to entrance fees of any kind or a charge for the use of the water.

The policy of the Corps of Engineers in determining recreation benefits and development grew out of the efforts of the late Senator Robert S. Kerr to meet the recreational needs at corps projects and to assure the full development of the resources involved. It is the same theory that resulted in the Fish and Wildlife Coordination Act and the policy of multiple use of our national forest lands.

I for one do not believe that we need to or should charge fees to areas traditionally free. These resources belong to the people—why should we deprive any of them of their enjoyment?

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. McINTYRE. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. CHURCH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHURCH. I thank the senior Senator from New York for yielding me the time in which to present the conference report.

HUBERT HUMPHREY—A GOOD CHOICE

Mr. CHURCH. Mr. President, there is a newspaper in my State, the Lewiston Morning Tribune, published in Lewiston, Idaho, which I believe can properly be referred to as the thinking man's newspaper.

Recently two editorials of such exceptional quality have appeared in the Tribune that I believe they deserve inclusion in the CONGRESSIONAL RECORD.

The first editorial appeared under date of Thursday, August 27, 1964. It is entitled, "HUBERT HUMPHREY—A Good Choice." The last paragraph of the editorial reads:

> We should all hope that the practice of nominating a qualified man for the Vice-Presidency will be a continuing one in American politics. President Johnson and the Democratic Party are to be commended for selecting a vice-presidential candidate possessing proven statesmanship as well as voter appeal.—B.E.N.

I not only wholeheartedly agree with the concluding paragraph of the editorial, but I also agree with all other parts of this excellent editorial. I commend it to my colleagues.

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

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

[From the Lewiston (Idaho) Morning Tribune, Aug. 27, 1964]

HUBERT HUMPHREY—A GOOD CHOICE

The nomination of Senator HUBERT HUMPHREY as the Democratic vice presidential candidate should be welcomed by all Americans regardless of party. It means that President Johnson and the Democratic Party have seen fit to select a man who could fulfill the awesome responsibilities of the Presidency in the case of Presidential death or disability.

The longtime custom of selecting a vice-presidential candidate to add "balance" to the ticket or to pick up a few extra votes from a regional or ethnic minority is an archaic political practice which America can well do without. The American Vice President has had to assume the duties of the President on the death of the Head of State on eight different occasions. In recent years the selection of vice-presidential candidates of the quality of Alben Barkley, Earl Warren, Richard Nixon, Estes Kefauver, Henry Cabot Lodge, and Lyndon Johnson is especially commendable when one considers that the President literally possesses the power of life and death over the population of his own country and over much of the world. The presidential and vice-presidential candidates of both parties should be men of proven ability and prudence.

HUMPHREY has had a record of proven ability since his election to the Senate in 1948. The esteem of his fellow Democratic Senators is indicated by their election of the Minnesotan as Democratic "whip" in 1961, a position second in rank only to the majority leader. This year, President Johnson designated HUMPHREY to manage the highly controversial civil rights bill on the floor of the Senate and HUMPHREY brilliantly steered the bill to final passage this summer.

Although HUMPHREY expresses his convictions with firmness, he does so without alienating those who differ with him. During the civil rights struggle HUMPHREY would caution his aids, "Be nice to people." HUMPHREY'S gregarious disposition has paid off handsomely for him; he has retained the friendship of southern politicians who vigorously opposed his civil rights stand. Indeed, since the first trial balloon was launched for the HUMPHREY candidacy earlier this year, almost no opposition has emerged, in the South or in any other section of the country. Many Democratic professionals approvingly remember how HUMPHREY swallowed his pride and worked for the Democratic presidential nominee after Kennedy defeated him for the nomination in 1960. And in the Senate, HUMPHREY was one of President Kennedy's strongest legislative backers.

Although HUMPHREY has great support among the liberal, urban, and intellectual elements in the Democratic Party, he is also popular with farmers and businessmen. Born the son of a smalltown South Dakota pharmacist, he learned the problems of the businessman and the farmer early in life. HUMPHREY was a pharmacist, college teacher, and mayor of Minneapolis before his election to the Senate.

HUMPHREY also is experienced in foreign affairs, a requisite for any prospective American President. A member of the Senate Foreign Relations Committee since 1953, he has written scholarly articles on foreign affairs and has worked hard for the United Nations, for foreign assistance, for arms control agreements, and for good relations with Latin America. The July issue of Foreign Affairs contains a thoughtful article by HUMPHREY urging increased American attention to the problem of promoting peaceful social change in Latin America to prevent the spread of Castroism.

We should all hope that the practice of nominating a qualified man for the Vice-Presidency will be a continuing one in American politics. President Johnson and the Democratic Party are to be commended for selecting a vice-presidential candidate possessing proven statesmanship as well as voter appeal.—B.E.N.

NEW HAND AT THE HELM IN VIETNAM

Mr. CHURCH. Mr. President, an editorial appeared in the Lewiston Morning Tribune under date of Sunday, August 30, 1964, entitled, "New Hand at the Helm in Vietnam."

The editorial contains an excellent summary of the distressing situation which is facing us in that unhappy country. I concur completely in the summary and the factual presentation made in the editorial. I ask unanimous consent that it be printed at this point in the RECORD.

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

[From the Lewiston (Idaho) Morning Tribune, Aug. 30, 1964]

NEW HAND AT THE HELM IN VIETNAM

Dr. Nguyen Xuan Oanh's ascension to the premiership of South Vietnam is the latest symptom of the disturbing political situation in that country. The sad fact is that no South Vietnamese Government for the last few years has been able to command the loyalty of the majority of the population.

Those who advocate an expansion of the war to North Vietnam or China fail to perceive this aspect of the conflict. The Vietcong guerrillas are primarily South Vietnamese, and arm themselves largely with American weapons captured from the South Vietnamese Army. Any guerrilla force is dependent on the support of the South Vietnamese peasantry for survival. As Henry Cabot Lodge, the 1960 Republican vice presidential candidate and recent Ambassador to South Vietnam, has pointed out: "The Vietcong campaign is, above all, a political affair * * *. When the Vietcong have had enough and decide to stop fighting, they simply melt in with the people. If the people were to deny the Vietcong, they would thus have no base; they would be through."

American political and military leaders have increasingly realized the importance of nonmilitary factors in winning the war against the Vietcong. Earlier this year, Secretary of Defense Robert McNamara noted that the large indigenous support the guerrillas received necessitated political and economic measures as well as military ones, and that there could be no purely military solution in South Vietnam.

U.S. assistance to South Vietnam originated in 1954 when President Eisenhower and Secretary Dulles made the decision to take over from the French, who had been defeated by the Communists on the battlefield. The Diem regime in South Vietnam had a promising beginning but steadily began to lose touch with the people of the country in the late 1950's; it finally fell in the wake of the Buddhist demonstrations last year. Since November, South Vietnam has had three political leaders, hardly a situation to encourage the people to fight the Vietcong.

Hopefully, Dr. Oanh will be able to help develop the political consensus necessary to stabilize his country. Dr. Oanh, who speaks fluent English, has a doctorate in economics from Harvard, and who served as an instructor in a Connecticut college for 5 years, will be able to establish close communication with his American allies. At the same time he must strive to maintain an appearance of independence so that he will not be branded an "American tool" by his own countrymen.

The main advantage in this conflict as compared to the French war against Ho Chi Minh's forces, is that now the Vietnamese are carrying the brunt of the battle against the Communists themselves. In the early 1950's, the Vietnamese supporters of the French were continually discredited by being labeled as agents of Western imperialism. Increased American military involvement would only make it more difficult to inspire the people to do battle against the Vietcong guerrilla force.

It is probably futile to expect that the present administration will make any major political or diplomatic move to help meet the South Vietnamese crisis before our own presidential election. But it would be beneficial to begin exploring possible political steps. Several Members of the U.S. Senate have advocated more effort in this area, including the suggestion to bring the United Nations into a greater role in the settlement of the dispute. Certainly, blind repetition of current military effort is not promising.

In any case, Americans must keep cool heads in this crisis. They must not be misled by campaign declarations that expansion of the war to the north will defeat the Vietcong in the south. In making his decisive air response to the attack on American destroyers in the Gulf of Tonkin, President Johnson wisely reiterated the long-term American policy of seeking no wider war in the Indochinese Peninsula.

Americans also should wish Dr. Oanh success; like his predecessors, he can count on ample American support. We should also hope that he, his fellow countrymen, and all politicians here at home fully realize the realities of the conflict. If the war in South Vietnam is to be won, the South Vietnamese themselves must win it. No real solution can be achieved by greater use of Western arms in the struggle for Vietnam.—B.E.N.

JEWISH NEW YEAR 5725

Mr. KEATING. Mr. President, with the advent of the Jewish year 5725, my family joins me in extending our warm wishes to the Jewish community for a year of happiness and fulfillment. May all, especially those abroad undergoing hardship and persecution, have a year of freedom, peace, and justice.

In this High Holy Day season especially, all Americans of good faith join in prayer that the Soviets will loosen the bonds confining some 3 million of her Jewish citizens so they might once again experience the enjoyment of their religious heritage and the faith that sustained their fathers.

May this year be a blessed and peaceful one in which all acknowledge the common brotherhood of man and the common fatherhood of God.

I deem it appropriate on this occasion to reiterate that I shall continue to protest against the religious and cultural discriminations which the Jews of the Soviet Union endure. It is my profound prayer that the Soviet Government will rectify, as quickly as possible, the evil persecutions of their Jewish citizens. What is required is not official denials of the existence of anti-Semitism, but rather official action to restore to Soviet Jewry religious and cultural freedom—the freedoms which all other peoples in Soviet Russia experience.

The singular sentiment of American Jews for peace between Israel and her Arab neighbors is well known. I join with them in the fervent hope that, during this coming year, decisive progress will be made toward peace with justice in the Middle East. To this end, Arab statesmen must realize that the State of Israel is a permanent polity internationally recognized as a fruitful member of the family of nations. Arab recognition of this international fact will not only remove the dangerous tensions which beset that region but will likewise be a wise and constructive contribution to the peace of the whole world. Again—a Happy New Year.

RESOLUTIONS OF THE ORDER OF AHEPA

Mr. KEATING. Mr. President, the Order of AHEPA, assembled at the 42d Annual Supreme Convention in Toronto, Canada, unanimously approved a number of important resolutions dealing with the present crisis in Cyprus. These meetings which have just concluded have increased U.S. awareness of the problem of Cyprus, where a minority of about 18 percent is constitutionally empowered to veto legislation affecting the entire nation. They have also called attention to misuse of U.S. foreign aid to assist in aggression and persecution of civilian men, women, and children.

Mr. President, I ask unanimous consent that the text of the resolutions passed by AHEPA at this August convention may be printed at this point in the RECORD.

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

AHEPA RESOLUTIONS ON CYPRUS

Whereas the Order of AHEPA has traditionally raised its voice either through resolutions adopted by the national conventions or the supreme lodge or other constitutional bodies, on issues affecting the peace, the rendering of justice, the preservation or the attainment of freedom and the general welfare of the peoples of the world; and

Whereas the people of Cyprus are engaged in a death struggle to attain self-determination and free themselves of all remnants of colonialism imposed upon them in the guise of freely negotiated agreements commonly known as the London and Zurich treaties; and

Whereas the people and Government of the United States have been resolutely devoted to peace, the settlement of disputes through peace, the settlement of disputes through peaceful means, the self-determination for all peoples, and to the principle that all powers of government must be derived from the governed; and

Whereas the peoples of the United States, in pursuit of such objectives, have sacrificed untold labor and treasure and have generously granted economic and military aid through the Marshall plan, and the armies of many friendly Nations have been provided with various armaments and supplies only in serving the cause of peace and in harmony with the principles enunciated by the United Nations Charter; and

Whereas Turkey, a recipient of U.S. military and economic aid approximating $3 billion did, on August 8, 1964, embark upon acts of aggression against the defenseless people of Cyprus, using U.S.-made planes, rockets, air bombs, and military equipment and supplies of all types, in clear violation of sections

505 and 506 of the Foreign Assistance Act of 1961, as amended in 1962; and

Whereas such aggression caused the deaths of innocent civilians, women, and children, and the destruction of peaceful towns and villages, including churches, and the Government of Turkey has taken no action to redress and mitigate the suffering and repair the damage inflicted by such wrongful acts: Now, therefore, be it

Resolved by the 42d Annual Convention of the Order of Ahepa assembled in the city of Toronto, Canada, That the President of the United States be petitioned to suspend all economic and military aid to Turkey, in strict harmony with existing law; and be it further

Resolved, That the President of the United States be further petitioned to espouse, on behalf of the United States, the establishment of a branch of the International Court under the United Nations similar to the Court at Nuremburg which tried German war criminals, and cite the Government of Turkey and such persons who participated in the Cyprus aggression to said court for proper trial; and be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, the Prime Minister of Canada, the Secretary of State, the President pro tempore of the U.S. Senate, the Speaker of the House of Representatives, and the Secretary General of the United Nations.

Done in the city of Toronto this 21st day of August 1964.

AHEPA RESOLUTION ON CYPRUS—No. 1

1. The members of the Order of Ahepa again reaffirm their oft-stated opposition to communism and all other forms of tyranny and subversion.

2. Immediately after World War I President Wilson gave hope and inspiration to the enslaved and downtrodden nations and peoples of the world by enunciating the principles and doctrine of self-determination. This doctrine was wholeheartedly supported and became a cornerstone of American foreign policy. As a result of this policy, great segments of the world were liberated and many peoples of the world have established their own democratic nations in Africa and Asia. It is a policy that continues to give hope and inspiration to those nations and peoples still enslaved behind the Iron Curtain. It is a policy that has given deserved credit to the United States. There is a struggle going on in the island of Cyprus. The people of Cyprus are entitled to self-determination for the purpose of establishing a democratic government where all the citizens will have equal suffrage, equal protection of the laws, religious freedom, and equal educational, economic, and social opportunities in accordance with American history and tradition.

The Order of Ahepa, in convention assembled in Toronto, Ontario, Canada, again endorses this basic principle of U.S. foreign policy, and urges the U.S. Government to wholeheartedly pursue and fully implement this policy of self-determination for the people of Cyprus.

3. The Christians of Constantinople and other parts of Turkey are being expelled and persecuted. Their properties are being confiscated without compensation. The Order of Ahepa condemns this arbitrary, unjust, and uncivilized treatment of these Christians by Turkey, and calls upon all men of good will everywhere to urge their respective governments to come to the aid of these unfortunate victims.

4. The Ecumenical Patriarchate of Constantinople and its hierarchy are being persecuted and exiled unjustly. The Order of Ahepa condemns such barbaric practices and appeals to all people of every faith to join in this condemnation so that religious freedom may be reaffirmed in Turkey.

COSTARS IN WAR DRAMA

Mr. KEATING. Mr. President, recent news stories reveal that the work performed at the Brooklyn Navy Yard is an important part of our national defense effort, and that many ships, built or remodeled at the Brooklyn Yard, are playing vital roles in defense of U.S. policies in all corners of the globe.

When the destroyer *Maddox* was attacked in the Gulf of Tonkin, it was the two carriers *Constellation* and *Ticonderoga* which were able to launch aircraft to the rescue. The *Constellation* was built and the *Ticonderoga* overhauled at the Brooklyn Navy Yard, where dedicated crews gave months of their lives to fine workmanship and effort on these vessels.

In the Cuban crisis, too, the timely and topnotch repair work performed by the Brooklyn Yard contributed to the Navy's ability to perform a key mission.

Mr. President, the message should be clear. The Brooklyn Navy Yard's contributions to the cause of freedom are without equal. No other yard, public or private, can beat this record.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a recent editorial which appeared in the Shipworker, a publication of the New York Naval Shipyard, Brooklyn.

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

COSTARS SHINE IN WAR DRAMA

Whatever may ultimately result from our long and costly venture in Vietnam, recent events have seen two slightly tarnished stars shine again with their old accustomed brilliance:

(1) The aircraft carrier; and

(2) The New York Naval Shipyard.

When torpedo boat attacks on the destroyer *Maddox* called for instant retaliation, it was the aircraft carrier (two in fact) which supplied the punch. Jet aircraft from the carriers *Constellation* and *Ticonderoga* roared to the attack, striking swiftly and with devastating effect. A fighter facing Jack Dempsey and Joe Louis at the same time could not have been hit harder.

Temporarily, at least, the net result has been a lessening of tensions in that area. Thus we have once again witnessed the efficacy of the aircraft carrier in a situation demanding the application of power in a desired dose. And demonstrated forcibly, too, by events in the Gulf of Tonkin, is the carrier's unmatched mobility. Here today, gone tomorrow may be an oversimplification, but it does convey a mind's-eye picture of these huge floating air bases being deployed rapidly from one trouble scene to another.

Less directly, what has been happening in the Far East and other powder keg areas has been something like one long commercial for shipyard products. The *Constellation*, we hardly need be reminded, is one of ours. The *Ticonderoga*, while not built here, was so completely overhauled and modernized by us that she can be called a Brooklyn baby. Both acquitted themselves with glory in the Vietnam incident and stand ready for more action should the need arise.

In the Cuban crisis it was the Brooklyn built *Saratoga* on the spot in the boiling Caribbean. Joining her was the carrier *Lexington*, whose overhaul here was completed in record time so that she could lend her might to the sticky situation. Our first amphibious transport *Raleigh* (*LPD–1*), was prominent in that crisis, too, carrying a battalion of battle-ready Marines for landing purposes. And if memory serves us correctly, the first intercept of a Russian vessel after the quarantine was invoked was made by the destroyer *Kennedy*, which had just departed from the yard after a lengthy FRAM overhaul. Back to what is going on today, the one U.S. carrier dispatched to the Cyprus area is the *Franklin D. Roosevelt*, built at the New York Naval Shipyard, of course.

The message is clear. The shipyard's contributions to the defense of our freedom are without equal. No shipbuilding activity anywhere can match our record. Not 160 years ago, not 50 years ago, not 20 years ago, not today. And the powers-that-be willing, we will continue to build the best, so that our great Nation may continue to prosper and live in peace.

OLYMPIC PARTICIPATION

Mr. KEATING. Mr. President, the United States, once the most formidable contender for the Olympic Gold Medal, has failed in recent years to make a strong showing in international competition. We all certainly hope this trend will be reversed this fall in Japan.

One reason for the recent record of the United States is that our Olympic enthusiasts do not receive the public and governmental backing that they do in other countries. In Communist nations, and indeed in many countries of the free world, athletes are heavily subsidized, and no effort is spared in encouraging participation.

When the American Athletic Union last October asked U.S. industry to assist in the expansion of its Junior Olympic program, the response was initially disappointing. But last month, Old London Foods, Inc., took up the challenge by announcing a broad promotion plan to encourage Junior Olympics participation.

