leaving behind—with Mrs. Lomsky's parents, as too young to carry through the hardships that lay ahead—a baby daughter named "Radmila." The Lomskys at length found their way here and became American citizens. In the years since, they have endeavored to get their daughter, now 17, released to join them. They had about given up hope when a friend persuaded them to see me.

The State Department could promise little, aside from offering to admit the girl, if I could get her released. I wrote the Czechoslovakian Ambassador. No answer. I wrote President Novotny. No answer. In the months that followed, I wrote again and again. Same silence.

Then I asked Khruschchev to intercede with his Communist ally. No response from him, either; but several weeks later I received a reply from the new Czechoslovakian Ambassador, Dr. Karel Duda, who said that because of my interest the case would be reopened. No word for another 6 weeks. Then President Kennedy was assassinated. The alleged assassin—though surely acting on his own—had a Communist background and the Communists were concerned over American public opinion. Seeking some small good out of this terrible misfortune, I wrote to the President of Czechoslovakia: "In view of the recent tragedy, releasing Radmila Lomsky might do much to reduce world tension."

A few days later, Dr. Duda phoned his wish to visit my office. I alerted the Lomskys. The Ambassador, a remarkably young-looking man, informed me that the Czech authorities had just called on Radmila to tell her that she could leave.

He then lingered, expressing his admiration for President Kennedy and his many favorable impressions of the United States. When he left I picked up the phone to carry out the pleasantest duty I have had to perform as Congressman. A month later, Radmila came down at Friendship Airport to the arms of her family.

I recently took her to Washington to meet President Johnson and to see the Speaker of the House, JOHN MCCORMACK. Speaker MCCORMACK exclaimed: "What a lovely young lady." And she certainly is—blonde, pretty, well adjusted, she gets high marks at Catonsville High School and was the first person to be awarded a new scholarship for the study of ballet at the Peabody Conservatory in Baltimore.

I shall always treasure the letter I got from her father: "Even though Radmila is now with us and has completely filled our house with gaiety and happiness, my wife and I still find it difficult to believe that our years of heartbreak and anxiety are ended. As one father to another, I offer you my undying gratitude for your humane efforts in rescuing us. Your action in behalf of my family in time of need is especially reassuring to us as new citizens. Where but in America could we have received such personal and persistent attention from a high elected official?"

Cases like this are rewarding, but there are those who deplore this kind of service as keeping a Congressman from his main job of legislation. Indeed, a Congressman could scarcely vote wisely on the thousands of bills introduced each year, even if he spent full time on legislation. With all this busy work, he is good to know the issues on the major bills.

Nevertheless, I have come to appreciate the value of this service work. For one thing, it keeps me close to the people. The hundreds of contacts with people make me a better Representative, for to represent my people I must know what they want.

More important, with the growing size and complexity of Government—the State Department Building alone has 5 miles of corridors—the ordinary person often does not know where to address his prayer for relief.

Here is where the Congressman comes in. He cannot safely close his desk at 5, or seal himself off from the people; for he must go back for reelection every 2 years. And his vote gives him the power needed to get the ear of a too-often indifferent bureaucracy. The Congressman is thus the fellow who humanizes big government. As government continues to grow, the need for the human intervention will unquestionably grow with it. More and more, it is safe to predict, people in need of help will recall the old American saying, "Write your Congressman."

SENATE

THURSDAY, SEPTEMBER 3, 1964

(Legislative day of Tuesday, September 1, 1964)

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

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

Almighty God, Eternal Love: Thou source of all life and light, we would yield our flickering torch to Thee.

Amid the whirlwind of national debate and decision, rocked by the earthquake of today's social dislocations, we bow in this hallowed shrine of our dear-bought liberties to listen for the still, small voice.

We are grateful for the Republic's inspiring witness, that her democratic processes run so deep in her very life that they are undisturbed even by inner lawlessness or outer assaults by those who have not Thee in awe, and that our America still stands, with lamp held aloft, a beacon of freedom for all the earth.

Make our bodies Thy temple, and our hearts Thine altar, where the sacred fire is ever burning.

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

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 2, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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 on September 2, 1964, the President had approved and signed the following acts:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; and

S. 793. An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project.

TRANSACTION OF ROUTINE BUSINESS—LIMITATION ON STATEMENTS

On request by Mr. MANSFIELD, and by unanimous consent, it was ordered that there be a morning hour for the transaction of routine business, with statements therein limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

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

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency; and

Henry DeWolf Smyth, of New Jersey, Frank K. Hefner, of Virginia, John Gorham Palfrey, of New York, James T. Ramey, of Illinois, and Gerald F. Tape, of Maryland, to be alternate representatives of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

EXECUTIVE REPORTS OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON. Mr. President, I send to the desk the nominations of 102 postmasters reported favorably from the Committee on Post Office and Civil Service. All of them have been approved by both Senators from each of the States concerned.

The ACTING PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar.

Mr. LAUSCHE. Mr. President, when the nomination of Nelson E. Sundermeier for the postmastership of Cleveland, Ohio, was submitted several years ago, I expressed my opposition to the nomination. I did so because I felt that the

background of Mr. Sundermeier indicated a doubt whether he would place the interest of the Government and citizenry first or that of the Postal Workers Union. He was appointed acting postmaster. He has now served, as I recall, for a period of about 3 years. The reports which I have received about him indicate that he has in mind first his responsibility to the citizenry.

I have not spoken with him. I want him to understand that I have approved his appointment, but that I shall watch with the greatest of caution whether he will continue to act in behalf of the public as he has in the last 3 years, or whether he will revert to the business agent responsibilities which he had prior to the appointment.

I, of course, approve of the nomination of Mr. Joseph Scanlon.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the diplomatic and Foreign Service which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

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

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

LEGISLATIVE SESSION

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORTS OF SECRETARIES OF DEFENSE, ARMY, NAVY, AND AIR FORCE

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, reports of the Secretaries of Defense, Army, Navy, and Air Force, for the fiscal year 1963 (with accompanying reports); to the Committee on Armed Services.

REPORT ON REVISED ESTIMATED COST OF CONSTRUCTION AT MCCLELLAN AIR FORCE BASE, CALIF.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on a revised estimated cost of construction for the Air Force Reserve at McClellan Air Force Base, Calif.; to the Committee on Armed Services.

REPORT ON DEPARTMENT OF THE ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Assistant Secretary of the Army, transmitting, pursuant to law, a report on Department of the Army Research and Development contracts awarded during the fiscal year 1964 (with an accompanying report); to the Committee on Armed Services.

REPORT ON PROGRESS OF LIQUIDATION ACTIVITIES OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on the progress of the liquidations activities of the national defense, war and reconversion activities of Reconstruction Finance Corporation, as of June 30, 1964 (with an accompanying report); to the Committee on Banking and Currency.

IMPROVEMENT OF AIDS TO NAVIGATION SERVICES OF THE COAST GUARD

A letter from the Secretary of the Treasury, transmitting, a draft of proposed legislation to improve the aids to navigation services of the Coast Guard (with an accompanying paper); to the Committee on Commerce.

REPORT ON ACTIVITIES UNDER MERCHANT SHIP SALES ACT OF 1946

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration on the activities and transactions under the Merchant Ship Sales Act of 1946, for the quarterly period ended June 30, 1964 (with an accompanying report); to the Committee on Commerce.

REPORT ON GIFTS AND BEQUESTS RECEIVED AND ACCEPTED BY THE UNITED STATES NATIONAL COMMISSION FOR THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

A letter from the Secretary of State, transmitting, pursuant to law, a report on gifts and bequests received and accepted by the United States National Commission for the United Nations Educational, Scientific, and Cultural Organization, for the fiscal year 1964 (with an accompanying report); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unreasonable charges to government cost-type contracts for depreciation on buildings acquired from the government at no cost by Stanford Research Institute, Menlo Park, Calif., Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on uneconomical practices in management and utilization of government quarters at U.S. Naval Air Station, Barber's Point, Oahu, Hawaii, Department of the Navy, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on improper disposal of needed brake lining kits, Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on weaknesses in the administration of the program for direct distribtution of Federal surplus commodities in St. Louis County, Mo., Agricultural Marketing Service, Department of Agriculture, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on improper retention of dollar collections on loans made by Corporate Development Loan Fund, Agency for International Development, Department of State, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

REPORT ON DEFERMENT OF CONSTRUCTION PAYMENTS DUE FROM THE EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1, RIO GRANDE PROJECT, NEW MEXICO-TEXAS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on his determinations relating to deferment of the March 1 and September 1, 1965, construction payments due the United States from the El Paso County Water Improvement District No. 1, Rio Grande project, New Mexico-Texas; to the Committee on Interior and Insular Affairs.

REPORT ON PARTIAL DEFERMENT OF INSTALLMENTS PAYABLE BY THE VERMEJO CONSERVANCY DISTRICT, NEW MEXICO

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on his determinations relating to partial deferment of the scheduled 1966, 1967, and 1968 installments payable by the Vermejo Conservancy District toward repayment of the reimbursable cost of the Vermejo project, New Mexico; to the Committee on Interior and Insular Affairs.

REPORT ON TORT CLAIMS PAID BY ATOMIC ENERGY COMMISSION

A letter from the General Manager, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Commission, for the period July 1, 1963, to June 30, 1964 (with an accompanying report); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

INTERIM REPORT ON INVESTIGATION OF ALLEGED SOLICITATION OF CAREER EMPLOYEES BY EITHER POLITICAL PARTY

A letter from the Deputy Attorney General, reporting, pursuant to Senate Resolution 332, of June 24, 1964, on an investigation of the alleged solicitation of career employees by either political party to purchase tickets to political fundraising dinners; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Foreign Relations:

"HOUSE CONCURRENT RESOLUTION 2

"Whereas ever changing world events have thrust world leadership upon the United States of America with the solemn responsibility of fostering brotherhood and humanity and maintaining world peace; and

"Whereas the United States has encountered threats to world peace in this cold war and has repeatedly demonstrated its diligence of its task with firmness measured with understanding for peace; and

"Whereas the United States again faces a challenge in the aggression by terror against South Vietnam followed by hostile action against U.S. ships on the high seas

in the Gulf of Tonkin by the forces of North Vietnam; and

"Whereas Lyndon B. Johnson, President of the United States, and Commander in Chief of the Nation's Armed Forces, has ordered military forces of the United States to repel any armed attack upon the forces of the United States and to prevent further aggression; and

"Whereas the Congress of the United States by the Southeast Asia Resolution (S.J. Res. 189; H.J. Res. 1145) has authorized the President to take all necessary steps, including the use of armed force to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom: Now, therefore, be it

"Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, First Special Session of 1964 (the Senate concurring), That this legislature and the people of the State of Hawaii support the Congress of the United States and President Lyndon B. Johnson, President of the United States, in their effort to carry out our Nation's determination to take all necessary measures in support of freedom, and in defense of peace, in southeast Asia; and be it further

"Resolved, That certified copies of this concurrent resolution be transmitted to President Lyndon B. Johnson, President of the United States; Hon. Carl Hayden, President pro tempore of the Senate of the United States; Hon. John W. McCormack, Speaker of the House of Representatives of the United States; Senator Daniel K. Inouye; Senator Hiram L. Fong; Representative Thomas P. Gill, and Representative Spark M. Matsunaga.

"Adopted by the House of Representatives of the State of Hawaii August 24, 1964.

"ELMER F. CRAVALHO,
"Speaker, House of Representatives.
"SHIGETO KANEMOTO,
"Clerk, House of Representatives.

"Adopted by the Senate of the State of Hawaii August 18, 1964.

"NELSON K. DOI,
"President of the Senate.
"SEICHI HIRAI,
"Clerk of the Senate."

The petition of Travis L. Brooks, of the Headquarters and Maintenance Squadron 16, Marine Aircraft Group 16, 1st Marine Aircraft Wing, Aircraft, FMF, Pacific, in care of the Fleet Post Office, San Francisco, Calif., praying for a redress of grievances; to the Committee on Armed Services.

The petition of Quirico Del Mar, of the city of Cebu, the Philippine Islands, relating to benefits received by Filipino veterans of World War II; to the Committee on Finance.

The petition of Mr. Pak, Yong Ji, of Taegu, Korea, praying for a redress of grievances; to the Committee on the Judiciary.

The memorial of Henry Stoner, of New York, N.Y., remonstrating against the enactment of the so-called Tuck bill, relating to reapportionment of State legislatures; ordered to lie on the table.

FAA FLIGHT STATION AT THE WATERTOWN, N.Y., MUNICIPAL AIRPORT—RESOLUTION AND PETITION

Mr. KEATING. Mr. President, I present, for appropriate reference, a resolution adopted by the board of supervisors of Jefferson County, N.Y., and a petition of the Greater Watertown, N.Y., Chamber of Commerce, protesting the proposals of the Federal Aviation Agency to reduce or eliminate the personnel manning the FAA flight service station at the Watertown Municipal Airport in the near future.

I have already received a similar protest from the city of Watertown itself, and have asked the Administrator of the Federal Aviation Agency for a full report on the safety ramifications of the plan to "remote" the flight service station in this community. In addition, just yesterday I called this matter to the attention of the New York steering committee, representing the entire New York congressional delegation, and it was agreed that the steering committee, too, would take this up with the FAA.

The Watertown Airport is only one of four community airports in New York State which have been slated for consolidation and remotion into flight service stations elsewhere. As a result of yesterday's discussions by the New York steering committee, that committee will look into the total impact of closing these four stations upon the industrial and business complex of our State and upon the all-important factor of safety in the skies.

I ask unanimous consent, Mr. President, that the resolution and petition referred to be printed at this point in the RECORD.

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

RESOLUTION 142

Resolution requesting retention of FAA flight service station at the Watertown Municipal Airport

Whereas the FAA flight service station at the Watertown Municipal Airport has been a vital and growing service to the people since 1945 and contributes to the air travel safety of both Northeastern United States and lower Canada; and

Whereas it is an important safety factor in connection with military flights in this region including Air Force jet bombing practice runs on a 24-hour basis, 5 days a week; and

Whereas the unusual weather pattern off the east end of Lake Ontario precludes any safe flight operation at Watertown without experts in the field actually on the ground at all times, which service on occasions in the past has saved planes and lives when pilots have been lost or in trouble in vicinity of the airport; and

Whereas international flights and transient flights would be placed under severe handicap without the present full-time service and loss of this vital service would inevitably lead to depreciated use of this airport and a decline could adversely affect the economy of the entire region; and

Whereas this Watertown, N.Y., municipal airport is the largest in northern New York, is an international port of entry and handles more passengers and freight than any other similar installation in northern New York: Be it

Resolved, That this board of supervisors appeal to the Federal Aeronautic Administration and to its representatives and friends in the Congress of the United States and to the White House to use every possible effort to prevent implementation of any plan which would tend to eliminate this necessary and valuable service now provided by the Federal Aeronautics Administration's flight station, and be it further

Resolved, That the clerk of the board of supervisors be directed to mail copies of this resolution to the President of the United States, Lyndon B. Johnson, Senators Kenneth B. Keating and Jacob K. Javits, and Representative Clarence E. Kilburn.

Attest:

F. C. HAMLIN,
Clerk, Board of Supervisors,
Jefferson County.

PETITION OF THE GREATER WATERTOWN, N.Y., CHAMBER OF COMMERCE TO THE FEDERAL AVIATION AGENCY, WASHINGTON, D.C., SEPTEMBER 1, 1964

The Greater Watertown Chamber of Commerce board of directors, acting upon recommendation of its transportation committee, hereby petitions the Federal Aviation Agency (in connection with the proposal, suggested for inclusion in the 1965 Federal budget), against carrying out any plan to directly, or indirectly, tend to lessen public confidence in air travel safety engendered since 1945 through installation in the Watertown Municipal Airport of the FAA flight service station.

The chamber, as your petitioner, as hereinafter referred to, is composed of a cross-section of people using air service and representing the civic and economic leaders of the community.

The chamber appeals to the FAA and to its representatives and friends in the Congress and the White House, to use every possible effort to prevent implementation of any plan which would tend to create any adverse consciousness affecting today's high degree of confidence in the ability of said FAA flight stations to make the airways safer for public use, commercially and privately.

The chamber submits for your consideration the following facts:

1. The FAA flight service station at the Watertown, N.Y., Municipal Airport has been a vital and growing service to the people since 1945.

2. Said FAA station contributes to the air travel safety of both Northeastern United States and lower Canada.

3. It is an important safety factor in connection with military flights in this region, including Air Force jet bombing practice runs on a 24-hour basis, 5 days a week.

4. On occasion, communicators of the Watertown, N.Y., station have saved planes and lives when pilots have been lost or in trouble in the vicinity of the airport. As a matter of fact, we have never had a serious accident at our airport, since 1945, and we attribute this, in no small part, to our having a full-time FAA flight service.

5. International flights and transient flyers would be placed under severe handicap without the present full-time service.

6. An unusual weather pattern off the east end of Lake Ontario precludes any safe flight operation at Watertown without experts in the field actually on the ground at all times. For example, the Watertown area averages in excess of 100 inches of snow per year.

7. Inevitably, loss of a vital service leads to depreciated use of an airport like Watertown's and a decline could adversely affect the economy of the entire region.

8. The city of Watertown originally contracted with the Federal Government guaranteeing to operate and maintain the port built largely with Government funds as an open airport. The contract would imply through "open airport" insistence that all necessary flight safety measures must be an integral part of the operation.

The chamber heartily commends the FAA for its achievements in the field of air flight safety and urges that instead of attempts toward economizing through automation and semi-automation, the Congress be induced to spend more money for integrating greater safety factors to further inspire the public confidence in public travel's fastest growing concept—aviation.

The chamber applauds the FAA's continuing good work and takes this petition to encourage continued expansion of the vital operation of flight stations throughout the United States, including Watertown.

The Watertown, N.Y., Municipal Airport is the largest in northern New York. It is well-served by Mohawk Airlines, Inc., is an international port of entry and handles more passengers and freight than any other similar installation in northern New York. At various times of the year, it is used without charge by the military, in connection with training programs at Camp Drum, 7 miles away.

The airport has all the basic features, including an excellent FAA flight station. It is a vital link in the daily weather map for airlines and private pilots on an international basis. In an expanding economy in northern New York, the future of expanded airport operations at Watertown seems bright, just so long as its essential factors, principally the FAA flight service station is continued and expanded as the need arises.

In conclusion, your petitioner prays that the present status of the FAA flight service at Watertown, N.Y., remains as is, so that it can continue to provide a much needed service to our area.

This petition is submitted this first day of September 1964 with the prayer that it receives full consideration in connection with the future planning of the FAA.

JOHN A. HELM, *President.*
F. RUFF, *Manager.*
WILLIAM A. BALLANTYNE,
Chairman, Transportation Committee.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

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

H.R. 12259. An act to amend the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Government of Cuba (Rept. No. 1521).

BILLS INTRODUCED

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

By Mr. DODD:

S. 3172. A bill for the relief of Nora Isabella Samuelli; to the Committee on the Judiciary.

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

NORA ISABELLA SAMUELLI

Mr. DODD. Mr. President, I introduce for appropriate reference, a bill for the relief of Miss Nora Isabella Samuelli. Miss Samuelli, a former Rumanian national, was sentenced to prison as an American spy by the Rumanian Communists in 1949 and she served 12 years of her term under the greatest hardship. The bill for her relief is motivated by the belief that Miss Samuelli, by her loyalty to the United States and by her long suffering in prison, richly merits the special consideration which the measure calls for.

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

The bill (S. 3172) for the relief of Nora Isabella Samuelli, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on the Judiciary.

DESIGNATION OF CERTAIN VETERANS' ADMINISTRATION FACILITIES—AMENDMENT (AMENDMENT NO. 1263)

Mr. LAUSCHE submitted an amendment, intended to be proposed by him, to the bill (H.R. 11461) to provide for the designation of certain Veterans' Administration facilities, which was referred to the Committee on Labor and Public Welfare, and ordered to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 3, 1964, he presented to the President of the United States the following enrolled bills:

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;

S. 1909. An act to amend the joint resolution establishing the Battle of New Orleans Sesquicentennial Celebration Commission to authorize an appropriation to enable the Commission to carry out its functions under such joint resolution; and

S. 2995. An act to amend section 511(b) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

HOW THE POLARIS NUCLEAR SUBMARINE U.S.S. "VON STEUBEN" GOT ITS NAME

Mr. AIKEN. Mr. President, on September 2, 1964, the 27th Polaris nuclear submarine, the U.S.S. *Von Steuben* successfully completed its first sea trials.

I am sure that it will be of interest to all Senators to learn how submarines are named and something about those for whom they are named.

In the case of Von Steuben, the great American hero who contributed so much to our cause during the Revolution, I hold in my hand a description of him, contained in a letter which I have just received from Vice Adm. H. G. Rickover.

I ask unanimous consent to have this letter printed in the RECORD.

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

U.S.S. "VON STEUBEN" (SSBN–632),
Care of Fleet Post Office,
New York, N.Y.

(*At sea, North Atlantic, September 2, 1964.*)

Hon. GEORGE D. AIKEN,
Joint Committee on Atomic Energy.

DEAR SENATOR AIKEN: We have just successfully completed the first sea trials of the U.S.S. *Von Steuben*, our 27th Polaris nuclear submarine. We also have in operation 20 attack-type nuclear submarines, making a total of 47. The *Von Steuben* was built by the Newport News Shipbuilding & Dry Dock Co., of Newport News, Va.

This ship is named for a Prussian-born soldier who served with distinction in the American Revolutionary Army. Frederick William Augustus von Steuben arrived in this country in 1777 and offered his services to Congress as a volunteer without military rank. He was accepted as such, but Congress soon recognized the value of his services and made him inspector general or drillmaster with the rank of major general. Von Steuben served until the end of the war, retiring to Steubenville in the State of New York where he died in 1794, much honored by the Congress and the American people.

He was one of the small band of foreign officers whose memory we honor because they made our cause their own, and this at a time when the odds ran heavily against us. It is difficult to remember today how unequal were the protagonists in that 7-year struggle: 13 loosely allied, often contentious little States pitted against the greatest empire in the world; a pitifully small, ill-equipped and badly supported force of citizen soldiers serving brief terms of duty, facing a substantial body of regular soldiers and professional officers backed by a navy that ruled the seas. Though many Americans were superb guerrilla fighters, neither officers nor men had knowledge and experience in the art of war. As Charles A. Beard wrote, "there was not available a single Army officer experienced in the stratagems of combat on a large scale, as distinguished from local fighting."

It was by supplying the missing professional knowledge and experience that Von Steuben made his great contribution to the war effort. He himself had been trained in the best military school of the time: Frederick the Great's army, which he entered at age 14, ultimately becoming the King's aide-de-camp. This veteran of many wars was astonishingly successful in applying European military principles and practices to the special needs of Washington's army. Discarding everything not strictly essential to winning battles, he was able to transform highly individualistic part-time volunteers into a disciplined army, and to do this in as many months as it normally took years abroad. Despite his insistence on strict discipline, he was well liked by the soldiers. The secret of his success was that he understood the American psyche and temperament, even though he did not know their language. As he wrote to a fellow Prussian, "the genius of this Nation is not in the least to be compared with that of the Prussians, Austrians, or French. You say to your soldier, 'Do this,' and he doeth it; but I am obliged to say, 'This is the reason why you ought to do that,' and he does it." No higher tribute could have been paid the American revolutionary soldier.

Von Steuben's view of the proper relationship between officers and men was surprisingly modern and democratic. In his instructions to company officers he warned that "a captain cannot be too careful of the company the state has committed to his charge. He must pay the greatest attention to the health of his men, their discipline, arms, accouterments, ammunition, clothes, and necessaries. His first object should be to gain the love of his men by treating them with every possible kindness and humanity, inquiring into their complaints and when well founded, seeing them redressed. He should know every man of his company by name and character."

Just before resigning his commission to Congress, Washington made it his last official act as Commander in Chief of the American armies to write a warm and highly appreciative letter to Von Steuben. As the historian George Bancroft wrote, Von Steuben "served under our flag with implicit fidelity, with indefatigable industry, and a courage that shrank from no danger. His presence was important both in the camp and in the field of battle, from the butts of Valley Forge to Yorktown, and he remained with us until his death."

Respectfully,

H. G. RICKOVER.

ORDER OF BUSINESS

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

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

The Chief Clerk proceeded to call the roll.

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

PRESIDENTIAL ADVISER'S PROPOSAL TO SEND 35,000 DEPRESSED AREA KENTUCKIANS TO CALIFORNIA

Mr. MORTON. Mr. President, one of the most appalling proposals yet advanced as an attack on the depressed economic conditions in Appalachia has been set forth by an influential adviser to the President.

Since I have read nothing to the contrary, I must assume that the remarks of Dr. Stafford Warren, as reported in the Los Angeles Times of Thursday morning, August 20, were correct. Dr. Warren is President Johnson's special adviser on mental retardation.

According to the Times, Dr. Warren proposed that 35,000 eastern Kentuckians be transplanted en masse to California to replace bracero labor. Specifically, he indicated that the entire 35,000 men, women, and children could come from Harlan County, Ky. The newspaper quoted Dr. Warren as calling these people the "beaten" remnants of a former population of 80,000.

Apparently, Dr. Warren is serious, but to me even thinking of such a preposterous idea smacks of the ridiculous. Kentucky's economic problems, as well as those throughout Appalachia, cannot be solved by mass transportation of people to farm labor camps in California. Kentucky's problems will be solved in Kentucky.

Kentuckians' reaction to Dr. Warren's suggestion was contained in an article published in the Louisville Times of August 20, and I ask unanimous consent that it be printed in the RECORD; also an article published in the Los Angeles Times of August 20, and an amusing yet telling editorial published in the Times-Argus, Central City, Ky.

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

[Louisville (Ky.) Times, Aug. 20, 1964]

HARLAN LEADERS JEER RESETTLING PROPOSAL

Harlan County leaders laughed and jeered today at a suggestion by an expert on mental retardation that most of the county's population be moved to California to replace Mexican farm laborers.

"I'll be damned," said former State Senator Nick Johnson, of Harlan. "That's my reaction," he said with a laugh.

"It certainly makes me mad, and I think it's very funny that a man would make a suggestion like that," said Harlan County Judge Acey Cornett.

Dr. Stafford Warren, the expert, made the suggestion to President Johnson, according to the Los Angeles Times. Warren is the President's special adviser on mental retardation.

Warren said that the migration would produce these results:

"Break the stagnant culture pattern in Appalachia, where some families have been on relief for three generations.

"Ease California's labor shortage, created by a curtailment of Mexican farm labor."

Warren apparently made no suggestion about how the Harlan Countians would be induced to move.

"I never heard of anything so ridiculous," Nick Johnson said today. "It appears to me that if we could just be left alone, we could work our own solutions out, rather than be peon laborers." Johnson's term as State senator expired at the beginning of the year.

Harlan County's school superintendent for 30 years, James A. Cawood, suggested that the county's problems aren't much worse than those in urban areas.

"I hear these social workers say that people in Chicago and other urban areas have been on relief several generations," he said. "We may have more unemployment here than other places, but by and large we're average folks."

BREATHITT DISLIKES IDEA

Gov. Edward T. Breathitt said "I just cannot agree with him (Warren)." He said that the recently passed Federal antipoverty legislation would help improve opportunities for depressed areas in the State.

"My efforts are to keep every Kentuckian in Kentucky and to see that they have every opportunity," he added.

Warren, former dean of the medical school at the University of California at Los Angeles, said that cultural deprivation is a principal cause of mental retardation.

He said that the 35,000 residents of Harlan County were the "beaten" remnants of a former population of 80,000, most of whom have left the depressed mining area for other places.

(According to the 1960 census, the county's population was 50,765, a decline of 20,000 from 1950.)

(Nearly 25 percent of the county's adult population is illiterate and 49 percent of its families earn less than $3,000 a year, a 1960 survey showed. The per capita income that year was $1,424 as compared with a figure of $1,573 for the State.)

[From the Los Angeles (Calif.) Times, Aug. 20, 1964]

KENTUCKIAN BRACEROS SUGGESTED—PRESIDENT'S ADVISER WANTS TO MOVE 35,000 INTO STATE

(By Harry Nelson)

President Johnson's special adviser on mental retardation suggested Wednesday that the Federal Government move 35,000 depressed area Kentuckians to California to replace bracero labor.

Dr. Stafford Warren said such a move would not only help solve this State's farm labor problem but, more importantly, would break the stagnant culture pattern in Appalachia where some families have been on relief for three generations.

The physician, who was dean of the UCLA School of Medicine before becoming a White House special assistant in December 1962, pointed out that cultural deprivation is a principal cause of mental retardation.

A large percentage of the Nation's 5.5 million retarded have low IQ's simply because they never had any mental stimulation during the years their brains were developing, Dr. Warren said.

CAUSE OF PROBLEM

Approximately one-third of the nearly 5 million unemployed are mentally retarded, he declared in an interview here.

He described the 35,000 residents of Harlan County, Ky., as the "beaten" remnants of a former population of 80,000, most of whom left the depressed mining area for other places.

Many of the adults can neither read nor write and even youngsters with potential high IQ's will join the ranks of the retarded in such a climate of cultural deprivation, the physician predicted.

But medical and rehabilitation experience indicates that the adults can be trained to do productive labor and the youngsters can be prevented from repeating the cycle of their elders, according to Dr. Warren.

SUGGESTS MOVING

He suggested that entire families be moved to central areas, such as former Army bases, where they would be trained to read, write, and taught trades or skills. One such skill could be farm labor.

Dr. Warren said he has discussed with Secretary of Labor Willard Wirtz and Defense Department officials the relationship between unemployment, depressed areas and mental retardation.

The Defense Department is interested, he said, because it is worried about the large number of young men who are 4F because their IQ is too low.

While the national expenses resulting from mental retardation are unknown, this must run many billions of dollars annually, according to Warren.

He said Los Angeles County General Hospital will be one of five hospitals in the Nation asked to take part in a study this fall to see if better prenatal care reduces mental retardation due to physical brain damage.

Doctors already know that prematurity, a very prevalent condition among low-income families, increases the chance of mental retardation.

In the proposed study, expectant mothers at charity hospitals would receive attention calculated to cut down on prematurity, with a consequent reduction in mental retardation cases.

[From the Central City (Ky.) Times-Argus]

We see in the daily press that California egghead, Dr. Stafford Warren, who is the special adviser to President Johnson on the mentally retarded, has gone into a trance at his California office and come up with a solution to all the problems of one part of the Appalachia region. This is a territory that is greatly worrying Washington this election year.

All the way from California, President Johnson's mentally retarded adviser, has decided that the majority of the 35,000 people of Harlan County, Ky., are mentally retarded. He has decided that he, with the help of Washington bureaucrats, can solve all the problems of these poor backward hillbillies.

President Johnson's mentally retarded adviser has suggested that the Federal Government ship the whole caboodle of nitwits in Harlan County to California. All 35,000 of them. When they get there, he said, even they would be smart enough to replace 35,000 Mexican "wetbacks" doing farm labor in California. Presumably the 35,000 Mexicans would then be freed of their farm chores and could become California educators and additional mentally retarded advisers to the President.

We are amazed at the brilliance of this initial brainstorm by Dr. Warren, who is the mentally retarded adviser to President Johnson. But, we are likewise aghast at his failure to think big, big, and at his rank discrimination against other Kentuckians by making plans for only one Kentucky county.

So, we hereby declare ourselves as allies and cohorts of that noted California egghead, Dr. Stafford Warren, who is the mentally retarded adviser to President Johnson.

Henceforth we are going to devote ourselves to helping him take care of the exodus of additional Kentucky counties.

We have suspected for some time that our old newspaper friends on the Harlan Daily Enterprise have been losing their marbles. And we suspect that Dr. Warren, the mentally retarded adviser to President Johnson, is right in his long-distance diagnosis of the remainder of the Harlan Countians. Probably every blessed one of the 35,000 residents of Harlan County are barely smart enough to replace Mexican farmhands in California if they were transported to the land of milk and honey and given a Californian college education.

But, much as we admire Dr. Warren, the mentally retarded adviser to the President, he does need help. He and the President just don't have enough time to personally take care of all the people of Kentucky.

So, we are going to suggest, even insist, that this mass migration plan also include other Kentucky counties. We will have to give top priority to Prestonburg and Floyd County. Now there's a good mountain county where folks can be just as retarded as Harlan County. Why, they even have Bert Combs who has made a name for himself lecturing to backward subjects at Harvard. Although they aren't necessarily considered capable by Dr. Warren, who is the mentally retarded adviser to the President, of being good farmhands, they could be happy playing cowboys and Indians all day long on the L.B.J. Ranch. In time, perhaps, evolution and life on the Lone Star Prairie would enable these mountaineers to grow both legs the same length.

There must be no discrimination against the West and we must give next priority to our next-door neighbors in Christian County, whom we know to be just as backwards as the next place.

We are making plans with Dr. Warren, President Johnson's mentally retarded advisor, to have Ned Breathitt, who recently went off the deep end on physical fitness, lead his fellow countians afoot all the way to Alabama. There they can make their happy homes in the turpentine forest recreation center owned and operated by none other than Ladybird. Now that Ladybird has retired all her tenants to palatial homes there is a big opportunity and need for some good Christian Countians in her Alabama fiefdom.

This is as far as we have gotten at press time on the master plan for the mass exodus of the population of Kentucky. However, we are momentarily expecting a vision and a revelation on how to part the waters of Kentucky Lake. As soon as this comes through we will announce our plan for moving the people of Paducah and McCracken County. This will have to be a big move, however, as those characters have been way, way out ever since Alben Barkley first put them into orbit at Government expense.

All this is not to say that we do not have plans for all the other counties and people of Kentucky. As resident Kentucky agents for Dr. Stafford Warren, mentally retarded advisor to President Johnson, we will have something and somewhere for all Kentucky counties.

Except Muhlenberg, that is.

When we get everyone else moved, it is part of our master plan to declare the creation of the Republic of Muhlenberg. We will then apply for foreign aid from the United States, the U.N., Russia, China, Congo, Castro, and Moon Maid's father and live happily ever after.

Mr. CARLSON. Mr. President, there has been much debate on the social security program. But very little has been said about its effect on the self-employed, particularly as to the cost.

Today there are 70 million workers, ranging from professionals and scientists to farmers, who are paying self-employment social security taxes. This amounts to nearly 1 in 10 out of the entire working force of the Nation. It is interesting to know that they will be the hardest hit by the social security tax increases.

Under the present law, in 1965, the self-employed will be paying $259.20, but under the new law, it would be increased to $307.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article by Sylvia Porter entitled "Your Money's Worth: Social Security—On Self-Employed," and a table showing the contribution rates of the self-employed as analyzed by the staff.

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

Contribution rates

Year	Self-employed	
	Present law	H.R. 11865
1965	5.4	5.7
1966–67	6.2	6.0
1968–70	6.9	6.8
1971	6.9	7.2

YOUR MONEY'S WORTH: SOCIAL SECURITY—ON SELF-EMPLOYED

(By Sylvia Porter)

Today, 7 million workers, ranging from professional scientists to farmers, are paying self-employed social security taxes—nearly 1 in 10 of the entire work force covered by the social security system.

This group as a whole would be hit hardest by the social security tax increases provided in the amendments now before Congress and slated for passage soon. They would also, of course, be eligible for significant hikes in benefits.

As a self-employed person, you already pay a social security tax rate 1½ times the amount an employee pays and three-fourths of the combined employee-employer tax rate.

Just since 1960 your tax rate has climbed from 4.5 percent of the first $4,800 you earn to today's 5.4 percent—and assuming the amendments become law, your rate will jump to 5.7 percent in 1965 and continue rising until it reaches 7.2 percent in 1971.

INCREASED EARNINGS

What's more, the new rates would apply to an increased "earnings base" of $5,400—against today's $4,800. The earnings base is the maximum amount on which taxes and benefits are calculated.

If you now earn $5,400 or more, here is what you would pay under the new tax rates as compared with what you pay now.

Year	Present law	New law
1965	$259.20	$307.80
1966–67	297.60	324.00
1968–69	331.20	367.20
1971	331.20	388.80

If you now earn between $4,800 and $5,400, your tax boost would be less. At the $5,000 level, for instance, your tax increase next year would amount to $25.80.

If you now earn between $4,800 and $5,800, the increase in your tax would be insignificant. For 1965 you would pay an extra $14.40.

Let's assume you're self-employed, earn $5,400, have a wife and two children and take the standard deduction. Your 1965 social security tax hike would amount to $48.60.

There's no denying that this would eat into the $138 a year you're gaining from the Federal income tax reductions—$97 starting in 1964 and $41 more starting in 1965. Obviously, though, you still would be way ahead—$89.40 a year, to be precise.

Far more important, the social security benefits to which you would be entitled in the future would be sharply increased under the 1964 amendments.

Your monthly benefits would be raised across-the-board by a flat 5 percent.

BASE RAISED

They would be further increased by the fact that the earnings base on which your benefits are calculated would be raised from $4,800 to $5,400.

If you are to retire soon, your total benefits could be increased 10 percent by these two provisions in the legislation.

A significant segment of our self-employed—many of the 1.7 million self-employed farmers now reporting under the social security system—would be eligible for immediate benefit raises.

Under the amendments, farmers would be permitted to report either on the new standard $5,400 earnings base, or, if their gross earnings are $2,400 or more, on a new profit ceiling of $1,600. These figures compare with today's $4,800 earnings base and today's profit ceiling of $1,200.

As an illustration of what this could mean, a farmer who today earns $2,400 but nets less than $1,200 is entitled to a monthly social security benefit of only $59.

The new provisions would make this same farmer eligible for a monthly benefit of $70—and with the flat 5-percent increase, his new maximum monthly benefit would become $73.50.

DEATH OF SERGEANT YORK, WAR HERO

Mr. GRUENING. Mr. President, Sergeant York, who performed heroic feats in World War I, and thus rightfully became a legendary figure, has gone to his last reward.

I ask unanimous consent that the obituary article contained in the New York Times of today be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. GRUENING. The Times likewise printed an excellent editorial which I will read.

"Alvin York made greatness out of simplicity and courage. His feat in the Argonne Forest in 1918 was a triumph of the individual soldier over the armies who went to be slaughtered and the generals who sent men to die by the hundreds of thousands in the most horrible of all wars. When the smoke of battle cleared, Americans did not want to remember the generals. They remembered the Unknown Soldier, and of all the soldiers, living and dead, who fought for the United States, they remembered Sergeant York.

"He was truly American in an old-fashioned sense. He was rooted, like a tree, to his Tennessee mountains, simple, unassuming, and so deeply religious that at first he was a conscientious objector. The same strength of character that gave him the courage to be a pacifist permitted him, when his convictions

changed, to be a completely dedicated soldier. He was the amateur, not the professional soldier, a civilian briefly in uniform. He came from a farm and went back to one, no richer in worldly wealth though he had placed a Nation in his debt. He will remain a symbol and a legend so long as American history is recorded. One likes to think that the United States was built and protected by such men, simple and pure men who provided the solid foundations on which the more brilliant and imaginative could build."

Mr. President, I feel that I owe a personal debt to Sergeant York, as do the people of Alaska. During the 1940's and 1950's while we were trying to obtain statehood, I organized a nationwide committee of 100, that consisted of distinguished personages whose name and repute as endorsers of statehood would strengthen our cause. Among the military people who joined in this objective were Gen. Douglas MacArthur, Adm. Chester Nimitz, Gen. (Hap) H. H. Arnold, of the Air Force, Maj. Gen. "Wild Bill" Donovan, of the OSS, Admiral Hamlet, of the Coast Guard, and Sgt. Alvin York, who, without hesitation when I asked him whether he would join this group of supporters of Alaskan statehood, accepted cheerfully. There were others not of the military, such as Eleanor Roosevelt, Adlai Stevenson, Chief Justice Earl Warren, then the Governor of the State of California, distinguished writers, editors, political scientists, teachers, and business executives.

I believe this action of Alvin York's is an illustration of the fact that Alvin York, in addition to being a great soldier and a great patriot, had enlightened ideas beyond war service and realized how the extension of democracy to America's farthest West and North by the admission of Alaska to statehood and by establishing there the basic American principle of government by consent of the governed, was a benefit not only to Alaska but to our entire Nation, and was in keeping with the high ideals and purposes of the American people.

I desire to express my appreciation and gratitude to the memory of this gallant American. I might add that it was from his State of Tennessee that we Alaskans derived the idea and inspiration to elect our congressional delegation in advance of action by the Congress, and thereby to hasten the advent of statehood, as had Tennessee way back in 1796.

EXHIBIT 1

[From the New York (N.Y.) Times, Sept. 3, 1964]

SERGEANT YORK, WAR HERO, DIES—KILLED 25 GERMANS AND CAPTURED 132 IN ARGONNE BATTLE

NASHVILLE, September 2.—Sgt. Alvin C. York, the reluctant World War I infantryman who became an American legend, died this morning at Veterans' Administration Hospital after a long illness. He was 76 years old.

On October 8, 1918, during the final offensive of the war, the Tennessee mountain boy whose religious convictions at first kept him from fighting, single-handedly captured or killed an entire German machinegun battalion of 160 men.

Thereafter his life became a tangle of parades, political appearances and unpaid taxes. But the sergeant's modesty and devotion to his people in the steep Cumberland hills kept him clear of the hero's life and added to the legend.

The old soldier, winner of the Congressional Medal of Honor and nearly 50 other decorations, was brought to the hospital on Saturday from his home in Pall Mall, 120 miles northeast of Nashville. His illness, the 11th in the last 2 years, was described as an acute internal infection.

Sergeant York had been in a coma since Sunday. His death at 10:40 a.m. today was caused, a hospital statement said, by "general debility resultant of a combination of conditions incident to his age and complicating illnesses over the past 10 years."

This afternoon an American Legion Guard of Honor stood by as the doughboy's body was taken to a hearse for the trip back to Jamestown, the seat of his home county. Mrs. Gracie York, the girl he married when he came back a hero from the war, accompanied the body.

Sergeant York's death followed by 1 day the death of another hero of the Argonne Forest, Col. Sterling L. Morelock, who was awarded the Congressional Medal of Honor for wiping out a series of German machinegun nests.

In Washington, President Johnson issued a statement saluting the sergeant.

The statement said:

"Sgt. Alvin Cullum York has stood as a symbol of American courage and sacrifice for almost half a century. His valor above and beyond the call of duty, in World War I, was recognized with the Nation's highest award, the Medal of Honor. As the citizen-soldier hero of the American Expeditionary Forces, he epitomized the gallantry of American fighting men and their sacrifices in behalf of freedom.

"As Commander in Chief, I know that I express the deep and heartfelt sympathy of the American people to his wife and family."

The sergeant's family said that a funeral service would be held Friday or Saturday at York Chapel in Pall Mall, where Sergeant York taught Sunday school until his health failed. Burial is to be at Wolf Creek Cemetery nearby.

The White House said the President would designate a personal representative to attend the funeral.

FEAT CALLED "GREATEST"

Marshal Ferdinand Foch, the commander of Allied Forces in World War I, called Sergeant York's exploit in the Argonne Forest "the greatest thing accomplished by any private soldier of all the armies of Europe." General of the Armies John J. Pershing called him "the greatest civilian soldier of the war."

The red-haired, freckle-faced Tennessee mountainer would color and say it was "nuthin'."

"I wanted to do the best I could," was his usual explanation.

Sergeant York was the latter-day descendant of the American frontier, a plain-talking, no-nonsense sharpshooter who combined in his big, lanky frame the backwoods world of turkey shoots and corn liquor and the fundamentalist piety of his mountain home. For an America fighting its first war on foreign soil, he was the perfect hero.

Later, when he was surrounded but not taken by fame, he extended the legend beyond the limits set by such as Davy Crockett. He founded an agricultural and industrial school for the undereducated children of the mountains, and he issued statements that made sense to his rural countrymen—and some patriots in the big cities.

"Hitler and Mussolini jes' need a good whuppin'," he said in 1938, "and it looks like Uncle Sam's gonna have to do it." The phrase was widely quoted in the Nation's press.

IN A NEW TRADITION

Until this century military history had been dominated by the names of generals and great strategists. But with the rise of the popular press the common soldier was discovered and adulated. Sergeant York was the first in this line—a line continued by Audie Murphy, Roger Young, and a number of other World War II enlisted men.

On November 11, 1941, in an Armistice Day speech that preceded the second war by 26 days, President Roosevelt paid tribute to Sergeant York and the common soldier by quoting the sergeant's answer to the cynics and scoffers who sneered at World War I.

"The thing they forget," the sergeant had said, "is that liberty and freedom and democracy are so very precious that you do not fight to win them once and stop."

Alvin Cullum York was born in Pall Mall, Tenn., then a hamlet of a half-dozen cabins, on December 13, 1887. He was one of 11 children and the living was hard and rough in the almost inaccessible Wolf River country. He left school after the third grade to help bring in money for the family.

He once recalled that in his youth he was much a part of the hard-bitten mountain life. He went into town on Saturday night with his rifle to fight and gamble and drink white lightning. He shot squirrels and turkeys with his long-barreled rifle and avoided church.

In 1911 there came what he later called his "awakening." His father died, and he became the head of the family and its principal means of support. He joined a strictly pietistic sect called the Church of Christ and Christian Union and gave up drinking, gambling, and cussing. He also took the church's vow to obey the commandment "Thou shalt not kill."

SECOND ELDER OF CHURCH

Eventually young Alvin, by then a 6-foot, 200-pound giant, became the second elder of his church and met Miss Gracie Williams, who persuaded him to join the Possum Trot Church Choir.

In 1917, when he was earning $1.65 a day swinging a pick on a road gang, he received a notice of induction into the U.S. Army. He pleaded for exemption on the ground that he had religious scruples against war, but his appeal was denied twice.

He was inducted on November 14, and sent to Camp Gordon, Ga. He soon acquired a reputation for remarkable marksmanship with the Springfield 1903 rifle, but he was still reluctant to fight.

His company commander, Maj. George E. Buxton—for whom he later named one of his sons—was sympathetic and quoted Old Testament passages to the youth to convince him of the legitimacy of a just war. Private York was swayed, but not convinced.

The story is that during a furlough he spent 2 days on a mountain near his home working out the problem. When he came down he had an answer: "I'm going."

He was assigned to Company G of the 328th Infantry, part of the 82d Division, and shipped overseas on May 1, 1918. During the summer he participated in a number of campaigns and became a corporal.

LAST GREAT PUSH

The Meuse-Argonne offensive—the last great push of the war—began on October 2, 1918. The dawn of October 8 found Corporal York's company on Hill 223 near Chatel Chehery, France, with the assignment of advancing on a railway a half-mile in front.

As the company moved across a valley and a stream toward the objective 2 miles away they were met by withering machinegun fire. Most of the first wave was killed or injured and 17 men in the second wave who were still fit for battle made a detour along the valley to get behind the German guns.

The commander was Sgt. Bernard J. Early, of New Haven. Corporal York was the next ranking man left. The detail picked their way through heavy underbrush and came up on the side of the machinegun battalion.

"One of our men shot at them, and he sure started something," the corporal recalled later. "They fired on us from every direction." The burst killed or wounded 10 of the 17 men, including Sergeant Early.

Six of the seven men left to cover. Corporal York stayed put. "I sat right where I was, and it seemed to me that every machinegun the Germans had was shooting at me," he said. "All this time, though, I was using my rifle, and they was beginning to feel the effect of it, because I was shootin' pretty good."

The corporal picked off 18 Germans with 18 shots. "Every time one them raised his head, I jes' teched him off," was the way he put it. Seven more members of the German battalion, realized they faced only one man, charged with bayonets. The corporal shot them with his pistol.

At this point the commander of the German troops surrendered. Corporal York collected his own men and marched the column back to his own lines. Along the way, several more groups surrendered. By the time he reached American territory the corporal had 132 prisoners in tow, including 3 officers. He had killed 25—some said even more—and silenced 35 machineguns. The amazement of the German commander when he saw that his battalion had been taken by one man was matched only by the wonder with which Corporal York was met by his own commander.

FEATS DOUBTED

In later years, despite a thorough Army investigation, supporting the corporal's claim, some have sought to prove that Sergeant Early was responsible for Corporal York's exploits. Soon after the engagement some members of the 328th Infantry signed a protest against the awarding of medals to the corporal, and in 1935 the Connecticut Department of the American Legion made a similar protest.

Corporal York was promoted to sergeant on November 1, 1918, and the round of praise, medals, and world renown began.

"I was sorter feeling like a red fox circling when the hounds are after it," he wrote later. "They asked me that many questions that I kinder got tired inside of my head and wanted to get up and light out and do some hiking."

In addition to the Nation's Medal of Honor, highest decoration for bravery, Sergeant York received the Distinguished Service Cross, the Medaille Militaire, Croix de Guerre with palm, the Croce di Guerra of Italy, the French Legion of Honor, the War Medal of Montenegro, and others.

TURNED DOWN THEATER BIDS

Returning to the United States the popular hero of the war, he turned down theatrical offers totaling $500,000, saying, "Uncle Sam's uniform is not for sale." Unspoiled by the public welcome given him in New York, a series of dinners, and an ovation of Congress, he went back to the hills of Fentress County.

The former soldier settled on a farm bought for him by popular subscription and married his childhood sweetheart in a ceremony performed by the State's Governor.

With the aid of private endowments and State appropriations, he established the Alvin C. York Agricultural Institute, to give to the mountain people educational advantages that had been denied to him.

He raised a large family, was a leading figure in his community and a pillar of his church. When word of what Hitler was doing penetrated into the Cumberland Mountains, he raised his voice in favor of preparedness and went about the country attacking isolationists, although he hated war as much as ever.

PERMITTED FILM OF LIFE

Hollywood won his consent to make a film of his life by stressing the important part it would play in molding public opinion. The picture, "Sergeant York," starring the late Gary Cooper, had its premiere in 1941. Upon receiving his first payment for the movie, Sergeant York established the York Foundation, which started building a large, modern religious school.

When the United States entered World War II, Sergeant York, who was a member of the local draft board, made it a practice to visit as many training camps as possible—to encourage the soldiers and to do all he could to have them trained in "liquor-free, wholesome, and clean surroundings."

When one of his sons, Woodrow Wilson York, arrived at camp and was asked what advice his father had given him, he said: "He told me if I am sent across to get as many as I could."

Although the Army commissioned him a major and Tennessee made him a colonel in the National Guard, Alvin York still preferred his hard-won title of sergeant. And to anyone in Fentress or Pickett County there was only one sergeant—Sergeant York.

After the war he tilled his farm in Pall Mall, which included a herd of registered cattle and a gristmill, and directed work on nearby tracts, where he struck oil in 1946 and 1947. Sergeant York also did considerable lay preaching, fundraising for local schools and highways, supervised the Bible school named for him and was president of the York Agricultural Institute.

Retaining a deep interest in world affairs, the sergeant was free in giving his opinions to visitors. Once he remarked that if the United States should become entangled in a war with the Soviet Union, atom bombs ought be to used. "If they can't find anyone else to push the button, I will," he said.

The sergeant's health began failing in 1949, when he suffered two strokes. His finances began crumbling, too. In 1950 the Government lodged a claim of $85,442 against him for back taxes on the $150,000 income from his filmed biography. With interest, the bill later grew to $172,597.

Bedridden at his farm in Pall Mall, he asked for and received the $10 a month pension available to Medal of Honor winners and social security benefits of $38 a month. These were in addition to his $135 monthly veteran's pension.

Senators, Governors, Congressmen, and private citizens rallied to his side, pleading for tax leniency and establishing fund-raising drives. The tax bill, readjusted to $25,000, was settled in 1961 by $50,000 in private contributions. The remaining $25,000 was put in trust.

But the taxes were only part of his woes. On April 21, 1961, the Government reported that Sergeant York had only $2.20 in the bank and still was burdened with heavy debts.

Tax authorities said he owed $2,700 in doctor's bills, $5,300 through mortgages, $762 in back real estate taxes, and $600 in notes and small accounts.

Once more money came in from the public. S. Hallock du Pont, a financier of Wilmington, Del., established a trust fund to pay Sergeant York $300 a month for the rest of his life.

LAST APPEARANCE

The sergeant's last public appearance was in August 1957, when he went to Jamestown for ceremonies in which the 82d Airborne Division, the successor to his old unit, presented him with a new car equipped to carry his wheelchair.

In 1960 the American Legion gave him a circular push-button bed so that he could move around despite semiparalysis and almost complete blindness. "Seems like everything is pushbutton these days, including me," he remarked.

Despite his ill health, he maintained a lively interest in national and world affairs. In 1962 he lent his name to a drive to prevent a reduction in the national guard. "Nothing would please Khrushchev better," he said.

Sergeant York is survived by his widow, five sons, the Rev. George Edward Buxton York, of Nashville, a Church of the Nazarene minister, Alvin York, Jr., of Indianapolis, Woodrow Wilson York, Thomas Jefferson York, and Andrew Jackson York, of Pall Mall; and two daughters, Miss Betsy Ross Lowrey, and Mrs. Mary Alice Franklin, of Pall Mall.

ADDRESS BY GOVERNOR EGAN, OF ALASKA, TO SPECIAL LEGISLATIVE SESSION

Mr. GRUENING. Mr. President, the able Governor of Alaska, William A. Egan, has called a special session in order to implement the legislation enacted by Congress in regard to earthquake relief.

This action demonstrates the relationship between the activities of the State of Alaska as embodied by the Alaskan Legislature and the Governor, and the action by Congress and the executive departments here.

Mr. President, I ask unanimous consent that the message of Governor Egan to the special legislative session called on August 31 in Alaska be printed at this point in the RECORD.

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

ADDRESS BY GOV. WILLIAM A. EGAN, SPECIAL LEGISLATIVE SESSION, AUGUST 31, 1964

Mr. President of the senate, Mr. Speaker of the house, members of the third Alaska State Legislature, fellow Alaskans, at the outset I want to say that I know many of you have been inconvenienced as a result of my scheduling this special session of the legislature at this time, and I regret that this is so. It was not legally possible to schedule it much sooner, and the communications I received from a number of you indicated there was no ideal time for the session. No good purpose would have been served by postponing it, because it is quite likely that delay would cause a slowdown in initiating the contemplated program.

The Congress of the United States and President Johnson have acted to assist Alaskans whose homes were smashed in the great disaster of March 27, and now it is incumbent upon us to take the steps necessary to implement the Federal assistance program.

As you know, few Alaskan homes were insured against the kind of catastrophe which struck our State last March.

For a time, it appeared there was no way for those whose homes were left beyond repair to rid themselves of an awful mortgage burden. The State administration, Alaska's congressional delegation, and others, made concerted efforts to induce congressional enactment of the retroactive earthquake insurance program to ease this burden. But almost from the beginning these efforts appeared futile.

In a speech at anchorage, Senator CLINTON P. ANDERSON, of New Mexico, who heads the Alaska Reconstruction Commission, said he believed the program would draw little support in Congress. He was right.

In the end, the Congress provided a way for the owners of homes damaged to the extent of 60 percent or more, to reduce or retire their mortgages. Funds for the program would be provided on a 50–50 matching basis with the State of Alaska. Congress authorized an appropriation of $5½ million as the Federal Government's share of the fund that would be needed to grant mortgage relief to many Alaskans.

And the Congress did more than this. In amending the Alaska Omnibus Act to assist Alaska to recover from the effects of the disaster, it authorized use of emergency funds for the repair and reconstruction of highways on the Federal-aid highway systems of the State which were damaged or destroyed.

Congress added sections to the act which permit adjustments of existing Federal loans to farmers, rural electrification cooperatives, and homeowners. Grants are authorized up to $25 million for disaster-related urban renewal projects in Alaska. A very important feature of the act increases Federal participation in such urban renewal projects to 90 percent.

The act extends terms of Federal home disaster loans to 30 years. The U.S. Army Corps of Engineers is authorized to spend an additional $10 million to complete civil works projects adversely affected by the earthquake and sea waves. The act authorizes Federal loans to the State of up to $25 million, or Federal purchase of a similar amount of Alaska's bonds. The appropriation of $55,650,000 is authorized to implement these new sections of the Alaska Omnibus Act.

Now we must act to avail ourselves of this substantial assistance. Most of us recognized in the days following the disaster, when the enormity of the destruction became known, that we would have to look to the Federal Government for the bulk of the assistance that would be needed for the recovery effort.

It has been contended in some quarters that the proposed legislation I am transmitting to you today goes beyond the scope of my proclamation calling this special session of the legislature.

Let me make it clear that the legislation I am today recommending is either directly related to the disaster or designed to take advantage of the special provisions of the amended omnibus act to bring about financial savings for the State.

My purpose in issuing the proclamation was to bring you together so that continuing, critical problems with which Alaskans are confronted as a result of the earthquake could be considered in the light of the recently enacted omnibus act.

Before various of the programs provided in the act can be implemented, the State of Alaska must demonstrate its willingness to take advantage of them.

Events which resulted in solving the impasse between the House and Senate of the U.S. Congress with respect to the Alaska omnibus bill moved swiftly. Almost immediately following the submission of the 50–50 basis State-Federal mortgage relief amendment to the joint House and Senate conferees, the offices of Senators Henry Jackson, Ernest Gruening, Bob Bartlett, Congressman Ralph Rivers and George Hayes, my special Washington, D.C., legal counsel on reconstruction matters, made contact with me. I directed the State department of law to research the constitutionality of State participation in the suggested plan.

Following receipt of a favorable opinion from the State of Alaska's attorney general, Warren Colver, I immediately informed the members of Alaska's congressional delegation, Senator JACKSON, and Mr. Hayes. Shortly thereafter, the congressional conferees, including Senator GRUENING, Congressman RALPH RIVERS, and Senator JACKSON, agreed to the mortgage relief amendment. A few days later, S. 2881, the Alaska Omnibus Act, was approved by the Congress and sent to the White House for the President's signature.

Upon being informed by Mr. Hayes and all members of Alaska's congressional delegation that Presidential approval was certain, I entered into a number of conferences with the State's attorney general and members of his staff, my staff, and several State department heads. Following continual study and discussion it became obvious that legislation was needed in order to appropriate the previously authorized disaster funds which would be needed to carry out the State of Alaska's obligation of the 50–50 plan with the Federal Government.

In my earnest and sincere conviction that early action by the State in appropriating the previously authorized State disaster funds, together with the evolving of the required plan which must be submitted for the President's approval, would quite likely enable the State to process many of the qualified mortgages before winter sets in, I issued my proclamation calling this special session of the legislature to convene at 10 a.m. today.

Following adoption of the legislation I have submitted, the plan for the administration of the mortgage redemption or adjustment program will be sent to the President of the United States. In addition, legislation appropriating the Federal share of the funds will be introduced in Congress. Pending passage of the Federal legislation, steps will be taken by the State to implement the program up to the point of disbursement.

My concern is completely with leaving no stone unturned in attempting to enable as many of our tragedy stricken fellow Alaskans as is humanly possible under the law, to be placed in a position where they might arrange for the construction of new homes this year, or for reconstruction of severely damaged homes before winter sets in too heavily. Let me reemphasize that the proposed legislation presented to you today is intended to apply to one prime subject—that of providing a measure of relief to fellow Alaskans who suffered grievous losses in the disaster and availing ourselves of other provisions of the Omnibus Act as amended.

We have already begun to see how the act can assist Alaska. Last Wednesday, the Urban Renewal Administration approved grants in excess of $10 million for renewal projects at Kodiak, Seward, and Valdez. The grants were computed under the special 90–10 percent ratio authorized under the Omnibus Act. Before the act was approved, the State had entered into renewal agreements with these communities. They had drafted reconstruction plans and it was decided to go as far as we could with them, anticipating that Congress would approve 90-percent participation in the projects. Had the State not proceeded in this manner, with respect to urban renewal and highway reconstruction projects, reconstruction progress would be in a sad state today.

Total damage resulting from the earthquake and sea waves has fluctuated considerably since the first estimates were made in early April. At the present time, this figure stands at considerably in excess of $300 million. The various Federal assistance programs, including those authorized in the Omnibus Act, are expected to cover most of this estimated total damage.

Two-thirds of reconstruction work scheduled by the Office of Emergency Planning under Public Law 875 is expected to be under contract by the end of this year with one-third of it completed this year.

A 3-year highway reconstruction program is expected to be 26 percent complete by the end of 1964.

The Alaska Railroad will have a usable facility at Seward and its track reopened to that port city by the end of the year.

New buildings are going up throughout the devastated area, testifying to the courage and spirit of Alaskans.

The Valdez urban renewal project is a unique one—involving relocation of the entire community at a new site several miles away. The move is necessitated by findings that the present townsite is dangerously unstable.

Engineering has been completed for the access road to the new townsite and for a 600-foot dock.

The Army Corps of Engineers awarded a contract on July 30 for construction of harbor facilities. The bulk of work in connection with this project will not begin until next year, but it is hoped that sewer and water mains can be installed at the new townsite before winter.

At Seward, a contract for approximately $1⅓ million has been awarded for rehabilitation of utilities and sewers, bids for restoration of harbor facilities have been received, and planning is complete for the urban renewal project—which involves relocation of the Seward industrial area at the head of Resurrection Bay.

At Kodiak, the harbor breakwater has been restored and replacement of boat floats and other inner harbor facilities is expected to be completed by November 15.

Planning is complete for the Kodiak urban renewal project—which will involve reconstruction of the community's commercial center.

At Anchorage, all but three schools will be in full use when the next school year begins, and completion of repairs on one of these—Denali School—is scheduled for November 30. Restoration of water and sewerlines is proceeding ahead of schedule. Employment at Anchorage is at a higher level this year than last.

It should be emphasized that the task of rebuilding our shattered communities will not be completed this year. Work in conjunction with a number of reconstruction projects is expected to be spread out over a 3-year period.

We are making substantial progress down the reconstruction road, and we must not falter now. There is still much to be done.

Today you will receive nine proposed bills designed to take advantage of the Federal programs contained in the Omnibus Act and thereby ease the burden of mortgageholders. You, of course, will study them thoroughly, but I want to review them generally at this time.

The principal bill provides for the State's participation in the mortgage retirement or adjustment program authorized in the Alaska Omnibus Act and specifies how the program is to be administered. It embodies much of the language of the Federal act and cites the purpose of the program.

I would ask you to consider carefully the section dealing with purpose. Certain parts of this section go to the heart of the problem we must deal with.

To summarize them:

In many tragic cases no Federal or State programs now exist to relieve the double economic hardship of a substantial number of Alaskans whose homes carried mortgages and were severely damaged or destroyed in the March 27 disaster.

The absence of an effective program for relief of Alaskans whose homes were severely damaged or destroyed prevents home rebuilding and could thereby induce residents to leave the State. Such an exodus would hurt the economy by decreasing the tax base.

A program of relief for mortgagors will permit substantial rebuilding which otherwise would not be done and thereby stabilize the economy.

This enabling legislation incorporates in it the limitations and requirements of Federal law that a homeowner must meet to qualify for mortgage relief.

Two other bills provide for the bonding, borrowing, and appropriation of $5½ million, the State's share of the Omnibus Act program for mortgage relief retirement.

A fourth bill would amend existing disaster loan or bonding legislation to increase the State's present disaster borrowing authority from $12,300,000, to a total of $17,800,000 from the Federal Government. This increased authorization is necessary so that the State can borrow the $5½ million needed to match the Federal grant authorized under section 57 of the 1964 Alaska Omnibus Act and thereby create the fund needed for the mortgage program.

A fifth bill would permit the State to borrow $7,200,000 from the Federal Government to complete capital improvements begun prior to the earthquake. State bonds in this amount were to be placed on the bond market next January, but it is possible that a more favorable interest rate can be obtained by borrowing from the Federal Government instead. Federal authority to meet this need is provided in the omnibus bill.

A sixth bill would extend from 2 to 4 years the period of time in which the State bond committee can borrow in anticipation of the sale of State general obligation bonds or borrow from the Federal Government for disaster-related and capital improvement programs begun before the earthquake.

Interim financing will likely be cheaper, by about one and a half percent in interest. The earthquake may have temporarily diminished the State's ability to negotiate our bonds at the highly favorable net interest rates available to us prior to March 27, 1964.

There is no doubt that within 4 years the State will have completely recovered from the disaster and there will be the normal favorable interest rate demand for our bonds.

Two bills, companion measures, would amend existing law to permit payments of transitional funds to municipalities and school districts as well as the State for extraordinary expenses incurred as a result of the disaster and to offset losses of revenue. The appropriation of available transitional grant moneys to meet these needs is increased by the bill from $3,200,000 to $5 million.

A final bill would appropriate additional moneys of just under $400,000 for highway and ferry construction and Bush Airfield programs. The purpose of this appropriation is to bring the total to be spent for capital improvements begun prior to the earthquake up to the full $7,200,000 the State intends to borrow from the Federal Government under provisions of the Omnibus Act for these improvements.

Each of these proposed enactments is deemed necessary to enable the State to benefit from the Federal programs.

Of prime concern at this time, and the reason for this special session, is the plight of Alaskans whose homes were wrecked in the earthquake and who, nevertheless, still are obligated to pay off mortgages on these homes.

The mortgage retirement or adjustment provision of the Omnibus Act, while not a cure-all, will enable many people to reestablish homes and rid themselves of crushing mortgage obligations.

By assisting such persons, we will be preventing the bankruptcies and defaults which would tarnish our State's reputation in financial circles.

I will today make available to you, copies of the proposed State plan for implementing the mortgage relief program. It is based, of course, on provisions of the Omnibus Act. The plan must be submitted to the President for his approval.

It is the intent of Congress that only those properties on which the physical damage suffered amounted to 60 percent or more of their pre-earthquake value will be covered by the mortgage relief program.

It is true, as some have forcibly stated, that lenders holding mortgages of homeowners who qualify under the provisions of the Alaska Omnibus Act program will be paid the money due them under the provisions of the mortgages.

But we must never forget that our primary concern is with the benefit that will derive to each individual homeowner who was struck such a cruel blow as a result of the 1964 Good Friday disaster and who qualifies for relief under the provisions of section 57 of the Federal Alaska Omnibus Act.

The program will not make qualified homeowners whole again but will diminish or retire their outstanding mortgage obligations. There is no provision to reimburse them for their losses. They are required, under this program, to absorb the damage loss to the entire extent of their equity in the property and also agree to pay at least $1,000 of the mortgage balance.

The program, while not as broad as we had hoped for, nevertheless will afford a measure of relief that is forthcoming from no other source, and we must do what is necessary to make it work—not only for the benefit of our fellow Alaskans who have suffered severe losses but to maintain the financial integrity of the State.

In closing I should like to say that I know there are those who question the advisability of social and disaster programs.

I believe that a statement made by the late great Franklin D. Roosevelt in his second Presidential nomination speech adequately expresses the present situation and the need therefor.

"Governments can err, Presidents do make mistakes, but the immortal Dante tells us that divine justice weights the sins of the coldblooded and the warmhearted in a different scale. Better the occasional faults of a government living in the spirit of charity than the consistent omissions of a government frozen in the ice of its own indifference."

Thank you.

RESOLUTION OF THE BUFFALO AREA CHAMBER OF COMMERCE

Mr. KEATING. Mr. President, the Buffalo Area Chamber of Commerce recently passed a resolution pointing out the possibility of serious injury to a number of important western New York industries if there are further tariff reductions in certain specific products during the present round of trade negotiations.

In the Niagara frontier industrial area, for instance, further tariff cuts in cellophane, synthetic organic dyes, electro-chemical solvents, and peroxygen chemicals, could severly hurt a number of important firms and jeopardize several thousand jobs.

Mr. President, the Buffalo area is already classified as an area of substantial labor surplus. The loss of further jobs would have an extremely injurious effect on the entire economy of western New York. Naturally, this is a matter of serious concern and I am calling this resolution and table to the attention of Christian Herter, the President's representative for trade negotiations.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the statement made by the Buffalo Area Chamber of Commerce, and a table showing the detailed breakdown of jobs that would be lost by further tariff reductions in these specific industries.

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

BUFFALO AREA CHAMBER OF COMMERCE STATEMENT ON REDUCTIONS IN TARIFF RATES

Constructive and realistic tariff policies which encourage increased two-way trade and investment but which also afford reasonable protection for domestic industries and agriculture against destructive or unfair competition from abroad best would serve the interests of all concerned.

Where serious injury may occur as a result of cuts in tariff rates, in this or any other country, exceptions should be made to protect local industries and local employment.

In the Niagara frontier industrial area, there are several important companies who would be severely hurt and several thousand jobs would be in jeopardy if further tariff reductions were made on the following products: cellophane, synthetic organic dyes, electro-chemical solvents (trichlorethylene and perchlorethylene) and peroxygen chemicals (sodium perborate and certain peroxides).

It is earnestly requested that no further cuts in tariff rates on these items be granted.

Company	Product	Total employees	Employees to be affected by tariff cut	Plant investment in product	Payroll affected	Vendors affected	
						Number	Amount
Du Pont:							
Yerkes plant	Cellophane	1,500	1,000	$15,000,000	$8,000,000	1,000	$7,000,000
Niagara Falls plant	Solvents	1,750	450	(1)	3,000,000	750	1,700,000
Allied Chemical (National Aniline)	Dyes	1,790	1,460	(2)	10,000,000	500	17,600,000
F.M.C. Corp	Peroxide chemicals	250	28	1,000,000	160,000	(3)	200,000
Hooker Electro Chemicals	Trichlorethylene	2,500	50	(3)	360,000	(3)	600,000
Durez Plastics	Phenolic molding compound	1,089	500	(3)	5,000,000	(3)	600,000
Total (6 companies)		8,879	3,488	(3)	26,520,000	(3)	42,000,000

[1] Several millions.
[2] Multimillions.
[3] Not available.

PREVENTION OF INJURY TO FISH AND WILDLIFE FROM THE USE OF INSECTICIDES, AND SO FORTH

Mrs. NEUBERGER. Mr. President, I ask the Chair to lay before the Senate House bill 4487, to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides.

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4487) to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides, which was read twice by its title.

Mrs. NEUBERGER. Mr. President, on June 22, 1964, the Senate passed an identical bill. I move to strike out all after the enacting clause in House bill 4487, and that the language of Senate bill 1251 be substituted therefor.

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

The question is on the engrossment of the amendment and the third reading and passage of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mrs. NEUBERGER. Mr. President, I move that the Senate insist on its amendment and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to.

Mrs. NEUBERGER. I move that Senate bill 1251 be indefinitely postponed.

The motion was agreed to.

Mr. MANSFIELD subsequently said: Mr. President, earlier today the Senate passed the bill, H.R. 4487, dealing with pesticides. The language of a similar Senate bill, S. 1251, was substituted for that bill, and a conference was requested with the House. I ask unanimous consent that the order for the appointment of conferees be vacated.

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

RESOLUTION OF CITY COUNCIL OF CITY OF PENSACOLA, FLA.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a resolution adopted by the City Council of the City of Pensacola, in recognition of the outstanding public service rendered by my very able and distinguished colleague, Senator HOLLAND.

It gives me a great deal of pleasure to make such a request, because all of us here in this body are fully conscious of the dedicated service which he has rendered, not only to his State of Florida, but to the Nation, as well.

From time to time I have sought his guidance and advice on matters of extreme importance to our State and the Nation. His unselfish devotion to duty is in the highest traditions of public trust. I am confident that the people of Florida will again return SPESSARD HOLLAND to the U.S. Senate, to continue his outstanding public service. I personally am extremely proud to be associated with him in this body. His sense of fairness and decency has endeared him to all of his colleagues on both sides of the aisle.

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

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF PENSACOLA IN RECOGNITION OF THE OUTSTANDING SERVICE BY SPESSARD L. HOLLAND AS U.S. SENATOR FROM THE STATE OF FLORIDA

Whereas SPESSARD L. HOLLAND, as a Member of the U.S. Senate from Florida, has worked diligently and given endlessly of his time and effort in aiding his fellow citizens in this community in the promotion of the interests of the port of Pensacola; and

Whereas SPESSARD L. HOLLAND contributed immeasurably to the welfare of Pensacola and its environs by successfully sponsoring and securing the passage of legislation appropriating funds for the deepening of the channel and the harbor and the improvement of the port; and

Whereas it is fitting that SPESSARD L. HOLLAND, U.S. Senator from Florida, should be honored by his fellow citizens through the City Council of the City of Pensacola for his great contributions to his home State and especially to the port of Pensacola, Fla.: Now, therefore, be it

Resolved by the City Council of the City of Pensacola, Fla., That the city of Pensacola by and through its city council does hereby pay honor to SPESSARD L. HOLLAND and gratefully recognizes Senator HOLLAND'S generous contribution of time and effort for the benefit of his fellow citizens and the port of Pensacola in the city of Pensacola, Fla., and the city of Pensacola does hereby pay homage to SPESSARD L. HOLLAND for the accomplishments which his leadership has brought about; and be it further

Resolved, That a copy of this resolution and the appreciation of the city council be presented to SPESSARD L. HOLLAND, Senator from the State of Florida, and to the press of the city.

Adopted: August 27, 1964.

Approved:

C. P. MASON,
Mayor.

Attest:

CHAS. H. WALKER,
City Clerk.

SALUTE TO SOIL AND WATER CONSERVATION LEADERS IN NEBRASKA

Mr. HRUSKA. Mr. President, earlier this week it was my privilege to address the annual meeting of the Nebraska Association of Soil and Water Conservation Districts in Omaha.

Among the highlights of these yearly sessions is the presentation of awards to those who have made outstanding contributions to the cause of conservation.

The honorees this year, in addition to individuals, included 94 Nebraska farm families who made outstanding progress in their own conservation programs, the supervisors of six districts who were winners in the Omaha World-Herald's 20th annual conservation recognition program, and eight Future Farmers of America chapters.

The individuals saluted included Art Marquardt, assistant State conservationist of the Soil Conservation Service; Otto Liebers, longtime Lincoln conservation and watershed leader; Elmer Juracek, O'Neill rancher and past president of the association; and Dempsey McNeil, Holdrege farmer, who is also a past president of the group.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of my remarks, and the list of supervisors and Future Farmers of America winners honored by the Omaha World-Herald.

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

ADDRESS BY SENATOR ROMAN L. HRUSKA TO THE 24TH ANNUAL CONFERENCE OF NEBRASKA ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS

During the 86th Congress, the Senate Select Committee on National Water Resources was created. As you will recall, the 86th was the last Congress of the Eisenhower administration in which our fellow-Nebraskan, Fred Seaton, served as Secretary of the Interior. The select committee conducted an extensive and carefully executed inquiry into all aspects of water resource activities in the United States. Many public hearings were held across the land. When historians begin writing about the evolution of our national water policy, the work of the select committee will go into the books as a prominent landmark in the area of resource development.

In January of 1961, at the beginning of the 87th Congress, the committee report with its recommendations was submitted to the Senate.

The 88th Congress has contributed to the fulfillment of the conservation plan envisioned by the select committee by carefully considering two bills embodying the major policy recommendations set out in its report. These bills are S. 2 and S. 1111.

Those attending last year's meeting in Norfolk will perhaps recall that I discussed these measures with you on that occasion. Since then, S. 2, now known as the Water Resources Research Act of 1964, has become the law of the land. From the beginning it was clear this bill had great merit. It presented a sound and sensible program for filling one of the big gaps in the overall resources research program and I was pleased to join as a cosponsor and to give it my support as it proceeded along the various phases of enactment.

S. 1111

S. 1111 has passed the Senate and was recently reported favorably to the House Interior Committee by its Reclamation and Irrigation Subcommittee. It provides generally for planning and development of river basin water plans. Prospects that the bill will pass this session are bright.

Although in complete agreement with the general thinking behind S. 1111, I saw some red flags in the early legislative efforts to bring those concepts into being. We all realize that close cooperation between the States and the Federal Government is essential to workable conservation programs. But many of us in the Congress are insistent—I might say even adamant—that the integrity and identity of the States be preserved—particularly in this area. We want a genuine partnership in these matters and not some sort of master-servant relationship. We got our partnership in the form of the bill that passed the Senate and I hope the House doesn't do any tinkering with this.

S. 2

As most of you know S. 2 authorizes Federal financial assistance to land-grant colleges

and universities and other competent institutions of higher learning to help establish water resources research institutes across the country along the lines of the well-proven Federal program dealing with agriculture research under the Hatch Act.

Implicit in the bill is a recognition by the Congress that each State, indeed each city, river basin and watershed within that State, has problems unique to that area. Commonsense dictates that these problems be met and solved where they prevail. Research on water pollution in Connecticut is not of much interest or use to water planners in Nebraska concerned with the technical and practical aspects of the use and conservation of underground water. S. 2 will help provide the knowledge and trained personnel so badly needed at the local level. It was this fact that made the bill very appealing to me.

As a land grant college, the University of Nebraska is eligible for participation in the S. 2 program. Chancellor Hardin of the University of Nebraska has assured me of its keen interest in cooperating in this effort and already has given a great deal of thought to the plans that will be submitted to the Department of Interior for approval. The care and thought that have gone into the university's preparations are characteristic not only of the conservation work that has been done on the campus in Lincoln and elsewhere but of the whole spectrum of soil and water research and development in Nebraska. Our programs in Nebraska are internationally recognized and admired and much of the credit for this belongs to you people here today.

The perimeters of the university's obligations and responsbilities are not the campuses in Lincoln or Omaha, but the State's boundary lines. Once the expected research institute is established and operating smoothly, no community, no watershed, no Nebraska will be without a place where information, assistance and counsel can be obtained.

Unfortunately, S. 2 did not become public law in time for funds to be made available to it through the regular appropriations process. However, a supplemental budget request has been sent to the Congress and funds for it are provided in this bill. Hearings on this additional appropriation request have been held. Action by both the House and Senate is expected within the next several days.

OTHER LEGISLATION

The Congress also has been working on other legislation related to soil and water conservation. It is my understanding that the Congress on H.R. 3846 have been able to reconcile the differences that exist in the House and Senate versions of this bill and will present their compromise to both bodies shortly. This is the measure creating a land and water conservation fund from which appropriations will be made to provide outdoor recreation areas.

Also passed and already signed into law is H.R. 9521 which increases the authorization for the Missouri basin for fiscal years 1965 and 1966 by $120 million. One of the provisions in this bill is that all funds appropriated pursuant to the authorization must be spent on projects presently under construction. All new starts must be specifically authorized by Congress or reauthorized as the case may be.

NEBRASKA PROJECTS

Of course, the bills to which I have referred are new legislation. While the programs provided in them certainly are welcome, the real work emphasis in this vital field will continue to be on the long-standing and time-tested programs of the Soil Conservation Service, the Corps of Engineers and the Bureau of Reclamation. As a member of both the Senate Agriculture Appropriations Subcommittee and the Public Works Appropriations Subcommittee, I have become well acquainted with the work of these agencies and of the importance of their efforts to the welfare of our Nation and its citizens.