I commend Old London for its efforts and ask unanimous consent that the article appearing in the July 20 issue of Sports Illustrated, entitled "The AAU Giant," be printed in the RECORD at the conclusion of my remarks.

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

THE AAU GIANT

Where is the giant of U.S. industry, the Amateur Athletic Union asked, to match the challenge of the Soviets? That was in October, but the invitation had no takers until last week, when the giant showed up. It turned out to be Old London Foods, Inc., a New York-based division of the Borden Co., and a maker of bite-size snacks.

What the AAU wanted—and will now get—is some capitalistic help in expanding its 15-year-old Junior Olympic program for amateur participation in Olympic sports. It wants to reach what it calls America's untapped pool of 60 million eligible kids, plus thousands of volunteer community sponsors. And dealing as it does with supermarkets and grocers across the country, Old London intends to push the program with posters and pamphlets in store displays, school and hometown billboards. The AAU figures Junior Olympics participation will climb from the present 1¼ million to more than 10 million youngsters in 5 or 10 years and has started gearing to handle more regional and national awards.

Olympic Decathlon Champion Rafer Johnson is a product of the Junior Olympics; the program also included such current Olympic

hopefuls as Distance Runner Gerry Lindgren, Pole Vaulter John Pennel and Swimmer Donna de Varona. And with all those yet-to-be-tapped kids out there, it looks like little Old London—and free enterprise, too—may have taken a giant step.

ANNIVERSARY OF THE DEATH OF NIKOLA PETKOV

Mr. KEATING. Mr. President, on September 23, 1947, Nikola Petkov, the great Bulgarian patriot, was hanged by the Communists for attempting to frustrate the Russian takeover of Bulgaria. His courage is legendary and he is remembered today by all the Bulgarian people as an example of courageous resistance to tyranny and oppression.

Nikola Petkov joined the coalition Government after the Nazis were driven out of Bulgaria and together with Dr. G. M. Dimitrov, Secretary-General of the Bulgarian National Agrarian Union, fought stubbornly against the Communist outrages, terror, and violence, thus incurring the hatred of both the Communist Party and the Soviet occupation authorities. When it became obvious to him that the so-called "election" that was part of the agreement between America and Russia was to be a sham in which only one slate of candidates was to be presented to the people, Petkov sent a memorandum to the Inter-Allied Control Commission demanding the postponement of the elections which the Communists had scheduled for the end of August 1945.

For this action he was removed from the Government. From August to November when the elections were finally held he fought long and hard against the Communists. On the day of election he won a clear-cut victory. The Communists, knowing that they were defeated, falsified the election returns and used violence and bloodshed in order to get the peasants to vote for their slate of candidates.

At this point Petkov performed the most daring feat in his exciting life. Along with the 101 representatives of the people who shared the ballot with him, he forced his way into the Grand National Assembly. Availing himself of his constitutional immunity, he unmasked the treacherous intentions of the Communists. He accused them of being Stalinist agents and said that their hands were stained with the blood of innocent Bulgarians.

The Communists were quick to act. Petkov was arrested and the Communists took over the Government and immobilized the Bulgarian resistance. Fearing that a public outburst would develop if this great patriot was hanged in public, the Communists after attempting to bribe Petkov, hanged him in secret. Before he was murdered Petkov stated: "I do not seek any mercy from you. I want to die so that my people may soon be free."

Those brave words summarize Petkov's life of action and patriotism. His love of country was the motivating force behind the Bulgarian resistance to a Communist takeover. Today the people of Bulgaria look to him as an example which lifts their spirits as they suffer under the Communist tyranny and oppression. The Bulgarian people want desperately to be free—and they will be free. History teaches that a freedom-loving people has never been oppressed for long. Lovers of liberty such as the great Bulgarian patriot, Nikola Petkov, will rise again and demand before all the world that Bulgaria regain her freedom and independence. The Bulgarian people have demonstrated great spirit as they have constantly resisted the communization of their country. The future will hold a free Bulgaria, for the tyranny of Russia cannot and will not endure.

Probably the most important thing we can do is to make it clear to the Bulgarian people that Americans support their drive for liberty and freedom. The Bulgarian National Committee is spearheading this effort to keep all Americans mindful of the desires and ideals of their Bulgarian friends.

On September 5 this committee is holding a memorial meeting at the Sheraton Park Hotel in Washington to honor the great work of Nikola Petkov. A requiem mass will be held on September 6 at 12:30 p.m. in the Russian Orthodox Church St. Nikola in honor of this patriot. I wish to extend my very best wishes to all those Americans who will be taking part in these observances. They are performing a great work by sponsoring such activities and I extend to them all my very best wishes.

Nikola Petkov was a great patriot and his life is an example for all lovers of liberty. I am proud today to be able to join my American friends of Bulgarian ancestry in honoring the memory of their great patriot, Nikola Petkov.

DEATH OF MISS RUTH HARTKE

Mr. KEATING. Mr. President, I was deeply saddened, as I am sure many of us were, to read on the ticker of the sudden and tragic death of Miss Ruth Hartke, Senator HARTKE's sister, who had been engaged in helping him in his campaign.

I want to express my deepest sympathy to Senator HARTKE and to all of his family in this tragic loss. He has had a great deal of trouble to date affecting members of his family. His daughter has had a serious illness. Fortunately, she is coming along nicely now. I express my deep sympathy to him in this tragic moment.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865), to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield to the Senator from New Hampshire without losing my right to the floor.

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

Mr. McINTYRE. Mr. President, I am the first member of my party to be elected to the Senate from New Hampshire in 29 years. The basic principle on which I campaigned was support for the subject matter which is now before the Senate—a Federal program of medical care for the aged, financed through the social security system, and available to all Americans who contributed to the program as a matter of right.

In my campaign I traveled to every city and town in New Hampshire, promising to support the medicare program if elected. Throughout my State—in the cities, in the mountains, along the seacoast, and in the lakes region—I found widespread approval of this program. I believe that this support is uniform throughout our Nation, and it is now time for us to follow the mandate of the people and enact a medicare program.

I have had an intimate acquaintance with the financial problems of providing medical care for elderly persons. For 9 years, from 1954 to 1963, I was the president of the board of trustees of the Taylor Home for the Aged, located in my home city of Laconia. In this position, I had the responsibility, among others, of finding money to pay for the medical expenses of the residents of the Taylor Home. This experience clearly brought home to me the vital importance of the sort of program which we are considering today. This experience revealed to me the tremendous burden under which many of our senior citizens are even now suffering.

Mr. President, I have examined the actuarial estimates upon which the Gore amendment is based. I believe that the contributions under this program will be fully adequate to provide for the scheduled benefits. And I believe that the scheduled benefits will represent a substantial help to the elderly citizens of America, now and in the future.

I became a cosponsor of the Gore amendment with the hope that this amendment would be enacted into law. Such an enactment will redeem the pledge which the Democratic Party made to the Nation last week in Atlantic City. Such enactment will, in part, redeem my pledge to the people of New Hampshire who are responsible for my presence here in the U.S. Senate. Mr. President, I urge the adoption of the Gore amendment.

Mr. JAVITS. Mr. President, I shall conclude in a very few minutes my presentation in our part of the debate, which calls for a program of medical care for the aged. I believe that as authoritative a study as has been made in this field—in my judgment the most authoritative study—was made by the National Committee on Health Care of the Aged, a voluntary committee financed with foundation funds. That committee, which performed a highly creditable public job, had represented on it two former Secretaries of Health, Education, and Welfare—Arthur S. Flemming, now president of the University of Oregon,

and Marion B. Folsom, now director of the Eastman Kodak Co., of Rochester, N.Y.

It had on it representatives of medical schools like Dr. Vernon W. Lippard, dean of the Yale Medical School, and Dr. Dickinson W. Richards, Lambert professor of medicine at the College of Physicians and Surgeons, Columbia University. It had insurance company representatives, like Hubert W. Yount, former executive vice president of the Liberty Mutual Insurance Co. It had on it Dr. Russell Nelson, president of the Johns Hopkins Hospital in Baltimore, one of the most famous in the country. It had distinguished lawyers among its membership, including Arthur Larson, director of the Rule of Law Center at Duke University, and distinguished doctors like Russel V. Lee, founder of the Palo Alto Clinic.

It had academic leaders like Dr. James Dixon, president of Antioch College, and a business representative in John C. Leslie, who, in addition to being chairman of the Committee on Aging of the Community Service Society of New York, is vice president of Pan American Airways. It had on it also a distinguished New Yorker who has had great experience in group health insurance, Winslow Carlton, chairman of Group Health Insurance, Inc.

Mr. President, we could not have found a more balanced and finer panel, in my judgment. The conclusions to which that panel came are headed, "Guiding Principles for Public Insurance," which I have already put into the RECORD. Included is a basic, underlying hospital care program for the aged over 65, self-financed by a separately designated payroll tax collected as a part of social security.

As I said in our debate a while ago with some differences, but those which are not critically material to the present question, the proposal submitted by the Senator from Tennessee [Mr. GORE], like the proposal submitted by the Senator from Connecticut [Mr. RIBICOFF], would, generally speaking, meet the tests laid down by the distinguished national committee to which I refer.

But what is missing in all of those proposals is the participation of private enterprise through a system of complementary private insurance utilizing the resources of the private enterprise system and bringing them within the actuarial means of 80 percent of those who are over 65 through the utilization of what is called the 65-plus plan on a national basis. This will provide the basic governmental plan carried in the Gore amendment and, in addition, doctor's care, diagnostic care, and similar care required for complete medical care for the aged at a price which 80 percent can afford to pay, and which we estimate at approximately $2 a week.

Mr. President, taking the two proposals together, this is the major program for medical care which will give the aging medical care and which will have a built-in regulating and governing effect upon that part of it which comes from contributions to the social security system, because we will not be bidding for an increase of benefits. Any increased benefits over and above the minimum would come in the private enterprise part of the package, as that expands and develops, gets more people in it, and develops much more actuarial experience and coverage.

In this way, there is built-in insurance against the governmental system, or the public system, running away.

For those 20 percent whose income—and the income of all these people is, generally speaking, low—who will not be able to afford complementary private insurance covered under the amendment which I have sponsored together with other colleagues, to whom I have referred in the RECORD, the Kerr-Mills law fills in completely, because it provides not only hospital, but medical and health coverage.

There is one other thing I should like to add. I brought about a symposium in March 1960 at the College of Physicians and Surgeons at Columbia University on the question of health care for the aging, quite apart from the report of the National Committee on Health Care for the Aged. I shall include in the RECORD that part of the symposium which is pertinent.

The symposium was composed of some of the most distinguished physicians and surgeons in the field of geriatrics, as the following summary of the conference shows:

MEMORANDUM

Summary

The problem of health care for those 65 years old and over is distinct from the problem of health care for those under that age; Federal assistance is necessary in handling any health care program for the aging; and any such health care program should be voluntary, with contributions by the beneficiary as well as by State and Federal Governments. These are the major conclusions that may be drawn from the papers and discussions of those who engaged in the conference.

Discussion—1

The first paper was delivered by Dr. Frederick D. Zeman, chief of the medical services of the Home for Aged & Infirm Hebrews, who spoke on medical preventive services for the aged. He said that the problem of caring for the aged so far as medicine is concerned starts on the day the individual is born, and stressed the need for retraining professionals so that they could handle the problems that older people present. He described the advantages of a geriatrics institution, the specialized equipment used by such an institution as contrasted with the hospitals. There were no operating rooms, no X-ray laboratories, etc., but the geriatric institution could provide better postoperative care than a general hospital and had many advantages in caring for those 65 and over.

Zeman emphasized that the problems of care for those 65 and over are quite different from those we usually anticipate. He pointed out that of the 100,000 or more who are institutionalized in New York State mental hospitals, many are over 65. At Central Islip, for example, more than 50 percent are 65 years old and over. However, he said, these 50 percent were not necessarily hopelessly insane; their mental illness is part of the whole process of aging, and with proper care they could be taken out of this kind of an institution.

Prevention of disease among the older people is part of the larger picture of preventive medicine, and begins long before the individual has reached the age of 65; a dynamic aggressive approach to the problems of preventive medicine with particular reference to the early detection of chronic illnesses before they become obvious in the aged is what is needed. These preventive services are extremely important.

Dr. Martin Cherkasky, director of the Montefiore Hospital in New York, pointed out that the older patients primarily suffer from chronic illnesses as contrasted with the acute character of the illnesses that strike younger people. He said it is impossible to provide adequately for the older people because there is a wide gap in the amount of knowledge that physicians have about treating them. One should start in preventive medicine long before the patient reaches the age of 65. General medical care must exist first if the program for the older patients is to be considered.

Dr. Cherkasky said that to prevent chronic illnesses, one must be able to detect them at a very early stage. Usually the onset of a chronic ailment is insidious, the patient doesn't even know that he has it. The patient, therefore, must have "easy" access to physicians if chronic illnesses are to be checked in their early stage. It must also be "easy" for the doctor to use all the tools of preventive medicine, and in this connection the economic obstacles must be overcome. The complexity of modern medicine means that the group treatment, the group setup, is important for proper diagnosis and treatment.

Dr. David Seegal, professor of medicine at the college of physicians and surgeons, pointed out that great progress has been made in the last 40 years in the treatment and knowledge of chronic diseases and that 38 diseases which then were fatal are now under control. He pointed out, however, that medical schools need considerable strengthening if specialized training for aging people is to be developed to any great extent. He suggested that in the accurate treatment of the aging, the word "appraisal" be substituted for "diagnosis," and "management" for "treatment."

An important point was made by Dr. Martin R. Steinberg, director of the Mount Sinai Hospital. He pointed out that younger physicians usually attempt to make a complete cure of the patient. Insofar as the aged are concerned, Dr. Steinberg pointed out, accurate diagnosis and complete cure are not as urgent as the need to keep these older people up and about. Being ambulant is probably the most important part of the treatment.

Another important suggestion was made in this early morning discussion by Dr. Martin Cherkasky. He said that older patients needed a variety of services and he outlined an ideal community situation in which the hospital was the centralized medical agency around which was linked the nursing home, home-care programs, and other measures designed to get the patient on his feet as fast as possible. Outpatient services would broaden the services of the hospital but custodial institutions were also needed, all of them linked with the central hospital. This was the way in which an effective community program could be organized. Dr. Cherkasky visualized a community setup in which the hospital with all its medical and diagnostic services would be the first to take the older persons, who would then be transferred as soon as possible either to nursing homes, to outpatient services, or to some other custodial institution as quickly as possible, thereby providing adequate service without placing too great a burden on the hospital itself.

Dr. Zeman stressed the need for "clinical humility," by which he meant that doctors should develop at an early stage a realization that they can achieve only limited goals. He strongly supported Dr. Cherkasky's suggestions.

Dr. Willard C. Rappleye, dean emeritus and vice president emeritus of the College of Physicians and Suregons, pointed out that one should not focus only on those 65 years old or over. He stressed that one had to consider the whole practice of general medicine, medical education, and the ways and means of financing this education. He enlarged upon this at a later stage in the discussion.

Dr. John E. Dietrick, dean of the Cornell University Medical College, also pointed out that where the aged were concerned, prevention calls for making people happy, and to see that they get proper nutrition. He stressed the fact that poor nutrition lay at the root of a great many of the problems faced by the aging. He cited the perils of isolation, inactivity, and depression as part of the problem that had to be overcome.

George Bugbee, president of the Health Information Foundation, seconded this observation. He stressed the need for the doctors to emphasize to their aging patients that they find ways and means to live with themselves.

Another suggestion came from McAllister Lloyd, chairman of the board of the Teachers Insurance & Annuity Association. Mr. Lloyd suggested regular medical examinations by business firms for their chief employees as one of the ways in which preventive medicine could be most effective in early diagnosis and prevention of chronic illnesses.

Dr. Aimes C. McGuinness, executive secretary of the New York Academy of Medicine, pointed out that the old and aging needed twice as much care as those under 65.

Dr. John Bourke, executive director of the New York State Hospital Survey and Planning Committee, delivered a paper on hospital trends and the needs of those who are chronically ill. He pointed to the development in recent years of fewer but better and larger hospitals, and emphasized that the gap between the apparent need and the number of hospital beds is not as large as the statistics would seem to indicate. The gaps that do develop are the result of chronic cases being placed in the hospital where they don't belong instead of using the hospital beds for acute cases with consequent much more rapid turnover.

Dr. Bourke's paper, which he summarized very briefly, provided statistics showing the differences between costs of 10 years ago and costs today. He said, however, that despite sizable increases, costs to the patient were not much higher because the average length of stay in the hospital has been shortened. This means that intensive treatment is provided over a much shorter period of time than 14 years ago. Dr. Bourke warned against overinstitutionalizing the population and emphasized that the development of nursing home units as part of the hospital complex can take care of many of the problems of the chronically ill.

Dr. Bourke called for the reexamination of ways and means to cut down or avoid hospital stay altogether. He praised the Hill-Burton program and said that it has changed completely the rural hospital system in upstate New York and vastly improved medical care in that region. The hospitals were better staffed and better equipped and he had only words of the highest praise for this program.

Dr. Bourke favors the large centralized hospital, and he pointed out that planning must include the full range of facilities and required services which will allow the hospital to serve as a central core for such needs as chronic disease care, the nursing home type of care, ambulatory, diagnostic, and treatment facilities and home-care programing. Sound community planning, he said, will tend to avoid unnecessary costly construction and duplication. He emphasized that it did not make good sense to keep the patient in a general hospital bed which cost $26 a day when the required care could be given in a nursing home unit for an approximate cost of $9 or $10 a day.

Dr. Bourke stressed that the prevention of disease should be our primary goal and that good quality medical care and hospital care should be available to all as needed. The cost of such care, he said, should be studied within the broad framework of the health of our community and with regard to our overall economy. More doctors should be trained and more services were needed. Satisfactory methods must be developed jointly by voluntary enterprise and government so that all ages of people and all economic groups can share equally in the rich benefits which the health, and medical and related sciences have provided toward a more healthful life.

Dr. McGuinness praised Dr. Bourke's presentation and went on to point out the need for more research in the administration of medical care. He pointed out that the Hill-Burton program provided only $1.2 billion for research, a ridiculously low level.

Dr. Rappleye cautioned that the problem of costs in taking care of the aging will change because those now covered under lower rates will get older and then continue to be covered by some form of insurance. Dr. Steinberg urged that we look into the quality of insurance coverage, not only the number of those who are covered.

Dr. Marcus D. Kogel called attention to the desperate shortage of registered nurses for round-the-clock care, and Senator JAVITS cited the amendment to the Hill-Burton Act which helps nursing homes. He said that we could do much more in that direction.

Dr. Rappleye said that at least one-third of those in the hospital need some other kind of care. He minimized the Forand bill; but said that some kind of subsidy would be necessary if insurance were to be made available to a much larger proportion of the population. He pointed out that you cannot sell a complete insurance program once the premium reaches the point of more than 40 percent of the total cost of the health coverage. In Canada, he said they had arbitrarily picked on 33⅔ percent as the limit.

The recurrent theme in the general discussion that followed on levels of care was that any broad program needed structuring lest the load on hospitals become staggering as it would under the Forand bill. There is need for an incentive to put the patient where he belongs, not just to dump him in the hospitals willy-nilly.

The question was raised by Dr. Martin Cherkasky as to whether the Federal Government could possibly require employers to carry a health insurance program which would meet minimum standards for their employees in a fashion analogous to workmen's compensation insurance. In reply State Senator Metcalf of New York said that bills had been introduced to require employers of more than three or four persons to provide basic insurance coverage on a 50–50 matching basis if the individual were single, and 35–65 matching if he had a family. Provision was also made for the payment of premiums during employment—there would be basic coverage only. Senator Metcalf pointed out that the Governor opposed this bill because New York State might be singled out and lose industrial business.

An extremely important point was made at this stage of the discussion by Dr. Martin Cherkasky. He stressed that the figure of 43 percent of those covered by health insurance was misleading because it did not indicate how much coverage they were carrying. He pointed out that the problem of health coverage was really two problems: (1) Involving those 65 and older and for them Federal support was absolutely essential; (2) however for those 55 and under some form of voluntary services or insurance plan with a noncancelable clause might prove more acceptable.

Superintendent Thatcher pointed out that the cost of health insurance would be more than double if it had to include those 65 and over in any long-range program. The State alone could not carry this kind of cost and therefore a Federal subsidy would be essential.

In his summary of the morning discussion, Senator JAVITS pointed out that there were alternatives to institutional care and that the need was primarily for intermediate care between the hospital and the home. He took note of the fact that the upstate (New York) hospital program had been accelerated by the Hill-Burton Act and also that its extension to cover nursing homes was inadequate. He reviewed Dr. Bourke's finding that at least one-third of those in the general hospital at present could really be taken care of at home or in nursing homes. At the same time he recognized the inadequate availabilities of present nursing homes. There was need for the Federal Government to get into the field of aid to the States and to help accelerate all medical programs. He pointed out the contribution of NIH and also the fact that there was pressure in Congress to help pay the beyond tuition cost of nongovernmental medical schools.

Mr. George Bugbee was opposed to Federal participation in any health insurance program. He said that employers can pay more of the cost of health care, and he was not ready to accept the statistics, cited by Dr. Rappleye which placed one-third of the cost of care as the limit of the premium which the worker could afford to pay.

Dr. Rappleye referred to the experiences in Europe with health insurance and pointed out that there was a decided shift in plans to cash indemnities rather than services. This is because cash indemnities resulted in relatively lower cost than services. He said that Blue Cross and Blue Shield were also shifting to the cash indemnity types of insurance. Dr. Steinberg, however, said that patients covered by Blue Cross still largely received services rather than indemnities.

The conference adjourned for lunch.

The afternoon session opened with delivery of Dr. Steinberg's paper on plans and proposals for health insurance for the aging. Dr. Steinberg first described the American Medical Association's insistence on a voluntary prepayment type of insurance.

Dr. Steinberg's point was that the voluntary approach alone without governmental help was not feasible. The cost for the aged cannot be borne entirely by younger persons paying increased social security taxes, nor will strengthening Blue Cross alone provide the answer. The aged themselves, of course, cannot afford the full cost.

An approach purely by the State and local governments based on need would call for a means test. Financing for the indigent by the Federal Government means that the cost would spiral anywhere up to $2 billion a year. It would be undesirable to attempt to get this fund out of the general revenue.

Dr. Steinberg then described a proposal made in Colorado for statewide care which would be limited primarily to hospitalization. It was based on the fact that the aged can participate to some extent in financing the program, and the remainder of the program would be paid for out of the general fund.

One of the cardinal conclusions to which they have come is not only that such a plan as we are discussing is essential, but, what is more important, that the patients must be kept ambulatory.

The important thing with the aged is to have them walk, and not put them to bed. Therefore, medical care must include physicians' care. Physicians' care, unless it is to run afoul of deeply held

convictions as to relations between patient and physician, should be covered under private, not public, insurance.

Although it may be true that 54 percent of the aged are already covered by some form of private insurance, the emphasis is on some form of private insurance which cannot always be regarded as adequate coverage. With its deductibles, limitations in service, and in amount, it does not represent basic, needed medical care. That is the opinion of the National Committee on Health Care for the Aged and the symposium to which I have referred, as well as the great bulk of testimony before the committees that have held hearings on the subject.

For all those reasons, I think the way the Senate can best approach the matter is by way of the Gore or Ribicoff proposal, adding to it the title on complementary private insurance which is contained in the amendment sponsored by myself and Senators CASE, KEATING, KUCHEL, SMITH, and COOPER.

If we can do that, we can be very proud of our handiwork, for that is the approach taken by the Anderson-Javits bill of 1962, the most comprehensive bill that has faced the Senate, as now brought up to date, refined, developed, in the most considered way by the distinguished persons I have mentioned, in the amendment we have submitted.

If the Senate wants to be proud of what it does, then the thing to do is to adopt not only the basic health insurance plan, but the complementary private insurance title to which I have referred. As I have said, I shall offer it as a perfecting amendment to the Long amendment if the Gore amendment should carry. If not, my colleagues and I will consult with respect to a decision as to what further course shall be taken, whether to submit the whole plan at this time or to await perhaps a more propitious occasion, if the Gore or Ribicoff amendments are not adopted.

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

Mr. JAVITS. I yield.

Mr. CARLSON. I do not want to let this opportunity pass without commending the distinguished Senator from New York for the splendid service he has rendered to the Senate and the country as a whole in the field of health care for our aged. The distinguished Senator from New York appeared before the Senate Finance Committee and made what was in my opinion one of the best statements the committee heard this year in behalf of health care for the aged. His experience in this field is something we should take advantage of. I sincerely hope that, before the Senate acts on the health care amendment, it will give consideration to the points made today.

I realize that there is great pressure for medical care for the aged. I fully realize the need for it. At the same time I hope the Senate will not try to write, on the floor of the Senate, a medicare bill for those who are expecting to receive benefits from it, but who will, at the same time, be disappointed after we have enacted the measure.

This is legislation that is difficult to write. We are completely new in this field. The Kerr-Mills bill is only 2 years old. It was our first step. We need to take time to look this subject over.

I want to commend the Senator from New York for what he has done. As one member of the Finance Committee, I want to assure the Senator from New York and other Senators interested in this field that the Senate can and should give consideration to the proposals made before we act in haste and to the regret of those who expect to get the benefits.

Mr. JAVITS. I am very grateful to the Senator from Kansas. I hope we can get something accomplished at this session of Congress. I have outlined some of my ideas. If that should be the will of the Senate, it would be a happy augury for the aged of the United States that such a distinguished Senator and such a fine member of the committee as the Senator from Kansas has given this problem such sympathetic understanding.

I yield the floor.

Mr. CURTIS. Mr. President, I rise to speak for the record concerning the matter of hospital care for the aged. There is before the Senate the amendment offered by the distinguished Senator from Tennessee [Mr. GORE]. I believe it is accurate to state that his amendment, in substance, is the King-Anderson bill. It calls for a system of hospital care under our social security system.

Perhaps later the Senate will consider the amendment of the distinguished Senator from Connecticut [Mr. RIBICOFF].

There are two important questions to be answered in connection with this legislation. Before I propound those questions, I should like to point out that when we legislate in the field of social security we are enacting a permanent program.

I have opposed many bills in the field of social legislation, but one thing I stand firm on. I want my Government to make good its commitments to our citizens. I want social security benefits paid, and paid in dollars that really count. It is therefore important that we consider how much it is proposed to add to our social security system.

It is therefore important that we know what a program will cost. There is considerable similarity between the Gore proposal and the Ribicoff proposal, notwithstanding the fact that they differ in many details. They are both under social security and both would start a program in motion totally inadequate, even if we favored such a program.

It is also apparent that we do not have adequate cost figures, particularly from the standpoint of the Government, to deal with this situation. For instance, the Ribicoff amendment would provide, in substance, "We will increase the social security benefits, and you can elect to have $5 a month taken out of your social security benefits to buy hospital insurance."

The fact is that no one, old or young, can buy adequate hospital insurance for $5 a month.

Someone may say, "The Government can do it cheaper." I do not know about that. The Federal Government cannot build a building cheaper than can private enterprise. The Federal Government cannot operate a restaurant cheaper than can private enterprise. The Federal Government cannot carry on a business transaction as cheap as private enterprise can do it.

However, let us assume, for the sake of the argument, that if everyone is forced into the program, and there is no expense for salesmen hire, it could be made a little cheaper. When we consider the overhead and the waste in Government, a part of the cheaper operating cost would be wiped out.

It has been pointed out by the Senator from Louisiana [Mr. LONG] that in providing adequate health insurance and medical care for our Government employees, the cost is $19 a month. There we are dealing with people in the prime of life, who are not likely to be ill.

Why are we kidding ourselves and talking about a program of hospitalization for the aged at a cost of $5 a month?

The record shows that the average hospital room, a semiprivate room, costs about $38 a day. It would take 7 or 8 months of payments at $5 a month to pay for 1 day in the hospital, even if no administrative costs were involved.

This brings to mind the statement of the distinguished Senator from Tennessee when the legislation was previously debated on the floor of the Senate. He recognized the defects in the proposal; and he said, "This is only a start." Of course, everyone knows it. If we are to impose a tax on everyone, on the people who make their living as domestic servants, upon the physically handicapped, upon the blind, upon individuals supporting a family of seven or eight, upon everyone who is working his way through school, upon everyone who is buying a home and educating his children, upon all who are buying life insurance and paying their own educational debts, in order to pay the hospital bills of another group because the members of that group are 65 years of age and over, what will happen when a Senator says, "This program is inadequate. If we are to pay the hospital bill of an individual because he is 65, we must do it for other people, because they are needy."

Everyone knows that this is only a beginning. The Gore amendment would be a great disappointment to older people. Many of the older people whom I have the privilege of knowing and who need help with their medical costs, want, first of all, help to stay out of the hospital. The Gore amendment provides nothing of the sort.

What does it offer? It offers some hospital services. It offers 90 days of hospital care, with certain deductibles. A person can elect a shorter period without any deductibles. It is possible to have a nurse come to one's home for up to 80 days. It does not pay any medical bill. It does not pay any surgical costs which arise in a hospital. It does not pay for a doctor's visit to a person's home. It does not pay any benefits for a patient's call at a doctor's office. It will not pay for prescriptions that the doctor writes and the patient has filled at the drugstore. None of these everyday expenses which enable people to stay out of the hospital are taken care of.

I mentioned before the great lack of information about this proposal. It is

not uncommon to receive a letter from a constituent, a fine individual, who writes, "I am past 65. My husband is past 65. Our income is very small. I must go to the doctor twice a week. My husband must go to the doctor once a week. We must have our prescriptions filled, and that costs a great deal of money. My husband must buy insulin, and I need new glasses. Please vote for the President's medicare bill."

The only truthful answer one can make to such a person is that the President's medicare bill would not pay one dime in such a case.

That is why it is so true, as the distinguished Senator from Tennessee has said, that this is but the beginning. If we start to pay for items that are desired the least, the program will have to be extended to take care of all the other things.

Now we are faced with a basic question. The question is whether we shall tax all the people who are working and who are self-employed and the employers in order to pay the hospital bill of people who are 65 years and over and who do not need it at all. I am not talking about the millionaire. Someone has said that the millionaire is in the 80-percent bracket and that his medical bills would be a deduction from taxes anyway; therefore we would be taking care of him. I am not too sure that that reasoning is correct. However, I am not talking about the millionaire. Let us apply it to the neighborhood where we live. Let us talk about the lawyer, who has reached the top of his profession at 65. He is not retired. He has accumulated a little. Perhaps his practice is not large, in terms of great corporations. Perhaps he makes $15,000 or $20,000 a year.

He does not retire. But the bill proposes that the family that lives on $3,000 a year shall pay a social security tax on every dollar of it, and that the lawyer shall be given hospitalization free—absolutely free. That does not make sense. It is not just.

When one pays his income tax, he receives a personal exemption. It is not so large as we would like to have it, but it is $600. A man and his wife receive an exemption of $1,200 before the tax is applied. That is not very much, but it is something. If a family has five children, it has seven exemptions. Seven times $600 provides a total exemption of $4,200 before an income tax must be paid.

But does everyone know how the social security tax is applied? It is applied from the first dollar. The individual who does hard labor with his hands has the social security tax applied to the first dollar of his earnings.

I have mentioned the blind and the physically handicapped. If a blind person has mastered a trade and can work with his hands and make a few dollars each day, his earnings are subject to the social security tax from the first dollar up to the top limit of the wage base. Those are the people who will be taxed to pay the hospital bill of everybody over 65, whether retired or not, under the Gore amendment.

Why should that be done? The record shows that most people at age 65 have paid for their homes. Most people at age 65 have their insurance paid up. Most people at age 65 have finished educating their children. Yet it is proposed to take from families that are living on, perhaps, $2,000, $3,000, or $4,000, money from their paychecks to give everyone free hospitalization merely because age 65 has been reached.

That is the basic problem involved in this proposal.

This is not a question of politicians, of Senators and Representatives having compassion on the people and wanting to do something for them. Congress cannot give the people anything. All we can do is to set in motion a law that will enable the arm of the tax gatherer to tax the substance of some people and give it to someone else. In this instance, it is proposed to take money from the poor, because all the money of the poor is subject to the social security tax.

The income of millions of people in the United States is so low that they pay more in social security taxes than they do in income taxes. Millions of people pay large sums in social security taxes, although they do not earn enough to pay a single dollar of income tax. This is because the social security tax is assessed on a broad base with no personal exemption. The social security tax rests upon the people who labor. It rests upon every employer who wants to provide people with jobs. It is particularly heavy upon the self-employed. The self-employed person pays 1½ times the rate of an employee, and he pays on the first dollar he earns.

Traditionally, one of the things that has reduced unemployment in this country has been the desire of an employee to go into business for himself—to be a farmer or a shopkeeper, or to become engaged in some other self-employed activity. When he made that move, he left a place for some young person to become an employee. But under the regressive tax of social security, the minute a person becomes self-employed he is charged 1½ times the rate of an employee for his social security.

We should not embark on this program on the basis of the information we have, because such a program will be permanent. If Congress decides to enact a public works program and enacts a bill, and the program turns out to be too extravagant, the particular public works involved will be constructed in a year or two, and we can then stop or change the program, although I do not believe we have ever done so. If we become too enthusiastic in voting for veterans' benefits—I am not saying we have, but if that should happen—a time will come when the charges of those veterans' benefits will dwindle, so far as the Treasury is concerned, or will at least become very small.

But every time we add to the social security system, we set in motion something that will continue into the future. We cannot start a program that will pay benefits now, next year, and 10 years from now, and then say to the group that will be 65 years of age 11 years from now, 15 years from now, or 20 years from now, "You are not going to receive benefits under our present concept of social security and the way it operates." That simply cannot happen.

Therefore, we should not be, in what I hope are the closing days of this session of Congress, enacting a proposal that contains so many hazy ideas about what it will cost and so much misinformation as to what it will do for the people.

We are on the eve of a national election. I wish to read something that was developed in our hearings. A very fine individual, who said she appeared as vice president of the Chicago Area Senior Citizens Association, testified. She testified as a representative of the National Senior Citizens Council. I make no indictment of this fine woman. She was concerned about a problem. I think she advocated the wrong answer. But the Washington Evening Star, on May 1, 1964, had something to say about the National Senior Citizens Council. I read:

> Funds from the Democratic National Committee provide an important source of revenue for the National Senior Citizens Council which, according to its own literature, "has been the acknowledged leader in the national campaign to mobilize public support for a program to finance aged hospital insurance through social security."

Elsewhere in the article, we read:

> Records on file with the Clerk of the House, however, show that in the first 2 months of this year, the Democrats contributed $15,000 to the council. Last year, $40,000, or almost one-third of the council's reported budget, came from the Democratic National Committee.

That is not unlawful. I have no objection to it, but I believe that it should be disclosed. If some group appears with the idea that it is speaking in its own behalf to help out other citizens, that is one thing. If it is a campaign organization in disguise, that is another.

That is another reason why we should not embark upon a program with such permanence, on the eve of a national election, when the cost estimates and many other problems have not been carefully developed.

The Washington Evening Star was not the only newspaper which wrote about this activity. I read from the St. Louis Globe Democrat of April 30, 1964, under a Washington dateline:

> The National Council of Senior Citizens, which describes itself as the voice of 2 million elderly people who favor the medicare health proposal, is in reality receiving a sizable portion of its financial support from the Democratic National Committee.
>
> In the first 2 months of this year, the Democratic Party's national treasury contributed $15,000 to the council, according to a report filed with Congress by the Democratic committee.
>
> The contributions were in $5,000 checks January 3, 22, and February 14.
>
> The Senior Citizens Council's budget for the entire year for funds from all sources is $150,000, Information Director William Hutton said.
>
> In 1963, the Democratic National Committee's contributions to the Senior Citizens Council totaled $41,000, represented by checks February 1, June 4, and July 23.
>
> FIVE THOUSAND DOLLARS TO START
>
> In 1962, when the council was getting started, it received a check for $5,000 from the Democratic treasury. This was March 30,

The Senior Citizens Council had its founding convention in May 1962. It had been organized on a temporary basis in August 1961.

Before it was organized, the council received a check for $5,000 from the Democratic National Committee. As I say, it is no violation of law. But let us consider it in its proper light. It means that there is not so much concern for a sound program for old people as there is concern for the votes of old people.

Again I say that the costs of the program have not been adequately determined and developed. There seems to be some kinship between those promoting the proposal of the distinguished Senator from Tennessee [Mr. GORE] and the distinguished Senator from Connecticut [Mr. RIBICOFF].

Again, I remind the Senate that the Ribicoff proposal indicates that it would be financed by $5 a month, because it says that we can cut down the increase in social security by $5 and qualify for the insurance.

We cannot buy any adequate insurance for $5 a month. We cannot buy it for twice that much.

So I ask Senators, Is this a political gimmick, or is it a sound program?

It certainly is not a sound program.

If we are to start something that I wish my Government—if it started—to make good on, 10, 40, or 100 years from now, let us make sure that it is soundly financed and that we know what the costs will be.