The fiscal 1965 appropriations bills providing funds for the continued operation of the many programs administered by them have only recently cleared the Congress and are awaiting signature at the White House. In view of this, I thought you might be interested to know what provisions have been made for the projects affecting Nebraska.

SOIL CONSERVATION SERVICE

Reports on Soil Conservation Service come to you from authorized officials. I have only these observations:

The appropriation for the Soil Conservation Service was increased this year by Congress by $6.3 million over the 1964 bill. The total appropriation for the agency is $208,296,000. Of this $100.5 million will go for assistance to the districts; $65.8 million will be for watershed protection; $25.4 million for flood programing; $14.7 million for the Great Plains conservation program and $1.7 million for resource conservation and development projects. This year's action on the Great Plains conservation program is significant in that this is the first time the budget estimate for it has been maintained. Last year, Nebraska received $1.5 million under this program—third highest in the Nation.

CORPS OF ENGINEERS

The June 16 flood in the Papillion Basin was a tragic and heartbreaking reminder of what can happen in an uncontrolled and untreated watershed.

In Washington, soon after we heard of the disaster, Senator CURTIS and I obtained from the Senate Public Works Committee a resolution calling for a new flood control study of the entire basin. Later, funds in the amount of $50,000 were added to the corps budget to make this study.

Because of wise and timely action taken by the local governments of Douglas, Sarpy and Washington Counties, the Soil Conservation Service also will be able to put a survey team into the field. I am also advised that the State will contribute to this effort with aerial mapping and photographing. All this is wonderful and encouraging news and many are to be commended. The achievement of a sound and workable plan for bringing the Papio under control will require the energies and talents of many and a spirit of close cooperation and common dedication. None of these qualities seem to be in short supply which is to the great credit of all concerned.

The Corps of Engineers budget for 1965 also contains funds for construction of the Little Papio flood control plan. A design memorandum outlining the actual plans of construction is being prepared and is due to be completed by December 1. The Engineers are hoping to be able to start moving dirt by May 1 of next year. With over $50 million worth of property and countless lives at stake, work on this vital project must not be delayed. When the Engineers have completed all the planning and are ready to move forward with full construction, you may be sure that their request for funds to do the job as fast and as sound enginering principles allow will meet with active and energetic support in the Congress.

RECLAMATION EASEMENTS

Those of you representing constituencies west of the 100th meridian which runs through our State will be pleased to learn that on August 20 the Congress passed and sent to the White House a bill authorizing the payment of just compensation for all rights-of-way acquired in connection with irrigation projects. Those familiar with the Ainsworth project will remember that under an old law passed back in 1890, many landowners along the canal connecting the reservoir in Cherry County with the district in Brown County were required to give up their land without one cent of compensation. The new law contains a feature enabling the Bureau of Reclamation to go back and pay all these landowners for their loss.

The knowledge that our projects in Nebraska are able to measure up to the high standards of feasibility and desirability demanded by the Congress is reassuring. From a lawyer's point of view, supporting them and working for them is like going to court when you know the facts and the law are on your side.

ON THE MINUS SIDE

While I don't want to conclude this talk on an unhappy note, there have been some disappointing developments over the past 12 months. One is in the area of new reclamation starts. I don't have to tell you of the wide bipartisan support which our reclamation program has enjoyed since its inception many years ago.

To date, this session of Congress has passed only two bills authorizing four small reclamation projects. This is clear evidence, that despite its protests that it is interested in conservation and reclamation, this administration's commitments and interests lie elsewhere. Considering the leadtime needed to bring well-considered and proven projects into being, the present indifference could deal a crippling blow to the whole program. Certainly, as far as this Senator is concerned, if we can afford to spend billions abroad on military and economic assistance and billions at home on programs that are in the minds of many ill-advised and political gimmicks, we can afford to maintain the sound and effective reclamation program that has been the tradition over the past several decades.

FEDERAL PAYROLL

I am also disappointed by the cynical manipulations of the Federal payroll the past few months. well established and proven programs are being pruned of personnel to make room for new jobs in new agencies. While this allows the administration to maintain the election year fiction that it is cutting down on Government spending, it is not good government.

Those connected with the Soil Conservation Service need look no further than their own agency for an example of this political cynicism. This agency which all fairminded men agree needs more trained people to do its job and discharge its responsibility to the farmers of this Nation has had arbitrary job ceilings imposed on it. The Department of Agriculture similarly is being denied adequate numbers of meat inspectors endangering the orderly processing of all meat products. Yet, the so-called war on poverty proposes more than 4,000 new Federal jobs—and that is just a start. The so-called Appalachia program will have a like effect. How are these jobs going to be filled without skyrocketing Federal employment? I'll leave the answer to you.

OTHER PROGRAMS

Finally, I am disappointed by the failure of the administration to listen to the requests that are being made in the Halls of Congress to start applying some of the lessons learned in our conservation program to foreign aid.

You all know what it takes to get conservation projects authorized. There must be a full field investigation and survey. A detailed report with plans and specifications must be prepared. Public hearings must be held and criticism invited. Then you must look back to Congress and prove your plan is sound and your project financially feasible. Even after all this has been done, and the merits of your project fully tested and demonstrated, you must wait until the budget will bear your project.

How is foreign aid administered? For the most part the money—and it comes to billions—is doled out all over the world with few or no practical guidelines; few controls, no reported audits; few or no technical strings. Our foreign aid people haven't the foggiest notion of what is included in a benefit-to-cost ratio or even what the ratio is and what it means. There is $7 billion in the foreign aid pipeline and yet an effort to keep this year's program under $3 billion already has failed.

You may ask, and rightly so, what has this to do with soil and water conservation? My friends, it shows how far our Government is drifting from the moorings of commonsense and clear reasoning. In government we stand in danger of looseness and carelessness becoming the standard and not the exception. If these quantities are allowed to persist in one program they will spread and infect other programs, and I for one would hate to see our conservation program degenerate into the kind of mess we have in foreign aid. When we give and lend money for projects outside our country, why should we not expect some sort of advance planning? Why shouldn't we expect some sort of economic justification? Why shouldn't we demand a favorable benefit-to-cost ratio? What makes the rest of the world different from the United States?

FUTURE TENDENCIES

And be assured that the evils which I have recited are spreading. In the supplemental budget mentioned earlier, alongside the $1½ million request for funds to start the S. 2 program, is an item for the war on poverty. It's a "small" item—just $947 million.

Yet, the expenditure of that vast sum is governed by very few definite guidelines or restrictions almost universally found in government programs. The Federal Government already operates and finances some 42 programs in the area of relieving and reducing causes or effects of poverty at a cost in the range of more than $30 billion.

Yet an additional $947 million—almost another billion—are added in a program which duplicates existing efforts along proven, tried and already well-staffed standards. The new plan will compete with plans already in operation for dollars, for technical manpower, and for unfortunate persons who are within the definition of poverty.

And again I say, the activities of the new plan are free and clear of the requirement to follow the strict guidelines and requirements which are so necessary for expending public money wisely and without waste.

There is another reason why soil and water conservationists should be concerned with wasteful and unwise Government expenditures. All of us know that the total of all Government budget expenditures is limited. There are only so many dollars available at any given time.

The more used for uses which are not wise or of general and permanent value, the less there is left for those which have been proven good but whose program is still unfinished.

Certainly, the area in which you folks are interested is such a program. It may not appear glamorous. It may not be suitable for dramatic TV presentations for nationwide audiences; to many it does not seem "bold, daring, and romantic."

Yet your program is fundamental to our Nation's future. It is imperative to plans of our future population growth and greatness. It is a program which is deserving of steady, substantial, and intelligent pursuit.

The traditions of the water and soil program go back a long way in our Nation's history. It's ideals are just as live and shining now as they were 75 or 100 years ago.

Your group is to be commended for keeping the faith—and actively practicing it.

REGIONAL WINNERS, WORLD-HERALD'S CONSERVATION RECOGNITION PROGRAM

Garden County: Donald McCormick, Oshkosh; Howard Newkirk, Lewellen; Frank E. Robinson, Oshkosh; Van E. Fisher, Lewellen; and Howard Ardissono, Oshkosh.

Cherry County: Clint Hull, Valentine; Wesley Fox, Kilgore; W. Everett Brown, Valentine; Joe Hammond, Kennedy; and Raymond Andrews, Cody.

Kearney County: William B. Bang, Minden; Adrian C. Lynn, Minden; Stanley Peterson, Minden; Osee Newbold, Minden; and Herbert Swanson, Wilcox.

Thurston County: Claus O. Malmberg, Pender; Francis Allen, Walthill; John Kroger, Jr., Rosalie; Melvin Hanson, Emerson; and Howard Swanson, Walthill.

Clay County: Harold Lowe, Saronville; Ralph Godtel, Clay Center; Jack Hubbell, Deweese; Silas Gerlach, Harvard; and Vernon Yost, Edgar.

Otoe County: Vernon Niebuhr, Dunbar; Fred Griepenstroh, Syracuse; Paul Antes, Syracuse; E. Franklin Gee, Bennet; and Walter Reimer, Syracuse.

FUTURE FARMERS OF AMERICA CHAPTERS

Hooper, Nebr., chapter, sweepstakes winner.

Keya Paha Chapter, Springview, Nebr., second place honors.

Kimball, Nebr., chapter, third place honors.

Palmyra, Nebr., chapter, area winner.
Fullerton, Nebr., chapter, area winner.
Superior, Nebr., chapter, area winner.
Lexington, Nebr., chapter, area winner.
McCook, Nebr., chapter, area winner.

ALASKA AND THE FEDERAL HOUSING PROGRAM

Mr. BARTLETT. Mr. President, on September 2, President Johnson signed the Housing Act of 1964. Today, I wish to review some of this important measure's major provisions, relate them to my own State, and take a brief look into the future. Although the act contains no radical innovations or departures as regards our present housing program, it does provide for a 1-year extension of the program, and makes some significant improvements in it. Therefore, I think it important that we understand what the housing program has accomplished in the past and what the new bill's various provisions will mean as they are implemented.

Title I of the Housing Act continues the mortgage insurance programs of the Federal Housing Administration, and improves them in several respects. Thousands of Americans can testify to the helpfulness of FHA programs. Families are enabled to build homes and to avoid crushing expenses through obtaining long-term low-interest loans These programs have been important to Alaska. From their inception in 1935 through 1963, 6,819 home mortgages and 34 multifamily housing mortgages—involving 3,853 units— in Alaska have been FHA-insured. The dollar value of these mortgages totals $133,287,000 for the home mortgages and $45,765,000 for those covering multifamily projects.

The Housing Act of 1964 raises the mortgage ceilings for several FHA programs, including the regular section 203 program and programs for low-cost housing in outlying areas, for rental and multifamily housing, and for condominiums. Some of these programs already make exceptions, to compensate for Alaska's high costs. In other cases, this bill's revision of mortgage ceilings should prove very helpful to Alaska homebuilders.

Second, the bill amends present FHA legislation, to give additional relief to home mortgagors in default because of circumstances beyond their control. Mortgagees will be enabled to recast their mortgages and to extend their maturities more easily. It is anticipated that these provisions will give lenders an incentive to enter into forbearance agreements in cases of genuine need, by removing some of the risks to which lenders are now subject in such situations. The idea is not, of course, to encourage defaults, but is simply to liberalize terms of payment in exceptional hardship cases.

The 1964 Housing Act also enables the Federal Housing Commissioner to extend aid to homeowners who, after relying upon FHA construction standards and inspections, find major structural defects in their homes. Of course, FHA inspection is intended to preclude such difficulties, and defects are generally covered by the builder's warranty. But there are cases in which defects have slipped by, and the builder is no longer in existence, has no assets, or refuses to cooperate. In such cases, the Housing Act now permits the FHA to finance structural repairs.

Fourth, title I liberalizes the FHA's new home-improvement loan-insurance program for homes outside of urban renewal areas. This program was designed to enable homeowners to make substantial improvements in their homes, without refinancing mortgages, thus halting the decline of "gray area" neighborhoods, and avoiding the necessity of restoring them later, under the costly processes of urban renewal. However, the program has been slow in getting started in Alaska and across the Nation. Therefore, it is hoped that the bill will stimulate activity in declining urban areas where it is most needed, through liberalizing the rating criteria for eligible properties, and making the program more attractive to lenders, by allowing default insurance benefits to be paid in cash.

Fifth, title I amends the National Housing Act so as to permit the Federal Housing Commissioner to insure mortgages on nursing home facilities sponsored by private, nonprofit corporations or associations. This supplements the limited assistance which is now available for such purposes under the Hill-Burton Act.

Finally, title I makes certain additional revisions in FHA mortgage-insurance programs. Existing requirements that the FHA foreclose mortgages on multifamily projects within 1 year of default are liberalized, so as to allow alternative arrangements in exceptional cases. Nonprofit educational institutions are allowed to pay their mortgages before maturity, without premium charges. Other provisions increase the eligibility of servicemen for the low-income housing program, continue and expand the FHA's experimental housing program,

alter slightly the FHA's insurance payment procedures, and improve the program of mortgage insurance for condominiums.

Title II of the Housing Act of 1964 deals with housing for the elderly and handicapped. It increases the eligibility of single, elderly individuals for the low-cost housing program. It continues present programs of housing for the elderly, with additional authorizations of $75 million. It revises a number of existent housing programs so as to give handicapped persons the preferred treatment now given to the elderly.

Title III of the bill deals with programs of urban renewal and growth. At the end of the fiscal year 1964, 777 cities, with 1,636 projects, were participating in these programs, across the Nation. A large backlog of applications has accumulated, and several new projects are expected to be ready for approval during the fiscal year 1965. The Housing Act effects continuation of the urban renewal program at present levels for approximately 1 year, with an authorization of $725 million.

Urban renewal in Alaska, through 1963, involved eight projects in the cities of Anchorage, Fairbanks, and Sitka. Grant reservations for these programs totaled $6,298,804. These figures, of course, do not include the special urban-renewal programs planned on or undertaken after the March 27 earthquake.

In addition to the 1-year extension, the Housing Act alters the present urban renewal program so as to guarantee and promote enforcement of housing codes by cities involved in the program. This change reflects the recognition that code enforcement is an important part of a community's efforts to rehabilitate blighted areas and prevent their spread. It anticipates that the HHFA Administrator will aid communities in planning and carrying out their code enforcement program.

A third provision is for increased development of air rights sites, under urban renewal programs. Such projects involve the construction of facilities over areas, consisting primarily of highways, railroads, bridge or tunnel entrances, and so forth. The projects have the dual purpose of screening the area so it will not detract from the value of surrounding property, and utilizing the space over the area for needed housing and other facilities.

Fourth, the bill will institute a new program of rehabilitation loans for home and property owners, in urban renewal areas. The HHFA Administrator is authorized to grant low-interest loans to finance improvements designed to make property conform to code requirements or to urban renewal plans for the area. This should reduce the need for the demolition of structures, lessen the disruption which renewal programs bring, and permit the saving of valuable properties and funds.

Title III will also authorize additional federally reimbursed relocation payments to low- or moderate-income families, to elderly individuals, and to small, independent businesses displaced from urban renewal areas.

Another provision of the bill increases the funds available for experimental urban renewal programs. These pilot projects not only aid the communities in which they are located, but also serve as testing grounds for new plans and techniques, which may then be applied throughout the country. They are locally developed and administered, but Federal funds cover up to two-thirds of their cost.

A seventh section of the title strengthens the program of urban-planning grants established by the Housing Act of 1954. Through 1963, 12 planning projects in Alaska, involving $278,132 in Federal grants, had been carried out under this program. The communities of Douglas, Fairbanks, Anchorage, Juneau, Ketchikan, Palmer, Seward, Sitka, Kenai, Kodiak, Cordova, Haines, Port Chilkoot, and Skagway participated. These figures do not include Anchorage's recent comprehensive planning grant, or the planning assistance rendered after the earthquake to Anchorage, Cordova, Valdez, and Kodiak.

The Housing Act authorizes an appropriation of $30 million, to carry forward the planning program for 1 year. It broadens the assistance available to Indian reservations and communities of less than 50,000 population. Three-fourth grants will be made available, without respect to any population limitations, to municipalities and regions in a designated redevelopment area—which includes all of Alaska—or to localities suffering from the shutdown of a Federal installation.

Title IV of the bill deals with housing for low-income families and individuals. In Alaska, low-rent projects in Anchorage, Fairbanks, Juneau, Ketchikan, and Sitka, involving 349 units, and development costs of $5,914,532, have been made possible by the Public Housing Administration's low-rent programs. These projects have involved $1,717,603 in PHA loan commitments, and $247,417 in debt-service contributions.

The Housing Act authorizes $30 million for the 1-year continuation of the low-rent public housing program, and $5 million for the low-income housing-demonstration program. It also amends in several minor respects existing public housing legislation.

The eligibility for low-rent housing of single persons displaced by urban renewal is increased. The bill establishes the development of relocation plans as a prerequisite to the approval of a community's low-rent housing project. Provision also is made for relocation payments to families, individuals, businesses, and nonprofit organizations displaced from low-rent public housing project sites, on the same basis as that on which relocation payments are now made to urban-renewal displacees.

The Housing Act's fifth title continues existing rural housing programs, increases to $300,000 the maximum insurable mortgage under the rural rental-housing program for the elderly, and authorizes grants to assist public or private nonprofit agencies to provide low-cost housing for domestic farm labor—a group which is at the very bottom of our poverty scale.

Title VI of the bill expands somewhat the program of the Community Facilities Administration. Eligibility requirements for public-facility loans—under which Alaska, as of last year, had borrowed $416,000 for projects in Seward and Dillingham, in addition to $4,306,000 in grants and $190,000 in loans received under the CFA's share of the accelerated public works program—are to be liberalized slightly. Increased consideration will particularly be given to small communities in redevelopment areas.

Additional advances for public works planning are also authorized by title VI, and repayment requirements are made more equitable. Alaska has a stake here also, for 16 of our State's communities have received $1,226,000 in planning advances for 44 projects. Through 1963, Anchorage, College—the University of Alaska, Cordova, Douglas, Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Nenana, Nome, Palmer, Petersburg, Seldovia, Seward, and Wrangell participated in the planning advance program.

Several other sections of the Housing Act are likewise of special interest and importance. Some involve the Federal National Mortgage Association. Since 1954, the FNMA has purchased 12 mortgages, totaling $218,000, under its regular secondary market operations program in Alaska, and has purchased 2,595 mortgages, totaling $60,121,000, under its special assistance functions. These figures, again, extend only through 1963, and do not take into account the FNMA's stepped-up activity following the earthquake. The bill would make no major changes in FNMA programs, but it would broaden the association's authority to finance its operations through public issuances, and would give the association the right to purchase and sell "participations"—fractional interests in mortgages—in its secondary market operations in the way it now does under the special assistance provisions.

The Housing Act continues, and makes minor improvements in, the Community Facility Administration's program of college housing loans. Here, too, is a provision under which Alaska has benefited. At the end of last year, the University of Alaska and Alaska Methodist University had received five loans, totaling $8,840,000, for construction of dormitory facilities to accommodate 644 students.

A few miscellaneous provisions of the Housing Act should be mentioned, in conclusion. It sets up a program of graduate scholarships in the vital fields of city planning and urban studies. It increases the lending authority of national banks and Federal savings and loan associations. It continues the program of grants to communities for the acquisition of open space land.

Mr. President, Alaska and Alaskans have benefited greatly from our various housing and urban renewal programs, coordinated under the Housing and Home Finance Agency. These programs have insured the loans of individual homebuilders and developers of multi-unit projects. They have stimulated local and institutional activity, through

loans and matching grants for college facilities, urban renewal, low income and rural housing and planning assistance. They have been integral to our earthquake recovery efforts. The Housing Act of 1964 guarantees that these programs will continue uninterrupted for 1 more year, and make appreciable improvements in some of them.

It is my hope that early in the next Congress we shall have an opportunity to review the entire housing program and to give further consideration to such substantial improvements and extensions as those suggested in the President's housing message of this year. Certainly, housing is an area which must, and will, occupy more and more of our attention in the years ahead, on the local, State, and Federal governmental levels. Charles Abrams world housing authority, and author of "Man's Struggle for Shelter in an Urbanizing World," estimates that "in the next 40 years, the population growth in the world's cities will probably be double the entire population growth that the world has experienced in the last 6,000 years."

Surely it is folly to suppose that anything less than a massive effort will alleviate the housing difficulties these figures portend. Housing programs are integral to any national assault on poverty. They are essential to orderly urban development. They are absolutely necessary if population growth and urban expansion, promising as they are for a richer and more diversified society, are not at the same time to result in a deprived and miserable existence for millions.

ART OF THE ARGENTINE

Mr. HUMPHREY. Mr. President, I am pleased to announce that "New Art of Argentina," the first U.S. exhibition to illustrate the rapid evolution of Argentine art during the last 3 years, will open at the Walker Art Center, in Minneapolis, on September 8. It will be the second in a series of exhibitions, organized by Walker, devoted to contemporary art in Latin America. The first, "New Art of Brazil," was premiered in 1962.

More than 70 works by 32 artists were selected for the exhibition by Jan van der Marck, Walker Art Center curator, in association with Prof. Jorge Romero Brest, former director of the Museo Nacional de Bellas Artes, and now head of the Instituto Torcuato de Tella's Centro de Arte, in Buenos Aires. The exhibition is sponsored by the Argentine Embassy in Washington, D.C.

The new Argentine art is now the strongest contributor to the field of contemporary art in Latin America. Its focal point is Buenos Aires, although 9 of the 32 artists in the exhibition currently live in Paris, 3 live in New York, and 1 lives in Rome. The development of Argentine art to its full capacity became apparent at the 31st Venice Biennale, in 1962. In December of 1963, an exhibition of recent art from Argentina opened at the Musee National d'Art Moderne, in Paris.

The various directions of Argentine painting are documented in five groupings in the exhibition:

Constructivism and the Argentine contribution to the "Recherches d'Art Visuel" will be represented in works by Luis Tomasello, Julio Le Parc, Hugo De Marco, Carlos Silva, Miguel Angel Vidal, and Eduardo Mac-Entyre.

Abstract painting and a growing interest in college will be represented in works by Jose Antonio Fernandez-Muro, Clorindo Testa, Marcio Pucciarelli, Miguel Ocampo, Kasuya Sakai, and Sarah Grilo.

The lyric abstraction of the group "Boa Phases" will be represented in canvases by Osvaldo Borda, Martha Peluffo, and Rogelio Polesello.

The New Figuration will be represented in the works of Romulo Maccio, Luis Felipe Noe, Jorge de la Vega, Ernesto Deira, and Antonio Segui.

The Argentine equivalent of American style "Pop-Art" and French "New Realism" can be found in the works of Antonio Berni, Ruben Santantonin, Marta Minujin, Carlos Squirru, Delia Puzzovio, and Delia Sara Cancela.

A concise selection of sculpture will include works by Alicia Penalba, Marino Di Teana, Gyula Kosice, Lebero Badii, Ennio Iommi, and Noemi Gerstein.

The exhibition catalog of 80 pages will be designed by Juan Carlos Distefano, Argentina's foremost graphic artist.

Following its appearance at the Walker Art Center from September 8 through October 11, "New Art of Argentina" will begin a year-long tour of the United States.

The opening of this exhibition will be attended by the Argentine Ambassador to the United States, Dr. Norberto M. Barrenechea, and Mrs. Barrenechea, and by the Director of Cultural Affairs of the Organization of American States, Dr. Rafael Squirru.

This exhibition will contribute to the development of knowledge for the teaching of the artistic and intellectual evolution of the countries of Latin America. Inasmuch as the exhibition will be on tour in the United States for 1 year, many U.S. citizens will be given an opportunity to view it, thus enriching their knowledge of the sister Republic of Argentina, and promoting closer relations between the two countries.

I am delighted to know that a leading Minnesota institution, the Walker Art Center, will be privileged to stage the opening of this exhibition.

CONCURRENT RESOLUTION OF HAWAIIAN LEGISLATURE

Mr. INOUYE. Mr. President, it gives me great pleasure to present a concurrent resolution adopted by the Legislature of the State of Hawaii during a special session just adjourned. I think the resolution reflects the views of a great majority of the people of Hawaii; and I ask unanimous consent that the resolution be printed in the RECORD.

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

CONCURRENT RESOLUTION

Whereas ever changing world events have thrust world leadership upon the United States of America with the solemn responsibility of fostering brotherhood and humanity and maintaining world peace; and

Whereas the United States has encountered threats to world peace in this cold war and has repeatedly demonstrated its diligence of its task with firmness measured with understanding for peace; and

Whereas the United States again faces a challenge in the aggression by terror against South Vietnam followed by hostile action against U.S. ships on the high seas in the Gulf of Tonkin by the forces of North Vietnam; and

Whereas Lyndon B. Johnson, President of the United States, and Commander in Chief of the Nation's Armed Forces, has ordered military forces of the United States to repel any armed attack upon the forces of the United States and to prevent further aggression; and

Whereas the Congress of the United States by the southeast Asia resolution (S.J. Res. 189, H.J. Res. 1145) has authorized the President to take all necessary steps, including the use of armed force to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom: Now, therefore, be it

Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, First Special Session of 1964, the Senate concurring, That this Legislature and the people of the State of Hawaii support the Congress of the United States and President Lyndon B. Johnson, President of the United States, in their effort to carry out our Nation's determination to take all necessary measures in support of freedom, and in defense of peace, in southeast Asia; and be it further

Resolved, That certified copies of this concurrent resolution be transmitted to President Lyndon B. Johnson, President of the United States; Hon. Carl Hayden, President pro tempore of the Senate of the United States; Hon. John W. McCormack, Speaker of the House of Representatives of the United States; Senator Daniel K. Inouye; Senator Hiram L. Fong; Representative Thomas P. Gill; and Representative Spark M. Matsunaga.

We hereby certify that the foregoing concurrent resolution was this day finally adopted by the House of Representatives of the Second Legislature of the State of Hawaii, First Special Session of 1964.

ELMER F. CRAVALHO,
Speaker, House of Representatives.
SHIGETO KANEMOTO,
Clerk, House of Representatives.

We hereby certify that the foregoing concurrent resolution was this day adopted by the Senate of the Second Legislature of the State of Hawaii, First Special Session of 1964.

NELSON K. DOI,
President of the Senate.
SEICHI HIRAI,
Clerk of the Senate.

RESETTLING EMIGRÉ SCHOLARS

Mr. JAVITS. Mr. President, Americans have a long and honored tradition of providing help under nongovernmental auspices to those who come to these shores in search of freedom. The American Council for Emigrés in the Professions is an organization in that tradition; and its founder, Dr. Else Staudinger, is now marking 30 years of dedicated, selfless service in salvaging the lives and talents of refugee scholars, scientists, and other professional people who have sought refuge in our country. Dr. Staudinger is to be commended for her efforts in founding the American Council for Emigrés in the Professions,

Inc., in 1945; and since that time the organization has helped thousands of refugee professional and highly trained men and women to fill economic needs in our country. These men and women represent human resources that are of inestimable value to the strength of our Nation.

I ask unanimous consent to have printed in the RECORD a condensation of an article, written by Murray Teigh Bloom, entitled "Else Staudinger's $100 Million Gift to Uncle Sam", which was published in Reader's Digest for August 1964.

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

ELSE STAUDINGER'S $100 MILLION GIFT TO UNCLE SAM

For the past 19 years, Else Staudinger, a petite, energetic grandmother, has been assembling a marvelous $100 million gift for her adopted country, the United States.

Else Staudinger has only modest means. But with imagination and persistence she and her associates have converted more than 3,000 top grade but unemployed brains into a first-class human resource for the United States. The brains belong to penniless, friendless refugee professional people who have come here from Russia, Poland, Hungary, China, Czechoslovakia, East Germany, and Cuba. Without Else and her group, the American Council for Emigrés in the Professions, Inc. (ACEP), most of the newcomers would have remained in dead end jobs. Unable to speak English, lacking know-how and contracts, they would have been unable to convert their specialized educations into assets for themselves and their new country.

"A top education from grade school through college and graduate school costs about $45,000 in the United States today," Else told me recently. "By putting 3,000 trained people into our mainstream we've acquired an educational gift worth at least $100 million."

"We can't afford to have these people doing subsistence work, or becoming dependent on friends or private charity," says ACEP Consultant Wesley J. Hennessy, associate dean of the Columbia University School of Engineering. "When you can put a professional man back into his field, you shortcut all these problems. Every year ACEP places over 100 qualified scientists and engineers alone—an output comparable to that of a fair-sized university."

One of ACEP's classic successes is Dr. Ernest L. Parker, a Czech refugee who has a Ph. D. degree in agriculture from the University of Leipzig. He came here with his wife and daughter in 1941 and worked on chicken farms for 8 years. Then he supervised a waterfront warehouse crew in New York. In 1949 a loaded pallet fell on him, breaking several ribs.

"While I was recovering, someone told me about ACEP," he says. "I was very discouraged at the time. After 8 years of manual labor it was hard to think of myself as a teacher." Else Staudinger and her associates knew Ph. D.'s in agriculture were scarce, and they sent out resumes of Dr. Parker's European experience. Arizona State University was interested. ACEP paid for Dr. Parker's flight to Tempe, and he got a contract as assistant professor.

Within 6 years Dr. Parker rose to full professor. In the following years he was elected chairman of the faculty assembly and president of the Arizona College Association. A research project he began has led to the wiping out of a crippling poultry disease in the State. And the poultry farm he launched for teaching purposes on a $50 shoestring now brings the university an income of $25,000 a year.

Until recently, State rules made it impossible for Arizona State to hire citizens of other countries as teachers (Dr. Parker had become a U.S. citizen). The rule has now been dropped. Many faculty members are convinced that the excellent record of Dr. Ernest Parker, ex-chicken farmer, ex-dock walloper, led to the change.

ACEP charges no fees. Modest voluntary contributions are sent in by men and women who have been placed, but the organization's major support comes from private contributions and foundation grants.

ACEP has had 17,188 applications since 1945. In the average case it takes $600 and 7 months to place an emigré in a suitable job. Until then, ACEP finds them "bread and butter" jobs: night watchman, waiter and so on. One man had worked as a factory porter for 5 years before he was placed as an associate professor of modern languages in a New England college. On the other hand, it took only 2 weeks to find a position for another man, a physicist.

For Else Staudinger the continuing effort to place these educated refugees is repayment for the kindnesses she and her husband, Hans, received when they fled here from Nazi Germany. They arrived in 1934, and Hans was invited to teach at the New School for Social Research in New York. "We had such good luck here," Else recalls, "that I felt we must help other refugee scholars." For 5 years, Else worked for Alvin Johnson's refugee scholars project, which brought well-known refugee scholars to the United States. Then, in 1945, ACEP formally came into being in two tiny offices run by Else and a friend, Mrs. Henry Seidel Canby. Today it has a staff of 24 and is housed at the Carnegie Center, opposite the U.N.

"We kept thinking of ourselves as a temporary agency," she says. "But, since the Hungarian exodus in 1956, I've realized that ACEP is here to stay. We will always have refugees, and our country will always need their special talents. Now we're concentrating on the Cubans, and before long, I suspect, Chinese scientists, engineers, and scholars will be coming to us, too."

Occasionally ACEP is able to make wholesale placements. A few years ago the Army Language School in Monterey, Calif., asked the agency if it could furnish teachers for 28 different languages. (ACEP registrants command more than 100.) An Army major flew in and, after 5½ days of continuous interviewing, scooped up 77 men and women.

Some can't be placed in their old professions. For example, lawyers don't know American law, and many are too old to start studying again. But ACEP has discovered that there are more than 70,000 vacant librarian posts throughout the country. With ACEP funds and State and Federal educational loans, more than 60 foreign lawyers have been given a year's intensive work in library science at Columbia University and other schools. So far, 48 have been placed. One of them, who had been a hospital orderly, is now chief librarian of a New Jersey university.

Many of the emigrees have been trained in mathematics, physics, and chemistry—fields in which there is an enormous shortage of teachers. "But before we can retrain these men and women to teach," Else says, "we have to give them a working command of English." ACEP found a retired junior high school principal to administer the program of providing more than 900 emigrees a year with 3 to 4 hours of intensive private English tutoring a week.

"Most of our 55 volunteer tutors are former teachers, and in 3 or 4 months we can give the pupils fluency and understanding," Else told me. Once their English is in working order, selected scientists among the emigrés attend courses, paid for by the National Science Foundation, at Brooklyn Polytechnic Institute to become acquainted with American texts and teaching methods. After that they generally can be placed in college teaching posts.

To get trained Cuban refugees back into teaching, ACEP organized special orientation courses in English and in U.S. teaching methods in conjunction with the New York City board of education. Many of the Cuban teachers will be ideal for classes of Puerto Rican pupils who speak Spanish only.

For Cuban teachers whose educational qualifications do not meet U.S. standards, ACEP has found another outlet: social work. ACEP has placed 30 former Cuban teachers in daytime auxiliary social-work jobs; they go to school at night for graduate training. Dozens of others are being placed as New York City social investigators, to check out welfare applicants. The city has never been able to get enough Spanish-speaking investigators.

Encouraged by its great success with trained refugees, ACEP is now paying more attention to young men and women who left their oppressed lands before they could complete their university education. Dean Hennessy says, "We've worked out a special night course in drafting for engineering students. After a few months they will be able to get daytime jobs as draftsmen, and they can complete their engineering education at night. In this way, with an investment of $300 per student for the drafting course, ACEP salvages a $30,000 education."

Thus, Else Staudinger and her coworkers continue to find new ways to match emigree skills with American needs.

"Those of us of the free world," says Dr. Harry J. Carman, dean emeritus of Columbia College and president of ACEP, "know of the risks ordinary men and women take to escape to freedom. We must do our utmost to help them fulfill the promise of their potential for themselves and for our country."

"THE PUBLIC PAYS AND STILL PAYS"—ACTIVITIES OF THE PRIVATE POWER INDUSTRY

Mr. NELSON. Mr. President, in 1931, the Senator from Alaska [Mr. GRUENING] published "The Public Pays," outlining the propaganda activities of the private power industry. His book has been revised and reissued under the title "The Public Pays and Still Pays."

The junior Senator from Montana [Mr. METCALF] reviewed the book for the August 1964 issue of Progressive magazine. I ask unanimous consent that the review be printed in the RECORD.

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

THE PUBLIC STILL PAYS

(The Public Pays, by ERNEST GRUENING. Vanguard Press. 273 pp. $2.25 paper.)

(Reviewed by Senator LEE METCALF)

The reissue of ERNEST GRUENING'S book, "The Public Pays," is an able, well-documented demonstration of the way private power, America's largest industry, seeks to discredit public power projects and Government direction of power facilities. In bringing his book up to date, Senator GRUENING shows that private power companies have consistently sought since the 1920's to undermine confidence in public power projects and the ability of the Government to intervene constructively in the provision of power, though current techniques are far more sophisticated than those of the twenties he describes. Using virtually every method of persuasion short of skywriting, America's private light and power producers have "edu-

cated" the American public to the dangers and costs of public power. At the same time, the consumer has unknowingly paid his "tuition" for this "education" in the form of higher power bills.

The unique aspect of Senator GRUENING's book is that though most of it was written in 1931, it is still pertinent to the private-public power controversy. The major part of the book is a skillful synthesis of the lengthy hearings of the Federal Trade Commission's investigations of power companies. Completed in 1931, these investigations were the impetus for such regulatory measures as the Holding Company Act of 1935, the Securities and Exchange Act, and the Rural Electrification Act of 1936.

Senator GRUENING describes how private power companies never abandoned their propaganda activities, even after their collapse in the depression. Although not conducted on a national scale, "public relations" remained a major concern on the local level. The Federal Power Commission's investigations of five large northwestern utility companies from 1935 to 1940 found that these companies continued to expend large sums of money to further their political and legislative interests and to influence public opinion.

Since 1950, the growth rate of investor-owned electric utilities has risen to a point where "some utilities match or surpass the records of pace setters in other industries." With the highest profits in their history, investor-owned utilities have refined and extended their propaganda. They are now particularly concerned with the progress of REA cooperatives, "impeding their legitimate efforts to develop power generation and transmission * * * seeking to hamstring them legislatively and to prevent future essential river basin development, flood control, and power projects."

The techniques used by private utility companies to mold public opinion demand careful analysis. In the 40-odd years since Samuel Insull instigated the formation of the Illinois Committee on Public Utilities, private power has acquired formidable finesse in creating a favorable climate of opinion. Senator GRUENING includes nine examples of current private power propaganda. These "advertisements" associate public power with unnecessary tax spending, Government favoritism, socialism, and totalitarianism. One such advertisement, noted by the late President Kennedy as being "particularly ugly," equated public power with the Berlin wall, "with the clear implication that development of public power is communistic and the American people victims, like the East Germans seeking to escape."

The distinction between propaganda of this type and the public relations campaign of the 1920's is only one of degree. "All of the devices utilized in the dishonest campaign of the 1920's—books, motion pictures, canned editorials, circulars, newspapers, and magazine advertisements—are again being used." The implicit parallel between power propaganda in the twenties and contemporary private utility "advertising" leads to the startling conclusion that although many aspects of the private power propaganda campaign to subvert public opinion were exposed by the Federal Trade Commission Report of 1931, similar tactics are still in effective use today. What is more, contemporary power propaganda is far more costly than the relatively crude public relations projects of the twenties; hence the public is paying a higher price than ever before to learn the benefits of private power.

Senator GRUENING recaptures the spirit and purpose of private power propaganda in the twenties by relying extensively on the FTC's reports and exhibits, "so that the propaganda's purpose, as nearly as may be, is revealed 'out of the mouths' of its proponents." Educational institutions were a prime target of private power propaganda. Private utilities sponsored courses on utility-connected problems through universities and colleges, exerted pressure to revise unfavorable textbooks, and distributed large numbers of pamphlets, all directed toward "fixing the truth about utilities in the young person's mind before incorrect notions become fixed there."

While the infiltration of the American educational system by the proponents of private power is perhaps the most alarming aspect of private power's propaganda campaign in the twenties, this was only one aspect of a diverse program of action. Private utilities supplied the press with "canned editorials" favorable to private power and used their advertising business as a lever against reluctant editors. Even the Chautauqua platforms and the lecterns of local women's clubs were propaganda vehicles for private power. Obviously, the power companies did not directly reveal their sponsorship of the majority of these activities.

The most thought provoking aspect of GRUENING's book is that although the propaganda activities he described are remote from us both in time and in technique, they are the primitive antecedents of current power propaganda. Senator GRUENING warns that little has changed in the basic purpose behind private power propaganda. Mainly concerned with preserving their own highly profitable position, the private power companies' propaganda activities represent an attempt to forestall the increased competition and regulation that increased public power would bring.

Where public power projects can only be described as successful, as is the case with the TVA and the REA cooperatives, the private power companies choose to ignore the evidence. The vehemence with which they defend their position suggests the shakiness of their arguments. Their reliance on emotional appeals rather than well-reasoned arguments subverts the authority of the Government as a whole, not just the part which is concerned with public utilities. And then, the final paradox: The public pays and still pays for the propagation of such propaganda which can only undermine its best interests.

LABOR DAY MESSAGE

Mr. KEATING. Mr. President, as Labor Day 1964 approaches, I offer my congratulations to organized labor, to the men and women of the American labor movement who have sought to secure for all Americans the blessings of prosperous economy. The goals of labor are not confined to serving the interests of a few, but have been dedicated to improving the economic and social well-being of the vast population. In the words of Samuel Gompers:

> I do not value the labor movement only for its ability to give higher wages, better clothes, and better homes. Its ultimate goal is to be found in the progressively evolving life possibilities in the life of each man and woman. My inspiration comes in opening opportunities that all alike may be free to live the fullest.

The desire to serve the public interest is still the inspiration of American labor. The progressive steps which have been taken in the field of better housing, better education, and better medical services, have been supported by our labor organizations.

In the course of building a tradition of solid achievement, our unions have remained free and strong. The skill, the initiative, and the independence of American labor have no parallels in the world. The system of collective bargaining, through freely chosen labor organizations, has enabled American labor to achieve the highest standard of living in the world.

The system of free collective bargaining has served labor and the Nation together. Those who would limit the right of labor and management to bargain freely, or who would prevent the growth of unions, or who would cripple union organization, through the establishment of the "compulsory open shop," are unaware of the sources of this Nation's strength and prosperity, and would impede future progress.

We are a nation many times blessed. Science and technology promise to take us to unimagined heights, the far reaches of the universe. On this planet, they have been responsible for advances in medicine, manufacturing, agriculture, communications, and transportation.

While we have achieved great abundance, it is not shared by all Americans. Millions are unemployed; many are deprived of the smallest economic opportunity; many of our senior citizens live on fixed incomes which year by year shrink in purchasing power.

So long as these problems continue to plague our citizens, we must continue to seek their resolution. So long as the men and women of the American labor movement commit themselves to further advancement and future achievements, we can be assured that this Nation will create a general abundance unprecedented in human history.

I have always welcomed the counsel and support of American labor, and I hope to have them in the future. I serve no special interests. In serving the people of my State, I have served all the people, including the laboring men and women. Although we have achieved much in our Nation, there is still a lot to be done; and with organized labor taking the role of leadership that it has in the past, we will continue to meet the Nation's most urgent tasks.

DESIGNATION OF COLUMBUS DAY AS A NATIONAL LEGAL HOLIDAY

Mr. DODD. Mr. President, on August 12, we had a very interesting and informative hearing before the Subcommittee on Federal Charters, Holidays, and Celebrations concerning the bill to make Columbus Day a legal national holiday.

This bill, S. 108, was approved by the Senate a few days later and is now pending in the House Judiciary Committee which, I hope will report it in time for final approval before we adjourn this year.

One of the best statements made that day, and there were many outstanding witnesses among my colleagues and the private individuals who attended the hearing, was made by Mr. John Ottaviano, Jr., Supreme Venerable of the Order Sons of Italy in America.

John Ottaviano has done as much, indeed probably more than any other person to bring us closer this year than at

any previous time to making Columbus Day a national legal holiday.

Because it will indicate some of the time and work he has put into this effort, I ask unanimous consent that Mr. Ottaviano's fine statement be printed in the RECORD at this point.

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

STATEMENT OF JOHN OTTAVIANO, JR., SUPREME VENERABLE, ORDER SONS OF ITALY IN AMERICA

Mr. Chairman, and members of this distinguished subcommittee, my name is John Ottaviano, Jr., and I have the honor and the privilege to appear before you as the supreme venerable chief executive officer of the Order Sons of Italy in America, a fraternal organization having been in continuous existence over a half century as the largest organization representing people of the United States and Canada of Italian descent or related thereto by marriage or adoption.

Also representing the national organization, I am happy to have with me the Honorable Samuel Culotta, from Baltimore, Md., the Honorable Anthony Calabrese, a State senator of Ohio, and our supreme trustee, Vito Marino.

Unfortunately, my statement indicates Joseph A. L. Errigo, Esq., of Delaware, the original introducer of the bill, but he could not be with us.

My associates and I are proud and happy to have this opportunity to appear before this honorable subcommittee of the Senate Judiciary Committee to urge your favorable consideration and report on S. 108, which would establish Columbus Day, October 12, as a permanent national holiday of these United States of America. It is our fervent hope and prayer that this leadership provided by this Nation will serve to influence our good neighbors in this Western Hemisphere, who have not already done so, to follow the example set and thereby provide another activity promoting a good neighbor policy and general hemisphere solidarity.

On October 12, 1964, the peoples of the Western Hemisphere will mark the 472d year since the discovery of the New World by the intrepid, courageous and God-fearing explorer and navigator, Christopher Columbus. Once again, this period will be marked with parades, banquets, and other forms of demonstration and celebration in which literally thousands of silver-tongued orators will thrill the countless millions of listeners, extolling the virtues of this man of the ages, and the tremendous and almost incalculable values and benefits that have flowed to all peoples regardless of race, color, or creed since that first memorable voyage.

With but a handful of exceptions, every State of our great Union will in some fashion commemorate this great man. In addition, some 15 or more other countries in this Western Hemisphere will join in commemorating Columbus Day. It does seem sad and most unjust that with such overwhelming demonstrations, this great day of the formal and never to be thereafter relinquished discovery of the Western Hemisphere should not make the grade of being listed among the days decreed by the Congress of the United States to be permanent national holidays. This Nation, recognized as the strongest and the most advanced and enlightened country in this hemisphere, should once again provide the leadership in establishing proper de jure recognition for the date of its discovery.

The Order Sons of Italy in America is strongly and sincerely dedicated to the task of achieving this recognition of Columbus Day which its membership has felt to be deserved through the years. Columbus Day is proclaimed by the general laws of our order as a national holiday and our lodges and grand lodges in these United States and Canada are urged to sponsor and cooperate in fitting observances of this day.

In the past 2 years, more than ever before, a great deal of attention and publicity has been given to the question of having Columbus Day declared a permanent national holiday by the Congress. Even as much publicity was given to the first postponed hearing of this subcommittee, so now again the eyes and the ears of our citizens are focused on this Congress and on this Committee of the Judiciary, waiting expectantly for a favorable vote.

We must report success or failure. We must point out those who have supported this measure and those who have failed their loyal constituents. The results will be recorded and reported forcefully because this legislation has been introduced too many times in the past and failed unnecessarily of passage.

I say failed unnecessarily of passage because it does not seem necessary to argue too long or strenuously for its passage. Are we to characterize all of our congressional speakers who gear their campaigns to the Columbus Day observances as not being as dedicated as they speak? Obviously, this cannot apply to those who openly and vigorously support this legislation. The others perhaps forget too quickly. They, unfortunately, are not very considerate of the personal feelings of their peoples in this matter whose hopes they have encouraged.

S. 103 does not present a world-shattering piece of legislation to the Congress, nor does it propose a panacea for all of the domestic ills that continuously beset our people. However, it is a matter of great pride to large segments of our people and I do not limit this reference to those of Italian ancestry alone. It may be argued and properly so, that those of Italian descent are more intensely concerned with and more fiercely proud of this great ancestor. However, they have never claimed exclusive jurisdiction over this great man nor over the greatest discovery in the history and civilization of mankind.

Ours is a common destiny as children of a single God, Savior and Protector. By virtue of this Supreme Being, this historic voyage was planned and consummated. The proof lies in the common good, the rich heritage and patrimony that lies befallen to all peoples of this Western Hemisphere. All of us in this room, without distinction of any sort, are beneficiaries of this discovery of the ages.

I have a quotation from the Honorable Congressman from my district, and I'd like to read his words, the Honorable ABNER W. SIBAL, submitted at the judiciary hearing of the House:

"Columbus' discovery of the New World really qualifies him as the first American. His life and work have been a part of all our lives from the time we were schoolchildren. He is one of those few, awe-inspiring figures in history in whose destiny is intertwined the destiny of all of us.

"He ranks with Washington and Lincoln as a man of world consequence and as a founder of all that we are today."

The Honorable THOMAS J. DODD, senior Senator from Connecticut, and a member of this Senate Judiciary Committee, has been a true friend and a loyal supporter and worker for this legislation. I wish to express to him the commendation and the gratitude of the membership of the order I have the honor to represent for his many courtesies and his steadfast support and great efforts in this undertaking.

We are especially grateful to him and to Senators PHILIP HART of Michigan, EDWARD KENNEDY of Massachusetts, KENNETH KEATING of New York, and HUGH SCOTT of Pennsylvania for joining together and requesting of this committee the reestablishment of this hearing date.

I now would quote from the letter of these five Senators for the record:

"This is where the story of America begins."

I do so because you so eloquently set forth the case for this legislation, and I quote:

"This is where the story of America begins. We have come a long way since then, and can look back on the rise of a great nation, built by people of many different nationalities, races, religions and backgrounds.

"Many millions of Americans in all parts of the country observe Columbus Day, to pay homage to this historic figure and to the men who accompanied him across the sea, and to pay tribute to the many fine Americans of Italian origin or descent who have played such a great part in the growth of this Nation.

"A national holiday on October 12 would remind us of our debt to this courageous man and to the 12 million persons of Italian origin or descent who have consistently contributed so much to our country through the years."

This, I feel, is important from your letter: "And we are confident that there is enough support for S. 108, both in committee and in the Senate, so that the proposal would be approved, once the legislative process is started with hearings and subcommittee consideration."

Mr. Chairman, and members of the subcommittee, the membership of the Order Sons of Italy in America say "amen" to this fine letter. We sincerely hope and pray that this confidence of these outstanding public servants will be proven true. We know, and I go on here to indicate the number that are cosponsoring the bill.

I would also be remiss in my duty as supreme venerable and also unjust and unkind not to express the thanks and appreciation of the Order Sons of Italy in America to Senators J. CALEB BOGGS and JOHN WILLIAMS of the great State of Delaware who introduced S. 108.

There are several other testimonials that I should like to present at this time.

In June of this year, a joint committee of the Order Sons of Italy in America and the United Italian American Labor Council, Inc. was most graciously received by the President of the United States, the Honorable Lyndon Baines Johnson, in the Cabinet Room of the White House.

On this occasion, the President read to those assembled a prepared statement from which I should like to submit pertinent excerpts to this committee. The President stated, and I quote:

"No European nation has enriched us more than Italy.

"Italy is, in many respects, the mother of us all. Western culture, in Europe and in this country, is deeply indebted to the great minds and great men of Italy.

"When I think of Italy, I always think of Columbus, and I remember what Emerson said, 'Every ship that comes to America got its chart from Columbus.'"

And continuing with the President's quote: "As Senator and as Vice President, I have often participated in Columbus Day observances. Certainly, as President, I will do all I can to encourage the Nation to remember October 12 and what it stands for." And this, I believe, is important. The President concludes:

"You have done a fine job of getting Senators to support the legislation I know you endorse to make Columbus Day a legal public holiday. I can't do more about that observance unless Congress acts."

Mr. Chairman, we are further heartened by the cosponsorship of S. 108 by the outstanding and devoted hard-working majority leader of the U.S. Senate, the Honorable

MIKE MANSFIELD, and yourself—in this case, I had said yourself, referring to Senator DIRKSEN.

I should like to enter into the RECORD a quote from your letter to our Mr. Errigo. This is from Senator DIRKSEN to Mr. Errigo of Wilmington, Del.:

"I can assure you that the moment the pending Senate filibuster has ended and we can proceed to organize Senate Committees that this bill will have immediate consideration. I will do my best to move it to the Senate Calendar for quick action so that it can then go to the House and then to the President for signature."

Mr. Chairman, we all recognize that the Congress has been hard at work on many serious and not uncomplicated problems in the domestic and foreign fields. Our first scheduled hearing had to be postponed. A terrifying and most sad catastrophe befell the American people in the tragic assassination of our sympathetic leader and President, the Honorable John Fitzgerald Kennedy. May his immortal soul rest in eternal peace.

However, I believe that we are indeed fortunate to be able to say that it is not too late because it is evident from the message I have previously read that our President Johnson also stands ready to affix his signature to this legislation upon passage by the Congress.

In other testimonials, the Honorable Senator BEALL said this for the CONGRESSIONAL RECORD on October 10, 1963:

"We Americans take pride in the discoverer of America, Christopher Columbus, not only for his courageous journey into unchartered seas, against great odds, and his pressing on despite mutinous crew and other handicaps, but also for his bringing to these shores the Christian faith."

The following is taken from the proclamation by the Honorable Theodore McKeldin, mayor of Baltimore:

"We take pride in this great Italian navigator who brought to our shores the Christian faith and whose memory renews our dedication and purpose to meet the challenges we, as a nation, confront both here and abroad."

And then while I served as treasurer of the State of Connecticut, I had the pleasure of meeting the Honorable J. Millard Tawes, present Governor of the State of Maryland, and I have a short quote from his proclamation on Columbus Day in 1963:

"Whereas, Christopher Columbus stands today as an alltime outstanding exemplar of such courage, such faith, and such vision; and

"Whereas, courage, faith and vision, and the guiding hand of God, brought Christopher Columbus to this hemisphere of ours, and opened the sea lanes for those who came after him, eventually to establish the United States of America; and

"Whereas, because this great son of Italy contributed so much to those of us who are privileged to be Americans and, through the United States, to the world in general." And that closes that part of the proclamation.

From Prof. Gino Gallozzi, a member of our Boston Lodge of the Sons of Italy, he writes as follows, and I wish to submit his statement:

"One hundred and eighty-seven million people from all walks of life cannot ignore the fortitude and the courage of the man who defied the New World 472 years ago.

"Were it not for the discovery of this great continent, 187 million people in the United States would not be able to pay homage to Thanksgiving Day and to the Father of our Country.

"Were it not for the discovery by Columbus, the great shaft of the Statue of Liberty with the ever-glowing torch held aloft would not be enlightening the world from this Western Hemisphere."

The foregoing testimonials clearly indicate that Columbus Day is and should be important and dear to the minds and hearts of all Americans and cannot be regarded as being the care and concern of any single segment of this great melting pot of races.

Then there is a matter of a number of States that had this adopted and I will submit information collected from the Library of Congress.

Now, what is the record through the years with our Congress on this legislation? In every Congress, commencing with the 72d in 1931 and through and including this year, the 88th Congress, legislation seeking to add Columbus Day to the list of our permanent national holidays has been introduced. In 13 Congresses prior to the current one, I am very sorry to report, no action was taken on this legislation.

In my opinion, this is a sad report. This is an unfair and unjust report to this great hero, this great benefactor of all Americans to the present day who followed him and found their new destinies upon these hallowed shores.

Before closing this statement, I should like to submit one more opinion, which comes from one of our brothers in our order and of whom we are quite proud. He is Dr. Nocholas Petruzzelli, an economist with the Export-Import Bank.

On this question, Dr. Petruzzelli wrote in part as follows:

"It is the consensus of authoritative opinion that the discovery of the New World by Columbus marked the commencement of a great renewal of the human spirit. His success encouraged other discoveries and opened new windows to science and to all knowledge. The discovery of America changed the course of history, and to no man since the coming of Christ does the world owe so great a debt as to Columbus. It would be fitting, therefore, that the United States of America should claim the immortal name of Christopher Columbus as her very own by making the date of his discovery of the New World a national public holiday."

The challenge is presented now fairly and squarely to this Congress. It has, in my opinion, and I offer this opinion most humbly and respectfully, risen to great heights in resolving issues of great importance and most beneficial for the future welfare and prosperity of the American people.

I urgently submit to you that this Congress should not again permit this opportunity to pass. I ask for your favorable report of S. 108, and further to exert all of your energies to bring about its passage in both Houses and its transmittal to the President, where I am confident, it will finally be signed and proclaimed into law to the everlasting credit and endearment in the hearts of the overwhelming majority of the American people.

Speaking for myself, personally, and for the membership I have the honor to represent, I thank you for this opportunity to appear before your honorable committee.

Senator, I will submit copies of this statement, copies of the material gathered from the Library of Congress, and copies of our national publication, in which we indicate the interest of the order, the membership I represent, in this bill.

HOUSTON POST EDITORIAL PAYS TRIBUTE TO MRS. ANNE BYRD

Mr. YARBOROUGH. Mr. President, the sadness and heartfelt sympathy we share in the passing away of Mrs. Anne Byrd, wife of the distinguished senior Senator from Virginia, HARRY FLOOD BYRD, have been expressed with tenderness and sorrow by a leading Texas newspaper, the Houston Post.

In tribute to the life of a great lady, who shared the work and the great responsibilities of our colleague, Senator BYRD of Virginia, I ask unanimous consent that the Houston Post editorial of Monday, August 31, 1964, captioned "Mrs. Anne Beverley Byrd," be printed in the RECORD.

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

[From the Houston Post, Aug. 31, 1964]

MRS. ANNE BEVERLEY BYRD

Mrs. Anne Douglas Beverley Byrd, who died at her home in Virginia the other day, was a gracious wife and mother who could be—and was—at home and at ease in a Governor's mansion, at Washington social and political affairs, and amid the blossoms of a vast apple orchard.

During her half century of marriage to Senator HARRY FLOOD BYRD of Virginia, she watched history unfurl as her husband served successively as State senator, Governor, and U.S. Senator. At Rosemount, the Byrd home near Berryville, she was hostess on frequent occasions to the Nation's leaders. She played an active role in the family apple growing business.

Her death brought sorrow to all who had the privilege of knowing her. Their sympathy goes out to Senator BYRD and to her sons and grandchildren.

FORBES MAGAZINE WRITES OF BUSINESS SUPPORT FOR HUBERT HUMPHREY

Mr. YARBOROUGH. Mr. President, the qualities of our colleague, the senior Senator from Minnesota [Mr. HUMPHREY] that have so endeared him to us will be made well known to the country during the coming weeks. We can predict that no voter will be immune to the intelligence and charm of this legislative dynamo. As an illustration of the impact his personality makes on all who come in contact with our friend, I ask unanimous consent to have printed in the RECORD an interesting appraisal of Senator HUBERT HUMPHREY, under the title "Is It Senator HUMPHREY?", written by Malcolm S. Forbes, and published in Forbes magazine, a magazine of business, of August 1, 1964. This article demonstrates that HUBERT H. HUMPHREY has widespread business support and is not the candidate alone of a limited segment of our economy.

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

FACT AND COMMENT: IS IT SENATOR HUMPHREY?

(By Malcolm S. Forbes)

Ever since President Johnson took the oath of office last November, Americans by the millions, have speculated about his choice of a running mate this November. Toward the end of this month the game will be over, the selection made.

Who will it be?

Your guess is as good as mine—and vice versa. I strongly doubt if the President himself has as yet made his final decision.

Increasingly often at the top of the most "informed" guess-lists is the name of Senator HUBERT HUMPHREY, Democrat, of Minnesota. If not the speculators' first possibility, he is usually No. 2, almost never lower than third.

What sort of a man is this whom fate or the march of time could well make the next President of the United States?

I found him to be in fact considerably more than the man I thought he was. Articulate, not glib; principled, not preachy; determined, not dogmatic; a man with an ebullient, deep-down faith in the goodness of his fellows, a faith apparently untarnished by the cynicism that inevitably accompanies success in politics.

His liberalism is real but not wild-eyed or far-out. He obviously no longer believes, if he ever did, in push-button legislative solutions to complex problems.

Fascinatingly enough, he is at once a favorite of the Adlai Stevenson spectrum and increasingly one of the favorite Senators of informed businessmen. In talking with a Forbes reporter about HUMPHREY, New York Stock Exchange President Keith Funston said, "If I had to name one of a half-dozen people in Washington who would have been against us, HUBERT HUMPHREY would have been at the head of the list. But I found out a couple of years ago he was a real capitalist. The business community had the wrong picture of him."

About the improving climate between business and government, HUMPHREY says this: "I am not for monopolies or price fixing, everybody knows that. But that kind of stuff isn't good for business either. I think the day of harassment of business by government is over. * * * For years business has looked on government as a natural enemy, that's fading now. * * * I think you have to have a favorable political climate to have a good economic climate."

Last week I flew to the Chicago Club to be present when Senator HUMPHREY met and spoke off the record with 2 dozen of the country's topmost business leaders, gathered by Sears, Roebuck president, Crowdus Baker. I was amazed to see Gen. Robert Wood present and told him so. This venerable curmudgeon of the right, his eyes twinkling, quickly set me straight.

"I am just back from the San Francisco convention. It was the greatest I ever attended. We finally fixed you easterners. Why am I here? I'm thrilled with BARRY GOLDWATER, but if Johnson should be reelected, I'd feel safer with HUBERT HUMPHREY as Vice President."

This one-time chief of Sears went on: "I disagree with most of his ideas but if fate put him in the White House, I could go to sleep knowing we had on the job an honest man who truly loves his country."

The great difference between the HUBERT HUMPHREY who entered the Senate 16 years ago and the HUBERT HUMPHREY who, with a couple of others, runs the Senate today is simply summarized: While his liberal convictions have not melted, he himself has mellowed, matured.

"If I believe in something," he says, "I will fight for it with all I have. But I do not demand all or nothing.

"Professional liberals want the fiery debate," says he. "They glory in defeat. A sort of political masochism. The hardest job for a politician today is to have the courage to be a moderate. It is easy to take an extreme position."

After the Chicago confab, I flew to Washington with the Minnesotan and four of his young aids. They were a happy, bright, believing group. Obviously dedicated to their boss, they clearly felt his future and theirs indeed lay ahead—just ahead. Come August 24 and then November 3, they could turn out to be quite right.

At least that's the way it looks to this Republican.

THE WHEAT PROGRAM

Mr. LONG of Missouri. Mr. President, recently there have been many charges to the effect that the current wheat program authorized by this Congress has had the effect of lowering wheat prices below what might have obtained had the program not been enacted. The Department of Agriculture has come in for much criticism on the ground that its so-called meddling, or, on the other hand, so-called inaction on behalf of farmers, has helped to depress wheat prices below previous levels.

The number and frequency of such charges, and the fact that my State harvests a substantial acreage of wheat, led me to investigate the accuracy of the charges. A recent inquiry of mine to the Agriculture Department resulted in a very informative report on the situation, written by Mr. H. D. Godfrey, the Administrator of the Agricultural Stabilization and Conservation Service, of the Department of Agriculture.

The report indicates that those who allege that the Government has failed in its duty to maintain a higher level of wheat prices forget or overlook the fact that the adverse votes of the same wheat farmers, in the May 1963 wheat referendum, not only killed mandatory acreage controls on wheat, but also stripped the Department of Agriculture of authority to protect the incomes of wheat farmers at previous levels.

The report points out that opponents of the present program who blame alleged low prices on the Government continue to ignore these basic facts about the wheat program:

First. That as a result of the defeat of marketing quotas, in the wheat referendum of last year, price supports for the 1964 wheat crop would have established the price at $1.26 a bushel, had it not been for the action of Congress in placing the supports at the present $1.30 level, 4 cents a bushel higher than would otherwise have been the case.

Second. That market prices for wheat have historically followed closely the level of price supports, and that—contrary to some of the allegations made recently—only during and immediately following World War II, when wheat was in short supply, have market prices been as much as 10 cents a bushel above the support level.

Third. That there is a substantial surplus of wheat, with the Commodity Credit Corporation holding an inventory of approximately 900 million bushels—almost 2 years' domestic food consumption. The total supply of wheat available for the current marketing year—1964 crop, plus carryover—is approximately 2.2 million bushels—far in excess of the estimated domestic and export requirements of 1.3 billion bushels. These figures, when simply stated, mean that in the absence of the current wheat program, the total supply available to affect the current marketing year would have been at least 100 million bushels larger.

Fourth. That there are no factors in either the domestic or world supply-and-demand picture which would give reason to believe that buyers of wheat would have been paid much more than the $1.26 support rate for the 1964-crop wheat.

On the basis of these facts, it should be quite clear that, instead of reducing farm income from wheat, as charged, the new program, which increased price supports from $1.26 to $1.30 a bushel, and provided certificate and diversion payments to participating producers, in fact resulted in an actual increase in the 1964 income of wheat farmers. It has been conservatively estimated that the increase in total income to wheat farmers nationally will amount to around $450 million.

Mr. President, I thank the Administrator, Mr. Godfrey, and the Agricultural Stabilization and Conservation Service for their help in clearing away these charges and allegations, and for getting through to the true facts concerning the current wheat program.

CUBA AS A STATE

Mr. ERVIN. Mr. President, the writer of the book of Ecclesiastes did not know my good friend, Henry A. Dennis, president and editor of the Henderson Daily Dispatch, of Henderson, N.C. If he had, he would never have asserted that there is nothing new under the sun.

The Henderson Daily Dispatch for August 21, 1964, carried an editorial, by Henry Dennis, entitled "Cuba as a State," which suggests, as the ultimate solution of the Cuban problem, that Cuba should ultimately be admitted to the Union, as the 51st State. I ask unanimous consent that the editorial making this novel suggestion be printed at this point in the body of the RECORD.

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

CUBA AS A STATE

This may sound ridiculous but then again it might conceivably have greater merit than appears on the surface. It is the possibility that by some strange quirk of events Fidel Castro might be gotten out of the picture and, by assent of the people, Cuba become the 51st State in the American Union. How it could be brought about, or even if it could be, we have little idea.

Since Alaska and Hawaii have been admitted to the sisterhood of States in recent years, a development of this character might have been more feasible before the Communist dictator took over in Cuba 5 years ago. Alaska and Hawaii were, of course, already territories of this country and because of that didn't have as far to go. But it seems odd that the idea was never considered in the decades prior to the dictatorship and subsequently the sellout to Soviet Russia.

Cuba is only 90 miles from the coast of Florida. Hawaii is 2,000 miles out in the Pacific from the mainland, and Alaska almost as distant to the north. But they are States today.

The present regime in Cuba is a thorn in the flesh to the United States and will always be so long as it is directed from Moscow, thousands of miles away. Cuba, as part of this Nation, could become an important factor in our national defense. As a State, people from the mainland would be free to travel back and forth. The tourist trade itself would almost support a State government in Cuba, as it would become a favorite resort in winter.

Cuba as an integral part of the United States would enter upon the greatest era of development and prosperity it has ever experienced and far more than it is likely ever to achieve as a satellite of the Kremlin.

All this has the ring of the fantastic. And it may be all of that. But Cuba is much nearer the mainland than Puerto Rico, which would like very much to become the

51st State. It is odd that such an approach to an irritating problem has never received any thought here, at least none that we have ever heard of.

The whole thing may be a crackpot idea, but it really isn't as fanatical as it may sound on the surface. Such a development might create new headaches, but certainly it would ease a lot of others. If the proposal were held out to the Cuban people, they might conceivably take matters in their own hands to bring it about. Although he would be downgraded in the extreme, the thought could possibly find some lodgment in the brain of Castro himself.

THE RESEARCH TRIANGLE INSTITUTE NEAR DURHAM, N.C.

Mr. ERVIN. Mr. President, the Durham Sun, of Durham, N.C., for August 4, 1964, published an interesting article concerning the Research Triangle Institute near Durham, N.C., which is doing so much to promote economic and scientific research. I ask unanimous consent that a copy of the article be printed at this point in the body of the RECORD.

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

RTI HAS NEAR $16 MILLION IMPACT ON AREA'S ECONOMY

(By Don Whitley)

Research Triangle Institute (RTI) near Durham has an economic impact on the three-country area in which it was founded of nearly $16 million annually.

The impact derives from personnel paychecks only. It does not include additional moneys spent locally for equipment, materials, and supplies used at the institute.

The research center has a current annual payroll of $1,790,500. Based on industrialists' estimates of each dollar changing hands 8 times within the community, present salaries produce an economic impact of $15,764,000.

RTI's salaries represent livelihoods for 210 households, or 735 people based on the national estimate of 3.5 persons per household. When the institute was founded in 1959, the professional staff of 35 people, represented only 122 family members.

Over half—58 percent—of the people associated with RTI live in Durham County. Thirty-six percent of these live in the city of Durham. Others live in Wake, 20 percent; and Orange, 18 percent; the other two counties composing the triangle area. The remaining 4 percent are nonpermanent residents.

RTI has attracted to North Carolina, and the three-country area, professional scientists from nine countries including India, Afghanistan, Australia, Canada, Great Britain, Germany, Japan, and Yugoslavia.

Three RTI staff members presently are in Nigeria working on a research project for a U.S. Agency for International Development.

Of the present 210 member permanent staff, two-thirds (140) are professional persons, ranking in the scientist levels. Of this 140 staffers, another two-thirds (94) are trained beyond the college graduate level, and from this number, one-half (70) hold Ph. D. degrees.

RTI officials say the number of professional employees here is exceptionally high for an enterprise with a 210 member staff, but the operation of the institute requires persons well versed in a wide variety of subject areas, and specially trained in certain fields of research.

Value of buildings occupied or under construction, plus equipment owned by the institute, totals over $2.5 million. Laboratory and office equipment alone is valued in excess of $700,000. Three buildings are completed and in continuous use. These include the Hanes Building used for administration offices, the Dreyfus Laboratory Building, and building No. 3, used for laboratory and experimental research.

Presently under construction is the William Trent Ragland Building at a cost of $480,000. The building is designed to afford 32,000 square feet of working space. When the Ragland Building is completed, the institute will occupy 95,000 square feet of workspace in its four buildings.

Research contracts acquired by RTI through the year 1964 total $12,505,000. Projected revenue to the institute through contract projects will exceed $3 million.

Since the institute is a nonprofit enterprise, all revenues above salaries are expended on services, supplies, equipment, and a major part into construction of new facilities.

RTI is regarded by many business leaders as one facet of North Carolina's answer to challenges of an emerging and expanding industrial economy. A major attribute to its being founded here was the concentration of three major universities—the University of North Carolina in Chapel Hill, Duke in Durham, and North Carolina State in Raleigh—forming a triangle with less than 30 miles on a side.

RTI president, Dr. George L. Herbert, says "The success of the Research Triangle Institute is measured by the extent to which its research programs contribute to total national and regional efforts and add to the world's fund of basic knowledge."

In addition to scientific and industrial advancements, RTI contributes to cultural enrichment of the three counties in which it is formed, and to North Carolina. The exceptional number of staff members trained high in the ranks of education bring with them wives, most of whom also are college trained, and potential college graduates in their children.

RTI is one of four research centers already established in the 5,000-acre Research Triangle Park located in parts of Durham, Wake, and Orange Counties. Others include Chemstrand, the National Association of Colorists and Chemists, and a Southeastern Forestry Experimental Station.

Each of the research centers employs highly trained staffs, and each affords greater cultural enrichment for the area, along with greater potentials for boosting the area's economy since education is the basic consideration for earning power.

ADDRESS BY SENATOR GRUENING OF ALASKA BEFORE THE CANADIAN-AMERICAN ASSEMBLY, HARRISON HOT SPRINGS, BRITISH COLUMBIA, AUGUST 21, 1964

Mr. AIKEN. Mr. President, on August 21, 1964, the Senator from Alaska [Mr. GRUENING] addressed the Canadian-American Assembly at Harrison Hot Springs, British Columbia.

In delivering this address, the Senator made a worthwhile and informative contribution to the cordial relations already existing between Canada and the United States.

I ask unanimous consent to have the address of the Senator from Alaska printed in the RECORD, as well as a letter which the Senator from Alaska subsequently received from Clifford C. Nelson, president of the American Assembly at Columbia University, New York City.

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

ADDRESS BY SENATOR ERNEST GRUENING, DEMOCRAT, OF ALASKA, BEFORE THE CANADIAN-AMERICAN ASSEMBLY AT HARRISON HOT SPRINGS, BRITISH COLUMBIA, AUGUST 21, 1964

Friends of the Western Canadian-American Assembly, ladies and gentlemen, some 21 years ago a distinguished Canadian, long in his country's service and then a member of the Dominion's subcabinet, was visiting me in the Governor's mansion in Juneau, Alaska.

In the course of our conversations, I exhibited the ignorance concerning Canada which, as a characteristic of Americans generally, it is now widely asserted, is one of the Canadians' grievances against us.

My ignorance took the form of a questioning of my Canadian guest.

"Tell me," I asked, "just what is a Canadian? What is his feeling about his nationality? Does he consider himself a transplanted Britisher? Or does he have as strong a nationalistic and prideful feeling as a Canadian as we have as Americans? Do you Canadians have a militant sense of your nationhood?"

His reply, given with a smile, was: "Well, we haven't been able to make up our minds yet what our flag should be."

That was 21 years ago. And perhaps I should apologize retroactively in the presence of Canadian friends gathered on the hospitable soil of Canada for so gauche a catechizing of a most delightful visitor.

However, 21 years later the flag issue appears not only unsettled, but somewhat more acute.

But that should not cause any concern. Our American flag has been changed repeatedly. Some of us are particularly proud of the changes made in 1959 and 1960, when we added the 49th and 50th stars and moreover staggered the arrangement of the stars. By these acts, let me digress to say we extended the frontiers of democracy to our farthest west, north, and south, into the Eastern Hemisphere and into the Arctic. Which makes me wonder why the proposed new Canadian flag does not also carry a blue stripe on top to recognize the Arctic Ocean, one of the great airways and subseaways of the immediate future. The United States and Canada appear to be the only nations fronting on three oceans. Since your flag could, if it were so wished, recognize that striking geographic fact, why not consider it?

To return to my subject, I note, also, as having some pertinence, Prof. Douglas Le Pan's opinion in his "Canadian View" of the outlook for the relationship between our two countries that "most Canadians would admit that Canada has not yet succeeded in creating a clearly recognized national identity."

A different view is, however, expressed by the Honorable Paul Martin, Secretary of State for External Affairs, who, while addressing the 25th American Assembly last April, stated: "There is a national purpose in Canada, there is a national integrity, there is a determination to pursue that."

I have further confession to make. And if confession is good for the soul, mine will be much improved on this occasion. For I must confess to having been guilty also, on the one previous occasion when I discussed Canadian-American relations, of what I now learn is not only a cliche, but a cliche passé, and worse.

Addressing a joint Dominion Day and Fourth of July celebration at Edmonton in 1942, organized in the enthusiastic aura of the construction of the Alaska Highway—then known as the Alcan—I referred glowingly to the 3,000 miles of undefended

boundary which, I suggested, separated but did not divide our two nations.

That now appears to have been a faux pas extraordinary, rendered even more obsolescent and solecistic by the historical and geographical subsequent amendment that it has become 4,400 miles of undefended boundary, running not merely east and west, but also north and south.

My retrospective mortification is compounded by the discovery in the course of a careful reading of the statement of findings and recommendations of the Western-Canadian-American Assembly of last April that not fewer than five of the seven contributing experts chastise such allusions with joyful piquancy.

Thus, Prof. Mason Wade, of the University of Rochester, refers to "that postprandial favorite," "that favorite topic of afterdinner orators," and characterizes as "a hardy and persistent myth that the tradition of the undefended frontier * * * goes back to the Rush-Bagot agreement.

Thus, also, Prof. James Eayrs, of the University of Toronto, refers to "that famous unfortified frontier without fulsome reference to which no international bridge could be opened and no afterdinner speech" be "complete."

Likewise, President John Wendell Holmes, of the Canadian Institute of International Affairs, declares flatly that "we have bored the world too long with sermons about our unfortified frontier" and that in this nuclear age it has become "an irrelevant symbol."

And President John Sloan Dickey, of Dartmouth College, calls for "at least equal time" for the less alluring symbol of "the unequal border" rather than "the undefended border."

I found a more sympathetic treatment of this obviously common error of which so many of us in our naive unawareness have been guilty in Prof. Jacob Viner's reaction, namely, that while "many Canadians, even some scholars, are casting ridicule on the traditional phenomenon of ceremonial speeches at Canadian-American gatherings which harp on the mutual good will of the two peoples, on the unguarded common boundary, on the common values and objectives and cultures of the two peoples," nevertheless such good will is not to be scorned.

This theme I should like to explore a bit further. I recall an aphorism of Justice Oliver Wendell Holmes to the effect that "reiteration of the obvious is often more useful than elucidation of the obscure."

So, I will venture my faith and confidence in the obviously uniquely favorable aspects of our relationship, our common heritage of law and custom, our common faith in the basic freedoms—of speech, of assembly, of press, of worship, the prime ingredients of democracy; our fundamental similarities of thought, morals, and aspirations; our common language. I do not overlook that Canada has two official languages, and in that respect is much richer than we. This is a solid base on which an edifice of fuller understanding can and will be built, and I wholly agree with Professor Viner that all this is not to be scorned. Quite the contrary. We should both rejoice in it and utilize it to the fullest extent.

But wait. Am I once more falling into fallacy? Again no less an authority than Secretary of State Paul Martin, in his aforementioned address, declared:

"A mistake will be made if it is thought that between us there is not a great deal of difference"; and elaborating, he said: "An American would make a great mistake if he thought that because of the similarities, because of the common enjoyment of so many of the incidentals of our society and our civilization, there was not fundamentally a difference between us. There is."

Well, praise be. Diversity should be one of the great goals of a free society. Of nothing should Americans or Canadians be prouder than of the diversities that exist within their respective societies. So why not diversity and differences, also, as between neighbors. We have plenty of them in our 50 States. So have you in your nine Provinces and territories. And how much better the diversities—those varied forms of untrammeled self-expression—that freedom can engender than the enforced conformance imposed in a totalitarian state or the drab and stodgy conformity of an inert and custom-bound society.

Unawareness by Americans of this difference, and indeed a larger unawareness by Americans of Canada in general—of Canadian problems, needs, and aspirations—appears to be one of the Canadians' grievances against their southern neighbor. I say, "appears to be," because I find it difficult to convince myself that so negative a quality can be magnified into a major grievance. But, as it has been categorically affirmed by men steeped in the issues of Canadian-American relations, I hesitate to voice my doubt. Of course such unawareness does exist, and the reason for it has been amply explained.

First, a much smaller proportion of Americans than Canadians live close to the border—indeed the overwhelming majority of Canadians live within 200 miles of it, forming a narrow transcontinental population belt, while Americans, spreading southward for over a thousand miles, allow their gaze and interest to wander elsewhere.

Second, Canada's economic and to a degree its political future are bound closely to American policy any performance, and largely dependent on them, while there is no nearly equal American dependence on what Canada does.

As Prof. Mason Wade pithily summarizes it: "Canada is only one of many problems for the United States, while for Canada the United States is the problem."

I agree that based on these geographic and economic factors, a marked difference in the awareness of Americans about Canada and in the awareness of Canadians about the United States is a fact.

But, in this time of better communications and educational potentials, is this not a problem that can be diminished by concerted effort?

The regrettable fact is, and it is pertinent, that Americans are also ignorant about themselves. I can speak feelingly and from personal experience about their ignorance—our ignorance—about my State—Alaska: Alaska, incidentally, a closer neighbor to Canada than to the rest of our Union, than to what we in Alaska call "the lower 48," or, in a vainglorious mood, "the smaller 48." We haven't quite accustomed ourselves yet to say 49.

That ignorance, just like our ignorance about Canada, has both historical and geographic origins. It goes back to the purchase of Alaska from Russia in 1867—the same year which gave birth to the Canadian confederation.

Ignorance at the time of its acquisition caused Alaska to be labelled with many harsh names. It was called Icebergia, Seward's Polar Bear Garden, Walrussia—a pun on the country which sold Alaska and one of our noble mammals—but the epithet which endured longest is "Seward's folly."

At the time of the debate in the Congress concerning Alaska's purchase, Alaska was pictured as a desolate arctic waste, unfit for human habitation. The Treaty of Cession was adopted by our Senate by only a one-vote margin, and when, in the following year, 1868, the House of Representatives was called upon to appropriate for the payment—the vast sum of $7,200,000, less than 2 cents an acre (in retrospect, what a bargain)—these misinformed views as to Alaska's worthlessness were amply aired. Had not the United States already taken possession of Alaska a year earlier, thus confronting the House of Representatives with a fait accompli, it is doubtful whether the transaction would have been approved.