The projected costs, in this instance, are not accurate. They are deceptive. They are not in accordance with the best available information. The proposed benefits, if the Gore amendment should be adopted, will be most disappointing to our older people.

There is a philosophical question that we must determine, and that is: Is it the business of Government to tax all of these people on their earnings through the social security system in order to give hospital care to everyone over 65 years of age, even if he is better able to pay for it than the young and middle-aged who are paying their social security taxes?

I do not subscribe to that philosophy.

The other question is: Should the government at various levels, including the Federal Government, see to it that older citizens who do not have the means to provide for their hospital, medical, or surgical care are taken care of by the Government?

My answer to that is "Yes."

The platform of my party calls for complete coverage of all older people on the basis of need for all their medical expenses, instead of limiting a Government-operated, socialistic insurance gimmick to fine print benefits.

I say to the Senate that if there is an older person who does not have the means to pay for medical treatment, hospital care, prescriptions, glasses, calls at the doctor's office, or doctor's calls at home, or whatever it is, it should be paid.

It is the concern of government on the basis of need. Every person who cannot provide medical and hospital care for himself should have it anyway. That is the present law. That law was enlarged and improved upon a few years ago, under what is known as the Kerr-Mills law. In most of our States, for many years, the very poor received medical attention free of charge, whether it was an expensive operation, a hospital stay, or anything else. The very poor received that service at public expense. Then we have, of course, the more well-to-do, who should take care of these expenses themselves. But there was a gap between the needy and those able to take care of themselves. Lacking a better term, I choose to call them the "near needy."

The Kerr-Mills law provided in substance that if any State wishes to set up a program to give hospital and medical care to elder citizens who are near needy, it can do so, and the Federal Government will pick up a sizable portion of the check. Some 35 to 38 States have enacted such a program.

Those who started on it right away have improved their program, and it is getting better. It has not been in operation very long. However, it is based upon sound principles. It means that if older persons have some income, they do not have to be paupers. They may own their own homes, or be considered on any plan the State may establish; but if they have medical needs, they can be met, whatever they are, and met in full. The bill would be paid for by the general taxpayers. The taxpayer most able to pay will pay the most on that bill.

It is not added to the social security tax which taxes the people where it hurts the most.

The Department of Health, Education, and Welfare does not have a record in this field of which it can be proud. It has not promoted the Kerr-Mills law as it should. It has not advertised the benefits of the Kerr-Mills law. It has not lent its great power and influence to help make it better. It has taken tax dollars and used them to lobby and campaign for a system of hospital care under social security which would take care, in a small fashion, of everyone over 65, including those who ought to be paying for it themselves.

I have received a letter that I have permission to read into the RECORD. It is addressed to the distinguished chairman of the Committee on Finance, Hon. HARRY F. BYRD. The letter is from the Governor of Michigan, George Romney, one of the fine public servants of our country. He is a man of great integrity, a man who takes his job seriously, a man of trust. The letter is dated August 24, 1964. It reads as follows:

DEAR SENATOR BYRD: It has come to my attention that Mr. Wilbur Cohen, Assistant Secretary of the Department of Health, Education, and Welfare, recently appeared before the Senate Finance Committee and testified as to the development and adequacy of Michigan's medical assistance for the aged program. I would like to comment on this testimony and present for the record this statement regarding the development, operation, and current status of the MAA program in Michigan.

Mr. Cohen testified that he drafted the Michigan legislation. As a matter of fact, in 1960 Mr. Cohen was requested by Governor Williams to draft a proposal for implementing the Kerr-Mills legislation in Michigan. This proposal then became the basis for a bill drafted by Governor Williams and submitted to the legislature. The bill as drafted was unacceptable to a majority of the legislature and as a result the Governor's proposal was substantially modified in its final passage. In considering this legislation, the legislature was faced with a serious financial situation and in no position to adopt a law which called for an uncontrollable expenditure of a large sum of money. Thus, the legislature settled upon a program which would provide medical protection equivalent to the service under Blue-Cross Blue-Shield insurance.

Mr. Cohen has testified that there are large elements of the Michigan population that are excluded from the MAA program because of income and property limitations along with responsible relative provisions. In 1964, the Michigan Legislature removed the responsible relative provision from the statute entirely. In addition, Michigan has twice liberalized its income provisions in order to provide for its elderly citizens who are unable to provide adequate medical care for themselves. Originally, the Michigan statute limited the annual income of a single person to $1,500 and a married couple to $2,000. After a few months experience it was found that the maximum social security payment for a husband and wife exceeded the $2,000 limitation and the legislature promptly raised that ceiling to $2,500 for a married couple. Again in 1964 the legislature increased the annual income ceiling of $1,500 for a single person to $1,900 and for the married couple to $2,700.

Indications are that at least 80,000 persons would be eligible for the MAA program should they need to apply. Records provided by the Michigan Social Welfare Department indicate that to date 36,540 persons have been certified for MAA service. This certainly reflects the fact that those elder citizens needing service are being cared for under the program.

Mr. Cohen has testified that Michigan is in a very difficult financial situation. As a matter of fact, Michigan's financial situation in 1960 was very desperate. However, since January 1, 1963, the picture has changed drastically and as a result our $85 million deficit has been wiped out and we are currently enjoying a substantial operating surplus.

At the same session Secretary Celebrezze commented that five States are receiving approximately 74 percent of the Federal funds under the Kerr-Mills bill, and furthermore, these States (including Michigan) have a more liberalized program.

In summary, I would like to point out that Michigan stands third among the States in maximum income limitations for individuals and fourth among the States in maximum income limitations for a married couple. Michigan's program is flexible as evidenced by the number of changes that have taken place since the inception of the program in 1960. The MAA program in Michigan is underwriting the very costly hospital expense for those elderly citizens who are least able to pay for their hospitalization. It should be noted that Michigan's program places no time limit on the receipt of service except for convalescent home care.

Finally, after almost 4 years of administering this program, it has grown from an annual cost of $11 million to an estimated $32 million for the present fiscal year. During this same period of time there have been virtually no complaints received from applicants, recipients, physicians, or hospitals. As a matter of fact, Michigan has had less than 3 dozen administrative hearings on any issue involving the MAA program.

I call these facts to your attention because Michigan is proud of its MAA program and of our efforts to provide better medical and hospital services for our senior citizens.

Sincerely,

GEORGE ROMNEY.

Mr. President, I do not want the record to indicate that I have any notion whatever that Mr. Cohen did not intend to give a correct picture of the Michigan situation. But it shows that bureaucracy is behind the times. The bureaucratic processes do not record what is going on in America. They never have. They never will. That is the reason they cannot conduct business as efficiently as individual citizens can in their own right.

It was not that the gentleman wanted to deceive the committee—not at all. I would be the last person to indicate that. But it showed that the bureaucracy did not know what it was talking about. The bureaucracy does not know what it is talking about on many phases of this measure. It has been too busy promoting a larger and larger program instead of administering the law that was enacted, instead of adminstering the program that came about by a mandate of Congress.

The reason why politicians must pour tens of thousands of dollars into a propaganda group to advocate the program, and the reason why that proposal failed to pass in previous Congresses, is that the American people do not want it. I challenge anyone within my hearing to go out and inquire of the first 100 people he meets "Do you think that the young, the middle aged—which includes the poor, the people who are raising children, paying for homes, and paying their own medical bills—should be taxed on the very first dollar that they earn to pay the hospital bill of someone else who is better able to pay it?" If one does so, he will come back with the majority of answers, "No, we are not for such a program." That is the reason the proposal has floundered for years. The American people do not want it. It is because the bureaucratic mind is behind the times.

I call the attention of Senators to some testimony in the hearings that were conducted. I refer to page 670 of the hearings, the testimony of Mr. Paul D. Hill, past president of the Indiana State and Indianapolis Associations of Health Underwriters.

I shall not read all of his testimony, but referring to the cost of the program, Mr. Hill said:

> How about cost projections? In 1949, the estimate was made that social security benefits would reach $12 billion per year in 1999. They reached that amount in 1961, 38 years ahead of schedule.

In other words, it was stated that in 51 years they would reach a certain level. They reached that level in 13 years.

Then Mr. Hill asked the question:

> Are projections about the cost of a medicare program likely to be much better?
>
> The University of Michigan Survey Research Center completed a survey of the financial condition of older folks in 1962. It showed that people 65 and over are actually better off, financially, than any other age group in our Nation.

That is understandable. Their children have been educated. They may have saved a little. In all probability their homes are paid for. They are no longer paying for life insurance.

Continuing to read from Mr. Hill's testimony:

> Some time ago—I have not given you the exact year there, I am not sure whether it was 1961 or 1962—the Conference of Catholic Charities conducted a survey of the financial condition of older folks among what the conference itself described as "lower middle income" parishes, in St. Louis, Cleveland, and Buffalo.
>
> When asked who would pay for hospitalization if it were necessary, over 80 percent of all those surveyed said they had hospitalization insurance, savings, or potential help from children or other relatives.
>
> I have personally visited with a number of hospital administrators about this problem. And without exception, they report that the age group from which they have the most trouble collecting hospital bills is not older people—but young married people who are in debt for babies, houses, automobiles, TV sets, and so forth.

He could well have added educating their children and paying for their own education.

Continuing to read from Mr. Hill's testimony:

> Now let's talk for just a moment about the thinking of people around the country. First, I would like to mention the surveys taken by your colleagues in the House of Representatives.

We know that the bill has never gotten very far in the House of Representatives. Every Member of the House of Representatives must face his constituents every 2 years. A Representative must keep abreast of what the people desire, or someone else will be in the House of Representatives in his place. Is it not significant that the House has never passed the bill? Is it not significant that no committee in the House has ever recommended the proposed legislation? They know what the people want. The Senate, which is a little further removed from the people, has made the error of constantly bringing up something that the people do not desire; and at one time came within a vote or two of passing it.

Returning to Mr. Hill's testimony:

> We know you are already familiar with them, but anything that so closely reflects the thinking of the American people should certainly be included in these hearings.
>
> In 52 polls taken among their constituents by Congressmen in 1961 and 1962, a majority of those replying were against King-Anderson-type legislation in 33 instances; in only 19 instances out of 52 were they in favor.
>
> Through July 30, 1964, single choice, "yes or no" polls taken by Members of the 88th Congress totaled 51. In only 9 of the 51 did the largest percentage of those responding favor the social security approach.
>
> In addition, seven "multiple choice" polls, attempting to discover what method people preferred for paying hospital bills for the needy aged, were taken.
>
> In not one did a majority of those responding favor a social security approach. All of you on the Senate Finance Committee are, we recognize, already familiar with these figures.

Then he went on to say:

> Mr. HILL. We believe that one other statistic should be mentioned. The Kerr-Mills law is now in operation in 37 States, plus the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. More States are passing laws to implement that program every legislative year.
>
> Just one more poll. When I learned I was coming here, I decided that it might be of benefit to this committee if I brought you the latest thinking of the people of Indiana. So I asked 1 of the 12 radio stations in Indianapolis to ask the following question on one of their public service programs, with answers to be sent to me.
>
> The question was used on an evening program on Thursday and Friday, August 6 and 7, and on Monday, August 10. To be tabulated, an opinion had to be in the mail on Tuesday, August 11, so that I would have it the next day.
>
> In so short a time, I believe you will agree the number of replies is amazing, particularly when you consider that the question was on radio 3 times on only 1 station out of 12, and that people had to compose their own letters, postcards, and telegrams after hearing the program, and that people acted purely on a voluntary basis. The question was worded in as unbiased a manner as it could be:
>
> Do you favor the present Kerr-Mills law, which is a Federal-State cooperative law which pays all medical bills for people 65 and over who cannot pay their own, or do you favor a compulsory approach under social security which would cover everyone over 65?
>
> People were asked to send their replies directly to me at my home.
>
> The results:

Total number expressing an opinion	325
Total number in favor of King-Anderson-type legislation	3
Total opposed to all social programs or in favor of Kerr-Mills legislation	322
Percent favoring King-Anderson	1
Percent favoring Kerr-Mills	99

It is quite understandable that these polls should be as they are. I am not an individual who believes that every complicated question can be accurately decided by a poll. It is hard to take a complicated issue and boil it down to a question that is easy to answer one way or the other. Nevertheless, I believe that polls have some value; and when polls are taken by the House of Representatives, when there is a poll by radio, and when all the others come forward, in a majority of cases, with the same answer, it indicates that the American people are not asking for an enlargement of the social security program and for an increase of social security taxes to pay hospital bills for people who do not need it.

UNANIMOUS-CONSENT REQUEST

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

Mr. CURTIS. I am very happy to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader and other interested Senators, I should like to propound a unanimous-consent request, namely, that the vote on the pending amendment occur at 2 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, I withhhold my request.

Mr. CURTIS. Mr. President, I invite the attention of Senators to the fact that in the copy of the hearings on each Senator's desk is a looseleaf erratum sheet. For some reason or another, some part of the testimony did not appear in the printed hearings. The erratum sheet recites that on page 74, line

5, certain parts of Secretary Celebrezze's reply to the chairman were omitted from his answer.

The chairman asked if he was in favor of the Mills bill—that is, the bill sent over from the House—and the Gore or Ribicoff amendment in addition.

The stenographic record shows:

I favor both, providing we can bring both within the reasonable limitations of the tax structure.

When the hearings were printed, in that place as well as another place, the words "providing we can bring both within the reasonable limitations of the tax structure" were omitted—which again shows the confusion about the cost of the program and how much the social security taxes would amount to, and indicates the need for further and deeper cost studies before we embark upon a program that is permanent. It is not a 5-year or a 1-year or a 10-year program. Congress will enact something that the American people will rely upon and for which they will pay taxes over the years to come.

Mr. President, in order to make the record abundantly clear, I ask unanimous consent that the sheet I have referred to as the erratum sheet be printed at this point in the RECORD.

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

ERRATUM SHEET—HEARINGS HELD BY SENATE COMMITTEE ON FINANCE ON SOCIAL SECURITY AMENDMENTS OF 1964, AUGUST 6, 7, 10, 11, 12, 13, AND 14, 1964

On page 74, line 5, part of Secretary Celebrezze's reply to the chairman was omitted in the printed hearings. The first sentence of his reply should read as follows:

"Secretary CELEBREZZE. I favor both, providing we can bring both within the reasonable limitations of the tax structure."

On page 74, line 10, another part of Secretary Celebrezze's reply to the chairman was omitted in the printed hearings. The second sentence in the paragraph should read as follows:

"Secretary CELEBREZZE. * * * I favor both the increase and the King-Anderson approach, providing we can keep it, provided this committee can keep it within a reasonable tax base."

On page 87, line 35, Secretary Celebrezze's reply is incorrectly recorded in the printed record of the hearings. The verbatim reply is shown below:

"Secretary CELEBREZZE. In my opinion, if you passed the Mills bill and still stayed within the barrier of not breaking the 10 percent, then you will never get medical care for the aged and stay within the 10 percent."

On page 98, after line 42, the following replies to Senator CARLSON'S question were omitted in the printed record:

"Mr. BALL. Yes, about another million and a half.

"Mr. MYERS. No, a million and a half total."

Mr. CURTIS. Mr. President, I ask unanimous consent that I may yield the floor to the distinguished majority leader for such purposes as he may choose, including a quorum call, and that thereafter I may again have the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Montana is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT AGREEMENT LIMITING DEBATE ON THE PENDING GORE AMENDMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending amendment occur at 2 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be divided equally between the majority and minority leaders.

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

The unanimous-consent request, later reduced to writing, is as follows:

Ordered, That the Senate proceed to vote at 2 p.m. on September 2, 1964, on the pending Amendment No. 1256, by the Senator from Tennessee [Mr. GORE], to the amendment by the Senator from Louisiana [Mr. LONG], with the time for debate between 12 noon and 2 p.m. to be equally divided and controlled by the majority and minority leaders, respectively.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 12 o'clock noon tomorrow.

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

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that there will be no morning hour tomorrow.

Mr. KEATING. Mr. President, if there is to be no morning hour tomorrow, I hope there will be something in the nature of an evening hour, and that Members of the Senate will not be precluded from making insertions of important material in the RECORD by the imposition of any time limitation.

I would be happy to adjust myself to the convenience of the membership, but I have some morning hour business for tomorrow. It can be entered at a later time tomorrow.

Mr. MANSFIELD. There is no question that the Senator will be able to do that.

S. 1932—IMMIGRATION REFORM IN THE NATIONAL INTEREST

Mr. HART. Mr. President, as Senators know, there is currently pending in the appropriate committees of both Houses, immigration legislation recommended to Congress by President Kennedy and President Johnson. The reform measure is supported by Members of Congress on both sides of the aisle, and it represents a broadly based national consensus on the kind of reform that is needed.

The August 1964 issue of the Department of State Newsletter includes a brief summary of the proposed legislation, and a fine article by Abba P. Schwartz, Administrator of the Department's Bureau of Security and Consular Affairs. I commend this material to my colleagues, and ask unanimous consent it be made a part of my remarks at this point in the RECORD.

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

TO END DISCRIMINATION IN IMMIGRATION QUOTAS

(By Abba P. Schwartz)

It was entirely appropriate that on July 2, when the President signed the 1964 Civil Rights Act into law, Secretary Rusk testified as the principal witness on behalf of the administration's immigration proposal to expunge from our present statutes those discriminatory sections which impair the conduct of foreign relations.

Embodied in H.R. 7700 and in the identical S. 1932, the proposal would—principally—abolish the national origins quota system. In his opening statement before the Immigration and Nationality Subcommittee of the House Judiciary Committee, which is holding hearings on immigration legislation, the Secretary said that, "This system preserves preferences based on race and place of birth in the admission of quota immigrants to the United States. This results in discrimination in our hospitality to different nationalities * * *" and "* * * inasmuch as our immigration laws are regarded as the basis of how we evaluate others around the world, their effect on people abroad and consequently on our influence can readily be seen."

By tradition we judge our fellow American and his value in society on the basis of ability, industry, intelligence, and integrity. It is incompatible with this tradition that we should judge our fellow man outside the United States on grounds of national, ethnical, and geographical origin.

In authorizing the original legislation in July 1963, President Kennedy recognized that it would not solve all the problems inherent in our immigration laws but that it would "provide a sound basis upon which we can build in developing an immigration law that serves the national interest and reflects in every detail the principles of equality and human dignity to which our Nation subscribes."

The sound basis is provided for in the administration's proposal by replacing the national origins quota system (by gradual elimination over 5 years) with a commonsense procedure: immigration, without regard to nationality, on a first-come, first-served basis, within preference categories, subject to limitations designed to prevent inordinate benefits or harm to prospective emigrants from any one country.