Now if this display of some American legislators' ignorance and likewise of some of the press of that day were just an antiquarian footnote to history, it would be merely amusing, but this misconception continued to haunt Alaska and its relations with its adopting parents throughout Alaska's 92 years of territorialism.

It caused Congress to neglect Alaska shamefully. It gave Alaska no legal government whatever during its first 17 years under the American flag. During these years—from 1867 to 1884—no hopeful settler (and many of them came there hopefully) could acquire a title to land; no pioneer could clear a bit of the forested wilderness and count on the fruits of his toil, or build a log cabin with the assurance that it was his; no prospector could stake a mining claim with security for his enterprise; property could not be deeded or transferred; no will was valid; no injured party could secure redress for grievances except through his own acts; crime could not be punished. Perhaps, worst of all, marriage could not be celebrated—a cruel injustice to the lovelorn. Yet life somehow went on without benefit of legal sanction.

In this connection, it is pertinent to record a great and useful act of friendship performed for Alaska by their Canadian neighbors in the days of their common political infancy. In the absence of any government for Alaska created by a distant and uninterested Congress, such authority as there was, was exercised de facto for the first 10 years by the commanding officer of the U.S. Army stationed at Sitka. But when, in 1877, he and his troops were called back to put down an uprising of the Nez Percé Indians in Oregon Territory, there remained not even that semblance of authority in Alaska. The idea of an Indian uprising was contagious. This was a year after the massacre of General Custer and his men by the Indians led by Sitting Bull in Montana Territory. The relations between the military in Alaska and the surrounding Tlingit Indians had left much to be desired. The white settlers there, in deadly fear of an Indian uprising, implored their distant Government in Washington to send up some kind of a war vessel to overawe any possible uprisers and to protect them from massacre. No attention whatever was paid to these insistent and increasingly urgent pleas. Abandoned, they felt, by their own Government, the settlers, in genuine alarm and fear, appealed to their Canadian neighbors. Their cry for help, sent by mail (this was before the days of telegraph or cable), and addressed to "the captain of any one of Her Majesty's Ships stationed at Esquimault," was promptly responded to in good neighborly fashion by Capt. H. Holmes A'Court, who, without waiting for instructions, proceeded northward on the vessel under his command, the H.M.S. *Osprey*. His arrival in Sitka was hailed by its inhabitants, and he remained there for 34 days until a U.S. sloop-of-war finally arrived. Thus was performed a service unique in the annals of our two countries.

Let me express my retrospective appreciation for this gallant performance.

I have cited it as part of a demonstration that Americans—including their lawmakers—are also often unaware, neglectful, and ignorant of their own land. For what is pertinent to this discussion, as I have pointed out, is that that ignorance was not merely of long ago. It continued throughout the 92 years of Alaska's territorialism, which we in Alaska came to equate with colonialism. The myth of Alaska as a worthless and un-

inhabitable wilderness was a hardy perennial whenever legislation affecting Alaska came up in the Congress. It impeded and delayed our progress. It postponed the achievement of statehood.

In one of Alaska's unsuccessful efforts, as recently as 1954, when the statehood bill was defeated in the Senate by a single vote, 45 to 44, the defeat was ascribable to oratorical recrudescence of that myth.

One of statehood's most effective senatorial opponents declared statehood offered no solution to Alaska's problems since the territory's difficulties were "due to the extreme climate and hazardous living conditions. Congress cannot change the climate," he continued.

To support his case, this Senator quoted from an article in the New York Times written by its military expert, Hanson W. Baldwin, who had been reporting the winter military maneuvers north of the Arctic Circle.

"It is," Baldwin had written, "a land * * * of relentless winters * * *. Brief exposure can mean death."

No change in laws or political status would relieve Alaska, the Senator continued. Its fate and future were all summed up "in that short sentence, 'Brief exposure can mean death.'"

Hence, we have a common cause. You will find me enlisted in the combat against American ignorance. Let us together make every effort to erase that understandable Canadian grievance.

We come back to the border, not as of yore, the glorious, undefended border, where the absence of terrestrial forts is no longer meaningful in the age of air transport and missiles. That border is now the chief cause of our differences, the customs barrier, the tariff wall. Involved here are purely economic issues: employment versus unemployment; balance of payments; greater exports to balance imports. The issues can, must, and will be tackled by negotiation, by conference. Sometimes appropriate action by one or both governments takes care of the difficulties. Sometimes they take care of themselves. They usually involve a particular commodity which is an item of export or import by one of our two countries.

During 1962 and 1963, U.S. softwood lumber producers in our Pacific Northwest became increasingly concerned about increased imports of this product from Canada. Sawmills in the States of Washington and Oregon were being shut down. Men were thrown out of work. Canadian imports were held responsible.

The congressional delegations of these States, naturally concerned, brought up the issue. As there are no U.S. duties or quotas on such imports, relief measures were introduced. Late in 1963, the Congress enacted a bill to require, among other things, the marking of the origin of soft lumber imports. President Johnson, on December 31, 1963, gave the bill a pocket veto on grounds of inconsistency with U.S. trade policy. Here was an instance of the U.S. Chief Executive overriding the legislative branch and siding, one might say, with a Canadian interest against a U.S. interest. However, market conditions have improved in recent months and currently there are no strong pressures in the United States for any other restrictive measures in this industry. This is illustrative of the issues that arise.

Another similar issue, of wider application and greater depth, is current and as yet unresolved. It deals with the mutual desire of both of our countries to maintain or increase their exports or sales of automobiles and automobile parts. In Canada, in this instance, it has taken the form of governmental export subsidies. It was established by an order in council effective November 1, 1963, and to be in force initially for 3 years. If carried through, it will mean that Canadian manufactured automotive products can be exported at lower prices to the United States and compete successfully, and in the American view, ruinously, with the corresponding U.S. manufacturers. This issue is fundamentally similar on both sides of that border (now vigorously defended on both sides by the industrial interests involved), the issue being more employment or less unemployment as well as more income versus less income respectively. Not unexpected or unnatural was the congressional reaction. On the floor of the House of Representatives on August 4, Representative HENRY SCHADEBERG, of Wisconsin, spoke for an hour, his remarks and exhibits occupying 17 pages in the CONGRESSIONAL RECORD, which included supporting colloquies from other Members of Congress who likewise had industries in their districts which were likely to be or already had been adversely affected by this Canadian policy. An underlying issue in this instance which troubles Canadians is that Canadian vehicle producers are subsidiaries of American automobile manufacturers.

The Canadian purpose was succinctly stated by the Honorable C. M. Drury, Minister of Industry, in part as follows:

"1. To increase production and create additional employment in Canada;

"2. To take an important step to improve balance-of-payments position; and

"3. To give producers of parts for vehicles a valuable incentive to achieve longer production runs and a greater degree of specialization, thus assisting them to reduce their costs."

The U.S. industry's views, as voiced by the Wisconsin Representative, was that Canada's refunding of the 25-percent duty was a form of compulsion by the Canadian affiliate to get the parent company in the United States to buy Canadian-made parts, such as radiators, wheels, brake drums, bumpers, radios, heaters, etc.

He alleged that this move was to overcome the lesser efficiency of Canadian industry and its lack of competitiveness and that while his manufacturing constituents would not object to legitimate competition, they could not withstand a 100-percent government subsidy. Their lawyers presented the view that this action was in violation of the U.S. Tariff Act of 1930, and requested the U.S. Commissioner of Customs to level a countervailing duty on the Canadian automotive imports, as provided by the act. The Treasury Department did not comply but called for an investigation.

The issue was again discussed from the American industry's point of view on August 17 by Senator PHILIP HART, of Michigan, a State where, as we know, the automotive industry is largely concentrated. Senator HART, while expressing regret and disapproval of the Canadian action, pointing to its adverse effects in the United States, conceded that Canada's action derived from a genuine economic problem there: that Canada, during the past decade, had been averaging a deficit of goods and services of approximately a billion dollars annually.

Meanwhile, the issue was aired in the American press, the responsible Milwaukee Journal beginning an editorial entitled: "Challenge to Canada" with the words: "Just when United States-Canadian relations seemed to be entering a tranquil period, along comes a new row that threatens to erupt into another battle royal."

This is one of the hard issues. If it proves to be a violation of the Tariff Act and countervailing duties are levied, it will intensify ill feeling. The matter may ultimately go to the courts, whose decision may be determinative. But here is the field where mutual understanding and a willingness to adjust is of paramount importance.

Perhaps an entirely new overall approach in tariff negotiations is in order. Let it be recalled that the first reciprocal tariff agreement between any two countries was negotiated between Canada and the United States nearly 30 years ago. It lowered tariffs and a tremendous expansion in two-way trade has resulted.

Although I appreciate the obstacles, I would personally like to see the somewhat discredited proposal of free trade between us reopened and reexplored. That would be one way to exalt our border and restore its mythical sanctity.

Another current issue has to do with fisheries. The Parliament recently enacted legislation to establish a 12-mile fishing zone. It also permits the Canadian Government to draw straight base lines and declare bays and other bodies of water to be internal waters. Some negotiations concerning areas in which other than Canadian nationals have traditionally fished are in order.

I can only say that I wish the United States would follow Canada's example. I have for some time advocated it. I consider the 3-mile limit an obsolete relic of long-past days. With few exceptions, our fishermen would support such action, and so would the public.

Which leads to another set of issues; namely, how much should or ought Canada to be bound in international matters by U.S. policies? Well, speaking only for myself, who at times finds himself in disagreement with some of my country's foreign policies, as in southeast Asia and in various aspects of our foreign aid program, which I approve in principle but differ with sharply in the realm of performance, I would assume that such issues should present no real problem. After full understanding following consultation between American and Canadian policymakers and appraisal of the pros and cons of any issue, Canada, as a sovereign Nation, will and should take whatever position it deems wisest. At times that policy will coincide with that of the United States; at times, not. I believe a lot of needless misunderstanding could be averted once that became clearly stated and understood. It will strengthen our mutual respect. I have no doubt that in the really vital issues affecting life and liberty, the United States and Canada will see eye-to-eye.

There are important achievements in Canadian-American relations which deserve recording.

The long controversial St. Lawrence Seaway has now been in operation for five seasons. It is an excellent example of joint agreement and implementation of a major project of benefit to both Canada and the United States. There have been no serious problems or unresolvable differences with respect to joint operations of the facilities of the Seaway, pilotage, arrangements, or toll questions.

After more than a decade of negotiation involving national as well as state and provincial concerns, the United States and Canada signed the Columbia River Treaty in January of 1961, and the U.S. Senate ratified it shortly thereafter. In January of this year the President and the Prime Minister signed supplementary agreements whereby the United States would undertake to see that the Canadian share of increased electric power produced as a result of the treaty would be sold in the United States. The treaty provides for construction of three storage dams on the Columbia River in British Columbia which would provide flood control benefits in the United States and increased power generation at U.S. sites on the Columbia. Under the treaty, one-half of this increased power belongs to Canada.

A marketing entity has been established to prepay Canada for the purchase of its share of power. This prepayment of $254 million will be financed by the entry through the issuance of bonds. The issuance is now underway and it is expected that exchange of ratifications by the two Governments, together with prepayment of the $254 million, will be accomplished by October 1.

Here, then, will be another joint achievement of mutual benefit.

Alaskans were disappointed when another hydroelectric project which would have been of great benefit to them fell through. This was not an intergovernmental undertaking. The Aluminum Co. of America had plans to tap the waters of the upper Yukon in Yukon Territory, drop it some 2,200 feet to tidewater in the Taya Valley at the upper end of the Inside Passage, close to Skagway, bring in bauxite, and process it.

The project was announced by company representatives at a public meeting in Mount McKinley Park, and there was great rejoicing. Apparently they had not secured a firm approval of the Canadian Government, although they thought they had. Canada decided its interest would be better served by establishing an aluminum plant at Kittimat, an understandable decision.

We shall hope for a better outcome if and when the studies for the Rampart Canyon project on the Yukon in the center of Alaska are completed and the project authorized by the Congress. While primarily an Alaskan project, it also concerns Canada, though to a much lesser degree than the Columbia River project. It will be the largest power installation in North America, with a capacity of close to 5 million kilowatts—2½ times greater than Grand Coulee—and has been estimated to generate power at the bus bar at 2 mills a kilowatt-hour.

Another completed project of great value to both our countries, and particularly to Alaska, has been the construction, in 1942, of the Alaska Highway. Begun as a military measure during World War II, it has proved increasingly valuable to Canada's northwest and to the 49th State.

A more recent development of mutual interest affecting particularly the Province of British Columbia and Alaska, is the establishment by the Government of Alaska of a daily ferry system operating from Prince Rupert, British Columbia, up the Inside Passage to Haines. This, for the first time, makes the previously unconnected towns of southeastern Alaska—that is, unconnected by highway—accessible by automobile. Motorists from the States and Canada can now drive by way of Prince George and Highway 16 to Prince Rupert and put their cars on this ferry, operated by the Alaska State government. The ferry stops at Ketchikan, Wrangell, Petersburg, at Sitka on every third trip, at Juneau, Haines, and Skagway. At Haines, the northern terminus, the cars drive inland over the so-called Haines cutoff to Haines Junction in Yukon Territory on the Alaska Highway, and thence into Alaska. This project is of great benefit to tourism in both British Columbia and Alaska. Next season it is announced that a British Columbia ferry will go from Vancouver to Prince Rupert, so that tourists, with or without automobiles, if they desire, can enjoy the full-length boat trip up the 1,000-mile famed Inside Passage.

Now that the existence of the 1,400 miles of Alaska-Canada boundary has officially been recognized, although it existed just as much while Alaska was a stepchild in our Nation's family, Alaskans hope for an increasingly close relationship between these adjacent northwestern areas—Alaska, British Columbia, Alberta, Yukon Territory—so full of potential and as yet far from developed.

I know that the inhabitants there, on both sides of the boundary, are keenly aware of their common interest, and hopeful of the fulfillment of joint aspirations.

In recent discussions concerning Canada and the United States, it is pointed out that each is undergoing a crisis. These crises are likened to each other. Both are serious and must be faced. Both represent the revolt of a minority.

The differences between the two are probably much greater than the resemblances. Both have in common the driving urge of a minority that feels it has been discriminated against at the hands of the established order.

Neither of these crises can be classed as directly involved in Canadian-American relations. Yet their outcome can and will have a profound effect on each nation's future. So it becomes some concern of the other.

As to our problem, I have been deeply concerned about it all my years. I consider our treatment of the Negroes a national disgrace. It is a negation of all our national professions. It is a violation of the inspiring premises of our Declaration of Independence. Its correction is long overdue. But I am happy to say it is coming. More progress has been made in this field in the last decade—since the U.S. Supreme Court decision in the Brown case—than in the previous 93 years since Abraham Lincoln freed the slaves.

The passage of the civil rights bill in this Congress is a further great and gratifying achievement. But before the equality of treatment and of opportunity is more nearly achieved, we shall need more than legislation. And even legislation serves little purpose unless it is enforced. The American people learned in the 1920's, after passage of the 18th amendment establishing prohibition, that legislation which runs counter to the mores of a great number of people become a dead letter. And so, in addition to legislation and its enforcement, we shall need education—education to equip these long disadvantaged fellow citizens of color who, until they receive it, until through it they achieve equality of capacity, will remain at the foot of the economic ladder. Their understandable discontent will not have been stilled. The problem will remain and the revolt will continue.

So, while the road ahead is still beset by the obstacles of racial prejudice and resistance to change, we may expect steady progress toward the goal of equal treatment and equal opportunity in our country regardless of race, creed, or color. Rioting, violence, and bloodshed will no doubt continue sporadically for a time, but a foundation has been laid for the validation of the principle of equality of opportunity for all.

Of course, it should be clear that the real vital change needs to come in the hearts of men. Racial prejudice exists in varying degree in most parts of the world. Because of prejudice against orientals—with which Canadians have also been familiar on the west coast—it delayed the admission of Hawaii to statehood, although Hawaii presents the finest example of ethnic democracy under the Stars and Stripes. For that very reason, above all others, its statehood was desirable and essential. It made possible the election to the Congress for the first time of Americans of Japanese and Chinese blood. And what splendid Senators and Representatives they are. And what a fine thing for all our Nation that we at long last broadened the base of our democracy to include them. Not merely Hawaii but the entire Nation was the beneficiary. Indeed, it was far more important for the United States to give Hawaii statehood than for Hawaii to receive it.

There has been prejudice against the American aborigine. When I first came to Alaska as Governor, I found signs in restaurants saying: "We do not cater to native or Filipino trade." And other signs saying: "No natives allowed." "Native" is the Alaskan term for Indian or Eskimo.

These, and the practice they indicated, were soon made illegal by act of the territorial legislature 19 years ago, and I would say that today Alaska is free of that prejudice. Eskimos and Indians serve in our legislature and serve well. Indeed, the first president of our State senate was an Eskimo, and after his death, he was succeeded by an Indian elected by unanimous vote of his colleagues.

The most stubborn racial prejudice of all is against the Negro. The Anglo-Saxon heritage is conditioned against him etymologically. The adjective "black" has in the English language an unfavorable connotation. We speak of "black looks," a "black-hearted" villain, a "dark outlook," to "blacken" a man's character. "White," on the other hand, has a favorable connotation. "Though your sins be as scarlet, they shall be as white as snow," said the Lord, according to the book of the Prophet Isaiah.

How clearly this black and white connotation is revealed in William Blake's verse, in his poem: "The Little Black Boy":

"My mother bore me in the southern wild
And I am black, but O! my soul is white;
White as an angel is the English child
But I am black, as if bereav'd of light."

So there will be a long battle for the hearts and minds of men to overcome the heritage of hate and the pattern of prejudice.

It is a striking fact that of the major European stocks one is conspicuous for its lack of prejudice against the Negroes. It is the French.

During World War I, Negro soldiers going overseas brought back French brides. It happened again in World War II. French girls did not resist such interracial marriages as most American girls would have.

And for those of us who knew the prejudice and difficulties these interracially married couples would encounter when they came back to the States, our hearts bled.

I remember reading a letter from the mother of such a bride, who, describing her son-in-law, wrote pridefully: "C'est un beau Négre."

Which brings me to your internal crisis in Canada. It is perhaps inappropriate and unwise to comment dogmatically or otherwise on another nation's internal affairs. Besides, I am not informed. Like Will Rogers, "I only know what I read in the newspapers."

But it is clear that the French in Canada have never been mistreated comparably to the Negro in the United States. Their representatives have held the highest offices in the gift of their people. They have been prime ministers, cabinet officers, judges, members of both houses of Parliament.

Yet clearly they feel that they have been discriminated against and are in revolt.

The one thought I would like to touch on briefly in this connection I alluded to earlier by saying that your having two official languages made yours richer than is our monolingual establishment.

Britain and France are the cradles of two of the great Old World civilizations, and their transplanted heritages should be encouraged to flourish and express themselves fully in the New World.

We know that in one country in the Old World, Switzerland, three linguistic stocks can coexist peacefully, happily, and productively.

Canada has two languages officially. What would happen if national policy and purpose sought to make all Canadians bilingual and bicultural? I can see only benefits in such cultural cross pollinization. I can see only enrichment of life's content for all Canadians from the integration of such two rich cultural legacies, complementing, supplementing, diversifying, stimulating each other. And in the course of all this, would there not be a real rapprochement?

Me souvenant des français que j'ai eu la bonne fortune de connaitre—je parle de français éclairés—il me semble que si on est français on n'est pas gêné dans l'entourage des idées, on est chez soi dans le royaume de la pensée. Ces traits d'esprit s'ajouteraient bénéficielement á la nature pratique Anglo-Saxonne. Tous deux en profiteraient.

I might close by winging my verbal way eastward across the far expanse of our two

nations, "from sea to shining sea," to quote the words of the hymn; to where yesterday, Mrs. Lester Pearson, wife of the Canadian Prime Minister, and Mrs. Lyndon Johnson, wife of our President, participated in ceremonies dedicating the former Franklin Delano Roosevelt's summer home in Campobello Island, New Brunswick, as a jointly owned and operated United States-Canadian international park and as a memorial to President Roosevelt. On that day, August 20, title to the property was officially transferred to the Roosevelt Campobello International Park Commission by the owners, who donated the property to the governments for this purpose.

I hope that this act is symbolic of what the future may mean to our two countries.

Thank you very much for this opportunity to appear before you and for your hospitality.

Je vous en remercie.

THE AMERICAN ASSEMBLY,
COLUMBIA UNIVERSITY,
New York, N.Y., August 26, 1964.

Hon. ERNEST GRUENING,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRUENING: This morning I had a letter from the president of the University of Alberta which reads in part as follows: "I have attended a great many conferences in my life and have sometimes wondered whether they achieve anything worth the time and effort put into them. I believe those of us who attended the Western Canadian-American Assembly have returned to our duties with a much better understanding of the problems facing us in our relations between the two countries and with the rest of the world."

Let me say officially on behalf of the American Assembly and personally on my own behalf that I am grateful to you for taking the time from your very busy calendar to give this assembly the attention all of us thought it deserved. More than that, however, I am grateful for the contribution you made to the discussions. After your departure, a number of our Canadian friends had only the highest praise for your warm sympathy and understanding. I know you expressed to me some reservations about your use of French; you will therefore be interested to know that many of our Canadian friends singled out this portion of your address as something which more Canadians ought to be able to do. In fact, they wondered how many members of their own delegation could have done the same.

Our final report was stronger than that which came out of the Eastern Canadian session, again in part because of your fine contribution. Whatever further understanding of Canadian-American relations it reflected, then, must be attributable to your presence.

With high regard and every good wish,

Sincerely,

CLIFFORD C. NELSON,
President.

THE SLOVAK NATIONAL UPRISING

Mr. PELL. Mr. President, August 29 was the 20th anniversary of a little-noted but extremely significant episode of World War II—the Slovak national uprising.

Not many people realize that on that date in 1944, an entirely separate "third front" of armed resistance against Nazi tyranny broke out in full force, albeit against tremendous odds, in Slovakia. The Slovak national uprising was prompted by the entry of the German Army into Slovakia in late August 1944 with the intention of transforming that territory into a military stronghold against the Allies. Although the Czechoslovak Republic had been deprived of its sovereignty and nominally reduced to the status of a Nazi satellite since 1939, the Slovak people in 1944 still had the will to resist the final ignomy of a Nazi occupation. Their land became in effect an isolated enclave of active rebellion and they transformed what was to have been a quiet Nazi occupation into a protracted battle.

A Slovak Army of some 70,000 troops was mounted, in addition to a guerrilla force of 12,000. Despite hardships, hunger and shortage of equipment they fought all during that last winter of the war, pinning down several German divisions which otherwise might have been thrown against the main Allied fronts.

The U.S. Government recognized the Slovak resistance forces as an Allied army operating against Germany, and, during September and October of 1944 dispatched a 20-man military mission to Czechoslovakia for purposes of liaison and support of the insurgents. Tragically, 15 members of the mission were captured and executed without trial by the Nazi forces.

Mr. President, having established the American Consulate General at Bratislava, Czechoslovakia, following World War II, I have always had a great interest in Slovakia and in the struggle which was waged there against such terrible odds behind the enemy lines at the end of the war. It is a fascinating and inspiring episode from the history of the war and one about which we should know more. In this regard, I ask unanimous consent that I might insert in the RECORD a statement prepared by Dr. Jozef Lettrich, chairman of the Slovak Democratic Party and former president of the Slovak National Council when I served there as an American Foreign Service officer.

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

ABOUT THE SLOVAK NATIONAL UPRISING

(By Dr. Jozef Lettrich)

Czechoslovakia, the only democratic country in Central Europe between 1918 and 1938, was delivered to the mercy of Nazi Germany in Munich on September 29, 1938. With the help of a disloyal German minority as well as of a Slovak separatist group, Hitler succeeded in depriving her of her territorial integrity, of her democratic system and, finally, of her political independence. On March 14, 1939, Hitler imposed an "independent," in reality a satellite, state upon Slovakia. On March 15, 1939, Bohemia and Moravia were proclaimed a German protectorate and Sub-Carpathian Ruthenia was occupied by Hungary. Czechoslovakia temporarily ceased to exist as a free country.

These violent and unjust events evoked a bold resistance movement in subjugated Czechoslovakia and abroad as well. The aim of the movement was to fight against the German oppressors and their local supporters, on the one hand, and restoration of freedom and independence of a democratic Czechoslovakia, on the other. Slovakia played an important role in the liberation movement underlying Czecho-Slovak solidarity based upon equal rights of both nations, the Czechs and the Slovaks.

When the German army began to occupy Slovakia and transform it into a German military stronghold against the Allied Armed Forces on August 29, 1944, an armed uprising, the Slovak National Uprising, broke out in Banska Bystrica. Regular military operations by some 70,000 insufficiently armed insurgent forces under the command of Gen. Jan Golian and Gen. Rudolf Viest and 12,000 guerrillas were waged for 2 months against several German divisions, independent battalions and air force units. An irregular, partisan-type of fighting went on for another 6 months, until the liberation of Slovakia at the end of April 1945. Slovakia has joined the great World War II allied coalition.

The Slovak insurgents were at all times on the defensive because of shortage of necessary military equipment. The Soviet Union promised substantial aid. However, the aid was too little and too late, although the Soviet forces were not more than 80 to 100 miles away. The reason for Soviet hesitation in assisting the Slovak uprising was the fact that it was a national uprising similar to the Polish uprising in Warsaw and to guerrilla warfare in Yugoslovia led by Gen. Draza Mihajlovich. The Slovak uprising was aimed at self-liberation from the German yoke. Its military forces were firmly in the hands of democratic and Western oriented officers. Its political leadership was jointly represented by democratic as well as Slovak Communist underground elements. Moscow, however, intended to liberate central and eastern Europe by its own armed forces and, then, to transform it into a Soviet sphere of influence. Therefore, the program and composition of the Slovak national uprising were not consistent with the Soviet postwar political plans in Europe.

On the other hand, the Western Powers, particularly the United States, immediately recognized the Slovak insurgent army as an Allied army. On September 7, 1944, the Government of the United States issued a declaration, stating that "the soldiers of the Czechoslovak Army, including those in Slovakia and other parts of Czechoslovakia, constitute a combat force operating against Germany"; that "reprisals by the German military authorities against the soldiers of the Czechoslovak Army violate the rules of war, by which Germany is bound" and that "the U.S. Government solemnly warns all Germans who take part in or are in any way responsible for such violations that they do so at their peril and will be held answerable for their crimes."

On September 17 and October 7, 1944, an American military mission was flown into Slovakia by the Allied Force Headquarters, Mediterranean Theater. It was composed of Lt. James Holt Green, USNR, M. Sgt. Jerry G. Mican, S. Sgt. Joseph Horvath, Cpl. Robert R. Brown, Sp. 2c. Charles S. Heller, Pvt. John Schwartz, Lt. James Gaul, Photographers Mate 1c. Nelson B. Paris, 1st Lt. Kenneth Lain, 1st Lt. William McGregor, 1st Lt. Lane H. Miller, Sgt. J. Dunley, Capt. E. V. Baranski, 1st Lt. Tibor E. Keszthelyi, 1st Lt. Francis Perry, Sgt. Steve Catlos, Daniel Pavletich, Associated Press Correspondent Joseph Morton, and two unnamed civilians—20 people altogether. The purpose of the mission was liaison with and support of the insurgents and evacuation of American and Allied aircrew personnel.

The American airplanes brought much-needed arms, ammunition, drugs, and other supplies. Equipment for 10,000 men had been made ready in Bari, Italy, and was to be flown to Slovakia, but the U.S.S.R. had refused permission for the Western Allies to bring this aid to the insurgents in Soviet zone of military operations. The Slovak insurgents were compelled to a premature retreat into the mountains.

The Slovak national uprising was a great patriotic act and a considerable contribution to the Allied cause in World War II. The Slovak people clearly demonstrated their firm adherence to their best national traditions. The uprising prevented the Third Reich from using Slovakia as a defense bastion. Slovakia became an unexpected

anti-German war theater. It kept several German divisions busy for 8 months and, thus, relieved the Allied armed forces. Had the Soviet Union joined the Slovak insurgents, its army would have been at the gates of Vienna, Austria, by the beginning of September 1944 instead of in April 1945.

President Franklin D. Roosevelt said about the Slovak freedom fighters: "The people and armed forces inside Czechoslovakia have joined actively and gloriously with their countrymen abroad in the ranks of the nations united against tyranny. We Americans salute our Czechoslovak comrades-in-arms who are today so bravely contributing to the liberation of their homeland and the rest of Europe."

The insurgents suffered terrible hardships, deprivations, hunger, and cold all through that last winter of the war. Those of them who were captured by the Germans fell victims to a barbarian cruelty. Fifteen members of the American military mission were also taken prisoners, tortured, and executed by shooting without trial in Mauthausen concentration camp. American-Czechoslovak friendship and fight for a common cause were thus sealed by their blood.

Distorting the historical facts and the true meaning of the Slovak national uprising, the Communist regime in Czechoslovakia has tried to present the uprising as a Communist inspired and Communist-led revolt. It is misusing even the twentieth anniversary of the uprising for the same purpose. The Slovak people in the captive Czechoslovakia cannot protest against such a gross misrepresentation. It is, therefore, the duty of those in the free world, particularly, here in the United States, who had organized and participated in the Slovak national uprising in 1944–45, to bear witness to the true happenings, ideals, and legacies of that great event of Slovak and Czechoslovak history; to honor the memory of the victims in the uprising, in particular that of members of the American military mission; and to make manifest the sincere and warm relations of Slovaks and Czechs to the United States.

TOKAIDO LINE

Mr. PELL. Mr. President, for some months now, those of us who are concerned with modernizing our transportation system have been watching with great interest the construction of a brandnew, ultramodern, high-speed railroad line in Japan.

This line, called the New Tokaido, will connect the great urban centers of Tokyo and Osaka and intervening points along Japan's densely populated eastern coastline. It is scheduled to begin regular service on October 1. On August 25, the first full-fledged test run was made on the line, with a 12-car train covering the 320-mile stretch between Tokyo and Osaka in less than 4 hours. The train hit peak speeds of 130 miles per hour on this run, averaging slightly over 80 miles per hour for the whole run. In time, it is expected that the average will be about 100 miles per hour.

Mr. President, I have been arguing for some time now that if the Japanese can offer this kind of service, we in the United States should certainly be able to do as well if not better. It is especially encouraging, for this reason, that the executive department is continuing its study of my proposal for development of a similar high-speed line in the megalopolis of our own Northeast States. It seems to me that as this study continues we should keep the example of the Tokaido line clearly in mind.

I ask unanimous consent that an article from the New York Times of August 26 describing the first test run on the Tokaido line be printed in the RECORD at this point.

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

HIGH-SPEED TRAIN TESTED IN JAPAN: COVERS TOKYO-OSAKA ROUTE AT AVERAGE OF 80 MILES PER HOUR

(By Emerson Chapin)

TOKYO, August 25.—A 12-car train of Japan's New Tokaido Line sped 320 miles from Tokyo to Osaka today in 3 hours 56 minutes.

The test run, the first conducted at regularly scheduled speed over the entire route, was termed "very, very successful" by Reisuke Ishida, president of Japan National Railways.

The superexpress Hikari stopped only at Nagoya and Kyoto as it raced in record time from Japan's capital to her second largest city. After a 2-hour stop in Osaka, the streamlined blue and white train made the return trip in just over 4 hours.

NEW RAIL EPOCH SEEN

The New Tokaido Line, an imaginative venture hurried to completion in 5 years by Japan's Government-operated railway corporation, will begin regular service October 1, 10 days before the beginning of the Olympic games.

In a test run earlier this year, one of its trains reach a speed of 150 miles an hour, said to be a world record. National Railway engineers believe this can be bettered.

The trip of the Hikari marked a proud day for Japan. Thousands lined the route to wave and cheer as the express flashed past.

Traffic was stopped on many main highways as the Hikari approached. The Japan Broadcasting Corp. had a large crew aboard the train, at vantage points along the route, and in aircraft overhead to provide exhaustive coverage of the trip that the Japanese hope will open a new epoch in railroading.

The Hikari rode smoothly and quietly over welded, mile-long sections of steel rail. It often gave the impression of idling, with the engineer applying the brakes frequently after short stretches at 210 kilometers (126 miles) an hour.

The train traveled at an average speed of just over 80 miles an hour. It stopped for 9 minutes at Nagoya and 2 minutes at Kyoto.

OLD FACILITIES STRAINED

Mr. Ishida said in an interview aboard the train that expresses would run on a 4-hour schedule for the first 6 months and thereafter, he hoped, on a 3-hour basis. "We are being very cautious," he declared.

The railroad president said a slight jerkiness experienced on today's trip was because many sections of the new roadbed had not yet settled completely.

"We know we can run very safely even at 250 kilometers (156 miles) an hour, but the maximum will be held to 210 on our regularly scheduled runs," he added.

At one point the Hikari reached 217 kilometers an hour. Much of the time it traveled at 180 kilometers (about 112 miles) an hour, speeding through numerous tunnels at more than 100 miles an hour.

The New Tokaido Line is intended to relieve the intense pressure on Japan's main Tokaido Line. The Tokaido serves an area that includes Japan's six biggest cities and 40 percent of her population. The area is responsible for 70 percent of the nation's industrial output.

With 120 passenger and 75 freight trains operating on many sections daily, and demand increasing at the rate of 6 to 8 percent a year, the old Tokaido's facilities are strained.

The New Tokaido is Japan's first broad gage rail line. Its construction was a mammoth project, including 65 miles of viaducts, 13 miles of bridges and 43 miles of tunnels.

The electric-powered train can carry 978 passengers in its 2 first-class and 10 second-class coaches. The cars are air-conditioned, equipped with cushioned and adjustable seats, and pressurized for comfort. A buffet car will provide light refreshment.

Initial fares for express runs will range from the equivalent of $6.33 to $13.98. They will probably be raised when speeds are increased.

CBS NETWORK EXPOSES BLACK MARKET IN DANGEROUS DRUGS

Mr. YARBOROUGH. Mr. President, a CBS television show broadcast Wednesday night, September 2, called "CBS Evening News With Walter Cronkite," was so patently shocking in its revelations concerning the improper sale of pep pills and "goof balls" that surely the Congress must respond with corrective action.

The way to solve the great national problem of illicit traffic in barbiturates and amphetamines is set forth in the Psychotoxic Drug Control Act of 1964.

I served as chairman of the Senate Health Subcommittee at the hearing on this measure. The Senator from Connecticut [Mr. DODD] is the principal author.

The information disclosed in this hearing, like the information provided by the CBS television show, is enough to set off major public demands for reform, if the fathers and mothers of this Nation are made fully aware of the threat to the health and lives and character of their children.

The Psychotoxic Drug Control Act, popularly called the Dangerous Drug Control Act, would require registration with the Secretary of Health, Education, and Welfare by manufacturers, compounders, and processors of barbiturates, amphetamines, and other drug components found dangerous.

Here are some of the findings that demand corrective action:

The illegal use of billions of these pills may well exceed the amounts of psychotoxic drugs sold legally in the Nation's drugstores.

The illegal use of pep pills and goof balls is increasing among young people in cities across the Nation, and is contributing to the increase in crimes of violence.

The use of these drugs is sometimes substituted for the use of hard narcotics, such as opium, heroin, and cocaine.

The use of these drugs is building delinquency and criminal records for youngsters never before involved in law violation.

The use of these drugs may lead youngsters to the use of opium, heroin, and cocaine, thus causing destruction of property and loss of life—or at the very least, loss of mental and physical health.

There is a growing public demand—a demand which I predict will continue to grow—which should be met by this Congress in the spirit with which we approach a national emergency, for whatever proper action may be taken to control crime in the streets.

It is my belief that swift congressional action, in recognizing this emergency situation, which has gone too long unchecked, can best be expressed by enactment of the Psychotoxic Drug Control Act of 1964.

This bill was reported favorably by the Senate Labor and Public Welfare Committee, on August 14. It was passed by the Senate on August 15. It is now before the House Interstate and Foreign Commerce Committee. I am hopeful that at this session Congress will put a stop to the illicit traffic in dangerous drugs.

I ask unanimous consent that an article, published in the September 3 edition of the New York Times, captioned "Pep Pills Bought by Carton in Test" be printed in the RECORD.

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

[From the New York Times, Sept. 3, 1964]

PEP PILLS BOUGHT BY CARTON IN TEST: DUMMY COMPANY WITHOUT LICENSE GETS SHIPMENTS FROM DRUG PRODUCERS

A television producer told a network audience last night that he had set up an unlicensed business that bought more than a million goofballs and pep pills from drug manufacturers in a 4-month experiment.

The producer, Jay McMullen of the Columbia Broadcasting System, estimated that the shipments, which he said cost him only $600.28, were worth between $250,000 and $500,000 on the black market.

Mr. McMullen spoke on the program, "CBS Evening News with Walter Cronkite."

In introducing the producer, Mr. Cronkite said: "The traffic in barbiturate drugs and amphetamines (better known as pep pills and goofballs) is creating—according to authorities—a problem more widespread and serious than the traffic in heroin."

FACTFINDING STUDY

Mr. McMullen conducted the experiment as head of a network news "factfinding unit" established to chart "new areas in television journalism."

He told his audience that he had established a dummy concern, McMullen Services, in an office at 35 West 45th Street, and obtained 250 letterheads and envelopes.

Mr. McMullen's purpose, he said, was to find out the extent to which a would-be wholesaler without registration or license number, could buy the drugs from legitimate manufacturers.

He said: "In many States, wholesalers of barbiturates, amphetamines or other prescription drugs are required to obtain a license and to keep records of purchases and sales.

"Those who repackage and sell in interstate commerce are generally required to register with the Food and Drug Administration, and, according to the FDA, manufacturers should check on the legitimacy of a new wholesale buyer."

ADMINISTRATOR OF VETERANS' AFFAIRS APPLAUDS THE GI BILL

Mr. YARBOROUGH. Mr. President, I invite the attention of my colleagues to an article entitled "The GI Bill at Twenty," which was published in the summer issue of the George Washington magazine, and was authored by the Administrator of Veterans' Affairs, Mr. John S. Gleason, Jr.

This article is of interest to me, not only because it underscores the tremendous success of the GI bill, but also because the author, Mr. Gleason, has been one of the most influential of the few opponents of the cold war GI bill, S. 5. In his article, Mr. Gleason makes an excellent case for the enactment of the cold war GI bill when he states that "the lessons of the GI bill have great value on the contemporary scene."

I commend Veterans' Administrator Gleason for this excellent article. Let us hope that it holds out a hope for the heretofore disadvantaged cold war veterans.

I ask unanimous consent that the article be printed in the RECORD, to illustrate that even the most vocal opponents of the cold war GI bill are able to make a convincing argument for its passage.

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

THE GI BILL AT 20

(By John S. Gleason, Jr.)

Immediately after the guns stopped shooting, the bombs stopped raining down, and the lights went on again all over the world, the United States emerged from World War II to confront a serious domestic crisis.

The largest military force in U.S. history was encamped all over the world, hoping for quick discharges, and jobs, houses, and education on their return. Mindful of the upheaval, unemployment, and bonus marches that followed the relatively short and smaller First World War, there was widespread fear about the potentially explosive reaction of 15.3 million World War II veterans whose lives had been uprooted in a longer, more far-flung, and disruptive war.

One economist predicted a whopping 19 million unemployed if the postwar economy dropped back to its 1940 level of output. More conservative estimates placed the figure at a staggering 8 million. A sociologist, recalling that Hitler and Mussolini had recruited idle veterans, wrote gloomily: "Veterans have written many a bloody page of history and those pages have stood forever as a record of their days of anger."

That the United States won victory in this great peacetime battle is a tribute to a unique piece of legislation—the GI bill of rights.

Exactly 16 days after D-day, when U.S. Armed Forces made history with the sword, President Roosevelt made another kind of history with the stroke of his pen. He signed the GI bill of rights on June 22, 1944.

This year marks the 20th anniversary of the birth of this historic example of long-range planning, which has been compared with the Morrill Act creating land-grant colleges, the Monroe Doctrine, and the Marshall plan.

Why was the GI bill of rights, actually titled "The Serviceman's Readjustment Act of 1944"? It provided for loans, education, readjustment allowances for veterans, and expanded veterans' hospitals and employment service.

There were those who scoffed at the proposal for the GI bill. They called it an all-time gravy train, aiming particularly heavy fire at the readjustment allowances. Yet only 10 percent exhausted this benefit. Some opponents claimed that veterans returning to schools under the GI bill would breed "educational hobo jungles" on college campuses. Instead, they raised the intellectual level of the entire country.

Gloomy prophets dourly predicted that GI homes would be a haven for "deadbeats," that veterans would move in when housing was scarce and then walk out from their obligations. On the contrary, veterans have proved to be excellent credit risks.

But the opposition faded away along with their dire predictions. "With the signing of this bill," said President Roosevelt at a White House ceremony, "a well-rounded program of special veterans' benefits is nearly completed. It gives emphatic notice to the men and women of our Armed Forces that the American people do not intend to let them down."

The feeling was mutual. Veterans certainly did not intend to let America down. "They would be a potent force for good or evil in the years to come," as one veterans' leader predicted at the time. "They could make or break our country. But given the opportunity provided by the GI bill of rights, there was only one alternative—veterans would be a tremendous force for good, and help build a better America, after they had destroyed Nazi, Fascist, and Nipponese totalitarianism."

The words could not have been more prophetic. Here's a rundown on their GI bill record after 20 years.

1. Under the education and training provisions of the bill, 7,800,000 veterans—nearly half of all who served during the war—received training. With well over 2 million in college and another 3,500,000 in other schools, veterans filled every nook and corner of the dormitories, laboratories, and classrooms. They attended classes at 19,000 trade and technical schools, and quonset huts dotted 2,600 campuses from the University of Maine to the University of Southern California.

About 1,400,000 veterans increased their skills in on-the-job training, and about 700,000 learned the newest agricultural techniques in on-the-farm training.

Today we are a far stronger nation for the infusion of the skills manpower gained through the GI bill: 450,000 engineers, 180,000 doctors, dentists, and nurses, 360,000 schoolteachers, 150,000 scientists, 243,000 accountants, 107,000 lawyers, 36,000 clergymen, 17,000 writers, 711,000 mechanics, 383,000 construction workers, 288,000 metalworkers, 138,000 electricians, and the almost 700,000 who trained for business and executive careers.

Altogether, it was the largest program of mass adult education ever undertaken at bargain rates. The $14.5 billion cost has been more than recouped.

The GI bill continues to pay for itself at close to $1 billion a year. The return comes from additional income tax paid by better educated, higher earning GI bill veterans.

2. Equally beneficial has been the long-range effects of the GI bill loan program. Structural evidence of it dots the countryside. One out of every five homes built since the end of World War II was financed with a GI loan. As someone said, the landscape architect of postwar America has been the VA loan guarantee officer.

More than 5,268,000 World War II veterans were granted Veterans' Administration home, farm, or business loans totaling more than $43 billion. The almost 5 million home loans in this total helped touch off a postwar housing boom that turned Americans into a nation of homeowners. This infusion of credit, of course, resulted in an enormous stimulus to our national economy. For purchases of new housing dilate the economic arteries. Purchases of new furniture, new appliances, new cars follow; and school construction and other public works are not far behind as new suburban communities mushroom. (These are communities with good credit ratings, it might be said, for more than a third of the GI loans are paid in full.)

3. Often under fire, the GI bill readjustment allowance program helped tide nearly 9 million veterans through the initial period while they looked for jobs. The average stay on the rolls was only 19 weeks, and some

$3.8 billion was expended in this program, only 900,000 veterans, or about 1 out of 10 exhausted their full rights to unemployment benefits. Most veterans just were not content with $20 a week, when they could be bringing home $100 from a job, or improving their skills and education.

It was an underappreciated bulwark against adversity for unemployed veterans. In most instances, the payments were not strung together. They were spread over periods when veterans were changing jobs, trying to find themselves in a new world.

4. Millions of veterans skipped school; most of the older, married, and previously employed veterans, headed back to their old jobs, or better ones, if they could land them. One of the lessons that World War I demobilization drove home was that a strong, well-financed public employment service is indispensable to a smooth readjustment process.

One Government official evaluated the GI bill by paraphrasing Winston Churchill. "Never before," he said, "has so much been done for so many for so little."

A leading industrialist, who knew a good investment when he saw one, agreed. Said Henry Ford II:

"Millions of veterans, who otherwise might not have had the opportunity, have been enabled to enter college or to complete specialized training. The Nation gains by having created a great new source from which to draw its leaders."

Leaders they are and leaders they will be, for years to come, according to Dr. Amos Yoder, who made a survey of the GI bill's impact on men listed in the 1960–61 "Who's Who." He found approximately 1,000 who had benefited. All were under 46 years, which, he said, is a sizable number when it is realized that almost all of the men who make "Who's Who" are older.

Since the past is also prolog, the lessons of the GI bill have great value on the contemporary scene. In his message to Congress outlining plans for a war on poverty. President Johnson pointed out that if annual earnings of 10 million among the poor could be raised by only $1,000, it will add $14 billion a year to the national output; reduce the $4 billion in public assistance payments; and lower the costs of fighting crime, delinquency, disease, and hunger.

"Our history has proved," President Johnson said, "that each time we broaden the base of abundance, giving more people the chance to produce and consume, we create new industry, higher production, increased earnings and better income for all." The GI bill is an excellent example of the wisdom of his words.

EDUCATIONAL LEGISLATION ENACTED BY 88TH CONGRESS

Mr. MORSE. Mr. President, an official publication of the Office of Education entitled "School Life" printed a series of articles in its March, April, and May issues which describe briefly the background and the provisions of educational legislation in the 88th Congress which became law.

It is an excellent record and one in which we can take pride. I hope that before this session concludes we may be able to add to it additional needed modifications and improvements in the basic statutes.

Mr. President, in order that Senators may have conveniently assembled this most helpful material to assist them in the answering of inquiries, I ask unanimous consent that the articles to which I have alluded be printed at this point in my remarks.

Mr. President, I wish to commend Commissioner Keppel and his staff for having prepared these excellent summary statements.

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

THE HIGHER EDUCATION FACILITIES ACT OF 1963—PUBLIC LAW 88–204

"In all the years of our national life," President Kennedy said in a message to the 88th Congress, "the American people—in partnership with their governments—have continued to insist that 'the means of education shall forever be encouraged.'" The Higher Education Facilities Act of 1963 (Public Law 88–204) binds the people and their governments together in closer partnership, a partnership that has been tested again and again under numerous Federal acts over the past 100 years and in all has been found to be both workable and profitable. Under the 1963 act the Government is investing $1.2 billion in institutions of higher education and investing it where, it is generally agreed, dollars are most urgently needed—in academic facilities.

The Higher Education Facilities Act of 1963 will help meet a need that is already compelling, that is almost unanimously recognized, and that neither State and municipal governments nor private groups can meet by themselves.

BACKGROUND

The needs of higher education for instructional facilities are well documented in the records of the 88th Congress. In committee hearings experts from education, labor, industry, and government—no matter what their primary interest—generally agreed that the need was fast becoming acute. They presented ample facts to prove the need.

The facts are indeed impressive: they reveal the effort the country has made to build strong colleges and universities, the national interest in keeping them strong, and what they need in order to grow stronger. But more than that, they explain why the act concentrates funds on academic facilities.

President Johnson, on signing the Higher Education Facilities Act, pointed out its potential contributions to higher education and to the country:

1. We will help to provide college classrooms for several hundred thousand more students who will nearly double college enrollment in this decade.

2. We will help to build 25 to 30 new public community colleges every year.

3. We will help to construct the technical institutes that are needed to close the gap in this crucial area of trained manpower.

4. We will help to build graduate schools and facilities in at least 10 to 20 major academic centers.

5. We will help to improve the quality of library facilities in our own universities and colleges.

Why do colleges need more facilities?

Here are a few of the facts, all drawn from reports of hearings before Senate and House subcommittees on education and publications of the U.S. Department of Health, Education, and Welfare and the Office of Education.

Colleges and universities of all types face constantly increasing enrollments at a time when they cannot provide the classrooms, laboratories, and libraries they need for students currently enrolled. In the fall of 1963, approximately 4.5 million students were enrolled in U.S. colleges and universities (63.4 percent were in public colleges)—7.7 percent more than in 1962. The Office of Education estimates that the 1965 enrollment will be 46 percent higher than the 1960, and the 1970 enrollment, 94 percent higher—this means 7 million students in college in 1970 (these estimates are based on the increase in population of the 18- to 21-year-old group and the assumption that the percentage of college students in this age group will rise from the current 38 per 100 to 48 per 100 by 1970).

There are several reasons why college enrollment is constantly increasing: There is a larger college-age population (the Census Bureau reports that the population of the 18- to 22-year-old group increased from 11.7 million in July 1960 to 13 million in July 1962, and estimates that the group may total 17.8 million by 1970); a larger proportion of the college-age group is going to college; students are staying longer in college because of changing job requirements and greater emphasis on research; and the general increase in income since World War II makes it possible for more families to see their children through college.

Institutions at all levels, from 2-year colleges to graduate schools, are feeling the pressures of expanding enrollment. The President's Science Advisory Committee has said that the number of doctorates awarded annually in science, mathematics, and engineering should be increased from 3,000 in 1960 to 7,500 in 1970 and that the number of first-year graduate students in these three fields alone should be increased from 17,000 in 1960 to 40,000 in 1970. If the number needed for these and other fields is to be trained, the existing graduate centers must be improved and new graduate centers established.

Glenn T. Seaborg, Chairman of the Atomic Energy Commission and Nobel Prize winner, in testimony before the Senate Subcommittee on Education, emphasized the need for graduate centers. Dr. Seaborg said:

"Additional centers of excellence are urgently needed. The growth of science requires more universities with superior facilities and outstanding groups of students.

"The need for improved facilities is urgent. The expansion of science in this country has outrun our ability to provide up-to-date space and equipment for either research or teaching. The immediate bottleneck today in many fields and in many universities is in buildings and equipment.

"Graduate education in science needs constant modernization."

Although Dr. Seaborg was speaking primarily about graduate education in science, he said: "It is important that these other fields (the arts and the humanities) not be slighted and discounted in today's rush toward science."

Junior and community colleges have been particularly hard pressed to provide facilities for their students. Between 1949–50 and 1959–60 enrollment in public 2-year colleges increased by 128 percent, in private 2-year colleges, by 24.7 percent. In the fall of 1963, approximately 770,000 college students (1 out of every 7) were in 2-year colleges and 690,000 of them were in public 2-year colleges.

Two-year colleges will very likely become increasingly popular for these reasons:

They meet the needs of students who plan to go into jobs that do not require 4 years of college.

They offer an opportunity to students who can't afford 4-year colleges, which are generally more expensive than 2-year colleges, or can't afford to go away from home to college. (Studies indicate that a high school graduate's likelihood of going to college is 50 percent greater if he lives within 20 or 25 miles of a college.)

They gear some of their programs to local needs and job opportunities.

Expenditures of institutions of higher education for physical plant, 1940 to 1960

[In millions of dollars]

School year:	*Expenditure*
1940	84
1942	50
1944	27
1946	71
1948	306
1950	417
1952	403
1954	531
1956	681
1958	1,031
1960	1,192

Source: Reprinted from Health, Education, and Welfare Indicators, January 1964, p. xxvi.

What will it cost to expand?

If the colleges and universities are to provide for the students who will soon be knocking at their doors, Commissioner Keppel said before the Senate subcommittee, they will have to spend $2.3 billion a year on physical facilities. We estimate, he said, that the colleges will need to spend $1 billion more a year until 1970 than they are now spending. Most of the increase will have to go into new construction, primarily for instructional facilities. That much is needed does not mean that the colleges have been standing still.

Year by year both public and private institutions have increased the total expenditures for physical facilities—from $403 million in 1952 to $1,192 million in 1962. A large proportion of their expenditures has been for new construction, but a fairly large proportion of the increase has gone into rising costs (construction costs rose by 36 percent between 1952 and 1962, according to the American Appraisal Co. index of construction, which uses 1947–49 as the base period).

Can the colleges afford to expand?

The question before the Nation has been whether institutions could increase their expenditures to the $3 billion needed in time to provide for immediate enrollment increases. A number of persons, among them Commissioner Keppel, have said they could not.

Speaking before a Senate subcommittee last year, Commissioner Keppel said: "We believe, and the virtually unanimous councils of higher education proclaim, that States and municipalities cannot provide the additional funds institutions need now nor can contributions from private sources provide sufficient funds for private institutions."

Here again the conclusion is backed up by facts:

Expenditures of State and local governments for services other than higher education have been constantly increasing: For public elementary and secondary schools (up from $9.8 billion a year in 1954–55 to $19.5 billion in 1962–63); for expanding State and local payrolls (up by 40 percent since 1950); and for health and welfare services (States pay $6.1 billion a year for health and sanitation alone).

State and local debt has risen sharply. In 1954 the per capita public debt of State governments was $61; local governments, $185; and Federal Government, $1,713; in 1962 the comparable figures were: State, $118; local $325; and Federal, $1,630.

State and local appropriations are the major source of funds for public colleges and universities. In 1961–62 these institutions spent $456.5 million on new construction and rehabilitation of facilities. More than one-third (37.7 percent) of the funds to cover expenditures for construction came from governmental appropriations (State, local, Federal) and more than one-half from the sale of bonds. In the same year, private colleges and universities spent $302.7 million on new construction and rehabilitation of facilities. Their funds came from three major sources: gifts and grants, 43.3 percent; revenue bonds, 22.9 percent; and commercial loans, 9.7 percent.

IS NOT THE COLLEGE PROBLEM A NATIONAL PROBLEM?

The need of colleges and universities to provide instructional facilities for increased enrollment is only one side of the picture; on the other side there is the country's need for trained men and women. On this point again the evidence is unquestionable. The demand for educated manpower has been increasing steadily for a decade, and faster for persons with graduate degrees than for any other group in the labor force.

Between 1953 and 1962 the number of jobs requiring 16 years of education or more increased by 47.6 percent, from 5.4 million to 8 million. Estimates indicate that the demands for highly trained manpower will continue to increase, and that approximately 100 graduates with doctoral degrees are needed each year for every million persons in the population. So far the country is not reaching that estimate nor are there enough graduate schools available to train that number. To produce the trained manpower needed for economic growth, cultural development, and national security would require at least 50 additional quality graduate schools. Moreover, it is important that the centers should be widely dispersed geographically. Currently 20 schools are producing 55 percent of the doctorates, and these schools are concentrated in a few States.

A Defense Department study reporting in 1962 on the distribution of Government contracts shows that contracts have tended to go to communities in which there are strong universities, particularly with graduate schools. The study led President Kennedy to say: "We need many more graduate centers, and they should be better distributed geographically. New industries increasingly gravitate to, or are innovated by, strong centers of learning and research. The distress area of the future may well be one which lacks centers of graduate education and research."

Authorization for appropriations for the Higher Education Facilities Act of 1963, in fiscal years 1964–66

[In millions of dollars]

Purpose	1964	1965	1966	3-year total
Title I: Grants for construction of undergraduate facilities	230.0	230.0	230.0	690.0
For 4-year public and private colleges and 2-year private colleges (or 78 percent of amount appropriated)	179.4	179.4	179.4	538.2
For 2-year community colleges and 2-year technical institutes (or 22 percent of appropriation)	50.6	50.6	50.6	151.8
Title II: Grants for construction of graduate facilities or cooperative graduate centers	25.0	60.0	60.0	145.0
Title III: Loans for construction of undergraduate or graduate facilities	120.0	120.0	120.0	360.0
3-year total	375.0	410.0	410.0	1,195.0

In the next few years advances in science and technology will create new demands not only for highly trained persons but also for semiprofessional technicians to assist them. But the semiprofessional technicians will not be available unless they are trained in the next few years, for already there is a shortage. Just in the last decade the number of semiprofessional technicians employed increased by 40 percent—the second fastest growing section of the labor force. As the demand is still increasing rapidly, the need for technicians is fast becoming acute.

The Bureau of Labor Statistics estimates that the country needs to increase the number of semiprofessional technicians between 1960 and 1970 by about 600,000.

In the past technicians were trained on the job, but science and engineering are making such rapid advances that job experience is no longer enough. Moreover, experts in the training of semiprofessional technicians all say that the training should be given at the college level, that stiff courses in mathematics and physical sciences should be required and should be taught by college instructors who understand the work technicians do.

To help fill all these needs of higher education and in turn the needs of Government, industry, labor, and the professions, the Higher Education Facilities Act authorizes an investment of $1.2 billion. Although Federal funds spent under the act are ostensibly an investment in instructional facilities, they are in reality also an economic investment.

That money invested in education yields a high return to the national economy has been proved in numerous studies. Studies have reported such facts as these:

The Cabinet Committee on Economic Growth reports that a rising level of American education has been the key generator of long-term economic progress in this country.

A study of the growth of output per worker for the period 1929–57 found that two-fifths of the increase in real production per worker—an increase of 56 percent—could be attributed to improvements in the quality of labor resulting from formal education.[1]

THE ACT

Through its penetrating examination of the needs of higher education, the Congress became convinced that the security and welfare of the country required that the young people should have ample opportunity to develop their intellectual capacities and that their opportunity would be jeopardized if the institutions of higher education were not assisted in meeting their most pressing construction needs. The conviction was held by Democrats and Republicans alike and led to passage of the Morse-Green bill (H.R. 6143). When President Johnson signed the bill on December 16, 1963, it became Public Law 88–204, the Higher Education Facilities Act of 1963.

The act makes the U.S. Commissioner of Education responsible for administering the act and gives him the authority he needs to do the job. The act provides for—

A 5-year program of matching grants and loans to any qualifying institution of higher education (public and private nonprofit, 2-year, 4-year, and graduate), both grants and loans to be used for the construction of academic facilities.

The authorization of $835 million in grant funds and $360 million in loan funds during the first 3 years of the program, and for the last 2 years only such sums as later Congresses may later authorize. (This break in authorization was made to give the Congress an opportunity to review the program after it had been in full operation.)

The allotment, administration, and use of appropriations under four titles.

The act prohibits—

Any department, agency, office, or employee of the United States from exercising any direction, supervision, or control over or imposing any requirements or conditions on the

[1] "Education Legislation—1963," hearings before the Subcommittee on Education of the Committee on Labor and Public Welfare, 88th Cong., 1st sess, vol. 1, p. 408.

personnel, curriculum, methods of instruction, or administration of any educational institution under authority of the act.

Definition of terms as they are used in the act

Academic Facilities

Structures suitable for use as classrooms, laboratories, libraries, and other facilities for related instruction, research, or administration of an institution of higher education. The term includes maintenance, storage, and utility facilities essential to the operation of any of the foregoing facilities. It excludes any facility intended primarily for these purposes:

For events for which the public is charged for admission;

For a gymnasium or for athletic or recreational activities other than for physical education courses. (There may be other exceptions if the Commissioner determines that the physical integration of gymnasium and recreational facilities with other facilities included under the act is required to carry out the objectives of the act.)

For sectarian instruction or religious worship or for use primarily in the program of a school or department of divinity (either an institution or a part of an institution that is set up specifically to prepare persons for the ministry or other religious vocation or for teaching theology.)

For a school of medicine, dentistry, osteopathy, pharmacy, optometery, podiatry, nursing, or public health. (These last eight schools were excluded because they may receive funds for construction under Public Law 88–129, the Health Professions Act.)

Construction

Erection or expansion of structures and acquisition and installation of initial equipment; acquisition of existing structures; rehabilitation or replacement of structures or built-in equipment; or a combination of any two or more of these uses.

Development Cost

The amount that the Commissioner finds it will cost an applicant (for a grant or a loan) to construct an academic facility, to acquire land on which the facility is located, and to make the necessary improvement of the site. The amount excludes any cost an institution incurred or contracted to pay for a facility before the 1963 act was passed (December 16, 1963).

In determining the amount of a grant under titles I and II, the Commissioner will deduct from the development cost the amount of a Federal grant an institution has obtained or has been promised under any other act for the construction that is to be financed by a grant under title I or II; he will also deduct the amount of non-Federal funds the institution has agreed to spend or has spent as a condition of getting the other Federal grant.

In determining the amount of a loan under title III, the Commissioner will deduct from the development cost an amount equal to any Federal assistance an institution has obtained or has been promised under any other act for the construction of an academic facility that is to be financed with a loan under title III.

Federal Share

The percentage of the development cost of a construction project under titles I and II that may be paid for out of funds under the act. The maximum share of a project for a 4-year public or private nonprofit college, a 2-year private nonprofit college, a graduate school, or a cooperative graduate center is 33⅓ percent; for a community college or technical institute, 40 percent.

Under title I the State commission determines the precise percentage that a 4-year public or private and a 2-year private nonprofit college will receive. The commission may write into the State plan objective standards and methods for determining the percentage for each approved project, or it may fix a uniform percentage for all approved projects for such institutions. (In no case will the Federal share be more than 33⅓ percent of the development cost.) For example, an eligible 4-year college wishing to build an academic facility at a cost of $1,200,000 could get at the most a Federal grant of $400,000 for an approved project. It might get less if the commission has fixed a uniform percentage or handles each application separately and recommends less than 33⅓ percent. A 2-year public community college or public technical institute wishing to build an academic facility at a cost of $1,200,000 would get $480,000 for an approved project.

Higher Education Building Agency

(1) A State instrumentality or agency authorized to provide academic facilities for institutions of higher education or to finance the construction of such facilities for such institutions.

(2) A nonprofit corporation established by an institution of higher education to provide academic facilities for it. Such a corporation may use loan funds under the act on the condition that the title to any property the corporation builds or purchases with loan funds will pass to the institution if and when the corporation dissolves.

Institution of Higher Education

Any college or university which meets these qualifications:

Admits as regular students only persons who have a certificate of graduation from a high school or its equivalent.

Has State authorization to conduct an educational program beyond the high school.

Provides a program for which it awards a bachelor's degree or provides not less than a 2-year program which is acceptable for full credit toward a bachelor's degree or offers a 2-year technical institute program.

Is a public or other nonprofit institution.

Is accredited by a nationally recognized accrediting agency (the act requires the Commissioner to publish a list of these agencies) or has its credits fully accepted by three or more accredited institutions. The act makes two exceptions in the accreditation requirements: it says, first, that if no nationally recognized agencies are qualified to accredit 2-year technical institutes, the Commissioner will appoint an advisory committee to set up standards for them and to determine which institutes meet the standards and qualify for assistance; and second, that the Commissioner may grant or lend funds for construction to an institution if he is convinced that it will qualify for accreditation when the project for which assistance is requested is completed or when that project and others underway or planned for construction within a reasonable time are completed.

Public Community College and Technical Institute

An institution of higher education under public control organized and administered primarily to conduct either a 2-year program that is acceptable for full credit toward a bachelor's degree or a 2-year program in engineering, mathematics, or the physical or biological sciences that prepares the student to work as a semi-professional technician in one of these fields or in other technological fields. A qualified 2-year institute that is a branch of a 4-year college is eligible for a grant if it is not in the same community as the 4-year college.

Cooperative Graduate Center

An institution or a program created by two institutions of higher education (or more) and offering graduate work to students of both institutions which neither could offer separately as proficiently or as economically.

Cooperative Graduate Center Board

A board which is organized to establish, construct, and maintain the cooperative center and coordinate academic programs. It must be composed of representatives of participating institutions and the community surrounding the center.

High School

Grades through but not beyond grade 12.

Nonprofit Educational Institution

An institution which is owned and operated by a corporation or association but from which neither the owners, private shareholders, not others, receive any profits.

Public Educational Institutions

The term excludes those controlled by any agency of the U.S. Government.

State

The 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa.

State Commission (Title I)

A body of citizens representative of the public and institutions of higher education (including junior colleges and technical institutes) appointed by the Governor and authorized by law to draw up and administer the State's plan for participating in the program under title I.

The State Plan (Title I)

A plan submitted and administered by the State commission, establishing the policies and procedures which the State commission will follow in reviewing applications for grants under title I, and determining relative priorities, and Federal shares for title I projects.

TITLE I—GRANTS FOR THE CONSTRUCTION OF UNDERGRADUATE FACILITIES

Under title I the act authorizes a 5-year program of grants for the construction, rehabilitation, improvement, alteration, or acquisition of academic facilities in undergraduate colleges and universities, both public and private nonprofit. To finance these grants in the first 3 fiscal years of the program, the act authorizes an appropriation of $230 million a year to be divided among the institutions as follows:

Public community colleges and public technical institutes, 22 percent.

Public and other nonprofit 4-year colleges and 2-year nonprofit colleges and technical institutes, 78 percent.

The authorization for title I is particularly important to the States and the controlling boards of nonprofit institutions for three reasons:

First, title I says that funds appropriated for projects for fiscal year 1964 (which ends June 30, 1964) but not obligated during the year can be carried over to the end of the next fiscal year. This provision gives them more time for estimating their needs, filing applications, and raising matching funds.

Second, title I says that if the Congress appropriates less than the amount authorized ($230 million) in fiscal years 1964 and 1965, it may, in succeeding years, make up the difference between the amount authorized and the amount appropriated in 1964 and 1965. This provision will very likely increase the possibility that the full amount authorized will eventually be appropriated.

Third, it says that the Commissioner may reallot funds appropriated for fiscal years 1965 and 1966 but not obligated for particular projects by the close of the year for which they were allotted.

For public community colleges and technical institutes

Because of the special need for public community colleges and technical institutes, the act singles them out for special attention: it

not only earmarks funds for them but authorizes the Commissioner to pay a larger percentage of the construction cost of a projects than it does for other institutions. The percentage of the construction cost of a project paid for out of Federal funds under the act is called the "Federal share" (for definitions of the term "development cost"). The Federal share of the construction costs of projects for public community colleges and technical institutes is fixed at 40 percent and of other institutions, a maximum of 33⅓ percent.

To be eligible for a 40-percent grant, a public community college or a public technical institute must qualify as an institution of higher education (see definition p. 17) and in addition it must be under public supervision and control; organized and administered principally to provide a 2-year program that is acceptable for full credit toward a bachelor's degree; or organized and administered principally to conduct a 2-year program in engineering, mathematics, or the physical or biological sciences which prepares students to work as semiprofessional technicians in one of these three fields or in other technological fields.

A 2-year branch of a 4-year college is also eligible for a 40-percent grant if it is in a different community.

Funds for the public 2-year colleges will be allotted among the States on the basis of the income per person and the number of high school graduates in the most recent year. This means that funds are directed to the States with the largest number of prospective college students and the least ability to finance expansion of facilities. If $230 million is appropriated for fiscal year 1964, 22 percent of the total, or $50.6 million, will be available to public 2-year community colleges and technical institutes. Out of the $50.6 million each State will be allotted an amount which bears the same ratio to $50.6 million as the product of the number of its high school graduates in the 1962–63 academic year and its allotment ratio bears to the sum of the corresponding products of all States.

Seed Money

It is possible that the Federal appropriation under title I, what Senator CASE has called "seed money," may stimulate an investment of almost $2 billion in academic facilities in undergraduate colleges in the first 3 years of the grant program. If the full amount authorized is appropriated and used in 1964 through 1966 the totals shown below will be available for construction of academic facilities:

	Millions
Public community colleges and public technical institutes	$379.5
Federal grants (40 percent)	151.8
Matching funds (60 percent)	227.7
Public and other nonprofit 4-year colleges and nonprofit 2-year colleges	1,614.6
Federal grants (33⅓ percent)	538.2
Matching funds (66⅔ percent)	1,076.4

As soon as possible after the funds are appropriated for each fiscal year, the Commissioner will compute each State's allotment ratio, using the formula prescribed in the act. Each State's allotment ratio equals—

$$1.00-\left(0.50\times\frac{\text{per capita income for the State}}{\text{per capita income for 50 States}}\right)$$

The computation will be based on Census Bureau data on average income for the 3 most recent years.

No State's allotment ratio will be less than 0.33⅓ nor more than 0.66⅔; the allotment ratio for Puerto Rico, the Virgin Islands, Guam, and American Samoa will be 0.66⅔. If the Commissioner finds that the cost of school construction in any fiscal year in a State is twice the median costs in all States, the State's allotment ratio will be 0.50.

From these allotments to the States the Commissioner will make grants to public 2-year community colleges and public technical institutes only for construction projects that will substantially expand capacity for enrollment or create new capacity for enrollment.

For other institutions of higher education

Institutions of higher education other than public community colleges and public technical institutes will share in $538.2 million for academic facilities in the first 3 years of the grant program if the full amount authorized is appropriated. Under the provisions of title I, 4-year public or private nonprofit institutions and 2-year private nonprofit institutions that qualify under the act's definition of an institution of higher education are eligible for a grant for specific types of facilities.

In each fiscal year the Commissioner will allot grant funds for other colleges to the States in two parts: one-half on the basis of each State's proportion of the total U.S. enrollment in all institutions of higher education, public and private, and one-half on the basis of each State's proportion of the total enrollment in high school grades 9 to 12, inclusive, public and private. In determining enrollment, the Commissioner will use the latest satisfactory data available to him for the most recent year.

Assuming that $230 million is appropriated and that $179.4 million (or 78 percent) is available to colleges other than public community colleges and technical institutes in fiscal year 1964, each State will be allotted an amount which bears the same ratio to $89.6 million as its enrollment in institutions of higher education bears to the total enrollment in all States, plus an amount which bears the same ratio to $89.6 million as its enrollment in grades 9 to 12 bears to the enrollment in grades 9 to 12 in all States.

From each State's allotment the Commissioner will make grants to cover the Federal share of the construction costs for projects in other institutions. The maximum Federal share is 33⅓ percent of the cost; the State commission determines the precise percentage (see definition of Federal share).

These institutions—4-year public and private nonprofit and 2-year nonprofit colleges—may use the funds under table 1 only for a building or part of a building that is designed especially for instruction or research in the natural or physical sciences, mathematics, modern foreign languages, or engineering or for use as a library; only if construction will begin within a reasonably short time; and only if the completed building increases capacity or creates new capacity for enrollment.

The State Plan

Before institutions of higher education in a State can receive grants under title I, the State must do these things:

Designate, as the State commission, a State agency that is "broadly representative of the public and of institutions of higher education (including community colleges and technical schools)." If no existing agency meets this requirement the State must establish one.

Submit to the U.S. Commissioner of Education, through the State commission a State plan which—

Names the State commission as administrator of the plan.

Sets up objective standards and methods for determining which eligible projects submitted by institutions will have priority and for determining whether a particular project for an institution other than a public community college or a technical institute will get the maximum Federal share of 33⅓ percent of its construction cost or a smaller percentage.

Commits the State to use its allotment or reallotment only for the purpose for which it is granted.

Agrees to give every applicant for a project who is adversely affected by a decision an opportunity for a fair hearing.

Makes provision for proper control of and accounting for Federal funds paid to the State under this program and for making the reports the Commissioner needs.

During the first 2 years of the act the Commissioner is authorized to spend up to $3 million a year on the proper and efficient administration of State plans, including the necessary expense of preparing them.

High school and college students are graduating at younger ages than formerly. Between 1950 and 1960 the median age of high school graduates dropped from 18.4 years to 18.1, and the median age of college graduates dropped from 23.6 years to 22.9. By color and sex, the estimated median ages of graduates in the 2 years were as follows:

	1950	1960
HIGH SCHOOL		
White	18.4	18.1
Male	18.6	18.2
Female	18.2	18.0
Nonwhite	18.8	18.5
Male	19.4	18.6
Female	18.5	18.4
Total	18.4	18.1
Male	18.6	18.3
Female	18.2	18.0
COLLEGE		
White	23.7	22.9
Male	24.3	23.4
Female	22.1	22.2
Nonwhite	23.8	23.9
Male	24.9	24.7
Female	22.5	23.2
Total	23.6	22.9
Male	24.3	23.5
Female	22.2	22.3

NOTE.—Source of data in both this table and the chart opposite is Current Population Reports of the Bureau of the Census, series P–23, No. 9.

Among the reasons for the differences between the college graduates of 1950 and those of 1960 are these: The class of 1950 contained many veterans, who were older than the average college student; students now graduate from high school at a younger age; and interest in part-time study toward a degree is increasing, particularly among nonwhite women.—(Rose Marie Walker, educational statistician, Office of Education.)

Approval of State Plans

The Commissioner will approve State plans that meet the requirements listed above, and will give the State commission an opportunity to be heard before he finally disapproves a State plan. If, after a plan is in operation, the Commissioner finds it has been so changed that it is not complying with the act or that the commission is not complying with its plan, he will notify the commission of this fact and give it an opportunity for a hearing. Until the Commissioner is satisfied that there is no longer a failure to comply he will not consider the State eligible to participate in the program and will so notify the commission.

The State in turn has the right to contest his action on this and certain other points. It may appeal to the U.S. Court of Appeals in the circuit in which it is located. The findings of fact by the Commissioner, if supported by substantial evidence, will be conclusive. The court may affirm or set aside the Commissioner's decision, either in whole or in part. The court's decision will, however, be subject to review by the Supreme Court of the United States.

Basic Criteria

The Commissioner is now working out regulations covering the basic criteria which the States must meet in preparing their plans. The act provides that the basic criteria must

be strict enough to achieve the objectives of the act and at the same time flexible enough to permit a State plan to serve the State's particular needs. The criteria must give special consideration to the expansion of undergraduate enrollment capacity.

The regulations may include criteria covering the extent to which facilities are being used effectively and they may allow State plans to group facilities or institutions for priority purposes.

The regulations will also prescribe the basic criteria for determining the Federal share of the development cost of any eligible project for institutions other than public community colleges and public technical institutes. In no event will the Federal share of the development cost of a project for an institution other than a public community college or a public technical institute exceed 33⅓ percent.

The act requires the Commissioner to publish the proposed regulations on priority and criteria for the Federal share in the Federal Register and to provide an opportunity for interested persons to give him their views on the regulations.

It is possible for an institution—4 year or 2 year, public or private nonprofit—to get both a loan and a grant under the act. Assume, for example, that a liberal arts college is planning to build a new science and mathematics hall at an estimated cost of $900,000. If the college is eligible on all counts and meets all conditions for a grant and all conditions for a loan it might get—

A maximum Federal grant under title I for one-third of the development cost	$300,000
A grant from non-Federal sources for one-fourth of the cost	225,000
A maximum loan under title III	375,000

Applications for Grants and Conditions for Approval

To obtain a grant under title I, an institution must apply for it at the time and in the form the Commissioner prescribes. The application must contain all the information he needs to make a decision. Generally speaking he will approve an application that meets these conditions:

1. The institution and the project are eligible, the project has been approved and recommended by the State commission, the State commission has certified that Federal share of the cost, and there are funds enough in the State allotment or reallotment to cover the Federal share.

2. The project has a higher priority than all other eligible projects in the State for which funds have not been reserved under title I.

3. The Commissioner has determined that the structure will not be elaborate and will be constructed economically, that Federal funds will be used only for the projects covered by the application, that funds are available to cover the cost not borne by the Government and to provide for the effective use of the facility upon its completion, that the building will be used as an academic facility for at least 20 years (the period of Federal interest under the act).

Amount of the Grant and Payment

After he has approved an application for a grant the Commissioner reserves the amount of the grant in the State's allotment. This amount he pays directly to the institution. If, however, the development cost of the project turns out to be higher than the estimates made in the application, the Commissioner may, with the approval of the State commission, reserve an additional amount of the State's allotment (available at the time of the original approval of the project)—enough to cover the Federal share of the added cost.

TITLE II—GRANTS FOR THE CONSTRUCTION OF GRADUATE SCHOOLS AND CENTERS

To assist in improving graduate schools and cooperative graduate centers and to establish new graduate schools and excellent centers, title II authorizes the Commissioner to make grants to such institutions yearly for 5 years for the construction of academic facilities as these terms are broadly defined in the act. To finance the grants, title II authorizes the Congress to appropriate $25 million for the fiscal year ending June 30, 1964, and $60 million for each of the 2 succeeding years. Funds appropriated for fiscal year 1964 but not obligated will be carried over and will be available for grants until the end of fiscal year 1965.

Funds that are appropriated for fiscal years 1965 and 1966 and not obligated for projects in these years cannot be carried over. The Commissioner will make grants directly to the institutions of higher education and the center boards, both public and private, that apply for them. He is prohibited, however, from granting more than 12½ percent of 1 year's appropriation to institutions in one State and from approving grants for more than 33⅓ percent of the development cost of a single construction project.

As soon as possible after an appropriation is made the Commissioner will notify institutions when to apply for a grant and the kind of information to include in an application—the kind of facts he will need to approve applications.

The Commissioner will review each application for a grant in the light of the purposes of title II: Would the grant lead to a greater supply of persons with graduate degrees? Would it contribute to better geographical distribution of graduate schools and cooperative centers? Would it assist in establishing excellent graduate schools and cooperative graduate centers? In his review the Commissioner will consider which applications to approve, in what order to approve them, and the size of the grant to make. But before he approves an application for a grant he must consult an advisory committee on graduate education, which title II establishes in the Office of Education. In addition to advising the Commissioner on applications for grants, the committee will advise him on the preparation of general regulations and policy matters in administering title II.

The advisory committee on graduate education will consist of the Commissioner, who will be chairman, one official from the Office of Science and Technology in the Executive Office of the President, one from the National Science Foundation, and eight members who are leading authorities in education, at least three of them from the humanities and at least one of these three from a graduate school of education.

TITLE III—LOANS FOR THE CONSTRUCTION OF ACADEMIC FACILITIES

Title III differs from titles I and II in one major respect: it authorizes loans instead of grants and authorizes them for higher institutions at all levels, from 2-year institutions through graduate schools. Like the first two titles, it authorizes funds solely for the construction of academic facilities in both public and private nonprofit institutions of higher education, and like them it authorizes a 5-year program and appropriations for the first 3 years—$120 million a year for the year ending June 30, 1964, and the 2 succeeding years.

Although the Commissioner will deal directly with the institutions in making loans, he is required by the act to limit the amount of loans going to institutions in any one State to 12½ percent of the total loans made under title III.

The loan program under title III is similar to the college housing loan program (Public Law 81-475), which provides for loans to colleges and universities for residential facilities, dining halls, and student unions. Since 1950, when the law went into effect, more than 900 colleges and universities have borrowed $1.5 billion from the Government. No college or university has ever defaulted on a loan.

The loan

Generally speaking, title III leaves decisions on details of the loans to the Commissioner, but on a few points its provisions are specific. For example, it requires the Commissioner to see that three conditions are met before he approves a loan for the construction of an academic facility:

That at least one-fourth of the development cost of the facility must be paid for out of non-Federal funds.

That the applicant cannot obtain the amount of the loan from any other source on terms as favorable as the terms of the Federal loan under this act.

That the facility will be constructed economically and neither the material nor the design will be elaborate.

The Commissioner has authority to decide what security to require for each loan, the precise term of the loan, and the interest rate. But title III fixes a maximum on terms and a minimum on rates:

Every loan must be repaid within 50 years.

The annual interest rate must always be at least one-fourth of 1 percent higher than the annual interest rate that the Government pays on all its interest-bearing obligations forming a part of the public debt at the end of the preceding fiscal year adjusted to the nearest one-eighth of 1 percent. These are the rates that colleges and universities pay under the college housing loan program. Between July 1, 1956, and June 30, 1963, the interest rate on college housing loans ranged from 2.875 to 3.50 percent.

Administration of the loan program

The provisions of title III giving the Commissioner the authority he needs to conduct the loan program are so worded as to protect the interests of the Commissioner, the Government, and the borrowing institutions. Here, briefly stated, are the administrative provisions:

All financial transactions of the Commissioner in administering the loan program—for example, making loans or approving vouchers—will be final and binding on all officers of the Government.

The Commissioner is authorized to set up a schedule of fees to cover the necessary expenses of making inspections of facilities, including audits, and if necessary to make the agreement to pay such fees a condition for approving applications for loans.

The Commissioner may make rules and regulations necessary to carrying out the program.

He may sue and be sued in a State court of record and in Federal district courts without regard to the amount in controversy; foreclose on property on which a loan has been made; acquire and manage property and complete, remodel, convert, lease, or dispose of property or otherwise deal with it so long as the action does not deprive any State or political subdivision of its jurisdiction over the inhabitants of the property or impair their civil rights under State or local laws.

He may sell, exchange, or lease real or personal property and sell or exchange any securities or obligations.

He may, within the limitation of this title, consent to modifications of contracts with respect to the rate of interest, time of payments of principal or interest, security for the loan, or any other term of the loan agreement.

TITLE IV—GENERAL PROVISIONS

Title IV binds the parts of the act together: it includes the general provisions that apply to the act as a whole; defines cer-

tain terms that the Commissioner, State, and institutional officials, and other interested persons must interpret uniformly; and spells out some of the specific provisions for administering the act.

Federal administration

To assist him in administering programs under the act, the Commissioner is authorized to delegate authority (except the making of rules and regulations) to any employee of the Office of Education; to use the services of other Federal Government agencies and of any other public or nonprofit organizations and to pay them for their services; and, with the consent of the Secretary of Health, Education, and Welfare, to appoint committees to advise him on the administration of titles I and III, and to pay committee members for their services.

The Commissioner has arranged with the Housing and Home Finance Agency, which administers the college housing loan program, to provide certain technical services in reviewing applications and carrying out the terms of approved grants or loans.

Along with the authority assigned to the Commissioner under title IV, he is assigned responsibility for seeing that contractors and subcontractors on construction projects supported in part by a grant or a loan pay workers and mechanics at wage rates equal to those prevailing in the community for similar work (as determined by the Secretary of Labor in accordance with the Davis-Bacon Act) and overtime as required by the Contract Work Hours Standards Act (Public Law 87–581). The Commissioner is not required to enforce this provision if laborers and mechanics not employed at any time in the construction of the project voluntarily donate their time to lower the cost of construction for a nonprofit institution and the amounts that are saved are credited to the institution.

Recovery of payments

The act fixes 20 years as the period of Federal interest in a facility built with the aid of a grant, and at the end of the period the Government will relinquish all claim to it. But, if within 20 years the institution that received the grant (or its successor) ceases to be a public or nonprofit institution, or ceases to use the facility as an academic facility, or begins to use it for one of the purposes the act prohibits the United States will be entitled to recover part of the payment. The exact amount of the repayment will depend on the value of the facility at the time, but the Government will be entitled to the same proportion of the value as the grant was of the total cost.

Method of payment

Payments may be made to any State, Federal agency, institution of higher education, or higher education building agency in installments and in advance, or by way of reimbursements. If necessary, adjustments will be made for overpayments or underpayments.

THE FIRST STEPS

Both Secretary of Health, Education, and Welfare Anthony J. Celebrezze and Commissioner Keppel have dedicated themselves to prompt and efficient administration of the act. Since both are interested in seeing the grants and loans put to work as soon as possible after funds for 1964 are appropriated, they have already set the administration in motion.

Secretary Celebrezze has asked each State Governor to appoint or designate a State agency to administer the State plan. To date 42 States have appointed State commissions. Most States have indicated their interests in participating in the act.

Commissioner Keppel has been in touch with college and university presidents and chief State officers on the steps that they should take to participate in the grant and loan programs and to invite their suggestions on the administration of the act.

THE VOCATIONAL EDUCATION ACT OF 1963—PUBLIC LAW 88–210, PART A

The Vocational Education Act of 1963 was passed because of the accumulating evidence that the old Federal program of assistance to vocational education—the one begun by the Smith-Hughes Act in 1917 and augmented and supplemented over the years by other acts of Congress—was not broad enough, or flexible enough, or rich enough to meet the needs of today, much less the needs of tomorrow.

BACKGROUND

What did the old program lack? A panel of consultants named by the Secretary of Health, Education, and Welfare at the request of President Kennedy in 1961, which spent months collecting and studying the evidence of the Nation's needs in vocational education and the shortcomings of the existing program, faced facts like these:

The demand for workers in the service industries is expected to rise rapidly in the 1960's, but the old vocational education acts—George-Barden and Smith-Hughes—have given the States little in the way of either funds or encouragement to train such workers. For example, of all the States which in 1961–62 were using Federal funds to help support vocational courses in high schools—

Only 12 were offering training for drycleaners;

Only nine, for office-machine repairmen;

Only six, for appliance repairmen;

Only six, for workers in the heating and ventilating business;

Only four, for dental technicians;

Only three, for automobile upholsterers;

Only three, for hospital aids;

Only two, for nurses' aids;

And only one was offering training for business-machine repairmen.

Because most vocational education is expensive to provide, many schools have been unable to offer any vocational courses at all. For example, a survey in 1962 of 3,733 public high schools in 6 States—Alabama, Georgia, Iowa, Nebraska, Ohio, and Pennsylvania—showed that only 5 percent were offering federally reimbursed courses in distributive vocations and only 9 percent in trade and industrial vocations, but 47 percent in homemaking and 45 percent in agriculture. The smaller the community, the less likely it was, generally, to offer its children opportunities to prepare themselves for work in the trades, in industry, or in the distributive occupations; yet many of the children in small communities will eventually want to enter such work and will in all probability move to a city to find it. The percentages of high schools in the survey that were offering federally supported training in each of four categories were as follows, by size of community:

[In percent]

	Population under 2,500	2,500 to 30,000	Over 30,000
Trades and industry	2	14	31
Homemaking	42	56	39
Agriculture	49	50	16
Distributive occupations	0	5	27

Even the largest cities, which probably have the greatest need for vocational education, have not been able to make this kind of education available to all who need it. Of the 637,923 boys and girls who in 1961–62 were enrolled in grades 10–12 in the 14 largest cities (Baltimore, Boston, Buffalo, Chicago, Cleveland, Detroit, Houston, Los Angeles, Milwaukee, New York, Philadelphia, Pittsburgh, St. Louis, and Washington) only 115,575 were in federally reimbursed vocational courses. Not even 1 in 5 was being prepared to enter the labor market, despite the incontrovertible evidence that such preparation means a great deal to the high school graduate: a 1959 survey of recent high school graduates in 13 Northeastern States found that unemployment among the graduates who had been prepared for trade and industrial work was only 5 percent compared with 15 percent among other high school graduates.

Business organizations are continuing their trend toward bigness and complexity, and all types of enterprises are keeping more and more records; yet neither of the two basic vocational education acts—Smith-Hughes and George-Barden—provides any training for office workers.

From 700,000 to 800,000 young people between the ages of 16 and 21 are completely at loose ends; they are neither in school nor at work. Some of them have no fixed address; they live in the streets. They contribute nothing to the economy either as taxpayers or consumers. They do not have the money it takes just to stay in school. But no agency has had the means for working out substantial arrangements by which it could give financial assistance to members of this group.

Each year of the 1960's will bring a larger number of young people than ever before to the end of their 18th year—the age of going to work, the age of going to college. In 1965 as many as 3.8 million will reach this age—50 percent more than in 1960. Of every 10 of these, only 2 will finish 4 years of college; the others, both those who graduate from high school and those who drop out before they graduate, are the ones who will have particular need for some form of vocational education.

All of these young people face a world that is fast losing patience with ignorance and lack of skill and has fewer and fewer jobs to give to the unskilled. Between 1960 and 1970, the Department of Labor estimates, 26 million young people without baccalaureate degrees will enter the labor force; all of them, as the years pass, will need additional training and retraining to develop their skills and keep them up to date. But to give such training to this one group alone would probably take nearly as much money as is now being expended under all of the old programs together. The $57 million in Federal funds expended under Smith-Hughes and George-Barden in 1963, for instance, if spent entirely on the 26 million young persons now coming into the labor force, would not amount to even $2.50 for each of them—a figure which points up the complete inadequacy of the funds under the old programs for meeting the needs of the future.

Workers who are now middle-aged and older will need to update their skills from time to time as technological developments alter their jobs. By 1970 more than 33 million men and women 45 years old and older will be in the labor force—5.5 million more than in 1960. The old vocational programs have not had either the funds or the facilities or the instructional staff to take on this monumental responsibility.

One of the fastest growing segments of the labor force is the one composed of technicians and semiprofessional workers—those who will require 1 to 3 years of postsecondary education. But the funds available under the old programs cannot be stretched to train all the technicians and other highly skilled workers the economy needs.

Vocational education programs, like all other educational programs, should emphasize quality; time and money should be spent on a search for more effective and more efficient ways of helping people acquire occupational skills. But the acts that established the old vocational programs, though they called for research, did not give it specific financial encouragement.

THE ACT

Each of these problems, as well as others equally disturbing, is attacked directly in the Vocational Education Act of 1963. The act is comprehensive: it shuts out no group, no occupation, except those generally considered professional or as requiring a baccalaureate or higher degree. It is concerned about workers of all ages at all levels for all fields; about persons in sparsely settled areas as well as the urban; about delinquent young people as well as the most industrious; about the employed as well as the unemployed and the underemployed.

And in its provisions for making vocational training and retraining accessible to all persons, the act is not only idealistic but realistic; it requires each State and each community to plan its vocational education programs with an eye always on the changes taking place in the economy and the world of work. The Vocational Education Act of 1963 cannot become obsolete: the machinery for keeping it flexible and up to date is built into it.

The act is also concerned with quality of education—with wise choices by the students, with the training of teachers, with the supply of materials and equipment, with research on problems and a search for solutions—and among its provisions are several that should help bring excellence into all programs of vocational education.

The new act does not terminate any of the vocational education programs already in existence. But it does affect them. By the amendments it makes in the earlier acts, it meshes the new program with the old programs, so that all become coordinate parts of a whole.

Unlike the earlier acts, the new act is concerned more with groups of people and their particular educational needs than with the categories of vocations they will prepare for. In fact it mentions occupational categories only twice: once in the definition of "vocational education," to point out that education for business and office occupations is indeed included; and later, in sections amending the George-Barden and Smith-Hughes Acts, to specify the changes that will be made under each of the categories there. The Congress has left to each State the matter of deciding what occupations the schools will educate for.

In writing the act the Congress has scrupulously respected the rights of the States to control their educational systems. Its only purpose has been to assist the States in strengthening, improving, and expanding their existing programs of vocational education; in developing new ones; and in providing part-time employment for young persons who need to earn money if they are to continue their vocational education on a full-time basis.

The Vocational Education Act of 1963 gives authority for two different appropriations. First it authorizes a permanent program (in addition to the permanent programs authorized in the Smith-Hughes and George-Barden Acts); second it authorizes funds for two 4-year programs.[1] The amounts of these authorizations are in the table below.

When this was written, in late March, no appropriations had yet been made under these authorizations (authorizations are merely permission to appropriate; it takes appropriations to make money available).

Permanent authorization—Vocational education for persons in 4 categories, construction of area facilities, ancillary services and facilities, research and training programs

	Million
1963–64	$60.0
1964–65	118.5
1965–66	177.5
1966–67 and each fiscal year thereafter	225.0

4-year authorization—Work-study programs for vocational education students, residential vocational education schools

	Million
1964–65	$30
1965–66	50
1966–67	35
1967–68	35

The permanent program

Vocational Education—What the Act Means By It

Vocational education is broadly defined in the act. It includes any vocational training or retraining (along with incidental field and laboratory work) which is given in schools or classes under public supervision and control, or under contract with a State board of vocational education or a local education agency, and conducted as part of a program to fit persons for gainful employment. This program may be any one of those programs which under earlier vocational education acts is eligible for Federal assistance. And the term "gainful employment" is not limited to any level in any field; it means employment as either a semiskilled or a skilled worker, or as a technician, in a recognized occupation.

But the term cannot be stretched to include education for a profession. It does not include any educational program designed to fit persons for employment in occupations which the U.S. Commissioner of Education determines are generally considered professional or as requiring a baccalaureate or higher degree: which ones these are, the Commissioner will announce in the regulations. The term does, however, include the following.

Vocational guidance and counseling given in connection with vocational training.

Instruction that in itself is not vocational education but is related to the occupation for which the student is being prepared or is necessary for him to have if he is to benefit from vocational training. (Although specific regulations to interpret the various provisions are not yet available, it is probably safe to say that this part of the act means instruction in such subjects as physical science, mechanical drawing, and mathematics; it probably also means some instruction in the basic skills. In any case the courses will have to be an integral part of the vocational education curriculum and not separate from or unrelated to it.)

The training of persons engaged as vocational education teachers, teacher-trainers, supervisors, and directors of such training—and of persons preparing to become vocational education teachers, etc.

Travel of students and of persons engaged in vocational education.

The acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment.

The term "vocational education" may not be interpreted to mean the construction of buildings, initial equipment of buildings, or the acquiring or renting of land. (Although these are excluded from the definition of vocational education, they are not entirely excluded from the act. See the paragraph on area vocational educational schools.)

The Four Categories of Eligible Persons

The four categories of persons named as eligible to receive vocational education in programs established under the permanent authorization are these:

1. Persons attending high school.

2. Persons who have completed or left high school but are free to study full time in preparing for a job.

3. Persons who have already entered the labor market but need training or retraining, either to hold their jobs or to get ahead, but not persons already receiving training allowances under the Manpower Development and Training Act of 1962, the Area Redevelopment Act, or the Trade Expansion Act of 1962.

4. Persons who have handicaps—academic, socioeconomic, or other—that prevent them from succeeding in the regular vocational education program.

Construction of Area Schools

The idea of vocational education programs designed to serve an area of a State rather than a single community found expression 6 years ago, in the National Defense Education Act. The purpose then was to train highly skilled technicians for fields necessary for the national defense; but the Vocational Education Act of 1963 specifies area schools with a larger purpose—to provide vocational education in the broad sense in which the act defines it.

What the new act does is to provide funds for the construction of area schools—something that the National Defense Education Act did not do.

In defining an area school, the act describes four types. If the school is type A, B, or C, the act says, it must, to be supported with Federal funds, be "used exclusively or principally to give vocational education to persons available for full-time study in preparing to enter the labor market." If it is type C or D, it must admit as regular students both persons who have completed high school and persons who have dropped out of high school. All area schools, no matter what their type, must be available to all residents of the State or of an area of the State designated by the State board of vocational education. The four types are these:

A. A specialized high school.

B. A department of a high school providing education in no less than five different occupational fields.

C. A technical or vocational school.

D. A department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields, under the supervision of the State board, leading to immediate employment but not leading to a baccalaureate degree.

In authorizing Federal funds for construction of area school facilities, the act means that the funds can be used to construct new buildings; to expand, remodel, and alter old buildings; to grade and improve sites; and to pay architects' fees. The term "school facilities" is defined to mean not only classrooms and "related facilities" but also the initial equipment and the interests in land on which the facilities are constructed. It does not include, however, any facility intended primarily for events to which the public will be charged admission.

Ancillary Services and Activities

The act contains a number of provisions to encourage constant improvement of vocational education programs. One of the most significant is the provision that States may use part of their allotments under the permanent program for "ancillary services and activities." To explain what it means by the phrase, the act lists a number of examples:

Training and supervision of teachers.

Supervision and evaluation of programs.

[1] The act does not use the terms "permanent program" and "4-year programs" to distinguish between the purposes of the 2 sets of authorizations. But these terms seem to us convenient and descriptive, and we use them throughout this exposition. We use the term "permanent program" to identify the purposes for which authorizations are made in sec. 2 of the act; the term "4-year programs" to identify the programs described in secs. 13 and 14 for which funds are authorized in sec. 15.

Experimental and demonstration programs.

Development of instructional materials.

Improvement of State administration, supervision, and leadership.

Distribution of Funds Within Each State

The act does not leave it entirely to each State to decide how much of its allotment under the permanent program it will use for each of the three parts of the program—for vocational education, for construction of area schools, and for ancillary services and activities. The act requires the State to use certain percentages for the purposes indicated below though any State wishing to use smaller percentages may apply to the U.S. Commissioner of Education for permission to do so. He, if he determines that a smaller percentage will be adequate in that State, will permit the State to use it. The percentages specified in the act are these:

At least 33⅓ percent up through fiscal year 1968 and at least 25 percent thereafter for one of both of these purposes:

(1) Vocational education for the second of the four categories of eligible persons—that is, for persons who have either graduated from high school or dropped out before graduation and are free to study full time in preparing for a job. (Emphasis on this group helps to assure that wider opportunities will be provided at the post-high-school level for persons who need special training and development of skills at that level, particularly in preparation for highly skilled and technical occupations.)

(2) Construction of area schools.

At least 3 percent for ancilliary services and activities to improve the quality of vocational education programs.

Research and Training

Each year 10 percent of the funds appropriated for the permanent program will be reserved for the U.S. Commissioner of Education to use in making grants for research and training programs and for experimental, developmental, or pilot programs designed to meet the special vocational education needs of young persons. These programs will give particular attention to the needs of young persons living in economically depressed communities and having academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational educational programs.

The Federal funds reserved for this purpose will be used for grants to pay part of the costs of the programs. The grants will be made to institutions and agencies, which will develop the programs:

Colleges and universities.

Other public or nonprofit agencies and institutions.

State boards of vocational education.

Local education agencies (with the approval of the State board).

The phrase "training program" is a broad one, and the Congress apparently expects it to be given a broad interpretation. Senator MORSE, in discussing the conference report on the bill, said that the Senate conferees had agreed to drop the word "leadership" from the phrase, with the understanding that the word "training" could be broadly construed to include "all types of program operations training, including management, administrative, or State leadership training." He also said that it was the Senate conferees' view that the Commissioner of Education would be permitted under this provision to make grants also for short-term institutes at which prominent vocational educators from several States could meet to exchange information and to interpret research findings.

Four-Year Programs

In addition to the permanent program, the act provides for two experimental 4-year programs that will be new ways of trying to keep young people in school long enough to make them ready to enter the labor force. One will give young people a chance to work at part-time jobs and yet attend school full time; the other will provide both a home and a school for young people who for one reason, or another cannot benefit from regular vocational education programs.

Funds for these programs have been authorized for only 4 fiscal years—from 1965 through 1968.

Work-Study Programs

Under a work-study program the young person who needs financial help in order to stay in school will be able to get that help: He will be given part-time employment either by the local educational agency or by some other public agency or institution. The student must meet certain requirements:

He must have been accepted for enrollment as a full-time student in a vocational education program that meets standards set up by the State and the local school district under the act. Or, if he is already enrolled, he must have a record of good standing and full-time attendance.

He must need the earnings in order to stay in school.

He must be at least 15 years old and no more than 20 at the time he enters the work-study program.

He must be considered capable of maintaining good standing in his vocational education program while he is employed.

Certain limits have also been set on the work, the pay, and other circumstances:

The work may not take more than 15 hours of the student's time in any week his classes are in session.

His pay may not exceed $45 in any month or $350 in any academic year or—if the student lives so far from the school that he cannot commute from his home—$60 and $500, respectively.

The work-study program must be administered by the local educational agency.

To the extent that funds are available, the program must be made reasonably available to all qualified young persons in the area served by the local educational agency.

Each agency that administers a work-study program under this act will be required to keep up its previous expenditures for employment of its students. From sources other than the payments it receives from Federal funds, it must expend each year at least as much as it expended, on the average, for similar work-study programs in each of the 3 fiscal years preceding the year in which its work-study program under this act was approved. It does not matter whether the expenditures in those 3 years were for employment that would be eligible for assistance under the new act.

Residential Schools

The act also calls for the establishment of residential schools, which will be experimental in nature. These will provide vocational education, room, board, and other necessities for certain young persons who at the time of enrollment are at least 15 years old and not over 20. The students, for the most part, will come from crowded slums and home environments that make it virtually impossible for them to obtain an education.

All the costs of these schools, not only of constructing, equipping, and maintaining them but of supporting the students in residence, may be met by grants from the Federal Government. But the schools will be built and administered by those agencies, institutions, and organizations to which the grants are made. The U.S. Commissioner of Education is authorized to make grants to State boards of vocational education, to colleges and universities, and, with the approval of the State board, to public educational agencies, organizations, and institutions. The Commissioner will give special consideration to the needs of large urban areas that have substantial numbers of students out of school and out of work, but he will also aim at an equitable geographical distribution of the schools.

The Commissioner will also determine how much of the funds appropriated for the two 4-year programs will be used for the residential schools. Senator MORSE, speaking on the floor of the Senate on December 13, 1963, when the Senate resumed consideration of the House-Senate conference report on the bill, said that the conferees estimated that not more than five of these schools could be built with the funds provided. For each school, he said, they estimated "about $1 million planning money, $5 million for construction, and $2 million for operation."

The fact that these schools are residential, Mr. MORSE said, does not mean that they will be prevented from taking in day students.

The Labor Market Is Slow To Buy the Services of the Unskilled

In June 1962 about 1,850,000 boys and girls graduated from high school. Four months later, in October, half of these were enrolled in college and 8 percent were in technical, secretarial, and other special schools. But what of the rest?

Of those not in college and in the labor force—that is, working or looking for work—14 percent were unemployed. And of those at work in nonfarm jobs, 10 percent were working only part time.

But things were worse for young people of the same age group who had dropped out of school before graduating from high school: Nearly 29 percent of this group—17- to 24-year-olds—were unemployed in October 1962.

And things will get worse for the dropout in the years ahead, the Labor Department says. Occupations requiring little skill or little education will continue to decline, and the person without at least a high school diploma will have increasing difficulty in finding a job. (The data above are from the U.S. Department of Labor, Monthly Labor Review, July 1963.)

Allotments to the States

Funds appropriated for the permanent program and those appropriated for the two 4-year programs will be allotted to States on different bases.

The Permanent Program

Each year 90 percent of the funds appropriated for the permanent program (the other 10 percent is reserved for research and training grants to agencies and institutions) will be allotted among the States on the basis of a computation that takes into account two circumstances in each State: (1) the number of persons in each of the age groups eligible for vocational education, and (2) the per capita income.

Per capita income will be taken into consideration by way of an "allotment ratio," which will be obtained for each State by using the following formula:

$$1.00-\left(0.50\times\frac{\text{per capita income for the State}}{\text{per capita income for all States}}\right)$$

The figures that will be used for per capita income will be the averages for the three most recent consecutive fiscal years on which the Department of Commerce has satisfactory data. They will exclude Puerto Rico, Guam, American Samoa, and the Virgin Islands, all of which have been assigned an allotment ratio of 0.60. No State will have less than 0.40 or more than 0.60. The ratios for this fiscal year will soon be announced by the U.S. Commissioner of Education; for each subsequent year they will be announced between July 1 and September 30 of the preceding year.

The amount of money allotted to each State each year will be the sum of four subamounts, each of which will be computed by a process that combines the allotment ratio with population data (the reader should bear

in mind that "appropriated funds" here means 90 percent of those funds):

1. An amount which bears the same ratio to 50 percent of the appropriated funds as the product of the State's allotment ratio and its preceding year's population of 15- to 19-year-olds bears to the sum of the corresponding products for all the States.

2. An amount which bears the same ratio to 20 percent of the appropriated funds as the product of the State's allotment ratio and its preceding year's population of 20- to 24-year-olds bears to the sum of the corresponding products for all the States.

3. An amount which bears the same ratio to 15 percent of the appropriated funds as the product of the State's allotment ratio and its preceding year's population of 25- to 65-year-olds bears to the sum of the corresponding products for all the States.

4. An amount which bears the same ratio to 5 percent of the appropriated funds as the sum of the amounts allotted under the three preceding paragraphs bears to the sum of the amounts allotted to all of the States under those paragraphs.

No State will have an allotment of less than $10,000. If for any State these four amounts add up to less than $10,000, the allotments to other States will be proportionately reduced to make up the difference.

If the Commissioner finds that a State will not need or be able to use all of its allotment in carrying out its plan for the year, he can, from time to time during the year, reallot the excess funds to other States in proportion to their original allotments. He will, however, reduce the funds reallotted to any State if they raise that State's total above what it needs and can use under its plan for the year. And he will reallot the funds he obtains from such reductions to States that do need the funds.

Jobs Are Changing: Workers, Too, Must Change

The decade just past, 1953 to 1962, saw a decline of nearly 1 million in the number of jobs held by workers whose median educational attainment was less than 9 years of schooling. But other jobs increased; and the ones that increased the fastest were the ones in which workers had the highest educational attainment:

Median educational attainment	Number employed (in thousands)		Percent change
	1953	1962	
Less than 9 years	11,730	10,766	−8.2
9 to 12 years	26,434	27,180	+2.8
12 to 16 years	18,166	21,861	+20.3
16 years and over	5,448	8,040	+47.6

Source: U.S. Department of Labor, "Manpower Report of the President," March 1963.

The 4-Year Programs

Of the two types of 4-year programs, only the work-study programs will be supported under allotments to the States. The residential schools will be supported by grants to State boards, colleges, etc.

Since the work-study programs are limited to persons who, at the time they enter the program, are no less than 15 years old and no more than 20, each State's allotment will be based on the size of its population in this age group. That is to say, the U.S. Commissioner of Education each year will allot to each State an amount which is in the same ratio to the Federal funds available that year for work-study programs as the State's preceding year's population of 15- to 20-year-olds was to the entire population in that age group in all the States.

The act authorizes no appropriation specifically for work-study programs. Instead, it makes the U.S. Commissioner of Education responsible for determining what portion of the appropriation for residential schools and work-study programs will be used for work-study programs.

If in any of the 4 fiscal years specified for work-study programs, the Commissioner finds that a particular State has a larger allotment than it needs for carrying out its plan for these programs, he may from time to time make the extra amount available for reallotment to other States, in the same proportion as they received their original allotments.

Any amount a State receives under a reallotment becomes part of its allotment for the year.

Payments to States

The Permanent Program

The Commissioner will make payments to the States in advance on the basis of estimates, and will make them in installments from time to time so that the States will have the money in reasonable time for meeting their expenditures.

Payments will be made to the States under these conditions:

In fiscal year 1964 a State must spend as much in State and local funds for programs approved under Federal acts for vocational education as it did in fiscal year 1963. In other words, States are required to make at least the same effort this year as they made last, but they are not required to match the Federal funds dollar for dollar. There is one exception, however: States using Federal funds for constructing area vocational schools may not use Federal funds to pay more than half the cost of each area school project (this holds true in all years, not only in fiscal year 1964).

Beginning in fiscal year 1965 each State must match, in State or local funds, the Federal funds it has allocated in its plan for each of the purposes set forth under the act. What is more, each State must use a certain percentage of its total allotment either for construction of area vocational schools or for vocational education for persons who have graduated from high school or dropped out before graduation and are available for full-time study in preparing for a job—or for both of these purposes (see the paragraph on distribution of funds under the permanent program). This requirement applies to all fiscal years, including 1964.

Work-Study-Programs

For the first 2 years in which the work-study programs under the act are in effect—fiscal years 1965 and 1966—the Federal payments to each State will take care of all that the State spends under its approved plan for compensating students employed in work-study programs. In addition, the payments will contribute something toward the State's expenditures for developing and administering its plan—either 1 percent of the State's allotment for work-study programs or $10,000, whichever is greater.

For fiscal years 1967 and 1968 the Federal payments will take care of 75 percent of the State's expenditures.

No State will receive more Federal money for any fiscal year than the amount allotted to it for that year.

Like the payments under the permanent program, the payments for work-study programs will be made in advance, on the basis of estimates, and in installments.

State plans

To be eligible for participation in the programs provided for in the act, each State must submit a plan—a plan for participating in the permanent program and a supplementary plan for participating in the work-study program. The plans must be submitted, through the State board of vocational education, to the U.S. Commissioner of Education.

For the Permanent Program

The plan for the permanent program must do these things:

1. Designate the State board as the sole administrator of the plan or as the supervisor of the administration of the plan by local educational agencies. If, however, this board includes no members who are familiar with the vocational education needs of labor and management in the State and no members who are representatives of junior colleges, technical institutes, or other institutions of higher education which offer vocational education courses, the plan must designate a State advisory council which does include members with these qualifications.

2. Set forth the policies and procedures the State will follow in allocating its allotment among the various uses specified under the permanent program and in allocating Federal funds to local educational agencies. These policies and procedures will insure that local vocational education programs will be evaluated periodically and the results considered in the light of manpower needs and job opportunities; they will also insure that Federal funds will be used to supplement, not supplant, State and local funds.

3. Set minimum qualifications for teachers, teacher trainers, supervisors, and others responsible under the plan.

4. Provide for cooperative arrangements with public employment offices in the State. The employment offices would give State and local educational agencies the information they need in counseling students and in deciding what occupations to train students for; in turn, educational agencies would give the employment offices the information they need in counseling and placing persons trained under vocational programs.

5. Describe procedures for disbursing and accounting for funds.

6. Obligate the State to comply, on construction projects, with labor standards under the Davis-Bacon Act.

7. Obligate the State to make the reports the Commissioner needs in administering the act and to give him access to State records if he finds it necessary to verify the accuracy of the reports.

If the State plan meets all these conditions satisfactorily the Commissioner will approve it; if it does not, he must give the State board reasonable notice and an opportunity for a hearing before he disapproves it. Moreover, any time he finds that a State plan has been so changed that it no longer complies with the provisions of the act, or that in the way the plan is being administered there is a failure to comply with any of the requirements of the act, he will notify the State board that payments will be stopped until it does comply or that payments will be made only for programs meeting requirements. But a State board that is dissatisfied with the Commissioner's action may appeal: within 60 days after receiving his notice it may file a petition with the U.S. court of appeals in its circuit. The judgment of the court will be final, subject to review by the U.S. Supreme Court.

Supplementary Plan

The plan which a State submits for its work-study programs will be supplementary to its plan for participating in the permanent program. That is to say, the State must have in effect a plan for the permanent program before it submits its supplementary plan for work-study programs. The supplementary plan must—

1. Designate the State board as the sole agency for administering the supplementary plan, or as the sole agency for supervising the administration of the plan by local educational agencies.

2. Set forth the practices and procedures to be followed by the State in approving

work-study programs. These will require the State to use all of the Federal funds it receives for work-study programs to compensate the students employed under them. Only one exception is permissible: 1 percent of the State's allotment for this purpose—or $10,000 if that is greater—may be used to pay the cost of developing the State's supplementary plan and the cost of administering it after it has been approved.

3. Set forth the principles for determining the priority to be given applications from local educational agencies. The principles must give preference to applications coming from communities where there are large numbers of young persons out of school and out of work.

4. Set forth such procedures as may be necessary to assure that Federal funds are properly disbursed and accounted for.

5. Provide for making reports to the U.S. Commissioner of Education, for keeping records, and for making those records accessible to the Commissioner.

In matters pertaining to the Commissioner's approval or disapproval, and the State's right to contest his action, the supplementary plans will be subject to the same regulations as the plans for the permanent program.

Amendments of earlier acts

The new act does not put an end to the former vocational education acts. The Smith-Hughes Act, which provides a permanent authorization for annual appropriations of $3 million for vocational education in agriculture, $3 million for trades and industry and home economics, and $1 million for the training of teachers in these fields, is still in effect. So is the George-Barden Act, which authorizes an annual total of $48.9 million to be divided in specified amounts among agriculture, distributive occupations, home economics, trade and industry, the fishery trades, practical nursing, and technical fields.

An End to Rigid Barriers

Though the new act does not remove the rigid vocational categories established in these two acts, it does relax them. For one thing, it interprets the categories broadly. And, to all intents and purposes, it makes it possible for the States to break down the categories altogether.

The new act permits any State to take any portion of any amount allotted to it for any purpose under the Smith-Hughes and George-Barden Acts and to transfer it to one or more of its other allotments under these acts. The State may even transfer it to one of its allotments under the permanent program of the new act. All that a State needs to do to make these transfers is to request the approval of the U.S. Commissioner of Education and to show to his satisfaction that the transfer will improve the vocational program as a whole.

Important years for vocational education

Acts of Congress

1917: Smith-Hughes Act. Provides annual grant of $7.2 million to the States: $3 million for agricultural training, $3 million for trade and industrial and home economics education, $1 million for teacher training, and the rest for Federal costs of administering the act.

1946: George-Barden Act. Authorizes annual appropriation of $28.5 million to be divided among the same categories as in the Smith-Hughes Act, with the addition of education for distributive occupations.

1956: Public Law 84–1027. Adds the fishery trades and industries to the vocational categories in the George-Barden Act. Authorizes an annual appropriation of $375,000 for vocational education in those trades and industries and in the distributive occupations.

1956: The Health Amendments Act of 1956. Amends the George-Barden Act by adding title II, which specifies practical nurse training for inclusion under the act. Authorizes $5 million a year. The title was originally for 5 years but in 1961 it was extended to June 30, 1965, and now has been made permanent.

1958: The National Defense Education Act, title VIII. Amends the George-Barden Act by adding title III. Authorizes $15 million a year to train highly skilled technicians. The title was originally for 4 years, but it was subsequently extended to June 30, 1964, and now has been made permanent.

1961: Area Redevelopment Act (ARA) provides for training or retraining unemployed or underemployed persons in redevelopment areas. Authorizes $4.5 million a year until 1965 for training costs.

1962: Manpower Development and Training Act. Authorizes a total of $951 million for a 4-year program (the act was originally for 3 years but has been extended through a fourth) of training similar to that under ARA, but broader and not limited to redevelopment areas. Both this act and ARA provide for training allowances to unemployed workers in training.

An End to Narrow Definitions

The new act not only makes possible the transfer of allotments among the various categories in the old acts but broadens some of the categories.

Agriculture: Vocational education in agriculture is broadened so that it no longer is limited to preparation of persons "to enter upon the work of the farm or of the farm home." Now it includes education in any occupation involving knowledge and skills in agriculture. Under this category the schools may now prepare persons to work as managers of grain elevators, as sheep shearers, food processors, or in other occupations related to agriculture. Students no longer will be required, as they were formerly, to have supervised or directed practice on a farm.

Home economics: Any amounts allotted for home economics under the Smith-Hughes and George-Barden Acts may be used to train persons for gainful employment in any occupation requiring knowledge and skills in home economics subjects; for example, for such jobs as managers of motels or of convalescent homes. But after June 30, 1965, a State must use at least 10 percent of its annual allotment for home economics under these acts for training for gainful occupations, or it must transfer the 10 percent to another allotment.

Distributive education: Under the George-Barden Act, distributive education courses were conducted only in extension classes—day or evening—and part-time high school courses and were available only to adults and secondary school students who were employed at least 15 hours a week in distributive occupations. Under the new act, a State may use any of its annual allotment for distributive education for the vocational education of any person who is over 14 years old and who is working in or is preparing to work in a distributive occupation. The education need not be provided in part-time or evening classes. This means that a student may take his training during regular school hours and complete it before he goes to work.

Trade and industry: A State may use its annual allotment for trade and industrial education for schools and classes which conduct preemployment training for persons who are 14 years old and over and in school and which fits them for gainful employment in trade or industrial occupations. If the training is for a single-skilled or semiskilled occupation, classes may be held for less than 3 hours a day, and less than 9 months. Classes are no longer required to spend half their time in practical work on a useful or productive basis, nor are States any longer required to spend one-third of their allotment on part-time schools and classes for workers who are already employed.

Two Programs Made Permanent

Other amendments to the old vocational acts make practical nurse training and area vocational schools permanent programs. The practical nurse program, which is provided for in title II of the George-Barden Act, was established in 1956 by Public Law 84–911; it was authorized to last for 9 fiscal years, beginning in 1957, and would have expired June 30, 1965. The area vocational education programs, now called technical education programs, were established by the National Defense Education Act in 1958 as title III of the George-Barden Act; these would have expired on June 30, 1964.

Labor standards

States must require contractors and subcontractors on construction projects using funds under this act to pay their laborers and mechanics at rates not less than those being paid on similar construction jobs in the community and to meet the conditions of the Contract Work Hours Standards Act. The minimum wage rates will be those determined by the Secretary of Labor.

National advisory bodies

The new act establishes a 16-member advisory committee on vocational education to advise the U.S. Commissioner of Education on general regulations, policies for the administration of the act, policies and procedures for approving State plans and research and training programs. No more than six members may be professional educators.

In 1966 the Secretary of Health, Education, and Welfare will appoint an advisory council to review the administration of the vocational education acts and make recommendations for improving them. The council, to be made up of persons who understand vocational education and the needs of labor and management, will submit its report by January 1, 1968. In the years following, the Secretary will appoint new councils at regular intervals to advise him.

THE NATIONAL DEFENSE EDUCATION ACT OF 1958, THE NEW AMENDMENTS—PUBLIC LAW 88–210, PART B

The National Defense Education Act of 1958 authorized close to $1 billion for a dozen separate programs of education. It was originally written to run for 4 years, but in October 1961 it was extended for 2 more years, until June 30, 1964. Now, in Public Law 88–210,[1] which was signed by the President on December 18, 1963, the act has again been extended, this time for 1 year, until June 30, 1965, and a number of other amendments have been made.

The act has 10 titles. The first one sets forth general provisions; the others provide for specific programs to improve education. Except for title IX, which establishes a special service in the National Science Foundation, the act is administered, at the Federal level, by the Office of Education.

In the first 5 fiscal years of the National Defense Education Act, through June 30, 1963, a total of nearly $800 million in Federal funds was distributed under the titles administered by the Office of Education. Much of the money was paid out in grants to State educational agencies for strengthening instruction in elementary and secondary schools (title III), for guidance, counseling, and testing (title V–A), for providing vocational education in technical

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[1] Public Law 88–210 has three parts: Part A is the Vocational Education Act of 1963, described on pages 3–12 of this issue of School Life; part B amends the National Defense Education Act; and part C amends Public Laws 815 and 874 (81st Cong.), the two acts which provide aid for schools in "federally affected areas."

fields (title VIII), and for improving statistical services (title X). Just as much and more went to institutions of higher education for loans to students (title II), fellowships and cost-of-education allowances for graduate students (title IV), institutes to prepare counselors (title V–B), and foreign language development, including language and area centers, fellowships, research, and teacher-training institutes (title VI); and to agencies, organizations, and individuals for research in educational utilization of television, radio, motion pictures, and related media of communication (title VII).

Our principal purpose here is to discuss the new amendments to the act; but in order to make their meaning as clear as possible, we preface the amendments to each title with a brief summary of the title as it stood before the amendments were made, along with some information on what has been accomplished so far with the aid of Federal funds.

TITLE I—GENERAL PROVISIONS

In addition to stating the purposes of the act and prohibiting Federal control of the programs the act establishes, title I defines the meaning of certain words and phrases recurring frequently. The only definitions changed in any way by Public Law 88–210 are these:

State

The term "State" now also includes American Samoa. By the original definition, the term includes also any one of the 50 States, Puerto Rico, the District of Columbia, the Canal Zone, Guam, and the Virgin Islands. (However, for the purpose of determining the amounts to be allotted to the States under titles III and V, the term does not include Puerto Rico, the Canal Zone, Guam, American Samoa, or the Virgin Islands.)

Elementary school, secondary school

Formerly these terms were used to mean schools which provided elementary and secondary education, respectively, as determined under State law. Now a phrase has been added to broaden the meaning of both terms: "or, if such school is not in any State, as determined by the Commissioner." The intent of the change is to include elementary and secondary schools provided by the U.S. Department of Defense for the minor dependents of its military and civilian personnel stationed in foreign countries.

Public schools and institutions

Except in those parts of the act that provide for grants, loans, or other payments to public schools or institutions, the terms "public schools" and "public institutions" now include schools and institutions of any agency of the United States. Formerly these were specifically excluded for all purposes.

In other words, federally operated schools still may not receive grants, loans, or other payments, but teachers and other members of the professional staffs of these schools now may enjoy the benefits hitherto enjoyed only by the professional staffs of other public schools. For example, they may now receive the stipends available for those who attend institutes supported under the act.

Local education agency

This term has been broadened to include any public institution or agency having administrative control and direction of a public elementary or secondary school. Formerly it was limited to a board of education or other legally constituted school authority having control and direction of such schools in a city, county, township, school district, or political subdivision.

By broadening the meaning of this term, the Congress has extended the benefits of the act to a number of public schools not considered part of a local school system—for example, to State schools for the deaf and to the laboratory schools of publicly controlled colleges and universities.

TITLE II—LOANS TO COLLEGE STUDENTS

Title II provides for the establishment of funds from which able but needy students in the Nation's colleges and universities may borrow, on reasonable terms, to finance their education. A student can get as much as $1,000 a year—as much as $5,000 altogether—if he can meet the requirements and if the funds are available at the institution where he is enrolled.

The loans are made by the colleges and universities participating in the loan program. Any institution wishing to participate applies to the U.S. Commissioner of Education and requests a Federal capital contribution to its student loan fund. (Each institution must also make a contribution of its own to the fund—at least one-ninth of the amount it receives from the Federal Government.)

To be eligible for a loan, a person must be a full-time student (either undergraduate or graduate) at an institution participating in the program, or he must have been accepted for enrollment by such an institution. He must also be judged by the institution as needing financial help and being capable of maintaining good standing in his college work.

Institutions making National Defense Education Act loans give special consideration to students with superior academic background who plan to become elementary or secondary school teachers, as well as to students who show superior preparation or ability in science, mathematics, engineering, or a modern foreign language.

Repayment of these loans ordinarily begins 1 year after the borrower has ceased to be a full-time student. The repayment period may be deferred for a longer timer, for as much as 3 years, for any borrower who serves in the Armed Forces or in the Peace Corps during that time. Interest on each loan begins to accrue when the repayment period begins.

A borrower who becomes a full-time teacher in a public elementary or secondary school may be forgiven part of his loan, up to one-half of it (plus the interest on that part) at the rate of 10 percent for each year of teaching. That is, 5 years of teaching can repay half of the loan. The amount forgiven each year is based on the amount still unpaid on the first day of each full year of teaching.

Loans will be canceled for any borrowers who die before they can pay their loans or who become permanently or totally disabled.

Amendments

Now title II has been extended for another year, through June 30, 1969. New borrowers may not come into the program, however, after fiscal year 1965.

The amount authorized for fiscal year 1964 for Federal contributions to student loan funds has been increased from $90 to $125 million. The amount authorized for fiscal year 1965 is $135 million. For the 4 fiscal years 1966 through 1969 no specific amounts are authorized: the amounts will be limited to whatever is necessary to enable the students who had borrowed before July 1, 1965, to complete their education.

The ceiling has been lifted on the amount any institution may receive from the Federal Government in any one year. Formerly it was $250,000; now it is $800,000.

The proviso that interest will not accrue—and repayments need not be made—during any period in which the borrower is pursuing a full-time course of study at an institution of higher education in one of the States has been modified to extend the same benefits to borrowers pursuing a full-time course of study at a comparable institution outside the States, provided the U.S. Commissioner of Education has approved the institution for that purpose.

The proviso that up to 50 percent of the loan will be canceled for any borrower who does full-time teaching in a public elementary or secondary school has been broadened. Formerly the law required the teaching to be done in one of the States, but now the forgiveness clause extends also to borrowers who teach in an oversea elementary or secondary school of the Armed Forces of the United States. It also extends to borrowers who teach in elementary or secondary schools conducted by the Federal Government within the States.

TITLE III—STRENGTHENING INSTRUCTION IN SCIENCE, MATHEMATICS, AND MODERN FOREIGN LANGUAGES

Title III provides for two kinds of assistance to elementary and secondary schools in their efforts to improve instruction in science, mathematics, and modern foreign languages.

1. Equipment and remodeling: First, title III authorizes $70 million a year for laboratory and other special equipment; minor remodeling of laboratory or other space suitable for this equipment.

The funds for laboratory equipment may also be used to purchase such things as audiovisual materials and equipment and printed materials other than textbooks. Last August the regulations pertaining to this title were revised to permit the use of these funds for purchasing professional reference materials for teachers in the three fields, and for purchasing materials and equipment for teachers to use in preparing audiovisual aids to instruction in science, mathematics, and modern foreign languages.

Most of the funds appropriated under this authorization are allotted to State educational agencies for use in the public schools. But each year 12 percent of the available funds are set aside for loans to nonprofit elementary and secondary private schools, to be used for the same purposes.

Each Federal dollar that goes to the States for these purposes in the public elementary and secondary schools must be at least matched by State or local dollars.

In the first 5 fiscal years under NDEA, the Federal Government paid out $172.2 million for equipment and remodeling projects in local public schools. According to the State reports, money was distributed among the three subject fields approximately as follows: 74 percent for science, 9 percent for mathematics, and 17 percent for modern foreign languages.

In the same 5 years the Federal Government approved 250 loans totaling $3,317,649 to private schools. These schools have proved to be financially good risks; some have repaid their loans ahead of schedule. The loans to private schools have been used to provide science laboratories and equipment (231 schools), language laboratories (124 schools), and equipment for mathematics classrooms (51 schools).

2. State supervisory services: Second, title III authorizes $5 million a year to be paid to State educational agencies for expanding or improving their "supervisory or related" services to public elementary and secondary schools—in science, mathematics, and modern foreign languages. The State educational agencies may also use these funds to pay the cost of administering the State plans.

In the first 5 fiscal years under the National Defense Education Act, $10.3 million in Federal funds went into the improvement of supervisory and related services and administration of State plans. Before the act was passed in 1958, there were only 33 State specialists providing consultant and supervisory services to the schools in science, mathematics, or modern foreign languages. By the end of 1962–63 the number

had increased to the equivalent of 238 full-time specialists providing such services.

Amendments

Authorization of funds for title III has been extended for another year, through June 30, 1965.

The major amendments to the National Defense Education Act which affect the program under this title are these:

1. Repeal of the provision which permitted a State to carry over to the next year any part of its allotment for acquiring equipment and for minor remodeling which it did not use in the year in which the allotment was made. Beginning now, in the fiscal year ending June 30, 1964, any funds which a State will not be able to use in the fiscal year for which they were allotted—whether for acquisition of equipment and materials, for minor remodeling, or for supervision and administration—will be reallotted from time to time during that year to States that can use them.

2. A broadening of the categories of equipment and materials that may be purchased with Federal funds. Now they include test-grading equipment for public elementary or secondary schools and specialized equipment for audiovisual libraries serving such schools.

3. Enlargement of the definition of "local educational agency" (this was done in title I, but the effect is felt in the provisions of several other titles, including title III). Now the term includes any public institution or agency which has administrative control and direction of public elementary or secondary schools. The effect of this amendment is to include, for example, schools for the handicapped that are operated by public agencies other than local school authorities, and laboratory schools operated by public colleges and universities.

TITLE IV—GRADUATE FELLOWSHIPS

Title IV was written into the act because of the increasingly severe shortage of college teachers and the corresponding need to increase the number of persons holding doctor's degrees.

Under this title, financial assistance is available both for graduate students and for the institutions where they study. To be eligible to participate in this program of Federal aid, institutions must show to the satisfaction of the U.S. Commissioner of Education that they either are establishing new doctoral programs or are expanding existing ones.

The act authorizes "such sums as may be necessary" to award 1,500 fellowships a year to graduate students. These fellowships are for not more than 3 years of full-time graduate study or research. Each year the fellow receives a stipend—$2,000 for the first post-baccalaureate year, $2,200 for the second, and $2,400 for the third—plus $400 for each dependent. In addition, the student's institution each year receives an amount to offset the costs of making the program available to him.

The fellowships are awarded by the Commissioner to persons who have been accepted by an institution offering a doctoral study program the Commissioner has approved. The Commissioner is obligated to encourage wider distribution of graduate facilities throughout the country.

The institution applies to the Commissioner; the prospective fellow to the institution. Each year the Office of Education publishes a list of institutions where NDEA fellowships will be available the following year, and the programs of study that have been approved.

The law asks nothing of the applicant except that he be interested in a teaching career in institutions of higher education. But the law makes it clear that once a person becomes a fellow he must show himself worthy: He will receive a stipend only as long as he maintains "satisfactory proficiency" in his work and devotes "essentially full time" to it. During the time of his fellowship he may accept no gainful employment other than part-time employment at his institution in teaching, research, and similar activities.

Because college teachers are needed in every subject the law puts but few restrictions on fields of study in which fellowships may be made available. The 1,500 fellowships awarded to begin in 1963–64, in 621 new or expanded programs in 155 institutions, were distributed among the major fields as follows:

	Percent
Education	10
Engineering	11
Physical sciences	16
Biological sciences	18
Humanities	21
Social sciences	24

Between the start of this program in 1959 and the end of academic year 1963–64, the Federal Government will have obligated nearly $41.5 million in stipends to fellows and $38.5 million in supporting grants to graduate level institutions.

Amendments

Title IV has now been extended for another year, through fiscal year 1965; but since the fellowships awarded in 1965 will be for study beginning the next academic year, the extension is, in effect, through academic year 1965–66. And for each of the subsequent 2 years, funds have been authorized—"such sums as may be necessary"—to see each fellow receiving an award in 1965 through the full term of his fellowship.

Two other changes have been made.

The Commissioner is now authorized to reaward any fellowships that have been vacated before the end of the period for which they are awarded, and to reaward them as new fellowships for the time remaining in them. This new provision will enable the Office of Education to salvage most of the losses that occur whenever fellows drop out of the program prematurely. So far, on the average, each year's group of new fellows has lost about 7 percent of its members each year of the award period.

The second change provides for payment of a flat sum of $2,500 a year to each institution for each of its fellows. From this sum the Government will deduct any tuition fees the institution requires the fellow to pay; in the past, however, most participating institutions have chosen to waive tuition and other fees. Before this change was made, the act provided for a variable amount to be paid to the institution—up to $2,500 a year for each fellow—to cover that portion of the cost of the graduate program that could reasonably be charged to the fellow.

The Office of Education has already published the list of institutions that will have graduate programs for fellows in academic year 1964–65 (persons writing for this list should ask for OE publication No. 55017–65). Colleges and universities on that list are now receiving applications from would-be fellows and will submit their nominations to the U.S. Commissioner of Education no later than May 8, 1964. The Commissioner will make the awards shortly thereafter.

TITLE V—GUIDANCE, COUNSELING, AND TESTING

Title V is in two parts. Part A authorizes $15 million a year for grants to State educational agencies to enable them to establish and maintain guidance and counseling programs and testing programs in secondary schools. Part B authorizes $7,250,000 a year to establish training institutes to improve the qualifications of persons who are, or expect to be, engaged in guidance and counseling in the secondary schools.

Part A: Although the guidance and counseling programs called for in part A are limited to the public secondary schools, the testing programs are available also to students in nonpublic secondary schools. Apparently the Congress intended that no student should be missed in the search for talent.

In those States that have legal authority to test in nonpublic schools, the State educational agency includes those schools in its own testing program; in other States the U.S. Commissioner of Education arranges, through contracts with testing agencies, for the testing of students in nonpublic schools.

In the first 5 years under the National Defense Education Act, the number of achievement and aptitude tests given in public secondary schools under title V increased 300 percent, from 1.9 million to 7.7 million; in fact, it increased three times faster than all testing of this kind in the public schools. In nonpublic schools during the same period the number of tests given under title V increased 186 percent.

Number of achievement and aptitude tests given in public and nonpublic secondary schools under title V and number of all achievement and aptitude tests given in public secondary schools, 1958–59 and 1962–63

Kinds of tests	In public schools				In nonpublic schools: title V tests	
	Title V tests		All tests			
	1958–59	1962–63	1958–59	1962–63	1958–59	1962–63
Achievement:						
Single subject	82,750	1,654,308	3,443,558	6,909,655	8,463	349,821
Battery	827,714	2,336,221	2,870,434	5,510,253	73,099	39,264
Aptitude:						
Multifactor	300,031	1,036,051	910,256	2,456,659	43,308	63,306
Scholastic	704,862	2,627,387	3,039,972	5,662,677	77,269	125,826
Total	1,915,357	7,653,967	10,264,220	20,539,244	202,139	578,217

There is also substantial evidence of the efforts under part A to improve guidance and counseling programs. At the time the National Defense Education Act was passed, the public secondary schools had the equivalent of only 12,000 counselors giving full time to guidance (the majority of high school counselors were only part-time counselors); and each counselor served an average of 860 students, nearly 3 times the 300 generally considered the maximum for effective work. By 1962–63 the number of counselors had grown to the equivalent of 27,109 full-time counselors, and the number of students per counselor was down to 530. (The counts of counselors here include only counselors and guidance supervisors in local public schools.)

State educational agencies have increased their professional guidance staffs too: between 1958–59, the year the National Defense Education Act was passed, and 1962–63 the number of professional staff members giving consultive and supervisory guidance services to local schools increased from the equivalent of 78 full-time persons to the equivalent of 203.

Part B: Part B of title V provides for institutes to give training in counseling and guidance. Under the original terms of the act, the only persons eligible to attend were secondary school counselors and secondary school teachers preparing to be secondary school counselors.

Enrollees from public schools are eligible to receive stipends of $75 a week plus $15 a week for each dependent; those from private schools may attend without charge but receive no stipends.

The institutes are operated by colleges and universities, under contract with the U.S. Commissioner of Education.

During the first 2 years of the program, the emphasis was on short-term institutes. But beginning in 1961, as a result of the growing recognition of the great need for counseling and guidance staff with at least 1 year of specialized professional preparation, the emphasis shifted to regular-session institutes. During the 1st year of the program, 34 percent of the funds were used for regular-session institutes; during the 5th year, 70 percent.

Of the short-term institutes in 1963, about 60 percent were designed to bring counselors with less than 1 year of graduate preparation up to the completion of that year; the remaining 40 percent provided training beyond that year. Of the regular-session institutes in 1963–64, about 80 percent were designed to provide a full year of graduate training to persons with little or no previous training; the remaining 20 percent, to provide training beyond that year.

In the first 5 years of the program, 13,784 enrollees attended 416 institutes: 11,043 enrollees in 328 short-term institutes; 2,741 enrollees in 88 regular-session institutes.

Amendments

Part A: Authorization for State grants under part A has been extended for another year, through June 30, 1965. The total amounts authorized for 1963–64 and 1964–65 have been raised from $15 to $17.5 million and the minimum amount allotted to each State has been raised from $20,000 to $50,000

The U.S. Commissioner of Education is now authorized to reallot to other States any part of a State's allotment which the State does not need for carrying out its plan. The reallotments will be made from time to time during the year.

All seventh and eighth graders are now eligible for inclusion in the programs established under part A. Formerly they were eligible only if by their State's definition they were part of a secondary school.

In the amount a State expends to satisfy the requirement that it match every Federal dollar with one of its own, it now may include the amount it expends for administration of its plan.

Part B: Authorization for institutes under part B has been extended for another year, through June 30, 1965.

Persons eligible to attend institutes now include counselors and teachers of students in grades 7–8 of elementary schools. In other words, the institutes now will be open to counselors in grades 7 through 12 and to teachers in those grades preparing to become counselors in those grades.

TITLE VI—LANGUAGE DEVELOPMENT

Title VI has two parts with one purpose: To improve and extend instruction in modern foreign languages at all educational levels. Part A authorizes $8 million a year for language and area centers, fellowships, and research and studies. Part B authorizes $7,250,000 a year for institutes to train elementary and secondary school teachers of modern foreign languages.

Language and area centers: Part A of title VI provides for aid to institutions of higher education in the United States to establish and operate centers offering instruction both in critical modern foreign languages and in subjects a person needs to study if he is to understand the peoples in the areas in which those languages are spoken—such subjects as history, political science, linguistics, economics, sociology, and anthropology. The act does not specify the languages but requires the U.S. Commissioner of Education to specify them, on the basis of two criteria:

1. The Federal Government—or U.S. business, industry, or education—needs persons trained in these languages.

2. Adequate instruction in these languages is not readily available in the United States.

On the basis of these criteria the Commissioner has designated seven languages as having top priority—Arabic, Chinese, Hindi-Urdu, Japanese, Portuguese, Russian, and, since the beginning of the Alliance for Progress, Latin-American Spanish. Many other languages, however, also are eligible for support: 18 have been given second priority; about 60, third priority.

The centers are established and operated under contracts between the institutions and the U.S. Office of Education. The centers may receive Federal funds to pay up to 50 percent of the operational costs that can be charged to new or expanded activities, though the percentage is usually considerably lower.

Fellowships: Title VI also provides financial assistance to qualified students taking advanced training in the critical languages and related subjects. Fellowships may be awarded for a summer session or an academic year, or both. Stipends include an amount to cover the cost of tuition and all required fees plus $450 for summer study and $2,250 for the academic year. In addition, the fellow may receive allowances for up to four dependents—$120 for each dependent for summer study and $600 for the academic year. Travel allowances are also paid fellows who must move more than 50 miles to take up their studies.

Persons receiving these awards must study at an institution of higher education in the United States that offers appropriate instruction; they are not restricted to the language and area centers receiving Federal support under title VI. The fellowships are awarded to students preparing to teach the language—or other subjects in which knowledge of the language is highly desirable—at an institution of higher education, or preparing for service of a public nature.

In the first 5 years of the National Defense Education Act through the academic year 1963–64, 3,320 fellowships were awarded to 2,027 persons to study at some 60 institutions (more than half of these fellowships were renewals). About 80 percent of the fellows studied 1 of the top 7 languages; the others brought the total number of languages studied to more than 60. In the current academic year more than 70 of the hitherto neglected languages of the world are being taught with National Defense Education Act support in 55 centers located at 34 institutions.

The deadline for filing applications for fellowships in 1964–65 was February 7, 1964.

Research and studies:

Part A also authorizes the Commissioner of Education to make surveys to determine the need to increase or improve instruction in modern foreign languages and in related subjects. It also authorizes him to conduct research on the methods of teaching these subjects, and to develop specialized teaching materials.

The studies and research projects are all developed under contracts between the Office of Education and institutions, organizations, or individuals. Over the first 5 years of the National Defense Education Act, 224 such contracts have been negotiated with colleges, universities, professional associations, Government agencies, public school systems, and individual persons.

Most of the research done under this title on methodology has focused on the most commonly taught languages, and many of the projects, particularly those which have produced instructional materials, have had far-reaching effects. For example, a project carried out under a contract with the public schools of Glastonbury, Conn., has produced quality instructional materials for French, German, Italian, Russian, and Spanish that are currently being used by well over 1 million children.

These so-called Glastonbury materials are based on the audio-lingual approach to teaching modern foreign languages. They have been developed by experts, tested in school systems, and evaluated at language institutes, and then revised for commercial publication. The contract between the office and the Glastonbury schools calls for the production of four "levels" of materials suitable for grades 7 through 12 for each language except Italian (which ends with level 2), including tests for students, audio recordings of several types, and guides for teachers. Schools have been using level 1 since September 1961, level 2 since September 1962, and level 3 since September 1963. Level 4 is scheduled to be finished in time for next fall.

With support from title VI, scholars have also produced instructional materials for over 120 of the uncommonly taught languages; much of the interest in these languages has been stimulated by the university-level language and area centers and the fellowships provided for in title VI. There are also projects to produce high school level materials for Chinese, Japanese, and Arabic. At all levels the need is for basic courses, grammars, readers, dictionaries, and audio recordings.

Institutes: The language institutes authorized in part B of title VI provide advanced training for teachers of modern foreign languages in elementary or secondary schools, persons preparing to become such teachers, and trainers or supervisors of such teachers. Teachers in junior colleges also are eligible to attend if at least half of their teaching load is in grade 12 or below.

The institutes are designed for two purposes primarily: to give training in the use of new teaching methods and materials and to increase the participant's understanding of the language and the culture the language expresses.

Both short-term and regular-session institutes are included under title VI. They are operated by institutions of higher education, under contract with the U.S. Commissioner of Education; the costs of operation are paid out of Federal funds.

Participants pay no tuition or fees. Participants from public schools may, upon application, receive a stipend of $75 a week, plus $15 a week for each dependent. No travel allowances are provided. Would be participants apply to the institutions conducting the institutes, not to the Office of Education. The deadline for filing applications for institutes to be held this summer and in the next academic year was March 1, 1964.

In the first 5 years of National Defense Education Act 301 institutes were held, enrolling over 14,000 elementary and secondary school teachers of modern foreign languages. In 1963–64 there are 83 institutes: 79 were held last summer and 4 are being conducted in the current academic year. Twelve of last summer's institutes were held outside the United States—in Mexico, Guatemala, Ecuador, Argentina, France, Germany, Canada, Puerto Rico, and the U.S.S.R. This coming summer 11 colleges and universities will hold institutes abroad for teachers of Chinese, French, German, Russian, and Spanish.

Amendments

All programs under title VI have been extended for 1 more year, through June 30, 1965.

For the language institute program, the term "modern foreign language" has been broadened to include English when taught to persons for whom English is a second language. As a result of this change, two pilot institutes will be offered this coming summer, one at the University of California in Los Angeles and the other at the University of Puerto Rico, for elementary and secondary school teachers engaged in teaching English to pupils for whom English is a second language. More detailed information on institutes in English as a second language is available from the Language Institutes Section of the Office of Education, Washington, D.C., 20202.

TITLE VII—COMMUNICATIONS MEDIA

Title VII is concerned about the use the schools are making—or not making—of the various media of communication. These, in the original language of the act, are "television, radio, motion pictures, and related media for educational purposes."

The title authorizes $5 million a year for a program with a double purpose. The first, described in part A, is to get the facts about the various media—about what they are good for and what they are not, and about how they can best be used. The second, described in part B, is to disseminate information about the new media, so that schools and colleges will have the knowledge they need for using them more effectively and extensively.

Part A: To get the facts about the usefulness of the several communications media in education, title VII calls for—

Research and experimentation in the development and evaluation of projects involving television, radio, motion pictures, and related media of communication which may prove of value to State or local educational agencies in the operation of their public elementary or secondary schools, and to institutions of higher education, including development of new and more effective techniques and methods for—(1) utilizing and adapting motion pictures, video tapes, and other audio-visual aids, film strips, slides, and other visual aids, recordings (including magnetic tapes) and other auditory aids, and radio or television program scripts for such purposes; (2) training teachers to utilize such media with maximum effectiveness; and (3) presenting academic subject matter through such media.

The Commissioner is authorized to use two methods of "conducting, assisting, and fostering" the research and experimentation called for in part A. He may (1) make grants-in-aid to public or nonprofit private agencies, organizations, and individuals; and (2) enter into contracts with public or private agencies, organizations, groups, and individuals.

Part B: Part B sets forth four ways in which the Commissioner "shall" or "may" keep State or local educational agencies, as well as institutions of higher education, informed about the latest developments in the educational uses for the various media—including, of course, the findings in the research and experiments carried out under part A. He—

1. Shall make studies and surveys.

2. Shall publish catalogs, reviews, bibliographies, and other needed materials.

3. May, upon request, provide advice, technical assistance, and demonstrations to State and local educational agencies and institutions of higher education.

4. Shall publish an annual report of developments in the use of communications media for educational purposes, including projects carried out under the title.

To help him carry out his duties under title VII, the Commissioner has his Advisory Committee on New Educational Media, established under the provisions of the title (pt. C).

In the 5½ years since the National Defense Education Act was passed activities under title VII have made a number of major contributions to education. Research projects, for example, have—

Measured the effectiveness of programed instruction at every grade level, in virtually every subject, and for students of differing abilities.

Found out a great deal about the effectiveness of television as a medium for instruction, about the most effective techniques for producing educational television programs, and about the part television can play in solving educational problems.

Increased the pool of researchers qualified to explore the uses of the several media.

Made possible the development and testing of a teacher-education course on audio-visual methods of instruction.

And among the projects for disseminating information about the new media to teachers in schools and colleges, these are especially noteworthy:

The preparation of complete catalogs of self-instructional programs available for in-school use.

A traveling exhibit to describe programed materials to educators, and to demonstrate the uses for these materials.

Financial assistance to a national committee to enable it to set up standards and criteria for teachers and administrators to use in evaluating programed materials.

Publication of "ETV—The Next 10 Years" to help State and local education agencies to plan their use of TV carefully.

A national conference to explore the feasibility of establishing educational broadcast networks.

A study to find ways in which schools can exchange recorded instructional television programs.

Establishment of one national and two regional libraries of instructional television materials.

A series of activities to provide curriculum materials for training new research workers.

Establishment of a pilot research information service at Western Reserve University, which now has abstracts of all educational media research published in the English language since 1960.

Development of a procedure for applying computer technology to the problem of continuous revision of catalogs of teaching materials for use with the various media. This has led to the publication of the "Educational Media Index" an exhaustive catalog of institutional materials cross indexed by subject area and grade level.

Amendments

The annual authorization of $5 million has been extended for another year, through June 30, 1965.

An addition—"printed and published materials"—has been made to the list of media specified for attention under title VII. Now, for example, studies may be made to determine the need for improved use of printed and published materials; catalogs of these materials may be prepared, research on them may be analyzed, and research may be conducted on new methods for using and adapting them.

TITLE VIII—TRAINING FOR TECHNICIANS

Title VIII amends the George-Barden Act by adding a new title to it—title III. It authorizes $15 million a year for training highly skilled technicians for occupations requiring scientific knowledge—a category of education never before included in an education act.

The purpose of this title is to alleviate the Nation's shortage of highly skilled technicians—of chemical technicians for the laboratories, of technicians in electronics and mechanical design for the missile effort, of technicians in instrumentation and environmental control, and of the other kinds of technicians who make up the semiprofessional corps of workers needed to support the work of doctors, scientists, and engineers.

Both secondary and postsecondary institutions, including colleges and universities, may provide training under this title, and the training may be given either in preparatory curriculums or in extension classes. The law stipulates, however, that the training must be of less than college grade.

To be eligible for training in one of these programs, a person must either have finished junior high school or be at least 16 years old, and can reasonably be expected to profit from the instruction. Among the eligible adults, for example, are workers who need training in order to keep their jobs or advance to better ones, and technicians who need to brush up on the latest developments in their fields.

Strong science and mathematics content is characteristic of these programs.

States must match the Federal funds, with either State or local dollars. They may use Federal money for any of the following purposes (the list does not include construction of facilities, but this is now provided for in the Vocational Education Act of 1963):

1. Programs of administration, supervision, and teacher training.

2. Salaries and travel expenses of members of the staff of State or local educational agencies.

3. Travel expenses of advisory committees or State boards.

4. Acquisition of instructional equipment and keeping it in working order.

5. Purchasing instructional supplies and teaching aids.

6. Transporting students.

7. Getting information needed to develop the program.

8. Programs to train young persons out of school.

9. Related instruction for apprentices.

10. Planning and developing the programs.

Each year since the National Defense Education Act was passed has brought increases in the enrollments in programs supported under title VIII. From 48,564 students in fiscal year 1959, the number has increased to 101,279 in 1960, 122,952 in 1961, 148,920 in 1962, and 180,000 in 1963 (estimated).

Amendments

Title III of the George-Barden Act (added by title VIII of the National Defense Education Act) has been made permanent. It was made so by the Vocational Education Act of 1963 (pt. A of Public Law 88-210).

TITLE IX—INFORMATION FOR SCIENTISTS

Title IX is the only part of the National Defense Education Act not charged to the Office of Education. It authorizes the National Science Foundation to establish a Science Information Service and a Science Information Council. The Service advises and consults with the council; and both have one and the same purpose—to provide the scientist with the information he needs, and to provide it quickly and efficiently.

The Science Information Service is charged with two responsibilities: (1) To provide indexing, abstracting, translating, and other services necessary to disseminate scientific information, and (2) to undertake programs to develop new or improved methods—mechanized systems, for example—of making the information available.

The Science Information Council, which assists the Science Information Service in carrying out its double assignment, has 19 members. *Four are ex officio:

The head of the Science Information Service.

The Librarian of Congress.

The director of the library of the U.S. Department of Agriculture.

The Director of the National Library of Medicine.

The others are appointed by the Director of the National Science Foundation:

Six leaders in the fields of fundamental science.

Six leaders in librarianship and scientific documentation.

Three outstanding representatives of the lay public who have demonstrated an interest in the problems of communication.

The appointed members of the Council hold office for 4 years. No appointed member is eligible for reappointment until a year has elapsed after the end of his preceding term.

The Congress made this program a permanent one: for 1959 and "each succeeding fiscal year" it authorized "such sums as may be necessary." No amendments have ever been made in title IX.

TITLE X—STATISTICAL SERVICES BY STATE EDUCATION AGENCIES

Title X (in sec. 1009, the only section of this title that authorizes a program of Federal aid) authorizes the appropriation of "such sums as the Congress may determine" for grants to the State to enable State education agencies to improve their statistics on education. No State may receive more than $50,000 a year. Each State is required to match its Federal grant.

By the end of the fifth fiscal year under the National Defense Education Act, 53 States had submitted plans for improving their programs of statistical services, and had had their plans approved. The 48 States which had begun to carry out their plans and had received and matched Federal funds, had received $1.7 million in Federal funds; more than one-third of them were using the maximum amount of Federal money allowed them each year.

Since the program began, the number of staff members of State education agencies engaged in statistical services has almost tripled. The number of States and territories using data-processing equipment is now up to 51, nearly 5 times as many as in 1958.

Amendment

Section 1009 of title X has been amended to make the program effective for another year, through June 30, 1965.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS: PUBLIC LAW 815 AND PUBLIC LAW 874—PUBLIC LAW 88–210, PART C

The temporary provisions of the two acts under which the Federal Government provides financial assistance to school districts in "federally affected areas" have been extended for 2 years (fiscal years 1964 and 1965) by Public Law 88–210. The other provisions of these acts were made permanent in 1958.

These two acts are Public Law 815 and Public Law 874, both passed by the 81st Congress in 1950. Through Public Law 815 the Federal Government provides assistance for the construction of schools; through Public Law 874, for the maintenance and operation of schools. The purpose of both is to compensate school districts for financial burdens imposed on them by Federal activities in or near them.

School districts may receive assistance under these acts if they provide free public education to a substantial number of children whose parents either work or live, or both, on Federal property in the vicinity, or whose membership results directly from Federal activities, such as those carried on in private plants under Federal contracts. Schoolchildren having this type of connection with Federal property or activity are called federally connected children.

A school district is eligible for assistance in any year under Public Law 874 if it has in its schools at least 10 federally connected children constituting at least 3 percent of its total average daily attendance during the year. A district is eligible for assistance under Public Law 815 if its application contains evidence that the district will have a substantial increase in the number of federally connected children by the end of the 2-year increase period covered by the application and therefore needs additional school facilities.

In the 13 years these 2 acts have been in effect, over 4,000 school districts in all of the 50 States and in Puerto Rico, Guam, the Virgin Islands, and Wake Island have received assistance. The appropriations for these years total $2.9 billion; $1.7 billion under Public Law 874 and $1.2 billion under Public Law 815.

The need for assistance under Public Law 874, because of swelling school enrollments and increasing costs, has increased each year since the act was passed. The need for assistance under Public Law 815, however, has followed a different trend: it was at its highest in the first several years after the act was passed, until most of the backlog of school construction needs accumulated during World War II had been met, but subsequently it has tapered off and leveled out.

Particulars of the provisions and accomplishments of the two acts are reported each year to the Congress by the U.S. Commissioner of Education. Copies of his latest report, "Administration of Public Laws 874 and 815: Thirteenth Annual Report" (OE–22003–63) are available from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402, for $1 each. The tables given here have been adapted from that report.

TABLE 1.—*13 years of Public Law 874*

Fiscal year	Applicant districts			Percent of total expenditures financed by Public Law 874 funds
	Number eligible	Net entitlement	Total current expenditures	
1951	1,172	[1] $29,611,018	$520,370,000	5.7
1952	1,763	45,026,148	825,926,541	5.5
1953	2,212	54,600,902	1,040,424,071	5.2
1954	2,524	69,071,132	1,284,960,000	5.4
1955	2,683	[2] 71,606,560	1,450,700,000	4.9
1956	2,825	80,874,345	1,754,530,000	4.6
1957	3,321	106,051,520	2,156,450,000	4.9
1958	3,343	116,641,127	2,578,486,000	4.5
1959	3,757	156,870,444	3,083,668,609	5.1
1960	3,797	184,840,145	3,534,582,784	5.2
1961	3,926	208,291,465	3,999,469,697	5.2
1962	3,998	238,876,792	4,419,718,387	5.4
1963	4,182	259,095,492	4,940,646,390	5.2

[1] Payments prorated at 96 percent of entitlement.
[2] Payments prorated at 99.5 percent of entitlement.

TABLE 2.—*13 years of Public Law 815*

Fiscal year	Projects				Classrooms provided		Pupils housed	
	Filed		Reserved					
	Cumulative total	Annual increase	Cumulative total	Annual increase	Cumulative total	Annual increase	Cumulative total	Annual increase
1951	1,155		307		3,522		102,464	
1952	1,930	775	1,193	886	13,699	10,177	395,249	292,785
1953	1,939	9	1,330	137	15,265	1,566	440,292	45,043
[1]		(534)		(472)		(2,175)		(60,895)
1954	3,543	1,604	2,436	1,106	22,528	7,263	643,839	203,547
1955	4,510	958	2,886	450	26,190	3,662	767,312	123,473
1956	4,991	490	3,215	329	28,535	2,345	811,576	44,264
1957	6,097	1,106	3,720	505	34,379	5,844	998,893	187,317
1958	6,795	698	4,067	347	41,946	7,567	1,225,467	226,574
1959	7,640	845	4,462	395	47,671	5,725	1,381,478	156,011
1960	8,290	650	4,670	208	49,489	1,818	1,444,517	63,039
1961	8,839	549	4,988	318	53,409	3,920	1,554,755	110,238
1962	9,431	592	5,269	281	56,299	2,890	1,639,294	84,539
1963 [1]	9,712	281	5,454	185	58,167	1,868	1,694,381	55,087

[1] Unpaid entitlements provided under Public Law 83-357 and based on attendance of federally connected pupils before July 1, 1952, included in cumulative data for 1954 and succeeding fiscal years. Public Law 83-357 provided additional appropriations for fiscal year 1953.

TITLE III OF THE MENTAL RETARDATION FACILITIES AND COMMUNITY HEALTH CENTERS CONSTRUCTION ACT OF 1963—EDUCATION OF HANDICAPPED CHILDREN—(PUBLIC LAW 88–164)

(Only title III of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 provides expressly for the improvement of education and therefore is the only part of the act treated in detail in this issue. Titles I and II are briefly summarized in the box on page 11. The act is administered by the Department of Health, Education, and Welfare—titles I and II through the Public Health Service and title III through the Office of Education.)

Title III of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963 (Public Law 88–164, Oct. 24, 1963) authorizes a program for the training of teachers, supervisors of teachers, college instructors, research workers, and other specialists needed for the education of handicapped children; it also authorizes a program of research and demonstration of the education of handicapped children.

Public Law 88–164 extends the provisions of Public Law 85–926, an act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies. In addition, it brings under its jurisdiction, after fiscal year 1964, the provisions of Public Law 87–276, an act authorizing a program of grants-in-aid to colleges and universities to assist them in improving courses of training and to establish and maintain scholarships for teachers of the deaf.

The act defines "handicapped children" as children who are blind, partially seeing, deaf, hard of hearing, speech impaired, crippled, seriously emotionally disturbed, or mentally retarded, or who have other health impairments.

Title III authorizes an appropriation of $47 million for fiscal years 1964 through 1966 for training activities and $2 million for each of these years for the program of research and demonstration grants.

In January 1964 the Congress appropriated $11.5 million for the training program. The program already established under Public Law 87–276 for the training of teachers of the deaf will remain in effect until July 1, 1964, under an appropriation of $1.5 million. The research program of title III is being carried out under a $1 million appropriation made in 1963.

Title III is the result of the efforts of many organizations working for the welfare of the handicapped. Among the national groups the work of two is outstanding—the National Association for Retarded Children, Inc., and the Council for Exceptional Chil-

dren. The first is a grassroots organization containing many parents; the second, an organization of 17,000 specialists in the education of the handicapped. Title III also reflects the recommendations of the President's Panel on Mental Retardation—27 specialists drawn from medicine, education, law, science, and the Federal Government, appointed by President Kennedy in 1961 to study the problem of mental retardation.

Estimates of the number of school age handicapped children in the United States needing special education in 1963 and the number of special education teachers they needed

Handicap	Estimates of prevalence (percent)	Estimated number of handicapped children	Average teacher-pupil ratio	Estimated total number of teachers required
Blind	0.033	16,192	1–8	2,024
Partially seeing	.06	29,441	1–15	1,963
Deaf	.075	36,801	1–10	3,680
Hard of hearing	.5	245,340	1–35	7,010
Speech impaired	3.5	1,717,380	1–100	17,174
Crippled	1.0	490,680	1–15	32,712
Special health problems	1.0	490,680	1–20	24,534
Emotionally disturbed or socially maladjusted	2.0	981,360	1–20	49,068
Mentally retarded	2.3	1,128,564	1–15	75,238
Total	10.5	5,136,438	----	213,403

NOTE.—This table brings up to date a table in "Statistics of Special Education for Exceptional Children," ch. 5, "Biennial Survey of Education in the United States, 1956–58" (OE–35048), by Romaine P. Mackie, Harold M. Williams, and Patricia P. Hunter. For qualifying footnotes, see the original publication.

The Office of Education has long advocated special education for handicapped children. Since the 1930's it has had at least one specialist in this field, and it has worked particularly to improve the education of teachers for the handicapped.

The need

Over 5 million school-age children in the United States require special education because they are handicapped.