First preference would be allotted to those whose skills are especially advantageous to the United States; second and third preferences would be allotted, as they are now, to close relatives of U.S. citizens or resident aliens; the remaining visas would be allocated to other relatives, immigrants who fill a particular labor shortage, and "new seed." Parents of U.S. citizens would be granted nonquota status instead of their present second-preference rating.

The present immigration statute authorizes approximately 156,000 annual quota numbers. The net increase above this level is not expected to be substantial (in the neighborhood of 14,000) within the framework of

the administration's bill. This takes into account special legislation for the benefit of relatives which Congress has enacted over the years.

President Johnson said last January that the legislation "* * * applies new tests and new standards which we believe are reasonable and fair and right. I refer specifically to: What is the training and qualifiaction of the immigrant who seeks admission? What kind of a citizen would he make if he were admitted? What is his relationship to persons in the United States? And what is the time of his application? These are the rules that are full of commonsense, common decency, which operate for the common good."

By abolishing the onus and the superstructure of the national origins quota system, we would be able to apply the above standards fairly. Under the present law, for example, we allocate to Great Britain, 65,361 quota numbers; to Greece, 308; to Italy, 5,666. The Greek and Italian quotas are woefully oversubscribed by thousands of qualified applicants, while 51 percent of the British quota goes wanting. There is no way to transfer this unused portion to the Greek or Italian or other oversubscribed quotas.

Secretary Rusk informed the members of the subcommittee that last year more than a dozen foreign ministers had expressed to him their concern about our immigration laws' discrimination as it affects each of their countries.

He observed: "It is not the numbers I am worried about * * * it is the symbolic element of the national origins idea which is used against us in ways that we should seek to avoid * * *" and "* * * it would not bother me at all to say to anyone outside the United States, 'We are sorry that we cannot admit you because we have run out of numbers,' but it does make it difficult from a political and psychological point of view to say, 'I am sorry but we have run out of numbers for Greeks.' "

In this connection the Secretary expressed his hope that it would be possible for the Congress "* * * to devise an immigration policy which would be good from our own point of view, and welcomed and respected by countries all over the world, including those countries who do not even use the small quotas which are now given to them, but who resent the fact that the quotas are there as a discriminatory measure."

One provision of the current law is singularly discriminatory. That is the provision which requires persons of Asian stock born outside the so-called "Asia-Pacific Triangle" to be attributed to the quota area of their ancestry rather than to the quota of their birthplace. For instance: A person whose ancestry is Chinese and who is a national of Great Britain cannot be attributed to the British quota but must be placed under the Chinese quota. Secretary Rusk told the subcommittee that, "This feature of the present law is indefensible from a foreign policy point of view." The administration's measure would repeal this discriminatory formula.

Our traditional policies of friendship and solidarity have enjoined us not to apply the national origins quota system to independent countries in the Western Hemisphere. Yet, due to the language of the present law, the Caribbean island countries which have gained their independence since the Immigration and Nationality Act was passed in 1952 are required to operate under annual quotas of 100 each. An amendment in the proposed legislation would permit Jamaica and Trinidad-Tobago the same nonquota status as their Latin American neighbors.

In summary, the administration's legislation would eliminate the last vestiges of discrimination in our immigration laws by: (1) Removing racial ancestry as a factor in immigration policy; (2) granting nonquota status to all independent Western Hemisphere countries; (3) offering admission to immigrants—worldwide and without regard to nationality—on a first-come, first-served basis within preferences.

These steps are logical extensions of the progressive and enlightened immigration policies embodied in the legislation passed by the Congress since the end of World War II, including humane legislation for displaced persons, refugees, and escapees. It is incumbent upon us to improve upon our present immigration laws by removing those features which belie our principles of human worth and dignity.

MAJOR PROVISIONS OF ADMINISTRATION LEGISLATION ON IMMIGRATION

Here are the major provisions of the administration's immigration legislation (H.R. 7700 and S. 1932) as outlined by the Bureau of Security and Consular Affairs:

1. Abolish national origins quota system; immigration on first-come, first-served basis within preferences.

2. Transition over 5 years; each country's quota reduced by 20 percent in first year, 40 percent in second year, etc.

3. Raise minimum quotas from 100 to 200.[1]

4. During each of 5 years a pool created by annual 20 percent reductions; numbers from pool along with previous years' unused numbers allocated to oversubscribed areas.

5. End of 5 years all national quotas abolished; all quota numbers in pool; numbers then allocated on first-come, first-served basis with preferences:

(a) First to those whose skills especially advantageous to United States.

(b) Second and third to close relations of U.S. citizens and resident aliens.

(c) Remaining visas allocated: up to 50 percent among other relatives of U.S. citizens and resident aliens; up to one-half of rest to those filling labor shortage; remainder to "new seed."

6. Establish an Immigration Advisory Board.

7. During/after the 5 years and after consultation with Board, President may use up to 50 percent of pool to avoid undue hardship resulting from quota reductions in national security interest.

8. After consultation with Board, President may use up to 20 percent of pool for refugees.

9. No more than 10 percent of total authorized visas can be allocated to any qouta except under President's pool authority.

10. Elimination of "Asia-Pacific Triangle."

11. Eligible immigrants for nonquota status must apply as nonquota immigrants.

12. Nonquota status is extended to parents of U.S. citizens.

13. Nonquota status is extended to Jamaica and Trinidad-Tobago.

14. Simplified petition procedure established for first preference skilled workers.

[1] To avoid undue hardship on these low quota areas during transition period.

AMERICA'S VOLUNTARY AGENCIES SUPPORT S. 1932—THE BILL TO ABOLISH THE NATIONAL ORIGINS QUOTA SYSTEM

Mr. HART. Mr. President, from time to time I have called to the Senate's attention the widespread support for S. 1932, the immigration bill introduced in July 1963, on behalf of myself and 26 other Senators from both sides of the aisle. This bill and its companion in the House, H.R. 7700, carry out the legislative recommendations of President Kennedy and President Johnson.

The American Council of Voluntary Agencies for Foreign Service, Inc., through its committee on migration and refugee problems, has gone on record in full support of these bills. The member agencies are to be commended for their forthright stand on immigration reform, and for their many activities to stimulate enlightened opinion in a significant area of public policy.

Bishop Edward E. Swanstrom, chairman of the committee on migration and refugee problems, recently made an excellent statement before a House subcommittee. Bishop Swanstrom, who is also executive director of Catholic Relief Services-National Catholic Welfare Conference, has long experience in immigration matters, where his happy combination of administrative skill and humane motivation have given extraordinary leadership.

Mr. President, I ask unanimous consent that Bishop Swanstrom's statement and a list of agencies belonging to the American Council be made a part of my remarks at this point in the RECORD.

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

STATEMENT FOR PRESENTATION TO SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY OF THE HOUSE COMMITTEE ON THE JUDICIARY, BY COMMITTEE ON MIGRATION AND REFUGEE PROBLEMS, AMERICAN COUNCIL OF VOLUNTARY AGENCIES FOR FOREIGN SERVICE

Mr. Chairman, I am Bishop Edward E. Swanstrom, executive director of Catholic Relief Services of the National Catholic Welfare Conference; honorary chairman of the American Council of Voluntary Agencies for Foreign Service, and for a number of years was privileged to act as chairman of its committee on migration and refugee problems. I have been asked to present a statement on behalf of the 26 voluntary agencies which constitute the committee on migration and refugee problems, all of whom have been engaged for a great many years in assistance to immigrants, aliens, and refugees. Everyone is aware of their competence in this particular field and it is on the basis of their years of experience that I submit their views.

With me today are several of these agency executives. I know that some of them have already appeared before you, but you may still have some questions that you wish to direct to them as well as to myself. I should like to introduce:

Mr. Donald E. Anderson, director, Lutheran Immigration Service.

Mr. Henry S. Moyer, president, American Council for Judaism Philanthropic Fund, Inc.

Mr. Chester L. Rawski, executive director, Polish American Immigration and Relief Committee, Inc.

Mr. James P. Rice, executive director, United Hias Service, Inc.

Mr. Richard Salzmann, member of the board of directors, International Rescue Committee, Inc.

Rev. John W. Schauer, director of immigration services, Church World Services, Inc.

Mrs. Tatina Schaufuss, executive vice president and oversea director, Tolstoy Foundation, Inc.

Mr. Richard F. Smith, director of refugees and special services, American Friends Service Committee, Inc.

Mr. Chairman, it is not without significance that four Presidents of recent years, Presidents Truman, Eisenhower, Kennedy of happy memory, and Johnson, have over the years frequently publicly stated that the fundamental and outstanding inadequacy, indeed the lamentable injustice, in our present immigration and nationality law is the national origins quota system. They have frequently stated that such a concept is entirely without basis in either logic or reason.

Their forthright stand in this matter was well summarized by President Johnson in his plea for "lifting the bars of discrimination against those who seek entry into the United States by the enactment of new proposed legislation."

The Committee on Migration and Refugee Problems heartily endorses the basic principles and objectives contained in the immigration legislation now pending before the House. In particular, we strongly endorse those provisions which eliminate the national origins quota system as the basic formula for determining who shall enter the United States as an immigrant.

You, yourself, Mr. Chairman, before whose subcommittee we are privileged to appear today, pointed most dramatically to the inadequacy of our present immigration legislation when you said before the bar association at Greensburg, Pa., on May 24, 1957, that you consider our present immigration policy as reflected by the controlling laws outdated, inadequate, and certain to cause us not only embarrassment but the loss of respect and friendship of millions of people who look to us as the defenders of human freedom and the hope of a better world of tomorrow. You went on to say that the national origins formula applies to conditions prevailing in 1921 and 1922. It has no practical relationship to the political demands of the modern day. Events of the past 12 years leave no doubt that we must effect major changes in our basic immigration laws so that we may have an immigration policy to support our best national interests.

We are all happy to note in your statement on immigration policy on June 6, 1963, that you feel it vital that our immigration policy must, like all U.S. policy, serve the common good of our people and must reflect what is best for the interests of the United States both domestically and internationally. Our immigration laws must be flexible, in tune with the changing times. I understand that the Attorney General, Robert F. Kennedy, emphasized this same view before your subcommittee recently.

The voluntary agencies believe that the basic provisions in the proposed legislation will not only eliminate the discriminatory national origins quota system, but that they will constructively change our immigration laws so that they serve the common good of our people and reflect what is best for the interests of the United States both domestically and internationally. This proposed legislation will also, we believe, provide the necessary flexibility which is needed in a rapidly changing world.

It has become almost commonplace for Members of Congress, Government officials, agencies working with aliens, immigrants and refugees, as well as private citizens, to state that for too long a period America's immigration and nationality laws have conflicted with our traditional American ideals.

As the Honorable EMANUEL CELLER, chairman of the House Committee on the Judiciary, said in his statement before the May 1964 Geneva council session of the intergovernmental committee for European migration: "Until we write into our lawbooks an immigration statute which will be worthy of the traditions of the United States and of our considerable responsibility in the world today, until we do that we deny that famous phrase in our Declaration of Independence which says 'All men are created equal.' The national origins theory states all men are not created equal because it gives preference to some and metes out discrimination and proscription to others."

We fully endorse the granting of nonquota status for parents of U.S. citizens; the granting of fourth preference priorities to parents of lawfully resident aliens; the nonquota provisions for newly independent island countries in the Western Hemisphere, such as Jamaica, Trinidad, and Tobago; as well as the redefinition of the first preference category (persons of unusual skill) and the simplification of admission of such persons.

Especially important we believe is the provision authorizing the President to set aside a certain percentage of the pool numbers to take care of refugee emergencies. This will serve to further the traditional policy of the United States in offering asylum to persons oppressed or persecuted or threatened with oppression or persecution because of race, color, religion, or national origin, adherence to democratic beliefs, etc.

In singling out certain provisions, it is not the intention to make them all inclusive; other amendments or new provisions may come before the House for consideration. As a matter of fact, in his July 23, 1963, message, the late President Kennedy stated that the measures outlined in the proposed legislation "will not solve all the problems of immigration; many of them will require additional legislation."

It is the firm belief of the agencies working in the field of immigration and refugees that the goal of world peace and brotherhood in this or any other generation can be furthered only in a climate of increasing understanding and good will among nations; important in the area of international relations are immigration policies and procedures. Inevitably a nation's immigration laws reflect its basic attitude toward nations and races.

In conclusion, we might simply point to the remarks made by President Johnson on January 13, 1964, when he met at the White House with representatives of organizations interested in immigration and refugee matters. The President said:

"This is a nation that was really built by immigrants, immigrants from all lands, and that is why we should ask those who seek to immigrate now what can you do for our country? What we ought never to ask is: in what country were you born?"

The council committee on migration and refugee problems wholeheartedly endorses the principles of the proposed liberalized legislation.

MEMBER AGENCIES OF THE AMERICAN COUNCIL OF VOLUNTARY AGENCIES FOR FOREIGN SERVICE, INC.

American Baptist Relief.
American Council for Judaism Philanthropic Fund, Inc.
American Friends of Russian Freedom, Inc.
American Friends Service Committee, Inc.
American Fund for Czechoslovak Refugees, Inc.
American Jewish Joint Distribution Committee, Inc.
American Leprosy Missions, Inc.
American Middle East Rehabilitation, Inc.
American National Committee to Aid Homeless Armenians (ANCHA).
American ORT Federation, Inc.
American Relief for Poland, Inc.
Assemblies of God-Foreign Missions Department, General Council of the.
Brethren Service Commission.
CARE, Inc.
Catholic Relief Services—National Catholic Welfare Conference, Inc.
Church World Service, Inc., National Council of the Churches of Christ in the U.S.A.
Coordinated Hungarian Relief, Inc.
Hadassah, the Women's Zionist Organization of America, Inc.
Hadassah Medical Relief Association, Inc.
Heifer Project, Inc.
International Rescue Committee, Inc.
Iran Foundation, Inc.
Lutheran Immigration Service, National Lutheran Council—Lutheran Church—Missouri Synod.
Lutheran World Relief, Inc.
Mennonite Central Committee, Inc.
Near East Foundation.
Polish American Immigration and Relief Committee, Inc.
Salvation Army, The.
Seventh-Day Adventist Welfare Service, Inc.
Tolstoy Foundation, Inc.
Unitarian Universalist Service Committee, Inc.
United Friends of Needy and Displaced People of Yugoslavia, Inc.
United Hias Service, Inc.
United Lithuanian Relief Fund of America, Inc.
United Seamen's Service, Inc.
United Ukrainian American Relief Committee, Inc.
World Relief Commission of the National Association of Evangelicals.
World University Service.
Young Women's Christian Association of the U.S.A. (international division).

THE AREA REDEVELOPMENT ACT AND EMPLOYMENT IN DETROIT

Mr. HART. Mr. President, recently the Department of Commerce announced that the employment situation in the city of Detroit had improved to such an extent that Detroit would no longer be eligible for assistance under the Area Redevelopment Act. Earlier this year, and for the same encouraging reason, the eligibility of the three-county Detroit labor market area was terminated.

This is a significant national development. It is significant nationally, for the reason that employment in Detroit and in Michigan is more closely tied to the well-being of the national economy than that of any other major industrial center in the Nation. We are probably the first to sense a slump in the Nation's economic health, for when Americans slow down their purchase of cars we know it in a hurry. When the national economy swings up—as it has in the past 2 years—Michigan and Detroit workers and plants produce for the Nation.

But underlying the effects of our national economic recovery have been local efforts to broaden and diversify Detroit's economic base. Some of this has resulted from the rapid and significant growth of international shipping along the St. Lawrence Seaway.

Another significant development has come from projects resulting from cooperation between the Area Redevelopment Administration and local development groups.

Too often we have tended to think of ARA programs in connection with rural areas, and have missed the long-range importance of ARA financial and technical assistance to cities such as Detroit.

Last week, I received a letter signed by two of Detroit's outstanding community and business leaders, who, with others, have organized the Detroit Metropolitan Industrial Development Corporation. Their letter describes, far better than my words could, the importance of ARA programs and their impact on Detroit's economic recovery. They state as follows:

We state that the Area Redevelopment Act has benefited this community. The Area Redevelopment Act should be continued until the economic status of each community proves such continuation is no longer justified.

I ask unanimous consent that this letter, signed by Walker L. Cisler and Oliver

D. Marcks, be printed at this point in my remarks, and that the list of the officers and members of the board of directors of the Detroit Metropolitan Industrial Development Corporation also be printed, following the text of the letter.

Mr. President, the ARA has been, and is, meaningful to Michigan. People who are working today would not have had jobs if it had not been for the passage of the Area Redevelopment Act in 1961.

In March 1961, Detroit's unemployment stood at 15.2 percent. In June 1964 it was down to 4.5 percent. Again, much of this is due to the national economic recovery and the growth that has occurred as a result of the tax cuts enacted by Congress. But the ARA and the community leaders who have worked with the tools provided by the ARA deserve their important share of the credit for this employment increase in Michigan and Detroit. The list of projects which have resulted from the cooperation of ARA and local leaders is impressive. I ask unanimous consent that a list of ARA programs in Michigan be printed at this point in my remarks.

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

DETROIT METROPOLITAN
INDUSTRIAL DEVELOPMENT CORP.,
Detroit, Mich., August 17, 1964.

HON. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: We in the Detroit area, through this corporation, have now had 2 years' experience operating under the Area Redevelopment Act as enacted by Congress. We believe that our administration of the funds made available to us, and for which we assumed a responsibility, have had a definite impact on alleviating the unemployment situation which existed during this period.

The words "funds made available to us" embraces those obtained both by donations and private subscriptions. We are convinced that we committed these funds satisfactorily, even though they enjoy a security position subordinate to the Area Redevelopment loan. Although our period of operation embraces only 2 years, nevertheless we are gratified to report that no defaults exist with respect to any of the commitments made by us.

We state that the Area Redevelopment Act has benefited this community. The administration here has been under the direction of members within the community, who have served in the interest of the community. This is undoubtedly true in other areas with which we are familiar in Michigan, and while progress may have been slow in some areas it is worth trying wherever the unemployment situation justifies it. The Area Redevelopment Act should be continued until the economic status of each community proves such continuation is no longer justified.

With every good wish,
Sincerely,

WALKER L. CISLER.
OLIVER D. MARCKS.

Officers: Walker L. Cisler, chairman of the board; Oliver D. Marcks, president; Edward Cushman, vice president; Walter Reuther, vice president; W. Calvin Patterson, treasurer; Albert K. Jacoby, secretary.