But only about a fourth of these children are now in school. In another 5 years, at the present rate of progress, State and local agencies will be able to provide educational opportunities for only a third of the handicapped children at their doors. Our schools need about 200,000 special educators for the handicapped. From 50,000 to 60,000 were available last year.[1]

Francis Keppel, U.S. Commissioner of Education, in testifying before a congressional committee last year, said, "The greatest obstacles to the advance of special education are the extreme shortage of qualified personnel and lack of scientifically tested knowledge." He pointed out that there is "an urgent need for more and better qualified educators to instruct all types of handicapped children. Only 2,000 degrees were granted in special education to teachers in 1959–60, though it is estimated that an additional 50,000 teachers are needed in the field of mental retardation alone. There has been an increase in the number of colleges offering professional preparation for teachers of handicapped children, but the colleges' efforts to expand and improve their programs are hampered by lack of funds and by a shortage of qualified teachers."

The President's Panel on Mental Retardation also pointed to the acute shortage of teachers and our lack of knowledge about mental retardation. And witness after witness before the congressional committees studying the need for legislation testified to the same obstacles. Among the witnesses were representatives of the National Association for Retarded Children, Inc., the Council for Exceptional Children, the National Foundation for the Blind, Inc., the National Association of State Directors of Special Education, and the Council on Education of the Deaf, as well as representatives of the President's Panel on Mental Retardation and the Department of Health, Education, and Welfare.

Francis P. Connor, president of the Council for Exceptional Children, pointed out the need for significant research:

"Programs for educating mentally retarded children have grown rapidly during the last 15 years. Many of the educational methods and techniques now being used are essentially untried through research. Curriculum research in every field which involves the adjustment of children is of great importance and could be undertaken in great volume if there were available funds and, in some instances, available personnel.

"One of the practical problems that is persistent is that of putting into practice knowledge found through research. In some instances the application of this knowledge through demonstration requires additional personnel and facilities which local school boards and State school systems are reluctant to provide from funds sorely needed for existing programs. These same school systems, however, would attempt to bear the costs of programs if the value of these innovations had been adequately demonstrated."

The other titles of Public Law 88–164

Together, titles I and II of Public Law 88–164, the Mental Retardation Facilities and Community Mental Health Centers and Construction Act of 1963, are directed at preventing mental retardation and mental illness and at providing better care and rehabilitation for the mentally retarded and mentally ill. They stress the need for research, preventive measures, clinical and medical services, vocational rehabilitation, and residential care.

Title I. Research centers and facilities: Title I authorizes a total appropriation of $126 million over a 5-year period beginning in fiscal year 1964 for grants for the construction of research centers and facilities. Funds will be divided among the three types of grants described in the three parts of the title.

Part A provides for project grants to assist public or other nonprofit institutions for research (or for research and related purposes) on human development—research which may find the causes of mental retardation and ways of preventing it or lessening its effects.

Part B authorizes grants for the construction of university-affiliated clinical facilities for the mentally retarded. These grants will assist public or other nonprofit colleges and universities in building facilities that will provide for "a full range of inpatient and outpatient services for the mentally retarded and facilities which will aid in demonstrating the provision of specialized services for the diagnosis and treatment, education, training, or care of the mentally retarded or in the clinical training of physicians and other specialized personnel needed for research, diagnosis and treatment, education, training, or care of the mentally retarded."

Part C authorizes grants to States for the construction, expansion, remodeling, replacement, and equipping of public and other nonprofit facilities for the mentally retarded.

Title II community centers: Title II authorizes the appropriation of $150 million over a 3-year period, beginning with fiscal year 1965, for grants for the construction and establishment of public and other nonprofit community mental health centers. These facilities will offer services for the prevention or diagnosis of mental illness, the care and treatment of mentally ill persons, or the rehabilitation of persons recovering from mental illness. Centers will offer services to patients, including psychiatric treatment, day and night care, foster home care, rehabilitation, and diagnosis and evaluation, and consultive services to other centers.

Appropriations authorized under titles I and II of Public Law 88–164 (the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963), fiscal years 1964–68

[In millions]

Program	1964	1965	1966	1967	1968	Total
Title I:						
Research centers [1]	$6	$8.0	$6.0	$6	----	$26.0
Facilities:						
University grants [1]	5	7.5	10.0	10	----	32.5
State grants	-----	10.0	12.5	15	$30	67.5
Total	11	25.5	28.5	31	30	126.0
Title II: Mental health centers [2]	-----	35.0	50.0	65	----	150.0
Total, titles I and II	11	60.5	78.5	96	----	276.0

[1] Maximum Federal share, 75 percent.
[2] Federal share, 33⅓ to 66⅔ percent.

For mentally retarded and deaf children

Accomplishments Under Public Laws 85–926 and 87–276

Under Public Law 85–926, which was in effect 4 years (fiscal years 1960–63), 667 fellowships were awarded to about 465 persons to prepare leaders in the education of mentally retarded children.

Under Public Law 87–276, 866 scholarships were awarded at 48 colleges and universities during the first 2 years of operation (fiscal years 1962–63). The Office of Education estimates that during fiscal year 1964, the third year of the program, another 125 undergraduate scholarships and 252 graduate fellowships will be awarded.

Both of these programs will be under title III, Public Law 88–164. The program under Public Law 85–926 has already been absorbed; that under Public Law 87–276 will be on July 1, 1964.

Administration of title III

The first part of title III authorizes the Commissioner of Education to make grants to public or other nonprofit colleges and universities to help them provide for the professional or advanced training of teachers of the handicapped, persons preparing to become teachers, supervisors of teachers, speech correctionists, and researchers or persons preparing to become researchers in the education of handicapped children. This part of the act also authorizes the Commissioner to make grants to State educational agencies, to help them provide programs that will train teachers of handicapped children and supervisors of teachers of handicapped children.

These provisions will be carried out through fellowships, traineeships, short-term traineeships, and "stimulation" grants.

Fellowships are for full-time graduate study for 1 academic year beginning with the fall semester or quarter. Stipends will vary according to the level: $2,000 for the first-year level; $2,400 for the second; $2,800 for the third; and $2,800 for the fourth. A fellow will receive $400 for each dependent for each full year. The sponsoring institution will receive a support grant of up to $2,500 for each fellow.

Traineeships are for full-time senior year undergraduate study for 1 academic year beginning with the fall quarter or semester. Each trainee will receive a stipend of $1,600. The sponsoring institution will receive up

[1] House Report No. 694, Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, 1963, p. 17.

to $2,000 to partly defray the cost of conducting the course in which the trainee is enrolled. Traineeships do not carry dependency allowances.

Short-term traineeships are for full-time summer sessions or for special study institute programs. Participants in a summer session will spend full time in a sequence of courses designed to prepare professional workers in specific fields of education of the handicapped. Stipends will be $75 a week; no allowances will be made for dependents. The sponsoring institution will receive up to $75 a week for each participant. Special study institute programs will bring together trained workers to review developments in specific fields. No institute will be shorter than 3 days. Participants will receive up to $75 a week or $15 a day, but no allowance for dependents. The sponsoring institution will receive an allowance equaling the cost of operating the institute in accordance with the proposal it submitted to the Commissioner of Education.

Stimulation grants will be made to institutions of higher learning to help them develop or expand programs for training professional workers in a particular field. Grants will be made for a fiscal year and will not exceed $20,000. An institution cannot receive more than two stimulation grants for the improvement of one field.

The second part of title III authorizes a program of grants for research or demonstration projects on the education of handicapped children. The purpose of the research projects will be to acquire knowledge directly applicable in the teaching of these children. Research projects will investigate unusual classroom problems and procedures. Demonstration projects will translate research results, observations, and ideas into practice by demonstrating new programs, procedures, classroom methods, and materials.

The Commissioner of Education will notify each State education agency of the amount of the grant-in-aid available to the State for use in preparing teachers for the handicapped and supervisors of such teachers. The amount will be based on the population of the State, but for no State will it be less than $25,000 or over $100,000. States must submit a plan for the use of the funds to the Commissioner of Education.

The Commissioner of Education will administer the program with the assistance and advice of advisory groups, as instructed by Public Law 88–164. An advisory council will advise him on policies and procedures for the administration of title III as a whole. He has selected six advisory committees for the six categories of handicaps to advise him on the teacher training program and six research panels (again, one for each handicap category) to advise him on the research and demonstration grant program. He will rely on these panels for the approval or disapproval of applications. In addition, he will appoint an overall research committee to assist him in establishing research policies and to make the final review of applications for research and demonstration.

The Commissioner of Education has prepared the administrative procedures for title III and has sent copies of them to institutions of higher education and State agencies. The first awards are now being made.

Manpower Development and Training Act The 1963 Amendments—Public Law 88–214

The manpower Development and Training Act and the amendments to it contained in Public Law 88–214 attack the "toughest problems" in training for employment. In its report to the Committee of the Whole House on the State of the Union, the Committee on Education and Labor of the House of Representatives said that the Manpower Development and Training Act reflects, in part, the philosophy expressed by George P. Shultz, dean of the Graduate School of Business, University of Chicago, in speaking before a meeting of the Chamber of Commerce of the United States.

"A great many employers find it in their interest to provide training for their employees and we can infer that such training will help those in the median age ranges and with higher educational attainments to acquire specific skills. Many more employees will receive job training this way than through any governmental program, however grandly conceived. Yet the role of the Government program is a vital one. It should help those who fall outside the natural scope of private efforts. In so doing the Government takes on the toughest problems—but these are just the problems that would otherwise be neglected. The Government program, then, should be conceived not as massive and general, but as directed to special objectives derived from inadequate formal education and the residue of displacement left from a changing economy."[1]

Public Law 88–214, the amendments to the Manpower Development and Training Act, extends and expands the Manpower Development and Training act in the light of recent findings on the Nation's need for manpower and the unemployed's need for training. It particularly emphasizes programs for the "hardcore" unemployed—the young out-of-school, out-of-work person and the undereducated adult. In directing its attention to these people, Public Law 88–214 is in line with the Nation's war on poverty.

The Manpower Development and Training Act (Public Law 87–415) authorizes a program for the training of persons unemployed because of automation, shifts in market demands, foreign competition, and other economic changes and conditions. Under it the Secretary of Labor conducts surveys of employment opportunities in each State and selects persons needing training, pays training allowances, and places trainees in jobs through State employment security agencies. The Secretary of Health, Education, and Welfare is responsible for planning and carrying out the training programs through the State directors of vocational education. The program is administered by the Division of Vocational and Technical Education of the Office of Education. Roy W. Duggar is director of the Manpower Development and Training Act staff in the division.

Amendments

Public Law 88–214 amends and extends Manpower Development and Training Act as follows:

Appropriations: It increases the appropriation authorized for training and skill development programs for fiscal year 1965 from $161 million to $407 million; authorizes an appropriation of $281 million for fiscal year 1966; and extends through fiscal year 1966 the $3 million appropriation authorized for each fiscal year for programs of information, evaluation, and research.

Postponement of State matching funds: The original act required 50–50 matching by the States beginning with fiscal year 1965. Public Law 88–214 postpones the matching requirement until fiscal year 1966. For fiscal year 1966 the matching requirement is set at one-third and for fiscal year 1967 at one-half.

Eligibility requirements: Eligibility requirements for training grants established by Manpower Development and Training Act amended by Public Law 88–214 include these:

The previous work experience requirement of 3 years is reduced to 2.

Another member of a family may now substitute for the unemployed head of a family or household, provided only one member of a household is receiving a training allowance at one time. The original act limited the allowance to the unemployed head of a family or household.

The weekly training allowance can now be raised up to $10 above the average State unemployment compensation payment.

The age of eligibility for a training allowance is lowered by Public Law 88–214 from 19 to 17. The 17-year-old, however, is not eligible unless he is a high school graduate, has been out of school a year, or his attendance in a regular academic or vocational program is no longer practicable. Not more than 25 percent of persons receiving training allowances may be under 22 (the original act set aside up to 5 percent of the funds available for trainees under 22).

A full-time trainee may now work part time up to 20 hours a week without losing any of the training allowance.

Special programs for young people: The original act instructed the Secretary of Labor to provide for a special program for the "testing, counseling, and selection" of young people, 16 years of age or older, "for occupational training and further schooling." Public Law 88–214 amends this instruction to read "for the testing, counseling, selection, and referral" of young people 16 years of age or older for "occupational training and further schooling, who because of inadequate educational background and work preparation are unable to qualify for and obtain employment without such training and schooling." The amendment limits this special program to young people who cannot find employment because they lack adequate education and training, young people usually called the "disadvantaged."

Training in basic education skills: The amendments authorize the Secretary of Labor to refer unemployed adults for training programs in basic education (reading, writing, other language arts, arithmetic) who cannot qualify for occupational training programs because of lack of education. The Secretary may provide for up to 20 additional weeks of training allowance to persons referred for basic education programs. The limit for training allowances remains at 52 weeks for other programs.

Demonstration projects: In addition to extending and amending existing regulations, Public Law 88–214 amends the Manpower Development and Training Act by authorizing a program of labor mobility demonstration projects. This section of the act instructs the Secretary of Labor to develop in a limited number of geographic areas pilot projects to determine the effectiveness of making grants or loans to unemployed persons to help them to relocate in other geographic areas where they can find employment.

Changes affecting State administration of training: Public Law 88–214 amends Public Law 87–415 to allow other than public agencies to provide for the education of young people referred under the Manpower Development and Training Act program. State agencies must arrange for education and training with private institutions when these institutions can give substantially equal training at less cost to the Federal Government.

Why the changes?

Experience with the MDTA program pointed out to the Congress the need for three changes in the original act: Postponement of the date for State matching grants until the program has been in operation long enough for fair appraisal, broadened provisions for the special programs for young un-

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[1] House Report No. 861, Amendments of Manpower Development and Training Act of 1962. U.S. House of Representatives, 88th Cong., 1st sess. 1963. p. 4.

employed persons, and the inclusion of programs for the undereducated unemployed adult.[2]

The effectiveness of the program in fulfilling its purpose—to identify, train, and place the unemployed—requires time for demonstration. The program is only now in its second year. The failure of State legislatures to act on the matching provisions of MDTA (only four have done so) is largely a matter of insufficient time to consider the results of the program. This is particularly true in States with legislatures that meet biennially. In another year States will be able to evaluate the program, now well on its way toward meeting its goal of training 400,000 unemployed, and to act to match the grants.

The needs for changes to help the young are evident. The young worker is always predominant among the unemployed, according to the Department of Labor, partly because he is inexperienced, partly because he is still seeking a suitable position. But the problem of employment for the young is especially critical now. The Department of Labor estimated at the time of the congressional hearings on the amendments last year that more than 5½ million young workers will enter the labor market by the end of 1965 and that nearly a third of them will be school dropouts. The traditional jobs for beginners are rapidly disappearing with the growth of automation. The untrained young worker is doomed to unemployment and dependency. The amendments to the MDTA providing for special programs for the young aim at preventing the young from becoming permanently unemployable.

The amendments limit the program of testing, counseling, and selection of young people for training to young people who lack the educational background and work preparation necessary to obtain and hold employment. Such young people cannot succeed in a training program unless testing points out the type of program they require and to which they can adjust. The program permits maximum flexibility to meet the diversity of needs. Regular programs are, of course, open to young people who do not require special attention to succeed.

Most of these disadvantaged young people cannot attend training programs unless they receive financial assistance for clothing, food, transportation, and expenses incidental to the program. Lowering the age limit of eligibility for a training allowance will permit them to undertake training. The 17-year-old who is a school dropout and who has not been out of school a year is prohibited from receiving an allowance. The prohibition is set to encourage the dropout to return to school. The act requires local authorities to do all they can to encourage the dropout to return to school; only when all reasonable measures fail can a dropout be referred for training. Dropouts, however, are not excluded from training programs. They may attend MDTA classes without receiving allowances.

The older uneducated worker is also having trouble. Machines are making many jobs obsolete, particularly those requiring little skill (but many skilled positions, too) even faster than the original act anticipated. Many unemployed older workers cannot qualify for training because they lack basic educational skills—they cannot read or write or do simple arithmetic well enough to follow a program. One of MDTA's new provisions permits the inclusion of up to 20 weeks of additional allowances when basic skills are included in a job training program. The success of MDTA with unemployed workers having some education led the Congress to believe that a modified MDTA program could succeed with those having little or no education. Several MDTA demonstration projects, notably one at Virginia State College, have proved that the illiterate and semiilliterate can be trained through a program combining courses in basic education skills and job training. This provision of the amendments is limited to unemployed workers who cannot benefit from training until they have acquired basic education.

Several changes have been made in the requirements for training allowances to make training more desirable to the unemployed and to keep the act in line with the philosophy of the Congress—that such allowances are for those who need it the most. Many trainees are heads of families with family responsibilities. Even the offer of a casual job tempts them away from a training program. Higher training allowances and a more liberal policy toward part-time work should help to attract trainees and to hold them until they can complete a program. Sometimes the head of a family is not able to qualify for training that another unemployed member is. The amendments liberalize the act to permit a substitution in such a case (but allow only one member of a family to receive an allowance).

The expert witnesses who appeared before the congressional committees considering the amendments to MDTA almost to a man believe that relocation programs for the unemployed have great potential value. They reported that such programs have worked well in a number of European communities. The amendments to MDTA give limited authority to the Secretary of Labor to conduct experiments in the relocation of unemployed persons through research and demonstration grants. The experience gained from these experiments should furnish guidelines for further legislative action, if necessary.

The amendments clarify the provision relating to the use of private training institutions. The House Committee on Education and Labor, when considering the need for amendment to MDTA, concluded that the language of the original act left doubt that private institutions, no matter how excellent the programs they offered, could be used to fulfill the program. To clear up the doubt, the amendments clearly state that private institutions may be used when they can provide equivalent MDTA programs at less cost to the Federal Government than other institutions.

In its report the committee discussed several findings not directly reflected in the amendments but which it felt required discussion to clear up misunderstanding. Among these are the use of the terms "reasonable expectation of employment" and "occupational training." The committee warned against rigid interpretation. MDTA requires that no person be accepted for training who does not have a reasonable expectation of employment when he has completed the training program. This does not mean that a written guarantee is necessary. The act means reasonable certainty, depending on circumstances. The term "occupational training" does not exclude "academic" work from a program if academic work is a necessary part of the training. On the other hand, a program may not include "professional" or "preprofessional" training.

The committee pointed out that there is no conflict between MDTA and the Vocational Education Act of 1963. MDTA courses are outside regular vocational education programs and they are designed for a special group of people. New or expanded vocational training facilities cannot be set up under MDTA, but MDTA programs can use existing vocational education facilities. The two programs are complementary.

[2] Op. cit., p. 2.

Disbursement of Federal Aid by the Office of Education, 1962–63

In the fiscal year which ended June 30, 1963, the Office of Education paid out more than $643 million in Federal aid to education—most of it to colleges and universities, State departments and boards of education, and local school districts. The largest sums were paid out to assist local schools in federally affected areas; the next two largest, for programs under the National Defense Education Act and for programs of vocational education. (Rose Marie Walker, educational statistician, Office of Education.)

Federal payments under financial assistance programs administered by the Office of Education, fiscal year 1963

[In thousands of dollars]

Total payments, all programs	643,648
School assistance in federally affected areas	329,970
Maintenance and operation (Public Law 874)	276,737
Construction (Public Law 815)	53,233
National Defense Education Act [1]	185,944
Title II. Student loans	91,841
Title III. Strengthening instruction in science, mathematics, and modern foreign languages	33,536
Grants to States for public schools	30,541
Grants to States for supervisory and related services	2,459
Loans to private schools	536
Title IV. Fellowships	19,604
Title V. Guidance, counseling, and testing	21,672
State programs	15,124
Testing in private schools	31
Institutes	6,517
Title VI. Language development	14,537
Language and area centers	2,161
Fellowships	3,819
Research and studies	1,916
Institutes	6,641
Title VII. More effective use of media of communication	3,233
Research and experimentation	1,455
Dissemination of information	1,778
Title VIII. See George-Barden Act.	
Title X. Improvement of statistical services of State educational agencies	1,521
Vocational education	86,732
Smith-Hughes Act	7,144
Agriculture	3,016
Trades and industry and home economics	3,025
Teacher training	1,103
George-Barden Act	47,671
Title I	29,330
Agriculture	9,949
Distributive occupations	2,602
Home economics	8,183
Trades and industry	8,216
Fishery trades	155
Grants to possessions	225
Title II. Practical nurse training	5,000
Title III. Technical education (an addition made by title VIII, National Defense Education Act)	13,341
Area Redevelopment Act [2]	2,728
Manpower Development and Training Act [2]	29,189
State supervision	992
Training	28,197
Land-grant colleges	14,500
Cuban refugee program [3]	9,155
Education aid for Cuban children and adults	7,797
Loan program for Cuban students	1,358
Library Services Act	7,257
Cooperative Research Program	5,156
Civil Defense adult education program [4]	2,597
Training for teachers of the deaf	1,377

Federal payments under financial assistance programs administered by the Office of Education, fiscal year 1963—Continued

[In thousands of dollars]

Fellowship program for teachers of mentally retarded children	960
Grants to institutions	368
Grants to State educational agencies	546
Stimulation grants to colleges and universities	46

[1] Does not include $13.3 million for technical education under title VIII. Payments under title VIII are included under the George-Barden Act, which that title amended.

[2] Funds transferred from the Department of Labor.

[3] By direction of the President, several Cuban refugee programs are administered by the Department of Health, Education, and Welfare.

[4] Funds transferred from the Department of Defense.

Source: Fiscal and program reports of the Office of Education.

THE LIBRARY SERVICES AND CONSTRUCTION ACT—PUBLIC LAW 88-269

The Library Services and Construction Act recognizes the public's need for public library services and the reasons State and local governments have not been able to provide adequate services and buildings. To assist in filling the need, the act authorizes $45 million in Federal funds for fiscal year 1964. When he signed the act on February 11, 1964, President Johnson said: "The central fact of our times is this: Books and ideas are the most effective weapons against intolerance and ignorance." The act offers to millions of Americans of all ages new weapons they may use with grace.

BACKGROUND

The new act amends the Library Services Act, which Congress passed in 1956 to assist State and local governments in improving library services in rural communities.

Even if we judge the Library Services Act of 1956 merely by its tangible results, it has more than justified the Federal investment, which totals slightly less than $42 million for the 7 years between 1957 and 1963. The local communities, State agencies, and the Federal Government working together to make the act a success have accomplished these results: 38 million rural residents have new or improved library service; 12 million books and other informational materials have been bought; 370 bookmobiles have been bought and are being used; 140 field consultants have been added to State programs to assist local libraries; State appropriations for rural public services have increased by 113 percent, and seven States have set up or expanded grants-in-aid programs for local libraries; local appropriations for public libraries have increased by 92 percent; and State appropriations for all public library services have increased from $12.3 million annually to $28.3 million.

These facts report solid accomplishments for rural areas, and both the States and the Federal Government count them as progress made. But there are other matters that both the States and the Federal Government count as needs, such as the job yet to be done for urban as well as rural communities. They are reflected in such facts as these: 18 million Americans have no readily accessible library service (1961 figures); 110 million have library services that fall below the minimum standards set by the States; that is, they have limited and outdated collections of books, are understaffed, stay open only a few hours a week, and have insufficient space for books and patrons; 60 million of the 110 million Americans with inadequate service live in cities excluded from benefits under the 1956 act; and 1.5 million who live in cities or suburbs have no readily accessible public library service.

Only $1.60 per capita or $260 million a year is currently spent on public libraries as contrasted with the estimated minimum expenditure of $3 per capita needed for barely adequate library services. In other words, total library expenditures are now at least $280 million below minimum standards (1960 figures).

Many buildings are from 50 to 70 years old and some much older; they are expensive to maintain, lack adequate space, and are poorly located because of shifts of population.

As libraries compete with other public services for professional staff and public funds, their needs are increasing. There are a number of reasons for their increased needs, some of them fortuitous, some unfortunate for the libraries at least. Here are a few:

Greater demand for services resulting from population and economic growth and the vast increase in knowledge in recent years.

Lack of adequate school libraries: About two-thirds of the public elementary schools are without libraries.

Increase in materials: As many books were published between 1900 and 1960 as between 1450 and 1900. In the United States 10,027 book titles were published in 1930 and 18,060 in 1960, an 80-percent increase in 30 years. However, in the single decade between 1953 and 1963 the number of titles published increased by 114 percent.

Increased cost of books: The price of the average book published in the United States rose by 82 percent—from $3.59 to $6.55—between 1947 and 1963, and the average subscription price of a periodical rose by 74 percent.

Increased cost of constructing and equipping library buildings.

THE ACT

The Library Services and Construction Act (Public Law 597, 84th Cong., as amended by Public Law 88-269) has a single purpose: To assist in making public library services available to people who have inadequate services or none at all. Moreover, its goal is to make the assistance available to States and their subdivisions without encroaching on their responsibility for conducting public libraries or destroying their initiative for financing libraries. This fact the act makes clear: The States and their local units are responsible for administering public libraries, employing librarians, selecting books and other materials, and, insofar as is consistent with the act, in determining how the funds it provides are to be spent.

The 1964 act amends the Library Services Act of 1956 in two major ways:

Title I authorizes the appropriation of $25 million for public library services for fiscal year 1964 and unspecified amounts in the following 2 years to be used to provide public library service in urban as well as rural areas that have no service or inadequate services. The 1956 act authorized $7.5 million a year for 5 years and limited its use to rural areas, which it defined as communities or towns with population of no more than 10,000 persons. In 1960 the 1956 act was amended and extended for an additional 5 years, or until June 30, 1966.

Title II authorizes the appropriation of $20 million for fiscal year 1964 and unspecified amounts for the following 2 fiscal years for the construction of public library buildings in communities where the inadequacy of facilities prevents the development of library services. The 1956 act prohibited the use of funds for construction of library buildings.

The act is administered at the Federal level by the U.S. Commissioner of Education and at the State level by the State library administrative agencies.

Definitions

Terms as They Are Used in the Act

Secretary: The Secretary of Health, Education, and Welfare.

State: A State, the District of Columbia, Puerto Rico, Guam, American Samoa, or the Virgin Islands.

State library administrative agency: The official State agency charged by State law with extending and developing public library services throughout the State.

Public library: A library which is supported in whole or in part by public funds and which serves all residents of a community or district free.

Construction: The construction of new buildings and the expansion, remodeling, and alteration of existing buildings, and initial equipment of such buildings, including architects' fees and cost of buying land.

TITLE I—EXTENSION OF PUBLIC LIBRARY SERVICES

Title I authorizes the appropriation of $25 million for the fiscal year ending June 30, 1964, and for fiscal years ending June 30, 1965, and June 30, 1966, such sums as the Congress may authorize, to be allotted among the States, for the extension and improvement of public library services. During the months remaining in fiscal year 1964, the States may use their title I funds only for library services in rural areas, but after July 1, 1964, they may use them for services in both rural and urban areas. None of these funds may be used for construction or purchase of buildings or for purchase of land.

Allotments to the States

From the funds appropriated for any fiscal year the Commissioner of Education will make allotments to the States in two parts. From the total amount appropriated for the year he will make a basic allotment of not less than $25,000 each to Guam, American Samoa, and the Virgin Islands; and $100,000 to each of the States of the Union, the District of Columbia, and Puerto Rico. These are the minimum amounts that the States must match. From the remainder of the appropriation he will allot each State an amount which bears the same ratio to the total of the remainder as the State's population bears to the total U.S. population.

The amounts so allotted will be paid to the States to the extent that they match Federal funds. The matching will be done on the basis of per capita income, with the Federal share ranging from 33 to 66 percent. In this way the poor States will be required to put up less than the wealthy States to obtain Federal assistance under the act.

A State may carry over title I funds allotted for fiscal year 1964 and use them during fiscal year 1965 for expenditures under its approved plan, which may extend public library services to urban as well as rural areas.

States may use their funds for salaries of library staff members, books and other library materials, equipment, and operating expenses, including the expense of administering the State plans for services and for construction.

If the full amount authorized is appropriated and all States participate in the program in 1964, approximately $51.3 million in Federal, State, and local funds may be made available for public library services.

State plans for services

To obtain its share of the funds authorized under title I, a State must work out a State plan for extending library services and submit it to the U.S. Commissioner of Education for his approval.

Requirements: The plan must meet these conditions:

1. Provide for the plan to be administered by, or its administration supervised by, the

State library administrative agency with authority under State law to administer the plan in accordance with the provisions of the act.

2. Provide for the State treasurer to receive Federal funds paid under title I, for the funds to be safeguarded and spent solely for the purposes for which they are paid, for the State to repay the U.S. Government for any funds lost or diverted from their designated use.

3. Provide for the administrative agency to certify that policies and methods of using funds insure that funds will be used to maximum advantage.

4. Provide for the agency to make such reports on expenditures as the Commissioner may require.

5. Provide that library services shall be made available free of charge under regulations prescribed by the State agency.

Approval: The Commissioner will approve any plan that fulfills the conditions listed above.

Identification of inadequate services: The State library agency will be responsible for determining whether services in a given area are inadequate.

Procedure for making payments

The 1964 act makes minor changes in the procedure under the 1956 law for making payments to the States. It authorizes the U.S. Commissioner to make advance estimates at least twice a year of the amount each State is entitled to receive under title I, and when necessary to adjust estimates to compensate for prior over or under payments. But before he certifies the amounts to the Secretary of the Treasury, who makes the payments (in installments), the Commissioner must be sure that these conditions exist:

1. That the State will have enough funds from its own and local sources to qualify for its basic allotment for the year ($100,000 to each State, the District of Columbia, and Puerto Rico, and $25,000 each to the Virgin Islands, Guam, and American Samoa).

2. That during the year the State will spend as much from its own and local sources on public library services as it spent in the fiscal year ending June 30, 1963.

In computing each State's share of the Federal appropriation for the year, the Commissioner will use this formula prescribed by title I: The Federal share for any State will be 100 percent minus the State's percentage, which is the percentage that bears the same ratio to 50 percent as the State's per capita income bears to the per capita income of all States (excluding the outlying parts—their share will be 66 percent). No State's Federal share will be less than 33 percent or more than 66 percent. Per capita income for each State and for all States will be computed in each even-numbered year from Department of Commerce figures for the three most recent consecutive years.

TITLE II—PUBLIC LIBRARY CONSTRUCTION

For the year ending June 30, 1964, title II authorizes the Congress to appropriate $20 million and for the next 2 fiscal years such sums as the Congress may authorize, to be paid to the States for construction of public library buildings in rural or urban areas.

Allotments

From the total appropriated for any fiscal year the Commissioner will allot $80,000 to the District of Columbia, Puerto Rico, and each of the States, and $20,000 each to the outlying parts—Guam, American Samoa, and the Virgin Islands. From the remaining funds he will allot each State a sum which bears the same ratio to the remainder as the State's population bears to the U.S. population. States match Federal funds on the basis of their per capita income in the 3 most recent years.

Any State may use its allotment for any fiscal year for construction projects approved under its State plan for the fiscal year. There is one exception here: A State may carry over funds for fiscal year 1964 and use them in fiscal year 1965.

State plans for construction

To obtain its share of the Federal construction funds, each State must submit a State plan to the Commissioner.

Requirements: The plan must include all the provisions of the State plan for services under title I and in addition—

1. Set forth the criteria and procedures for approving construction projects for areas without facilities or with inadequate facilities.

2. Provide assurance that agencies whose applications for projects are rejected will be given an opportunity for a fair hearing.

3. Provide assurance that laborers and mechanics employed by contractors or subcontractors will be paid wages at rates not less than those on similar projects in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, and will receive overtime pay as specified in the Contract Work Hours Standards Act.

Approval of plan: The Commissioner will approve plans that fulfill all the conditions described above.

Payments to States

The procedure for making payments for construction differs in two respects from procedure for services: there is no minimum basic allotment which the State is required to earn by matching, and the act does not require spending at any rate set during a base period.

TITLE III—GENERAL ADMINISTRATION

Title III prescribes the general terms for administering the act and authorizes the Congress to appropriate funds for administrative expenses.

Withholding payments: If the Commissioner finds that a State is not carrying out its approved plan or is not complying with the provisions of the act, he is authorized to withhold payments until the State does comply.

Administration: The U.S. Commissioner of Education is authorized to administer the act and, with the approval of the Secretary of Health, Education, and Welfare, to make administrative and procedural regulations, to conduct studies and investigations, and to make reports, including reports to the public on the results of the act.

The Commissioner is also required to give any State an opportunity for a fair hearing before he disapproves a State plan.

Any State dissatisfied with the Commissioner's decision may appeal to the courts.

Reallotment: If the Commissioner finds that a State will not be able to use the funds allotted to it in the period they were allotted for, he may reallot them to States that can use them during that period.

STATE LIBRARY AGENCIES

The State library extension agency in each State will have the latest information on its State plans for public library services and public library construction. A list of the State agencies with their addresses is available from the Library Services Branch, Office of Education.

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

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. PROUTY. Mr. President, I send to the desk a modification of my amendment which I offered yesterday.

Before the unanimous-consent agreement propounded by Senator LONG to have his name removed from his amendment and have the name of the distinguished Senator from Tennessee [Mr. GORE], substituted therefore, I had ready an amendment in the nature of a substitute for the Gore-Long amendment. Because of the adoption of the unanimous-consent proposal and the inclusion of the Gore-Long amendment, now known as the Gore-Anderson amendment, in the bill itself, I was precluded from offering my substitute.

However, subsequent to that time the majority leader, the Senator from Louisiana, and the distinguished Senator from Tennessee, acquiesced in my request for a unanimous consent to offer my amendment anyway.

The amendment as printed needs modification to meet the objectives of substituting the Prouty approach for the Gore-Anderson approach. Therefore, I have sent to the desk this technical modification to conform my subsequent amendment to my original amendment.

The ACTING PRESIDENT pro tempore. The clerk will state the modification of the amendment.

The LEGISLATIVE CLERK. At the end of the amendment, it is proposed to add the following:

SEC. 3. Strike from the Act both sections known as the Gore-Anderson medicare sections, by striking from the first line of the first page of section 20 all through the period at the end of section 238.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. LONG of Louisiana. How long does the Senator think it will take him to explain his amendment?

Mr. PROUTY. I believe it will take a half hour, or perhaps a little more. The Senate is operating under a time limitation.

Mr. LONG of Louisiana. In view of the time limitation, I wonder if it might be possible to agree on the time for the vote, so that Senators may plan their schedule accordingly.

I wonder if the Senator would be willing to agree to limit the debate on the amendment to 1 hour, the time to be equally divided. So far as I am concerned, the Senator could have half of my half hour. The traditional agreement is 1 hour. Under such arrangement the Senator would have 45 minutes and I would be allowed 15 minutes.

Mr. PROUTY. Madam President, I am afraid that the arrangement would not give me sufficient time. I should like to accommodate the Senator. I shall get through as quickly as I can.

Mr. LONG of Louisiana. I thank the Senator.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). How much time does the Senator yield himself?

Mr. PROUTY. I yield myself 20 minutes.

The PRESIDING OFFICER. The Senator is recognized for 20 minutes.

Mr. PROUTY. Madam President, in one of the parables Christ spoke out against the deadly sin of indifference. He said:

> For I was an hungered, and ye gave me no meat; I was thirsty, and ye gave me no drink;
>
> I was a stranger, and ye took me not in; naked, and ye clothed me not; sick, and in prison, and ye visited me not.

Madam President, a few days ago the Congress approved the so-called antipoverty bill. As far as I can determine, there is no provision in that bill for any of our elderly retired citizens. Yet this group needs help more than any other segment of our population.

Millions of Americans have been poor at one time or other during their lives and ultimately they have managed to get ahead because of thrift, dedication, and just plain hard work.

Yet there are millions of others who have never really had a chance to put aside any money because of the depression, because of family sickness, because of low wages or because they were not protected by the social security law during their working years.

When a man is young and in good health no matter how dark the days may be he can see just over the horizon brighter tomorrows that lift his spirit and lower his despair.

But when old age comes, and day by day a man loses his close friends, suffers from chronic ailments, and can no longer provide even the barest necessities for his wife—life seems to lose its meaning and each tomorrow is awaited not with hope but with fear.

Are these the golden years that so often are spoken about in glowing terms? No, for millions of people they are not and they never will be until the Congress approves a social security program which reaches out to the older people of this land and tells them by deed—not by word—that they are no longer the forgotten Americans.

Do Senators know that over 1 million people on the social security rolls receive only $40 a month. This amounts to a little over a dollar a day out of which must come food, clothing, and shelter.

What can a man buy for a dollar today? His day's allowance would be gone with a pound of coffee and a quart of milk. And, when these have been purchased with what does he buy bread, sugar, flour—I will not say butter because many of these people have forgotten what butter tastes like because they do not have the money to pay for it.

The issue squarely before the Senate is, What is this Congress going to do to put food on the tables and clothing on the backs of 18 million Americans who gave this country their earnest labor and in many cases fought for it at the risk of their lives during their younger years?

Yes, they once were young. Young enough to produce the food and fiber a growing country demanded. Young enough to build with their hands, their hearts, and their pocketbooks the factories, the schools, the hospitals, and the great institutions in which we take such pride.

From its inception in 1935 the social security law was designed to provide a basic floor of protection against want; yet, in those desperate days monthly payments to the Nation's aged and infirm were as low as $13.48.

Today, almost some 30 years later, the so-called floor of protection is $40 per month.

Now, we can look at pages of statistics and analyses to determine whether the current minimum monthly benefit is proportionate to the benefit scales of earlier years, as viewed in the light of the escalation of the cost of living and wage scales. But, no amount of comparison will extinguish the basic fact that $40 per month represents next to nothing in terms of the needs of older America.

And, if there is nothing to supplement that paltry sum, nothing in the way of earnings, nothing in the way of pensions, nothing in the way of savings, and if there are no living relatives able to support the infirm or elderly person, then we have not done what we set out to do. We have not only failed to shield our older people from the wretched fate of poverty, we have teased their faint hopes with a monthly token of what might be.

Who are the people who receive this minimum amount? The social security tables tell a startling story. They are the people who acquired coverage with as little as $67 per month average monthly wages. These are the people who stood to receive the overwhelming sum of $13.48 under the 1939 act. These are the people who are least likely to have anything substantial in the way of savings, pensions, and other visible means of support.

Madam President, this dilemma has alarming proportions. There are over 18 million people in our country today who are over 65. It is estimated that by the year 2000 one-third of our population will be age 65 or over, or over 32.3 million people. If the 1960 income percentages hold steady, 4 percent of that group, or close to 1,300,000 people, will have no money income whatsoever. If, through revisions of the social security laws, these people are blanketed in under social security, or otherwise become eligible for the minimum social security benefit, we will be distributing, out of the old-age trust fund, some $52 million per year to people who cannot possibly derive much benefit from such a little sum as $40 per month. Of course, this money will find its way back into the economy, but that is not the objective of the social security program.

The program must either give to those in need the protection it was designed to afford, or go down in history as a great hoax on the poor and aged.

Madam President, that is the very plight our old people face today. They come to us with statements of their minimum basic needs to make a go of it and we unhesitatingly offer them half. We have got to remove the blinders on social security and take a long, hard look at what the people need.

Our brothers in Canada are showing us up. Canadian old age pensions are available to those who have reached the age of 70. The only requirement is that the recipient has been a resident of Canada for 10 years. Seventy-five dollars is available to each person or $150 per couple. The beneficiary makes no contribution whatsoever to the program. And, like our social security, no means test is applied. So, while the recipient of our modest $40 per month has been paying into the system from an average monthly wage of $67 per month, his counterpart in Canada does nothing and receives $75 per month.

I am not so much concerned whether or not the Canadian recipient contributes to the program or not. My prime interest is the fact that the Canadian Government has recognized the need for a level of benefits far in excess of $40 per month. It certainly represents a better effort to meet the needs of the people.

As of the end of 1963 there were 10,263,331 people on the U.S. social security-old age rolls. Eleven percent of these were beneficiaries of the minimum figure of $40. That is over 1,100,000 people who receive what is now the minimum amount.

Madam President, my amendment provides for a minimum benefit level of $70 with scaled benefit increases into the upper benefit levels. It is my hope that we can, this session, right an old wrong and start social security payments at a level consonant with the needs of our people.

Each day's mail brings me additional sorrow for the plight of our older people. A dear friend writes that if help does not come soon she and her 85-year-old husband will have to give up their cows—their only source of income. A stranger writes of his fears for himself and his family if he cannot buy coal for the winter.

Madam President, during the consideration of the poverty bill we were told time and again that there was a magic poverty level of $3,000 for a family of four. Now I know from my travels across this country that there are places where $3,000 will buy security for such a family. Likewise, I know that the same income in some of our larger cities will only buy discontent.

But accepting, arguendo, that there is some sort of magic about this $3,000 poverty level, let us take a look at poverty through the eyes of social security.

Under existing law a family of four with earnings of $1,900 per year during the years that they contributed to social security is eligible to receive about $112.50 per month or some $1,350 per year in social security benefits.

In other words, when the head of the family was working he received income $1,100 below the so-called poverty level and when he retires he and his family will go $1,650 below the poverty level.

This means that during retirement years the man and his wife will have a clear 50 or 60 percent gap between their income and their needs.

Add to this disparity the fact that this family had to make contributions to the system of close to $64 per year out of their marginal income and it becomes clear that the social security system, as presently constituted, does not fulfill its objectives.

And, when I talk about people in this category, the $112.50 per month family benefit, I am talking about no exceptional case. Indeed, I am talking about the average man and wife who receive social security payments.

Most people probably do not realize that 60 percent of the social security beneficiaries had earnings below the so-called poverty level the years that they were obtaining coverage, and an even higher percentage of these beneficiaries are below the poverty level when they are actually drawing benefits.

Madam President, Sargent Shriver came to this Congress and asked for close to a billion dollars to fight poverty, but not the problems of the aged. He asked for $5,000 to send a boy away to camp for a year, but not $70 a month for an old person.

I voted for the poverty program with the anticipation that help was on the way for our elderly, but, that program does not envisage much in the way of help for our elderly people.

Now, there comes before this body a bill which provides the startling sum of $7 more a month for those now receiving the minimum benefit. This insignificant amount will only buy despair—it will only finance frustration. It will not do a thing to meet the needs of the people.

I am sorry to see such piddling tokenism. I hope I shall not have to go home with the story that needed fuel, food, and clothing is now only $23 out of reach, not $30.

The war on poverty is not being fought over our old folks. It is being fought on other fields while older America watches.

A man with a minimum average monthly income of $67, the equivalent of $804 per year, is the man who gets the social security payment of $40 per month, $480 per year. Even if this man is able to keep working after 65, his total income will not take him near the fringes of security. It is for this man that the program does the least. And, under this social security bill, he will get the whopping amount of an additional $84 per year, or $7 per month. What a cruel deception this is on the aged and infirm.

My proposal, amendment No. 1245, seeks to do two things.

First. It provides for a raise in all benefit categories with the benefit floor set at $70; other benefit levels are scaled up at a slower rate.

Second. The entire benefit schedule is reformed and simplified so as to reduce the administrative costs of the program, which if left at their current rate of growth, would amount to almost one-half a billion dollars in the year 2000.

Following is a table setting forth the benefit changes:

Those now receiving between—	Will receive under the Prouty plan—
$40 to $49	$70
$50 to $59	$77
$60 to $69	$84
$70 to $79	$91
$80 to $89	$98
$90 to $99	$106
$100 to $109	$116
$110 to $119	$126
$120 to $127	$134

Those with an average monthly wage between $413 and $450 per month will receive $144, and the maximum family benefit for that group will be $300.

At the present time the minimum benefit level of $40 per month represents little purchasing power in terms of current prices. The average monthly benefit under the old-age provisions of social security is close to $75, but benefit recipients in the lower benefit categories will take little comfort from that fact.

Our whole lower bracket benefit scale is out of tune with reality. Indeed, all benefit levels fail to reflect the elevation of the cost of living over the period since the last adjustment in benefits, but the disparity is most noticeable in the lower brackets where poverty has made the greatest inroads.

The men and women who stand to benefit by my amendment are not mere statistics. No numbers can tell their story; no computers share their sorrows. Many of them dedicated their lives to making America a better place to live—some made the supreme sacrifice and gave up their sons, husbands, or fathers to the wars spanning their lives.

What have we ever given up for them?

Not too long ago, a man with a family who was down and out wrote me about his despair and heartsickness and in his letter he quoted some lines from an unknown Englishman. They went something like this:

> What is the use of living in an empire on which the sun never sets, if one must live out one's life in an alley into which the sun never shines?

Let us put a little sun in the lonely rooms where older people dwell, often alone, frequently without funds and too many times without any prospect of a brighter tomorrow.

Will this be the Congress that remembered the forgotten American, or will it be the Congress that tossed a few dollars worth of change to the couple with an empty cupboard?

But, if we give our voices and our votes in support of decent pensions for our elderly people, we shall some day feel as Sydney Carton felt when he said:

> It is a far, far better thing that I do, than I have ever done.

I reserve the remainder of my time.

Mr. LONG of Louisiana. Madam President, I regret that the committee could not accept the amendment. The purpose of the Senator's amendment is meritorious, but, as a practical matter, this amendment would cost $2,300 million in the first year. It would more than double the cost of the bill with the medicare amendment in it. Having done all that, it would still not take care of thousands of needy people. It would help only those in the social security program.

In the State of Louisiana, where there is a broad and generous welfare program, about half of our people drawing welfare payments receive social security benefits as well. The two dovetail. The others do not receive similar benefits. So, at fantastic cost, nothing would be done for those not receiving social security benefits. The amendment would benefit only those getting such benefits.

If we are to do something such as the amendment proposes, it would be better to do it on an across-the-board basis, inasmuch as it is to be financed from general revenues, so that all the needy would get the benefits instead of only those receiving social security.

The committee has given some consideration to this problem, but we are satisfied that the tremendous cost of this proposal would make it completely unacceptable to the House. We shall have difficulty getting the bill into conference now, because, as the former Secretary of Health, Education, and Welfare, the Senator from Connecticut, knows, on the House side there are determined Members who do not want to have any medicare proposal enacted into law. Some of them will object to the bill's going to conference as it stands.

If this amendment is added to the bill, it will be even more difficult to get the bill to conference, because of the great cost that would be involved. It is not that we would not like to increase the benefits to the extent of the Senator's proposal, but the astronomical cost of it is more than we could hope to meet.

In addition, much of the increase would be a matter of giving the States a windfall in their welfare budgets, at the expense of putting the Federal budget into the red. In a great number of States the people who receive small social security benefits are receiving assistance from State welfare departments. If this amendment were enacted, such States could reduce their welfare expenditures, at the expense of the Federal Government.

For those reasons, Madam President, I hope the amendment will not be agreed to.

I believe the Senator from Vermont would like to have the yeas and nays on his amendment. Before that, perhaps there should be a quorum call. I suggest the absence of a quorum.

Mr. PROUTY. I ask unanimous consent that time be not charged to either side.

Mr. LONG of Louisiana. I ask that the time be charged equally to both sides.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, the time will be charged equally to both sides. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. PROUTY. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

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

Mr. PROUTY. I yield briefly, because my time is limited.

Mr. GORE. Due to the rather unusual parliamentary situation which developed yesterday, I neglected to make one very slight change in the amendment which I offered. Incidentally, I ask unanimous consent that the senior Senator from New York [Mr. JAVITS] be made a cosponsor of the amendment.

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

Mr. GORE. Mr. President, in the proposed new section 1809(b), which deals with the determination of costs of services, it is provided that the amount paid to any provider of services shall be a reasonable cost, but that the Secretary shall take into consideration, among other things, the principles generally applied by various national organizations in computing similar payments.

There are some well-established health plans, set up by various industries or industry groups which may not technically be considered national in scope, but which are well established. One of these is the Kaiser Industries health plan.

I ask unanimous consent for the present consideration of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be stated.

The LEGISLATIVE CLERK. On page 33, line 2, of amendment No. 1256, it is proposed to strike out the word "national" and insert in lieu thereof "established prepayment".

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

Mr. GORE. I yield.

Mr. JAVITS. I am happy to join the Senator in what he has said, for these reasons: We often think of private enterprise in the health field as being strictly insurance companies.

Mr. PROUTY. Mr. President, if I may interrupt, this time is being charged to me.

Mr. GORE. Mr. President, I ask unanimous consent that this brief colloquy be not charged to the time of the Senator from Vermont.

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

Mr. JAVITS. Mr. President, we forget that there are industries, like Kaiser Industries, or cooperatives, like Blue Cross and Blue Shield, and unions also, which have plans, and that there is a vast complex of private enterprise in this field which is not insurance.

I am very much pleased that the Senator from Tennessee is taking the step he is taking.

Mr. GORE. I am pleased to have the Senator from New York join officially as a cosponsor of all my amendments, because he has made a significant contribution to the great victory that has been achieved.

Mr. JAVITS. I am grateful to the Senator.

Mr. President, may we have action on the request?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. GORE].

The amendment was agreed to.

DOLLAR INPUT AND OUTGO UNDER H.R. 11865 AND THE PROUTY BENEFIT INCREASE AMENDMENT TO IT

Mr. PROUTY. Mr. President, under H.R. 11865 as reported by the Senate Finance Committee old-age benefits will be increased $120 million for the remainder of 1964. No increase will be added to the trust fund in 1964. However, contribution income will exceed benefit outgo for 1964 by about $200 million.

In 1965 benefit disbursements will increase about $1.4 billion over disbursements under present law. Total disbursements will be $17.1 billion for the year. Contribution income for 1965 will be $17 billion, an increase of about $1.2 billion over present law.

As I understand my conversation with Frank Bayo, assistant, or deputy actuary with the Social Security Administration the Prouty amendment, which preserves H.R. 11865's contribution raising technique but which substitutes a new formula for benefit distribution, would cost $2.3 billion in terms of present law. However, since the House bill provides for a $1.4 billion increase in contributions in 1965 the Prouty amendment could be viewed only as a $900 million increase over the House-passed bill. The addition of King-Anderson to the House-passed bill would appear to add a first-year cost of $1½ billion.

If the alternate method of computing the cost of King-Anderson were utilized, as Actuary Robert Myers noted on page 146 of the hearings, the cost should go to 1.35 percent of taxable payroll. The cost of King-Anderson over and above the House-passed bill would be on the order of $2.5 billion in excess of the cost of the House-passed bill. Add to either the low cost estimate of King-Anderson $1.5 billion or the high cost estimate of King-Anderson $2.5 billion the cost of the 7 percent increase of the Long amendment to which the Gore amendment is affixed and you have alternately a total cost for the Gore-Long amendment of $2.2 billion in excess of the House-passed bill or $3.2 billion in excess of the cost of the House-passed bill.

I realize that the situation has been changed somewhat since yesterday, but I am pointing out that in any event the added cost under my proposal has been estimated to be $900 million, a sum which would come from general revenue.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Vermont has 34 minutes remaining.

Mr. PROUTY. I thank the Chair.

My amendment would accomplish three things: It would eliminate the medicare program from the Gore amendment, and hence the bill. It would hold the tax rate at the same level as has been approved by the House—4.8 percent. It would hold to the wage base of $5,400, as approved in the House amendment.

The purpose of my amendment is simple. I believe most people recognize that there is a serious question as to whether the House will approve any bill that contains medicare provisions. Last night on television the distinguished senior Senator from Minnesota [Mr. HUMPHREY] said that conferees might effect a compromise embodying features of the so-called Ribicoff amendment. That would mean, if that amendment or one similar to it were adopted, those now receiving $40 a month would receive $42, or $47 if they decided they did not want a package medical plan of some sort.

The increases I am suggesting are sufficiently meaningful to make it possible for many of the people who are under social security to provide for their own health insurance. The increases I am suggesting are substantial, but they can be justified. As I stated earlier, the money will come from general revenues.

The distinguished Senator from Louisiana [Mr. LONG] said earlier that this proposal would be applicable only to persons now on the social security rolls or who will become eligible for social security. It is my understanding that an amendment will be offered during the course of the debate that would blanket in persons who are 70 or 72 years of age, or over. That would well take care of the problem of old people who are presently faced with such a desperate plight. In any event 91 percent of the elderly are now eligible for the social security program.

Mr. President, I wish to suggest the absence of a quorum; and I hope that it may be a live quorum. I would hope that following the quorum call more Senators would remain in the Chamber, so that they could learn more about my proposal.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The time for the quorum call will, of course, come from the time of the Senator from Vermont.

Mr. PROUTY. Would the Senator from Louisiana share the time?

Mr. LONG of Louisiana. I regret to say that I do not feel I should share the time for the quorum call. The junior Senator from Louisiana long ago despaired of the value of a quorum call to bring Senators to the Chamber to hear his speeches. There has been one quorum call already; I would hope that we might come to a vote.

I am sure the Senator knows that when the time on the amendment has expired, he is entitled to have a quorum call which would not count against his time.

Mr. PROUTY. Mr. President, I ask unanimous consent that I be permitted to suggest the absence of a quorum, the time for the quorum call not to be charged to either side.

Mr. LONG of Louisiana. I object.

The PRESIDING OFFICER. Objection is heard. Does the Senator from Vermont ask for a quorum call?

Mr. PROUTY. I suggest the absence of a quorum. The majority leader assured me yesterday that if I needed additional time, he would yield it to me on the bill.

Mr. LONG of Louisiana. I do not complain about that at all. I do not believe the opponents of the amendment should have to share the time for a quorum call, because we are not interested in a quorum at this time.

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 559 Leg.]

Aiken	Hart	Moss
Allott	Hayden	Mundt
Anderson	Hickenlooper	Muskie
Bartlett	Holland	Nelson
Beall	Hruska	Neuberger
Bennett	Humphrey	Pastore
Bible	Inouye	Pearson
Boggs	Javits	Pell
Brewster	Johnston	Prouty
Burdick	Jordan, N.C.	Proxmire
Byrd, W. Va.	Jordan, Idaho	Ribicoff
Cannon	Keating	Robertson
Carlson	Kuchel	Russell
Case	Lausche	Salinger
Church	Long, Mo.	Saltonstall
Clark	Long, La.	Scott
Cooper	Mansfield	Simpson
Cotton	McCarthy	Smith
Curtis	McClellan	Sparkman
Dirksen	McGee	Stennis
Dodd	McGovern	Symington
Douglas	McIntyre	Talmadge
Eastland	McNamara	Thurmond
Edmondson	Mechem	Tower
Ellender	Metcalf	Walters
Ervin	Miller	Williams, Del.
Fong	Monroney	Yarborough
Gore	Morse	Young, N. Dak.
Gruening	Morton	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

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

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Washington [Mr. JACKSON], and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

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

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The Senator from Colorado [Mr. DOMINICK] is detained on official business.

The PRESIDING OFFICER. A quorum is present.

The Senator from Vermont is recognized.

Mr. PROUTY. Mr. President, I have had pages take to every desk an explanation of my amendment No. 1245. This material explains the amendment I now offer as a substitute for the Gore-Anderson amendment which was adopted yesterday. While amendment No. 1245 is not identical to the substitute, I feel that it is sufficiently and substantially the same.

My amendment revises and reforms the table of benefits appearing in section 215 of the Social Security Act.

Under the Prouty amendment the minimum primary insurance amount is $70. The lowest maximum family benefit is $105. The following benefit changes are made:

Those now receiving between—	Will receive under the Prouty plan—
$40 to $49	$70
$50 to $59	$77
$60 to $69	$84
$70 to $79	$91
$80 to $89	$98
$90 to $99	$106
$100 to $109	$116
$110 to $119	$126
$120 to $127	$134

Those with an average monthly wage between $413 and $450 per month will receive $144, and the maximum family benefit for that group will be $300.

In addition to the increased amounts to be contributed to the Federal old-age and survivors trust fund under H.R. 11865, the Prouty plan authorizes appropriations to such fund in an amount necessary to equal the excess of benefit payments over contributions in any one year. In other words, if H.R. 11865 provides for additional contributions to the trust fund of $1, because of the changes in the tax rate or the increase in the wage base, and the Prouty benefit plan calls for payments of $1.50, the 50-cent differential will be financed out of general revenues. This section provides for the maintenance of the trust fund in actuarial balance while providing funding for the Prouty benefit levels.

Mr. President, I have been a long and ardent supporter of sound proposals offering medical assistance to our elderly. The amendment I now offer is a genuine attempt to provide our old folks with a choice for health.

The many tribulations which face older America cannot be categorized into the single question of access to medical assistance.

An old person's health is the product of many forces. Does he have enough of the proper foods to eat? Does he have clothing adequate for a Vermont winter? Can he buy coal for his furnace or his potbellied stove? Can he repair the roof? Can he afford a vet for his cow?

Mr. President, all these simple fundamental day-to-day problems of existence do more to shape the health of an old person than the numerous mystic viruses accused of so much ill.

Look for a moment at the transcript of the hearings in the Finance Committee on the question of what social security should buy. Look for a moment at the remarkable testimony by Secretary Celebrezze and the Commissioner of Social Security, Robert Ball.

The Senator from Nebraska [Mr. CURTIS] asked the Secretary if he would be willing to supply our old folks with enough additional income through social security so that they could afford reasonably adequate health insurance.

The Secretary answered:

> That wouldn't do what we are trying to do, because social security benefits * * * for low-income people—those without significant other income—are hardly enough to buy the bare necessities of life. If you give people additional money, many are going to spend it for everyday expenses rather than for hospital insurance.

And as if this were not sufficiently damning of a program of health care under social security which gives an old person no choice between food, shelter, clothing and a practical nurse, Mr. Ball jumped headlong into the fray and added his 2 cents on why such people would first spend their increased benefits for the bare necessities of life:

> Senator * * * half are below the $2,800 (income) figure. Many have incomes of $1,200, $1,300, $1,500, and so on. At such income levels people might well feel—even with the additional amount you suggest—they might feel they couldn't afford to put all of that into hospital insurance as against other expenses—food, clothing, shelter, and other needs.

Mr. President, the Secretary and the Commissioner made alarming statements. If I understand them correctly they advocate that the first order of business is health insurance, life itself is of secondary importance. They must have doctors before they have food; they must have nurses before they have clothes; and if the roof leaks or the coal runs out they must go to the hospital.

So, Mr. President, I now offer my amendment to give older America a free choice for their destiny.

The amendment is of the same order of cost as the Gore-Long amendment. The big difference, however, is the recognition by my approach that such a program should be financed in part out of general revenues.

Forty percent of all social security beneficiaries are now on welfare. Many, many of them receive the benefits of the Kerr-Mills bill. Both of these programs are financed out of general revenues.

I can see no just reason for first blanketing-in all old people under a social security health care proposal and then sending a bill to an employer for whom these people never worked. With financing out of general revenue every citizen of America shares a portion of the burden for the care and well-being of our old people. It is my estimation that this is the only just and fair approach.

Mr. President, is an older American a second-class citizen of the world? There are matters which cause me to believe he is so treated.

In Canada an old person automatically receives $75 a month upon reaching age 70. He has to make no contribution to a pension fund. He has to make no disclaimers of retirement earnings. He has to show no need. He is granted this substantial pension merely because he has turned 70. How simple, how just.

We are at a point in history when we can no longer turn our backs on our elder citizens. We must move into the sunlight of dignity and decency. It is my hope that this amendment will be a first step toward that great objective.

Mr. President, I should like to point out, as I did earlier, that the majority whip, the distinguished senior Senator from Minnesota [Mr. HUMPHREY], suggested on television last night that there might be a possible compromise in the conference. He suggested that it would be the amendment offered by the distinguished junior Senator from Connecticut [Mr. RIBICOFF]. Under the Ribicoff proposal a person would have a choice. If he is now receiving $40 a month under

the social security program, he would have a choice between receiving $42 and a package health insurance program or $47, a $7 increase. Most people in that bracket would have no alternative other than to take the additional $7, and they would still be faced with very serious problems.

My proposal is a realistic approach to one of the most serious problems facing this country today. If there is poverty, it exists among the older citizens who are retired and who are no longer able to support themselves.

In closing I suggest that my amendment would eliminate the medicare feature of the bill, the amendment of the Senator from Tennessee [Mr. GORE], which was adopted yesterday. It would also maintain the same tax rate contained in the House version of the bill; namely, 4.8 percent for employer and employee. It would also establish a $5,400 earning base. I have been given assurance that the proposal would cost an additional $900 million over the cost of the House bill, which would have to come out of general revenue.

Mr. President, I reserve the remainder of my time.

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

Mr. PROUTY. I am happy to yield.

Mr. SCOTT. I congratulate the distinguished Senator from Vermont for his presentation of these earnest and concerned efforts to find ways which will offer genuine assistance and real opportunities for the aged to do something for themselves in times of crises affecting their health. The Senator from Vermont has been consistent in his effort to find workable solutions and in offering substitutes for plans which may have more political appeal than health appeal. I agree with the Senator that we are seeking to find ways to help the health of elderly persons rather than ways to help the health of those who are seeking to advance their own careers or partisan advantages through attractive labels or "appearance aids" to these same people.

In my judgment, the addition of $2 a month or $7 a month, to be spent at the discretion of the individual recipient, reminds me of what our fathers used to say to us as children: "Here is a penny; do not spend all of it at once." The proposal seems to me to be little more than a dole or a pittance or a way of fobbing off a difficult question by proposing inadequate solutions. So I believe that all of us are seeking a better way to meet the health problems of the aged.

I have never heard anyone say that the aged do not have health problems. No Senator who has spoken has said that the aged did not need some assistance. There are large numbers of persons who do not have adequate means to help themselves, and whose circumstances in many cases are not of their own creation. Since the Federal Government has rushed so often to the aid of peoples everywhere in the world, or through subsidies, to the aid of persons in this country who do not always welcome the subsidies which are in their opinion thrust upon them, it seems to me that the Senator from Vermont is making an approach which would do more for the elderly than the less adequate solutions which have been offered, and which, in my judgment, may well founder in the conference.

I hope the conferees will consider carefully the suggestions made by the distinguished Senator from Vermont, and that they will consider some of the proposed solutions which were discussed yesterday in another amendment sponsored by the Senator from Vermont and the Senator from Hawaii [Mr. FONG], as well as myself.

I hope that what is underway is not merely an attempt to impress people, after political conventions and prior to elections, with the idea that something is really being done for them. When all the furor dies down, when the dust has settled——

The PRESIDING OFFICER. The Senator's time on the amendment has expired.

Mr. SCOTT. Mr. President, in the absence of any other Senator, I yield myself 2 minutes.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

Mr. GORE. Mr. President, I yield the Senator 5 minutes.

Mr. PROUTY. I was about to explain, in the form of a parliamentary inquiry, that the distinguished majority leader assured me he would give me such additional time as I might require on the bill.

Mr. SCOTT. I am nearly through. I would expect, when all the dust has settled, that very little would have been done for the elderly persons in the form of health assistance. I hope this is not correct, but I fear much of the talk we hear in the Senate has been merely for the purpose of making records, pro or con, and that what really will happen among the conferees will be some sort of horseback solution or temporary "band-aid" result. The concern of the elderly with regard to their health, as is true of our concern, is too great for the problem to be treated in this fashion. The problem ought to be considered in the next session of Congress from the beginning. It is a great national problem, and is of concern to all citizens, and of particular concern to the elderly.

I commend the Senator from Vermont for his proposal.

Mr. PROUTY. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield 5 minutes to the Senator from Vermont.

Mr. PROUTY. I thank the Senator from Pennsylvania very much. As he knows, I was happy and proud to be a cosponsor of an amendment which he offered yesterday, which was a very much more realistic and progressive approach to the medical problems of older America and would have done a great deal more for our elderly citizens with health problems than any other proposals made thus far.

Let me ask the Senator a question. Does he think this great country should do less for its people than our neighbor to the north, the Dominion of Canada, does for its people? It pays a person 70 or older $75 a month. We start at $40.

Mr. SCOTT. I certainly do not. I have recently been in Canada. I am aware of the greater benefits received by her citizens. I heard a discussion of the welfare program in the Canadian Parliament recently. Canada is not generally regarded as a country that is as wealthy as the United States. It is not generally regarded as a country which can afford to do more for its citizens than this country can. Yet it does more. This fact is a reflection upon the present status of our general care proposal.

I also feel that we are in great danger of overburdening our social security system. As I said yesterday, the time may come by 1971 when, under the major proposal adopted yesterday, social security taxes—for that is what they are—or deductions from a worker's pay, will exceed the amount paid by the same worker for his income tax. Not long after 1971—if not before—the worker, from total taxes actually contributed by himself and by the employer, will eventually lose—or perhaps the better word is "forgo"—1 day's pay out of his weekly pay envelope. That is where we are headed if we continue to load every solution of our problems onto the social security system.

Mr. PROUTY. I point out that, as of now, a retired man, with a wife, drawing social security receives $1,350 a year, somewhat below the poverty level which we have been discussing for many weeks. Under my proposal, the amount would be increased only to $1,638, but there may be enough in that increase to enable an old person to take out a private health insurance plan if he so desires. If we were to ask any individual now receiving $40 a month if he would prefer an increase to $70 or an increase to $42 and a $5, inadequate medical program, I think the answer definitely would be, "I would require the $70 to continue to live a decent existence."

My proposal would increase the benefits most in the lower brackets. The percentage benefit increases are scaled down as the upper brackets are reached.

This is a far more realistic approach, and will do more for the old people of the country than other amendments which have been considered during the course of the debate.

I thank the Senator from Tennessee for yielding to me.

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

Mr. PROUTY. I yield.

Mr. COTTON. I commend the Senator for his amendment, and associate myself with everything he has said. It will be a privilege to vote for his amendment. It would be doing business for the old people.

Mr. PROUTY. I thank the Senator from New Hampshire very much, and I thank the Senator from Tennessee for yielding me time.

Mr. GORE. Mr. President, the amendment would be extremely costly and, if adopted, would throw completely out of balance the actuarial statistics. I do not believe the amendment requires extended argument. I hope the Senate will reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amend-

ment offered by the Senator from Vermont.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from West Virginia [Mr. RANDOLPH] are absent on official business.

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

I further announce that the Senator from Indiana [Mr. BAYH] and the Senator from Washington [Mr. JACKSON] are necessarily absent.

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

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Washington [Mr. MAGNUSON], and the Senator from Virginia [Mr. BYRD] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The Senator from Colorado [Mr. DOMINICK] is detained on official business and, if present and voting, would vote "yea."

The result was announced—yeas 23, nays 64, as follows:

[No. 560 Leg.]

YEAS—23

Aiken	Hickenlooper	Prouty
Allott	Hruska	Saltonstall
Beall	Jordan, Idaho	Scott
Bennett	Mechem	Simpson
Boggs	Miller	Tower
Cotton	Morton	Williams, Del.
Dirksen	Mundt	Young, N. Dak.
Fong	Pearson	

NAYS—64

Anderson	Hayden	Moss
Bartlett	Holland	Muskie
Bible	Humphrey	Nelson
Brewster	Inouye	Neuberger
Burdick	Javits	Pastore
Byrd, W. Va.	Johnston	Pell
Cannon	Jordan, N.C.	Proxmire
Carlson	Keating	Ribicoff
Case	Kuchel	Robertson
Church	Lausche	Russell
Clark	Long, Mo.	Salinger
Cooper	Long, La.	Smith
Curtis	Mansfield	Sparkman
Dodd	McCarthy	Stennis
Douglas	McClellan	Symington
Eastland	McGee	Talmadge
Edmondson	McGovern	Thurmond
Ellender	McIntyre	Walters
Ervin	McNamara	Yarborough
Gore	Metcalf	Young, Ohio
Gruening	Monroney	
Hart	Morse	

NOT VOTING—13

Bayh	Hartke	Randolph
Byrd, Va.	Hill	Smathers
Dominick	Jackson	Williams, N.J.
Fulbright	Kennedy	
Goldwater	Magnuson	

So Mr. PROUTY's amendment was rejected.

Mr. GORE. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. ANDERSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND subsequently said: Mr. President, I voted against the amendment of the distinguished Senator from Vermont [Mr. PROUTY], not because I would not have been glad to support that part of the amendment which eliminated the so-called Gore-Anderson amendment, adopted yesterday, but because I thought the other provisions in the amendment were much too expensive.

To illustrate what I believe to be the thinking of the vast majority of the people in my State, I ask unanimous consent to have included in the RECORD at this point an editorial published in the Tampa Tribune entitled "Give 'em Cash, Not Care."

I read from the last paragraph, as follows:

> The best solution is for retirees to carry their own health insurance plans, as about two-thirds of them do already. The 5-percent increase in monthly benefits will help them to do so—and the Senate ought to join the House in approving it, without wasting too much time in trying to show voters 65 and over what large hearts the Democrats have.

I comment on the fact that the amendment offered by the Senator from Louisiana [Mr. LONG], which I supported would have provided, instead of 5 percent, 7 percent, so as to make it even more possible than the House bill for retirees to carry their own health insurance.

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

[From the Tampa (Fla.) Tribune, Sept. 2, 1964]

GIVE 'EM CASH, NOT CARE

When you speak of social security, you treat a subject close to the hearts and pocketbooks of nearly 100 million Americans.

Most of them are voters.

In an election year Congress and the President love to do things for people—especially the kind of thing which is recognizable on the face of a check.

That's why Congress is certain to pass a bill increasing social security benefits. Some 20 million persons drawing social security checks would immediately profit. Millions of others nearing retirement age would welcome the prospect of a slightly more comfortable future.

President Johnson and a number of Senators want to do more for social security beneficiaries than the House did in passing, July 29, a bill to increase monthly payments by 5 percent. They propose adding to the bill a provision for hospitalization and nursing home care, as pledged in the Democratic platform.

This care benefit would partly substitute for the cash increase voted by the House. It would be a modified form of the King-Anderson (medicare) bill, unsuccessfully pushed during the Kennedy administration, to place hospitalization benefits in the social security program.

The new proposal is no better in principle than the original. It would set the Federal Government to plowing a broad new field of social care; a field in which the boundaries would be steadily pushed outward by political pressures until all medical services were dominated by Federal bureaucracy.

What the cost of this new program would be, in its full flower, no one can say with certainty. But it would place a heavy and increasing demand upon the social security fund and require larger and larger taxes from workers and employers.

Medical care for the retired persons subsisting on social security does constitute a problem. A costly illness can wipe out savings and mortgage the pension payments for months ahead. The Kerr-Mills program, extending Federal-State aid to persons of limited income for emergency hospital care, has helped. It is optional with States, however, and only about half are participating. There is the additional objection that in the minds of normally self-supporting persons it has the mark of charity.

But the medicare plan is not the right solution for the problem. Besides involving the Government in new adventures in paternalism, it offers only a partial remedy. It would pay not a cent for doctors' bills—which in some cases can be a larger item than hospital care.

The best solution is for retirees to carry their own health insurance plans, as about two-thirds of them do already. The 5 percent increase in monthly benefits will help them to do so—and the Senate ought to join the House in approving it, without wasting too much time in trying to show voters 65 and over what large hearts the Democrats have.

Mr. KEATING. Mr. President, I call up my amendment No. 1258. I ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

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

The amendment is as follows:

Strike out section 16, line 11, page 51, through line 13, page 52, and renumber the following sections appropriately.

At the end of the bill add the following new section:

"REVISION OF THE PENSION PROGRAM FOR VETERANS OF WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT, AND THEIR WIDOWS AND CHILDREN

"SEC. 19. (a) Section 503, title 38, United States Code, is amended by (a) inserting '10 per centum of the amount of' immediately before 'payments' in paragraph (6) and striking out 'equal to his contributions thereto'; and (b) adding after paragraph (8) five paragraphs as follows:

"'(9) amounts equal to amounts paid by a veteran for the last illness and burial of his deceased spouse or child;

"'(10) profit realized from the disposition of real or personal property other than in the course of a business;

"'(11) payments received for discharge of jury duty or obligatory civic duties;

"'(12) payments of educational assistance allowance or special training allowance under chapter 35 of this title;

"'(13) payments of bonus or similar cash gratuity by any State based on service in the Armed Forces.'

"(b) Section 506(a)(2), title 38, United States Code, is amended by inserting ', other than a child,' immediately after 'person'.

"(c)(1) Section 521(a), title 38, United States Code, is amended by inserting '(1) who is sixty-five years of age or older, or (2)' immediately after 'service requirements of this section, and'.

"(2) The title of chapter 15 in the analysis at the head of title 38, United States Code, and at the head of chapter 15, is amended by inserting 'or for Age' and 'OR FOR AGE' immediately after 'Service' and 'SERVICE', respectively.

"(3) The catchline at the head of section 521 in the analysis of chapter 15, title 38, United States Code, and at the head of section 521 proper, is amended to read 'Pension for Non-Service-Connected Disability or for Age' and 'PENSION FOR NON-SERVICE-CONNECTED DISABILITY OR FOR AGE', respectively.

"(d)(1) The table in section 521(b), title 38, United States Code, is amended to read as follows:

"'Column I		Column II
Annual income		
More than—	but Equal to or less than—	
	$800	$90
$800	1,300	70
1,300	1,800	40'

"(2) The table in section 521(c), title 38, United States Code, is amended to read as follows:

"'Column I		Column II	Column III	Column IV
Annual income				
More than—	but Equal to or less than—	One dependent	Two dependents	Three or more dependents
	$1,200	$105	$105	$110
$1,200	2,200	75	75	75
2,200	3,000	45	45	45'

"(3) The table in section 541(b), title 38, United States Code, is amended to read as follows:

"'Column I		Column II
Annual income		
More than—	but Equal to or less than—	
	$800	$65
$800	1,300	45
1,300	1,800	25'

"(4) The table in section 541(c), title 38, United States Code, is amended to read as follows:

"'Column I		Column II
Annual income		
More than—	but Equal to or less than—	
	$1,200	$80
$1,200	2,200	60
2,200	3,000	40'

"(e) Section 521(d), title 38, United States Code, is amended by striking out '$70' and inserting in lieu thereof '$100'.

"(f)(1) Section 521 is further amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and by inserting immediately after subsection (d) thereof the following new subsection:

"'(e) If the veteran has a disability rated as permanent and total, and (1) has additional disability or disabilities independently ratable at 60 per centum or more, or (2) by reason of his disability or disabilities, is permanently housebound but does not qualify for the aid and attendance rate under subsection (d) of this section, the monthly rate payable to him under subsection (b) or (c) shall be increased by $35.'

"(2) Section 502, title 38, United States Code, is amended by adding after subsection (b) the following subsection:

"'(c) For the purposes of this chapter, the requirement of "permanently housebound" will be considered to have been met when the veteran is substantially confined to his house (ward or clinical areas, if institutionalized) or immediate premises due to a disability or disabilities which it is reasonably certain will remain throughout his lifetime.'

"(g) Section 521(e)(1), title 38, United States Code, as redesignated section 521(f)(1) under subsection (f) of this section, is amended by striking out 'except $1,200 of such income' and substituting in lieu thereof the following: 'in excess of whichever is the greater, $1,200 or the total earned income of the spouse,'.

"(h) Section 3203(f), title 38, United States Code, is amended to read as follows:

"'(f) Where any veteran in receipt of an aid and attendance allowance described in section 314(r) of this title is hospitalized at Government expense, such allowance shall be discontinued from the first day of the second calendar month which begins after the date of his admission for such hospitalization for so long as such hospitalization continues. Any discontinuance required by administrative regulation, during hospitalization of a veteran by the Veterans' Administration, of increased pension based on need of regular aid and attendance or additional compensation based on need of regular aid and attendance as described in subsection (l) or (m) of section 314 of this title, shall not be effective earlier than the first day of the second calendar month which begins after the date of the veteran's admission for hospitalization. In case a veteran affected by this subsection leaves a hospital against medical advice and is thereafter admitted to hospitalization, such allowance, increased pension, or additional compensation, as the case may be, shall be discontinued from the date of such readmission for so long as such hospitalization continues.'

"(i) Section 612 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"'(g) Any veteran who is a veteran of World War I, World War II, or the Korean conflict is receiving increased pension under section 521(d) of this title based on need of regular aid and attendance may be furnished drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by the veteran.'

"(j) Section 3104(a) of title 38, United States Code, is amended by inserting 'or concurrently to any person based on the service of any other person' immediately before the period at the end thereof.

"(k) Effective November 1, 1964, in computing the income of persons whose pension eligibility is subject to the first sentence of section 9(b) of the Veterans Pension Act of 1959, there shall be excluded 10 per centum of the amount of payments received under public or private retirement, annuity, endowment, or similar plans or programs.

"(l)(1) Except as otherwise provided herein, this section shall take effect on January 1, 1965.

"(2) The amendment to paragraph (6) of section 503, title 38, United States Code, shall take effect on November 1, 1964, except that it shall not apply to any individual receiving pension on October 31, 1964, under chapter 15 of said title, or subsequently determined entitled to such pension for said day, until his contributions have been recouped under the provision of that paragraph in effect on October 31, 1964."

Mr. KEATING. Mr. President, I ask unanimous consent that my colleague from New York [Mr. JAVITS] and the distinguished senior Senator from Kentucky [Mr. COOPER] be added as cosponsors of the amendment.

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

Mr. KEATING. Mr. President, this amendment incorporates the provisions of H.R. 1927, which passed the House on August 11 by a rollcall vote of 388 to 0.

The preferable procedure of course would be to consider the provisions of this amendment separate and apart from the social security bill. But time is running out on us and we must not close the door of the 88th Congress in the face of those veterans and veterans' widows of modest circumstances who are now tragically caught in the squeeze between rising costs and fixed incomes.

The inflationary squeeze is a pressing problem in our society and Congress has faced up to its responsibility to members of the military, classified workers, and postal employees, members and employees of the legislative branch and to those in the executive and judicial branches. It is imperative that we do not do less for veterans and veterans' families.

The amendment before us is the result of extensive hearings in the other body. The Subcommittee on Compensation and Pensions held 6 days of hearings in late May on all the non-service-connected pension measures pending before the House Veterans' Affairs Committee and extensive hearings were also held in the 87th Congress on this same subject. In July of 1961, the subcommittee held 3 days of hearings and the full Veterans' Affairs Committee conducted 9 days of hearings in August and September of 1962. The amendment is a compromise of many proposals and has been thoroughly reviewed.

Those of us who have had the privilege of serving in the other body know that Congressman TEAGUE, of Texas, chairman of the Veterans' Affairs Committee has never led any raid on the Public Treasury. Nor would the responsible veteran organizations, and the men and women they represent, ask him or the Congress to do so.

All they seek is an opportunity to have their requests and grievances aired and a decision reached on the merits. The House approved these provisions by a vote of 388 to 0 and I hope that we today will add our support to this modification in the non-service-connected pension law.