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Michigan ARA projects

Industrial and commercial projects	ARA investment	New jobs
International Village, Inc., Detroit: Construction cultural and business complex	$6,000,000	1,176
Clinton Gables, Inc., Detroit area: Modernize and equip motor hotel	96,000	72
Ash Stevens Co., Detroit area: New organic chemistry research facility	182,000	35
Ponchartrain Hotel, Detroit area: Deluxe hotel	1,895,000	450
Woodward-Horton Development Co., Detroit area: Optical center	126,000	14
London Inn Motel, Detroit area: Motel and related facilities	336,000	77
Goodman Bros. & Co., Detroit area: Motor hotel	1,044,000	75
Marquette & Huron Railroad Co., Marquette: Renovate and activate scenic railroad	195,000	50
Motel Development Corp., Port Huron: Tourist and recreational development	1,000,000	163
Shanty-Creek Lodge Co., Antrim County: Year-round resort motel	891,000	91
Gogebic Range Ski Club, Gogebic County: Recreational facilities	400,000	380
City of Alma: Improve water and sewage system	265,000	100
Northboard, Inc., Iron County: New market for aspen	284,000	---
Crystal Falls Township, Iron County: Elevated water tank	83,000	12
Copper Harbor Corp., Keweenaw County: Ski facility and lodge	625,000	100
City of Howell: Water, sewage, and road improvement	240,000	94
Gallant Products, Inc., Ogemaw County: Manufacture tricycles and other wheeled goods	215,000	171
Caberfae, Inc., Wexford County: Expansion of recreational area	341,000	10

Technical assistance projects	ARA grant
Robert Nathan Associates: Preliminary work on task force, Upper Peninsula	$2,000
Michigan State Library: Develop central research materials for community development in Upper Peninsula	3,000
Robert Nathan Associates: Demonstration project for multicounty economic development	143,000
Department of the Interior, Bureau of Mines: Administer and evaluate R.N. process tests in Minnesota and Michigan	40,000
Department of Agriculture, Forest Service: Aerial photography program in Upper Peninsula	52,000
Robert Nathan Associates and Upper Peninsula Committee on Area Problems: Economic programing and implementation for multicounty organization	106,000
Michigan State University: Recreation program in Upper Peninsula	50,000
Bureau of Fisheries: Advisory service to Lake Superior region of Michigan, Minnesota, and Wisconsin	84,000
Michigan Technological University: Method to improve quality of Lake Superior iron ore	23,000
Booz-Allen & Hamilton, Detroit: Feasibility study of development of research park	60,000
Proposed industrial prototype study of Detroit	105,000
A. T. Kearney, Inc., Marquette: Technical assistance to OEDP followup analysis	2,000
Arthur D. Little, Monroe: Determine cost and location of deepwater sites	19,000
Management Systems Development Corp., Traverse City: Technical assistance to OEDP followup analysis	2,000

Michigan ARA projects—Continued

Technical assistance projects	ARA grant
Central Michigan University, Cheboygan County: Center for economic development	$99,000
Johnson & Johnson, Iron County: Specialized management assistance to ARA-financed firms	1,000

Training projects	ARA investment	Trainees
Statewide:		
Nurse aid	$48,000	84
Arc welder	38,000	30
Nurse aid, orderly	12,000	60
Adrian: Clerk-typist, clerk-stenographer	18,000	40
Bay City: Clerk-stenographer, ignition and carburation mechanic	29,000	35
Detroit:		
Sewing machine operator (auto manufacturing)	114,000	150
Clerk-stenographer	99,000	120
Grade school teacher	31,000	40
Medical assistant	16,000	25
Arc welder	100,000	360
Vocation adviser	18,000	20
Detroit area:		
Clerk-typist, stenographer	120,000	200
Clerk-typist, bookkeeper	30,000	50
Brake mechanic, motor adjuster, ignition and carburetor mechanic, transmission and differential repairmen	42,000	48
Nurse aid	22,000	200
Salesperson	16,000	25
Stenographer (refresher)	13,000	20
Floral designer	18,000	18
Ignition and carburetor mechanic	10,000	15
Nurse aid, orderly	56,000	270
Do	25,000	120
Do	24,000	120
Clerk-stenographer	17,000	25
Salesperson	17,000	25
Sewing machine operator	73,000	80
Motor adjuster	44,000	45
Do	223,000	200
Do	46,000	40
Floral designer	24,000	20
Salesperson	33,000	50
Marquette:		
Machine tool operator, stenographer, welder, clerk-typist	228,000	152
Stenographer	34,000	32
Stenographer, typist	69,000	60
General salesperson	17,000	30
Monroe:		
Clerk-typist, clerk-stenographer	32,000	50
Service station mechanic	13,000	20
Port Huron:		
Slide forming machine operator, torsion spring coiling machine operator	28,000	75
Waiter, waitress	6,000	40
Traverse City: Stenographer, typist	22,000	20
Antrim County:		
Waitress	4,000	27
Waiter, waitress	4,000	30
Benzie County: Clerk-typist, clerk-stenographer	9,000	20
Chippewa County:		
Cook	21,000	20
Cooks and bakers	23,000	25
Nurse aid, orderly	7,000	30
Emmet County:		
Cook	14,000	20
Stenographer-typist	7,000	30
Gogebic County:		
Woodworking assembler, machine tool operator, combination welder, clerk-typist, clerk-stenographer	67,000	82
Cook	25,000	25
Do	23,000	25
Houghton County: Nurse aid, orderly	7,000	30
Iron County: Particle board man	31,000	36
Lake County: Cook	16,000	20
Tuscola County: Arc welder	13,000	45

NIKOLA PETKOV—BULGARIAN NATIONAL HERO

Mr. HART. Mr. President, on September 5 and 6, the Bulgarian National Committee is sponsoring memorial meetings, here in Washington, to commemorate the 17th anniversary of the death of Nikola Petkov, Bulgarian patriot.

Petkov was executed by the Communists in 1947, because he fought stub-

bornly against the outrages, terror, and violence of the Bulgarian Communist Party and the Soviet occupation authorities. He stands in the line of martyrs for the cause of freedom and national independence.

There is no doubt that the spirit of liberty, as exemplified in the life of Nikola Petkov, lives today among the people of Bulgaria and throughout the captive nations of Eastern Europe. As I said in remarks in the Senate on July 9:

> Let us not permit this spirit to languish in a wasteland of inactivity by the United States. Hopefully, we have the good sense to exert the responsible leadership we claim is ours, and work with the captive peoples to make their hope for freedom an ever-increasing reality.

Mr. President, the memory of Nikola Petkov and the splendid work of the Bulgarian National Committee remind us of our task.

I ask unanimous consent that a brief article on the life of Petkov, prepared by the Bulgarian National Committee, be made a part of my remarks at this point in the RECORD.

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

NIKOLA PETKOV, BULGARIAN NATIONAL HERO AND GREATEST MARTYR IN THE STRUGGLE FOR FREEDOM AND INDEPENDENCE

Nikola Dimitrov Petkov was born in Sofia in 1894. He was the son of Dimiter Petkov, a self-educated peasant from Dobrudja, who became Prime Minister of Bulgaria. Dimiter Petkov was assassinated in 1907 for opposing foreign intervention in the internal affairs of Bulgaria, especially on the part of czarist Russia.

Petko Petkov, Nikola's brother, was one of the greatest Bulgarian peasant leaders. He fought Alexander Tzankov's Fascist dictatorship of 1923 and as a result was shot down on a Sofia street on June 14, 1924—exactly 1 year after the merciless assassination of Alexander Stamboliiski.

Nikola Petkov received a law degree in Paris, where he spent most of his youth. During the Nazi occupation of Bulgaria he was an underground leader and was imprisoned several times.

When the Nazis were driven out of Bulgaria, Nikola Petkov and three other representatives of the Bulgarian National Agrarian Union—the largest political organization in Bulgaria—took part in the first coalition government, together with Communists, Socialists, representatives of the political group "Zveno," and the independent intellectuals. Together with Dr. G. M. Dimitrov, Secretary-General of the Bulgarian National Agrarian Union, Nikola Petkov fought stubbornly against Communist outrages, terror, and violence, and thus incurred the hatred of both the Communist Party and the Soviet occupation authorities. Despite these difficulties, he continued to defend the freedom and independence of his country.

When the Soviet occupation authorities demanded the removal of the "capitalist agent" Dr. G. M. Dimitrov from his post as Secretary-General, Nikola Petkov took his place.

In July 1945, Nikola Petkov sent a memorandum to the Inter-Allied Control Commission demanding the postponement of the elections which the Communists had scheduled for the end of August 1945. These elections were to involve only one list of candidates, headed by the Community Party. As a result of the memorandum, the Prime Minister declared that Petkov had resigned, although formally he never did so. In protest, Nikola Petkov and other cabinet ministers broke up the coalition government, and thenceforth openly opposed the Communist dictatorship. Upon intervention of the Control Commission, the elections were postponed until November 18, 1945.

During the winter of 1946, Stalin sent Vishinsky to Sofia for the purpose of getting Petkov to come back into the government. At their dramatic meeting, Petkov declared that it was not his custom to obey the orders of any foreigner, but to listen only to the will of the Bulgarian people.

That meeting decided Petkov's fate.

In October 1946, Petkov headed the opposition in its election campaign against the Communist-Soviet attempts to seize full control of the country. The enthusiastic people from the countryside and towns voted en masse for Petkov's list, but the election results were falsified and violence and bloodshed were commonplace. Nevertheless, 101 people's representatives, headed by Petkov, were acknowledged to have been elected and triumphantly entered the Grand National Assembly. It was there that Petkov's most courageous and heroic struggle culminated. Availing himself of his constitutional immunity, he unmasked in Parliament the treacherous intentions of the Communists and their leader, Georgi Dimitrov, former Secretary General of the Comitern. He accused them of being Stalinist agents, and said that their hands were stained with the blood of innocent Bulgarians and that they wanted to make Bulgaria a Soviet province.

As a result of his activity, Petkov was charged with conspiracy against the state and the Soviet Union. Like his predecessor, he was called "an agent of Anglo-American capitalism."

After dramatic and stormy debates in Parliament, Petkov was arrested inside the Parliament building in complete defiance of the constitution and the law. Petkov declared dauntlessly that he would share with pride the fate of his father and his brother.

On August 16 Petkov was sentenced to die on the gallows.

Early in the morning of September 23, only 15 minutes after midnight, he was executed in secret because the Communists feared the people's mass indignation. (At that time all executions took place about 5 o'clock in the morning.)

Prior to the execution a representative of the Bulgarian Communist Government appeared in Nikola Petkov's prison cell and offered him a pardon if he signed a petition in which he declared his repentance.

"You are even trying to desecrate my sacred memory," Petkov replied. "My sentence was passed by your Moscow masters and no one can revoke it. I do not seek any mercy from you. I want to die so that my people may be freed sooner."

The heroic example set by Nikola Petkov shook the free world and opened its eyes to the treacherous intentions and methods of the Bolshevist international conspiracy and the tragic fate which Soivet imperialism is preparing for all of humanity.

Petkov's career was a brilliant model of self-sacrifices for his people, principles, ideas, freedom and democracy. Thousands and thousands of Bulgarian patriots followed his great example.

That is the reason why the American Congressmen who, upon the occasion of a visit to Bulgaria, laid a wreath on his freshly-dug grave, called him "one of the greatest democrats of all time."

This is why government officals and statesmen from all over the world sent protest notes to his Sofia and Moscow executioners, and honored and still continue to honor, Nikola Petkov as one of the greatest martyrs of human freedom and the right to independence.

With each elapsing year, the memory of Nikola Petkov is becoming a greater danger for the Communist tyranny, shaking its yoke and leading the freedom fighters to their final victory.

THE 25TH ANNIVERSARY OF THE INVASION OF POLAND

Mr. DODD. Mr. President, September 1 marks the 25th anniversary of the invasion of Poland by the Nazis. Since that time, a new generation, to whom this event is only history, has been born and reached maturity. Even those of us who were alive at the time have let the passage of years dull our memories and deaden our once strong feelings of indignation; and the lessons we learned or should have learned, have, at least in part, been forgotten.

The first lesson we should have learned is that appeasement never pays off and that in the long run it makes war more likely, not less likely.

The second lesson we should have learned is that of the essentially moral identity of Nazi and Communist totalitarianism. In speaking of the Nazi invasion of Poland, let us not forget that it was the Nazi-Soviet pact which made this invasion possible.

Let us not forget that while the heroic Polish Army was desperately resisting the Nazi panzer divisions, the Red army, in one of the most inglorious military actions in history, struck the embattled Polish Army from the rear.

And let us not forget Molotov's boast over the prostrate body of Poland: "One blow from the German Army, and one blow from the mighty Red army—and this ugly duckling of Versailles ceased to exist."

Unfortunately, the Polish people, unlike some of the Western European countries occupied by the Nazis, were not to enjoy the freedom from oppression which was anticipated upon the defeat of the Germans. Agreements were reached between the Soviet Union and the Western powers that ostensibly guaranteed to the Polish people and to the other peoples of Central Europe the right to select governments of their own choosing. These agreements were from the first violated by the Soviet Union, which used the presence of the Red army in Poland and in the other countries of Central and Eastern Europe to impose regimes that were as completely Communist as they were without popular support.

I was particularly gratified to be present when President Johnson signed the proclamation for observing Warsaw uprising day. The President's own words on this occasion are most significant:

> Whereas the American people regard the action of the Polish patriots in the Warsaw uprising as a great manifestation of bravery and devotion to home and country, this historic effort should serve to inspire people everywhere to rededicate themselves to the cause of freedom and justice.

Mr. President, I hope that all Americans will reflect on the crime committed against the human race by the Nazis and by their Soviet accomplices 25 years ago.

I hope that all freedom-loving men and women will steel themselves to preclude a repetition of such aggression as the rape of Poland and its continued occupation.

I hope that we shall find it possible to dedicate ourselves to the task of bringing freedom to all enslaved peoples of the world.

And because of the particular bond of friendship which has always existed between ourselves and the people of Poland, I hope that we will not forget nor forsake our Polish friends and neighbors but that we will remember them in our prayers and by our deeds until they too are as free as we are.

THE SITUATION IN SOUTH VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article, written by Richard Starnes, and published in today's Washington Daily News, entitled "Groggy South Vietnam Runs Out of Gas; Could Strand United States."

I agree with that observation.

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

GROGGY SOUTH VIETNAM RUNS OUT OF GAS; COULD STRAND UNITED STATES

(By Richard Starnes)

The death agony of South Vietnam has begun, and with it has come the harshest dilemma the administration has faced since President Johnson took office.

In the view of experts consulted for a reading of the meaning in the convulsions that have been shaking South Vietnam during the past week, that is what is happening, and what can be calculated to happen very soon:

Discount Catholic-Buddhist tensions as a real cause of the collapse of all meaningful government in Saigon.

The real cause is simply the terrible exhaustion of a people for whom the last 23 years have been an endless horror of war and terrorism. "It is a whole nation disabled by battle fatigue," is the way one top expert on southeast Asia puts it.

The future contains no hope that long-term stabilization can be achieved by yet another humpty-dumpty leader extracted from the CIA's dwindling file of reliable South Vietnamese.

What the United States is facing this day is the cruel choice of abandoning a nation that has already surrendered to despair, or dropping all the shabby pretense involved in war by proxy and undertaking firsthand war to deny Communist North Vietnam the wildly fertile rice fields in the south.

PREMISE GONE

Disappearance of effective government in Saigon erodes the whole base of American participation, for Washington from the beginning has maintained it was merely answering a plea for help from the legally constituted Government of South Vietnam.

It seems likely that no effective government can be formed in South Vietnam unless it promises the exhausted, bleeding, despairing little country peace—peace at whatever price—but peace.

If that happens, of course, the United States will have no choice but to pack up its advisers, its dependents, and its spooks and come ignominiously home.

ISSUE

Since that would present the Republicans and Senator BARRY M. GOLDWATER a succulent campaign issue, the White House must try to avoid it at all costs.

But, to use a word once much beloved in Washington, the administration has few options left in southeast Asia.

It must hang on—but it can do so only at the price of vastly stepped-up American participation, probably including combat units.

Most expert estimates conclude that the Red Chinese would themselves intervene if puppet North Vietnam were suddenly confronted with defeat at the hands of American troops.

That would be Korea all over again, and no administration in Washington could long survive an election if it accepted mass casualties without using every weapon in our arsenal.

It all boils down to as bleak a crisis as has confronted the United States since Soviet missiles were installed in Cuba.

STOPGAP?

The Johnson administration desperately needs to patch up some sort of pro tempore solution that will endure until election day.

This is not wholly political cynicism. The United States needs the elbow room to negotiate some sort of settlement that will fall between the equally unacceptable extremes of humiliating abandonment and nuclear war.

It can hardly do this when the Republican candidate seizes every opportunity to make political capital of the crisis.

The collapse of recognizable government in South Vietnam is clear proof that a new formula must be found—a formula that can no longer be rooted in the supposed will of the people to resist Communist aggression.

It will be a formula containing negotiation, or American combat troops. By making the former a dirty word, Senator GOLDWATER has immeasurably increased chances that the latter will come to pass.

REAPPORTIONMENT OF STATE LEGISLATURES

Mr. DOUGLAS. Mr. President, the tide of public opinion is rapidly rising against the Dirksen rotten borough amendment to the foreign aid bill. I shall ask unanimous consent to have published in the CONGRESSIONAL RECORD two editorials from two of the greatest newspapers in the country, the New York Times and the Washington Post.

The New York Times editorial points out that the Dirksen rider would, in effect, "suspend for the next 16 months the Supreme Court's decision requiring that State legislatures be apportioned on the basis of population alone."

It goes on to state:

This rider is aimed at giving Congress and those same unreapportioned legislatures time to ratify a constitutional amendment reversing the Court.

It goes on to offer advice and an injunction to the President of the United States:

To find a way to salvage the foreign aid authorization without accepting the Dirksen rider, the Democratic leadership intends to lay both aside temporarily.

I hope that that may be true.

President Johnson, who wanted this time for maneuver and who also persuaded the Democratic convention to say nothing about reapportionment in its platform, will have an obligation—if his quiet tactics fail—to break his silence and fight this important issue on its merits.

Yesterday, on August 31, the Washington Post published an editorial in which it stated:

It is reported that the Senate will temporarily lay aside the foreign aid bill to which Senator DIRKSEN is trying to attach a rider that would delay the effectiveness of the Supreme Court's decisions in the State apportionment cases. This is good news. If the controversy over this backward-looking measure were to be taken up now, Congress might fritter away the remainder of the session fruitlessly. It would be wise for the leaders to insist on clearing their calendars of must bills before the filibuster again gets underway. And the best course would be to drop the Dirksen rider and the Court-ripper bill passed by the House without further consideration.

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

I have omitted from the editorials certain paragraphs and sentences which deal with subjects other than the reapportionment fight, but which do not alter the sense of the editorials on reapportionment.

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

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, I also call attention to an editorial appearing in the current issue of the Machinist, the organ of the National Association of Machinists, which, as I remember, has a membership of more than a million members, and which is a highly honorable union, composed of highly intelligent members. It has always taken a public-spirited attitude on public issues. In its editorial entitled "One Man, One Vote," it states something that pleases a group of us very much. It states:

Hats off to a little band of U.S. Senators dedicated to the principle of "one man, one vote" in giving the people fair representation in State legislatures. They are doing the Nation a real service.

The editorial continues:

Obviously many State legislatures that have long resisted fair reapportionment would jump at the chance to ratify such a constitutional amendment. It would freeze in the inequities. It would perpetuate control of the legislatures by the coalition of big manufacturers and small town bankers and merchants that have dominated the State capitals for so long.

The editorial concludes with a sentence approving the fight which some of us are making to prevent the Dirksen rotten borough amendment from being included in the foreign aid bill.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

[From the Machinist, Sept. 3, 1964]

ONE MAN, ONE VOTE

Hats off to a little band of U.S. Senators dedicated to the principle of one man, one vote in giving the people fair representation in State legislatures. They are doing the Nation a real service.

The Senators are talking at long length against a rider to the foreign aid bill. This rider, with no relation whatsoever to foreign aid, would delay application of the U.S. Supreme Court's recent order. The High Court said that States unfairly apportioned must reapportion themselves, with representation in both houses of the legislature based on population—the only fair way.

As Senator PAUL DOUGLAS, of Illinois, pointed out, the rider's principal sponsor, Senator EVERETT DIRKSEN, also of Illinois, has frankly stated that he wants the delay

to gain time to win another measure. That is a constitutional amendment that would nullify the Court order. It provides that State legislatures with two houses (Nebraska has but one) may apportion one house any way they want, with or without reference to population.

Obviously many State legislatures that have long resisted fair reapportionment would jump at the chance to ratify such a constitutional amendment. It would freeze in the inequities. It would perpetuate control of the legislatures by the coalition of big manufacturers and small-town bankers and merchants that have dominated the State capitals for so long.

That's who Senator DOUGLAS and his colleagues are fighting. They deserve a real hand.

EXHIBIT 1

[From the New York (N.Y.) Times, Aug. 30, 1964]

CONGRESS GOES BACK TO WORK

Vital measures demand final action as Congress returns to work this week after the Democratic convention. The reapportionment tangle, medicare, the foreign aid bill and the Appalachian program are all unfinished business in the Senate. Having squandered months on the anti-civil-rights filibuster, the Senate finds itself much further behind schedule this year than the usually more dilatory House.

The Senators have made matters worse by painting themselves into a parliamentary corner in their rage against the Supreme Court over reapportionment. Senator EVERETT DIRKSEN, the minority leader, has offered a rider to the foreign aid bill which would, in effect, suspend for the next 16 months the Supreme Court's decision requiring that State legislatures be apportioned on the basis of population alone. This rider is aimed at giving Congress and those same unreapportioned legislatures time to ratify a constitutional amendment reversing the Court.

Also pending is the House-passed Tuck bill—a measure far more sweeping in its threat to strip the Court of its protective power over constitutional rights. Congress already has given the judiciary adequate warning that it ought to allow more time for the normal political processes, to operate on reapportionment. Rushing through legislation that would unwisely invade the authority of the courts and frustrate corrective action in even the most flagrant cases of malapportionment is obviously a disservice to the Nation and to governmental balance.

To find a way to salvage the foreign aid authorization without accepting the Dirksen rider, the Democratic leadership intends to lay both aside temporarily. President Johnson, who wanted this time for maneuver and who also persuaded the Democratic convention to say nothing about reapportionment in its platform, will have an obligation—if his quiet tactics fail—to break his silence and fight this important issue on its merits.

[From the Washington (D.C.) Post, Aug. 31, 1964]

UNFINISHED JOB ON HILL

Congress returns to the legislative grind today, after its second political holiday in recent weeks, with a formidable pile of unfinished business awaiting attention. It may be taken for granted that nearly all Members of both the House and Senate are eager to wind up the session as soon as possible so that they may give their full time to the political campaigns. But their work is not yet done. Until the record of accomplishments is much more complete than it is now the best place for a legislator to be is at his regular post of duty.

It is reported that the Senate will temporarily lay aside the foreign aid bill to which Senator DIRKSEN is trying to attach a rider that would delay the effectiveness of the Supreme Court's decisions in the State apportionment cases. This is good news. If the controversy over this backward-looking measure were to be taken up now, Congress might fritter away the remainder of the session fruitlessly. It would be wise for the leaders to insist on clearing their calendars of must bills before the filibuster again gets underway. And the best course would be to drop the Dirksen rider and the Court-ripper bill passed by the House without further consideration.

THE ATTACK ON REAPPORTIONMENT

Mr. PROXMIRE. Mr. President, one of the most significant articles that has been written on the entire reapportionment controversy was published in the Washington Post on Sunday, August 30. The title of the article is "An Old Tool of Tyrants," and was written by two of the most distinguished law professors in America—two truly great constitutional experts. One is Mr. Eugene Y. Rostow; the other is Mr. Thomas I. Emerson. Mr. Rostow has been professor of law at Yale since 1938 and has been dean of the Yale Law School since 1955. Mr. Emerson has been a professor in the Yale Law School since 1946 and has served the Government in the legal departments of several agencies from 1933 to 1945.

These men are truly experts. They have devoted a lifetime to the law and have taught at one of the three or four outstanding law schools in the Nation—yes, in the world. In this article they have discussed the Dirksen amendment concisely.

I shall read briefly from the article today. Frankly, it is such an important article that I intend at a later time to discuss it in considerable detail, because it certainly merits detailed discussion.

The article takes up the arguments that have been mustered by those who favor the Dirksen amendment and answers them most effectively.

The article reads, in part:

The attempt in Congress to turn back the tide of reapportionment is too serious to be enjoyed, and shrugged off, as a virtuoso performance in the great game of politics. It would be a catastrophe if Senator EVERETT M. DIRKSEN'S bold tactic were allowed to succeed. In his last-ditch effort to save Old Sarum, he has mounted a fundamental attack on the independence of the courts.

Then these distinguished Yale professors go on to write:

If DIRKSEN'S plan is accepted, it will imperil the institution of judicial review, the lynchpin of the Constitution. And it will destroy the most basic of all the "privileges and immunities" of national citizenship, the assurance of equal suffrage.

I have been told by some Senators that they feel the Dirksen amendment is not really important; that it is far less damaging to our constitutional rights than the Tuck bill; that it is something quite modest, quite moderate, a compromise proposal. Indeed, some distinguished members of the administration have argued that the Dirksen amendment may be an acceptable compromise.

We who oppose the Dirksen amendment contend with all sincerity—and I say now on the basis of certainly as good constitutional authority as can be obtained in the whole Nation—that the Dirksen amendment would destroy the essence of the Constitution. Let me quote a little further from the article by Rostow and Emerson:

The House bill, and the Dirksen amendment to the foreign aid bill, raise grave constitutional doubts. As a matter of constitutional right, enforceable in the courts, all citizens are now entitled to have their votes counted on a basis of equality with those of other voters. That constitutional right, as declared by the Court, can be taken away or abridged only by the process of constitutional amendment.

But the Dirksen-Tuck proposals undertake to abrogate it altogether, or substantially to delay its realization, by simple legislative enactment. Beyond the legal subtleties, this is the heart of the matter.

Both proposals—

Both the Dirksen and Tuck proposals—

attempt to accomplish this end by withdrawing jurisdiction from the courts. This device is one of the oldest tools of tyrants. If successful here, it would mean the end of the American constitutional system of judicial review and therefore of the American Constitution.

Mr. President, this is such a grave charge and comes from such thoughtful, responsible, able men that I think the last sentence should be repeated:

If successful here, it would mean the end of the American constitutional system of judicial review and therefore of the American Constitution.

Some Senators who are anxious to get home and campaign, as many of us are, feel that it is very wrong for us to delay the Senate and to keep talking about this amendment. Actually, as I can show a little later—not tonight, but at a later time—we have talked only briefly on this subject, because the Senate has had other subjects to consider.

But the fact is that this amendment is of the gravest importance. There has not been a measure before the Senate so damaging to our Constitution, to our form of government, since I became a Member of the Senate; and when two of the most distinguished law professors in America say, in writing, that the Dirksen and Tuck proposals would mean the end of the American constitutional system of judicial review and the American Constitution, Senators should think deeply about it.

The argument that there is precedent for the Dirksen amendment in the McCardle case is ably dealt with in this fine discussion, in which the implications of the McCardle case are detailed.

Mr. President, I ask unanimous consent that this superlative article, entitled "An Old Tool of Tyrants," written by Rostow and Emerson, be printed at this point in the RECORD.

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

AN OLD TOOL OF TYRANTS—METHOD OF CONGRESS IN ATTACKING REAPPORTIONMENT SEEN AS BLOW AT THE CONSTITUTION ITSELF

(By Eugene Y. Rostow and Thomas I. Emerson)

(NOTE.—Professor of law at Yale University since 1938, Rostow has been dean of the Yale Law School since 1955. Emerson has been a professor in the Yale Law School since 1946 and served the Government in the legal departments of several agencies from 1933 to 1945.)

The attempt in Congress to turn back the tide of reapportionment is too serious to be enjoyed, and shrugged off, as a virtuoso performance in the great game of politics. It would be a catastrophe if Senator EVERETT M. DIRKSEN'S bold tactic were allowed to succeed. In his last-ditch effort to save Old Sarum, he has mounted a fundamental attack on the independence of the courts.

If DIRKSEN'S plan is accepted, it will imperil the institution of judicial review, the lynchpin of the Constitution. And it will destroy the most basic of all the "privileges and immunities" of national citizenship, the assurance of equal suffrage. For the Homeric paradox of Senator DIRKSEN'S plan is that it would allow the courts to continue to protect some voting rights of Negroes but would forbid them to act in almost the only situation in which they are now asked to protect the voting rights of white citizens.

THE UNDERPRIVILEGED CITY

In reviewing the controversy over reapportionment now before Congress, it is desirable to recall briefly the problem as it was presented to the Supreme Court.

Our traditional voting structure, reasonable enough when 75 percent of our people lived in towns and villages, had become intolerable when 75 percent lived in metropolitan areas. In Connecticut, for example, 11.9 percent of the population can elect a majority in the lower house of the State legislature and 33.9 percent a majority in the senate.

This situation was comparable in most States and was rapidly getting worse as urbanization proceeded faster than reapportionment. No one attempted to justify the system on grounds of equity and principle.

The key fact was that political processes could not remedy the situation for the simplest and most human of reasons. A legislator asked to vote the probable end of his own political career is in a difficult position no matter how deeply he believes in equality.

Here, as in other realms, the Constitution depends upon the Supreme Court, as the umpire of the Federal system, to declare and enforce fair rules. The declaration it made in the reapportionment cases was quite simple: it ruled that both houses of State legislatures must be based solely on population.

It is true that voting rights had rarely been litigated until recent years and that there was some feeling that such matters were too political a problem for the courts. But the rapid development of our constitutional law of personal liberty made the protection of voting rights inevitable, sooner or later.

If the courts protect freedom of speech, of religion, of the press, and of assembly; if they go to great lengths to assure that the individual not be deprived of his life, liberty, or property without due process of law, how could the right to vote rationally be considered an exception?

CIVIL RIGHTS A FACTOR

Two changes in the factual situation ripened the issue of voting rights for decision. The rapid urbanization of society put increasing strain on the political structure. And the vindication of the voting rights of the Negro as a matter of law provided an unanswerable precedent: it is, after all, just as much a denial of equality before the law to give a citizen of New York one-tenth of a vote, as compared with an upstate or a downstate farmer, as to give him no vote at all.

The Supreme Court's recent decisions are fully justified as stages in the growth of constitutional law.

Decisions of the Supreme Court should, of course, be subjected to public scrutiny. They are never the last word in constitutional law; the people have that last word through their slow and deliberately complex power to amend the Constitution.

It is vital, however, that the criticism of the Court's work be indeed a sober second look, as fully considered in the light of constitutional tradition as the opinions of the Supreme Court themselves. The Dirksen plan in the Senate does not meet such a test. There have been no committee hearings on it or on the bill proposed by Representative WILLIAM M. TUCK, Democrat, of Virginia, and passed by the House.

The House bill, and the Dirksen amendment to the foreign aid bill, raise grave constitutional doubts. As a matter of constitutional right, enforcible in the courts, all citizens are now entitled to have their votes counted on a basis of equality with those of other voters. That constitutional right, as declared by the Court, can be taken away or abridged only by the process of constitutional amendment.

But the Dirksen-Tuck proposals undertake to abrogate it altogether, or substantially to delay its realization, by simple legislative enactment. Beyond the legal subtleties, this is the heart of the matter.

TOO-EASY NULLIFICATION

Both proposals attempt to accomplish this end by withdrawing jurisdiction from the courts. This device is one of the oldest tools of tyrants. If successful here, it would mean the end of the American constitutional system of judicial review and therefore of the American Constitution.

It would make it irresistibly easy for a transitory and inflamed majority of Congress to remove one category of cases after another from the reach of the courts. The history of the Constitution makes it only too obvious how often public opinion becomes aroused against the Supreme Court for a short time and how dangerous such an easy procedure of nullification would be.

The House bill provides that the Supreme Court "shall not have the right to review the action of a Federal court or a State court" in any matter relating to the apportionment of a State legislature and that the Federal district courts shall not have jurisdiction "to entertain" a complaint on apportionment. It thereby would make impossible, at any time, the enforcement in the Federal courts of the constitutional right to equal voting power.

If Congress has the authority to do this, it has the power to prevent the Federal courts from entertaining suits to enforce other constitutional rights, including the rights to freedom of religion, to equal protection of the law and to trial by jury. It would, in short, have the power for all practical purposes to wipe out the Bill of Rights and all other constitutional guarantees by simple statute.

The Dirksen proposal does not, on its face, go so far. It would require the Federal courts, except in "highly unusual circumstances," to stay all reapportionment proceedings until January 1, 1966. But the implications are the same.

The National Legislature has no more constitutional power to suspend the enforcement of constitutional rights than it does to prescribe legislative punishment. Clearly, it could no withdraw the constitutional right to counsel until after conviction, or suspend the right to freedom of speech and assembly until after a particularly close election.

Nor is there any analogy between the Dirksen proposal and the court decrees in school desegregation cases allowing school boards time to make adjustments. In such cases, the postponement of the constitutional right is to accommodate administrative necessity and is geared to the specific needs of each case.

The Dirksen proposal is a blanket suspension, not related to the needs of a particular case. Its objective is to gain time for the passage of a constitutional amendment. Its analog would be a moratorium on all court proceedings to enforce the 14th amendment until an effort could be made to repeal it.

A PARAMOUNT POWER

The asserted justification for the Dirksen-Tuck proposals rests on article III of the Constitution. That article provides that the Supreme Court shall have appellate jurisdiction "with such exceptions, and under such regulations, as the Congress shall make"; and it authorizes Congress to "establish" inferior courts.

These provisions raise a familiar problem in construction. Like other documents, the Constitution must be read in context, and as a whole, not abstractly or in fragments. It must be read, too, as a Constitution, in the light of its abiding purpose and the changing circumstances of a nation's history.

The sentences on which both plans rely are subordinate to the basic affirmation grant of power in the first sentences of both sections 1 and 2 of the third article: that "the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts" as Congress may establish; and that this judicial power "shall extend to all cases, in law or equity, arising under this Constitution," under the laws and treaties of the United States and in certain other categories of cases of national interest.

It is hard to see why the provisions about the powers of Congress to regulate the appellate jurisdiction of the Supreme Court should be interpreted to swallow up the whole of the judicial power declared with such sweep in the third article read as an entirety. The apparent generality of the proviso about appellate jurisdiction is hardly absolute. The proviso must be carefully weighed in relation to other grants of power and to the purposes and provisions of the Constitution as a whole.

In that perspective, what emerges as central for present purposes is the provision that the judicial power extends to all cases arising under the Constitution. This sentence, and the whole thrust of our constitutional history, indicate that Congress cannot remove one disfavored category of constitutional claim from the reach of the courts; that one of the main reasons for having an independent Federal judiciary was to uphold the Constitution in all cases where its construction is necessary to the decision of a case. Without that rule, Congress would soon conquer the Supreme Court.

SOME POWERS CONCEDED

The extent to which the Federal judicial power can be limited through the exercise of Congress' authority to make "exemptions" to the Supreme Court appellate jurisdiction, or its power to "establish" lower Federal courts, has never been clearly mapped.

Undoubtedly, such authority permits Congress, for example, to restrict jurisdiction over certain types of cases to particular courts. Or Congress could withdraw jurisdiction to enter orders on matters not involving constitutional rights. Or it could preclude the Federal courts from granting one remedy if another form of relief were available.

But the exception clause, and the power to establish lower Federal courts, cannot be used to abrogate all judicial power to protect any one basic constitutional right.

The case of *Ex Parte McCardle*, upon which great emphasis has been placed by proponents of the Dirksen proposal, does not support this radical departure from constitutional tradition. In that case, which arose during Reconstruction, McCardle was held for military trial by the Union general at Vicksburg, who objected to the critical views expressed by McCardle in his newspaper.

McCardle's application for habeas corpus in the circuit court was denied. He then appealed to the Supreme Court, but in 1868, while his appeal was pending, Congress passed an act withdrawing jurisdiction from the Supreme Court to hear appeals from circuit courts in habeas corpus cases. The Supreme Court upheld the law and dismissed McCardle's appeal.

The McCardle case has been widely misinterpreted as standing for the proposition that Congress has unlimited power to withdraw jurisdiction from the Federal courts in all cases involving constitutional rights. It does no such thing. Actually, McCardle's original right to appeal to the Supreme Court from the circuit court ruling was based on a statute passed by Congress in the year before he filed his appeal; before that, no such right of appeal existed.

More significant, the 1868 law withdrawing appellate jurisdiction did not prohibit all habeas corpus proceedings; such suits could still be brought in the circuit courts. And, most important of all, the 1868 law did not prevent another method of reviewing decisions of the circuit courts in habeas corpus cases: such review could be obtained by filing a habeas corpus proceeding directly in the Supreme Court itself.

Thus the McCardle law withdrew jurisdiction only as to one particular mode of relief, leaving another effective method still available.

The language of the Court's opinion in the McCardle case is indeed broad, but the question decided was much narrower. The dictum of the Court is of little authority today. Rendered in the period of turmoil following the Civil War, the opinion hardly conforms to the main lines of constitutional development over the last century. It is significant that no similar effort to curb the Supreme Court's jurisdiction over constitutional issues has been made between that time and the present day.