In 1959 we adopted a pension system relating payments more closely to need. Instead of the all or nothing provisions of the prior law, where an additional $1 of income could mean the loss of more than $900 in pension, Public Law 87–211 established a graduated scale paying more where need was greater. Within this scale income limits were increased to $1,800 or $3,000 instead of the former $1,400 and $2,700 for these groups with or without dependents. Pensions were established in three categories with benefits from $40 to $100 a month, depending on outside income and dependency status. The law included a corpus of estate provision as a basis of determining need, denying pensions to those whose net worth was sufficient

to permit a part of their assets to be liquidated. Increased pensions were established where there were dependents. Spouses' income in excess of $1,200 was added to the veterans' income to determine his eligibility. In addition the 1959 act provided an exclusion of moneys received from contributory pension plans as income until the individual recouped his contribution.

This amendment retains the basic principle of the 1959 act and is responsive to the need for certain modifications in the new law.

Section 19(a) provides six new exclusions from the definition of income. It excludes 10 percent of payments under any public or private retirement, annuity, or income plan, including social security. This particular provision is made necessary by the proposed increases in social security benefits. The amendment we have adopted, however, is responsive only to social security increases under this act. It does not take into consideration the many civil service employees who lost their veterans benefits by the 5-percent increase for Federal employees in the enactment of Public Law 87–793. This provision eliminates the necessity of making modifications everytime there is an increase in retirement benefits. Furthermore it should be noted that the 10-percent exclusion factor replaces the recoupment provision for future pensioners.

Other exclusions include the amounts paid by veteran for last illness and burial of his deceased spouse or child, profit realized from the disposition of real or personal property other than in the course of business, payments received from jury duty, payments under the War Orphans Educational Assistance Act, and veterans bonuses paid by a State.

The illness and burial exclusion is already provided in the case of the widow and 19(a) merely extends it to the veteran. Exclusion from the sale of real or personal property will permit the veteran to make necessary sales without fear of jeopardizing his family's income under the income limitations. At the same time, it should be noted that the receipts from sale will remain part of his net estate, which is another factor of eligibility for the non-service-connected pension. Payments under the War Orphans Educational Assistance Act should not be treated as income attributed to the family. To do so many jeopardize the family's eligibility for veterans assistance and deter a child from taking advantage of the benefits of the act. The exclusion is a justified one and will give fuller effect to the purpose of the War Orphans Educational Assistance Act.

Section 19(c) eliminates the requirement that a veteran of 65, who fulfills the income limitations, must also establish a 10-percent disability and resulting unemployability. The Administrator of the Veterans' Administration, Mr. Gleason, in his testimony before the Senate Finance Committee stated that almost all veterans over 65 have a 10-percent disability and are unemployable and that elimination of the cost of administrative work and physical examination would offset any increase in pensions paid to our older veterans.

Section 19(d) liberalizes the income limitations, while retaining the maximum income eligibility, and increases the pension payments for those in the lowest income category. These changes are vitally important to those veterans and widows with the greatest need and are consistent with the philosophy of Public Law 87–211.

Section 19(e) provides for an increase in the monthly allowances to veterans so helpless or blind as to require the regular aid and attendance of another person from the present $70 to $100.

Section 19(f) establishes an additional monthly allowance for housebound veterans, which increases the basic pension by $35 for those veterans who, in addition to their disability, are housebound.

Section 19(g) provides that a veteran shall be required to count the income of his spouse in excess of $1,200 or all earned income of his spouse, whichever is greater. Current law provides inclusion of all income in excess of $1,200. Experience has demonstrated that 90 percent of those receiving pensions are veterans over 65 and that the wives have found it necessary in some cases to seek outside employment in order to keep the family unit together. Inclusion of the spouse's earned income has imposed an additional burden on those families of limited means.

Section 19(i) authorizes the Veterans' Administration to provide drugs and medicines, which have been prescribed by physicians, to those persons who are receiving aid and attendance allowances.

Mr. President, these are the highlights of the provisions of this amendment. It offers a tangible benefit to needy veterans and deceased veterans' widows and minor children. It offers the benefit without departing from the underlying principle of existing law that places emphasis on those pensioners who most need Federal assistance. Unlike some of the earlier proposals, it is not an exorbitant measure. In later years, because of the elimination of the recoupment provision, it will result in net savings for the Veterans' Administration. I hope this amendment, responsive to the veteran's desire to seek a life not demeaned by privation, will be adopted.

(At this point Mr. McINTYRE took the chair as Presiding Officer.)

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

Mr. KEATING. I am glad to yield.

Mr. MORTON. As I understand it, the amendment of the Senator from New York incorporates entirely the features of H.R. 1927 which unanimously passed the House and is now pending before the Finance Committee of the Senate.

Mr. KEATING. The Senator is correct.

Mr. MORTON. A 1-day hearing was held on the bill in the Senate Finance Committee on August 19, 1964, and the record of the hearing is available to any Senator who is interested. The Senator from New York has pointed out that section 19(c), under the Veterans Administration pension regulations, provides that a veteran, in order to receive a pension at the age 65, in addition to meeting the income requirements, must, one, have a 10-percent disability; and, two, as a result of being unemployable. This section of the Senator's amendment removes the requirements of unemployability and disability; is that not correct?

Mr. KEATING. The Senator is correct. My amendment does retain, however, the income limitations of the present law.

Mr. MORTON. That is correct.

The Bureau of the Budget testified that this would add 150,000 to 175,000 additional veterans.

I personally questioned Mr. Gleason when he was before our committee on this point and Mr. Gleason states—and I am reading from page 19 of the aforementioned hearing:

> We do not think there can be any significant cost effected by the disability requirement and the unemployability requirement.
>
> The most recent study for the House, by the Veterans' Administration, of all claims adjudicated for this year, calendar year 1964, during that month 38,000 pension claims were adjudicated and 10,000 were denied for all reasons—lack of requisite service, excessive income, lack of sufficient disability, et cetera. And of the 10,000 denials, Senator, only 5 were based on lack of 10 percent disability at age 65, and ony 60 because the veteran was employable despite his disability.
>
> Therefore, the disability and unemployability requirement at age 65 accounted for less than 1 percent of the denials of pensions and affects less than two-tenths of 1 percent of the pension claims filed.
>
> Now, projected on an annual basis, the benefit cost would not exceed $500,000 were this requirement eliminated.
>
> Our administrative expenses, in examining and rating 65-year-old pension claimants, exceeds that $500,000 each year.

There speaks the Administrator of the Veterans' Administration. That statement is supported by a staff study of the House Veterans Affairs Committee, so that actually this section—according to Mr. Gleason himself—will save money in the end because it will eliminate more in administrative costs, in physicians' fees for the examinations, and so will eliminate the cost of ascertaining whether a man is employable and will more than offset the few additional dollars in pensions.

Mr. KEATING. I appreciate the comments of the Senator from Kentucky, who attended these hearings and brought out this very point. I believe this is a particularly important consideration since much of the opposition to the amendment has been directed to section 19(c). It is clear from the testimony of Mr. Gleason that the opposition is not well founded.

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

Mr. KEATING. I yield.

Mr. MORTON. In the hearings, the point was developed in colloquy between several committee members and Mr. Gleason that a meeting was held in the closing days of the first session of this Congress.

First. I developed with Mr. Gleason the fact that H.R. 1927, as originally introduced, had a cost of between $780 million and $790 million, that all after the enacting clause was stricken and the bill, which was passed unanimously by the

House at a much more modest cost, was then drafted.

I read from the transcript of the hearings:

Senator MORTON. As you have pointed out, and I think it was the closing days of the Congress before the tragic assassination of President Kennedy, that there was pressure on the administration, because of the danger of a discharge petition bringing a bill to the floor of the House, which would have cost, as you point out, somewhere in the neighborhood of a billion dollars a year.

Mr. GLEASON. Yes, sir.

Senator MORTON. It is my impression that the House leadership and Chairman TEAGUE indicated that a bill that did most for those who needed most, those with the lowest incomes or those with health problems, could be devised in the general area of cost as indicated in this bill, and that that seemed to be administration policy to pursue a course along a modest bill for the most need.

This was one way that the discharge petition was stopped, is that not true?

Mr. GLEASON. This helped immeasurably to do so, Senator.

Senator MORTON. But now we face a situation where the discharge petition is out of the way for the moment and so today, you indicate, and I shall not press you—I will wait until Mr. Hughes testifies—but perhaps the administration is going to find it necessary in its program to oppose H.R. 1927 as revised in this more modest area.

Mr. GLEASON. That is correct, sir.

I would like to say, Senator, myself, I have always believed in a cost-of-living increase for anyone, whether they were an employee in a corporation or in Government or anywhere else, sir.

The point is that the administration indicated that the support of this measure, as revised in the House last year, was under the threat of a discharge petition. Chairman TEAGUE, the members of the Veterans' Committee, and the House went ahead in good faith and passed the bill unanimously.

We now find that there is again pressure being exerted in the Committee on Finance to stifle the bill, since they are not under the pressure of the threat of a discharge petition. I think the measure is a just measure. I believe it is overdue. I believe that the Senator from New York is showing good judgment in offering it as an amendment at this time so that we might get action on the measure.

We are approaching the end of the session. When there is administration pressure brought to bear on the members of the Committee on Finance, to hold it in the Committee on Finance, we do not know what will happen. This is a bill that passed the House unanimously. Yet, it will go down the drain.

I commend the Senator from New York very much. I hope that his amendment will prevail.

Mr. KEATING. I thank the Senator from Kentucky very much, indeed. He has made a very forceful argument in favor of this amendment.

As the Senator has stated, there was initially a bill introduced which might run up to a cost of a billion dollars a year. The present, quite modest, proposal is a compromise of the 152 pension bills that were before the House. The cost figures are stated in the memorandum which I have had placed on the various desks of the Senators.

The costs are, for the fiscal year 1965, which is half a year, $43 million; for 1966, a full year, $72,619,530; for 1967, $97,341,610; for 1968, $106,002,745; and for 1969, $111,437,400.

As I understand it, at the 11th hour the Veterans' Administration has now come forth with proposals in quite different form. The proposals they recommend involve more expense than that contained in this amendment. The costs would actually increase so that in 1969, instead of $111 million, the additional cost would amount to $132 million.

In my judgment, we should adhere to the form of the bill which had the unanimous approval of the House and on which Mr. Gleason gave supporting testimony. His testimony which would tend to cause the committee to conclude that the bill should be reported favorably.

I hope very much that the amendment will be agreed to.

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

Mr. KEATING. I yield.

Mr. PROUTY. Mr. President, I am very happy to be a cosponsor of the amendment. I think the amendment is highly desirable and necessary.

I ask the distinguished Senator from New York [Mr. KEATING] if it is not true that veterans, who might lose their pensions as a result of the increase in social security would be protected against this loss?

Mr. KEATING. That is correct.

Mr. PROUTY. Veterans who have no dependents would receive $90 instead of $85 a month.

Mr. KEATING. That is correct.

Mr. PROUTY. And veterans with dependents would receive $110 instead of $100 a month.

Mr. KEATING. That is with three or more dependents?

Mr. PROUTY. That is correct.

Mr. KEATING. In such cases, the increase is from $100 to $110 a month.

Mr. PROUTY. And widows without dependents would receive $65 instead of $60 a month.

Mr. KEATING. That is correct.

Mr. PROUTY. And those widows with dependents would receive $80 instead of $75 a month.

Mr. KEATING. That is correct.

Mr. PROUTY. Mr. President, I have heard, too, that the administration has brought great pressure to bear in an effort to prevent action being taken in the Senate on the bill. I am delighted that the junior Senator from New York is making it possible for the Senate to vote on this very important measure. It will provide for much needed assistance to veterans and the widows of veterans.

I congratulate the Senator for calling this to the attention of the Senate and for offering it in the form of an amendment. I am happy to be a cosponsor.

Mr. KEATING. Mr. President, I appreciate the remarks of the Senator from Vermont. I am glad that the Senator found that there was such merit in the amendment that he wished to join as a cosponsor.

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

Mr. KEATING. I yield.

Mr. CARLSON. Mr. President, I commend the distinguished junior Senator from New York for calling this to the attention of the Senate and offering it as an amendment to the bill.

I would be less than frank if I did not state as a member of the Finance Committee that I had hoped that we would report this bill, and that it might be offered as a separate bill, or as an amendment attached to another bill, rather than the social security bill. But we are confronted with a very definite parliamentary situation here today. In view of that situation, and the action that has been taken by the House, which was unanimous, and, as the distinguished junior Senator from New York has said, it was reported by a committee that has acted very carefully under the leadership of Representative TEAGUE, of Texas, in reporting bills that cannot be justified.

I shall support the amendment today. I had hoped that we might vote on it separately, or in some other bill, rather than the social security bill. But in view of the situation which we have had in the committee for some time—and this is not critical of the chairman or any other member of the committee—we have had hearings, but we had other problems, including social security, farm tax credits, balance of payments, and debt limit. So we have had a very busy summer in a very busy session.

Today we are confronted with a practical problem. I plan to support the Senator's amendment and vote for it when it is presented to the Senate for a vote. But again I call to the attention of Senators the point which I think should have favorable consideration.

Mr. KEATING. I appreciate the remarks of the Senator from Kansas very much. I agree with him that it is unfortunate that, because of the time element, the only thing we can do is to try to attach the bill as an amendment to the pending bill. As I said in my earlier remarks, I would have preferred another method, but I feel that we now have no alternative.

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

Mr. KEATING. I yield to the distinguished Senator from New Mexico.

Mr. ANDERSON. The Senator from New York recognizes—and I commend him for calling the subject to the attention of the Senate—that the Finance Committee has held hearings on the measure, and that it is the pending business before the Finance Committee. It will be the first bill to be acted upon by the committee. The chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD] has indicated that there will be action on the bill.

Mr. KEATING. I am frank in saying that I do not like to attach the proposal to the social security bill. I would much prefer to have the bill brought before the Senate as a separate measure. However, this session is drawing to a close—at least many of us hope that it is—and I have not been able to obtain any tangible assurance from the Finance Committee to the effect that the measure will come before the Senate at the present session.

Mr. ANDERSON. I am not trying to quarrel with the Senator about what he has proposed. He has proposed something that I think most of us feel is a

good measure. There is no question about how I shall vote on it. There have been suggestions that we might get a better job for less money. If those suggestions appeal to members of the Committee on Finance, I would hope that the committee would act quickly upon the measure and report it to the Senate. I believe that the issue is being handled as expeditiously as possible.

I know that if there had been an attempt by the Ways and Means Committee of the House to take the measure from Representative TEAGUE in the House, it would have been turned down quickly, as the able Senator from New York knows from his long service in the House.

Unfortunately, the Finance Committee is not only the veterans' committee in the Senate. It is busy with other proposed legislation. I cannot guarantee that the measure will be reported from the committee. I was absent when hearings were held. But I assure the Senator that, so far as I know, it is the pending business before the committee, and it is the intention of the chairman of the committee to report it. I hope that is the situation.

Mr. KEATING. I appreciate the frankness of my friend from New Mexico. If we could in some way have some assurance that H.R. 1927 will be reported promptly I would be rather disposed not to press the amendment. But I am not willing to withdraw my amendment on the possibility that a bill will be reported. I am sure that the distinguished Senator from New Mexico is not in the position of stating a committee determination that a bill will be reported.

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

Mr. KEATING. I yield.

Mr. ANDERSON. The Senator has stated the situation correctly. We are not able to make a commitment. The able Senator from Kansas [Mr. CARLSON] is a prominent member of that committee. He is for reporting a bill that is equivalent to the amendment, if not the exact bill which the Senator has introduced. I am in favor of it; and the Senator will find several members of the Finance Committee who feel the same way about it. I can only say to the Senator that if he is willing to withdraw his amendment, I shall undertake to see if some commitment can be obtained from the chairmain of the committee. If the Senator does not feel that way, I have no objection to his proceeding.

Mr. KEATING. I am also torn because of some personal commitments of considerable importance to me that I have this afternoon. I feel that I must continue with it now. However, we all know that the bill is going to conference. It has enough in it now to engage the interests of the conferees for some time in the future. During that period, if the committee reports such a bill and it is acted upon by the Senate, we can accept that in lieu of what might be sent to conference as part of the social security bill. But while we are dealing with the problem, if the Senate is so minded, it would be well to have the proposal incorporated into the pending bill.

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

Mr. KEATING. I yield to the distinguished Senator from Kansas.

Mr. CARLSON. I cannot speak for any other member of the committee, but I can make the definite statement that the chairman of the committee has said that there will be another meeting of the committee. The date has now been set. Proposed legislation in the committee will be considered. As one member of the committee, I assure the Senator from New York that I shall insist that the subject of his bill be considered. However, I am as desirous of passing the pending bill as is the distinguished Senator from New York, so I would not want to take any chances. I firmly believe that there will be committee action on the measure; and I will certainly work in favor of committee action. I believe there is support in the Finance Committee for it. It is merely a question of whether we should try to handle the problem in that way or act upon it today. Personally I would rather do it through the Finance Committee.

Mr. KEATING. I hope that can be done; but in the meantime, in the event there should be some slip—and, after all, only 2 members of the committee have spoken on the subject—we should try to get the provision in the pending bill. The conferees could then drop out that provision if in the meanwhile we should enact another bill.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. LONG of Louisiana. The Senate Finance Committee has held hearings on the subject. We are all aware that the measure to which the Senator from New York refers is the pending business in the Senate Finance Committee. The measure is the most significant piece of proposed veterans' legislation in the Congress, or perhaps one of the most significant, at least.

Hearings were held on the measure. Representatives of the Veterans' Administration appeared before the committee and said that they wished to study it further. They desired to make recommendations to the committee. They have now made their recommendations. We have not had an opportunity to study them. But the recommendations basically are as follows:

The Veterans' Administration is opposed to the bill in the form introduced by the Senator. The Veterans' Administration has recommended a substitute which they believe would be more effective and would involve a reasonable savings in funds.

It would do more good in the areas where the need is the greatest. We have not had an opportunity to study the substitute proposal offered by the Veterans' Administration, but that is to be the order of business at the next executive meeting.

Mr. President, the measure is extremely important. It deserves study. I discussed the subject with the distinguished chairman, the Senator from Virginia [Mr. BYRD] this morning. He said that I could give the Senate assurance that the committee will act on the bill. The committee will report a bill to the Senate—either the bill of the Senator from New York or something along the lines of the recommendations of the Veterans' Administration—but in either event the Senate will have an opportunity to consider the issue and vote upon it.

I hope that the Senator from New York will not insist upon his amendment at the present time, because the question should not be legislated on the floor of the Senate before we have had an opportunity to consider alternate recommendations. We should have an opportunity to study the costs of the comparative systems and to see whether it would be best to do what the Senator from New York is recommending, what the Veterans' Administration recommends, or some compromise between the two.

I very much hope that the Senator will permit the Finance Committee to act in an orderly fashion on the question so that we may be satisfied that what we are doing is in the best interests of the veterans.

We do not desire to delay the matter. We wish to study it and work on it. As soon as there can be an executive meeting to consider it in an orderly fashion, we propose to report the measure. I believe I can tell the Senator that in all probability that will be the major bill which the Senate Finance Committee will report.

Mr. KEATING. I appreciate the remarks of the Senator from Louisiana. The Senator has left the impression that the figures in the proposal recently sent to the Congress by the Veterans' Administration show that the cost of the Veterans' Administration proposal would be less than the costs involved in my amendment. The figures that the Veterans' Administration have given us in respect to their proposal show that it would cost more, not less.

Mr. LONG of Louisiana. That is all the more reason why the question should be studied.

Mr. KEATING. I wish to get it into the record.

Mr. LONG of Louisiana. Mr. President, I am on the committee which is studying the question, but the committee, to which the Senate has assigned the responsibility, has not had an opportunity to study the question so as to do justice to the subject. It would be completely unfair to insist that the Senate should act on it now, before the committee has had an opportunity to study it and bring forward its proposal. I hope the Senator will not insist that the Senate act on the amendment at this time.

Mr. KEATING. What is the objection to incorporating this measure—which certainly has had much study—in the pending bill? Then, if the Finance Committee reports H.R. 1927, or a modified bill, and if it passes, it should certainly supplant this provision in the social security bill.

Mr. LONG of Louisiana. From one point of view, if this amendment is adopted the bill may not be in conference. Both Houses having acted on the measure, both Houses would have a mandate to accept it, although there

would be some problem with regard to a possible point of order being raised on the question of veterans' legislation on a social security bill.

The Senator well knows that social security matters are within the jurisdiction of the Ways and Means Committee in the House, where he served with distinction. He knows also that the amendment he is offering is in the jurisdiction of the House Veterans' Affairs Committee.

If the Senator's amendment is agreed to, I shall offer my amendment, which has passed the Senate a number of times, to provide for the reopening of veterans' insurance so that veterans may have an opportunity to obtain such insurance. I know that that will start a spark on the House side.

Mr. KEATING. I shall support the amendment to reopen national service life insurance, as I have in the past.

The present amendent, if adopted as an amendment to the social security bill, would be in conference, because the conferees would be from the Ways and Means Committee. I am sure the Senator will agree that the conferees would take some time in considering it. Why can the Senate not adopt this amendment, and, if the Finance Committee brings up a revised bill, act on it when it comes up?

Mr. LONG of Louisiana. As spokesman for the committee, I feel that I have given the Senator from New York and the Senate all the assurance that is necessary that they are going to have an opportunity to have the Senate act on the legislation.

Mr. KEATING. I did not understand the Senator to say that. May I put it in the form of a question? In his position as a very high ranking member—he is the ranking member, I believe—of the Senate Finance Committee, and one who serves with distinction and is charged with great responsibilities in that committee, can the Senator, on behalf of the committee, assure the Senate that H.R. 1927, either in that form or in a revised form, will be reported for the Senate to act upon at this session of Congress?

Mr. LONG of Louisiana. I have asked the same question of four members of the Finance Committee who are in the Chamber. I discussed it this morning with the Chairman of the Committee. He agreed that I could make this statement affirmatively to the Senator: A bill on this subject will be reported which will be the appropriate vehicle for the Senator's amendment in the event the committee does not report precisely what he has offered.

Mr. KEATING. At this session?

Mr. LONG of Louisiana. At this session.

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

Mr. KEATING. I yield.

Mr. CARLSON. Following what the Senator from Louisiana has said, I wish to say, as a member of the committee, that I shall vote to report a bill. In addition, I assure the Senator that a bill will be reported. If no measure came before the committee, or no suggestions better than the proposal now before us, I would hope to vote for the measure pending today.

Mr. KEATING. I thank the Senator. I recognize that the orderly procedure would be to have a bill dealing only with this subject before us.

I yield now to my colleague.

Mr. JAVITS. My colleague has already rendered a great and outstanding service. In obtaining the assurance that the Finance Committee would let the Senate act on the bill, the Senator has assured Congress that this proposal will not only be acted upon, but will become law, as the other body has already acted on it.

It is for the Senator to decide what to do with his amendment, but I emphasize that the Senator has rendered a most significant service to the Senate and the country.

Mr. KEATING. I am most grateful for those kind remarks.

Mr. LONG of Louisiana. Mr. President, with that assurance, is the Senator willing to withdraw his amendment?

Mr. KEATING. First I yield to the Senator from Kentucky [Mr. MORTON].

Mr. MORTON. It was stated earlier that the Finance Committee would be under pressure to hold up the bill, with the opposition of the administration. With the assurance of the acting chairman of the committee and the assurance I have had from the chairman of the committee, the Senator from Virginia [Mr. BYRD], and the fact that the Senator from New Mexico [Mr. ANDERSON], the Senator from Kansas [Mr. CARLSON], and others on the Finance Committee have given assurance, and with the assurance that has been given to the Senator from New York, I, too, would suggest that he withdraw his amendment. I thank him for rendering a great service.

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

Mr. KEATING. I yield to the Senator from Kentucky.

Mr. COOPER. The action of the Senator from New York today is typical of the service he renders in the Senate. He has the initiative to bring before the Senate important legislation, and to obtain action. Today he has obtained action on this important measure affecting the veterans of our country. At least four members of the Finance Committee, namely, the ranking Democratic member [Mr. LONG], the Senator from New Mexico [Mr. ANDERSON], and, on the Republican side, the Senator from Kansas [Mr. CARLSON] and the Senator from Kentucky [Mr. MORTON], together with the chairman of the committee, the distinguished Senator from Virginia [Mr. BYRD], have given as much assurance as it is possible to give that this important piece of legislation for the benefit of veterans, their widows and dependents, and of particular importance to older disabled veterans, will be favorably acted upon by the Senate before we adjourn.

Since members of the Finance Committee have given the Senator from New York assurance that the bill will be reported to the Senate, I have no doubt that it will pass the Senate, as it has already been passed by the House. The prompt and vigorous action of the Senator from New York means, in my opinion, that this important bill for the veterans of our country will become law.

I congratulate him. His work on this bill is typical of the great service he renders in the Senate, not only to his State, but to the country. I am glad that he permitted me to be a cosponsor of this measure to assist our veterans.

Mr. KEATING. I am very grateful for the kind remarks by my friend from Kentucky.

Based upon the assurance of the ranking member of the Finance Committee and other members who have spoken on this problem, that a bill, whether it be in the form of H.R. 1927 or some other form, will be brought before the Senate for action at this session, I shall be happy to withdraw the amendment.

Mr. LONG of Louisiana. I appreciate the Senator's action, and I commend him for the statement he has made. I assure him that I shall do my utmost to see that the commitment is honored.

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

Mr. KEATING. I yield.

Mr. MILLER. I join in commending the Senator from New York for his efforts to bring this subject to the attention of the Senate. I have received a great amount of correspondence on it. The action of the House demonstrates a great amount of support for this type of legislation. I must say, however, in fairness, that there appears to be some basis for a modification of the legislation. I am advised that the Bureau of the Budget and the Veterans' Administration have entered objections to the bill in its present form. This does not mean that it cannot be modified to meet the objections and to cover some of the areas that need to be covered, and which long ago should have been covered. In view of the action taken on the floor today by the able Senator from New York, I hope that the Finance Committee will exert every effort to resolve some of the problems, so that the bill may come before the Senate.

Mr. KEATING. I thank the Senator. I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn. The bill is open to further amendment.

Mr. JAVITS. Mr. President, I believe the Senator from California [Mr. SALINGER] has an amendment.

Mr. SALINGER. Mr. President, I call up my amendment No. 1257, and ask that the reading of it be dispensed with.

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

The amendment is as follows:

AMENDMENT TO DEFINITION OF MEDICAL ASSISTANCE FOR THE AGED

SEC. 19. (a) Section 6(b) of the Social Security Act is amended by striking out "who are not recipients of old-age assistance" and inserting in lieu thereof "who are not recipients of old-age assistance (except, for any month, for recipients of old-age assistance who are admitted to or discharged from a medical institution during such month)".

(b) Section 1605(b) of such Act is amended by striking out "who are not recipients of aid to the aged, blind, or disabled"

and inserting in lieu thereof "who are not recipients of aid to the aged, blind, or disabled (except, for any month, for recipients of aid to the aged, blind, or disabled who are admitted to or discharged from a medical institution during such month)".

Mr. SALINGER. Mr. President, I called up this amendment yesterday and discussed it at some length and inserted in the RECORD some material in connection with it. The objective of the amendment is to close a loophole in existing laws, to permit a person who goes into a hospital in the middle of the month to draw MAA payments from the beginning of that month.

The Senator from Iowa [Mr. MILLER] raised some objections yesterday, and we have discussed them at some length. His problem with the amendment is that he sees in it the possibility of a doubling up of payments. I do not agree with him. However, he has suggested some language as a possible amendment to the amendment.

We have discussed the matter with the Senator from Louisiana [Mr. LONG], and he has assured us that the language suggested by the Senator from Iowa could be considered by the conference committee.

I therefore ask that the amendment be accepted by the Senator from Louisiana and passed by the Senate in its present form, subject to the understanding that I have stated.

Mr. MILLER. I thank the Senator from California for having his amendment laid aside yesterday, so that I would have an opportunity to discuss it with some interested persons in my State.

As a result of conversations with those individuals, I have concluded that no particular problem exists so far as our Iowa law is concerned. It developed, however, that a duplication would result from the adoption of the amendment.

I commend the Senator from California for trying to close a gap which exists in the present law. For example, I understand that if an individual were hospitalized on the 28th of the month and remains hospitalized through the 15th of the following month, when he came out, under present Federal law, he would not be eligible for old-age assistance from the 15th of that month to the end of the month. The law is such that those payments by the Federal Government would not be permitted.

The Senator from California is trying to close that gap. The gap should be closed. However, I suggest that in doing so the amendment in its present form provides for a doubling up. For example, old-age assistance payments are ordinarily made on the first of the month, and are made in advance for that month. If an individual enters a hospital on the 15th of the month, he will have been paid, under old-age assistance, for the entire month. He will receive a medical-assistance-for-the-aged payment for the last 2 weeks of that month. Therefore there is a doubling up of benefits for the last 2 weeks. My suggestion was that we try to avoid this duplication, at least so far as the payment of Federal money is concerned.

If we did so, it would leave it up to the States, possibly through administrative regulations, to work out payments under such a situation. I do not wish to cause any hardship. I believe we should close the gap, just as the Senator from California does. It may be that it is not administratively feasible to arrive at a solution which will prevent duplication. I believe, however, since there is an obvious duplication, that the amendment ought to be carefully checked by the staff in conference, with a view to seeing whether it can be prevented. I am sure the Senator from California wishes to do that also. We certainly do not want to permit any duplication. I understand that the Senator from Louisiana will have the staff check during the conference, with a view to seeing whether this problem can be taken care of.

Mr. LONG of Louisiana. There is merit to both arguments, that of the Senator from California and that of the Senator from Iowa. If the matter goes to conference, we certainly will consider both points of view.

Mr. MILLER. I take the example of a person who is eligible for old-age assistance, and who enters the hospital on the 29th of the month. He would not receive his old-age assistance check on the first of the month because he would be going into the hospital. Let us assume that he came out on the 15th of the month. The Senator from California [Mr. SALINGER] would want to make certain that the beneficiary received his old-age assistance for the remainder of that month, which he cannot do now, and the Senator from Iowa thoroughly agrees with the Senator from California. But it would be unfortunate if Federal money were paid to a State to pay the beneficiary retroactively to the first of that month for old-age assistance. That point also should be checked out in conference.

There are several aspects of the proposal which the Senator from California and the Senator from Iowa recognize it is impossible to have properly studied and perfected on the floor of the Senate. But with the experience of the staff and of the Department that is involved, at the time of the conference on the bill both of us hope that the amendment will be carefully analyzed to determine whether or not any improvement can be made in it.

Mr. SALINGER. Mr. President, this amendment, which I am proposing to the Social Security Act, would do much to cure the problem created by present provisions of the act, wherein a State is not permitted to claim Federal financial participation, under the medical assistance for the aged program, for any person who is an old-age assistance recipient.

I have long supported financing hospital, nursing home and related medical care under the Social Security Act, because I believe a social-insurance foundation is a necessary and vital part of providing adequate medical care to our Nation's elderly.

However, I have always believed that in addition to basic inpatient coverage under the Social Security Act, there is, and will continue to be, a need to supplement this protection with a public assistance program—the Kerr-Mills, medical assistance to the aged program.

Regardless of whether this Congress enacts, as I hope it will, social security financing of medical care for the aged, it will still be necessary to eliminate the dual claiming prohibition in the medical assistance for the aged program, if that program is to serve effectively as a tool in providing supplemental medical care to the Nation's elderly.

In the State of California, as I am sure has been the experience of many other States which have conscientiously attempted to implement the Kerr-Mills program, we find that a significant number of our needy elderly have been denied medical care under the medical assistance for the aged because earlier in the month in which they entered a hospital or nursing home, they had received their old-age assistance payment.

This amendment would take care of situations in which old-age assistance recipients received their payments on the first of the month, and who sometime during that month were required to enter hospitals or nursing homes. Under current law, no medical assistance for the aged payments would be permitted on behalf of such recipients because they had already received old-age checks earlier in the same month. This amendment would correct this situation.

The amendment also would correct the problem in situations in which elderly persons leave hospitals or nursing homes in midmonth, and under the current prohibition against dual payments for old-age assistance and medical assistance for the aged for the same persons in the same months, such elderly persons find themselves released from inpatient care, without any income or resources to sustain them until they then become eligible, the first of the following month, for old-age assistance payment. The latter defect in the current law quite often leads to the costly solution of permitting the elderly person to remain longer than necessary in the hospital or nursing home, so that he will have a roof over his head and will be fed adequately. This might be impossible for such a person to do for himself, without his old-age assistance payment.

This amendment has long been sought by those within the California Medical Association who have worked with our State in developing this plan, and has been supported by units of local government, as well as by all of those—liberal and conservative, alike—who understand the medical assistance for the aged program and want to make it work effectively.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. SALINGER].

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. SALINGER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I call up amendment No. 1261, offered on behalf of myself and my colleague from New York [Mr. KEATING]. I ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

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

The amendment is as follows:

DEFINITION OF CHILD

SEC. 17. (a) Subsection (e) of section 216 of the Social Security Act is amended by striking out the period at the end of the first sentence and inserting in lieu thereof: ", and (3) in the case of a living individual, a person who is living in such individual's household for a continuous period of not less than one year immediately preceding the day on which application for child's insurance benefits is filed, if such period began prior to the date such individual became entitled to benefits under section 202(a) or section 223(a), as the case may be, and (4) in the case of a deceased individual, (A) a person who has lived in such individual's household for a continuous period of not less than one year immediately preceding the day on which such individual died or (B) a person entitled to child's insurance benefits on the basis of the wages and self-employment income of such individual for the month before the month in which individual died."

(b) Section 202(d) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(9) A child who is a child of an individual pursuant to clause (3) or clause (4) of section 216(e) shall be deemed dependent on such individual if at the time specified in paragraph (1)(C) such child was receiving at least one-half of his support from such individual unless, at such time, such individual was receiving regular contributions toward the support of such child from (A) such child's mother, father, adopting mother, or adopting father, or (B) a public or private welfare organization that had placed such child in such individual's household under a foster-care program; except that the provisions of clause (A) shall not apply if such individual is the mother or father of such child."

(c) Where—

(1) One or more persons were entitled (without the application of section 202(j)(1) of the Social Security Act) to monthly benefits under section 202 of such Act for the month before the month in which this Act is enacted on the basis of the wages and self-employment income of an individual; and

(2) any person is entitled to benefits under subsection (b), (d), or (g) of section 202 of the Social Security Act for any subsequent month on the basis of such individual's wages and self-employment income and such person would not be entitled to such benefits but for the enactment of this section; and

(3) the total of the benefits to which all persons are entitled under section 202 of the Social Security Act on the basis of such individual's wages and self-employment income for such subsequent month is reduced by reason of the application of section 203(a) of such Act.

then the amount of the benefit to which each person referred to in paragraph (1) of this subsection is entitled for such subsequent month shall not, after the application of such section 203(a), be less than the amount it would have been if no person referred to in paragraph (2) of this subsection was entitled to a benefit referred to in such paragraph for such subsequent month on the basis of such wages and self-employment income of such individual.

(d) The amendments made by this section shall be applicable with respect to monthly benefits under title II of the Social Security Act for months beginning with the month in which this Act is enacted on the basis of an application filed in or after such month.

Mr. JAVITS. Mr. President, the amendment can be explained briefly.

The amendment would define "child" under the Social Security Act so as to permit the payment of survivors' benefits to foster children who have not been legally adopted but have been cared for by a person who assumed full parental responsibility. The amendment would fill a gap in the encouragement of the foster care program at very little cost, but with considerable benefit.

Situations in which children find themselves dependent upon workers other than their parents include those in which a child of divorced parents lives with close relatives or a family friend; in which a child has been deserted or is illegitimate; and in which, for a variety of reasons, parents cannot assume responsibility for their child. In such situations the child is cut off from benefits when the person who has been supporting him dies or becomes disabled. The amendment would correct this unfortunate situation.

With my colleague [Mr. KEATING] I have proposed this in the 86th and 87th Congresses, as well as in the present Congress, as S. 1771.

The Department of Health, Education, and Welfare reported on the proposal in the 87th Congress, and considered it, generally, favorably. The Department estimated the cost to be one one-hundredth of 1 percent of payroll, which amounts to approximately $35 million a year.

This is parallel to the amendment, which was in the House-passed bill and is now in the Senate bill, to enable children pursuing an education to receive survivors' benefits until they attain age 21, instead of being cut off at age 18. This provision I have also championed, along with my colleague [Mr. KEATING] since 1959. I introduced it as S. 1770 in this Congress and am most gratified that it is in the bill as passed by both Houses.

I sincerely hope, in view of the generally favorable report of the Department, that the Senator from Louisiana [Mr. LONG], who is in charge of the bill, may see fit to accept the pending amendment and take it to conference, with my full understanding that he will use his best efforts to retain it, but that the judgment of the Senator from Louisiana will be final in that regard.

Mr. KEATING. Mr. President, will my colleague from New York yield?

Mr. JAVITS. I yield.

Mr. KEATING. I commend my colleague for offering the amendment, of which I am happy to be a cosponsor. I have received a number of letters from foster parents who feel that the present social security law in this respect is unfair. The amendment would involve only a modest increase. I hope that it will be accepted.

While I am speaking, I wish to express gratitude for the inclusion in the bill of the provision to allow a person attending school to be a beneficiary under the dependent children section until age 21. The present law, which stops such payments just when educational expenses are heavy is particularly burdensome and unfair and seems to be directly at variance with Government policy to encourage higher education. I am happy that an amendment to this provision is now incorporated in the bill and that the Senator from Louisiana believes that he can also take this amendment to conference.

Mr. JAVITS. I thank my colleague from New York.

Mr. LONG of Louisiana. Mr. President, on the basis that the Senator from New York [Mr. JAVITS] has asked that the amendment be taken to conference, I shall ask the conference to examine into this problem.

Mr. JAVITS. I am grateful to the Senator from Louisiana.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. KEATING. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I am hopeful that the third reading of the bill may be had; but first I should like to ask the distinguished Senator from Louisiana, who is in charge of the bill, if he knows of any other Senator who wishes to offer amendments.

Mr. LONG of Louisiana. I understand that another amendment or two may be offered.

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

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

Mr. PROUTY. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Vermont will be stated for the information of the Senate.

Mr. PROUTY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. PROUTY is as follows:

Beginning on line 25, page 20, strike all after the period through line 6 on page 21.

SEC. 2. On line 5, page 22, strike the quotation mark and add the following:

"MINIMUM BENEFITS FOR CERTAIN INDIVIDUALS WHO HAVE ATTAINED AGE SEVENTY-TWO

"(d)(1) Section 202 of the Social Security Act is further amended by adding at the end thereof the following new subsection:

"'BENEFIT PAYMENTS TO PERSONS NOT OTHERWISE ENTITLED UNDER THIS SECTION

"'(v)(1) Every individual who—

"'(A) has attained age seventy-two,

"'(B) is not and would not, upon filing application therefor, be entitled to any monthly benefits under any other subsection of this section for the month in which he attains such age or, if later, the month in which he files application under this subsection,

"'(C) is a resident of the United States,

"'(D)(i) is a citizen of the United States, and has resided in the United States continuously for not less than eighteen months before the month in which he files application for benefits under this subsection, or (ii) has resided in the United States continuously for the ten-year period preceding the month in which he files application for benefits under this subsection, and

"'(E) has filed application for benefits under this subsection,

shall be entitled to a benefit under this subsection for each month, beginning with the first month in which he becomes so entitled to such benefits and ending with the month preceding the month in which he dies. Such individual's benefit for each month shall be equal to the first figure in column IV of the table in section 215(a).

"'(2)(A) if—

"'(i) any individual is entitled to a benefit for any month under this subsection, and

"'(ii) it is determined that a periodic benefit or benefits are payable for such month to such individual under any other law of the United States or a State or under a pension or retirement system established by any agency of the United States or of a State or political subdivision thereof (or any instrumentality of the United States or a State or a political subdivision or subdivisions thereof which is wholly owned thereby),

then the benefit referred to in clause (i) shall be reduced (but not below zero) by an amount equal to such periodic benefit or benefits for such month.

"'(B) If any periodic benefit referred to in subparagraph (A)(ii) is determined to be payable on other than a monthly basis (excluding a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments), the reduction of such individual's benefit under this paragraph shall be made at such time or times and in such amounts as the Secretary finds approximates, as nearly as practicable, the reduction prescribed in subparagraph (A).

"'(C) In order to assure that the purposes of this subsection will be carried out, the Secretary may, as a condition to certification for payment of any monthly benefit to an individual under this subsection (if it appears to the Secretary that such individual may be eligible for a periodic benefit which would give rise to a reduction under this paragraph), require adequate assurance of reimbursement of the Federal Old-Age and Survivors Insurance Trust Fund in case periodic benefits, with respect to which such a reduction should be made, become payable to such individual and such reduction is not made.

"'(D) Any agency of the United States which is authorized by any law of the United States to pay periodic benefits, or has a system of periodic benefits, shall (at the request of the Secretary) certify to him with respect to any individual such information as the Secretary deems necessary to carry out his functions under this paragraph. For purposes of this subparagraph, the term 'agency of the United States' includes any instrumentality of the United States which is wholly owned by the United States.

"'(3) Benefits shall not be paid under this subsection—

"'(A) to an alien for any month during any part of which he was outside the United States;

"'(B) to any individual for any month during all of which he was an inmate of a public institution; or

"'(C) to any individual who is a member or employee of an organization required to register under an order of the Subversive Activities Control Board as a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization under the Internal Security Act of 1950, as amended.'

"(2) The following provisions of section 202 of such Act are each amended by striking out 'or (h)' and inserting in lieu thereof '(h), or (v)':

"(A) subsection (d)(6)(A),

"(B) subsection (e)(4)(A),

"(C) subsection (f)(4)(A),

"(D) subsection (g)(4)(A), and

"(E) the first sentence of subsection (j)(1).

"(3) Section 202 (h)(4)(A) of such Act is amended by striking out 'or (g)' and inserting in lieu thereof '(g), or (v)'.

"(4) Section 202 (k)(2)(B) of such Act is amended by striking out 'preceding'.

"(e) In addition to amounts appropriated under other provisions of law to the Federal Old-Age and Survivors Insurance Trust Fund, there are hereby authorized to be appropriated to such Fund, from time to time, such amounts as may be necessary to equal, with respect to each individual who becomes entitled to a benefit under title II of the Social Security Act by reason of the amendments made by subsection (a), the sum of—

"(A) the total amount of employee and employer taxes that would have been paid under the provisions of sections 3101 and 3111 of the Internal Revenue Code of 1954 (or the corresponding provisions of prior law) if such individual had been paid wages (as defined in section 209 of the Social Security Act) equal to the first figure in column III of the table in section 215(a) in each month of the period beginning with January 1951 (or January of the year after the year in which he attained age 31, if that is later) and ending with December of the year in which he attained age 69 (or, if later, December 1962); and

"(B) interest, compounded at 3 percent per annum, on the total amount determined under subparagraph (A), for each year in the period referred to in such subparagraph.

"(f) The amendments made by subsection (a) shall apply only in the case of monthly benefits under title II of the Social Security Act for months beginning on or after the thirtieth day after the date of the enactment of this Act based on applications filed in or after September 1964."

EXTENSION OF SOCIAL SECURITY COVERAGE TO PERSONS AGE 70 AND OVER

Mr. PROUTY. Mr. President, in our midst there is a group of elderly persons whom the wheels of fortune have passed by and Congress has overlooked. They are the persons past age 72 who are eligible for neither social security benefits nor for pensions from any other public programs. Virtually all of them, I am sure, in earlier years worked in employment or were supported by earnings from employment that now is covered by social security. They would now be drawing benefits except for the fact that they or the family breadwinner retired or died before or just shortly after coverage was extended to their job. Their exclusion from social security was little more than a lottery—they were born too early or the Social Security Act and its amendments were legislated too late.

The plight of persons aged 72 and more is not always clearly discernible because it is masked by the common practice of considering persons aged 65 and over as a homogeneous group. Such is not the case, however. There are important differences in the health and economic status of the 65 and over age group and the 70 and over age group. For example, 17.3 percent of the population aged 65 and over were in the labor force in 1963. A further breakdown reveals, however, that for the age group 65 and 69, the percentage was 27.2, while for those 70 and over, only 11.8 percent were in the labor force.

Surveys made by the Public Health Service at various times in the period 1958–60 show some significant differences among the elderly of different ages. The age breakdown used in the surveys is 65 to 74 and 75 and over. Seventy-four out of 100 of the younger group and 83 out of a 100 of the older group have one or more chronic diseases. The average confinement in a short-stay hospital is approximately 10 percent higher for the older group than for the younger, and the average number of hospital days is about 20 percent higher. The number of bed-disability days per persons per year is 11 for persons 65–74 and 19 for the 75 plus age group. Only approximately 10 persons per 1,000 require constant home care in the younger group in contrast to 88 per 1,000 for the older age group.

A survey conducted by the Social Security Administration, with the cooperation of the Bureau of Census in 1963, gives a picture of the financial status of the aged person who is not an OASDI beneficiary, and shows the differences between those who are under age 73 and those who are older. According to the survey, almost four-fifths of the married couples not receiving OASDI payments, and with at least one member between the ages 65 and 72, had income from earnings in 1962. For those aged 73 or more, only 27 percent had money from earnings. In terms of aggregate money income received by the two age groups, 76 cents out of every dollar came from earnings and only 1 penny from public assistance for couples aged 65 to 72. For couples 73 years of age and more, only 18 cents of every dollar were from earnings and 22 cents were from public assistance. The share of total income from earnings for unmarried men aged 65 to 72, and not OASDI beneficiaries, was more than seven times greater than for those 73 years of age or older; for unmarried women, it was six times larger.

The difference in the financial status of the two age groups also is seen by the fact that less than one-fifth of the younger aged couples had an annual

money income less than $2,000 and 47 percent had $5,000 or over. In contrast, about two-thirds of the older couples had under $2,000 and only 8 percent had $5,000 or more.

I strongly urge, therefore, that persons aged 72 and more who receive no public pension be given social security benefits. Their number is relatively small. This is small consolation, of course, to the unfortunate ones concerned. It does mean, however, that the cost for extending benefits to them will not be unreasonable. Moreover, the cost of old-age assistance would be reduced. We must remember that many persons over 72 years of age who are now getting social security benefits worked only a very short time in covered jobs and contributed only a very small amount toward the cost of their benefits. It has been estimated that the contribution made by OASDI beneficiaries aged 72 and over now on the rolls together with that of their employers covers only about 6 or 7 percent of their benefit. We see, therefore, that persons 72 and over fortunate enough to be eligible for social security benefits are being carried along by others.

Ideally, I should like to see all septuagenarians and their elders, even if drawing pensions from other public programs, be given social security benefits, at least to the extent that their other pensions fall short of the amount they would be entitled to under social security. I have introduced a bill—S. 2593—to this effect, the benefits to be financed from general revenues.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

Mr. LONG of Louisiana. Mr. President, I had not had an opportunity to study the amendment before it was offered. But the Library of Congress informs me that it is estimated that the cost would be $900 million. This is a bill involving an extremely large cost. I hope that we do not add expensive items to the bill. I believe that if we were to do so, it would greatly jeopardize the passage of the bill. While I sympathize with the Senator from Vermont in his desire to help people who have meritorious claims for assistance, I believe that, in this bill, we are doing as much as we can hope to do.

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

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. I think the $900 million figure was based on age 70. My amendment refers to age 72 and over. I think it would quite substantially reduce the cost.

Mr. LONG of Louisiana. The estimate based on that group is $800 million.

Mr. PROUTY. On age 70 or 72?

Mr. LONG of Louisiana. Seventy-two.

Mr. CARLSON. Mr. President, the Senator from Vermont [Mr. PROUTY] has offered an amendment which received considerable discussion in the Committee on Finance when this matter was before it. It is a real problem. A large number of people are not eligible for coverage. It is not their fault. They are professional people, farm people, schoolteachers, and many other groups. It is a rather difficult problem to include all of them without requiring any coverage.

I believe it should be stated for the RECORD that the bill before the Senate would reduce the required coverage from six quarters in a 1½-year period to three quarters. That would take in 400,000 people.

It was brought out in the testimony before the committee that there would be between 1¾ and 2 million people who would be affected if we were to remove all restrictions. As stated, it would cost $800 million.

I believe we should keep in mind that the 400,000 people who would be included on the basis of the reduction to 3-quarter-period coverage would cost $160 million. So, there would be quite an additional cost.

The Senator from Louisiana [Mr. LONG] brought this matter up. I entered into the discussion. It is a problem that needs to be looked into. The Senator from Vermont [Mr. PROUTY] has brought this problem to the attention of the Senate.

I ask unanimous consent that the colloquy that I had with the Secretary of the Department of Health, Education, and Welfare, Mr. Celebrezze, beginning on page 97 and ending on page 99 of the transcript of the hearings, be printed at this point in the RECORD.

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

Senator CARLSON. I am interested in your proposal, that Senator LONG went into. You are opening up a field here, are you not, that is going to be new in this program when you take in those people 70 years old and older by really reducing the coverage required?

Secretary CELEBREZZE. That again was included by the House Ways and Means Committee. The committee voted to put that in.

Senator CARLSON. Did the Department recommend this?

Secretary CELEBREZZE. No, the Department did not recommend it, but when it was voted in, we didn't oppose it.

Senator CARLSON. You are not opposed to it now, if we include it?

Secretary CELEBREZZE. No.

Senator CARLSON. It is an interesting suggestion, and I can see great possibilities. I share the views of Senator LONG.

Secretary CELEBREZZE. I can defend the position of the committee more in this instance than I could defend Senator LONG's proposal, because these individuals have been covered. They all have had some social security coverage. They didn't have six quarters, but some had five, some had four and some had three, and the Ways and Means Committee drew the line there; they said anybody in this age group with three quarters of coverage should get benefits. Senator LONG would give people that don't have any coverage, any quarters of coverage, the benefits. So there is a distinction between the two.

Senator CARLSON. This is very true. There is a distinction but isn't the next logical step to include them?

Senator BENNETT. You would make it covered with two quarters of coverage, one quarter of coverage, and then 24 hours of coverage, so that there is a token obedience to the principle established in the law. But we have already passed the point where——

Secretary CELEBREZZE. Except that in the long run you are getting almost complete coverage under the social security program for years ahead, so that almost everyone will have contributed to the program long enough to be insured even when the requirement becomes 10 years of coverage.

Senator CARLSON. It seems to me that is an argument why they should be included, because that group of people is gradually going out, and they are folks who had no opportunity to get under the social security program. I am thinking of the self-employed. I am thinking of people in agriculture. They contribute to the cost of these programs indirectly. This is not just a tax burden on the employer and employee. It is a burden on the consumers in this country. It seems to me that——

Secretary CELEBREZZE. Most of these people that you are referring to are under some sort of State program. The moneys to pay benefits to them would have to come out of general revenue funds; they couldn't come out of social security trust funds. So in most instances what you would be doing is substituting Federal funds for State funds, since many of them are drawing some sort of assistance under a State plan.

Mr. BALL. Senator, you might want for the record some figures to illustrate what the Secretary was just saying. The effectiveness of social security coverage now among the aged has gone so far that the group we are talking about has gotten smaller and smaller. We are now dealing with a problem of from 1¾ to 2 million people, depending upon just what group you would blanket in. Within the group 800,000 to 900,000 are receiving old-age assistance from the States. Blanketing in at the minimum social security benefit would not remove very many of those people from the assistance roles. We estimate maybe 180,000 might actually be removed. Most of them would be just getting their money partly from one source and partly from another, and still would have to be on State old-age assistance, and would have partly shifted their source of support from the Federal-State program to an entirely general revenue program of the Federal Government.

What I am trying to say is that the situation has changed quite a lot since the old days, in this issue of blanketing in. I think there was perhaps more merit to the idea at an earlier stage and that now we are getting to a very diminishing situation.

Senator CARLSON. Now, you are going to put 400,000 in that would qualify under this proposal.

Mr. BALL. The three-quarters provision; yes.

Senator CARLSON. That is right; 400,000.

Mr. BALL. As the Secretary said, we didn't really recommend that, although we are not opposing it.

Senator CARLSON. Now, I notice if it passed it would cost 0.01 percent—I don't know too much about percentages. How much is that in dollars?

Mr. BALL. $160 million in the first year.

There is another aspect, Senator, that I think you might want to keep in mind in relation to any blanketing-in proposal, and that is that what the House provided is a transitional provision. The idea was that these older people are in the situation that they are in because their occupations, or their husbands' occupations, weren't under social security soon enough. But they are a disappearing group. The provision wasn't made a permanent provision, and it would wash out after a time.

Senator CARLSON. Of course, when we originally put them in, we put them in whether they had any coverage or not, I mean any contribution. We blanketed in a great many of them at the beginning of this program.

Mr. BALL. No, Senator. People have always had to have some coverage under social security, to get benefits. The minimum has been a year and a half—six quarters.

Senator CARLSON. Now, this 400,000 is going to cost $160 million. How many others

would there be eligible if we just took all of them in, say, 1 million—was the figure?

Mr. COHEN. Senator, I would like to point out that what the Ways and Means Committee did on this amendment was to say that anybody who did have some quarters of coverage could be brought in because their benefits could reasonably be financed out of the regular social security income. They did not vote to broaden it to people who had no quarters of coverage, because our recommendation was that benefits for those people had to come out of general revenues.

I think that is the biggest distinction here, as the Secretary said. People who have some quarters of coverage, these people with three, four, and five, could be brought under and the cost of their benefits would be met out of the social security taxes. If you go further and extend it to people who have no quarters of coverage—who never have contributed anything—then logically you would have to pay that cost out of general revenues.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont [Mr. PROUTY].

The amendment was rejected.

Mr. DODD. Mr. President, I call up my amendment No. 1250.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, at the end of the bill, to insert the following new section: "Coverage for Doctors of Medicine."

Mr. DODD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered, and the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill insert the following new section:

"COVERAGE FOR DOCTORS OF MEDICINE

"SEC. 9. (a)(1) Section 211(c)(5) of the Social Security Act is amended to read as follows:

"'(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner.'"

(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect."

(3) Section 210(a)(6)(C)(iv) of such Act is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training".

(4) Section 210(a)(13) of such Act is amended by striking out all that follows the first semicolon.

(b)(1) Section 1402(c)(5) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended to read as follows:

"(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner."

(2) Section 1402(c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect."

(3)(A) Section 1402(e)(1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out "extended to service" and all that follows and inserting in lieu thereof "extended to service described in subsection (c)(4) or (c)(5) performed by him."

(B) Clause (A) of section 1402(e)(2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: "(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of $400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or".

(4) Section 3121(b)(6)(C)(iv) of such Code (relating to definition of employment) is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training".

(5) Section 3121(b)(13) of such Code is amended by striking out all that follows the first semicolon.

(c) The amendments made by paragraphs (1) and (2) of subsection (a), and by paragraphs (1), (2), and (3) of subsection (b), shall apply only with respect to taxable years ending after December 31, 1964. The amendments made by paragraphs (3) and (4) of subsection (a), and by paragraphs (4) and (5) of subsection (b), shall apply only with respect to services performed after 1964.

Mr. DODD. Mr. President, I ask unanimous consent that the names of the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Pennsylvania [Mr. CLARK] be added as cosponsors of the amendment.

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

Mr. DODD. Mr. President, the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from New York [Mr. JAVITS], the Senator from Washington [Mr. JACKSON], and the Senator from Maine [Mr. MUSKIE] are also cosponsors of this amendment.

The only group of professional people not covered by social security is self-employed physicians.

And to the best of my knowledge the only reason this inequitable situation exists is that the American Medical Association opposes this coverage.

The Senate Finance Committee Report, in explaining the committee's decision to delete the section of the House bill extending this coverage to doctors, states:

> The provision in the House bill extending coverage to self-employed physicians has been deleted because the national association representing 70 percent of the physicians in the United States has, once again, indicated to the committee its opposition to the inclusion of self-employed physicians.

The same reason was given in 1960, when the Finance Committee deleted a similar House provision.

Now, I have been following this matter since my first year in the Senate, 1959, during which I introduced legislation to provide social security insurance for physicians.

I do not think that AMA opposition is sufficient reason to deprive thousands of physicians and their families of the basic social security coverage that they want and which is available to millions of other Americans.

There is substantial and strong evidence that the AMA is not speaking for most doctors. Polls have been taken or resolutions passed by the medical societies in 26 States and the District of Columbia, and I ask unanimous consent to have a chart covering the polling of these 27 State medical societies inserted in the RECORD at the conclusion of my remarks.

In 18 of these States and in the District of Columbia a clear majority of the doctors support social security coverage.

For example, in Connecticut 1,391 support and 504 oppose it, a percentage in favor of slightly over 73 percent.

In Rhode Island, 70 percent and in Vermont 65 percent have expressed a preference for social security coverage.

In the District of Columbia, 550 physicians favor and 192 are opposed. This is a percentage in favor of 74.

The States where social security coverage is supported include the more populous in the country, such as my own State of Connecticut, New York, California, Massachusetts, Pennsylvania, and Ohio.

In the AMA house of delegates, these States are represented by 110 votes out of the total of 202.

This is a clear majority of the house of delegate votes and it would remain so even if the 24 States not yet polled all vote against coverage.

To date, in only eight States doctors have opposed social security coverage.

There is other evidence that substantiates the results I have cited. Two highly respected, independent medical publications have conducted national polls. Medical Economics, in October of 1958, reported that 56 percent of the doctors responding favored social security coverage.

Medical Tribune, in July of 1961, reported that 57.7 percent of the doctors who responded favored this coverage.

But in spite of all this evidence, or perhaps because of it, the AMA has steadfastly refused to complete a poll of all of its members on this question, even though the medical societies of a number of States have asked that a State-by-State survey be carried through to a conclusion.

The reasons given for this by the AMA are that a poll "would be subject to great error in that it presupposed equal knowledge on the part of all polled" and that "it would create inflexible policy statements and would endanger the usefulness of the house of delegates."

I ask my colleagues what could be more "inflexible" than an identical expression of policy year after year after year and what could render the house of delegates less useful than to persist in misrepresenting the views of its members, or to refuse to get an accurate sounding of membership opinion?

If the AMA wishes to give substance and respectability to its opposition, it should encourage the completion of a nationwide poll. Failing this, however, I

think Congress has no choice but to proceed on the basis of the facts available to it.

And these facts point to a desire by a majority of doctors and their families to have social security coverage.

If I were not convinced that this is so, I would not be on the Senate floor today urging my colleagues to restore the section of the bill extending coverage to self-employed physicians.

There are many reasons why self-employed doctors should be covered if they wish it.

During the hearings before the Senate Finance Committee there was some discussion of this aspect, indeed the most important aspect, of the problem.

My able colleague from Connecticut [Mr. RIBICOFF] questioned the AMA representative at some length concerning the value of social security coverage to the wives and children of doctors.

I would like to quote just a part of this exchange:

Question. Don't you think that the widows and orphans of doctors are entitled to as much protection as the widows and orphans of dentists and architects and day laborers and clerks and plumbers? Don't you think that the family of doctors are entitled to protection?

Answer. Well, you put this again on an emotional basis.

Question. I am not putting it on an emotional basis at all, Doctor. I am putting it on a very practical basis that covers every widow and every orphan of every occupation and protection in America with the exception of doctors, and I am just asking you why there should be a difference to those widows and those orphans.

Answer. Well, theoretically there shouldn't be any difference, but as I said, we are looking at the practical overall picture with respect to a tax program. This is, I believe, the reason why the American Medical Association House of Delegates has taken a stand against it as a practical measure, notwithstanding the existence of cases that would involve a great deal of sympathetic emotion.

Mr. President, there are millions of people in this country who have survivorship under the social security program.

Wives and children of men in just about every conceivable occupation know that should tragedy strike they will be able to count on income from this source.

But the wives and children of the approximately 170,000 self-employed physicians who would be covered by my amendment, and section 8 of the House bill, are being arbitrarily excluded from social security survivorship benefits.

So what happens to the widow of a young doctor, with one or two or three children? Frequently a doctor 35 or 40 years old has not been in private practice long enough to make adequate provision on his own for his family, so the widow has neither private nor social security benefits to fall back on.

The AMA admits this is an unfortunate situation, but it is unwilling to permit a modest step in the direction of trying to meet this problem, this terrible gap in our social security system.

Another interesting argument made against coverage is that physicians do not retire at the age of 65. All I will say in answer to that is perhaps more of them would if they could afford to do so.

Some private income plus basic social security benefits may in many cases give a self-employed doctor a large enough potential retirement income so that he will feel he is able financially to retire at 65 or 66 or 70, and enjoy a few leisure hours during his remaining years.

Each year more and more people can count on social security benefits and other retirement income once they reach the age of 65. Social security is an integral part of most people's retirement plans. Why should it not be so for doctors as well?

One final point that I want to make in support of this amendment is that presently between 35 and 45 percent of all medical doctors either have earned or are now earning social security credits, as a result of service in the Armed Forces, or as salaried employees of various enterprises.

Ironically, doctors employed by the AMA and its affiliate societies are covered and this may even include some of the members of the house of delegates which has so consistently opposed coverage for self-employed doctors.

Some of the self-employed physicians are in the position of having contributed to social security for a number of quarters. But once they open up their own practice they are denied the opportunity to continue and build up enough credits so that they can retire or leave survivorship benefits should they die at an early age.

It is about time that we in the Congress take the initiative, make a judgment on the basis of the available information, and close this gap in social security coverage without any further delay.

I hope my colleagues will agree with me on the merits of this amendment and restore it to H.R. 11380.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. LONG of Louisiana. 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.

The question is on agreeing to the amendment of the Senator from Connecticut [Mr. DODD].

Does the Senator from Louisiana yield back his time?

Mr. LONG of Louisiana. I yield back my time.

Mr. DODD. I yield back my time.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut.

The amendment was rejected.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment which I ask unanimous consent to have printed in the RECORD without reading. I shall explain it.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Minnesota will be printed in the RECORD.

The amendment offered by Mr. HUMPHREY is as follows:

At the proper place in the bill, add the following:

SEC. 19. (a)(1) Section 223(a)(1)(B) of the Social Security Act is amended to read as follows:

"(B) in the case of any individual (other than an individual whose disability is blindness, as defined in subsection (c)(2)), has not attained the age of 65,". (2) Subsection (a)(1) of section 223 of such Act is amended by striking out "the month in which he attains age 65" and inserting in lieu thereof "in the case of any individual (other than an individual whose disability is blindness, as defined in subsection (c)(2)), the month in which he attains age 65".

(3) That part of paragraph (2) of section 223(a) of such Act which precedes subparagraph (A) thereof is amended by inserting immediately after "(if a man)" the following: ", and (in the case of any individual whose disability is blindness, as defined in subsection (c)(2)) as though he were a fully insured individual,".

(b)(1) Paragraph (1) of subsection (c) of section 223 of such Act is amended—

(1) by inserting "(other than an individual whose disability is blindness, as defined in paragraph (2))" after "An individual"; and

(2) by adding at the end thereof the following new sentence: "An individual whose disability is blindness (as defined in paragraph (2)) shall be insured for disability insurance benefits in any month if he had not less than six quarters of coverage before the quarter in which such month occurs.".

(2) Paragraph (2) of subsection (c) of section 223 of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: "The term 'disability' means (A) inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration, or (B) blindness. The term 'blindness' means central visual acuity of 20/200 or less in the better eye with the use of correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees.".

(c)(1) The first sentence of section 216(i)(1) of such Act is amended by striking out "(B)" and all that follows, and inserting in lieu thereof the following: "(B) blindness (as defined in section 223(c)(2))."

(2) The second sentence of such section 216(i)(1) is hereby repealed.

(d) The first sentence of section 222(b)(1) of such Act is amended by inserting "(other than such an individual whose disability is blindness, as defined in section 223(c)(2))" after "an individual entitled to disability insurance benefits".

SEC. 2. The amendments made by the first section of this Act shall apply only with respect to monthly benefits under title II of the Social Security Act for months after the month in which this Act is enacted, on the basis of applications for such benefits filed in or after such month.

DISABILITY INSURANCE FOR THE BLIND

Mr. HUMPHREY. Mr. President, my amendment would liberalize the Federal

disability insurance program for persons who are now blind—and, perhaps even of greater importance—it would make disability insurance payments more readily available to more persons who become blind at the time when blindness occurs.

My amendment would do the following:

First. It would incorporate the generally recognized and widely used definition of blindness into the provisions of the disability insurance law; that is, blindness is central visional acuity of 20/200 or less in the better eye with correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

Second. It would allow any person who meets this definition in visual loss, and who has worked in social security covered employment for a year and a half—six quarters—to qualify for disability cash benefits.

Third. It would allow persons who meet the above requirements in measurable sightlessness and length of time in covered employment to draw disability benefits, and to continue to draw them, so long as they remain blind—and irrespective of their income or earnings, if they are fortunate enough to be employed.

This amendment seeks to make the disability insurance program a true insurance program against the economic catastrophe of blindness, against the economic disadvantages which result when blindness occurs in the life of a workingman.

Under present law, a person who is blind and unable to secure social security covered work for 5 years, cannot qualify for disability insurance payments. Reducing the present requirement from 20 to 6 quarters would be a much more reasonable and realistic requirement for people who, though oftentimes well qualified for gainful work, still encounter much difficulty in obtaining any work at all.

Under existing law, a worker who becomes blind but has not worked for 5 years in covered employment is denied the sustaining support of disability insurance payments at a time when his whole world has collapsed, when disaster has terminated his earnings and diminished his earning power, and he is faced with surrendering dignity and self-pride and applying for public or private charity—hardly a sound basis upon which to rebuild a shattered life; hardly the basis for instilling self-confidence and reviving hope—so essential as the first step in rehabilitation and restoration to normal life and productive livelihood.

Under existing law, a person who is blind and earns but the meagerest of income, is denied disability insurance payments on the ground that even the meagerest earnings indicate such person is not disabled—or sufficiently disabled in the eyes of the law—to qualify for disability payments.

As a matter of fact, Mr. President, the economic consequences of blindness exist, and they continue to exist, even though a blind person is employed and earning, and these economic consequences are expensive to the blind person who has the will and the courage to compete in a profession or a business with sighted people, who must live and work in a society structured for sighted people.

Adoption of this amendment would provide a minimum floor of financial security to the person who must live and work without sight, who must pay a price in dollars and cents for wanting and daring to function in equality with sighted men.

I have discussed this amendment with the Senator from Louisiana. I hope he will take it to conference.

Mr. LONG of Louisiana. Mr. President, we are willing to have it considered in conference.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield for a question?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. From what source does this particular standard come?

Mr. HUMPHREY. From medical sources, the Institute for the Blind.

Mr. HOLLAND. The Institute for the Blind recommends that this standard be used?

Mr. HUMPHREY. Yes.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back his time?

Mr. HUMPHREY. Yes.

Mr. LONG of Louisiana. I yield back my time.

The PRESIDING OFFICER. The question is an agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY].

The amendment was agreed to.

Mr. McCARTHY. Mr. President, I offer the amendment which I send to the desk. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Minnesota will be printed in the RECORD.

The amendment offered by Mr. McCARTHY is as follows:

At the end of the bill, add the following new section:

"PROVISIONS RELATING TO COVERAGE FOR DOCTORS OF MEDICINE

"Sec. 19. (a)(1) Section 211(c) is amended (A) by striking out "or" at the end of paragraph (4) thereof, and (B) by striking out paragraph (5) thereof, and inserting in lieu of such paragraph (5) the following:

"'(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner; or

"'(6) The performance of service by an individual in the exercise of his profession as a doctor of medicine.'

"(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following: 'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect. The provisions of paragraph (6) shall not apply to service performed by an individual (i) during the period for which a certificate filed by him under section 1402(h) of the Internal Revenue Code of 1954 is in effect, or (ii) after December 31, 1964, if such service is performed by an individual who did not perform service in the exercise of his profession as a doctor of medicine on or prior to December 31, 1964.'

"(3) Section 210(a) (6) (C) (iv) of such Act is amended by inserting before the semicolon at the end thereof the following: ', other than as a medical or dental intern or a medical or dental resident in training'.

"(4) Section 210 (a) (13) of such Act is amended by striking out all that follows the first semicolon.

"(b) (1) Section 1402(c) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended (A) by striking out 'or' at the end of paragraph (4) thereof, and (B) by striking out paragraph (5) thereof, and inserting in lieu of such paragraph (5) the following:

"'(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner;

"'(6) the performance of service by an individual in the exercise of his profession as a doctor of medicine.'

"(2) Section 1402 (c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following: 'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect. The provisions of paragraph (6) shall not apply to service performed by an individual (i) during the period for which a certificate filed by him under subsection (h) is in effect, or (ii) after December 31, 1964, if such service is performed by an individual who did not perform service in the exercise of his profession as a doctor of medicine on or prior to December 31, 1964.'

"(3) (A) Section 1042(e)(1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out 'extended to service' and all that follows and inserting in lieu thereof 'extended to service described in subsection (c)(4) or (c)(5) performed by him.'

"(B) Clause (A) of section 1402(e)(2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: '(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of $400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or'.

"(4) Section 3121(b)(6)(C)(iv) of such Code (relating to definition of employment) is amended by inserting before the semicolon at the end thereof the following: ', other than as a medical or dental intern or a medical or dental resident in training'.

"(5) Section 3121(b)(13) of such Code is amended by striking out all that follows the first semicolon.

"(c) Section 1402 of such Code is amended by adding at the end thereof the following new subsection:

"'(h) Doctors of Medicine.—

"'(1) Waiver certificate.—Any individual who is a doctor of medicine and who did not attain age 35 on or before December 31, 1964, may file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this chapter) certifying that he elects to have the insurance system established by title II of the Social Security Act extended to service described in subsection (c)(6) which is performed by him.

"'(2) Time for filing certificate.—Any individual who desires to file a certificate pursuant to paragraph (1) must file such certificate on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1964 for which he has net earnings from self-employment (computed without regard to subsection (c)(6)) of $400 or more, any part of which was derived from the performance of service by him in the exercise of his profession as a doctor of medicine.

"'(3) Effective date of certificate.—A certificate filed pursuant to this subsection shall be effective for the taxable year immediately preceding the earliest taxable year for which, at the time the certificate is filed, the period for filing a return (including any extension thereof) has not expired, and for all succeeding taxable years; except that, in no case, shall the certificate be effective for a taxable year ending prior to 1965. An election made pursuant to this subsection shall be irrevocable.'

"(d) The amendments made by paragraphs (1) and (2) of subsection (a), and by paragraphs (1), (2), and (3) of subsection (b), shall apply only with respect to taxable years ending after December 31, 1964. The amendments made by paragraphs (3) and (4) of subsection (a), and by paragraphs (4) and (5) of subsection (b), shall apply only with respect to services performed after 1964."

Mr. McCARTHY. Mr. President, it is my intention to withdraw the amendment after I have explained its purpose and contents to the members of the committee who will be on the conference.

The Senate has rejected the amendment offered by the Senator from Connecticut [Mr. DODD], which would have restored the House language to provide social security coverage for doctors. While I was quite willing to support the extension of coverage under the terms of the Senator's amendment and under the terms of the House bill, I propose in my amendment something short of complete coverage. My amendment is related to the same issue, but it proposes to take a middle position between compulsory coverage for all doctors and leaving the issue wholly unresolved. It would extend coverage to doctors who, we have reason to believe, would like to be covered under the social security program.

The amendment provides three things.

It provides mandatory coverage for all doctors who will engage in the practice of medicine after December 31, 1964. Each doctor who was licensed and entered the practice of medicine after December 31, 1964, would be subject to social security coverage. Approximately 8,000 doctors are admitted to the practice of medicine each year. Over a period of years practically all of them would be covered.

Second, the amendment provides for voluntary coverage of any doctor who is in practice before December 31, 1964, but who is not 35 years of age by that date. So the younger doctors under 35 would be given the privilege of taking out or rejecting social security coverage. If they came into the program at that age, they would be in the program and would be paying into it over most of their lifetime.

Third, the amendment would extend coverage to services performed by medical or dental interns, the same as the House bill.

The amendment makes no change in the present status of doctors who would be 35 years or over on December 31, 1964.

I believe this is the orderly way in which to bring doctors under social security coverage. It would leave older doctors, who through the years have indicated opposition to being included in the social security program, free to provide their own pension programs and security for themselves and their families. At the same time, it would open the way to younger doctors who may be aware of the benefits of social security and who may be willing to make their contributions and to share in the benefits of the social security program.

Since I intend to withdraw the amendment, I hope the conferees, who will be free to propose this measure or some other compromise in conference with the House, will give attention to my recommendations. I hope this proposal will be their last line of retreat.

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

Mr. McCARTHY. I yield.

Mr. MORSE. Why does the Senator think the House will be free to take this amendment if the Senate does not adopt it?

Mr. McCARTHY. The House bill covered all doctors, so one-half or one-third or one-fourth of the doctors could be covered in conference. We could go all the way with the House. We could accept the House decision, which extends coverage to all doctors.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. LONG of Louisiana. The matter of medical coverage will be in conference as matters now stand. The House passed a bill which put all doctors under social security. The chairman of the committee, the Senator from Virginia [Mr. BYRD], moved in committee that doctors should not be covered. He feels strongly about this matter. The committee sustained the chairman by a very substantial vote. So this is a matter that will be in conference.

In some respects Senators who voted for the medicare measure should be glad to have it in conference, because it will furnish a way to yield on some House proposals, if we are to get a medicare measure, for which the Senate has voted but for which the House has not voted.

The Senator from Minnesota has made a constructive suggestion to resolve the impasse between the House and Senate with respect to the coverage of doctors. I shall see to it that the conferees consider a possible solution of this problem at such time as the bill goes to conference.

Mr. MORSE. Will the Senator briefly tell me the main argument which is advanced for not covering doctors?

Mr. LONG of Louisiana. The reason why I voted against covering doctors under social security in committee is that every doctor in my State with whom I have talked is opposed to it. Doctors in my State do not want it. The position of the medical association in my State and the official position of the American Medical Association is in opposition to an extension of coverage to doctors. If we wait a while, after doctors have thought about it and observed the program in operation, they will come to the same conclusion that many lawyers did. After the lawyers thought about it and saw what it was doing, they decided that they would be for it. I remember that the Bar Association of Cleveland, Ohio, several years ago, when the Senator from Ohio [Mr. YOUNG] was one of the outstanding lawyers there, decided to hold a debate on the question.

I believe two lawyers spoke for the proposal and two lawyers against it. They debated the pros and cons. Then they voted on it, and the vote was unanimous in favor of covering lawyers. I understand that even the two lawyers who spoke against it in the debate voted in favor of it. The lawyers voted that way after they saw how the program was operating.

So after the doctors see this program in operation they will also want to be covered by social security.

However, in my judgment they do not agree on it now. Therefore, why should I vote to put the doctors of my State under social security, on a compulsory basis, when all the information available to me is that they do not want it?

The experience of the Senator from Connecticut is different, I agree, as he has so well explained. That is not the situation in Louisiana. It is not the situation in Virginia, as the distinguished chairman of the committee knows. That is not the situation in other States, as Senators from those States see it.

The subject will be in conference. Perhaps the proposal of the Senator from Minnesota might resolve the question. However, it would be better to have a free conference on the issue, the House having taken one position and the Senate the other, rather than to have our hands tied.

Mr. MORSE. The Senator from Connecticut [Mr. DODD] is completely right in the position he takes, even though he was voted down. It is probably true that some medical organizations are opposed to coverage, but there are a great many individual doctors, including doctors in my own State, to whom I have spoken about this subject, who are in favor of coverage. They have written to me, urging that they be included under social security.

Of course, they can come in on a voluntary basis if they wish to come in, can they not?

Mr. LONG of Louisiana. No; not now.

Mr. MORSE. On the basis of self-employment?

Mr. LONG of Louisiana. Not now.

Mr. JORDAN of North Carolina. I have received a number of requests from doctors in my State, asking that they be

permitted to come in on a voluntary basis. A great many of them do not wish to be forced into joining. They would like to come in, if they could, on a voluntary basis, but not on a mandatory basis.

Mr. MORSE. Why does not the principle of self-employment on a voluntary basis apply to doctors?

Mr. JORDAN of North Carolina. They are included in the bill.

Mr. LONG of Louisiana. If doctors wish to come in under social security, they can usually find a way. They can incorporate a clinic and work for the clinic, and come in on that basis. Doctors employed by an institution covered by social security come under the system.

However, at this time it appears that doctors are not in favor of being covered, and the official position of the American Medical Association is that they are not in favor of it. In my State they are planning to take a poll in the near future, I understand. The evidence in this matter is inconclusive at this time.

In my judgment, if we wait a little longer, doctors will be asking us to cover them. I do not see why we should force something on someone if he does not want it. We are not convinced that a majority of the doctors want to be covered.

Mr. MORSE. I should like to ask a procedural question of either the Senator from Minnesota or the Senator from Louisiana. Would the conferees have the authority, in view of the fact that the House has provided complete coverage in the bill, to adopt a proposal which would allow doctors to be covered voluntarily if they wished to be covered voluntarily? In other words, could the conference committee modify the legislation so that voluntary coverage could be allowed?

Mr. LONG of Louisiana. It is my impression, with regard to doctors, that we could do almost anything. The House has taken one extreme position, by covering all of them, and the Senate has taken the other extreme position, by covering none of them.

Mr. MORSE. I hope that the conference at least will go along with a modification of the bill to provide for voluntary coverage. I believe that the doctors who wish to be covered on a voluntary basis are entitled to be covered on that basis until the other doctors, to whom the Senator from Louisiana has referred, make up their minds to change their minds.

Mr. LONG of Louisiana. With this particular provision being open to compromise in every possible direction, the House is in an extremely favorable position, because we shall have to ask the House to take 36 Senate amendments, whereas we have taken only about 4 provisions of the House out of the bill.

Mr. McCARTHY. Mr. President, the testimony of the Secretary of Health, Education, and Welfare on this subject was:

More than half of the physicians in private practice today have some social security credits on the basis of work other than as a self-employed doctor or through military service.

It would be a good beginning to provide compulsory coverage of all new doctors, as they come into practice, and to leave it on a voluntary basis for the younger members of the profession. This way also avoids a situation in which some of the older doctors would receive great benefits although making social security payments only a few years just before retirement.

Mr. McNAMARA. Is it not a fact that if the Senate accepts the amendment of the Senator from Connecticut [Mr. DODD], to include all doctors, it would not result in a net cost to the social security fund, because the statistics indicate that if we take in all doctors regardless of age, they will about pay their own way?

Mr. McCARTHY. They would be paying at the top bracket. Taking them probably would strengthen the social security fund.

Mr. McNAMARA. I point out that a majority of the doctors in Michigan in a statewide secret poll went on record as favoring coverage for doctors under the social security system. That is true not only of Michigan, but of many other States.