We thus conclude that the Dirksen-Tuck proposals are wrong in principle, wrong as constitutional law, and wrong as a procedure for considering changes in constitutional law. So grave a matter should not be pressed so hastily.

The House bill was unceremoniously wrenched from the Judiciary Committee. No opportunity for open discussion, or for proper expression of public opinion, has been afforded.

It is said that the Dirksen-Tuck measures are necessary in order to maintain the status quo until a constitutional amendment can be adopted. But this is scarcely a reason for abandoning constitutional principles or acting in panic. The issue will be much more fairly tested if normal procedures are allowed to develop public opinion on the basis of full debate. Nothing will be done by the courts now that cannot be undone later by constitutional amendment.

On the other hand, as Senator ABRAHAM RIBICOFF, Democrat, of Connecticut, has observed, it is hardly just "to have the rotten boroughs decide whether they should continue to be rotten." And Old Sarum was the rottenest borough of them all.

Ultimately, then, the issue raised by the congressional fight over reapportionment is whether the institution of judicial review is to be cast aside. There may be some who would welcome that eventuality, but we are confident that that view is shared by only a small sect.

Public opinion has resisted, and overcome, many modern attacks on the authority of the courts, from President Roosevelt's court-packing plan to the Jenner proposals of a few years ago. Every segment of the Nation gets angry at the Supreme Court occasionally. But our people know that the Court has served them well and that without it the Constitution would vanish, leaving "not a rack behind."

RECESS

Mr. PROXMIRE. Mr. President, if there is no further business to be transacted, I move that the Senate stand in recess, in accordance with the order previously entered, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 56 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, September 2, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 1, 1964:

U.S. MARSHAL

James F. Delaney, of Pennsylvania, to be U.S. marshal for the eastern district of Pennsylvania for the term of 4 years, vice James V. Ryan, resigned.

NATIONAL LIBRARY OF MEDICINE

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms expiring August 3, 1968:

Dr. Walsh McDermott, of New York.
Dr. Morris Tager, of Georgia.
Dr. Barnes Woodhall, of North Carolina.

IN THE ARMY

Maj. Gen. George H. Walker, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved 28 June 1879 (21 Stat. 37) (33 U.S.C. 642), vice Brig. Gen. Carroll H. Dunn, reassigned.

IN THE NAVY

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the line, subject to qualification therefor as provided by law:

Adams, Paul A.
Adams, Will M., Jr.
Adrianse, Homer R.
Ajemian, Baret V.
Alden, Franklin H.
Alderton, Dickson W.
Aldrich, James H.
Alexander, Richard G.
Alldredge, Walter W.
Allen, Raymond W.
Anania, Vincent J.
Anglemyer, Robert E.
Anson, Henry O., Jr.
Ansorge, Albert C., Jr.
Atkinson, Wilton L.
Axene, Dean L.
Ayers, Arnold W.
Bach, Sverre O.
Bagby, Henry L.
Baker, Lawrence H., Jr.
Baldwin, Robert B.
Barbour, Henry S.
Barker, Arthur, Jr.
Barker, Jesse T.
Barkley, Paul H.
Barnes, Willis C.
Barnhart, Robt. C., Jr.
Barrett, Ernest R.
Bascom, Wade R.
Batten, Hugh N.
Baumgaertel, Lawrence F.
Beatle, Ralph H.
Beierl, Peter G.
Bergen, Franklin S.
Berkstresser, Charles G.
Berree, Norman R.
Berry, Benjamin H.
Berry, Fred T.
Blair, Carvel H.
Blalack, Russell E.
Bohan, Norman C.
Boldt, Charles H., Jr.
Bonds, Joseph E.
Boudinot, Edgar J., Jr.
Boutwell, Emmett B.
Bowen, Charles H., Jr.
Bradford, Charles R.
Bradley, James F., Jr.
Bratten, Toria J., Jr.
Brown, Laverne W., Jr.
Bryan, Clarence R.
Bucknell, Howard, III
Burnham, Fletcher H.
Callaway, Steven W., Jr.
Capozzalo, Daniel S.
Carrier, William, Jr.
Carrell, Charles H.
Carter, Harry E.
Cassanni, Vincent L., Jr.
Cauble, Lawrence M.
Chaires, William F.
Chambliss, Joe M.
Chandler, Alfred W., Jr.
Chapman, William C.
Chappell, John R.
Cheuvreat, Harlan R.
Christoffarson, Edward A., Jr.
Clack, Bryce L.
Clapp, Atloe F.
Clark, Richard M.
Clements, Daniel C.
Clifford, Frank F., Jr.
Clift, Frank W., III
Cochrane, Edward L., Jr.
Cockrill, James T.
Coe, Carl W.
Cogswell, George W.
Cole, Ben N.
Coleman, Joseph L.
Coleman, William J.
Collier, James R.
Constance, Walter E.
Cooke, Emmett M., Jr.
Cooley, Samuel M, Jr.
Cooper, Parker C.
Coulthard, Robert O.
Cousins, John E.
Creammer, John J.
Crosby, Derrill P.
Cunningham, Patrick F.
Davenport, John A.
Davidson, Edward A.
Davidson, Paul D.
Davis, Richard M.
Dedrick, Walter
Delaney, Charles E.
Delany, Walter S., Jr.
Delgado, Robert
Demaler, Charles F.
Derr, Phaon B., Jr.
Desel, Robert F. P.
Dewing, Lawrence A.
Dietzen, Walter N., Jr.
Dittler, Harry C., Jr.
Doak, Joseph J., Jr.
Donavan, Robert D.
Dooge, "B" R., Jr.
Doolin, Edward H., Jr.
Dorchester, Chester H.
Douglass, Dee W.
Dusek, Charles C.
Dwyer, Thomas L.
Dzikowski, Richard J.
Eason, William R.
Eaton, John D.
Ecker, William B.
Edge, Donald B.
Ellis, George F., Jr.
Ely, Charles S., Jr.
Emig, Alvin F.
English, Addison R.
Esmiol, Morris A., Jr.
Evans, Simpson, Jr.
Even, Glen M.
Everson, John K.
Ewing, Robert H.
Faddis, James M.
Fairbanks, John W.
Farmer, Roy E.
Farrell, Ted L.
Faulk, Joseph R.
Fay, Richard C.
Feaster, Joseph E.
Feely, William F.
Fick, Theodore R.
Fitton, Cyrus F.
Fitzwater, Harry E., Jr.
Flory, Edwin B.
Folsom, Riley T.
Forbes, Bernard B., Jr.
Ford, John E.
Forsberg, Francis C.
Fowler, Richard E., Jr.
Frame, Ralph W., Jr.
Franz, Edward D.
Furnas, Wendell J.
Gaiennie, George W.
Gallatin, Robert E.
Gallemore, James G.
Gambrill, Nelson J.
Garbow, Bernard L.
Geiger, Anson D.
Gillcrist, John A.
Gillespie, Donald R.
Gillooly, John F.
Godfrey, Earl F.
Gohr, Robert B.
Gore, Frederick S.
Gorsline, Samuel G., Jr.
Graham, Frank W.
Greene, William M. A.
Greenwell, Martin D.
Griffin, Mitchell C.
Gronemann, Carl W., Jr.
Groves, Albert R.
Hafner, David T.
Hale, Robert R.
Hamilton, Charles B., Jr.
Hammett, Wayne, E.
Hanecak, Richard G.
Hannifin, Patrick J.
Hansen, Jens B.
Harper, Wyatt E., Jr.
Harris, David D.
Harris, Richard A.
Hart, "J" V.
Hartung, William C.
Harward, Robert S.
Hastings, Edward E., II
Hayes, Robert S.
Hayler, William B.
Heg, James E.
Heiler, Frederick J.
Henderson, James C.
Henson, Josiah
Herman, John S.
Herrick, Harvey S.
Hertzig, Richard D.
Hill, Russell S.
Hills, Stetson P.
Hilson, Ralph A.
Hogsed, Robert A.
Holley, Horace C.
Homyak, James A.
Hoover, William H.
Hopwood, Gordon R.
Huestis, Gerald S.
Hunter, Clifford E.
Hurd, Ernest L., Jr.
Hussey, Patrick F.
Huxford, Richard W.
Iglesias, Edward
Ingram, James D.
Inman, Bryce D.
Irvin, Leroy E.
Jackson, Mercer L., Jr.
Jackson, Ralph F.
Jacques, Donald J.
Jay, Darrel H.
Jester, Richard H.
Jester, Walter H.
Johnson, Clarence R.
Johnson, David A.
Johnson, Gerald M.
Johnson, John R.
Johnson, Theodore L.
Johnson, William R.
Johnston, Philip D., Jr.
Johnston, Roy S.
Jones, George B.

Jortberg, Richard E.
Juarez, Robert
Julian, Alexander, Jr.
Kalina, John F.
Kalstad, Henry M.
Kane, John C., Jr.
Kasten, Robert I.
Kaye, Jack G.
Keevil, Arthur K.
Kelley, Edward G.
Kelley, Frederick J.
Kerr, Alex A.
King, Evans P. K.
King, James P.
Kirk, Robert
Kistler, William C.
Knoeckel, Richard C., Jr.
Knott, Zebulon V., Jr.
Knudson, Irving H., Jr.
Koch, Robert A.
Kodis, Anthony J.
Koen, George
Koon, Jackson L.
Koressel, William J.
Kruger, Ira K.
Kunberger, George A.
Lacava, John, Jr.
Lake, Julian S.
Lake, Kenneth B.
Lamar, Burris D.
Lamartin, Frederick H., Jr.
Lampman, Lester B.
Lawrence, Edward J.
Lebourgeois, Julien J.
Lee, Clyde J.
Legare, Rupert W., Jr.
Leslie, John K.
Lipfert, Ralph G.
Little, Charles E.
Longfield, John N.
Loveday, John C.
Lowman, Robert W.
Lundy, Robert T.
Lupia, Archy L.
Lyons, John T.
Lyons, Robert F.
Lyons, Thomas W.
Mackey, Clarence E.
MacKnight, Harding C.
Manherz, Jack M.
Marr, Robert I.
Masek, William, Jr.
Matheson, James C.
Matthews, Herbert S., Jr.
Mattus, Ralph J.
Maynard, Vincent D., Jr.
McCool, Richard M., Jr.
McCord, Stanley R.
McGhee, James H.
McLaughlin, William H., Jr.
Merrick, Robert H., Jr.
Merrill, Ralph F.
Midgett, Joe L.
Millar, Robert W.
Miller, David
Miller, Jack N.
Miller, William W. K. Jr.
Mitchell, Cleo N., Jr.
Mitchell, George A.
Mix, Leroy R.
Moffit, Lloyd W.
Monahan, Alfred E.
Montgomery, James W.
Moore, Charles K.
Moore, Horace N., Jr.
Moore, Richard S.
Moorer, Joe P.
Moreland, Milton B.
Morris, Lester
Morris, Robert E.
Motley, Arthur W., Jr.
Moul, Cornelius F.
Munson, Arthur H.
Murphree, Hugh D.
Murray, William B., Jr
Nance, James W.
Napier, Edward D.
Nearman, Leonard M.
Nelson, Wayne S.
Norman, Robert J.
Nuschke, Paul L.
O'Connor, Harry N.
Olsen, Alfred R., Jr.
O'Neil, Warren H.
O'Neill, John W.
O'Rourke, Gerald G.
O'Rourke, Vincent P.
O'Shea, George A., Jr.
Osterholm, Robert E.
Overall, Sidney R., Jr.
Padbury, Harry R.
Padgett, John B., Jr.
Parramore, Douglas G.
Pattillo, William H.
Pennington, Jack H.
Pepple, Donald J.
Perkins, "J" "W", Jr.
Peters, John V.
Petersen, Chester L.
Petersen, Forrest S.
Pierre, Emile E., Jr.
Pitcher, William A.
Poe, Donald T.
Polk, Thomas H.
Poorman, Herbert R.
Porter, James W., Jr.
Potter, John R.
Pressler, William J., Jr.
Priest, Charles, Jr.
Proctor, Erman O.
Prothro, Randell H.
Purkrabek, Paul V.
Quinn, Thomas D.
Rath, Elmer R.
Rawlings, Frank T., Jr.
Rawls, Julian E.
Rich, Clarence E.
Richey, Maurice H.
Ricks, Robert
Riley, Horace, Jr.
Riley, John F.
Rippey, William H.
Robb, Earl J.
Roberts, John W.
Roberts, Owen A.
Robinson, Frederick G.
Robinson, Rembrandt C.
Roth, Jerome S.
Roth, Paul
Rothermel, James L.
Rumble, Richard E.
Rush, Max R.
Rush, Philip J.
Rusk, Stephen L.
Rymal, George R.
Sackett, Albert M.
Saroch, Emil, Jr.
Saunders, David M.
Scholz, Walter E.
Schulz, Quinley R.
Schwartz, Walter W., Jr.
Searles, Philip N.
Seiberlich, Carl J.
Serrell, Andrew
Sette, Lyle H.
Shaw, William H.
Shelton, Doniphen B.
Shepard, Alan B., Jr.
Silliman, Henderson G.
Silverthorne, Frederick W.
Simcox, William A.
Sims, Coleman W.
Skon, Warren A.
Slaff, Allan P.
Slifer, Allen W.
Smith, Barclay W.
Smith, Bruce B.
Smith, Lawrence N.
Smith, Lewis O.
Smith, Nicholas J., III
Smith, Russell L.
Smyth, Robert P.
Snowden, Harold F.
Snyder, Joseph E., Jr.
Snyder, Joseph M., Jr.
Sparger, John
Sparks, Samuel A.
Spell, Billie C.
Spenser, Ray A.
Sperberg, Franklynn R.
Stafford, Carlos B.
Stansell, Herman J., Jr.
Stanton, Robert F.
Steele, George P., II
Steele, Robert D.
Steinbeck, Albert A.
Stephens, Franklin T.
Stewart, Clifford L.
Stewart, Marlar E.
Stewart, William S., III
Stinemates, Daniel H.
Stribling, John W., Jr.
Strong, William W.
Sulick, Tom E.
Sullivan, Patrick L.
Swallow, Chandler E., Jr.
Swinburne, Harry W., Jr.
Tanner, Carl B., Jr.
Tarleton, George L.
Taylor, Arnett B.
Taylor, Thaddeus M.
Taylor, Warren
Taylor, William D.
Thatcher, Roland C., Jr.
Tremaine, Mark G.
Turner, William W.
Tyler, Claude L.
Ursettie, Howard J.
Utegaard, Thomas F.
Van Orden, Merton D.
Vaughan, Vie J.
Wacker, William J.
Wade, Kenneth W.
Wagner, Theodore A., Jr.
Ward, Lyttleton T.
Ward, Marshall D.
Watkins, George C.
Watson, Fred C.
Watson, Robert H., Jr.
White, Edward C.
White, Willett E.
Whitlock, Duane L.
Wiemer, Leo G. D. Jr.
Wilder, Lawrence A.
Wilder, Tracey H. Jr.
Williams, Harlan D.
Williams, Joe, Jr.
Wilson, Dick G.
Wilson, Ernest E.
Wise, John P.
Working, John D.
Worley, Carson E.
Yeagle, Carl H.
York, Daniel A.
Youman, Harold R., Jr.
Zech, Lando W., Jr.
Zimdars, Ray W. R.

EXTENSIONS OF REMARKS

Supreme Court Dictatorship

EXTENSION OF REMARKS
OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 1, 1964

Mr. THURMOND. Mr. President, I am pleased to call to the attention of my colleagues a very eloquent and outstanding address which was delivered by the distinguished Representative from the Third District of South Carolina, the Honorable WILLIAM JENNINGS BRYAN DORN, in Atlanta on August 15, 1964. The address was delivered by Representative DORN to the Order of the Stars and Bars and the Sons of Confederate Veterans, at their annual convention in Atlanta.

Representative DORN was introduced by the commander in chief of the convention, State Representative John A. May, of Aiken, S.C. Representative May is a respected and able member of the State legislature. He represents my home county in the South Carolina House of Representatives.

Mr. President, I find myself in full agreement with the comments made in the address, entitled "Supreme Court Dictatorship." I commend the address to all my colleagues in Congress, and therefore ask unanimous consent that excerpts from the address be printed in the CONGRESSIONAL RECORD, so they will be available for all Members of Congress to read and study.

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

SUPREME COURT DICTATORSHIP

(Excerpts from address by Representative WILLIAM JENNINGS BRYAN DORN before Order of the Stars and Bars and Sons of Confederate Veterans in annual convention at Riviera Motor Hotel, Atlanta, Ga., Commander in Chief John A. May, Aiken, S.C., presiding)

It is good to visit the hospitable, progressive, and friendly city of Atlanta. It is a pleasure always to be a guest in the congressional district of my warm personal friend, the Honorable CHARLIE WELTNER, and to bring you greetings from your outstanding Georgia delegation to the Congress. I congratulate the people of the great State of Georgia for sharing with the Nation the leadership, wisdom, and integrity of RICHARD B. RUSSELL and HERMAN E. TALMADGE. I supported RICHARD B. RUSSELL with every ounce of energy when he was a candidate for the Presidency. There is no man in the United States today who would add more strength to the Democratic ticket as Vice President than Senator RUSSELL. I wholeheartedly endorse Senator RUSSELL for Vice President. I am proud and my people are proud that my voting record in the Congress is virtually identical to that of Senator RUSSELL.

NO. 1 POLITICAL ISSUE

The greatest single political issue before the American people this fall will be a rampaging unbridled power-mad Supreme Court. In this country today we no longer enjoy constitutional Government, as written by the Founding Fathers and amended in the manner prescribed by the Constitution. We do not have a government of checks and balances. The legislative powers of Congress have been usurped by the Supreme Court and even the executive branch shoved aside for a virtual Supreme Court dictatorship over the American people.

Yes, it will be a political issue and the degree of assurance given the American people this fall by the two parties could well determine the outcome of the national election this fall.

In the next 4 to 8 years, the President of the United States, whoever he may be, will very likely appoint a Chief Justice and a majority of the Associate Justices of the Supreme Court. The American people are now well aware of this fact. The American people are going to demand of the presidential candidates before the November election that better men be appointed to the Supreme Court. They are going to demand Justices with much experience in the field of legal jurisprudence; men who are dedicated to the private enterprise system; men who are devoted to the Constitution, as written; and who are steeped in the traditions of our great American heritage.

We must bear in mind that the Chief Justice and the Justices of the Supreme Court are appointed by the President of the United States for life. They are not elected by the people. They are not responsible to the peo-