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

Mr. McCARTHY. I yield.

Mr. HART. I regret very much that the Senate rejected the amendment proposed by the distinguished Senator from Connecticut [Mr. DODD]. I voted for it. As my senior colleague from Michigan indicated, the Dodd approach is sound. In 1960 I introduced a bill similar to the proposal of the Senator from Connecticut, which would have provided for compulsory social security coverage of all doctors. It was S. 2739. I hope very much that before the Senate closes what has been an otherwise very productive session, we shall have on the books a statute which, if not providing for the coverage of all doctors, at least will open the door to what I feel sure will be the majority wish of the physicians of America, namely, that they be permitted to enjoy the benefits and protections of social security. The Senate having failed to adopt the Dodd amendment, I would support the McCarthy amendment.

Mr. LONG of Louisiana. Mr. President, has the Senator withdrawn his amendment?

Mr. McCARTHY. I have not withdrawn it yet.

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

Mr. McCARTHY. I yield.

Mr. DOUGLAS. I voted against the inclusion of doctors when this matter was before the Committee on Finance, because a vote taken by the Illinois State Medical Society showed that approximately 3,300 doctors were opposed to inclusion, as compared with fewer than 2,800 in favor of inclusion.

Since the day the committee voted on this amendment additional information has been brought to my attention which I did not know at that time. This information is that a supervised poll was taken in 1960 under the auspices of the Honest Ballot Association. I assume that this is the Honest Ballot Association which has its headquarters in New York, and which I know to be a highly reputable group.

They took a mail ballot referendum of the physicians of all ages, including staff physicians, who were registered in the State of Illinois.

I have before me the result of the poll, which, I repeat, has only recently come to my attention.

Of the 11,942 ballots which were mailed, 5,967 ballots were returned and tabulated.

The Honest Ballot Association certifies that the following is the true and accurate count of the 5,967 ballots:

The question was: Should physicians be included in the Federal social security program?

According to the Honest Ballot Association, the vote was: Yes, 3,964. No, 1,962. Blank, 41.

This would mean that slightly more than two-thirds of those who expressed themselves voted affirmatively.

The vote reported by the Illinois Medical Association was approximately 45 percent for and 55 percent against.

There is additional information that I think should be known. We have checked with the American Medical Association, and they in turn checked with the Illinois Medical Society, on the way in which the Illinois poll was conducted. I am informed that each county representative of the Illinois Medical Association mailed ballots to the doctors in his county. Those ballots were numbered. They were returned to the county representatives, who tabulated the results and sent them to the central office in Chicago. So there would be a means of identifying the replies. I do not quite know whether this violated the principle of a secret ballot. I am informed that there was no such identification of the ballots sent out by the Honest Ballot Association.

In view of these new facts, if there had been a rollcall, I would have reversed the position that I took in the Committee on Finance and would have voted for the inclusion of the doctors. I hope that some such arrangement may be included in the bill which comes from conference, or that some compromise arrangement, such as that proposed by the Senator from Minnesota [Mr. McCARTHY] may be adopted.

Mr. LONG of Louisiana. The Senator from Illinois may be sure that this matter will be considered in conference.

Does the Senator from Minnesota withdraw his amendment?

Mr. McCARTHY. I have not done so. I was waiting to learn how vigorously the Senator from Louisiana would advocate this amendment in conference.

Mr. LONG of Louisiana. This is an appropriate subject for compromise.

The Senator has suggested that the proposal might be compromised. If the Senator from Louisiana is one of the conferees, he will certainly see to it that the amendment is considered.

Mr. McCARTHY. Does the Senator from Louisiana agree that there is rather strong sentiment in the Senate at this time in support of the provisions of my amendment?

Mr. LONG of Louisiana. The record is clear that there is considerable support in the Senate for including the amendment, although a majority of the Senate does not believe doctors should be included.

I am sure that the Senator from Minnesota realizes that in conference the divergence between the Senate and House on other matters will be extremely wide, so much so that I believe we shall be hard put to get the Senate bill through conference. But if the bill goes to conference, the Senator from Minnesota may be assured that what he has suggested will be considered.

Mr. McCARTHY. This amendment might be the cause of the House conferees accepting the other provisions, if we take this small step. If the Senator from Louisiana must make a concession, I hope he will persuade the House to make a concession with regard to doctors.

Mr. HART. Mr. President, if it has not already been placed in the RECORD, I ask unanimous consent to have printed in the RECORD a memorandum entitled "Fact Sheet for Senators—A Dozen Sound Reasons Why Congress Should Include Self-Employed Physicians under Social Security." It is dated August 31, 1964, and was issued by the Committee on Social Security for Physicians, 510 Madison Avenue, New York, N.Y. The memorandum buttresses the position of the advocates of the amendment.

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

A DOZEN SOUND REASONS WHY CONGRESS SHOULD INCLUDE SELF-EMPLOYED PHYSICIANS UNDER SOCIAL SECURITY

1. Self-employed physicians are the only group now excluded from social security. It isn't fair to deny doctors and their families the protection which Congress has granted lawyers, dentists, bankers, business executives and others.

2. Within the medical profession, from 35 to 45 percent of all physicians have earned or are earning social security credits because of service in the Armed Forces or as salaried employees for various enterprises. These doctors seem quite content to maintain their eligibility for social security benefits. The sensible and proper thing to do is to extend coverage to the entire profession. Why should a physician be denied this valuable Federal insurance simply because he earns his income from private practice?

3. A majority of physicians want social security coverage. This is substantiated by the results of official polls by numerous State medical societies of the AMA and two national polls by highly respected medical publications.

4. Wives of physicians have a vital stake in this issue. They are virtually unanimous in their desire for social security insurance. If a young doctor dies, his widow and children ought to be entitled—like those of other bereaved families—to the benefits of social security in their time of need.

5. The AMA's house of delegates insists that physicians don't want social security, although it has never offered evidence to substantiate this bare assertion. In 1958, it recommended that State medical societies poll their members. However, when the polls showed a substantial majority of doctors in favor of social security, the AMA disregarded these findings and discouraged further polltaking.

6. The AMAs' house of delegates has never had a rollcall on this issue. Annually, it expresses its opposition to social security by voice vote only. If the delegates were to vote in accordance with the wishes of physicians from their respective States, as expressed in official polls, a resolution endorsing social security coverage would command a clear majority.

7. The AMA's house of delegates has repeatedly refused requests from a number of State medical societies for a national canvass of the membership. Its reply is that a poll "would be subject to great error in that it presupposed equal knowledge on the part of all polled." AMA officials gratuitously insult the Nation's physicians by implying they do not have the intelligence to make a sound judgment on this subject.

8. Despite AMA assertions that physicians seldom retire, the fact is that doctors are not supermen: after age 65, like all of us, they are prone to illness, disability and some weakening of their former powers and skills. There are many elderly physicians who want to retire, should retire, but can't afford to retire. Social security would help them solve this painful dilemma. Furthermore, those rugged doctors who still have an active practice at age 72 could continue working and receive social security checks in addition to their regular income.

9. The AMA, by its own admission, represents hardly more than 70 percent of all U.S. physicians. Pro social security sentiment is even more pronounced outside the AMA. Many doctors have refused to join the AMA or have withdrawn from its ranks because of its arrogant disregard of membership opinion on such issues as social security coverage.

10. Doctors and their families need social security protection. Medical societies have established agencies to help colleagues who become ill or enfeebled by age, and to provide help to needy families of deceased physicians. Why should these unfortunate doctors or their survivors have to rely on charity, while millions of other Americans, in a similar plight, can draw social security payments as their right?

11. There is little likelihood that the house of delegates will have a change of heart over social security. These delegates, because they are elected by county and State conventions, are too removed from pressure by the individual physician. To withhold social security from the medical profession until the house of delegates gives its approval means, in effect, to deny this Federal insurance to doctors and their families for a long time to come, if not permanently.

12. On the other hand, should the Senate vote to include self-employed physicians under social security—as the House has already done—it is quite likely that the AMA's house of delegates would adjust to the new development without great difficulty. This is what happened in the case of the American Bar Association and the American Dental Association whose opposition to social security coverage for their respective professions was quite as violent as the AMA's.

Results of State medical society social security polls

STATES FOR SOCIAL SECURITY (19)

State	In favor	Opposed	Number of votes in AMA House of Delegates
California [1]	635	372	21
Connecticut	1,391	504	3
Delaware	135	85	1
District of Columbia	550	192	2
Florida	957	714	5
Maine	369	210	1
Massachusetts	3,253	988	6
Michigan	1,781	1,048	7
Missouri [2]	277	148	4
New Jersey	2,174	916	6
New York [3]			24
Ohio	4,095	2,737	9
Pennsylvania	5,605	3,335	11
Rhode Island	[4] 70	[4] 30	1
South Dakota	155	104	1
Utah	322	188	1
Vermont	[4] 65	[4] 35	1
Washington	[4] 60	[4] 40	4
West Virginia	436	237	2
Total			[5] 110

STATES AGAINST SOCIAL SECURITY (8)

State	Opposed	In favor	Number of votes in AMA House of Delegates
Arkansas	596	167	2
Georgia	539	496	3
Illinois	3,301	2,790	11
Indiana [2]	246	181	5
Minnesota	1,030	817	4
Oklahoma	761	446	2
Virginia	[4] 62	[4] 38	3
Wisconsin	870	854	4
Total			34

[1] A 1-in-10 poll by Honest Ballot Association.
[2] A 1-in-5 poll by Honest Ballot Association.
[3] Based on county society polls and State society resolutions.
[4] Percent.
[5] A clear majority of the 202 votes in the AMA House of Delegates.

NOTE.—The remaining State medical societies, which represent 58 votes in the AMA House of Delegates have not held social security polls.

Mr. McCARTHY. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LONG of Louisiana. Mr. President, at the desk are two technical amendments. One of them is necessary to clarify language which otherwise would result in the denial of benefits to persons as to whom there was no intention of denying benefits.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 22, line 5, it is proposed to strike out "202(b)" and insert in lieu thereof "202(e)".

On page 51, line 2, strike out "of" and insert in lieu thereof "or".

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Louisiana.

The amendments were agreed to.

Mr. LONG of Louisiana. Mr. President, at the desk is an additional amendment which is offered at the request of the Department of Health, Education, and Welfare. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 27 of the Finance Committee version, it is proposed to strike out paragraph (2) of section 6(f), as follows:

(2) Any individual who would, upon filing an application on January 1, 1965, be entitled to a recomputation of his primary insurance amount for purposes of title II of the Social Security Act shall be deemed to have filed such application on January 1, 1965.

And insert in lieu thereof the following:

(2) Any individual who would, upon filing an application prior to January 2, 1965, be entitled to a recomputation of his benefit amount for purposes of title II of the Social Security Act shall be deemed to have filed such application on the earliest date on which such application could have been filed, or on the day on which this Act is enacted, whichever is the later.

Mr. LONG of Louisiana. The Department of Health, Education, and Welfare has explained to me that in drafting the language for the committee, inadvertently 200,000 persons would be injured. In order to prevent that from happening unintentionally, the language proposed in the amendment is necessary. I ask that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, I send to the desk an amendment and ask that the reading of the amendment be dispensed with but that it be printed in the RECORD.

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

The amendment is as follows:

At the end of title I of the bill add the following new section:

"DISREGARDING CERTAIN EARNINGS IN DETERMINING NEED UNDER OLD-AGE ASSISTANCE PROGRAMS

"SEC. . (a) Effective October 1, 1964, section 2(a)(10)(A) of the Social Security Act is amended by striking out '; except that, in making such determination, of the first $50 per month of earned income the State agency may disregard, after December 31, 1962, not more than the first $10 thereof plus one-half of the remainder' and inserting in lieu thereof the following: '; except that, in making such determination, of the first $80 per month of earned income the State agency may disregard the first $20 thereof plus one-half of the remainder'.

"(b) Effective October 1, 1964, section 1602(a)(14) of such Act is amended by striking out 'of the first $50 per month of earned income the State agency may, after December 31, 1962, disregard not more than the first $10 thereof plus one-half of the remainder', and inserting in lieu thereof 'of the first $80 per month of earned income the State agency may disregard the first $20 thereof plus one-half of the remainder'."

Mr. DOUGLAS. Mr. President, the amendment would increase the amounts which States may permit recipients of old age assistance to earn without a corresponding deduction in the amount of assistance which they receive.

In 1956, I introduced an amendment to exempt earnings of $50 a month. Then, in 1962, I submitted an amendment which would have permitted the exemption of $25 a month. This amendment was amended and adopted by the Senate. It came out of conference in a form which allows States to disregard $10 plus half of the next $40 of earned income in determining the old age assistance grant. In other words, the purpose is to give to the aged the incentive of trying to find work and of increasing their income and their self respect in that way.

Prior to that time, every dollar they earned was subtracted from the assistance which they otherwise would have received. Therefore, there was no stimulus for them to work or to try to be in any sense self-supporting.

Mr. LONG of Louisiana. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. Mr. President, in my judgment, this is a meritorious amendment. It is a principle for which the Senator from Illinois has labored long and hard in the vineyard. For years, the Senator from Illinois has been trying to arrange a way so that a State, under its plan, if it so desired, could permit a person to make a few dollars while he was drawing public welfare, and to keep some small amount.

Under social security at present, a beneficiary between the ages of 65 and 72 is permitted to keep $1,200 and half of what he earns of the next $500. Yesterday the Senate voted to increase that amount. We should like to help people to assist themselves somewhat.

The Senator from Illinois has finally resolved this problem in a way that the department believes is reasonable.

I am advised that the cost of the proposal would be only $3,500,000, based on the estimate, or $23 million if all States decided to use the plan.

Louisiana has found a way to achieve a similar result, but the method is devious and deceptive. I believe it would be preferable to act forthrightly by making it permissible for people to earn a small amount. The amount would be $20 and half of the next $40.

Mr. DOUGLAS. Half of the next $60.

Mr. LONG of Louisiana. I am willing to accept the amendment and take it to conference and urge that the House consider it.

Mr. DOUGLAS. I thank the Senator from Louisiana. I now yield to the very able Senator from West Virginia, who, as a vigorous member of the Senate Committee on Aging, has devoted a great deal of study and work to the problems of the aged and their retirement income.

Mr. RANDOLPH. I thank my friend. In the Special Committee on Aging, as chairman of the Subcommittee on Employment and Retirement Incomes, I was instrumental in formulating a recommendation on this subject. Is the Senator familiar with that action?

Mr. DOUGLAS. I hold in my hand a report of the Senate Special Committee on Aging, and I find that on pages 3 and 4 of its report, such a recommendation was made and the responsible subcommittee was chaired by the distinguished Senator from West Virginia [Mr. RANDOLPH]. The Senator has made very important contributions to the welfare and dignity of our older people. I hope he will comment on the recommendation of his subcommittee.

Mr. RANDOLPH. I appreciate very much the reference to the recommendation. If it is not inappropriate, I should like to have the privilege of being associated with the amendment offered by the Senator from Illinois.

Mr. DOUGLAS. The Senator from West Virginia was one of the earliest advocates of this means of contributing to the self-support and self-respect of older people. In fact, he was a principal sponsor of the 1962 amendment to which I referred. I should feel honored if I might have the name of the Senator from West Virginia [Mr. RANDOLPH] joined with this amendment.

Mr. RANDOLPH. It has been accurately observed that one important means of improving the economic position of America's senior citizens is to make it possible for those to work who are willing and able to do so. At the present time, one-third of the total income of older Americans comes from their employment.

Studies have shown that employment, even part-time work, benefits the elderly citizen not only financially but in other ways. It reduces his loneliness and isolation and draws him back into the mainstream of life. It contributes to a sound psychological outlook and physical well-being.

As a basis for making recommendations on increasing employment opportunities for the elderly our Subcommittee on Employment and Retirement Incomes held hearings in Washington, D.C., and in Los Angeles and San Francisco, Calif.

The witnesses heard, and testimony received convinced subcommittee members that the Congress could take affirmative actions which would enhance employment opportunities for thousands of older men and women. Recommendations submitted were subsequently approved unanimously by the Special Committee on Aging, and action is being taken to implement them.

I am gratified to be associated with the experienced and able Senator from Illinois [Mr. DOUGLAS] as a cosponsor of the Douglas-Randolph amendment. In advocating an increase in permissive earnings for recipients of old-age assistance he continues to exhibit compassionate understanding of the needs and problems of senior citizens.

Mr. DOUGLAS. Mr. President, I appreciate the support which the Senator has given to this amendment. The Department of Health, Education, and Welfare prepared a report on this amendment which it originally submitted in connection with an earlier version of the amendment which I offered to another bill. This report is favorable to the amendment and, Mr. President, I ask unanimous consent to have it printed in the RECORD.

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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, August 13, 1964.

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

DEAR MR. CHAIRMAN: This letter is in response to your request of July 22, 1964, for a report on amendment No. 1115 intended to be proposed to H.R. 9393, a bill to amend title II of the Social Security Act to provide full retroactivity for disability determinations, to extend the period within which ministers may elect coverage, and to validate wages erroneously reported for certain engineering aids employed by soil and water conservation districts in Oklahoma.

This amendment would amend section 2 (a) (10) (A) of title I of the Social Security Act that authorizes the disregard of certain earned income in determining an individual's need for old-age assistance. Under present law, a State has the option to disregard, of the first $50 of earned income, not more than the first $10 plus one-half of the remainder. This amendment would permit a State to disregard the first $50 per month of earned income.

We are in accord with the objectives of this amendment but recommend that its provisions be modified so as to permit a State to disregard the first $20 and one-half of the next $60 per month of earned income.

The values to be found in employment that is within the capability of an aged individual are recognized and the principle of incentives is now well established. The amendment modified as suggested above would increase the incentive toward more substantial employment. The individual might earn as much as $80 per month and the State could disregard $50 of that amount.

Some additional aged persons would become eligible for assistance who do not qualify for assistance because their earnings from employment make them ineligible under State assistance standards. For aged recipients with income from employment of more than $10 per month, the amount of assistance would be increased because income now taken into consideration would be disregarded.

Since January 1963, when the present provision became effective, 20 States, the District of Columbia, Puerto Rico, and the Virgin Islands have provided for the disregard of earned income in their programs of old-age assistance. Modified as suggested above, the additional annual cost of the amendment in Federal funds for these 23 jurisdictions is estimated to be $3.5 million. If all States were to provide for the disregard of such income, the annual increase in Federal costs over the costs of the present provision is estimated to be $23 million.

We would recommend enactment of this amendment subject to the modification proposed above.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,
ANTHONY J. CELEBREZZE,
Secretary.

Mr. DOUGLAS. Mr. President, I am greatly cheered by the encouragement given me by the Senator from Louisiana [Mr. LONG], the manager of the pending bill.

When I offered the 1962 amendment, which the Senate adopted, I argued that persons receiving old-age assistance should be allowed to earn supplementary income by babysitting, gardening, and other casual employment without having to break the law by not reporting the earnings or being penalized for doing so. Permitting individuals to contribute to their own self-support gives them a sense of dignity and self-respect. That principle, of encouraging self-respect and some self-support, is a sound one and its observance is expanded by the pending amendment. For many of the nearly 2.2 million recipients of old-age assistance this liberalized earnings policy will demonstrate that we believe all older people are full members of our economy and should be permitted to contribute to their self-support without penalty.

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

Mr. DOUGLAS. I yield.

Mr. CARLSON. I wish to commend the Senator from Illinois for once again inviting the attention of the Senate to this problem. I believe that it is a proper piece of legislation, in that if we can encourage these people to work and to withhold, or at least to use some of the money they have earned, instead of reducing their social security payments, it will not only be to the interest of the individual but also to the States and to the Nation.

I should like to inquire of the Senator whether his amendment permits an individual to earn up to $50?

Mr. DOUGLAS. A State is permitted to disregard the first $20 and one-half of the next $60 of earned income. Yes.

Mr. CARLSON. I believe that is commendable.

Mr. DOUGLAS. It is directed to the old-age assistance, of course, rather than to old age security.

Mr. CARLSON. We took care of the old age security yesterday. We should vote now on the old-age assistance section. If I should happen to be a member of the conference committee, I shall do everything in my power to keep it.

Mr. DOUGLAS. I thank the Senator from Kansas.

Mr. MONRONEY. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. I should like to compliment the Senator from Illinois for his authorship of this amendment. And I should like to join him in sponsorship of it.

Mr. DOUGLAS. I thank the Senator. Would the Senator from Louisiana [Mr. LONG] like to be included as a sponsor of the amendment?

Mr. LONG of Louisiana. Mr. President, I should like to be included as a sponsor of the amendment.

Mr. DOUGLAS. Mr. President, I ask that the names of the Senator from West Virginia [Mr. RANDOLPH], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Louisiana [Mr. LONG] be added as cosponsors of the amendment.

Mr. PASTORE. I trust that the Senator from Illinois will add my name as a cosponsor as well.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the name of the Senator from Rhode Island [Mr. PASTORE] be added as a cosponsor to the amendment, in addition to the Senators I have just mentioned.

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

Mr. DOUGLAS. I am overwhelmed. In the history of my 16 years of service in the Senate, I have never had a motion of mine up for consideration that was so popular. I do not quite know how to thank my colleagues adequately.

Mr. MONRONEY. Mr. President, as important as the additional income will be, of even greater help, will be its contribution to the morale and to the peace of mind of these people. Earning and contributing something to their own welfare will mean far more than the dollars—important as they will be.

I compliment the Senator from Illinois for his many, many good efforts in behalf of this legislation throughout the years which culminated in enactment of the last bill and which will result in enactment of the bill before us at the present time.

Mr. DOUGLAS. The encouragement given me by so many Senators is sweet to my ears. I know this support will be appreciated by our older citizens and I hope very much that the conference will retain the amendment.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. DOUGLAS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DOUGLAS].

The amendment was agreed to.

AMENDMENT NO. 1246, TO INCREASE OUTSIDE EARNINGS

Mr. SCOTT. Mr. President, it was my intention to call up my amendment, No. 1246; but in view of the Senate's approval yesterday of the Long amendment dealing with the same problem and the parliamentary situation prevailing today, I decided not to call it up. I want to discuss it briefly now, because it pertains to a matter of vital importance to our older citizens.

My amendment, which is cosponsored by Senators PROUTY, JORDAN of Idaho, SMITH, FONG, SIMPSON, MUNDT, KUCHEL, JAVITS, ALLOTT, MECHEM, and DOMINICK, provides that the amount of money a person on social security would be allowed to earn without being penalized or suffering loss of social security benefits be a straight $2,400 a year, instead of the complicated arrangement which now exists.

Once again, I raise my voice in protest against a most bewildering situation which today is facing many of our older citizens. On the one hand, they are urged to get jobs, in order to increase the productivity of the country. But, on the other hand, our social security law contains a built-in penalty for going to work, by reducing the benefits if there are earnings in excess of $1,200 a year, and using a confusing and complicated formula for earnings above that amount, to achieve this purpose. For earnings between $1,200 and $1,700, $1 in benefits is deducted for each $2 of

earnings. Then, when earnings exceed $1,700, another formula goes to work, and deducts $1 in benefits for each $1 of earnings, until the benefits are entirely wiped out, because earnings have reached $2,974.

My amendment would allow earnings up to $2,400 with no deduction; it would eliminate the confusing second-stage of the present law; and it would go directly to a dollar-for-dollar reduction, for earnings in excess of $2,400. The effect would be to help most of those who are trying to supplement their inadequate social security payments by working—the average old-age primary payment is now only $76.87 a month, by eliminating any deduction in their benefits. Under my proposal, they could earn up to $200 a month, with no deductions. The dollar-for-dollar reduction above $2,400 would apply only to the relatively few persons with rather substantial earnings.

The idea of discouraging older people from working and encouraging them to accept marginal living is, I have long been convinced, basically wrong in principle. Moreover, in my view, the present earnings test is not only inequitable; it is also inexplicable. To know just where an individual stands under the existing limit on earnings requires a crystal ball or a competent legal staff. If, for example, one's earnings exceed $1,200, the benefit amounts begin immediately to be cut in half. Moreover, this reduction comes out of next year's benefits, when one may be unable to work, and, therefore, may need the benefits most. This is the case unless one has been able to guess ahead as to his probable income, and to report this guess on a form to the Social Security Administration. If the first guess is wrong, he must fill out another form, in order to get his benefits. By this time, he may decide that trying to work is too much trouble, especially when he is reducing his benefit by doing so.

Although wages have been rising steadily, we are still using the $1,200 figure adopted in 1954 as the point of diminishing returns in social security's limit on earnings. On two occasions we have liberalized the complicated reduction mechanism above this amount but we have held to the $1,200 ceiling. The proposed increase to $1,500 is quite inadequate. I strongly suspect that some of our older citizens have held their wages down to this amount because, if they go beyond it, things "hit the fan" and they are unable to figure out where they stand.

We must eliminate our schizophrenia in creating job opportunities for our older men and women and then confiscating part or all of their earnings. By doing this, incidentally, we can add a meaningful weapon to the arsenal for the "war on poverty."

The first compelling reason for liberalizing the earnings limit is the fact that existing law does not allow our elderly citizens the economic resources they so desperately need.

Second, we must liberalize this test, because it is so complicated in its workings that the average man or woman now is unable to ascertain his basic rights, and, therefore, stands the chance of having his benefits reduced because his wages have risen or because of a few extra days of work.

Third, the earnings limitation is an expensive administrative nightmare.

Fourth, it denies to the American economy valuable skills and productivity.

Finally, and most important, this curious clause in our Social Security Act discourages self-reliance, and results in a creeping penalty on an individual who treasures his God-given dignity as a working and contributing member of the community in which he lives.

For these reasons, I believe—as I have stated on numerous occasions on the floor of the Senate—that we must liberalize the earnings limitation of our social security system as a next forward step in improving its protection, and as an integral part of our campaign to make life more meaningful and more comfortable and to provide a more acceptable standard of living for millions of our older citizens.

Mr. SALTONSTALL. Mr. President, I am in favor of increased social security benefits. I also am in favor of greater medical and hospital care for the aged. But I believe that such health care should be provided on a voluntary basis and should offer more comprehensive coverage than this bill provides.

Reluctantly I shall vote against this measure in its present form because I do not think that a health care measure should be tied to a bill providing an increase in social security benefits. They are two separate problems, and both require the most careful study to make them financially sound. This has not been done in this bill.

If the payments into the social security trust fund are not sufficient—and there is no way of telling now whether they will be or not—then either the people who are to be benefited will not get those benefits or the fund will have to be made actuarially sound through increased tax contributions. Ultimately, these taxes may become too great for employees, employers, and the self-employed to bear.

So for these reasons, I shall vote against passage of the bill. If it is passed, and I believe it will be, then I hope the conferees will agree on a measure that retains the benefit increase but deletes the health care feature. At a later date we can consider a measure dealing with the problem of insuring that all of our elderly citizens have proper health care.

Mr. BEALL. Mr. President, I shall vote for H.R. 11865. But I shall do so reluctantly.

I do not think any Member of the Senate questions the need for increasing social security benefits and modifying certain aspects of the existing law. In this regard, I am pleased that the Senate adopted the Long amendment, increasing the maximum amount which may be earned before deductions from social security benefits are made. The 7-percent increase in cash benefits is fully justified, in view of the rising costs of living. I was pleased to support the Prouty amendment, respecting veterans' pensions. The adoption of this amendment avoids what would have been a serious hardship to thousands of veterans who, as a result of the increase in social security benefits, were in danger of losing their pensions.

These amendments and others have improved the bill. My reluctance in voting for the bill is occasioned by the adoption of the amendment providing medical care under the social security system. I have previously explained my reasons for opposing this program. Mr. President, I sincerely hope that the conference committee which will consider H.R. 11865 will, in its wisdom, delete this medical-care provision.

Mr. COOPER. Mr. President, I am glad the Senate voted to increase from $1,200 to $1,500 the amount a person can earn annually without suffering a reduction in social security benefits, and I was glad to support the amendment offered for this purpose by Senator LONG and Senator CARLSON on the floor of the Senate during debate on amendments to the Social Security Act. This amendment, as adopted, would also allow a person to earn an additional $1,500—beyond the excluded $1,500—and have his social security benefits reduced by only $1 for every $2 earned in this additional $1,500 of earnings. Many of our people have been affected by the increased cost of living, while retirement income and social security benefits have not always kept pace, and I know that this amendment, along with the increased monthly benefit payments voted by the Senate, will help meet the needs of many families. I am glad that the Senate acted to increase the present exclusion of $1,200, and I hope that our amendment will be accepted by the House of Representatives.

Mr. DOUGLAS. Mr. President, the amendments affecting the railroad retirement program which I proposed in committee were approved unanimously by the Senate Finance Committee for very obvious reasons.

The first amendment would delete subsection (d) of section 16 of the bill H.R. 11865 as passed by the House. This is necessary because, as I stated at the time I introduced the amendments, the railroad retirement system and the social security system are coordinated in some very important respects. Existing law provides for the financial interchange between the two systems. In effect, existing law assures that the social security trust funds will be in no better or worse condition than they would be if railroad service had been employment subject to the social security system. Financial adjustments are made each year between the railroad retirement account and the social security trust funds. In calculating the amounts to be transferred from the account to the funds or vice versa, the railroad retirement account is, in effect, charged with the taxes that would have been paid for social security purposes if railroad service had been social security employment and, contrariwise, the social security trust funds are charged with the amount of benefits that would have been paid by the Social Security Administration under the same hypothesis.

Accordingly, existing law further provides that the railroad retirement tax rates would be increased automatically with respect to years after 1964 by the same amount by which the effective social security tax rate for those years exceeds 2¾ percent. Contrary to this coordinating principle, however, section 16(d) of the bill as passed by the House, would gear the automatic increase in railroad retirement tax rates for years after 1964 to the rate set by the social security tax schedule now in effect. The result of this would be that increases—or decreases—in the tax rate schedule such as proposed by the bill, would have no effect on the railroad retirement tax rates; and this would have an adverse effect on the financing of the railroad retirement program.

Existing law also takes account of the higher tax rates paid by railroad employees for the support of the railroad retirement system than those paid by employees for the maintenance of the social security system. This is achieved by a provision which guarantees that benefits for a month under the Railroad Retirement Act to an employee, his dependents or survivors shall be no less than 110 percent of the amount, or the additional amount, that would have been payable to all persons under the Social Security Act of the employee's railroad service had been employment subject to the Social Security Act. To give effect to this provision, it is necessary to amend section 1(q) of the Railroad Retirement Act to provide that references in that act to the Social Security Act is a reference to that act as most recently amended, and this is what subsection (a) of section 14 of the bill as reported by the Senate Finance Committee would do. The effect of this change would be that, in computing the railroad retirement benefits under this guarantee provision, account will be taken of the increase in benefits under the Social Security Act. These increases in railroad retirement benefits would be largely for widows and surviving children where the need is undoubtedly the greatest.

Subsections (b), (c), and (d) of section 14 of the reported bill would provide benefits for children between the ages of 18 and 21 inclusive, while attending recognized schools. This is exactly what is provided for in the bill for such children covered under the social security system. Obviously, children of deceased railroad employees should also have these rights.

Subsection (e) of section 14 of the reported bill relates to benefits to survivors of railroad employees. Such benefits are payable either under the Railroad Retirement Act or the Social Security Act, but not both, with service credits under both systems being combined to determine eligibility for, and the amount of, the benefits. In general, benefits are paid under the railroad retirement system if the employee had a current connection with the railroad industry at the time of his death. As you know, the maximum annual creditable compensation under the Railroad Retirement Act now is $5,400 a year. Under present law, as well as under the bill as passed by the House, social security wages credits may not be included to increase the combined creditable yearly earnings above $4,800 in calculating the benefits to survivors of employees under the regular railroad retirement formula, even though the bill would increase the $4,800 to $5,400 a year for the Social Security Act. The amendments made by subsection (e) would permit wage credits to be added to the railroad service credits to permit the use of a maximum $5,400 a year in calculating monthly survivor benefits under the Railroad Retirement Act.

Subsection (f) provides the effective dates of these amendments to correspond to the dates of the amendments to the Social Security Act.

Before closing, Mr. President, I wish to discuss for a moment the financing of these amendments. There is now an actuarial deficit in the financing of the benefits under the Railroad Retirement Act of about $19 million a year. The cost of continuing in effect the long established coordination between the two systems, as my amendment would do, that is, the cost of providing the benefit increases to widows and surviving children, would be about $19.2 million a year. The cost of providing the benefits for schoolchildren between the ages of 18 and 21 would be about $2.5 million a year, making a total of $21.7 million a year. On the other hand, the additional revenue to the system that would result from my amendment which would strike out section 16(d) from the bill as passed by the House, would be about $11.2 million a year, thus making the total cost of my amendments $10.5 million a year—$21.7 million minus $11.2 million. The deficit to the system, however, would be increased by only $6.4 million rather than $10.5 million. That is the deficit would not go up from the present $19 million to $29.5 million but only to $25.4 million—an increase of only $6.4 million a year. The reason for this is that the bill as passed by the House would reduce the present deficit by about $4 million a year, but this reduction would be at the expense of the much needed increase in benefits for widows and surviving children of railroad employees where the need is greatest.

An actuarial deficit in the financing of the railroad retirement system of about one-half of 1 percent of taxable payroll is considered to be within the range of actuarial tolerance. The deficit which would result from my amendments would be only very slightly over one-half of 1 percent but is fully justified in view of the need of the benefit increase for widows and surviving children as well as the importance of providing benefits for schoolchildren between the ages of 18 and 21.

Mr. President, I submit these amendments were approved by the Senate Finance Committee for the very reason that I urge their enactment by the Senate. The coordination between the two systems has been carefully developed by the Congress after many years of consideration by all parties concerned with the soundness of both the railroad retirement system and the social security system. Failure to enact these amendments would be a breach of faith to railroad employees because they have been constantly assured that this congressional policy of coordination of the systems would continue.

Mr. SCOTT. Mr. President, I am very pleased, indeed, that the Senate yesterday adopted an amendment, introduced by my senior colleague, and cosponsored by me, which would exempt members of the Old Order Amish, a religious sect in Pennsylvania and several other neighboring States, from payment of social security taxes.

The Senate's action makes possible the solution of a vexing and long-standing problem. The Amish sincerely and deeply feel that by paying social security taxes, they are participating in an insurance program that violates their deeply held religious scruples. They do not accept social security benefits, because they already adequately provide for their own aged and infirm loved ones, relatives, friends, and neighbors.

The Treasury Department, which drafted this amendment, has, I am happy to say, withdrawn its previous objection to this proposal. Thanks to the persistence of several Amish bishops and the continuing pressure of several interested Members of Congress, we were able to enlist, through personal meetings, sympathetic and understanding attention to the problems of the Amish by officials of the Treasury and of the Social Security Administration. As a result, a mutually satisfactory proposal was drafted, in the form approved yesterday by the Senate.

Simple justice demands enactment of this proposal. Otherwise, the Amish face seizure of their barns, horses, and farm machinery on a far larger scale than occurred several years ago when this problem first came to the public's attention. These people have a right to the free exercise of their religion. Since they do responsibly take care of their own, their nonparticipation in the social security program cannot possibly weaken or disrupt its operation.

Therefore, I strongly urge the Senate conferees on the social security bill to insist on retention of this amendment in the bill, and I respectfully urge their counterparts in the other body to accept it.

Decency, tolerance, and understanding demand favorable action by this conference, in this session of Congress.

Mr. MANSFIELD. Mr. President, from the first day he entered this Chamber, the junior Senator from Massachusetts [Mr. KENNEDY] has been a strong, working advocate of medicare through social security, and of increased and expanded benefits under the Federal old age, survivors and disability insurance program. As chairman of the Subcommittee of Federal, State, and Community Services of the Special Committee on Aging, he has studied firsthand the overwhelming needs of a large number of our older citizens who are striving to live meaningful and secure lives on a minimum of subsistence and community care. A report from the Aging Committee, issued just yesterday, entitled "Services for Senior Citizens," was developed from hearings conducted by Senator KENNEDY.

I know he would want to be here today to raise his voice in support of this legislation, and in particular the medicare section of the bill. I am sure that in the future, we will hear from him loud and clear in pursuit of stronger legislation to enrich the lives of those in their later years.

I want to express to him, on behalf of his friends in the Senate, sincere appreciation for his interest and his labors in this area of legislation and wish him well in his recovery.

I should like to end with a quote from prior statements of his which I think best sums up TED KENNEDY'S feelings in this regard:

> This is the richest nation on earth, and I do not believe that hardships and want should be the reward which we give our senior citizens, who have served us longest * * *. Security in old age should not be limited to those with high retirement incomes. For the cost of ill health strikes all alike * * *. In my judgment, legislation for our older citizens is a matter of highest congressional priority.

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 of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. LONG of Louisiana. Mr. President, I am prepared to yield back the remainder of my time on the bill.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has now been yielded back.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, because of circumstances over which at least one Senator had no control, and because of the suddenness of the vote, I would hope that the Senate would consider—if it is possible—on a unanimous-consent basis—a recess for 5 minutes.

Mr. DIRKSEN. Mr. President, I know about the circumstances. Certainly, I shall not object.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Delaware will state it.

Mr. WILLIAMS of Delaware. Mr. President, my question is whether or not it is in order to have a recess during a yea-and-nay vote, so that Senators could ask questions and make parliamentary inquiries for a few minutes?

The PRESIDING OFFICER. The Chair did not hear the Senator's inquiry. Will he please restate it?

Mr. WILLIAMS of Delaware. May I direct a parliamentary inquiry to the Chair? I am about to suggest that the Chair take time to confer with the Parliamentarian on my question as to whether there is a precedent for a recess during a yea-and-nay vote—and I am not in any hurry for the answer.

The PRESIDING OFFICER. The Chair will rule on that question presently.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Are we still in session or are we in limbo? [Laughter.]

Mr. MORSE. Mr. President, I call for the regular order.

Mr. MANSFIELD. Mr. President, will the Senator withhold that point?

Mr. WILLIAMS of Delaware. Mr. President, I withdraw my parliamentary inquiry.

The rollcall was concluded.

Mr. LAUSCHE (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished Senator from Hawaii [Mr. INOUYE]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Hawaii [Mr. INOUYE], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

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

I further announce that the Senator from Washington [Mr. JACKSON] is necessarily absent.

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

On this vote, the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Wyoming [Mr. SIMPSON]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Wyoming would vote "nay."

I further announce that, if present and voting, the Senator from Washington [Mr. MAGNUSON], the Senator from Washington [Mr. JACKSON], and the Senator from Indiana [Mr. HARTKE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Wyoming would vote "nay" and the Senator from Massachusetts would vote "yea".

The result was announced—yeas 60, nays 28, as follows:

[No. 561 Leg.]

YEAS—60

Aiken	Brewster	Cotton
Anderson	Burdick	Dodd
Bartlett	Byrd, W. Va.	Douglas
Bayh	Cannon	Fong
Beall	Case	Gore
Bible	Church	Gruening
Boggs	Clark	Hart
Hayden	McIntyre	Randolph
Humphrey	McNamara	Ribicoff
Javits	Metcalf	Russell
Johnston	Monroney	Salinger
Jordan, N.C.	Morse	Scott
Keating	Moss	Smathers
Kuchel	Muskie	Smith
Long, Mo.	Nelson	Symington
Long, La.	Neuberger	Talmadge
Mansfield	Pastore	Walters
McCarthy	Pell	Williams, N.J.
McGee	Prouty	Yarborough
McGovern	Proxmire	Young, Ohio

NAYS—28

Allott	Ervin	Robertson
Bennett	Holland	Saltonstall
Carlson	Hruska	Sparkman
Cooper	Jordan, Idaho	Stennis
Curtis	McClellan	Thurmond
Dirksen	Mechem	Tower
Dominick	Miller	Williams, Del.
Eastland	Morton	Young, N. Dak.
Edmondson	Mundt	
Ellender	Pearson	

NOT VOTING—12

Byrd, Va.	Hickenlooper	Kennedy
Fulbright	Hill	Lausche
Goldwater	Inouye	Magnuson
Hartke	Jackson	Simpson

So the bill (H.R. 11865) was passed.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIRKSEN. Mr. President, I would like to yield without losing the floor.

Mr. GORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make all necessary technical and grammatical corrections in the bill which was just passed, and that the bill as passed by the Senate be printed.

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

Mr. LONG of Louisiana. I move that the Senate insist on its amendments and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. GORE, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

Mr. HOLLAND. Mr. President, I voted "nay" on the passage of H.R. 11865, the Social Security Act amendments of 1964, which was just passed by the Senate.

I wish the RECORD to show that I would have been glad to vote for this measure except for the fact that it includes the so-called medicare amendment offered by the distinguished Senator from Tennessee [Mr. GORE] and the distinguished Senator from New Mexico [Mr. ANDERSON].

I am particularly strong for those features of the bill which would have added to the payments to be made to social security recipients and would have permitted them to earn more without being penalized as to their social security payments.

My reasons for opposing the medicare features are many. I believe stating one would be sufficient. The addition of this particular amendment would bring the

payroll tax to 10.4 percent or more—and I believe it would be nearer 11 percent—and this to my mind marks the beginning of a destructive process which might well destroy the whole social security structure.

Everyone knows that the medicare provisions included in the act are but a beginning. Feeling as strongly as I do that these provisions cannot be added to the act without undermining the entire structure, which I think is a very valuable one to the Nation, I have voted against the bill.

Mr. President, I hope that the conferees in their good judgment will bring back to us a conference report which I shall be able to support, because I am anxious to vote for the provisions of the bill when the medicare provisions are excluded. I approve the wisdom of the House of Representatives and of our own Finance Committee in refusing to overburden the bill by adding medicare.

Mr. ERVIN. Mr. President, I believe a very good case can be made for the proposition that my political valor exceeds my political discretion. I say this because I voted against passage of the amendments to the Social Security Act.

As amended by the Senate, the bill might be calculated to promote the political health of its sponsors. It is certainly grossly inadequate to promote the health of its supposed beneficiaries.

The hospital and nursing home program which the amended bill would set up is grossly inadequate. It would take several billions of dollars to provide an adequate health program for the American people, and for that reason no attempt should be made to tie a health program for the American people to the social security system.

I entertain the opinion just expressed by the Senator from Florida [Mr. HOLLAND], to the effect that the bill, which provides for an increase in the social security tax to 10.4 percent, is the beginning of the destruction of the social security system.

So far as I have been able to ascertain by inquiry and by reading, every economist who has expresed an opinion on the subject has flatly declared that we cannot safely, from the standpoint of economic solvency, impose a total social security tax upon payrolls in excess of 10 percent of the covered payrolls.

The bill goes beyond that limit by providing for the imposition of a social security tax totaling at least 10.4 percent of the payrolls to which it applies.

Furthermore, this is the wrong way to provide medical care for those who are unable to provide medical care for themselves.

When all is said, the social security tax is another income tax. It is imposed on portions of the same wages and portions of the same compensation on which the income tax is imposed.

Furthermore, it is imposed upon the same payroll as that on which the unemployment insurance taxes are imposed.

Under this tax virtually everyone in the lower income brackets who received anything under the tax reduction bill which was passed earlier in the session would have a substantial part of the benefits taken away from him in added social security taxes.

Under the terms of the bill as it has been passed by the Senate, a person making $5,600 as a total income would pay exactly the same social security taxes, not only for social security purposes but also for so-called medicare purposes, that a man earning a million dollars a year would pay. He would pay this tax, which is another form of income tax, without the benefit of any deductions and without the benefit of any exemptions.

I would have voted for the bill as it came over from the House. I would have voted for the original amendment offered by the junior Senator from Louisiana [Mr. LONG]. However, I cannot in good conscience cast a vote which I honestly believe, from all the study I have made of this subject, is the beginning of the destruction of the entire social security system.

I believe an obligation rests upon all taxpayers to provide medical care for those who are incapable of providing medical care for themselves. That burden should be imposed upon the taxpayers in accordance with their ability to pay.

The bill violates the principle of ability to pay, for, as I have said, a person earning $5,600 is put under the same obligation as a person earning $1 million. Besides, the bill is grossly inadequate. It provides nothing to take care of the fees of physicians and surgeons of those who are unable to pay such fees. It provides nothing to take care of the cost of drugs or medicines used in the homes of the people. Moreover, the hospitalization and nursing home provisions ignore the plight of those who suffer from chronic or incurable ills.

For some strange reason, those who say that the so-called medicare proposal should be passed in order to provide medical care for those who are unable to provide it for themselves insist that Congress should also provide for medical care on like terms for persons like Nelson Rockefeller, who is reputed to be worth millions and millions of dollars. I use him merely as an example of some of those for whom advocates of the medicare program manifest a concern equal to that they manifest for those unable to provide medical care for themselves.

I share the hope of the Senator from Florida [Mr. HOLLAND] that the House will send the bill to conference and that the conference committee will file a report which eliminates the so-called medicare features and reduces the total amount of the social security tax to a sum which will not exceed 10 percent of the taxable payrolls, which the economists say is the maximum tax which can safely be placed upon the payrolls that are covered by social security.

I am sorry that the Senate has taken the action it has. In my opinion, such action converts the good social security bill, passed by the House, into a bill which is not only grossly inadequate to provide hospitalization for those who need it, but also is an affront to sound fiscal policy, which must be observed if the social security system is to be saved or if we are to avoid, in this country, the ultimate nationalization of business and industry. In closing, I wish to say that I am a strong advocate of a sound social security system, and for that reason hope that a conference committee will reject the Senate amendments and recommend a measure for which I can conscientously vote.

Mr. LAUSCHE subsequently said: Mr. President, I have a pair to the Senator from Hawaii on this issue. Therefore, I did not cast my vote. If I had voted, I would have voted "nay." I wish now to state the reasons for the judgment which I reached.

First, I assumed it to be a fact that in the House both a medicare plan and a plan to increase the benefits paid to the recipients of social security were considered.

The House decided that it could not give both, but that it could, and did, give an increase in the amounts that will be paid monthly to the beneficiaries of the fund.

The bill came from the House to the Senate in that form. The Senate decided not only to increase the monthly benefits to the beneficiaries of the fund, but also to include a medicare program in the bill.

Yesterday I stated that I could not subscribe to both. I stated that I was willing to take one or the other. I would have voted for the inclusion of the social security measure in conformity with the vote which I cast in 1960 and in 1962.

The fund cannot actuarially stand the burden of these two recent expenditures. On the basis of its present operations, it runs into a deficit of $500 million a year. Under the terms of the bill which has been passed, the deficit will be $2 billion a year.

This is an insurance fund. There is no justification for expecting that an insurance fund operated by the Government can survive without the application of the same principles that exist in a private insurance company. In spite of that conviction—and I am quite sure that it prevails with other Senators—it has been concluded today that we do not have to maintain actuarial soundness in a Government insurance fund. I cannot subscribe to that principle.

I invite the attention of Senators to the status of the Foreign Service retirement fund of the Government. In our Government we have the railroad retirement fund, the social security insurance fund, the Foreign Service fund, and the civil service employees retirement fund. My remarks will now be directed to the Foreign Service retirement fund. I am sure that if the people of the country knew how we have managed that fund, they would rise in rebellion and begin to wonder what is going to happen to the civil service retirement fund and to the social security fund.

I have already stated on the floor of the Senate that the Foreign Service retirement fund was established in 1924. According to my present recollection, in the course of the 40 years that followed, liberalizations were made in payments to the retirees. The liberalizations differed. Some were by increasing the amounts paid; others were by reducing the qualifications and the length of serv-

ice required. In any event, 15 liberalizations were made in the 40-year period. When the fund was established, the actuaries set up an organization which insured the solvency of the fund if those actuarial directions were followed.

At the end of 40 years what is the status of the fund? The Government owes the fund $284 million. However, that is an innocuous aspect, because the Government can pay it. But the fund, in order to continue in life and virility, would require a contribution of 30 percent a year of the salaries of the employees of the Foreign Service. Manifestly no employee will be able to pay 15 percent of his salary into the fund. The present law requires them to pay 6½ percent. In the Foreign Service there are employees who earn $20,000, $25,000, and $17,000 a year.

I ask Senators to ponder the situation. To keep the fund alive, there should be paid into it each year an amount equal to 30 percent of the wages earned by the employees of the Foreign Service.

The Senator from Connecticut [Mr. RIBICOFF] made the statement that the moment we get above 10 percent, we enter the field of diminishing returns and there might be an adverse impact upon the economy of the Government.

How will the 30 percent that is supposed to go into the Foreign Service retirement fund to keep it sound be paid? We shall not have the courage to make the workers pay 15 percent. They will continue to pay 6½ percent. The taxpayers will have to pay 23½ percent of salaries now at the level of $25,000, $20,000, and below. How can we do it? How can we face the taxpayer and tell him that the Senate and the House of Representatives have acted prudently in the managment of an insurance fund when that situation exists?

I respectfully say that anyone who dares make the statement that the fund was managed with sagacity and reason ought to drop his eyes in shame because the fact is that it was not.

Why do I describe the situation with respect to the Foreign Service fund? Because in my opinion, may I say to the Senator from Louisiana [Mr. LONG], we are heading in that direction with regard to the social security fund. Yesterday one of the proponents of the bill, after the Gore amendment was adopted, went on to explain that the burden of the Gore amendment was in excess of the ability of the fund to stand it, and in an amount that was not conducive to the future life of the fund. However, he expected that in the conference committee the excess amounts would be washed out.

That is a very optimistic expectation. It may be achieved in the conference. But I wish to warn that 2 years from now, when another election will be held on a national basis, in accordance with the words of the Senator from Kentucky [Mr. COOPER] spoken yesterday, the Congress will again liberalize the payments. It will increase the hospitalization and the nursing care. It probably will include drugs and doctors' services. How will the fund survive? It simply will not do so.

I think a tragic situation prevails among our people when they do not understand the truth about what is happening. And they do not understand it, because from the Halls of this Capitol is going word of the good that we are doing for the people. Of what consequence will the fund be if we bankrupt it? We induce the people to think only of today, and not of tomorrow and the days to follow.

Mr. President, I should like to have voted for the measure. Politically it would have been profitable, but I would not have been true to myself. Yesterday I voted against the Gore amendment. I joined 43 other Senators in doing so.

Today Senators who voted against the Gore amendment and felt they were right yesterday abjectly bowed their heads and said, "What we did yesterday was wrong, and today we will vote for it."

Why did they change their minds between yesterday and today? I wanted to do it, but if I had done so I would have had to declare that my thinking yesterday was wrong and false, or I would have had to confess the truth that today I did not have the courage to stand by my honest convictions.

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

Mr. LAUSCHE. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I, too, voted against the bill. I wish I had been able to vote for some of the good features of the bill, such as the increase in the monthly payments for the aged. But, as the Senator from Ohio has pointed out, the medical care that will be provided in the bill will not be what the old people expect, and the demand will soon be made to increase those benefits, and the cost is likely to increase fivefold or tenfold. Who is going to pay the increased charge? Since the contribution cannot be increased over 10.4 percent, the Treasury will have to bear it.

Mr. LAUSCHE. Yes, but if the Treasury pays it, the taxpayers will have to pay it.

Mr. ELLENDER. Yes, and that is what is going to happen.

As I pointed out yesterday, we have a splendid plan in my State of Louisiana. We have had that plan for 25 years. Our plan envisions a full measure of hospitalization for people above 65 years of age who are unable to pay. We have been taxing ourselves for the past 25 or 30 years to attain that goal.

As I also stated yesterday, this program will be put into effect in order to help States that have been dragging their feet in the past in providing help for their aged.

I express the hope, as my good friend from Ohio has just stated, that the conferees will strike out the medicare provision, so that all of us can join and vote for the good features that were incorporated in the bill that came from the Finance Committee to the floor.

Mr. COOPER. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. COOPER. I thank the Senator for yielding. I am very sorry that I felt impelled to vote against H.R. 11865 today, but it was a logical consequence of my vote yesterday against the Gore amendment. Yesterday, in speaking on the Gore amendment, I expressed my regret that I could not vote for it, for I believe that any effective plan of hospital care covering all of the 18 million people 65 years of age and over would have to be based upon the social security system. Yet I could not vote for the Gore amendment because no evidence was offered in committee, or on the Senate floor—in fact, every bit of the proof was to the contrary—that the amendment was fiscally sound and that its cost could be sustained by social security taxes.

The Senator in charge of the bill, the distinguished Senator from Louisiana [Mr. LONG], said categorically that the increase in social security taxes levied in the bill would not support both the increases in social security payments and the Gore proposals for hospital care.

The Senator from New Mexico [Mr. ANDERSON], who was one of the chief sponsors of the medical care proposal, a man we hold in high respect, suggested, after the vote had been cast, that it would be necessary in the Senate-House conference for the conferees to make any necessary adjustments to assure actuarial soundness.

The Secretary of Health, Education, and Welfare, Mr. Celebrezze, testifying before the committee, said, according to the statements which have been laid on our desks, that an increase of regular payments to those under the social security system, and the additional cost of medical care must be kept on a reasonable tax basis; and upon that basis, he gave his support to the bill before us.

The former Secretary of Health, Education, and Welfare, now a distinguished member of this body, the Senator from Connecticut [Mr. RIBICOFF], made the statement in the hearings that if the King-Anderson bill—which became the Gore amendment—were imposed on the House bill, providing increased payments for beneficiaries under the social security system, it would require a tax base of $6,600 rather than the $5,400 which was originally proposed in the bill and later raised to $5,600 by the Gore amendment.

I must be fair and say that the Gore amendment made some changes in benefits and reduced the total cost to the system. Nevertheless, one cannot escape the conclusion that no one in this body says that today increases in benefits under the regular social security system, and the medical benefits under the Gore amendment can be financed adequately under the terms of the bill. This being true, I did not feel I could responsibly vote for the bill, for an unsound bill will affect adversely those who are regular beneficiaries of the social security system, and it would raise false hopes which could not be fulfilled for those 65 years of age and over who expect to receive adequate hospital care under the bill.

It was difficult for me to vote as I did because there are many features of the bill of which I approve. I approve the concept of hospital care being provided under social security, but I could not in conscience vote for a bill which I believe is financially unsound, and which seems always to be brought up after the political conventions, and inevitably becomes tinged with politics.

This matter—the matter of providing adequate social security benefits for retired persons and for their widows and dependents—and the establishment of a system of hospital care for the needy is too important to consider in a campaign atmosphere. We shall see what action the Senate-House conferees take—and I hope they will produce a sound bill.

Mr. LAUSCHE. I am very appreciative of what the Senator from Kentucky has said. I say to him in deep respect that when I find my thinking in accord with his, I find strength in the conviction that what I am doing is right.

Mr. President, I yield the floor.

Mr. COOPER. I thank the Senator from Ohio [Mr. LAUSCHE], who is a great Senator and a good friend.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, 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 House to the bill (S. 27) to provide for the establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1123) to provide for the construction of the lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes.

The message further 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. 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; that the House receded from its disagreement to the amendments of the Senate numbered 11, 36, and 63 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 13, 18, 26, 52, and 58 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore:

S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes;

H.R. 1263. An act for the relief of Rickert & Laan, Inc.;

H.R. 4786. An act for the relief of the State of New Mexico;

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes; and

S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

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.

CONSTRUCTION OF LOWER TETON DIVISION OF THE TETON BASIN FEDERAL RECLAMATION PROJECT, IDAHO—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 amendment of the House to the bill (S. 1123) to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. (Mr. MCGOVERN in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CHURCH. Mr. President, I move that the Senate agree to the conference report.

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

Mr. CHURCH. I yield.

Mr. ELLENDER. Were any changes made by the conferees?

Mr. CHURCH. In conference, two changes were made. The House amendment contained the provision that part of the cost of the project which could not be repaid by irrigators would be repaid out of revenues of the Bonneville Power Administration.

The Senate bill had restricted this payment to revenues derived from Federal projects located in the State of Idaho.

In conference, language was adopted which looks to the revenues of the Bonneville Power Administration attributable to Federal projects located in the State of Idaho.

The only other section of consequence that was changed was the provision in the Senate bill to the effect that, for a 10-year period, water might not be delivered to new land for the production of crops in surplus. This provision was found not to be applicable, by virtue of the fact that no new land will be brought under irrigation on which crops, mainly wheat, are not already being grown—by dry-farm methods. So this provision was deleted from the Senate bill.

Mr. ELLENDER. I raised the question because a trend in the direction of higher cost to the Government has been underway for quite some time. In many cases, the cost of bringing water to certain farms in the irrigated area has grown in large proportions. I am wondering what the estimate is of the cost of bringing water to the land that is to be irrigated. Does the Senator from Idaho know?

Mr. CHURCH. Offhand, I cannot furnish the cost per acre to the Senator. But this is an exceptionally good reclamation project, in that 53 or 54 percent of the total cost will be repaid by the irrigators, whereas in the case of many projects that have been approved by Congress, as little as 20 percent or even less of the cost is repaid by irrigators. As compared with those projects, this is one of the few in which the bulk of the money will be repaid by irrigators.

Mr. ELLENDER. If it is a good project, it should stand on its own feet and farmers should pay the total irrigation cost. We should not permit the use for this purpose of funds derived from the sale of electricity at Bonneville or any other dam.

I have encountered some programs in which the cost of bringing the water to the land amounted to $2,500 an acre. The farmer was called upon to pay from 25 to 35 percent of the cost of irrigation, and the difference was paid by the Government through the facility owned by the Government—in this case, the Bonneville Power Administration.

For instance, at the Cedar Bluff, Kans., project, only 14 percent of the total irrigation cost—amounting to $8,374,000—will be repaid by the irrigators. At the East Bench unit project in Montana, only 18.5 percent of a total irrigation cost of $16,385,000 is to be paid by the irrigators.

Mr. President, I ask unanimous consent that a short table I have prepared showing these figures in more detail be inserted in the RECORD at this point.

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

Name of project	Percent repaid by irrigators	Allocation to irrigators	Repayment of cost of irrigation—	
			By irrigators	By power
Cedar Bluff, Kans.	14.0	$8,374,000	$1,175,000	$7,165,000
East Bench unit, Montana	18.5	16,385,000	3,068,000	13,397,000
Bostwick division, Kansas and Nebraska	31.0	60,198,000	18,742,000	41,456,000
Ainsworth unit, Nebraska	35.0	27,668,000	9,744,000	17,924,000
Lower Teton division of the Teton Basin Federal reclamation project, Idaho	54.0	38,151,000	20,635,000	17,516,000

Mr. ELLENDER. Does the Senator from Idaho know how much of the Bonneville proceeds has been used to meet the payments that farmers should have made to bring water to their farm?

Mr. CHURCH. It has been many years since irrigation projects have stood entirely on the ability of the irrigator to repay. The cheaper projects were built in the early years, and power revenues have been looked to for decades now to help supplement what the irrigators can pay, so that the entire cost of the project may be amortized in a 50-year period.

I wish to stress that this particular project, as compared with many others that Congress has approved over the years, allocates a much higher percentage to irrigators. Indeed, most of the money will be repaid by irrigators, whereas many other projects Congress has approved have involved repayment by the irrigators of as little as one-third or one-fourth, or in some cases as little as 20 percent. In one instance that I recall, as little as 17 percent of the amount is to be repaid by irrigators.

Mr. ELLENDER. Here, the irrigators will have to pay only 53 percent, and the Federal Government will have to pay 47 percent. That amount will come from proceeds—in this case from the Bonneville system—that are due the Government in order to retire the cost of developing electricity.

I believe that Congress should examine this problem before we go overboard. From what I can understand, the revenues from Grand Coulee have been mortgaged to the extent of many millions of dollars. The same thing is occurring with respect to all revenues from other dams where electricity is being produced from falling water. It is wrong for the Government to continue to reclaim and irrigate land and allow the proceeds from some of the dams where electricity is produced, to be used to pay the cost of irrigation. It is my intention to study this matter thoroughly after the Congress adjourns and present all of the facts I gather relating to reclamation projects next year.

Let us not forget that when my good friend the Senator from Idaho states that the irrigator pays back, in this case, 53 percent of the cost, payment is made over a period of 40 years without interest.

I am hopeful that come next year we shall be able to look into these projects and find out the extent to which the proceeds from all dams which produce electricity are mortgaged and used, in order to make these reclamation projects feasible.

I believe that if an investigation is made, it will be found that the proceeds from the electric power companies owned by the Government have been mortgaged for many years to come. In my opinion, it may even endanger repayment to the Government of the cost of constructing these dams.

I am hopeful that come next year, as I have just said, we shall look into the matter and see to it that the irrigation programs of the future will stand on their own, and not allow the Government to subsidize them any more than it has done in the past. In my opinion, a subsidy of 40 years without interest is sufficient.

We are subsidizing this project on a basis of 47 percent. In addition, the Government is subsidizing the irrigators to the tune of no interest in repaying the Government over a period of 40 years.

I believe that it is time for the Senate to look into these problems.

Mr. CHURCH. I thank the Senator from Louisiana for his remarks. I believe that the entire reclamation program ought to stand thorough scrutiny—and will stand thorough scrutiny at any time.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CANYONLANDS NATIONAL PARK, UTAH—CONFERENCE REPORT

Mr. MOSS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 27) to provide for the establishment of the Canyon Lands National Park in the State of Utah, 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 Chief Clerk read the report.

(For conference report, see House proceedings of today.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MOSS. Mr. President, the Senate bill came from the House greatly amended. It came back with a further reduction in acreage and after elimination of very carefully prepared multiple-use provisions intended to allow for exploration in the area for minerals for a period of years in a manner which would not lessen park values, and for continuation of the small amount of grazing now allowed until the death of the permit owners or their direct descendants.

Mr. President, the legislative history of the Canyon Lands National Park proposal is one of continuous obstruction—of nibbling and delaying and attempting to shunt aside a proposal so eminently meritorious that it could not be openly opposed.

I am tremendously indebted to my colleagues on the Interior and Insular Affairs Committee and the whole Senate for the patience, assistance, and support given me in working out a Canyon Lands National Park bill which would have permitted optimum development of the resources of the area involved, including both this outstanding national park and the economic resources.

I am deeply disappointed that the provisions in the Senate bill which permitted multiple use were not sufficiently "sold" to House Members, and were not kept in that body, or by the conference committee. However, I have made my fight on this and I have accepted the situation.

One of my reasons for accepting it, Mr. President, is that this magnificent area, publicized as a result of my efforts to create a national park, is already drawing visitors and tourists, although it is undeveloped and lacks access to its interior attractions. There is urgent need for development of access, for accommodations for the visitors, and for protection of some of the fragile attractions of the unusual area.

This influx of visitors is going to multiply. As the grandeur of the area becomes known it is going to attract more and more visitors. I have yet to take a visitor to the canyonlands who did not come away an enthusiastic supporter.

I took Secretary of Interior Udall and Secretary of Agriculture Freeman into the area in July 1961, so that they could see and judge for themselves whether it was worthy of national park status. They were enthusiasts before our exploration had hardly begun. I have had members of the Interior Committee visit the area, and have won their support every time.

I flew the new Director of the National Park Service over the area in a small plane recently, so that we could get down low and see such attractions as Angel Arch, Druid Arch, the Standing Rocks, the Maze, Chesler Park, Indian petrographs and cliff dwellings, Upheaval Dome and the great canyon gorges.

The Director, Mr. George Hartzog, told me after the flight that the canyonlands were undoubtedly the most fantastically beautiful area in the United States outside of the park system, and probably the most beautiful area of its kind in the world. Mr. ASPINALL, chairman of the Interior Committee of the House of Representatives, said much the same thing at our conference yesterday on the canyonlands bill.

As a result of the enthusiasm which the canyonlands engendered with the two Secretaries and others in the exploration party in July 1961, I introduced in Congress on August 8, 1961, the first Canyonlands National Park bill proposing a park of approximately 300,000 acres. At that time, it was not possible to describe the boundaries with particularity. The bill used the Green and Colorado Rivers as boundaries in the upper northern half and section lines as boundaries in the south.

The National Park Service undertook a survey of the area, covering a million acres, and for a time there was some discussion of a 300,000-acre national park surrounded by 700,000 acres of reserved recreation area lands subject to multiple uses, but no such bill was ever introduced. There never was a million-acre bill, as is sometimes said.

On February 7, 1962, I introduced an amended bill, providing for a park of 332,292 acres. The boundaries, then carefully studied by the National Park Service and others, were pushed back far enough from the Green and Colorado Rivers to include both banks of the rivers and take into the park many outstanding geological attractions.

The creation of a national park in this area, Mr. President, involved also finding a solution to the serious economic problems of the area.

Southeastern Utah had a tremendous boom in the fifties as a result of the discovery of uranium and construction of facilities for its production.

The assessed value of property in San Juan County, Utah, jumped from $3.4 million in 1953 to $132 million in 1960. In this period, the value of properties of the mining and minerals industry increased from $128,000 to more than $115 million.

In 1961, a downtrend had started. The assessed value of properties fell from the $132 million peak to less than $124 million with the termination of Government uranium-purchase contracts. Underemployment and unemployment spread. The situation became, and it remains, a very serious one despite our high-level national economic situation.

The establishment of the park means new economic opportunity in San Juan and adjacent counties.

The University of Utah made a study of the economic effect of the creation of the proposed Canyon Lands National Park. It found that Government and tourist expenditures would run $11 million in the first 5 years. This would mean wages and other net income of $2.9 million in the area and the generation of $5 million of secondary local income.

In the sixth year, the study estimates that park visitors will be running at the 250,000 level and tourist expenditures at $3½ million annually. This is estimated to triple in 15 years and quintuple in 25 years.

This will be a vast boon to the area, but its economic problems, as I have indicated, are of unusual proportions.

The Senate Interior and Insular Affairs Committee studied the whole problem carefully, a fact for which I shall always be grateful to my colleagues on the committee who were so generous with their time and attention to the problem when I requested it of them. Because of the unusual economic circumstances, it was provided in the Senate bill that exploration for minerals which might further support the economy of the area should be permitted in the new park for several years under careful supervision of the National Park Service.

In its report to the Senate, the committee reviewed the serious economic situation of the area and said:

> The Park Service feels that reasonable regulation of exploration and drilling for oil and other minerals, and production, could minimize damage to the area and protect key attractions. The committee is therefore reluctant to foreclose any economic opportunity in an area obviously confronted with a serious economic adjustment and has provided in S. 27, for the continued application of the mining laws for 25 years after the park's establishment, subject to regulations by the Secretary of the Interior to preserve park values.
>
> The unusual situation in southeastern Utah justifies, a majority of the committee believes, approving regulated mining activity for a limited time in this proposed new area.

I regret that the House committee did not get the same understanding of the unusual economic circumstances my colleagues on the Senate committee came to have. I feel sure that if they had, they would have approved the exploration provision of the Senate bill, which was stricken. No amount of persuasion could induce the conferees of the House to restore the Senate provision, so that in order to get a bill this year to create Canyon Lands National Park, we must accept the prohibition of mining.

I cannot help noting that in the final wilderness bill, the House provided for continued application of the mining laws for 25 years in forest areas, subject to regulations prescribed by the Secretary of Agriculture. It is difficult to accept this distinction: mining in wilderness but not in a national park.

There was no economic stringency like that in southeast Utah involved in the wilderness legislation. The Senate had voted to end mining activity in wild and wilderness areas which are being put in the Wilderness Preservation System. It was the House which insisted on the extension of applicability of the mining laws.

It is difficult to understand, in view of the House committee position on wilderness, why they could not have been even more easily convinced of the merit of permitting regulated exploration for oil and gas and other minerals—which need not be destructive of park values—in the canyonlands area.

Under the circumstances in which the canyonlands bill came back from the House, I felt it was necessary to go to conference. But the House conferees remained adamant, and in view of the effort of Congress to clear the calendar and adjourn, I feel that it is necessary to accept the conference report to get park development underway at the earliest possible time.

On the grazing provision in the Senate bill, the House conferees were more understanding and did compromise. I appreciate this. Grazing is not of the same major economic consequence as mining, but it will not damage park values. A great many tourists like to see cattle on western rangelands. Those with grazing permits now have a reasonable time before the use is phased out.

Mr. President, the effort to establish a Canyonlands National Park, now only a short step from reality, has been an almost unbelievable experience at times.

The great majority of people in Utah want the park. They appreciate the fact that we have in the State are area of such unusual and outstanding beauty that it should be preserved and made accessible to the citizens of the State, the Nation, and the world. They are human and realize that it will have great economic value to the State in the development of tourist business.

There was a time, as late as 2 years ago, when the Secretary of the Interior of the United States and I were prohibited from renting a hall on the University of Utah campus to show a film, "The Sculptured Earth." The film pictured the beauties of the canyonlands area and carried no other message than the fact that it is outstanding and should be preserved.

I invited Secretary of the Interior Udall to Salt Lake City for the premiere of the film and attempted to reserve Kingsbury Hall, on the campus, for the showing. Request was made to rent the hall. No university sponsorship was involved. But the board of regents insisted that a film of these Utah attractions was controversial and therefore must be barred from the campus of that educational institution.

There was a merry battle of statements over the situation for a few days, but the final result was that a member of the President's Cabinet, a member of this body, park officials, and citizens who believed that the canyonlands should be preserved—or were just curious—were barred from the university campus and had to view the film in a rented hall downtown.

The final passage of the Canyon Lands National Park bill is a fine example of the soundness of our democratic processes, in my opinion. There have been times when I have had to carry on the effort alone among the elected officials of the State, and contend with their hostility.

But the committees of Congress went out to Utah, saw the area, met with the citizens, studied the economic problems and the economic reports, and concluded accurately and wisely that the citizens of my State favored the establishment of the Canyon Lands National Park, that there was no great citizen opposition which made it inadvisable, and went ahead with the bill.

The park area which I proposed has now been diminished to 257,640 acres. The Park Service regards this as considerably less than is needed for an adequate presentation of an area and which can one day be one of the major attractions in the national park system if it is fully and properly developed.

This, of course, can be adjusted later. I am sure that it will be, for I am sure that the view of the Senators of both parties in the Senate Interior Committee will finally prevail; namely, that this is such a remarkable and unusual and beautiful area, it should be developed into a park ranking alongside Yellowstone, Glacier, the Grand Canyon, and Yosemite.

There have been times when I feared that the opposition among the officials in my State to the national park proposal would delay it for many years.

Although I regret that the conference bill is somewhat less than adequate, I accept the conference report in the present circumstances, so that it may go to the White House for the President's signature.

With the park established, with access to the area for the visitors who are already arriving, and with greater appreciation in Utah of the potentialities of the park, there is no doubt in my mind that the provisions of this original, founding measure can be adjusted to realize all of the tremendous potentialities of the canyonlands.

Before concluding, I wish to express truly heartfelt gratitude to the members of the Public Lands Subcommittee of the Senate Interior and Insular Affairs Committee for all their time and effort and the support that they have given me.

The chairman of that committee, the Senator from Nevada [Mr. BIBLE], former attorney general of his State, has spent endless hours gathering the facts, studying the reports and the economic factors, and helping me to shape a wise bill. The Senator from New Mexico [Mr. ANDERSON], long acquainted with the area, has given me wise counsel and encouragement. I shall always remember the assistance of the Senator from Montana [Mr. METCALF] at the hearings in the field and in Washington, the enthusiasm of Senator Oren Long of Hawaii who has retired, and of the Senator from Alaska [Mr GRUENING] who never intends to retire. I have no less appreciation of the support of the subcommittee members on the minority side and I shall always remember the enthusiasm for the project which was expressed by the Senator from Idaho [Mr. JORDAN] a native of my State and the Senator from Wyoming [Mr. SIMPSON] as we circled the canyonlands in an airplane on a field trip, during which we inspected more than a dozen proposed parks and recreation areas.

The members of the subcommittee had given up their Fourth of July recess to this field trip, which was packed with inspections and hearings. It had been an arduous trip when we came to the canyonlands area headed for Kansas for further hearings on the Prairie National Park. There had been some sharply conflicting views expressed to us about other shore and recreation area proposals.

But as the committee looked down on the canyonlands, there was not a dissent that this almost indescribably beautiful area should be set aside for the enjoyment of our citizens for all time as a unit of the national park system, nor was there any dissent that it would be one of the outstanding units in the system.

Mr. President, I move that the Senate adopt the conference report on S. 27 and ratify its action in passage of S. 27.

Mr. BIBLE. Mr. President, will the Senator from Utah yield?

Mr. GRUENING. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield to the Senator from Nevada [Mr. BIBLE].

Mr. BIBLE. Before the motion is put, I do not wish the opportunity to go by without paying particular tribute to the Senator from Utah [Mr. Moss] who has labored so long, so hard, so diligently, and so persistently to bring about the creation of one of the last opportunities we may have in this Nation to establish a national park of the Yellowstone National Park class.

Those of us who have visited the area and who have worked under the leadership of the Senator from Utah know that in this vast area of natural wonders, Indian lore, and recreational opportunity we have something that is probably unduplicated elsewhere on the American continent—possibly in the world.

This statement is not exaggerated.

I hope that every Senator and Representative, and the people of the United States by the millions will visit this park in the years ahead. It rivals our finest parks in breathtaking scenes. It is unduplicated. The canyonlands have something new for the most inveterate traveler.

It has amazed most of us on the Interior Committee that passage of the canyonlands legislation should have proved as difficult as has been the case.

Parks normally are protected against commercial activity. In this instance, however, the tract involved is in an area which has undergone a tremendous economic growth resulting from the uranium boom, and now faces a disastrous decline. Senator Moss showed our committee the economic necessity for permitting exploration for petroleum and minerals in the area involved. We made accommodations for several years of regulated mineral activity.

Then there were complaints about size, about boundaries, and other details. When one objection was met, new ones were raised.

Mr. President, the Senator from Utah [Mr. Moss] demonstrated unusual patience and exceptional legislative skill in the manner in which he met the repeated obstacles put in his path. Many would have abandoned the effort in face of the sort of obstructions presented.

Senator Moss has meet those obstructions one after another. He is a master of the art of legislating. The canyonlands bill is only one of many measures he has steered through Congress in his first term in this body. His record, and his skill in handling the measure we are now about to dispatch to the White House for the President's approval, mark him as an unusually effective Member of this Senate.

It has been a great job—a task well done. The Senator from Utah fought hard all the way to sustain the principle of multiple use. The situation finally came down to the point where the Committee had to accept some modifications of this concept, or lose some of the grandeur of this great area. I believe that the final decision reached by the conference committee was, under the circumstances, a good decision, and a workable decision in creating what will soon be known as one of our outstanding national parks.

I close with sincere congratulations to the junior Senator from Utah [Mr. Moss] for an unusually difficult legislative operation well and successfully done.

When I return to this wonderful area, as I shall for I want to take others to see it, I shall thank him for the energy and effort he has expended to assure the preservation of this area for the enjoyment of the people of this Nation. All Americans are in his debt for this great work he has done.

Mr. MOSS. I thank the Senator from Nevada [Mr. BIBLE] for his very kind words. I again express my appreciation for his great leadership.

Mr. GRUENING. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. While the Senator from Utah has properly and justly paid tribute to his colleagues on the Public Lands Subcommittee, and on the full Interior and Insular Affairs Committee, especially to the distinguished chairman of the Subcommittee on Public Lands who has just spoken, I believe that I may say that in my 5 years' experience in the Senate I have never seen an achievement which reflects so much credit on a single individual as that of the sponsor of this bill, the Senator from Utah [Mr. Moss].

For 3 years he has fought indefatigably in subcommittee, in the full committee, on the floor, and elsewhere to bring about what I consider to be one of the great accomplishments of the Congresses in which we both have served.

It is a remarkable fact that no other park recently created in the park system is comparable to this one in grandeur and splendor. It is a magnificent area that rivals the Grand Canyon, Yellowstone, and Yosemite. Canyonlands, though their equal, was not incorporated in our national park system. It remained for the Senator from Utah [Mr. Moss] to see extraordinary qualities, the vast beauty, and the advantage involved in bringing this area into our national park system. It will be of inestimable value to the people of Utah. It will bring hundreds of thousands of tourists to the area. It will preserve for all time one of the most beautiful areas in the world.

The credit for this achievement is due to the Senator from Utah [Mr. Moss] more than to anyone else.

The Senator from Utah has labored long and hard for this bill, as I have seen few other bills labored for. The bill may not be quite in the form in which he desired to achieve it. But, after all, the other body had its ideas. Occasionally we must compromise. I would have been in favor of the bill as the Senator from Utah originally proposed it. Nevertheless, his achievement is unique. It deserves enduring recognition.

Mr. MOSS. I thank the Senator from Alaska for his great help in this matter. I thank him for coming out to my State to view this land. I thank him for his work on the committee and on the floor.

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

Mr. MOSS. I yield.

Mr. METCALF. Mr. President, we were quite glad to participate in the hearings in Utah on the Canyon Lands Park bill. It was my privilege to visit the canyonlands on a trip that was arranged for us by the Senator from Utah [Mr. Moss].

This is an area of spectacular natural beauty. It is an area which rivals any other area in which I have ever been; and I have been in most of the national parks of the country.

I join my colleagues in paying tribute to the Senator from Utah for providing that this area will be preserved for the benefit of the people of all America. We are very proud of our national parks in Montana. Glacier and the entrances to Yellowstone have made Montana a tourist mecca. The sensational and unique beauty of the Canyon Lands National Park is something that we would welcome having in our State.

I commend the Senator from Utah for his perseverence and determination that

this area shall be preserved for the people of Utah and of all America so that all of us may have the opportunity to enjoy the beauties of that area. His perseverance has contributed tremendously to the creation of this park.

I, too, felt, when I was there, that the proposed park should be bigger, that it should include some of the areas that have been omitted. But I agree that this is a business of compromise, and in order, at this late date, to conserve and preserve these great natural beauties for the people of America, compromise had to be entered into.

A quarter of a century from now, when some of the beauties of America have passed on, all of us will be grateful to the Senator from Utah for his moderation, wisdom, and perseverance in having this bill passed.

Mr. MOSS. I thank the Senator.

Mr. BENNETT. Mr. President, approval by the Senate today of the joint Senate-House conference report brings to a climax over 12 years of work on my part and on the part of the people of Utah and the National Park Service to obtain deserved national recognition of the canyonlands country. The canyonlands fully merits national park status. Unfortunately, some provisions of the bill are not what they should be. Many people in Utah will be disappointed that the promised multiple-use provisions are not included in the bill. I take personal satisfaction in the gains made in conference since, as my junior colleague [Mr. Moss] has acknowledged, the conference was held only at my insistence. If it had not been for me, there would have been no conference at all. Indeed, Secretary Udall charged that I "mousetrapped" Senator Moss into sending the bill to conference. The gains made in conference consisted of some grazing concessions and a 120-day cutoff to complete the exchange of State land within the park for Federal land located outside its boundaries.

Even though the bill is not all that the people of Utah had hoped for, the choice at this time is whether or not there should be a park or no park. On balance, I feel that there should be a park, and I shall vote for the conference report and urge the Senate to do so as well.

SOUTHERN UTAH NATIONAL PARKWAY

Congressional approval of the bill will mean not only that a magnificent area will be developed and protected; it will also mean that major portions of the Southern Utah Parkway for which I have fought for many years will be built. The Moss bill failed to provide for access roads to the park, but through the Bennett amendment, approved in the Senate and then in the House, these access roads may now be built from Utah Highways 24 and 95 and U.S. route 160. Without roads the park would be valueless economically.

These roads will be of parkway standards and will, when built, open up the vast scenic area of southeastern Utah, an area many times larger than the park itself. If Secretary Udall will now approve my parkway bill rather than to oppose it as he has done, we can link the canyonlands parkway complex with the magnificent areas in south central and southwestern Utah. These areas include Capitol Reef and Cedar Breaks National Monuments and Bryce and Zion National Parks.

BILL REPRESENTS 12 YEARS WORK

It has taken more than a decade to make the necessary studies and lay the background for the bill now before the Senate. It was my privilege to support appropriations for a National Park Service study of the Dead Horse Point area, which was completed on January 19, 1953. In the intervening years, the State of Utah evidenced a wish to launch a progressive State park program. I had the honor to successfully sponsor two bills that made a State park program possible in Utah. Under these bills, the State acquired lands to develop the Dead Horse Point State Park, which will ultimately be the most spectacular such park in the United States.

Another important step involving this area was taken in 1956. I had the honor to be a sponsor of S. 500, which was signed into law that year by President Eisenhower, which, in part, created a 1,429,000-acre Glen Canyon National Recreation Area. Of this amount, 1,337,000 acres are in Utah, and adjoin the canyonlands country.

These steps were followed by Department of the Interior studies, that I urged, in the Needles area from May 13 to 21 in 1959, and a study of the Land of Standing Rocks between May 9 and 13, 1960. I worked very closely with former Secretary of the Interior Fred A. Seaton and former Assistant Secretary George Abbott in connection with these studies, and backed appropriations for them. The result was a bill which I had drafted by the Department of the Interior. I introduced the bill on March 7, 1961, to provide for the establishment of a 72,000-acre Needles National Recreation Area, all of which area is included in the bill now before the committee today. The Park Service thereafter completed its overall canyonlands study. At the request of the Utah State Park and Recreation Commission, I introduced a bill, S. 2616, to set aside three smaller areas comprising a national park complex in the canyonlands country, connecting them with access roads built by the Park Service. My colleagues in the congressional delegation also introduced bills in the late summer of 1961.

It was my privilege, therefore, in March of 1961 to introduce in the Senate the first bill affecting the area which is now called canyonlands.

CLYDE-OLSEN COMMITTEE

Meanwhile, Gov. George D. Clyde appointed a special committee to study the various proposals to establish a Canyonlands National Park, to determine the economic impact of such proposals, and to make recommendations in connection therewith. The committee was chaired by the late Chester J. Olsen, former regional forester and the first director of the Utah Park and Recreation Commission, an active Democrat and a noted conservationist. It was my privilege to introduce a bill incorporating the recommendations of that special committee, S. 3744 of the 87th Congress. The bill would have authorized the creation of a 310,000-acre Canyon Lands National Park and Recreation Area, with up to 102,000 acres to be administered under traditional national park concepts, while at least 208,000 acres would be administered as a multiple-use national recreation area. This was felt to be the practical way to balance the scenic values and the natural resource values of the proposed national park.

However, the Senate Interior Committee rejected this approach and elected last year to report S. 27, which provided for a phaseout over a period of 25 years for mining and other multiple uses within the park. In view of the committee's decision, I gave my full support to S. 27 when it was before the Senate, even though I had serious doubts about the bill as it was written. The Senate passed the bill on August 2, 1963, a significant milestone for canyonlands. At the same time I reserved the right to work as the legislation progressed to obtain perfecting provisions.

PROMISE TO KEEP MULTIPLE USE

In appearing before the committee and again on the Senate floor, I reiterated the warning which Governor Clyde had made many times before that the House Interior Committee would not accept a national park with so-called multiple use provisions designed to protect the great economic values of the area other than its scenic beauty. Instead, we urged the creation of a smaller so-called "pure" park that would be managed under traditional national park standards.

Prior to that time, all four members of the congressional delegation met with officials from the State of Utah and the National Park Service. When it was pointed out that the House would not accept a multiple-use national park, Senator Moss said that this made no difference for he would call a conference between the Senate and House conferees and would retain most, if not all, of the Senate multiple-use provisions. He said there would be no bill without this protection.

Both Governor Clyde and I were skeptical of this at the time and said so. We argued that it would be better to seek a smaller pure park rather than to run the risk of creating an unnecessarily large park and have multiple use banished from it by the House. Both Senator Moss and the Senate Interior Committee on which he serves chose to reject this request and to push ahead with a much larger multiple-use park in spite of the long-standing position of the House. Now what we feared has become fact.

CONSTRUCTIVE ROLE

Throughout the entire deliberations on the canyonlands problem, I have tried to play a positive, constructive role, since I earnestly favor national recognition of this magnificent country. As a result of my activities, some of the gross mistakes in the earlier bills were corrected and some obvious excesses have been forestalled. I considered S. 27 a vast improvement over earlier administration bills introduced by my colleague.

As one example, the first Moss bill made no provision for access roads. If it

had been approved, the canyonlands country would have been nothing but an isolated wilderness area to which only hikers could go, and there would have been absolutely no economic benefits to the State of Utah.

As a result of conferences over a period of several months with Utah's Governor and other key officials in Utah and in Washington who have responsibilities that will be affected by the creation of a park, I had offered several perfecting amendments to the Senate Interior Committee when it was considering S. 27; and I am sorry to say many were rejected. The suggested changes were simply a guard against losing more mineral and other recoverable resources than necessary. These same suggestions were incorporated in H.R. 6925 introduced by Representative LAURENCE J. BURTON.

CANYON LANDS NATIONAL PARK, A GREAT NATIONAL ASSET

The canyonlands country in southeastern Utah along the Green and the Colorado Rivers comprises one of the most magnificent and varied scenic areas in the world. I have visited the area and have been overwhelmed by its beauty and grandeur. During the course of the hearings and previous discussions on the proposals to create a Canyon Lands National Park, we have all heard many glowing accounts of the beauties, majesty, and magnificence of the superbly rugged scenery so abundant in the red rock country of my State. I can personally vouch that, if anything, those who have uttered those accounts have only been guilty of understatement. A booklet issued by the National Park Service describes the area as "visually exciting," which indeed it is.

SCENIC AND GEOLOGIC BEAUTY

The area is believed to be the world's most massive exposure of red-rock canyons. It has unique formations of arches, needles, pinnacles, and standing rocks carved out by river and wind erosion.

There are prehistoric Indian ruins, paintings and rock carvings in the southeastern part of the area. This is big, rough, diverse, vividly colored, unforgettable country.

We have in canyonlands a national asset which fully deserves national recognition, development, and preservation so that all the people of our Nation may enjoy its splendor. To date, only a handful of people, even in Utah, have had that opportunity because of the remote location of the canyonlands and its rugged terrain and comparative inaccessibility.

There has never been a question of the worthiness of the area or the desirability of preserving and making available for public enjoyment the features of greatest national significance in a Canyon Lands National Park. The Governor of Utah, the Utah congressional delegation, and the vast majority of the people of Utah have strongly supported the proposal for national recognition.

As explained earlier, I shall vote for the bill because, on balance, it is, in my view, in both the State and the National interest to do so.

Therefore, I urge Senate approval of the bill.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MANSFIELD. Mr. President, I join my colleagues in expressing thanks to the distinguished Senator from Utah [Mr. Moss] for his determined effort and long-standing pull in the direction which brought about the achievement of the legislation which is now on its way to the White House. The creation of the Canyon Lands National Park marks a historic occasion. It has been almost 20 years since the last national park was established.

This park, of course, is unique in its possibilities and its beauty. It will be a valuable addition, not only to the State of Utah and the West, but also to the Nation as a whole.

I commend the distinguished Senator from Utah [Mr. Moss] for his unswerving effort and fine success in a venture which has taken a long time to achieve.

Mr. MOSS. I thank the Senator.

KICKBACK BY MATTHEW McCLOSKEY ON DISTRICT OF COLUMBIA STADIUM CONTRACT

Mr. COOPER. Mr. President, a few days ago the distinguished Senator from Delaware [Mr. WILLIAMS] told the Senate that Mr. Don Reynolds, who had been a witness before the Senate Rules Committee during the course of its investigation into the affairs of Robert Baker, had reported to him that he had been paid by McCloskey and Co. a sum of approximately $35,000 in excess of the cost of the premium upon the performance bond which was executed in connection with the District of Columbia Stadium, and that Mr. Reynolds alleged that the $35,000 was to be paid to Mr. Baker to be used in connection with a political campaign.

As a result of the statement by the Senator from Delaware, there have been many editorials, and I think properly so, stating that it was necessary to reopen the investigation into the affairs of Robert Baker to find out the truth about these statements and to conclude the investigation.

I join in the position that the allegations should be thoroughly investigated. On July 24, I offered a resolution proposing that there be established in the Senate a committee to be called the Select Committee on Standards and Conduct, to be composed of three members of the majority and three members of the minority party.

I considered that such a committee would have great standing in the Senate and before the country, and that, being equally divided between the two parties, it would eliminate partisanship, so far as it was possible to do so. I felt that it would protect the integrity of the Senate. The Senate adopted my resolution.

The session is drawing to a close. I hope very much that the President pro tempore of the Senate will appoint the committee.

It may be that some other committee of the Senate will undertake the investigation of the facts which have been brought to light by the Senator from Delaware [Mr. WILLIAMS]. If not, the select committee to be appointed—and it must be appointed under the terms of the resolution—could undertake the investigation.

A moment ago I referred to many editorials which have commented on the statements of the Senator from Delaware. I noticed today an editorial entitled "Bungled Investigation," in the Washington Post, and one published in the New York Times entitled "More on Bobby Baker."

The language in the Washington Post editorial is correct insofar as it reports the action of the committee as a whole. Nonetheless, anyone who does not know the facts would have the impression upon reading the editorial and similar editorials that no effort was made to call Matthew McCloskey before the committee.

I refer to the editorial published in the Washington Post. The editorial states in part:

> The Rules Committee had elicited from Reynolds a statement to the effect that he had paid $4,000 to Baker and $1,500 to Former House District Committee Clerk William McLeod for their help in getting the stadium bill passed. But the committee was content to let the assumption stand that this came out of Mr. Reynolds' commission. Matthew M. McCloskey, former Democratic finance chairman and former Ambassador to Ireland, who had paid the bond premium to Reynolds and who had an obvious interest in having the stadium bill passed, was not called as a witness.
>
> At that time it appeared that interested parties had handed out money to promote legislation, but the Rules Committee did not feel it necessary to look beneath the surface.

That is a correct statement as far as it refers to the full committee.

However, members of the minority, on at least two occasions, and, I believe, on three occasions, moved in committee to call Matthew McCloskey before the committee for questioning. We were voted down by the majority.

On one occasion I moved specifically that Matthew McCloskey be called before our committee. I not only made the motion, but, as the record shows, I cited facts surrounding the performance bond as a reason for calling Mr. McCloskey as a witness.

According to Reynolds' testimony he had paid from the premium $4,000 to Mr. Baker and $1,500 to Mr. McLeod I cited these facts as requiring and demanding that McCloskey be brought before our committee to inquire as to what other facts he might have about this transaction.

If the motion which I made on one occasion, and which was made later by Senator CURTIS and Senator SCOTT, members of the minority, had not been voted down by the majority, we would have had Mr. McCloskey before the committee. We would have had an opportunity to elicit other information, and we might have discovered the information which the Senator from Delaware [Mr. WILLIAMS] has discovered.

One member of the majority on the committee—the distinguished Senator from West Virginia [Mr. BYRD] on several occasions voted with the minority and it is my recollection that he voted also to call Mr. McCloskey. The fact is that the Republican members of the committee tried to bring McCloskey before the committee, and we were voted down again and again.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. WILLIAMS of Delaware. The Senator from Kentucky is correct. The minority members of the Rules Committee tried to have Mr. McCloskey called as a witness. One reason why Mr. McCloskey was to be called and why there was an interest in his testimony, was that there was a strong rumor to the effect that an overpayment had been made in this case. The committee was aware of the rumor. Majority members who rejected this request knew how it could have solved the question had it so desired. It could have been solved by calling Mr. McCloskey. Had that been done the statements which I made this week would have been entirely unnecessary.

The committee was put on notice not only in the executive sessions by the minority members, but I should like to read what was said on the floor of the Senate on July 27. It appears at page 17030. At that time I was in colloquy with the chairman of the Committee on Rules and Administration. I said:

Mr. WILLIAMS of Delaware. I concur in what the Senator from Nebraska stated. Mr. McCloskey should have been called. It would have been far better.

There is one other missing link which may have only supported the other testimony or it may have raised other questions. Some of the canceled checks were in the committee hearings and I have them before me.

The committee has also the canceled check by which Bobby Baker got his $4,000. The committee has the canceled check for $1,500 that Mr. McLeod received. But what the committee does not have and which the committee should have and which I hope it will still try to obtain, is a copy of Mr. McCloskey's check to Mr. Reynolds as payment for this stadium insurance. I think it would be very important to have that information.

Mr. JORDAN of North Carolina. I think Mr. Reynolds' record shows what the amount is. The report shows what he paid for the performance bond. But I shall not argue that point.

Mr. WILLIAMS of Delaware. It shows that Mr. Reynolds was to get $73,631.28 from Mr. McCloskey.

He paid Hutchinson, Rivinus & Co., who handled the insurance for Reynolds, $63,599.72. That left a difference for his commission of $10,031.56. Out of that $10,031.56 he wrote a check for $4,000 to Bobby Baker and two checks to Mr. McLeod, one for $1,000 and one for $1,500.

While it may be merely routine, I should like to see the $73,631.28 check to see if that is exactly what was paid. I would suggest that even now the committee could obtain a copy of that check. It may be interesting.

Here again the committee was on notice that it was important to get this check. The committee had been alerted, and so had the Department of Justice, that there was the strong possibility that the check used to pay for the performance bond had been in an inflated amount. This point was confirmed yesterday by Mr. McCloskey. He admits that the check was for $109,205.60, which represents $35,000-and-some-odd above the actual cost of the performance bond. The performance bond was on record in the District Commissioner's office, and it shows that the actual cost was only in the amount of $73,631.26. Yet we now find that Mr. McCloskey admits having sent a check for $109,205.60 to cover this item.

Certainly questions are in order.

Certainly the committee should have called Mr. McCloskey; it should have subpenaed his records. That should have been done in committee. They had their chance. I regret very much the necessity of having to come to the floor of the Senate earlier this week to bring this information to the attention of the Senate as a whole. It is a matter which should have been developed by the committee. Mr. McCloskey should have been called to testify before the committee. But we had no alternative because the Committee on Rules and Administration, by a 6-to-3 partisan vote, voted against a further continuation of the investigation. We were told at that time that if any of us later developed any further information we should come to the floor of the Senate with it. All right, we came to the floor of the Senate with it and I am waiting to see how the Senate will handle it.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. ELLENDER. Was it brought to the attention of the committee that the check for some $100,000 from McCloskey was issued by McCloskey?

Mr. WILLIAMS of Delaware. The check itself?

Mr. ELLENDER. Yes.

Mr. WILLIAMS of Delaware. I received the check just a short time ago. I did not have the check when I was speaking on July 27. Had I had the check then, I would have given it to the committee had they been interested. I gave to the committee—and I believe the chairman of the committee has confirmed this—what information I had at the time, and even told them of the need of checking this very important point. They refused.

Mr. ELLENDER. Why was it not possible to get the amount of the check from Mr. Reynolds? Was he not before the committee as a witness?

Mr. WILLIAMS of Delaware. Mr. Reynolds did not have the check; he had cashed it. The check could have been obtained by calling Mr. McCloskey.

Mr. ELLENDER. I understand; but the amount of the check was known by Reynolds, was it not?

Mr. WILLIAMS of Delaware. Perhaps. Mr. Reynolds to my knowledge was not asked by the committee on this particular point.

Mr. ELLENDER. The Senator from Delaware was there, was he not?

Mr. WILLIAMS of Delaware. No; I am not a member of the committee. I was only a bystander trying to help.

Mr. ELLENDER. Somebody, I am sure, asked about it. I recall reading in the RECORD and also in the newspapers that Mr. Reynolds was asked if he knew anything other than what he had testified to. He said no, that he did not. So does not the Senator believe that Mr. Reynolds is the one to blame, in a measure, for not bringing the matter to the attention of the committee?

Mr. WILLIAMS of Delaware. Partly, but not altogether. I asked Mr. Reynolds—and I put his answer in the RECORD—why he did not disclose it to the committee earlier. He said it was because of the antagonistic attitude of the committee; that the committee seemed more interested in discrediting him as a witness and in covering up the case than in pursuing it.

Mr. Reynolds told me that there was an overpayment, but he did not have the amount. I asked the committee to help establish the point, but they were not interested.

I could not proceed until I got the check because, after all, we should have the documents. That is why I alerted the committee to the fact that there was a suspicion of overpayment. I said this again publicly on the floor of the Senate on July 27 in a colloquy with the chairman of the committee. The committee refused to take any action. Likewise, the Department of Justice was on notice that there was a suspicion of overpayment. Their agents were aware of this same report. They were not interested. No one was interested until I produced the canceled check here this week.

After I got the canceled check, Reynolds was willing to fill in the rest of his testimony, and I was able to proceed. Some time ago he had asked my assistance in getting the check and said he was willing to work with the committee. But I regret very much that the committee did not seem to be interested in developing anything other than that which they thought somebody else already knew.

I only wish that the committee had followed the very simple procedure of calling Mr. McCloskey as a witness. After all, he is an American citizen; there would have been nothing sacrilegious about calling him before the committee and asking him to testify under oath the same as other witnesses. That is what should have been done. Remember there were definite charges of payoffs on this contract.

Mr. ELLENDER. Was Mr. Reynolds under oath?

Mr. WILLIAMS of Delaware. Yes; but not in public session because the committee would not allow him to testify in public.

Mr. ELLENDER. Was he not asked whether he knew of any other transactions than those to which he testified?

Mr. WILLIAMS of Delaware. I do not know what he was asked. The Senator from Louisiana will have to read the record himself.

Mr. ELLENDER. From the accounts I read in the newspapers I gathered that Reynolds was asked whether he knew anything more.

Mr. WILLIAMS of Delaware. I would assume that he did. But should we stop there and not call Mr. McCloskey? Why object to calling Mr. McCloskey?

Mr. ELLENDER. I am not objecting or trying to protect anyone. I am making the point with the Senator from Delaware that the committee, in my opinion, should have called Mr. Reynolds to task, because apparently he did not tell the truth. If it were left to me, I think I would have him up for perjury.

Mr. WILLIAMS of Delaware. As far as I know Mr. Reynolds was not asked about any overpayment. He was asked about his payments to Mr. Baker and Mr. McLeod. Certainly we should pursue this question to determine whether he had other information then or whether he has other information now.

But why object to calling Mr. McCloskey? Weeks ago the committee was told that there was a strong suspicion that an overpayment had been made on this contract. Mr. Reynolds was willing to tell the committee there had been an overpayment, but he did not have the check and did not remember the exact amount. He said we would have to get the check to establish the exact amount. He told me that, and the committee and the committee chairman knew it. I advised the chairman of the committee that he should get that check. Why did he not get it?

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

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. I was present when Reynolds testified. It is correct that he did not tell us all the facts. There is no question about that. The facts, as since reported by Reynolds to the Senator from Delaware, were not told us, either in his own statement or upon cross-examination. But even admitting that to be true, the admission of Mr. McCloskey that he delivered to Mr. Reynolds a check in the amount which Reynolds has later reported, indicates, in that respect, at least, that the statements of Mr. McCloskey and Mr. Reynolds are in accord. But this evidence was reported after our investigation had been cut off, and after Mr. Reynolds had testified before the committee.

The facts are that Mr. Reynolds testified he was in Mr. Baker's office with Mr. McCloskey and Mr. Baker; and Mr. McLeod also came into the office. Later, Mr. Reynolds paid to Mr. Baker, according to Mr. Reynolds' statement, $4,000. It is not clear what that payment was for. Even that transaction was covered up to make it appear that it was a loan, when it was not a loan. Mr. McLeod was paid $1,500. He seemed to think it was perfectly natural to have someone give him $1,500 for his activities supporting the stadium bill. The point is that these facts, which to say the least are suspicious, made it necessary, in my view and the view of the Senator from Nebraska [Mr. CURTIS] and the Senator from Pennsylvania [Mr. SCOTT], that Mr. McCloskey be called to tell the committee what he knew about these transactions and what, if anything, they had to do with his contract to construct the stadium. It was negligent on the part of the committee not to call him.

For at least twice, a motion was made in committee by the Republican members to call Mr. McCloskey as a witness. On one occasion I made a motion to call him. As I have said; I discussed the facts of the meeting in Mr. Baker's office and the payment of funds to Baker and McLeod as a reason why McCloskey should be called, so that we could determine if there was any other evidence relating to the transaction. But my motion was rejected; it was voted down. The majority would not agree to call McCloskey. They voted against calling him. On another occasion, we tried to have him called, but again we were voted down.

If McCloskey had been called, if he had been before the committee, and had been sworn, we certainly would have asked him every fact he knew about the premium upon the performance bond, how much he had paid, and to whom he had paid it; and also, of course, we would have had the opportunity to subpena his records, if that had been necessary. But all of that was denied by the refusal of the majority to vote in favor of the motion which we made to call McCloskey as a witness.

Those are the facts of the case.

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

Mr. WILLIAMS of Delaware. I yield to the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. I repeat, I do not defend Bobby Baker or anyone else, and after listening to the Senator from Kentucky [Mr. COOPER], I believe that the committee erred in not calling Mr. McCloskey.

The point I wish to make to the Senator from Delaware is this: I find it strange that the committee was unable to elicit from Mr. Reynolds the total amount of the check which was paid to him.

Mr. WILLIAMS of Delaware. That is one of the many questions which I would ask about the committee's failure. I do not understand why they did not get an answer to this question—not only an answer to this question, but answers to many other unanswered questions in the Baker investigation. I am afraid that a great deal is due to the fact that the committee was not interested in asking questions. Someone may have been afraid they would get embarrassing answers.

I am not excusing Mr. Reynolds, nor am I excusing anyone. I wish we had had this information sooner, but the reason it was not fully developed earlier was that the majority members of the committee were not overly enthusiastic about asking questions.

Mr. ELLENDER. Does the Senator make that charge against the Senator from Kentucky?

Mr. WILLIAMS of Delaware. Oh, no; of course not. I was speaking of the action by the majority members of the committee.

Mr. ELLENDER. The Senator from Kentucky attempted to find out the total amount that was received by Mr. Reynolds from Mr. McCloskey?

Mr. WILLIAMS of Delaware. He did, yes.

Mr. COOPER. Yes, let me say that I do not know how many members of the committee were there that day, but we heard his story. I remember that I did ask him if he had told us all of the facts and whether there was any other information he had to give. He said, "No."

Naturally I wish to be fair in this matter. That is what he said.

Mr. WILLIAMS of Delaware. There is no question about that.

Mr. ELLENDER. Did Mr. Reynolds indicate to you in any manner the amount of the check that was sent by Mr. McCloskey?

Mr. COOPER. No, of course not. The only facts he told us were the facts I have related. They are all in the record. He had been paid a certain premium and that he had paid out $4,000 to Mr. Baker and $1,500 to Mr. McLeod.

I understand that the Senator is trying to develop that Mr. Reynolds did not give the committee the truth and the full facts.

Mr. ELLENDER. Exactly.

Mr. COOPER. The Senator is correct. Reynolds did not give us all the facts. I should like to make the point that the Senator's inquiry, while important and justified, is not wholly relevant to the necessity of calling McCloskey as a witness. If we had had an opportunity to have Mr. McCloskey as a witness and question him, I would assume that he would have told us the truth and these later facts would have been elicited.

Mr. ELLENDER. I can well understand that. I am in agreement with the Senator from Kentucky that if Mr. McCloskey had been called as a witness, these facts could have come to light. The point I am trying to make, as the Senator just stated, is that it strikes me that one of the persons most to blame for this is Mr. Reynolds. He is the one who is in bad faith, in my opinion. It is strange that this matter is now being reopened because of the failure of the chief witness to tell the truth.

Mr. WILLIAMS of Delaware. Partly because of the failure of the chief witness and also because of the failure of the committee. I appeared before the committee with the information which I developed from Mr. Reynolds, and the committee explored that. At that time I had no knowledge, no suspicion, that there was any payment on the performance bond over and above the $73,000. I had no reason to think that. So far as I know, the committee had no reason to think that either at that point. But later they were alerted to the suspicion.

As the Senator from Louisiana has stated and as the Senator from Kentucky has pointed out, the committee did ask leading questions which should have developed more information, but they did not.

I am not excusing Mr. Reynolds of his responsibility either; but it was after Mr. Reynolds appeared before the committee as a witness that this later information was discovered. We received the report that the check which Mr. Reynolds had received for the payment on the performance bond was not $73,000 but was for a substantial figure over and above the $73,000.

The suggestion was that this extra payment was partly for payoffs and partly a political contribution to the Democratic campaign fund.

Why should this rumor not have been pursued? It would have been easy to prove or disprove the charge had the committee been interested.

After this was called to my attention I talked with Mr. Reynolds further. He said the reason he did not mention it was that he did not know the exact amount and that he was afraid the committee would insist on him producing the exact figure. He had cashed the check, but he had no record of it.

The committee could have called Mr. McCloskey before them as a witness. It would have been easy to have settled this question by putting him on the stand under oath as a witness or by getting a copy of the check. At that time they were getting ready to close down, but they still had time to do this. I appealed to the chairman even at that late date to get this check to see if it was the exact amount.

If I got a copy of the check certainly the committee could.

They had a full staff of investigators; all that I had was my regular office staff.

I read the RECORD where twice in a statement I raised the question of getting that check to see if it was the exact amount. I regret the committee did not see fit to act, but when the committee did not, fortunately I obtained the check. As soon as I obtained it I presented it on the floor of the Senate since the committee had quit.

I agree with the Senator that all of these facts should have been developed by the committee.

Mr. ELLENDER. Is there any doubt in the Senator's mind that Mr. Reynolds did not know the amount of the check? Surely, he would have known that.

Mr. WILLIAMS of Delaware. He would have known reasonably close, yes; but not the exact amount.

Mr. ELLENDER. Of course he would. He simply lied about it, I presume.

Mr. WILLIAMS of Delaware. That is the reason this question has to be pursued further.

By all lines of reasoning, Mr. McCloskey should be called as a witness. This should be done in all fairness to him. Let him present his testimony under oath the same as Mr. Reynolds. In his response to the statement I made Mr. McCloskey made mention of the fact that he said all he paid was $109,000 and some odd dollars, which was the exact amount of the invoice. He said he paid no more, no less. But the point is the records show the invoice to have been increased by around $35,000 above the actual cost of the performance bond. Who got this $35,000 is the great unanswered question.

Based upon the evidence we now have, there is an extra $35,000 overpayment that was coming into Washington. Who got this money? That is what we must find out.

We must find out exactly who is telling the truth. I said the other day that we should reserve our decision until we have an opportunity to bring all the witnesses before a congressional committee hearing, but we have a responsibility to call these witnesses.

We should let Mr. McCloskey testify under oath. We should call Mr. McCloskey or anyone else who may be or has been connected with this case. We should call any witness, no matter how high a position he occupies in our Government. There is no man in Government too high to be held accountable for his action as a public servant.

Again I urge that this investigation be reopened.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS — CONFERENCE REPORT

Mr. BYRD of West Virginia. 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. 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. 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 conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of West Virginia. Mr. President, the conference agreement on the bill provides total appropriations of $7,089,707,000, a reduction of $713,483,000 from the budget estimates, an increase of $8,514,000 over the Senate allowance, and $181,644,000 over the House allowance.

For the Department of Labor the conferees allowed a total of $565,904,000, an increase of $484,000 over the Senate allowance, but a decrease of $20,050,000 from the House allowance, and $104,606,000 under the budget estimate. The Senate reduction of $20 million in the item for "Manpower development and training activities" was accepted by the conferees. The statement of the managers on the part of the House contained in the conference report indicates that "the managers on the part of the House approve of the Department's proposal to establish a number of Youth Opportunity Centers." This is, of course, the expression of the one body, but does not constitute congressional approval of the reprograming request, a request denied by the Senate Committee on Appropriations, to which no challenge was made on the floor of the Senate. The Department is cautioned not to proceed with the contemplated reprograming.

For the Department of Health, Education, and Welfare the conferees allowed a total of $6,476,629,000, a decrease of $624,412,000 from the budget estimates, an increase of $184,909,000 over the House allowance, a decrease of $21,074,000 from the Senate allowance.

The conferees agreed on the reduction voted by the Senate of $25 million, sought for the establishment of five residential vocational education schools, to be wholly federally financed.

The conferees agreed to the Senate amendment adding the full budget estimate of $55 million for grants for public libraries. The conferees also accepted the Senate amendments adding $10 million for special cancer research to follow leads on the viral origin of leukemia, and adding $25 million for health professions educational assistance, providing $15 million additional for medical schools, $5 million for dental schools, and $5 million for replacement or rehabilitation of existing facilities.

The conferees accepted $222,500,000 of the Senate increase for hospital construction activities, providing $150 million for general hospital beds, $70 million for the categorical program, and $2,500,000 for planning grants. The $150,000 added by the Senate for administrative expenses was disallowed.

The Senate added an amendment reducing funds sought for day-care services from $6 million in the House bill to $4 million and requiring matching beginning April 1, 1965. The conferees accepted the Senate amendment allowing $4 million, but the matching has been put off until January 1, 1966, in order to give States an opportunity to consider whether continuance of the program under a matching provision should be approved.

The Senate added $1,500,000 for planning the environmental health facility, the principal part of which the Department intended to locate in Beltsville, Md., on land to be donated by the Department of Agriculture. The House managers were adamant against the placement of the central facility in the metropolitan Washington area. A compromise was reached allowing $1 million for planning the central facility to be located at least 50 miles outside of Washington.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

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

Mr. BYRD of West Virginia. I yield.

Mr. LAUSCHE. With regard to the Environmental Health Center, it is my understanding that the recommended compromise contains a provision that the Center shall not be built at a site within a radius of 50 miles of Washington.

Mr. BYRD of West Virginia. That is correct.

Mr. LAUSCHE. Does that mean that the selection of the site is now left completely open, and that the original decision to build the Center at Beltsville no longer continues?

Mr. BYRD of West Virginia. It means that the decision as to where to locate the facility remains with the executive department, and that, in any event, it cannot be located within a radius of 50 miles from Washington.

Mr. LAUSCHE. Mr. President, was that decision reached on the basis that there is already an overcongested situation in Washington?

Mr. BYRD of West Virginia. As I recall, that was the primary objection presented by the House conferees.

Mr. LAUSCHE. To summarize, the decisions which have heretofore been made concerning where the Center should be located are no longer effective, and a new study and approach will have to be made to enable the executive department to determine where the site shall be.

Mr. BYRD of West Virginia. Any decision which has heretofore been made to locate the facility at Beltsville is no longer in order because of the requirement that the facility be located at least 50 miles from Washington, D.C.

Mr. LAUSCHE. Mr. President, I thank the Senator.

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

Mr. BYRD of West Virginia. I yield.

Mr. COTTON. The Senator from New Hampshire, as the ranking minority member of the subcommittee, takes this opportunity to compliment the distinguished Senator from West Virginia [Mr. BYRD] for the very able manner in which he has handled this important appropriation bill, not only in the subcommittee and full Committee on Appropriations, but also on the floor of the Senate and in the conduct of the conference.

Catapulted into this position by the sudden illness of the beloved chairman of the subcommittee, the distinguished senior Senator from Alabama [Mr. HILL], the Senator from West Virginia [Mr. BYRD] has handled the measure in an amazingly efficient manner. Throughout the conference, he indicated—as he did earlier in the consideration of the measure in the Senate—his remarkable grasp of the bill in all of its aspects.

We all hope that the senior Senator from Alabama will soon be on the road to recovery. We are all happy that there is a comparatively young Senator on the subcommittee who could step into this position of responsibility and deal with it as efficiently, fairly, and expeditiously as the able Senator from West Virginia did.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator. I join the distinguished senior Senator from New Hampshire in his good wishes concerning the health of the senior Senator from Alabama [Mr. HILL], who is the chairman of the Subcommittee on Appropriations for the Departments of Labor, and Health, Education, and Welfare.

I have been in fairly constant touch with the senior Senator from Alabama throughout the period of his absence from the Senate. I join the Senator from New Hampshire in stating that there is every indication that the senior Senator from Alabama will soon be back with us. We have all missed his very firm, guiding hand. The senior Senator from Alabama has acted as chairman over a period of many years. He is very capable. He is highly respected and very knowledgeable in the entire field that we have considered.

I am sorry that it was my misfortune to have been placed in the position of acting chairman. But, while the ranking minority member of the subcommittee has been not only gracious but also very charitable in his remarks concerning my efforts, I could not have proceeded without the strong and able support, and the advice of the distinguished senior Senator from New Hampshire. He was at my side at all times. I leaned upon him for counsel. The fact that we came out of the conference with a very good bill is to be attributed largely to the support given by the Senator from New Hampshire [Mr. COTTON]. I also wish to express thanks to the competent and faithful clerk of the subcommittee, Mr. Herman Downey, for his assistance at all times. Finally, I look forward to the early return of our beloved chairman, Senator LISTER HILL. He has been missed by all of us.

Mr. YARBOROUGH. Mr. President, I feel it necessary to state once again my opposition to the deletion of the appropriation for the residential vocational training schools authorized by the Vocational Education Act. I commend the distinguished Senator from West Virginia [Mr. BYRD] for his support of residential vocational training schools and I would emphasize that this failure to appropriate funds is only a temporary delay. But this is the important point, Mr. President, it is a delay in a program which we cannot afford to delay. The delay of 1 year in setting up these schools will mean that an entire age group of school dropouts will, by reason of their having become older and further removed by the 1 year from the educational process, be precluded from participating in this program.

Mr. President, as I stated on August 19 when this bill was considered by the Senate, the Office of Education was put into an impossible position by the contradictory actions of the Senate and House Appropriations Committees. The House told the Office of Education not to designate the sites for these schools until the appropriation was made. The Senate then proceeded to say that it would not appropriate funds because the sites had not been selected. The dilemma of the Office of Education is certainly apparent, Mr. President, and needs no additional comment. I shall not press this matter further except to emphasize once again the unfortunate mistake we are making in delaying for 1 year the actual creation of these schools which are so desperately needed to combat our school dropout problem.

Mr. BEALL. Mr. President, I must object to the action taken by the conferees with respect to the proposed Environmental Health Center, which was to have been located in Beltsville, Md.

The conferees adopted language prohibiting location of the center within a 50-mile radius of the Washington area. This action on the part of the conferees nullifies the best judgment of the Senate committees which have endorsed this location, as well as the many executive agencies which recommended the Beltsville site.

During the past year, there has been a great deal of discussion in Congress regarding the role and functions of the three branches of Government. Much criticism has been directed toward the executive and judicial branches for attempting to usurp the powers of Congress. I submit, Mr. President, that in the case of the Environmental Health Center, we are guilty of the same crime.

Within the executive branch, we have provided for a Public Health Service to advise us of the best means of carrying out our Federal health programs. We have established other agencies and commissions for the purpose of advising us on matters of this nature. Yet, today, we are asked to approve a conference report which ignores completely the recommendations of the Public Health Service, the President's Science Advisory Committee, and the other agencies which, after careful study, have selected Beltsville, Md., as the most suitable site for the Environmental Health Center.

We have come to the point where the mature judgment of qualified agencies is no longer accepted as the best standard for locating Federal facilities. We have now adopted the pork barrel approach. The action of the conferees, in effect, throws the whole matter up in the air with the assurance that a coordinated environmental health research program will again be delayed. Rather than beginning this important effort so necessary to the national health, we will now witness a free-for-all among the various States who would like to have this facility within their borders.

Mr. President, I cannot let this conference report be adopted without voicing the most vigorous objections to the action taken with respect to the Environmental Health Center.

Mr. BREWSTER. Mr. President, an hour ago the House passed the conference report on the Labor-HEW appropriation bill. I rise to voice my strenuous objections to the callous handling of the proposed Environmental Health Center in this bill.

For 4 years the present and future health of all Americans has been jeopardized by the failure of the Congress to appropriate funds and agree on a location for a National Environmental Health Center.

The recommendation of the Department of Health, Education, and Welfare was first rejected by the Congress in 1961. The proposal was subsequently reviewed and highly recommended by two scientific panels, one appointed by the Surgeon General and the other by the President's science adviser. The latter group was composed of 19 scientists from 11 States.

In his health messages to Congress, President Kennedy recommended the construction of this facility and concurred in the recommendation of the Department and of the committees that the Center be located in the Washington area.

In 1963, the Senate appropriated $1,441,000 and designated Government-owned land at Beltsville, Md., as the proper cite for the facility. House conferees were unwilling to agree to the site and the project was scrapped again. This year the House failed to appropriate

any funds for the Center. The Senate appropriated $1,500,000 and left the choice of location up to the Department.

It is well known that the Department and all the advisory groups that have considered this proposal have recommended a Washington area location. They have done so in recognition of the necessity for close liaison between the new Center and the National Institutes of Health, the Food and Drug Administration, the Atomic Energy Commission, Bureau of Standards, and other agencies in the health field. It is also well known that numerous Senators and Congressmen have been eager to locate this facility in their States.

Yesterday, a Senate-House conference committee appropriated $1 million for planning purposes, but specified that the facility be located at least 50 miles from the Washington area. In so doing, the conferees have frustrated the purposes of this vital agency even before it is born. They have in addition, ruled out the recommended, logical, and most economical site for this facility on Government-owned land at the Agricultural Experiment Station in Beltsville, Md.

The April 12, 1963, edition of Science, published by the American Association for the Advancement of Science, noted:

> The old tradition of the Federal pork barrel has been reshaped, and Congressmen now haggle over the location of scientific facilities with all the energy once spent in pursuit of rivers and harbors projects. * * * The trouble centers wholly on the location of the proposed Center, not on its merits, for no one denies that it is badly needed. Congressmen are not unaware of the growing public anxiety over environmental contaminants * * * and they have long recognized that existing public health service programs in these fields are fragmented and inadequate.

The urgent need for the establishment of a center for the study of environmental health has been well documented. The publication of the book by Rachel Carson and the testimony developed in Senate hearings on the use of pesticides are only two of the more dramatic aspects of this problem.

As our population increases at an accelerated rate, it becomes vital for the Nation to mount an organized program for the control of air and water pollution, radiation hazards, and other manmade a contaminants. A continuing search into the factors which affect man's physical environment and, through it, his health, is essential.

I have closely followed the progress and plans for this Center. In so doing, I have become acutely aware of the tremendous stake which our Nation has in environmental health and of the need for the proposed facility.

I consider it a matter of grave concern that an essential program of research involving the health of every citizen in this Nation should have been stalled in a morass of political controversy.

Mr. JAVITS. Mr. President, I wish to express my support for the conference report, with special reference to amendments 49, 50, 51, and 52, relating to the day-care-service provisions. I am disappointed that the amount for day-care services was not increased to the House figure. But I am gratified that the matching fund requirement is being deferred until January 1, 1966. I ask unanimous consent that I may submit a portion of the testimony at the Senate hearings, emphasizing the importance of the day-care provisions of the bill. I wish to thank my friend the Senator from West Virginia [Mr. BYRD], the chairman of the subcommittee, for the great kindness and consideration which he gave us in respect to this problem.

The PRESIDING OFFICER. Without objection, the statement may be printed in the RECORD.

The statement submitted by Mr. JAVITS is as follows:

DAY-CARE SERVICES

States will use the funds available for day-care services to provide family day-care homes and day-care centers. Improvements will be made in the quality of day care through licensing and consultation and through cooperative work with voluntary agencies for effective utilization of available day-care resources. The need for day-care services will continue to be great. The number of working mothers in the United States is approaching 9 million. One out of three mothers in the labor force has children under 6. Family income is a major factor in the presence of mothers of young children in the labor force. In families where the husbands earn less than $3,000 a year 1 out of 4 mothers with children under 6 years of age is in the labor force; when the husband's income is $7,000 or more, the proportion is only 1 out of 10.

In many families where the mother works, she is the sole support of her family and usually has a very low income. It is these families, particularly, that need the kind of day-care facilities the Federal funds will help the States to provide. When such facilities are not available, children are likely to be subjected to the dangers of being left alone or in very poor care. In 1 State with 67 counties only 19 counties have some day-care facilities although the State reports probable need in every county. This is typical of the need for increasing services in most States.

Another low-income group, whose children are in special need of day-care services, is the migratory agricultural worker. According to the Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare, approximately 100,000 to 150,000 children under 14 are in migrant families. The next oldest child often has to drop out of school to care for the toddlers and infants. In a number of States funds will be used for day care for migrant children.

With increased funds both family day-care and community day-care centers can begin operation in a number of communities now without such services.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 10809, which reads as follows:

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 11, 36, and 63 to the bill (H.R. 10809) entitled "An Act 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", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted, insert:

"$41,065,000: *Provided*, That for the purpose of determining the amount of payments to States from any appropriation for carrying out sections 2 and 3 with respect to expenditures under a State plan approved under said Act (and, if made after August 3, 1954 and prior to July 1, 1965, certified by the Secretary of Health, Education, and Welfare prior to July 1, 1965 for payment), State funds shall, subject to such limitations and conditions as may be prescribed in regulations of the Secretary, include contributions of funds made by any private agency, organization, or individual to a State to assist in meeting the costs of establishment of a public or other nonprofit workshop or rehabilitation facility, which would be regarded as State funds except for the condition, imposed by the contributor, limiting use of such funds to establishment of such workshop or facility."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 18, and concur therein with an amendment, as follows:

In lieu of "75 per centum", insert: "50 per centum".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 26, and concur therein with an amendment, as follows:

In lieu of "75 per centum", insert: "50 per centum".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 52, and concur therein with an amendment, as follows:

In lieu of the matter proposed to be inserted, insert the following:

"*Provided further*, That after January 1, 1966 no Federal funds shall be used to pay in excess of one-half of the cost of day care services under section 527(a) of the Social Security Act, as amended."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows:

In lieu of the matter proposed to be inserted, insert the following:

"Sec. 206. Except upon the approval of the President's Science Advisory Committee, none of the funds herein appropriated shall be used to conduct or assist in conducting, or carry on, undertake, or continue surveys, investigations, or any programs (including but not limited to, the payment of salaries, administrative expenses, the conduct of research activities and policing actions) in the field of salinity control or of irrigation water quality in the area drained by the Colorado River and its tributaries."

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 13, 18, 26, 52, and 58.

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

The motion was agreed to.

BARRY GOLDWATER AND MARIE ANTOINETTE

Mr. McGOVERN. Mr. President, one of the most celebrated incidents of the French Revolution was the reply of Queen Marie Antoinette when told that the French populace had no bread. "Let them eat cake" was her contemptuous reply. But the populace responded by cutting off the Queen's head.

Now, Mr. President, I do not want to imply that the American people are about to cut off anyone's head. But I do wonder what our older citizens will think when they read the statement of the GOP presidential candidate, who said yesterday in explaining his vote against the health care amendment:

> Having given our pensioners their medical care in kind, why not food baskets, why not public housing accommodations, why not vacation resorts, why not a ration of cigarettes for those who smoke and of beer for those who drink?

Mr. President, I have never understood what kind of mentality would prompt a ruler to reply to a hungry people crying for bread that the answer to their problem is cake. I find it even harder to understand how a candidate for high office in a great democracy could respond so flippantly and superficially to one of the serious problems of our society, namely, the problem of how a growing number of older citizens can prepare for the day when they are unable to meet the fast-rising cost of hospital care.

If Mr. GOLDWATER thinks that a bottle of beer and a pack of cigarettes are on the same level as a modest program of pay-as-you-go, self-help hospital insurance, then we can only wonder what strange combination of forces has thrust him up as a candidate for the Presidency.

Of course, we ought to give Mr. GOLDWATER whatever credit is due him for interrupting the pleasantries of life on his yacht, *Sundance*. It must have been something of a hardship for him to come ashore, shave off a luxuriant 8-day growth, and fly in his new jet airplane to Washington to strike a blow for liberty and against health care for our older citizens.

Mr. GOLDWATER has made similar flights back to the Capitol to cast his vote against civil rights, against the nuclear test ban, and against tax reduction.

In searching for the explanation of the Senator's prompt appearance each time there is a chance to register a vote against the people, one might assume that this represents unwavering opposition to public expenditures.

This argument is shattered, however, when one is reminded that the biggest single public works spending bill to come out of this Congress was one sponsored by the junior Senator from Arizona [Mr. GOLDWATER] described as the central Arizona project. It provides a whopping $1.2 billion for what some of Mr. GOLDWATER's backers would ordinarily describe as "pork barrel" spending.

Mr. President, I do not regard the investment of public funds in the conservation of our water resources as "pork barrel" expenditures. I voted for the central Arizona project in committee, just as I have supported water development projects in my own State. I am not sure that the Arizona proposal should stand in its present form. These projects in the long run, however, will enrich rather than impoverish our country because they conserve valuable water resources.

But, Mr. President, is there any resource that is more precious than humanity itself, even that part of our humanity that has reached the afternoon period of life? The quality of any society can be measured by the attitude it takes toward its older citizens.

What less can we do as the richest Nation in the world than to provide a mechanism whereby our people can share the risks of expensive hospital care through our social security system? This is not a gift to the people. It is a practical formula under which they can contribute during their working years to a fund that will be available to them if needed when they are no longer able to work to finance the cost of hospital care.

I say that is true conservatism. It is the conservation of human health and human dignity. It is a slur on the whole social security concept that has served us so well these past three decades for a presidential candidate to imply that American citizens participating in this system expect the Government to buy them beer, cigarettes, and food baskets.

While I do not think the guillotine will fall on Mr. GOLDWATER, I would be greatly surprised if thoughtful Americans concerned about the health and well-being of our citizenry fail to express their displeasure with him at the ballot box in November.

It has been suggested in the Goldwater camp that the medicare program is a vote-seeking scheme. If discharging a campaign pledge in a national platform which was attempted in the last Congress and is again being attempted in this Congress is a vote-seeking scheme, then let the opposition make the most of it. Of course, a party seeks votes on the basis of its platform and its performance. That is what elections in a free society are all about.

The Democratic platform is clear on this issue, and I only hope our performance will continue to be as clear as it was in the U.S. Senate yesterday and again today.

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.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW FOR PRO FORMA SESSION, AND THEN ADJOURNMENT TO TUESDAY, SEPTEMBER 8, 1964

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of business today the Senate stand in adjournment until 9 a.m. tomorrow, and that immediately after convening on said day the Presiding Officer shall, without the transaction of any business or debate, declare an adjournment of the Senate until 12 o'clock noon on Tuesday, September 8, 1964.

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

LOCATION OF CHANCERIES AND OTHER BUSINESS OFFICES OF FOREIGN GOVERNMENTS IN RESIDENTIAL AREAS OF DISTRICT OF COLUMBIA

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 646) to prohibit the location of chanceries and other business offices of foreign governments in any residential area in the District of Columbia, which were to strike out all after the enacting clause and insert:

That section 6 of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938, as amended (D.C. Code, sec. 5–418), is amended by inserting "(a)" after "SEC. 6." and by adding at the end of such section the following new subsections:

"(b) After the date of enactment of this subsection a foreign government shall be permitted to construct, alter, repair, convert, or occupy a building anywhere in the District of Columbia, other than a district or zone restricted in accordance with this Act to use for industrial purposes, for use by such government as an embassy.

"(c) After the date of enactment of this subsection, except as otherwise provided in subsection (d) of this section, no foreign government shall be permitted to construct, alter, repair, convert, or occupy a building for use as a chancery where official business of such government is to be conducted by more than six persons on any land, regardless of the date such land was acquired, within any district or zone restricted in accordance with this Act to use for residential purposes.

"(d) After the date of enactment of this subsection a foreign government shall be permitted to construct, alter, repair, convert, or occupy a building for use as a chancery within any district or zone restricted in accordance with this Act to use for medium-high density apartments or high density apartments if the Board of Zoning Adjustment shall determine after a public hearing that the proposed use and the building in which the use is to be conducted are compatible with the present and proposed development of the neighborhood. In determining compatibility the Board of Zoning Adjustment must find that—

"(1) in districts or zones restricted in accordance with this Act to use for medium-high density apartments, that off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand two hundred square feet of gross floor area; and

"(2) in districts or zones restricted in accordance with this Act to use for high density apartments, that off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand eight hundred square feet of gross floor area; and

"(3) the height of the building does not exceed the maximum permitted in the district or zone in which it is located; and

"(4) the architectural design and the arrangement of all structures and off-street parking spaces are in keeping with the character of the neighborhood.

"(e) After the date of enactment of this subsection a foreign government shall be permitted to construct, alter, repair, convert, or occupy a building for use as a chancery where official business of such government is to be conducted by not more than six persons within any district or zone restricted

in accordance with this Act to use for residential purposes, other than for medium-high density and high density apartments as provided in subsection (d), if the Board of Zoning Adjustment shall determine after a public hearing that the proposed use and the building in which the use is to be conducted are compatible with the present and proposed development of the neighborhood. In determining compatibility, the Board of Zoning Adjustment must find that—

"(1) in districts or zones restricted in accordance with this Act to use for single-family residences, for low-density apartments, or for medium-density apartments, or for any combination thereof, that off-street parking spaces will be provided at a ratio of not less than one such space for each six hundred square feet of gross floor area; and

"(2) the height of the building does not exceed the maximum permitted in the district or zone in which it is located; and

"(3) in districts or zones restricted in accordance with this Act to use for single-family residences, no new buildings or additions to existing buildings will be provided on a site area of less than two acres; and the total bulk of all such buildings (including additions) will not exceed a floor area ratio of 0.15; and

"(4) in the case of an existing building in a district or zone restricted in accordance with this Act to single-family residences which does not have a site area of two acres or more, that the site upon which such existing building is located is not less than four hundred feet from the site of any existing chancery located in such district or zone; and

"(5) the architectural design and the arrangement of all structures and off-street parking spaces are in keeping with the character of the neighborhood; and

"(6) the operation of the chancery is properly screened from the neighborhood and the anticipated volume of traffic is not likely to change the general character of the neighborhood.

"(f) In the case of any building used both as an official residence of a chief of a diplomatic mission of a foreign government and as a chancery where the official business of such government is conducted by not more than six persons, the Board of Zoning Adjustment is authorized to require that such number of off-street parking spaces be provided as it determines necessary.

"(g) As used in this section, the term—

"(1) 'embassy' means a building used as the official residence of the chief of a diplomatic mission of a foreign government, and such term shall include a building used both as the official residence of the chief of a diplomatic mission of a foreign government and as a chancery where official business of such government is conducted by not more than six persons.

"(2) 'chancery' means a building containing business offices of the chief of a diplomatic mission of a foreign government where official business of such government is conducted, and such term shall include any chancery annex, and the business offices of attachés of a foreign government who are under the personal direction and superintendence of the chief of mission of such government. Such term shall not include business offices of nondiplomatic missions of foreign governments such as purchasing, financial, educational, or other missions of comparable nondiplomatic nature.

"(3) 'person' means any individual who is subject to direction by the chief of mission of a foreign government and is engaged in diplomatic activities recognized as such by the Secretary of State."

SEC. 2. Nothing in the amendments made by the first section of this Act shall prohibit—

(1) the future or continued use of a building as a chancery or the making of ordinary repairs to any such building for which lawful use as a chancery existed on the date of enactment of this Act, or

(2) the construction, reconstruction, expansion, or alteration in accordance with any permit issued by the Board of Commissioners of the District of Columbia on or before February 18, 1964, of any building used or to be used as a chancery.

SEC. 3. The amendments made by the first section of this Act shall apply only to applications for special exemptions to the zoning regulations filed with the Board of Zoning Adjustment after May 1, 1964.

SEC. 4. After the date of enactment of this Act, no building or chancery being used by a foreign government in the District of Columbia shall be transferred to or used by another foreign government unless such use is in accordance with section 6 of the Act of June 20, 1938, as amended (D.C. Code, sec. 5–418), or unless such use was in accordance with applicable law at the time of this enactment.

SEC. 5. This Act and the amendments made thereby shall not be administered in such a way as to discriminate against any foreign government on the basis of the race, color, or creed of any of its citizens.

And to amend the title so as to read: "An act to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia."

Mr. BIBLE. Mr. President, I move that the Senate disagree to the House amendments and ask for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

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

The motion was agreed to; and the Presiding Officer appointed Mr. McINTYRE, Mr. MORSE, and Mr. BEALL conferees on the part of the Senate.

PUBLIC LAND LAW REVIEW COMMISSION

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1379 (H.R. 8070).

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

The LEGISLATIVE CLERK. A bill (H.R. 8070) for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 5, line 9, after the word "than", to strike out "December 31, 1967" and insert "June 30, 1963"; in line 12, after the word "on", to strike out "June 30, 1968" and insert "December 31, 1968"; and on page 10, line 17, after "(e)", to strike out "national forests, and (f)" and insert "national forests, (f) wildlife refuges and ranges, and (g)".

Mr. BIBLE. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

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

Mr. BIBLE. Mr. President, I ask unanimous consent to modify the bill as amended by asking that the language on line 10, page 5, reading "June 30, 1968" be stricken and that in place thereof the date "December 31, 1968" be inserted; and further I ask to modify the bill as amended by asking that the language beginning in line 12, page 5, ending on line 13, page 5, reading "December 31, 1968", be stricken and that in lieu thereof there be inserted the date "June 30, 1969".

The PRESIDING OFFICER. Without objection, the bill will be so amended.

Mr. BIBLE. Mr. President, this is a most worthy bit of legislation. It is legislation on which the distinguished Representative from Colorado, the Chairman of the House Interior Committee, WAYNE ASPINALL, has spent many hours in drafting a bill that will go a long way to updating the archaic land laws of this Nation.

Enactment of H.R. 8070 will permit a comprehensive review of the policies applicable to the use, management, and disposition of the public domain lands of the United States. The first public domain of the United States was created when the original 13 States ceded to the Federal Government lands westward to the Mississippi River as part of the compromises attendant upon the formation of the Union and the adoption of the Constitution.

The Constitution itself provides in article IV, section 3, clause 2:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

DISPOSAL POLICY

From the beginning, Congress followed a policy of disposing of the public lands. Land was plentiful; it was sold to raise revenue and at the same time it was used to pay our soldiers and to reward our heroes.

In the Homestead Act of 1862 and the mining laws of 1866 and 1872, along with several acts of that day of lesser applicability, the Congress adopted the policy of permitting the developers of land to obtain title thereto with little or no monetary payment to the United States. The land-grant college system was established on this principle. The United States entered an era that saw the West developed.

It has been commonplace for many years to say that the "good" agricultural lands have long since been settled; and that the "easily found" minerals have been discovered and developed. The inference of these truisms is that the public land laws must be examined to ascertain whether they serve the changed conditions.

The most recent public land law is the Taylor Grazing Act of June 28, 1934—48 Stat. 1269—which starts with the proclamation:

> In order to promote the highest use of the public lands pending its final disposal * * *.

The Taylor Act provided for the establishment of grazing districts, for the use of grazing land. and for the classification of our vacant public lands before title could be transferred under any of the disposition laws. The 1934 act, aside from stabilizing the distressed cattle and sheep industries, may be considered to have been a holding action insofar as public land use is concerned. Congress, in recognition of the underlying policy that had been followed until that time, prefaced its grant of authority to the Secretary of the Interior by the statement quoted above regarding interim use of the public lands, "pending its final disposal." At the same time Congress recognized that the vacant public lands could no longer all be kept open for appropriation and settlement.

The one exception was the mining law. Locations and entries under the mining laws were specifically permitted without regard to the classification of the lands. Nonetheless, the Secretary of the Interior has withdrawn from the operation of the mining laws millions of acres of public lands without express statutory authority therefor.

It is also well to note at this time that the acquisition of the public domain, which had started in 1781 with State cessions, was completed in 1867 with the purchase of Alaska, with the last acquisition within the area now constituting the Southern 48 States having been accomplished in 1853. In other words, Alaska and the acquisition of land through exchange aside, there have been only reductions in the public lands for 110 years.

We should also take note at this time that in 1872 the Congress passed an act creating the Yellowstone National Park and thereby established the principle that some of our public lands should be set aside and retained for future generations. The act of March 3, 1891—26 Stat. 1103—authorized the President to reserve suitable lands as national forests.

Another landmark statute is the act of June 8, 1906—34 Stat. 225—which authorizes the President to set aside, as national monuments, lands containing objects of historic interest. In the meantime Congress, by individual acts, had established certain national parks and by the act of August 25, 1916—39 Stat. 535—established the National Park Service to administer the national parks and monuments.

Despite the fact that, statutorily, the policy of the United States envisions ultimate disposal of the public lands unless specifically directed otherwise by the Congress, President John F. Kennedy pointed up the gaps in existing law when he stated, in a letter to the chairman of this committee dated January 17, 1963:

> My predecessors have been acutely aware of the dilemmas facing the Secretaries of Agriculture and Interior as principal administrators of the original public domain. Whenever they have been faced with a reasonable alternative of continued public ownership and management, or disposition, they have generally elected the former.

The committee does not mean to infer that the executive branch has not sought new legislation. Quite the contrary is true. Since the 80th Congress this committee has been engaged in a continuing study of proposed basic changes in the public land laws. Many of these proposed changes have been submitted by executive communication; others were initiated by individual members.

During the 88th Congress among the proposals submitted by the Secretary of the Interior are bills to, first, grant broad sales authority to the Secretary of the Interior; second, broaden the exchange authority of the Secretary of the Interior; and third, consolidate and simplify the laws governing the grant of easements across public lands.

DEFICIENCIES IN EXISTING PUBLIC LAND LAWS

The committee does not rely on the pendency of legislation as an indicator of deficiencies or inadequacies found in existing statutes. The hearings conducted by this committee's Subcommittee on Public Lands demonstrated conclusively that there are several such deficiencies or inadequacies:

First. The principal difficulty is the failure of Congress to provide for the Secretary of the Interior legislative guidelines by which the executive department can make determinations between competing demands for the same piece of land. The fact of the matter is that, although there is no general statute permitting retention of lands, a Secretary of the Interior so oriented could, by failure to classify lands as suitable for disposition, provide for their retention. And the requirement of the Taylor Grazing Act that the public lands remain open to location and entry under the mining laws could likewise become meaningless through administrative determinations under the mining laws.

Second. Another situation examined by the subcommittee involved the termination of grazing permits granted under the Taylor Grazing Act. Because of the widespread demand for the use of public domain lands in our buildup for World War II, the act of July 9, 1942—56 Stat. 654—provided that whenever grazing permits were terminated because of defense utilization, the permittee or licensee would be paid for all his losses. However, there is no general law to permit similar payment of losses in situations where land is taken for other public use.

Third. The presence on the statute books of such acts as the Desert Land Entry Act invites people to spend time and money in an endeavor that may be foredoomed because of changed conditions or, in any event, the absolute discretion placed in the Secretary of the Interior to classify the lands as being suitable for such purpose before they can be opened to entry.

Fourth. Although many western communities cannot expand without utilizing public lands, there is no general authority on the statute books whereby lands can be made available for such purpose. Accordingly, it has been necessary for the committee to consider and act on individual bills authorizing the sale of land to individual communities. Similarly, there is no general authority whereby lands can be made available for necessary private development of residential, commercial, and industrial facilities.

Fifth. In 1926 Congress enacted the Recreation and Public Purposes Act to encourage local and State agencies and nonprofit private organizations to obtain public lands for recreational development. Nonetheless, many lands that should be developed for recreational purposes apparently cannot be transferred to non-Federal ownership. While the alternative would seem to indicate that the lands should be retained by the United States, there is no general statutory authority for the retention of public lands for Federal recreational development.

No purpose would be served by listing other acts and actions requiring review. The committee has concluded that only by reviewing all the public land laws can we hope to frame legislation that will satisfy the requirements of the 1960's.

EXTENT OF PUBLIC LANDS

Bureau of Land Management statistics indicate that there are approximately 438 million acres of public lands that have not been committed to specific use; of the total, 271 million acres are in Alaska and 167 million acres are in the continental United States.

The so-called vacant public lands that have not been committed for a specific use either by statute or regulation pursuant to statute, while distributed among 28 States, are primarily concentrated in the 11 Western States comprising the 8 Mountain States and the 3 continental Pacific States. The eight Mountain States are Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, and Nevada; the three Pacific States are Washington, Oregon, and California.

The impact of all public lands, whether committed or uncommitted, on the economy of these 11 Western States can be recognized readily when we consider the following pertinent facts:

First. Statistics compiled by General Services Administration in its inventory report on real property owned by the United States show that 48.1 percent of the total land area in the 11 Western States is owned by the Federal Government. The percentages range from 86.9 percent owned by the Federal Government in the State of Nevada to 29.5 percent in the State of Washington.

Second. The 11 States involved had, according to the latest available Statistical Abstract of the United States, a combined 1961 population of 28.1 million people.

Third. There have been definite trends toward an increase in population in the 11 Western States mentioned above; it is estimated that the westward movement will continue, and that by 1970, 37 million people will live in the Mountain and Pacific States.

The committee submits the obvious conclusion that in these areas where the Federal Government is such a large owner it will be necessary to make more intensive use of the public lands in order to accommodate the increased population.

TEMPORARY COMMISSION REQUIRED

It is the considered opinion of the committee that the necessary comprehensive study required of the public land laws cannot be carried out successfully by this

committee acting alone. The committee believes that due to the many and varied factors, considerations, and interests involved, only a bipartisan Commission supplemented by an advisory council made up of the many interested users of the public lands would be in a position to coordinate and supervise effectively such a broad study.

H.R. 8070, if enacted as amended, will establish such a bipartisan Commission to conduct a review of existing public land laws and regulations and recommend revisions necessary therein. The Commission and its staff would be assisted by liaison officers from Federal agencies with a direct interest.

H.R. 8070, as amended by the committee, provides the necessary framework for the study outlined above:

First. In a declaration of policy the bill presents the necessary guidelines for the Commission declaring that public lands of the United States shall be—"(a) retained and managed or (b) disposed of, all in a manner to provide the maximum benefit for the general public."

The committee takes no position as to these alternatives, which shall be exclusively within the scope of recommendations to be made by the Commission.

Second. The declaration of purpose recognizes that the public land laws of the United States have not been fully correlated and that a comprehensive review is necessary to determine whether and to what extent revisions are necessary.

Third. The bill would establish a 19-member Commission composed of 6 members of the House Interior Committee, 6 members of the Senate Interior Committee, 6 members appointed by the President from persons outside of the Federal Government, and a Chairman elected by the first 18.

Fourth. The Commission would be charged with the responsibility of studying existing statutes and regulations governing public lands, of reviewing policies and practices of Federal agencies in the field, compiling data necessary for a determination and understanding of the various demands on the public lands which now exist and which are likely to exist in the future, and finally to recommend modifications deemed necessary in existing laws, regulations, policies, and practices.

Fifth. The Commission would be required to submit its report to the President and the Congress by June 30, 1968. It would cease to exist 6 months after submission of its report or by December 31, 1968, whichever is earlier.

Sixth. Each Federal agency concerned with public lands would appoint a liaison officer to work with the Commission and its staff.

Seventh. There would be established an advisory council consisting of the Federal agency liaison officers together with 25 additional members representing those interested in the use of the public lands. This advisory council would not be an independent body and would function only for the benefit of the Public Land Law Review Commission.

Eighth. Provision is made for a representative from each State to work closely with the Commission and its staff and with the advisory council.

Ninth. The Commission would be given limited subpena power in order to enforce attendance of witnesses and the submission of required data.

Tenth. In authorizing appropriation of funds the committee has placed a limitation of $4 million on the amount to be afforded the Commission during its life. The Commission would be authorized to appoint and fix compensation of its full-time Chairman and staff director; all members of the Commission, except the Chairman, would serve without compensation.

Eleventh. The term "public lands," as used in the act, is defined in section 10 of H.R. 8070.

COST

H.R. 8070 authorizes maximum appropriations of $4 million during the projected tenure of the Public Land Law Review Commission.

The bill was reported unanimously from the Committee on Interior and Insular Affairs. It had only three minor amendments.

I ask that the bill be passed.

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 of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

AUTHORIZATION FOR COMMITTEE ON FOREIGN RELATIONS TO FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to file reports on bills until midnight tonight.

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

AUTHORIZATION FOR PRESIDENT PRO TEMPORE AND ACTING PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President pro tempore or the Acting President pro tempore be authorized to sign enrolled bills and joint resolutions duly passed by the two Houses during the adjournment of the Senate beginning September 4, 1964.

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

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM HOUSE OF REPRESENTATIVES

Mr. MANSFIELD. Mr. President, I further ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the adjournment of the Senate.

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

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that committees of the Senate be permitted to file reports during the adjournment of the Senate.

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

LEGISLATIVE ACCOMPLISHMENTS

Mr. MANSFIELD. Mr. President, this week will go down in history as a milestone in legislative progress. Since 1960, the Senate and the House have been attempting to enact a health care plan for the aged connected with our present social security benefits. This week the Senate made this attempt a realization. It was largely through the valiant efforts of Senators ANDERSON, GORE, DOUGLAS, RIBICOFF, MCNAMARA, and JAVITS that the vote for the health care plan was successful. Senator LONG of Louisiana did his usual outstanding job in handling the social security bill on the Senate floor during the absence of the distinguished chairman of the Senate Finance Committee. Senators ANDERSON and JAVITS have championed this legislation for so long, a vote of special thanks should go to them.

In addition, we sent to the President the land conservation fund together with a user fee provision which has been long advocated by many of our Presidents. Our special thanks to the entire membership and staff of the Senate Interior and Insular Affairs Committee who worked hard to make this dream a reality.

In addition, the Senate, through the fine efforts of Senator GRUENING, passed his bill to help the small independent oil and gas lessees and operators by liberalizing the requirements for timely payment of rentals on Federal oil and gas leases.

We also returned to the House a bill extending to July 1, 1965, the authority for the Army and Air Force to exceed present statutory ceilings for the authorized number of Reserve officers in each grade below lieutenant colonel, through the efforts of the distinguished chairman of the Senate Armed Services Committee, Senator RUSSELL, and the entire committee membership.

Thanks to the Finance Committee, we have returned to the House legislation amending the social security law to permit a disabled worker to establish the beginning of his disability as of the date he actually became disabled regardless of when he files his application, and also an extension of the foster care program for dependent children.

Special commendation is due Senators ERVIN, BIBLE, MORSE, HARTKE, and PROUTY for the expeditious handling of the mental health bill for the District of Columbia, which has been sent to the White House.

Through the expertise of Senator ROBERTSON, the Senate cleared for the President the bill requiring reports of changes in the control of federally insured banks.

The Senate just sent to the White House two more Senate Interior bills, one authorizing the establishment of our newest National Park, the first in almost 20 years, the Canyonlands National Park in Utah, and the second authorizing construction of the Lower Teton Division of the Teton Basin Reclamation project in Idaho, primarily through the efforts of Senators JACKSON, ANDERSON, CHURCH, Moss, JORDAN of Idaho, KUCHEL, ALLOTT, and JORDAN of North Carolina.

In review of the 51 requests made by President Johnson since the first of the year, action has been completed on the following major legislation, most of which have already been enacted into law:

Action Completed

1. Adult education.
2. AEC authorization.
3. Airport Act extension.
4. Alaska earthquake grants.
5. Alaska reconstruction.
6. Antipoverty.
7. Canyonlands.
8. Chamizal Convention Act.
9. Civil Rights Act of 1964.
10. Commission on Automation.
11. Cotton-wheat program.
12. Domestic Peace Corps.
13. Excise tax extension.
14. Federal pay reform.
15. Food Marketing Commission.
16. Food stamp plan.
17. Highway authorization.
18. Hill-Burton extension.
19. Housing Act, including an expansion of FNMA investing powers.
20. Inter-American Development Bank—increase U.S. share for Special Operations.
21. Interest equalization tax.
22. International Development Association.
23. Juvenile delinquency extension.
24. Land conservation fund including user fees.
25. Library services and construction.
26. Military construction.
27. Military pay increase.
28. Military procurement.
29. Mass transit.
30. Nurses training program.
31. Ozark National Rivers.
32. Pacific Northwest Power.
33. Peace Corps authorization.
34. Pesticide registration.
35. President's Transition Act.
36. Public defenders.
37. Public health trainee program.
38. Reorganization Act extension.
39. SEC reforms.
40. Space authorization.
41. Tax reduction.
42. Vietnam resolution.
43. Water resources research.
44. Wilderness preservation.
45. Youth Employment Act.

In Conference

46. NDEA amendments.
47. Coffee implementation.

Passed Both Houses Amended

48. Social Security-Health Care.

Passed Senate

49. Area redevelopment amendments—House Calendar.
50. Water Pollution—House Calendar.

Senate and House Calendars

51. Aid to Appalachia.

All but one of the regular appropriation bills have been, or are about to be, signed into law. The one remaining is the Foreign Aid bill.

In addition, the Senate has ratified 14 treaties sent to it by the President.

A special accolade should go to the distinguished Senator from Louisiana [Mr. LONG], who handled the social security bill which passed this body earlier this afternoon; and to the distinguished Senator from Nevada [Mr. BIBLE] for the outstanding work he has done in the field of conservation, as testified to by the many bills passed through his subcommittee, agreed to by the full committee, and enacted into law as a result of action by the Senate and the House.

I would also give very special consideration to the distinguished chairman of the Finance Committee, our colleague and friend, the senior Senator from Virginia [Mr. BYRD].

We know the difficulties which have been his over the past week or so due to the passing of his beloved wife. We are also aware of the fact that he has never held up legislation, that he has always attended to his duties with great care and scrupulousness, that he is considerate of the attitude of others, and has done all he could, and done it successfully, to keep alive the traditions, the decorum, and the dignity of the Senate.

I wish also to include in my remarks the outstanding work and generalship displayed by the distinguished Senator from West Virginia [Mr. BYRD], who in the absence of the distinguished Senator from Alabama [Mr. HILL], who is recuperating from a minor illness, took upon himself the responsibility of handling the Labor-HEW appropriation bill.

Due to his successful efforts and also to those of the ranking minority member on the subcommittee, the Senator from New Hampshire [Mr. COTTON], that bill was passed several weeks ago, and a short time ago today the conference report on that bill was agreed to in the Senate. At this time the bill is on the way to the White House.

Much credit should go to those two Senators for their expert handling of this difficult bill and for the way in which they kept alive the work and tradition of the man who this year was not able to shepherd the bill through the Senate, as has been his custom for many years.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, September 3, 1964, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes; and

S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, under the previous order, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 41 minutes p.m.) the Senate adjourned, in accordance with the previous order, until tomorrow, Friday, September 4, 1964, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate September 3 (legislative day of September 1), 1964:

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Gordon E. Bentley, Morrilton, Ark., in place of A. J. Howard, retired.

CALIFORNIA

Robert P. Sanders, Fresno, Calif., in place of S. K. Wood, retired.

Ruth V. Grandier, Tecate, Calif., in place of M. G. Hutchinson, retired.

DELAWARE

Clifford W. Truitt, Dagsboro, Del., in place of F. E. Williams, retired.

FLORIDA

John E. Courier, Jr., Oviedo, Fla., in place of J. B. Jones, Jr., deceased.

INDIANA

Robert L. Lewis, Campbellsburg, Ind., in place of N. P. Lewis, retired.

Virgil F. Morris, Jr., New Ross, Ind., in place of E. A. Snow, retired.

Rex L. Tobias, Warren, Ind., in place of B. P. Smith, deceased.

KANSAS

Charles H. Sellers, Mulvane, Kans., in place of G. E. Smysor, retired.

KENTUCKY

Russell Gilbert, Irvin, Ky., in place of E. R. Smith, retired.

T. Johnson Price, Lancaster, Ky., in place of J. W. Walker, retired.

MARYLAND

Barbara B. Hanlon, Hydes, Md., in place of R. D. Sewell, retired.

MICHIGAN

Edward J. Meeder, Potterville, Mich., in place of H. O. Fry, retired.

MINNESOTA

Maurice L. Anstadt, Glyndon, Minn., in place of I. S. Knauff, retired.

Ronald G. Haroldson, Hayward, Minn., in place of Clarence Wall, retired.

Dolores G. Kruger, Mendota, Minn., in place of C. T. Newhouse, retired.

John H. McCarthy, Saint Peter, Minn., in place of A. H. Anfang, retired.

Audrey G. Hoverson, Strathcona, Minn., in place of Thomas Hughes, retired.

MISSISSIPPI

Mary A. Skelton, Bellefontaine, Miss., in place of M. L. Embry, retired.

Ollie D. Whitfield, D'Lo, Miss., in place of I. F. Thompson, retired.

Dodd Fortenberry, Tylertown, Miss., in place of C. O. Anderson, retired.

Francis L. Scott, Utica, Miss., in place of J. L. Owens, retired.

NEW JERSEY

Theodore J. Hirst, Lincroft, N.J., in place of H. H. Seylaz, retired.

NEW MEXICO

Richard J. Pino, Albuquerque, N. Mex., in place of J. P. McFarland, deceased.

W. Walden Whipple, Kirtland, N. Mex., in place of R. N. Bond, retired.

NEW YORK

Orville B. Clark, Westons Mills, N.Y., in place of N. E. Kamery, retired.

OREGON

G. Lowell Fuller, Baker, Oreg., in place of Sanford Adler, retired.

PENNSYLVANIA

Ernest E. Roberts, Bechtelsville, Pa., in place of W. S. Scheiry, retired.

Phares C. Cramer, Conestoga, Pa., in place of E. C. Smith, retired.

William J. Malutich, Edinboro, Pa., in place of Allan Rye, retired.

J. Leslie Marstellar, Fredonia, Pa., in place of J. M. Hays, retired.

RHODE ISLAND

Lloyd A. Trewhella, Pascoag, R.I., in place of T. D. Goldrick, retired.

SOUTH CAROLINA

Luther H. Folk, Branchville, S.C., in place of C. W. Dukes, retired.

SOUTH DAKOTA

Harold A. Christianson, Volga, S. Dak., in place of Albert Christianson, retired.

TEXAS

Floyd R. Jones, Lueders, Tex., in place of L. E. Wilhite, retired.

Bobby G. Brock, Omaha, Tex., in place of J. E. Pate, retired.

Maynard A. Rowan, Jr., Rockport, Tex., in place of J. R. Simmons, transferred.

WASHINGTON

Fay Wyatt, Hamilton, Wash., in place of E. A. Davis, retired.

Florence I. Averill, McKenna, Wash., in place of Frances Kaufman, resigned.

Helen M. Karlson, Thorp, Wash., in place of Lillian Brain, retired.

WYOMING

Theodore E. Anderson, Greybull, Wyo., in place of O. O. Harvey, deceased.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 3 (legislative day of September 1), 1964:

I withdraw the nomination of Brig. Gen. Andrew T. McAnsh, [redacted] to be major general, U.S. Army, which was sent to the Senate on June 29, 1964.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 3 (legislative day of September 1), 1964:

IN THE DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Byron B. Snyder to be a consul general, and ending Earl J. Wilson to be a secretary in the diplomatic service, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 31, 1964.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 3, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Colossians 1: 10: *That ye might walk worthy of the Lord, fruitful in every good work, and increasing in the knowledge of God.*

O Thou who art the guiding intelligence in the life of man, grant that the Members of this legislative body may daily come to the sacrament of public service richly endowed with clear judgment and wise decision.

May our beloved country, which Thou hast so abundantly blessed, continue, by Thy grace, to be Thy glorious channel through which there shall flow as a mighty stream, those blessings of freedom for the oppressed, enlightenment for all who walk in darkness, and joy and hope for the weary and heavy laden.

Help us to see more vividly that, if humanity's quest for peace and good will is ever to become a radiant and joyous conquest, then men and nations must have the spirit of devotion and sacrifice, each giving according to ability and all with equal fidelity.

Hear us in Christ's name. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.R. 1263. An act for the relief of Rickert & Laan, Inc.;

H.R. 4786. An act for relief of the State of New Mexico; and

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes.

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

H.R. 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.

The message also announced that the Senate agrees to the amendments of the House to bills and a joint resolution of the Senate of the following titles:

S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes; and

S. J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

THE LATE SERGEANT ALVIN YORK

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

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

There was no objection.

Mr. BROCK. Mr. Speaker, I join the Nation in mourning the passing of Tennessee's famous soldier and humble citizen, Sgt. Alvin York. Sergeant York will always be remembered as a symbol of the country's strength in crisis, and our national willingness to put our faith to its most solemn test. Sergeant York's patriotism and valor will serve as a perpetual challenge to future generations to be strong of mind and body, courageous in the face of adversity, and dedicated to the principles that have made this country great. It has been said that "to live in hearts we leave behind is not to die at all" and in this sense Sergeant York will always live on.

MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES, FOR FISCAL YEAR 1965

Mr. FOGARTY. Mr. Speaker, I call up the conference report on 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, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 251]

Alger	Fraser	McClory
Anderson	Fulton, Tenn.	McCulloch
Andrews, Ala.	Gill	McIntire
Ashley	Grant	Macdonald
Avery	Gray	Martin, Calif.
Baring	Green, Oreg.	Martin, Mass.
Bass	Griffin	Matsunaga
Becker	Griffiths	Meader
Bell	Hagan, Ga.	Miller, N.Y.
Bolling	Hanna	Montoya
Buckley	Hansen	Moorhead
Burkhalter	Harvey, Ind.	Morris
Burton, Calif.	Harvey, Mich.	Morrison
Celler	Hays	Multer
Colmer	Healey	Nedzi
Corman	Hébert	O'Hara, Mich.
Cramer	Hoffman	Pilcher
Davis, Tenn.	Kee	Pillion
Dawson	Kilburn	Powell
Diggs	Kilgore	Rains
Dingell	Kluczynski	Reuss
Evins	Kornegay	Ryan, Mich.
Flynt	Langen	Senner
Forrester	Lesinski	Sheppard